

CHILDREN APARTHEID & REPRESSION



in

SOUTHERN A F R I C A

A one day Conference to consider the role of
Professions and related bodies in Britain in
the campaign against apartheid

SATURDAY APRIL 23rd 1988
10am-5.30pm

City University, St John Street, EC1

**FREE THE
CHILDREN**



**FROM
APARTHEID**

LAW AND CHILDREN UNDER APARTHEID

The South African legal system, as any other legal system, is a creature of laws which have been imposed by one group upon its citizenry. Those charged with the maintenance and administration of that legal system have to carry out and implement those laws. It is those laws which define what is right and what is wrong; what is acceptable and what is not; who goes to jail and who does not and, in the final analysis, who must be hanged. The position in South Africa is that in general it is the white perspective that defines these things through the law and prescribes the punishment to be meted out to those who deviate from the law. The perspective of blacks generally is that the law in South Africa is the white man's instrument of power and privilege.

In the final analysis it is the South African legal order which gives legal and institutional form to the policy of apartheid.

Intrinsic to apartheid is the network of laws used to direct and control African labour — the pass laws and the legal apparatus of influx control. The system of migrant or contract labour enforced through these controls has a particularly devastating effect on children. New laws introduced in 1986 did not abolish the system but merely modified the nature of the controls. The bantustans continue to act as labour reserves and are areas where the families of absent workers, particularly children, form a high proportion of the population.

Until 1979 South African labour law prevented African workers joining recognised trade unions and prohibited them from acquiring skills and working in higher grades in mining and industry, thus ensuring that African workers received extremely low wages. There is no legal protection which prohibits child labour or protects children at work. In farms black children over 7 are often compelled into six-monthly contracts as a condition for their parents remaining in work. (There is an amendment presently before parliament to prohibit employment of children under 7 during school hours.)

Social welfare provision in South African law is extremely inadequate for black South Africans. There are very strict regulations covering the unemployment insurance fund and only a small proportion of black unemployed are eligible to claim. Agricultural and domestic workers are not eligible at all and migrant workers may only claim unemployment benefit from the bantustan in which they were recruited.

There is no statutory maternity leave or maternity benefit. This lack of benefit often results in women returning to work only a couple of weeks after the birth of a child.

Education for black children is neither free nor compulsory; it is marked by divisions and inequalities and is aimed at restricting the level of knowledge gained.

The history of resistance to this poverty and the subjugation of the oppressed has been long. In 1976 the authorities were challenged from a new source — the children. Children emerged as a force in their own right in the struggle against an emasculated, differentiated and inferior education system. The struggle enlarged to cover the whole political spectrum. As the struggle increased and widened, so the South African criminal justice legislation responded by becoming increasingly repressive.

Set out below is a more detailed examination of the position of juveniles in South Africa under both the criminal justice system, as well as under the regime's 'security' system. It should be noted that the distinction between 'political' and 'non-political' arrests is frequently blurred in South Africa because of the use of the ordinary law as a means of repression. Thus children are frequently charged with, for instance, criminal damage, following reaction to police hostility.

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1. The trial process under criminal justice legislation

For the most part, the same legal provisions governing the trial process apply both to children and to adults. At one level, however, the South African legal system appears to recognise the needs of children. Some special provisions do exist concerning the detention, trial and sentencing of children under the ordinary law. These provisions, however, afford no real protection for children in practice, as is apparent from the detail below.

(a) Arrest

A feature of township life, particularly since the Soweto uprisings of 1976, is the mass arrests of vast numbers of children following so-called 'unrest incidents'. The most common charges following such incidents are 'public violence' (a common law offence) or 'attending an illegal gathering'. A government minister stated that in 1985, out of the 18,966 people arrested during the year, 13,556 of them had been under 20.

(b) Position of child pending trial

Once a child has been arrested, the police may decide whether to keep them in custody, release them on bail, or have them appear in court on a particular day. In the vast number of cases, the police exercise their discretion by keeping juvenile accused in custody pending trial. Between 1985 and 1986, 173,000 children were being held awaiting trial in police cells. The minister of law and order stated that in 1986, 58,967 children aged 17 or under were held in police cells pending trial. Children may be detained in a 'place of safety' which includes a police station. The criminal law does acknowledge that prison is not a healthy environment for a child. Section 29 of the Prisons Act 1959 states that a juvenile should not be detained in a police cell or lock-up unless this is necessary, or no suitable alternative place can be found. Section 29 also provides that a detained juvenile should not associate with persons over 21 if they are detained in a prison, cell, or lock-up. In reality, there are no adequate suitable facilities and the majority of detained children are detained with adults in prisons or police stations.

Courts are only obliged to inform a child's parent or guardian of the arrest and subsequent court appearance where the parents or guardians are known to be in the same magisterial district as the court and are traceable without delay (section 74 of the Criminal Procedure Act 1977). Since most black families live in townships outside the district of the court, they are usually not made aware of the child's arrest or trial. There are considerable delays in bringing cases to trial; thousands of children are thus held in custody for long periods of time. Charges are frequently dropped at or just before trial. Thus the process of arrest and charge is itself a form of repression.

(c) Trial

There is no jury in any trial. Under the Criminal Procedure Act 1977, trials of children over 7 and under 18 should be heard in juvenile courts. These are ordinary magistrates courts with the following differences: trials should be held in camera; only the child's parents/guardians, legal representatives and witnesses may be present at trial (section 154); no information revealing the identity of the child may be released (section 154); and the child may be assisted by their parents/guardians (section 73). In practice, these purported safeguards are of little practical effect, and may even serve to aggravate the child's situation. In the majority of cases, the child's parents will not have been informed of the hearing. Holding trials in camera is less a protection to a child than a means of isolating them from the community. Where a child pleads not guilty under section 115 of the 1977 Act, the magistrate may question the child to establish which facts are disputed and whether any undisputed facts can be recorded as admissions. This is frequently used to elicit damaging admissions from children who will generally not be legally represented at this stage, and may not even understand the language in which the proceedings are being conducted.

(d) Evidence

A feature of political trials is the unreliability of the evidence on which the accused are tried and convicted. In the majority of cases, the evidence comprises statements made by witnesses detained until the trial under section 31 of the Internal Security Act, who have been intimidated into testifying for the state, or 'confessions' elicited from defendants,

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made while in detention. These are assumed to have been made voluntarily unless the defence can prove otherwise.

(e) Legal aid

This is provided by the antiquated pro deo system. It enables representation by a very junior advocate in capital cases. In other cases, defendants without funds (ie most black defendants) have to rely on the help of those who can represent them without charge, those who can be paid by charitable sources, or overworked and underfunded legal resource centres. In the rural areas the difficulties are particularly acute, since few lawyers practice in these areas and those who do appear unwilling to take cases with an apparent political element. Studies indicate that at least 80% of black accused and sentenced prisoners are unlikely to have been represented at trial. This means that approximately 150,000 people per year (most of them black) are sentenced to imprisonment in magistrates courts without being represented.

(f) Sentence

Juveniles over 14 are regarded as having the criminal capacity of an adult. There are a number of sentencing alternatives for juveniles, including placement in the custody of a suitable person, reform school, temporary 'place of safety', or probation. Additionally, children may be subject to adult sentences, such as cautions, suspended or postponed sentences, fines, whipping or imprisonment. The overwhelming trend of the courts has been towards extremely harsh sentences. More than 40,000 people per year are whipped in South Africa, most of whom are juvenile boys (*House of Assembly Debates, Questions and Replies, cols 620-622, March 1986*). An extremely high proportion of juveniles are sentenced to long periods of imprisonment. In January of this year, 2,815 children were in prison serving sentences.

2. Detention without trial under the security legislation

South Africa's permanent law, as well as regulations proclaimed by the executive, provide for indefinite detention without trial of adults and children. The Internal Security Act 1982 and the current emergency regulations should be looked at in the context of the ordinary law that purports to safeguard the rights of juveniles. The Child Care Act 1982 prohibits anyone from permitting a child in their care to be ill-treated or neglected. It creates an obligation to provide adequate food, clothing and medical care, as well as an overall duty of care and support. Children should not be kept in police cells or prisons and, if they are, should be held separately from adults. Neither the Internal Security Act nor the emergency regulations make any special provision for children. Indeed, the provisions of the Child Care Act are expressly overridden by the Act and regulations, so that those in charge of prisons or police stations are under no legal requirement to treat children in their custody any differently from adults.

(a) Internal Security Act No 72 of 1982

The Internal Security Act (ISA) is a consolidating and amending Act of the prior legislation. The key provisions of the ISA providing for detention without trial are as follows:

Detention for interrogation: section 29

An officer of the police may arrest without warrant and detain for interrogation any person whom he believes has committed or intends to commit, or is withholding any information regarding an offence under section 54 of the Act. The person will be detained until the police are satisfied that they have answered all questions satisfactorily or that further detention will serve no useful purpose. The arresting officer has a subjective discretion on his power of arrest, so a detention cannot be challenged on the basis that the alleged grounds did not exist. Section 29(5) of the Act, the 'Ouster clause', deprives the courts of jurisdiction to pronounce on the validity of any action taken under section 29 or to order the release of any person detained thereunder, but the courts have so far refused to accept the ouster. Under section 29(7), no person other than a state official may have access to a detainee (the 'solitary confinement clause') and no person other than

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the minister of law and order is entitled to any official information about the detainee.

Detention of witnesses: section 31

Any person likely to give material evidence for the state may be arrested and detained if the attorney general deems their detention in the interests of the administration of justice. The person will be detained until the proceedings in which she or he is to be a witness are concluded, or if there has been no charge within six months of the arrest. The Act allows for a section 31 detainee to be kept in solitary confinement.

Preventive detention: section 28

Under section 28 a police officer can arrest without warrant and detain in police custody for seven days, if the minister of law and order signs a notice directing that the person be detained. The conditions under which section 28 detainees are held are prescribed by the minister of justice by means of regulations that cannot be nullified by the courts. Section 28 detainees can be held in solitary confinement.

Under *section 50(A)* a person may be detained for up to 180 days if the arresting officer is of the opinion that the actions of the person are contributing to a state of public disturbance, disorder, riot or public violence anywhere in South Africa.

The Internal Security Act overrides the court's power to grant bail. *Section 30* empowers the attorney general to order that a person should not be released on bail if he considers this to be in the interests of the security of the state or the maintenance of law and order.

Thousands of juveniles have been arrested under the ISA. In the two-year period between 1984 and 1986, over 11,000 children were detained without trial. Overwhelming evidence of the torture of children in detention has emerged, in order to force them to make 'confessions', to obtain information or simply to break their spirits. The restrictions on access to, and information about, detainees serves as a blanket of secrecy over these abuses.

(b) State of emergency

Under authority vested in him under the Public Safety Act of 1953, the state president, P W Botha, proclaimed a state of emergency in certain areas of the country on 21 July 1985. This emergency was lifted on 7 March 1986, but on 12 June of that year a state of emergency was proclaimed over the entire country, which was renewed (and the power thereunder extended) on 11 June 1987, and continues in force. Once a state of emergency has been declared, it cannot be challenged, and the state president then has sweeping powers to make such regulations as appear to him necessary or expedient for the 'maintenance of public safety or order'. Thousands of children have been detained under the emergency regulations. The Detainees' Parents Support Committee (now banned by the state) estimates that since 12 June 1986 over 30,000 people have been detained without trial, 40% of whom have been children under 18. These children have suffered the most barbaric physical and mental torture, assaults and abuse by the security forces.

The sweeping powers conferred by the regulations on the security forces, together with their total lack of accountability and a ban on any information relating to detainees, enables these abuses to continue unchecked. Regulation 3 of the 1987 regulations confers powers to arrest and detain for 30 days any person whose detention is, in the opinion of any member of the security forces, necessary for the 'safety of the public or the maintenance of public order or for the safety of that person or for the termination of the state of emergency'. After the initial 30-day period, the detention can be continued on the authorisation of the minister of law and order.

'Security forces' is very broadly defined, and includes the South African Defence Force, the South African Police, 'kitskonstabels' and even the railway police. While in detention emergency detainees are allowed no access to anyone other than a state official. In three cases in the Appellate Division (1987 (3) SA 859), the chief justice ruled that the minister is not required to give reasons for continuing a person's detention, and is not obliged to reconsider a detention after receiving representations for release from a detainee. Regulation 7 grants the divisional police commissioners wide powers to govern

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by decree ('orders'). Such orders have been used to prohibit or restrict funerals, church gatherings, carol services, to impose curfews on townships, to prohibit playing, loitering, or 'remaining aimlessly' on a public road, and to order the attendance or non-attendance at schools. The regulations attempt to exclude judicial review from the exercise of emergency powers. Regulation 16(3) seeks to exclude supreme court supervision of the regulations and orders, and the conduct of the security forces thereunder. Regulation 16(1) purports to give members of the security forces an indemnity against any actions taken in the course of implementation of the emergency powers unless they are proved to be acting in bad faith. Generally, the regulations are framed in the form of subjective discretionary powers. Furthermore, a detainee has no legal right to legal representation, and access to detainees by attorneys is restricted under regulation 3(10). A ban on information relating to 'unrest events' and police conduct serves to prohibit public accountability of that conduct. The regulations thus allow for the unsupervised and unaccountable behaviour by the security forces, who are vested individually and collectively with huge executive powers.

The regulations make no specific provision for children. There is no requirement that parents should be informed of a child's detention, and in most instances they are not informed. This position is aggravated by the provision that no information about a detainee (including his or her name or whereabouts) may be made in public. The regulations specifically provide that in the case of conflict between the regulations and the Prisons Act, the regulations governing detention will apply. To date, the courts have not distinguished the discretion necessary to arrest a child from the discretion necessary to arrest an adult. In *Makhajane v Minister of Law and Order (WLD, 29 August 1986, unreported)*, a full bench of the Transvaal Supreme Court rejected the submission that special circumstances would be necessary to justify the detention of a child. Furthermore, since the minister is no longer required to provide reasons for the extension of a person's detention, it is more difficult to challenge his decision.

3. Legal professionals in apartheid South Africa

South African judges (all of them are white) are bound by their oath of office to apply the law as passed by parliament. The judges see themselves as belonging to the same professional tradition as English and American judges. Their approach leads them to exclude overt political influences and to assume an obligation to give effect to the intention of parliament regardless of their personal view of its wisdom and morality. They are criticised by distinguished academic lawyers such as Professor John Dugard for failing to take sufficiently into account the fundamental libertarian and egalitarian principles of Roman-Dutch law. Certainly, it is evident that many judges do not apply any presumption in favour of personal freedom when the release of detainees is sought. It is also obvious from the expressed attitudes of many judges that they support apartheid and the policies of the government towards those who oppose it.

Advocate Sydney Kentridge SC, in an address at the University of the Witwatersrand in 1982 stated:

'In certain parts of the country, at least, it has become obvious that trials of persons charged with these offences (under the Internal Security Act or high treason) are usually heard not at random by all or any of the available members of the supreme court bench, but only by a section of the members of that bench. Time and again the same few judges seem to sit in these cases. Many senior judges, who have been 10 years or more on the bench, have never found themselves presiding over such a trial. Why this should be so, it is impossible to discern. One does not know on what basis the prosecuting authorities set down the cases for hearing. But the pattern has been too clear, at least in some divisions of the supreme court, to allow it to be dismissed as coincidence. This is disturbing because there ought never to be the slightest suspicion that the courts are being manipulated.'

A recent disturbing issue that has received much publicity in the South African press is the appointment of Mr Acting Justice Rabie as the acting chief justice. He reached the mandatory requirement at the age of 70 early in 1987 but did not retire. He now fills the

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position, hitherto unconstitutionally unknown, of acting chief justice when in fact he is acting on behalf of no other person. Reports in the press refer to the appointment as 'a colossal blunder' and damaging to South Africa's need for 'perceived judicial independence'. Professor Hugh Corder of the University of Cape Town, who has authoritatively chronicled the early history of the Appellate Division, concludes that there are ominous signs that South Africans are losing their faith in the conflict-resolving powers of an independent judiciary. It should be noted that the chief justice allocates all the cases that come to the Appellate Division in Bloemfontein.

In the last two or three years some judges have demonstrated a degree of independence by ruling against the government in a number of cases where they have had to interpret the Internal Security Act and the emergency regulations. Unfortunately some of these 'liberal' decisions have been reversed by the Appellate Division and others have been nullified by the government's amending the law. It seems obvious, therefore, that the judges, however courageous and independent, can mitigate only marginally the impact of the security laws, whereas, at the same time, their presence on the bench lends undeserved credibility to a legal system in which personal and political freedoms are left unprotected.

This issue was discussed by a mission from the International Commission of Jurists with some 'liberal' judges and the mission was impressed by the judges' concern to assure the mission that they would in no circumstances be prepared to accept any instruction from the government, save in the form of a law properly enacted. All felt that they were justified in continuing to sit on the bench and it was apparent that questions of individual liberty were not a regular part of their judicial work. This seems partly to be the effect of the government's policy of keeping 'security' cases out of the courts and they therefore rarely need to face up to the conflict inherent in their participation in a repressive legal system. Most of the black lawyers and political leaders with whom the mission discussed the question thought that the 'liberal' judges should resign, but it was generally acknowledged that resignation would have little impact unless it were accompanied by public disclosure of the reasons for resigning.

So far as lawyers themselves are concerned, particular difficulties are experienced by those practising in rural areas. There are few lawyers practising there and those that exist are almost invariably dependent on the white property owners for their income. The few progressive lawyers are almost all based in the major cities. Some are prepared to travel to rural areas but the distances are often so great that they can handle only a limited number of rural cases. These lawyers also complain of obstruction from the prosecutors, from the police and even from magistrates. Defence lawyers coming from the city complain of discourteous treatment, being made to wait for local lawyers to have their cases dealt with and being summoned to the court to make formal applications which could have been dealt with by correspondence. When defence lawyers seek to instruct local lawyers to act as agents, they often decline to do so on political grounds.

There are complaints that attempts to establish local advice centres in rural townships are thwarted by the police. Advice workers have been detained under the emergency regulations.

In May 1987 the democratic lawyers in South Africa came together to launch a National Association of Democratic Lawyers. In the preamble of its constitution, NADEL endorsed the new perceptions of law and justice emerging out of the embryonic structures of people's power and also undertook to work for the realisation of a truly democratic and just society free from oppression and exploitation. One of their aims is to promote the study of and research into alternative legal institutions.

Forty-one years ago in September 1946 the Nuremberg War Crimes Tribunal provided the international community with a unique occasion for establishing liability for crimes of state and of individual responsibility. The 'Nuremberg principles' enshrined in Article 6 of the Charter of the International Military Tribunal are recognised as part of customary international law and have been adopted by the United Nations in numerous resolutions over the past four decades. These principles impose international and individual

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responsibility for, inter alia, crimes against peace, war crimes and crimes against humanity. The International Convention on the Suppression and Punishment of the Crime of Apartheid adopted by the UN General Assembly in 1973 and ratified by 84 states by August 1986 describes the 'inhuman acts resulting from the policies and practices of apartheid' as crimes violating principles of international law and constituting a serious threat to international peace and security.

The international community recognises that children, because of their particular vulnerability, require special measures of protection. The Declaration on the Rights of the Child, which emerged in 1959 through General Assembly resolution 1386(XIV), presented a series of principles for the well-being of every child, 'without distinction or discrimination on account of race, colour, sex, language'. The system of apartheid violates these principles in a gross and systematic fashion.

The increasingly brutal violations of international law perpetrated by the apartheid regime, including its outrages against children, necessitate an urgent response from the international community. Forty years after the establishment of the Nuremberg Tribunal, a large number of lawyers representing the legal systems of the world adopted the Nuremberg Pledge of Lawyers and Jurists wherein they undertook to work in their professional roles and as citizens for the effective application of the Nuremberg principles, that acts in violation of those principles are punishable as crimes against peace, war crimes, and crimes against humanity are to be condemned, prevented and prosecuted by the enforcement of international law. The mere passage of time does not render the Nuremberg principles any the less valid.

Members of the legal profession are in a unique position and have a special duty to oppose the apartheid system and support the liberation struggle in Southern Africa.

4. Responsibility of the legal professions in Britain

Lawyers in Britain have responded by forming, in January 1987, Lawyers Against Apartheid. The group provides a forum in which members of the legal profession can support the struggle for liberation in Southern Africa. A vital contribution that lawyers in Britain can make towards the elimination of apartheid and the establishment of a free non-racial and democratic South Africa is the isolation of the South African legal system. It is proposed that the following steps be considered in this regard:

Principle

The professional legal associations in Britain should sever all links with non-democratic professional legal associations and the judiciary in South Africa and Namibia.

Action

(a) The Codes of Conduct of the bar and the Law Society should be amended so that members of the legal profession in Britain who use their professional skills in any manner which assists the South African regime or its organs or institutions be guilty of unethical conduct.

(b) The Bar Council and the Law Society should be called upon to condemn the participation of lawyers in South Africa and Namibia in the enforcement of the apartheid system.

(c) The Bar Council and the Law Society should call upon the South African and Namibian judges to resign publicly as the only conscientious action available to them under the Nuremberg principles.

(d) Barristers and solicitors should refuse to act for the South African government or any organ thereof.

(e) Barristers and solicitors should refuse to act for any parastatal institutions such as South African Transport Services and South African Airways.

(f) Barristers and solicitors should refuse to act for any individual or corporation in matters which may assist the apartheid regime.

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(g) The Bar Council and the Law Society and any individual members of the legal profession should refuse to host visits to Britain by members of non-democratic legal associations in South Africa and Namibia.

(h) The Bar Council and the Law Society should call upon the British government to demand the release of all political prisoners, detainees and awaiting trialists in political trials.

The principles cited above are included in a Declaration drawn up by the large delegation of lawyers that attended the Harare conference in September 1987. All these lawyers, both from within South Africa and from the international community, recognised the necessity for concerted action by the international community in isolating the apartheid regime and supporting the struggle for freedom and justice in Southern Africa.

5. Namibia

Resolution 2145(XXI) of 27 October 1966 of the General Assembly of the United Nations terminated the mandate which was entrusted by the League of Nations to South Africa and called upon South Africa to withdraw its administration from Namibia immediately. South Africa refused to withdraw and the continued illegal occupation of Namibia has been condemned on numerous occasions by the United Nations.

Military occupation of Namibia results in the application of military rules and thus the actions of the occupying South African forces are outside the legislative framework. This prevents democratic lawyers from challenging abuses, let alone succeeding.

In 1977, South Africa established the office of administrator general, a South African national appointed by the president. He was vested with the power to legislate for Namibia. In addition, the South African president has special powers to declare new regulations or amend existing laws without consulting anyone.

On 4 February 1972 a state of emergency was proclaimed (Proclamation R17). A general ban was placed on all meetings. Statements likely to 'subvert' or 'interfere with' the authority at any level, organisation of or participation in boycotts of officially convened meetings, refusal to obey 'lawful orders' became offences punishable by a fine of up to R60,000 or three years' imprisonment or both. The security forces were entrusted with power to arrest without a warrant anyone suspected of having taken part in or having intended to take part in the above-mentioned acts and detain such person until s/he has 'satisfactorily and truthfully' answered all questions. This Proclamation R17 was replaced by new regulations in 1977.

Proclamation 181 – security districts proclamation

According to this proclamation the administrator may declare any part of Namibia a 'security district' if he is satisfied that it is 'necessary for the security of the Territory or the protection of the public or the maintenance of public order'. Once such an area has been designated a 'security district', the administrator general or any person acting on his behalf may issue orders restricting and/or prohibiting a person's residence, movement, use or activities in specified areas. To date, northern Namibia, ie Ovamboland, Okavango and Eastern Caprivi have been designated security districts.

South African government forces have been granted an indemnity and immunity from civil and criminal claims in even wider terms than those afforded to the security forces operating in South Africa.

Proclamation AG50 of 1979

The whole area of Ovamboland is subject to a curfew under which no one is allowed to be outside a dwelling place between sunset and sunrise without the written permission of a security officer. Anyone seen outside curfew hours may be shot on sight and this has happened on numerous occasions.

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An application to the supreme court to declare the curfew regulations ultra vires and of no force was rejected, eliciting the judgment that the 'curfew provision of AG50 is clear and certain and not unreasonable' (*Kauluma and others v the Cabinet for the Interim Government of South West Africa and others 1987*).

The curfew regulations have claimed the lives of many children in Namibia. It is very difficult for a child to realise that the sun is about to set. Children may be playing outside the house or hut thinking that the SADF is not in the vicinity. Moreover, there are very few hospitals in Namibia, particularly in the 'security districts' where curfew is in operation. Since parents cannot walk after sunset or before sunrise, many children die at their homes.

EDUCATION – CHILDREN UNDER APARTHEID

Education is one of the cornerstones of the apartheid regime. Through the education system the regime has attempted to maintain the apartheid system, ensuring separate development through central control in Pretoria. No child in South Africa can escape the indoctrination that occurs – whether s/he be black or white. The basic tenets of apartheid are enshrined in the Bantu Education Act of 1953. Dr Verwoerd, then Minister of Native Affairs, stated:

'Natives will be taught from childhood to realise that equality with Europeans is not for them.'

Therefore his department would decide:

'for what class of education a native is fitted and whether he will have a chance to use his knowledge. What is the use of teaching the Bantu child mathematics when it cannot use it in practice. This is quite absurd.'

The 1953 Act introduced further restrictions on the black community. Black schools in areas once occupied by black communities were closed, as the areas became re-designated 'white'. Africans were barred from attending part-time courses at technical colleges and other institutions. This Act extended and codified the system of educational segregation in the primary school and by 1959 it was extended to secondary schools and to the so-called 'open' universities which had enrolled small numbers of black students. In future black university students would be admitted to 'tribal colleges', colleges based on ethnic and linguistic criteria.

There was opposition to these measures, notably from the ANC which established 'culture clubs' and illegal 'alternative schools', with varying degrees of success, these survived until 1960 when the ANC was banned. The churches, too, opposed the apartheid education legislation and many ended up closing their schools or selling them to government, rather than co-operate with the racist regime.

Education, then for South African children growing up in the 1950s, '60s and early '70s were segregated, authoritarian, oppressive and highly controlled. For the black children the schools were overcrowded, poorly equipped, badly staffed, underfunded and very few of the small number of students who entered Standard 1 (second year infants) reached Standard 10 (sixth year secondary).

% of black pupils enrolled in Std 1 reaching Std 10

1953 (Std 1)	0.8
1955 (Std 1)	1.1
1960 (Std 1)	1.7
1965 (Std 1)	3.0
1970 (Std 1)	9.5
1975 (Std 1)	12.0

(Statistical Yearbook 1964; DBE Annual Report 1965, 1968, 1973, 1977 & S.A. Statistics 1986) and even fewer went on to higher education.

University enrolment: total number of African students

1955	1521
1960	1792
1965	2634
1970	4609
1975	9181

(Statistical Yearbook 1964; South African Statistics 1986)

Soweto

These conditions contributed to the Soweto uprising of 1976. This was started by school children, who had experienced daily the brutality of the apartheid regime. The language issue in schools triggered deep-seated hostilities to the repression and exploitation of black South Africans. As the uprising spread, people attacked many of the structures which represented that oppression – places where administrative boards raised their revenue, council offices, etc forcing those residents who participated in the administration to resign their posts.

As the uprising broadened, it drew in parents, teachers and workers to support the school pupils. The South African Students' Movement (SASM) has initially mobilised the pupils in Soweto and throughout 1976 groups of pupils and school students involved in the protests and demonstrations sought to link up with each other, locally and regionally.

The regime responded with extreme brutality. More than 700 people were killed in a year. Armed police rode through townships firing on groups of school children and terrorising the local people. Thousands were detained but this increased their determination to resist.

'The fury of the police action created conditions of terror which we got used to. Like carrying seriously wounded people, even corpses. It left an impression on us that will never go away.' – Dan Montisi, a SASM leader.

There were shifts in the central regime following the Soweto uprisings and a few concessions were made, eg: Afrikaans was abandoned as a compulsory medium of instruction in African schools; African teachers in a recognised teachers' association were allowed to criticise the actions of the Bantu education department without losing their jobs; the bantustan universities were given more control in appointments; a few black students were admitted to 'white' universities on a quota system, although residential segregation still continued; some compulsory education for black children was introduced, particularly for those classified as 'Indian' and 'Coloured'.

Money spent on black education was seen as the key to preventing further unrest in the education system. But the bantustan programme and the division of South Africa's black population on ethnic grounds continued and these changes in the education system failed to meet the demands of the students, parents or the black teachers, or to halt the protests against the continued police clampdown against student activism.

The Structure of Education

In the last decade there have been moves to make education compulsory for black children. For coloured children by 1980 education was compulsory up to 16 years (Standard 8); by 1979 education was compulsory for all Indian children between the ages of 7 and 15. From 1981, compulsory education for African children was introduced in non-bantustan schools. Initially the scheme was introduced in 201 schools across the country. According to the latest figures (1983) there are now 264 schools operating this scheme. There is no compulsory education in the bantustans.

The introduction of compulsory schooling for black South Africans has been viewed with some scepticism. Mr T Khambule, a Soweto educationalist and former headmaster said in 1981 that many Africans would have preferred the upgrading of the quality of their education rather than making compulsory a system which had been expressly rejected by them over the years. Some student activists have commented that moves to make education compulsory are a perversion of student demands for compulsory, free, equal and democratic education.

On the whole, the introduction of compulsory education for Africans, until the concessions of 1986, was not accompanied by any moves to lessen the financial burden on parents for the education of their children. Although no tuition fees are charged, parents have to pay for the salaries of additional teachers engaged by the school, for the costs of erecting and maintaining buildings and until recently, for stationery and set books. It was only as a result of the long drawn out student protests of 1984-5, which led to school boycotts in many areas, that the Department of Education and Training (DET formerly Department of Bantu Education) agreed to provide free set books and stationery in 1986, albeit of such poor quality that they were often rejected by the students.

However, there are still gross differentials between the amount the state spends on black and white pupils. For example in 1986-7, 395 Rand was spent per African child and 2746 Rand per white child. (Source: Weekly Mail 11/3/88)

Some compulsory education for African children in the lower forms has gone hand in hand with regulations preventing the admission of children to higher forms in school if they are over a certain age limit, reinforcing the view that some of the education concessions mask a punitive approach. Many students have lost years of schooling as a result of frequent closures, detention, economic hardship, etc. The age limit regulations are seen by the black community as an attempt to deny them education and are certainly stringently enforced to prevent student activists from re-gaining admissions to school.

Following the Soweto uprising the Roman Catholic church decided in principle to open its schools to pupils of all races. In the past decade about 65 Catholic and 36 other private schools have admitted children of different races and the conference of headmasters and headmistresses of private schools has called for school integration and resolved to work for a unitary non-racial education system in South Africa.

The Ministers, however, have turned down many applications for black pupils to attend white-designated private schools. In 1981 legislation gave provincial councils the power to authorise and regulate the admissions of black pupils and to subsidise their places in private schools. But the legislation also empowered the provincial council to re-classify the school for black population group should the number of black pupils rise too much. A further restriction on multi-racial schools was imposed in 1986 when the extent of state subsidy was directly linked in inverse proportion to the number of black pupils – the more black pupils the smaller the subsidy.

Multi-racial private schools have been condemned by those who have been actively struggling to improve the education of all black pupils. They view them as a creaming off process to train up a black elite, divorced from the people:

'We are not prepared to accept any 'alternative' to Bantu education which is imposed on the people from above... Another type of 'alternative school' we reject is one which gives students from a more wealthy background avenues to opt out of the struggle, such as commercially run schools which are springing up. To be acceptable, every initiative must come from the people themselves, must be accountable to the people and must advance the broad masses of students, not just a select few.' – Zwelakhe Sisulu, NECC Conference, March 1986.

Because of the increasingly desperate economic situation at the post school level, the regime has been under enormous pressure from the business community to provide technical training for the work force. There has been a small increase over the past decade in the number of centres offering technical education for black students at secondary level. In 1983 there were 57 such institutions. A recent development has been the establishment of technikons to provide adequately trained workers to meet the needs of commerce and industry. They were originally established on racial line – 4 for Africans, 1 for Coloureds, 1 for Indians and 4 for whites, with a quota system for admission of students from other groups. This system has obviously failed to train enough skilled workers to support the ailing economy and in February 1988 the Minister of Education and Culture announced that the regime had scrapped the racial quotas.

Conditions in South African schools for black pupils

As Frank Chikane states:

'At school, children are subjected to a form of education which prepares them for life under apartheid. The teacher-pupil ratio in 1983 was 1:43, (but) one teacher for every 18 white children. Over the period 1975-76, for every one Rand spent on an African child, 14.07 Rand was spent on a white child... The schools are poorly equipped and overcrowded, the teachers underqualified. Consequently the school drop out rate for African children is very high. Many do not have more than 4 years of schooling.'

As stated earlier the physical conditions for black pupils in schools are frequently appalling. Mandla Mashigo describes his schools in Soweto in 1976:

'In our classroom there were rows of school desks with three students at each desk, designed to seat only two. I don't remember any occasion in my whole time at school when all the window panes were in the windows. In winter the cold wind blew in. There was no heating in my secondary school, although in our primary school there was little stove in the classroom and we were requested to bring coal from home for it.'

Following the uprisings a building programme was introduced in many black townships to reinforce the schools with high fences and barbed wire to ensure that the students didn't get out of school during the day to encounter the radical influences which the regime believed were on the streets.

In 1983 there was an average of 50 African children per classroom in DET schools, and 66 children per classroom in bantustans. In the same year a total of 41,720 African pupils were involved in a double session system where 2 groups of children used one classroom, a teacher teaching the subjects twice each day.

In spite of the recent funding increases there are marked contrasts between the quality of buildings and facilities for black and white pupils. Facilities for maths and science are totally inadequate, libraries are rare, as are sports facilities, whereas these are standard in white schools.

The Curriculum

Racism pervades the curriculum in South African schools. A study of South African history text books undertaken for UNESCO detailed the propagation of historically unfounded assertions:

- that whites and blacks arrived in South Africa at the same time. In fact black South Africans had been settled in the country for centuries before the white colonists;
- that the rulers of 19th century African kingdoms were nothing but bloodthirsty despots. Historical analysis shows that they were in fact concerned to promote and protect the political and economic structures of their kingdoms;
- that the present day bantustans correspond to the areas historically occupied by the African kingdoms and that their fragmentation is the result of tribal wars and succession disputes. In fact, the white conquest and seizure of land reduced the areas of the former African kingdoms to the fragments of the bantustans.
- In a study of teaching a textbooks used in Soweto schools it was found that:

Blacks are depicted as useful labour, dishonest bargainers, foolish farmers, or homeland citizens – where the proposed future is constantly transmuted into the traditional and immutable past/present.

Similar indoctrination takes place in the bantustans. Since 1979 in the Kwa Zulu schools, the Inkhata syllabus is taught compulsorily and stresses Zulu achievements and culture, private enterprise, goals of community involvement rather than contributions to a single South African nation.

In white schools the most naked form of indoctrination is the youth preparedness programme, introduced in the 1970s. Its aim is **'to teach the individual to withstand the onslaught against his spiritual and physical integrity'**. Pupils are taught of the evils of communism and their obligations to serve in the South African Defence Force (SADF). Since 1977 cadet programmes have been introduced into schools for all white male pupils and many females join them voluntarily. The programme involves courses in intelligence, counter-intelligence, methods of warfare, fieldcraft, camouflage, tracking and marksmanship. The SADF provides all the equipment, finances the units, trains the officers and runs holiday camps for 'junior leadership'. In March 1985, nearly 200,000 white schoolchildren were involved in cadet training. This system has now also been introduced into some black schools in the bantustans.

Examination

Even the examination system in South Africa perpetuates the racial divisions. There are 10 boards and pupils write examinations according to their race. The Joint matriculation Board is supposed to supervise the exams to ensure adherence to a compulsory core syllabus, but the standards vary enormously. Black pupils must sit more exams than the whites. They must pass an exam in Standard 6 (first form of secondary), a Junior Certificate exam (CSE equivalent) and then a school leaving matriculation exam (0 level equivalent). Some students in their late teens may still be trying to pass the Standard 6 exam. However white pupils only sit one exam – the matriculation – unless they wish to leave school at 15 in which case they sit the Junior Certificate.

As has been shown above black students have to compete against enormous odds to do well in exams. The matriculation pass rate for African students has fallen dramatically over the past decade, for example in 1976 83.4% of African students passed, whereas in 1983 the percentage was only 48.3%.

Because of the very high drop out rate of mainly African pupils it was estimated in 1987 that 39.9% of African urban males were illiterate, 22.6% of African urban females, 65.4% of African rural males and 60.5% of African rural females – a major indictment of the education system of the richest country in Africa.

Methodology

Education for all South African pupils is characterised by authoritarian attitudes to learning and discipline. Corporal punishment is the norm in both primary and secondary schools for black and white pupils. Abolition of corporal punishment was one of the demands of the student movement during the school boycotts of 1984-5, as was the end of sexual harassment of female pupils in state schools.

At all levels of education pupils' and students' lives are tightly controlled. For example, at the Vista University for African students, no student organisation can be formed without the permission of the University Council and no student may contact or join an organisation not recognised by the council. In schools rigid prefect systems 'the eyes and ears of the staffroom' operate to control the activities of pupils.

The teaching methods are equally authoritarian and rigid. In all schools rote learning, non-participation and regurgitation of facts are the order of the day. Pupils are not encouraged to question or criticise:

'White education indoctrinates. Pupils and students are trained to develop a capacity to calculate, to decide, to manage and to rule. Black education, or gutter education, domesticates. It prepares pupils and students for subservience and docility. Children learn to follow instructions accurately. For this reason there is more emphasis on discipline and obedience. In African schools children are subjected to the most stringent discipline. This serves as preparation for work in the mines, factories and on farms.' – Curtis Nkondo (National Education Union of South Africa – a non-racial teachers' union).

Teaching staff

Although the South African regime scrapped differentials of salary for the same qualifications in 1986, because of the difficulties of access to training for black students there are still large discrepancies in salary scales. Prior to 1986 differentials were imposed on race and gender line. Black women teachers were the lowest paid of all. They also suffered other discriminatory practices – it is only since 1984 that white and coloured women have been able to remain in their post if they got married.

Black teachers are liable to withstand dismissal for any involvement with pupil or student activities and they are prevented from forming and joining trade unions. Under the conditions of their contracts, they must belong to an officially recognised teachers' association, most of which are still divided on racial and/or linguistic lines. Teachers in South Africa can be moved anywhere in the country and any hint of political activity can lead to removal to another area. For many teachers their accommodation is tied to their post, as is their pension and such conditions have empowered the regime to use some teachers as extensions of the security system to identify the activities in their schools. In spite of the restrictions placed upon them, many teachers have been involved in the opposition to the regime and hundreds have been arrested, detained and beaten by the Security police.

The Struggle for Education 1984-1988

During the period 1984-6 the boycott strategy gained widespread support. At one point 650,000 pupils and hundreds of schools were involved in the boycott. The DET closed many schools and student activists were harassed, arrested and detained – many were killed in demonstrations. The major organisation of school pupils, COSAS, was banned in August 1985; the SADF occupied many black townships and schools – their very presence a major focus of opposition. The school boycott ensured that by October 1985 schooling had been disrupted, schools were ungovernable and unworkable, thus reflecting the call by the ANC to render the whole country ungovernable.

However, by December 1985 the National Consultative conference on the Crisis in Education recognised that as well as the positive effects there were 3 major drawbacks to the boycott strategy. Firstly it deprived the pupils of further schooling (albeit within the limitations of bantu education). The lack of education threatened to weaken the very political structures which the parents and pupils allied themselves to. Secondly the success of the boycott meant that the pupils and students were unable to implement the establishment of structures of dual power which the liberation movement had called for. As the pupils and students were outside the schools they could not begin to engage in democratic control of the schools through Student Representative councils (SRCs), parents, teachers, and student associations. Thirdly, the pupils and students had deprived themselves of a meeting place where strategies could be planned and communication could take place. When COSAS was banned the pupils found themselves without a means of co-ordinating strategies. This assessment of the situation led to the intervention of community organisations, particularly the Soweto Parents Crisis committee (SPCC), in the educational struggle and eventually to the establishment of the National Education Crisis Committee in 1986, which called for 'people's education for people's power':

'Forward to People's power'... expresses the growing trend for our people to more towards realising people's power now in the process of struggle, before actual liberation. By this we mean that people are beginning to exert control over their own lives in different ways. In some townships and schools people are beginning to govern themselves, despite being under racist rule. These advances were only possible because of the development of democratic organs, or committees, of people's power. Our people set up bodies which were controlled by, and accountable to, the masses of the people in each area. In such areas, the distinction between the people and their organisations disappeared. All the people young and old participated in committees from street level upwards....

It is no accident that the historic December conference (the first national education conference) took place at a time when our people were taking the struggle for democracy to new heights. At a time when the struggle against apartheid was being transformed into a struggle for people's power. In line with this, students and parents were no longer only saying, 'Away with apartheid, gutter education!' We were now also saying 'Forward with People's Education, Education for Liberation'. – Zwalakhe Sisulu, Second National Education Conference, March 1986.

The long term struggle for people's education had to be coupled with immediate demands and the insertion of alternative teaching programmes. The Education Crisis Conference in March 1986 resolved that:

– all children should return to school when the new term starts to:

- i) demand the right to education and occupy schools which have been closed,
- ii) use the presence of students at school to assist in building and regrouping our student organisations,
- iii) implement alternative people's education programmes immediately.

In the earlier struggles for education the aim was to end bantu education, based on a comparison of its inadequacies and impoverishments with the supposed adequacies and riches of white education. White education was not subjected to a critique. The underlying assumption was that it would give black pupils access to the labour market, higher education, etc, areas that are the monopoly of the white population.

However, what was required was a 'new' education in line with people's education, education which was democratic, involved the pupils and their parents and teachers, questioned the 'accepted' syllabuses and the curriculum of the racist regime. The advances made by the ANC at their school in Tanzania, the Solomon Mahlangu Freedom College (SOMAFCO) became a model for the teachers and pupils inside South Africa.

In 1985 there had been some experimentation with different types of syllabuses and approaches to learning by the South African Committee for Higher Education (SACHED) and Khanga College, both privately funded and oriented to upgrading black students' education. The resources developed were based on the nature of the education system, the exploitation of black women and the materials encouraged the students to develop their own views and opinions. Before it was banned in March 1988, the weekly newspaper **The New Nation** also included an educational supplement which introduced these new syllabuses and 'new' ways of learning and studying.

Such initiatives were in line with the principles of people's education which were defined at the December 1985 NECC Conference: Education which:

i) enables the oppressed to understand the evils of the apartheid system and prepares them for participation in a non-racial democratic system.

ii) eliminates illiteracy, ignorance and the exploitation of one person by another.

iii) eliminates capitalist norms of competition, individualism and stunted intellectual development, and replaces it with one that encourages collective input and active participation by all, as well as stimulating critical thinking and analysis.

iv) equips and trains all sectors of our people to participate actively and creatively in the struggle to attain people's power in order to establish a non-racial democratic South Africa.

v) allows students, parents, teachers and workers to be mobilised into appropriate organisational structures which enable them to participate actively in the initiation and management of people's education in all its forms.

vi) enables workers to resist exploitation and oppression at their work place.

With the event of a further state of emergency in June 1986, the call from the NECC and the student bodies associated with it for an end to the boycott was not immediately implemented and boycotts continued until January 1987. Nevertheless the South African National Students Congress (SANSCO) and Regional Student Councils came into existence and have been active among pupils and students. Work on curriculum development has continued and the NECC has developed a new history syllabus and is working on others.

These activities continue in spite of the deployment of police, military, vigilante groups and *kitsconstabels* (special police with minimal training) in the townships and the schools, in spite of the detention of virtually all the leadership of the NECC, and in spite of the banning of 17 democratic organisations including the NECC, SANSCO, Soweto Youth Congress, South African Youth Congress, SASCO, etc the pupils continue to organise themselves and will find new ways to continue their struggles for a just, non-racial democratic education system.

The role of teachers in Britain

The links between South Africa and Britain are strong and are reflected in many aspects of life in Britain. As teachers we should present an accurate picture of life in South Africa to the students and pupils that we teach by careful appraisal of the texts and materials we use. However, the recent clampdown on the activities of journalists has meant that many British journalists have capitulated to the wishes of the South African regime and fail to report what is happening in the country. The occasional tit-bit of reform legislation or how unfairly Zola Budd is being treated, is what the majority of British people learn about the current situation inside South Africa. It is important therefore that we try and ensure that our pupils and students **do** know the effects of the racist regime, particularly the effects it has on children.

Within syllabuses in secondary schools and within theme and topic work in primary schools it is possible to 'expose' pupils to the horrors of the apartheid system. But simple exposure is not sufficient, pupils should also be encouraged to **do** something about the situation for themselves.

At a more local level we need to investigate whether South African goods and produce are being used in our institutions and if they are, start a campaign to stop them.

The Anti-Apartheid Movement is able to offer numerous examples of initiatives that have been taken and that teachers may want to encourage in their own schools and colleges.

Britain is a major contributor to foreign aid education projects, both inside South Africa and in Britain. Since the State of Emergency was imposed in June 1986 Mrs Thatcher has boasted of the government's support for black pupils and students, using this aid as a counter to the call for economic sanctions. Much of the education funding from Britain is administered through the British Council, whose union work force are opposed to this involvement and are 'allowed' to withdraw from the South African programme on grounds of conscience, if they so wish. However, the pupils and students who wish to benefit from British aid administered to sign a statement that they will not engage in political activities during the time that they are in receipt of the bursary. This is clearly an attempt to curb the politicisation of black South African youth, using advances in education as a reward for no political action.

However, it is also important to listen to the anti-apartheid, democratic groups from within South Africa, and to try to implement some of the action they would like us to take.

At a conference in London in November 1986, Eric Molobi, Co-ordinator of the National Education Crisis Committee, and currently in detention, raised a number of questions on the issue of 'aid' to black South African students:

'It is imperative for any organisation or individual intending to act in solidarity with our struggle to know that we in South Africa, due to conditions at the ground level, cannot just accept aid without knowing what the objectives of the giver are. What is the agenda of the funder? This must be known....

One must ask: to whom is money being given? Are these persons or organisations accountable to democratic structures? Are the persons whose names are prominent on letterheads simply lending their blessing, or do they actually engage in the operation and ensure its responsiveness to community needs? Who for example, decides on the criterion for the distribution of funds, do the criteria match the conditions of the day?...

How do those who have completed their overseas studies fit in once again with their home communities? Do they return home and contribute, or have they been trained to be absorbed by big foreign multi-nationals and South African monopolies?...

The content of projects funded inside South Africa raises similar questions. What criteria applies in the arena that is funded? Does the idea of pursuing overall political change in the country become an in-built principle? Do projects aspire to establish fundamental change in the racist and oppressive education system that prevails?...

In relation to conferences on South Africa that are organised abroad is the leadership of our people in the ANC consulted? Who are these academics invited from South Africa? Are they part of the broad democratic movement engaging the enemy inside South Africa? What about those invited inside? What has been their role vis-a-vis our NDS and the thrust of struggle spearheaded by the ANC? How will this to-ing and fro-ing affect the overall international campaign to isolate South Africa?'

Within our own schools, LEAs and colleges we need to keep these questions on the agenda. Who is the group of librarians from South Africa visiting our school? Who is the South African teacher who is so interested in our anti-racist work? Eric Molobi's questions should be posed all the time, and teachers need to have strategies ready to confront head teachers and LEA administrators who may try to block any action.

As teachers we have a moral, political and professional duty to work towards the downfall of the apartheid regime. As professionals committed to education, learning and the advancement of peoples by education, we cannot sit back and say we didn't know what was happening to the children and students in the schools in South Africa. We do know and we must ensure that we act.

References used:

The Doors of Learning: south African Education in Conflict (WUS)

Education under Apartheid: Conference Report (WUS)

The Struggle for Education in South Africa Harold Wolpe

Bantu Education as a Reformist Strategy of the South African State (RESA Paper No2).

'Children in Turmoil', Chikane, in *Growing up in a Divided Society* Burman & Reynolds. (Ravan Press 1986)

CHILDREN, APARTHEID AND REPRESSION IN SOUTHERN AFRICA

London 23 April 1988

SOCIAL WORK AND CHILDREN UNDER APARTHEID

Black migratory labour is at the root of the apartheid system. Its ultimate objective is that only Africans (74% of the population) who will be in the so-called white areas (87% of the country) are those who can be utilized as labour units on the mines, industries and farms. Those who cannot be so utilized should be declared 'superfluous' and be relegated to Black homelands or bantustans. Among the 'superfluous' would be the aged, the disabled, women with dependent children — and those children themselves.

The pass laws, the principal method of applying control and thus perpetuating the migratory labour system, have been particularly hard on the children of those denied or deprived of the right to live in the urban areas or in other areas where they had their permanent homes. The controls which replaced the pass laws in 1986 have the same effects. Those children have to grow up with one or both parents working and living most of the time away from home. Frequently only seeing them once or twice a year or losing touch with them altogether. These children live in conditions of poverty and hunger, without access to basic health care and schooling let alone any of the other facilities to help them develop their maximum potential.

Between 1960 and the present nearly four million people have been forcibly moved by the Government in order to implement its apartheid policies. Some were deported from urban areas, others had to leave the white farms where they had been labour homes because the locality had been declared a 'black spot' and must become white. The effect of the breaking-up of families and the uprooting of established communities and ways of living was devastating for children. Many died of illness or starvation in the bleak resettlement camps. Those who survived face insecurity and an uncertain future.

The majority of Black children lucky enough to be growing up in the urban areas also suffer from the effects of influx control — they live in the sprawling townships many miles from the white areas where their parents must work, so they are often left alone from early morning until late at night. The chronic housing shortage, deliberately exacerbated by the Government when it froze the construction of African family housing in the urban areas more than 20 years ago, has led to severe overcrowding. Homes of only two or three rooms are housing ten people or more. Often each person has less than one square metre of space. Adults and children have to share the same room so there is no privacy. The sharing of amenities like taps and toilets causes problems between families. The pressures of such conditions are immense: there is damage to self-esteem, to marital relationships, to sibling relationships, to parent-child relationships and to community relationships. Alcoholism, glue-sniffing and drug abuse are rife.

The poverty of Black households, urban and rural, forces many young children into work. There is little control over this. While in theory the law protects children from work in most sectors, it has little effect on the white farms where children from the age of seven are often forced to work for six months of the year as a condition of their parents remaining on the farm. Farm schools are sometimes used as pools of cheap labour during the harvest season. The children work long hours for very little pay. Even in the urban areas many children take casual jobs like newspaper selling and gardening, or try to earn money by cleaning or minding cars, carrying shopping bags or in a variety of other ways.

Children and the Law

The guidelines of Government policy towards children are laid down in the Child Care Act of 1983 which, much like earlier Children's Acts, provides for the care and protection of children. But because the Government funding for children's services is so low, these objectives are unrealizable. Furthermore, the provisions of the Child Care Act are over-ruled by the Internal Security Act (which allows for indefinite detention in solitary confinement) and the Emergency Regulations (in terms of which there is no requirement by prisons or police to treat children differently from adults).

The extent to which children have suffered under these 'security' measures is not always fully known as Government statistics are not always made public and even those that are are often misleading and inaccurate.

In March 1986, when the first State of Emergency was lifted, the Minister of Law and Order revealed that of the 7,700 people detained, 2016 were under sixteen. Since the State of Emergency was declared in June 1986 the regime has refused to give information about the detention of children. The Detainees' Parents Support Committee estimated that a year later 3,000 people were still in detention, about one third of them aged eighteen or below. Overall it is estimated that between 7,500 and 10,000 (out of a total of 25,000) people aged 18 or under have been detained under the Emergency Regulations since June 1986.

It is further estimated that only 25% of detainees are ever charged and, of these, less than 5% are convicted. Thousands of other people, including children are brought to court because of their opposition to apartheid. Between September 1984 and December 1985 it is estimated that 25,000 people were arrested on such charges. In 1985 the Minister of Law and Order said that out of 18,966 arrested, 13,556 were children. How many more than 170,000 juveniles (under 21) held awaiting trial or in police stations from 1983-1986 were held in connection with political unrest is not known. The number of people convicted of 'public violence' was 1,627 in 1986, 40% were under eighteen.

The violent reaction of the police and army (using sjamboks, teargas, rubber bullets, live ammunition, detention, torture) has resulted in deaths and has been described as a 'war against children'. Police killed at least 201 children in 1985. The experience of arrest, indefinite detention and interrogation is deeply disturbing for any detainee but can be acutely traumatic for children.

The brutalization of children, caught in the violence of the townships, is not confined to Blacks, White children, conscripted into the army on finishing school and sent into the townships, often into black schools, are inducted into violence and brutality.

Recognizing that even the massive use of armed force and the widespread killing of adults and children cannot by itself protect the apartheid system indefinitely, the military has become involved in the direct administration of the population through Joint Management Centres (JMCs) of the National Security Management System. These JMCs are regional organisations of police and military officers with local authority officials and business representatives. Their task is to recommend ways of dealing with 'security problems'. Recently the JMC covering most of the Vaal Triangle, scene of major rent protests, recommended to the Lekoa Town Council that 'the hearts and minds of the youth must be won. They must be persuaded to convince their parents to pay rent... This should be done at weekend camps where they must be given lectures on why it is necessary to pay rent... and the future of black constitutional reform'. Another disturbing development is the special prisons and detention centres for children which are being established as a 'top priority'.

Child Welfare Provision

South Africa has never been a welfare society or offered any kind of universal service as of right to the majority of its citizens. The best educational and health facilities are available to those who can pay for them (predominantly white) and minimal, racially segregated services are provided, at a cost, to those who cannot pay (predominantly black).

In the field of social services (as the term is understood in Britain) the Government funds a basic, segregated and unequal service in the form of mental hospitals, some children's homes and places of safety and detention and a skeleton probation service with few alternatives to custody and no after-care. The bulk of social service provision is the responsibility of voluntary agencies. In the case of children, the principal one is the Child Welfare Society.

The Child Care Act of 1983 perpetuated the racial fragmentation of social services: the Department of Health and Welfare is responsible for Whites, the Department of Internal Affairs is responsible for Coloureds and Indians and the Department of Co-Operation and Development is responsible for Africans in 'white' areas. There are now 24 regional welfare boards responsible for the majority of the African population. The funding of this plethora of bureaucracies, accounts for a large part of Government expenditure on welfare and reflects Government priorities, particularly since the shortage of funds is repeatedly given as the reason for poor conditions in children's homes.

The following is a table of the amounts allocated by the Government to child welfare for the years 1982/83 until 1984/85:

	1982/83	1983/84	1984/85
White	R73,000,000	R76,000,000	R79,000,000
Indian	28,000,000	30,000,000	29,000,000
Coloured	86,000,000	91,000,000	96,000,000
African (in 'white' area)	9,000,000	9,000,000	7,000,000

These figures must be seen in the context of population figures. According to the 1985 population census these were as follows:

Whites	4,568,739
Indians	821,361
Coloured	2,832,705

The African population is now broken down as follows:

"Independent" Bantustans	5,849,639
"Non-independent" Bantustans	6,875,288
Africans in 'white' areas	11,176,212
Total African population	24,901,139

In summary the Government is spending seven million rand on a population of eleven million Africans (in white areas) but seventy-nine million rand on a population of four and a half million whites. This amounts to 64 cents per person for Africans and R17.5 per person for whites.

The latest figures for expenditure on child welfare by certain "homeland governments" are for 1982/83 (1983 population estimates are given in brackets)

Coskei (720,807)	R1,165,000
Venda (339,808)	41,100
KwaZulu (3,691,785)	1,114,600
Lebowa (1,884,194)	38,340
QwaQwa (169,500)	35,000

Foster Care

Allowances are paid to foster parents, unsupported mothers and widows in respect to children in their care. The latest figures on expenditure in this are those for 1979 which were as follows:

White	R30,142,000
Coloured	25,065,000
Asian	11,877,000
African	1,287,000

In 1983 grants paid for children in foster care were as follows:

White	R114
Coloured and Indian	77
African	40

Child welfare societies complain that although foster care is the best form of substitute care for children, black foster parents are difficult to find because of the low grants. Grants do not increase when children start school and foster parents have to meet the cost of uniforms themselves. In a memo to the Prime Minister the Foster Care Action Group said that it was usually old age pensioners in the African community who took care of foster children:

"They are therefore supporting themselves and their foster children on an income which make proper nutrition and an acceptable standard of care impossible".

The memo pointed out that while white, Coloured and Indian children received grants until the age of 18, grants for African children stopped when they reached 16.

Adoption and foster placements are controlled by a 'same race' policy. But a child may be reclassified from Coloured to white or black, from white to Coloured or Indian and from black to Coloured or Indian although a white child cannot become black and a black child cannot become white. In a recent case a child who was Coloured in appearance was found by social workers being raised in an African family. At the age of 5 the child was removed to a children's home until he could be reclassified as African (black) — this took seven months to achieve.

Children's Homes

Most children's homes in South Africa are run by private organisations, usually established and managed by welfare associations or churches. The State pays a monthly subsidy for each child placed in such a home by order of a children's court. There is no subsidy for children placed without a court order. It was recently estimated that the cost of maintaining one child was between R300 and R570 per month. Monthly state subsidies are as follows:

Whites	R247
Indians and Coloured	R180
Africans	R113

The general shortage of funds in children's homes causes many problems, the most important of which is probably the lack of qualified staff due to low salaries and long working hours.

There are high child-staff ratios. Very little exists in the way of a rehabilitation service to enable children to maintain contact with their families and facilitate their return home, especially where children are placed far from their homes. The main reason for this is that social workers are overloaded and unable to provide such a service.

Corporal punishment is rife in reformatories, reform schools, places of safety and detention and many children's homes. It appears that white girls are the only group to be excluded from this form of punishment. Lock-up cells exist in reformatories, reform schools and places of safety: usually small rooms with high windows. A child is given a mattress, blanket and a bucket as a toilet and may be locked up in solitary confinement for periods of one hour to one month, depending on the institution.

There is blatant racism in the field of child care. White children have more institutions, better facilities, better staff and better conditions than Black children. One African principal said:

"African children have to be abandoned before they will be declared in need of care. I have found mothers standing at my home's gates or pretending to take a short cut along the home's fence in order to catch a glimpse of the child they allegedly abandoned so that he/she could be cared for. They are terrified to let their presence be known in case the child is then discharged from the home. You have to be desperate to do such a thing! I just tell them its beautiful that they have come to find their child, that I will not turf the child out and that they must visit whenever they can. White children are not treated like this, why are ours?"

The initial period for which a child is placed in an institution is usually two years. But many children remain there longer. In reformatories children end up serving lengthy sentences for petty offences.

There is a severe shortage of places for Black children in children's homes — the official estimate is a shortfall of 17,500 places.

'Difficult' children, especially older children, are sent to schools of industry which are often far from their homes, in rural areas where it is intended they will not be influenced by city life and will be less likely to abscond. But many children still run away. The children live in large hostels supervised by a few unqualified staff who work long hours so they get little help with their problems. The punishments are harsh and inappropriate for children with emotional problems. There is a secretive atmosphere surrounding these institutions to which it is difficult to gain access.

Reformatories deserve much of the criticism directed at schools of industry with regard to their isolated location, harsh punishment codes, staffing problems and lack of emotional care. **"It is sometimes better that the community does not see what goes on in these schools,"** commented one principal.

Professional Organisations of Social Workers

Social workers have to be registered by the Government and to pay an annual registration fee of R70. Whereas there is now a single pay scale for all social workers, the salaries of black social workers are subsidised by the Government at a lower rate and they are expected to carry case loads of 100, compared to the 60 cases carried by white social workers. Because of this, and of the fewer training schools for black social work, there are more white than black social workers.

Working conditions of social workers are not controlled; they have no trade union and little protection from the stresses of the job. Government subsidies of wage carries with it Government inspection: the definition of 'unprofessional conduct' is loose. As a result even the suggestion that the assessment of community needs should be based on what people are asking for has been labelled by a Government inspector as 'flagrantly political'. Black social workers are subject to Government inspection more often than white. With Government subsidies goes the duty to do statutory work.

In general white social workers are expected to deal with white clients and social workers of other groupings with clients of the same origin. But because of the disproportionately large number of white social workers they are allowed to fill posts serving the clients of other groups — the reverse is not the case. Yet in many private agencies black social workers have at times to deal with white clients on a 'duty' basis and often experience serious racial abuse but are given little agency support.

In every sphere social workers have to comply with practices which are at odds with the social work principles of acceptance, non-directiveness and self-determination — probably more than any other profession they are under pressure to manipulate people into accepting the status quo, into masking the glaring inequalities and injustices of apartheid and defusing peoples' anger.

There are two types of professional organisations to which social workers belong. Firstly there are the more traditional associations which are primarily concerned with professional interests. The Society of Social Workers is the older of these. The South African Black Social Workers' Association was set up more recently to address the interests of black social workers. Secondly, there are alternative organisations which question the role of social workers and look at how their skills can be used for more progressive ends. Among these organisations are: Concerned Social Workers (CSW), formed in Johannesburg in 1985, and committed to a unified and equal welfare system in a non-racial, democratic South Africa; the Organisation for Appropriate Social Services in South Africa (OASSA) which seeks to organise Social work and mental health professionals nationally; and The Detainees Counselling Service which, together with NAMDA (National Mental and Dental Association) staffs clinics where ex-detainees can get help with the physical and mental after-effects of detention.

In addition to these organisations of professionals there are other groups concerned with the situation of children, with which these professionals work closely. Most notable is the Detainees Parents' Support Group which was set up by parents of detainees, many of them children, to publicise their plight, trace and monitor detainees, put families in touch with lawyers and negotiate with school principals for their children's return to school. DPSC also holds monthly 'tea parties' for the information and support of ex-detainees and detainees' families. Members of the Concerned Social Workers take part in these events. In 1985 the Free the Children Alliance was set up by a number of organisations including the UDF and CSW to campaign for the release of children and demand that the arrest and detention of children cease. The Federation of Transvaal Women (FEDTRAW) runs training groups for playleaders in which CSW members participate. And in the rural areas there are Removal Action Groups which monitor the effects of removals and campaign against them.

Recently social workers organisations have joined together in opposing proposed changes to the welfare system and the new regional structures within which it will operate. These have particularly sinister implications for social workers as they will be expected to act as informers on the communities where they work and so facilitate the operations of the Joint Management Committees (JMCs) and the Regional Service Councils (RSCs). Government funding of welfare organisations will be programme-linked rather than case-load linked which will mean tighter state control on the activities of social workers and will put pressure on welfare organisations to charge fees for case work service.

In June 1987 a meeting of representatives of the Society of Social Workers, SABSWA, CSW and Johannesburg Indian Social Welfare Association committed themselves to organising opposition to the new welfare policy and agreed to work towards drawing up a welfare policy for post-apartheid society based on the following principles:

Democracy in welfare Any welfare policy must be based on extensive consultation with individuals, communities and organisations.

Equality of Services There should be one equal welfare system for all.

Social and human rights A welfare policy must ensure that basic human rights are upheld and must lay down minimum welfare requirements in respect of living conditions, education, employment, health etc.

Needs of the people A welfare policy must be based on the needs of the majority of the population

Promotion, prevention and development Priority should be given to development and preventative services, thus promoting human growth and development.

Ideology A welfare policy must be free of discrimination in terms of race, class or sex.

Role of the state Primary responsibility for health, welfare and education must rest with the state.

HEALTH OF CHILDREN UNDER APARTHEID

It is not only the children of South Africa who suffer the effects of apartheid, the war which South Africa is waging with the Frontline States has severely effected the health services of many of those countries and resulted in huge loss of life. Angola and Mozambique have suffered the most from 13 years of war against South African backed terrorist organisations – UNITA and the MNR – in their countries. In the period 1985-6 UNICEF calculated that there were 140,000 war-related deaths of children aged under 5 in Angola and Mozambique. ⁽¹⁾

Since their independence from Portugal in 1975 these two countries have pursued policies which emphasised primary health care, especially prevention – immunisation, maternal child health, antenatal care, birth control, access to safe water, and improvement of nutrition. By 1980 life expectancy had risen (to 41 in Angola and 45 in Mozambique) and mortality rates of under five's had fallen (to 260/1000 in Angola and 270/1000 in Mozambique). As a consequence of apartheid's escalated military and economic aggression the rate has since risen to 325 and 370/1000 respectively.

Mass terrorism has accounted for some of the deaths, but the majority have been due to malnutrition, diarrhoea and untreated disease. Health facilities have been a major target of the war. By the end of 1985 31% of health facilities in Mozambique had been destroyed and hundreds of medical personnel wounded or maimed. In Angola the use of health services had declined by 30% and 20 vaccination posts were destroyed in 1985 alone. Access to health services has also been affected by interruption of supply lines and mass migration of people from war-torn areas to less troubled regions.

(For further information 'The Impact on Health in Mozambique of South African Destabilisation' produced by Ministry of Health, People's Republic of Mozambique December 1987.)

1) Children on the Frontline. The impact of apartheid, destabilisation and warfare on children in southern Africa. Report prepared for UNICEF. 1987.

HEALTH PROFESSIONALS AND REPRESSION

In recent years health professionals in South Africa have worked in an environment furnished with constant reminders of the repressive nature of the apartheid regime. Many witness the daily incursions of police and army into hospitals and clinics with total disregard for medical confidentiality or the rights of patients, others through the nature of their work have direct contact with victims of torture, and many participate in the struggles of their communities facing harassment, detention and even death themselves.

Baragwanath hospital in Soweto is a typical example of a large hospital rooted in the heart of an African township. Dramatic changes have been seen there during the last few years, all of which have had a direct effect on the staff. The first change noticed was a qualitative change in the nature of injuries seen in Casualty. During the first State of Emergency (July 1985 - March 1986) and the beginning of the second in June 1986 the majority of trauma patients seen were aged 16-25 years. Previously they had been 35-45 years. The spectrum of injuries ranged initially from sjambok wounds and birdshot to low-velocity wounds. At first the wounds tended to be more peripheral – to head, arms, and legs, but as the State of Emergency has continued increasing numbers of people presented with far more serious injuries related to vital organs and made by metal bullets. Birdshot began to be seen often. (1)

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In many cases health professionals have been unable to stand up for the rights of their patients. The police and army have often invaded hospitals and ridden rough-shod over the rights of patients. In many cases medical records have been confiscated and bullets removed from patients taken to be used in court as evidence on the grounds that if a patient is shot he or she must have been rioting. On one occasion reported at Baragwanath, a patient who had been shot in the abdomen and was in need of urgent surgery was interrogated whilst being prepared for theatre lying on a stretcher by two policemen. They were asked by staff to leave, but disregarding this they came into the operating theatre, complete with their guns. (2)

Hospitals, however, have not always been the unhappy victims of abuse. Hospital authorities are known to have collaborated with the police. Baragwanath Hospital bought two Casspirs (armoured vehicles) ostensibly to pick up patients in unrest situations. It was reported, however, that these white Casspirs with red crosses on ran in and out of the hospital yet never picked up a single patient. One of the Casspirs was seen to contain rifles. (3)

It is hardly surprising that all this has led to a reluctance on the part of many to come into hospital. Numerous cases have been reported of injured children, frightened to seek medical attention for fear of being arrested, removing bullets with knives and suffering consequent serious infections. At the same time angry crowds have directed their frustrations against hospital vans, which they view as symbols of the repressive State.

Many health professionals have worked with people who have been tortured, meeting them either in casualty departments, in their capacity as district surgeons treating detainees, through specific rehabilitative work. With the exception of the latter group, many of these doctors have been conspicuous by their refusal to place the interests of their patients over and above those of the police and hence their refusal to try to protect their patients from torture where it occurs. In this way Dr Wendy Orr, previously district surgeon in Port Elizabeth, is seen as an outstanding exception. Her case illustrates both the scale of torture in South African prisons and the attitudes of the medical authorities towards it.

Wendy Orr personally followed more than 1500 detainees in Port Elizabeth in her professional capacity. More than half of these people needed medical attention for injuries which were clearly the result of beatings or torture. She kept proper medical records and as prescribed by law sent the superintendant of the prison copies of these for investigation. Despite the 'loss' of some records by the prison authorities she was able to base her affidavit on 236 records of victims of torture observed and cared for by her. Her complaint to the courts seeking interdiction restraining the police was unique in South African law. She was able to win a court verdict restraining the police from assaulting or threatening detainees in the Port Elizabeth and Uitenhage areas.

Her immediate supervisor was Dr Ivor Lang, notorious for his neglect of Steve Biko and still in the same post with the same responsibilities for detainees eight years later. He arranged that she was rapidly transferred from prison duty to a geriatric institution where she could not further embarrass the Port Elizabeth police.

The National Medical and Dental Association (NAMDA) has worked to assess and expose the scale of torture in combination with their programme to provide psychological support for the victims. They prepared a report of 131 detainees released from detention between Dec 1 1985 and June 11 1986 who were examined physically and psychologically. 35% of these were aged between 15 and 18 years, and 4.7% were aged 10-14 years. 32% reported having spent periods in solitary confinement, of these 36.8% said it lasted between 1 and 19 days, while 31.6% claimed they had spent 120 - 279 days in solitary. Of this group 84% were found to have psychological symptoms such as anxiety, depression and sleeplessness.

Of 69 individuals who alleged physical assault, 67 were found on examination to have injuries consistent with the alleged assault. These included bruises (46%), lacerations (45%), lesions consistent with being sjamboked (49%), 5 or fewer wounds (35%), more than 5 wounds (46%). 9% showed evidence of gunshot wounds, 7% signs of having been electrically shocked and 6% had perforated ear drums.

Mental abuse was alleged by 78.6% of the detainees. Of this group 84.5% said that they have been interrogated, 35% claimed that they had been threatened, 26.6% said they had been humiliated – as in being forced to strip naked, 41.7% said they had been denied basic needs such as water, satisfactory food, exercise, clothing, washing facilities and sleep. 26.7% said that they had asked to see a doctor, but for the majority – 62.9% – this request was refused. 12.2% of this group required subsequent hospitalisation. (4)

Many doctors, both through their work and as individuals, have played a prominent role in the struggle against the injustice of apartheid. During the last 10 years at least 5 of the political detainees who have died in detention have been members of the medical profession. The five health workers were Steve Biko (medical student), Dr Nanaoth Ntshuntsha, Hoosen Haffejee (dentist), Dr Neil Aggett and Dr Batandwa Ndondo. In none of these cases have the persons responsible for the deaths been prosecuted. Postmortems showed in all cases serious injuries sustained hours before death. The official pathologists findings are known in only 4 cases. Steve Biko was said to have died subsequent to an accidental fall; Dr Aggett, Hoosen Jaffejee and Dr Ntshuntsha were all said to be suicides by hanging. The pathologists noted and described abrasions, wounds and burns clearly indicative of torture in each of the cases but never drew this obvious conclusion nor made a link between torture and the deaths.

Many members of the medical professions have been detained without trial, imprisoned for political reasons or banned. The following are known to be so still:

- Albertina Sisulu – nurse age 68 – banned
- Dr R.A.M Saloojee – general practitioner in enasia – detained
- Dr Sibongiseni Dhlomo – political prisoner serving 12 years
- Dr Vijay Ramlakhan – political prisoner serving 12 years
- Ihron Rensburg – age 28, pharmacist in detention for 22 months
- Mzonke Jacobs – Community health worker, organiser of NAMDA first aid courses detained since December 1986
- Dr Ivan Toms – doctor at the Crossroads clinic. Serving 21 months for refusing to serve in the South African army.

References

1. South Africa: A Hospital in Soweto. Interview with Dr John Stephenson. Africa Asia Feb 1987.
2. IBID
3. IBID
4. The Review/International Commission of Jurists No39/1987

HEALTH PROFESSIONALS IN APARTHEID SOUTH AFRICA

To understand the position of health professionals in apartheid South Africa it is necessary to examine the professional organisations which represent the professions both internally and internationally and provide guidance and discipline for their members on the question of medical ethics.

The South African Medical and Dental Council

In 1925 the government created the SAMDC to which all medical practitioners have to belong. The SAMDC consists of 34 members comprising private practitioners, State employees and nominees of the Minister of Health or statutory bodies. It controls the training, registration, ethics and discipline of members of the Medical and various related professions. Of the 34 members, only 14 are directly elected by medical and dental practitioners, the remaining 20 are linked directly or indirectly to the ruling party.

Act 55 of the SAMDC disciplinary code has constantly been used to threaten the apartheid regime. Ex-political detainees against whom no official charges have been made have been refused registration, so their practise of medicine becomes illegal. Even participation in public protests have lead to similar disciplinary measures. Moreover, the SAMDC has been directly responsible for condoning proven malpractice of doctors commissioned by the police to examine or treat detainees, as exemplified by the case of Steve Biko. In December 1985, the SAMDC rebuked doctors who supported nurses and other hospital workers who undertook trade union actions in Baragwanath and against those doctors who protested against the presence and actions of the army in the Hospital itself and in nearby townships.

The Biko Case in 1977 (The Biko Doctors, AAM 1981) provided a clear and well documented example of the SAMDC condoning the subordination of the rights of the patient to the interests of the South African police. There have been many subsequent examples for the SAMDC's application of the same principle.

In May 1982 Marcus Motaung, a member of the African National Congress (ANC), suffered a bullet wound to his scrotum during his arrest. He saw a district surgeon who gave him pain killers but did not clean or dress his wound. She said that this was because she did not consider it serious and she felt that it was more important that he help the police with their inquiries than receive treatment. He was only taken to hospital two days later, when he was hospital for 8 days and lost one of his testicles. The complaint against the district surgeon was submitted to the SAMDC. To date no action has been taken.

SANA has helped with the campaigns to recruit white nurses from overseas for the white hospitals, whilst totally ignoring the fact that the shortage of nurses for the Black population is far more acute. There are 4.5 million whites in South Africa with 30 605 white registered nurses, there are 21 million black people but only 24 142 black registered nurses. (3)

SANA has said nothing to condemn the detention of children in South Africa, nothing to condemn the State of Emergency and the abuse of hospitals by the police and army and nothing to protest against conditions in Black hospitals. In 1986 when 900 student nurses at Baragwanath hospital protested against poor pay and working conditions and were attacked by police with sjaboks, SANA's response was to threaten to remove these nurses from the nursing roll. Trade unions for nurses have been illegal since the Nursing Act of 1944, again with SANA's complicity.

Health workers who believe in the World Health Organisation's principle of 'health for all' and who fight human rights abuses have in recent years come to form their own separate organisations in South Africa. In 1982 the National Medical and Dental Association (NAMDA) was formed as a non-racial, non-statutory medical association, formed around a common commitment to health for all, democracy and human rights in a unitary, non-racial state. The work of NAMDA and the demands that it has made are very similar to those of the other bodies, such as Organisation for Appropriate Social Services in South Africa (OASS), the Health Workers Association (HWA) and the new trade union organising health workers, the National Education, Health and Allied Workers Union (NEHAWU), many of which are affiliated to the United Democratic Front or the Congress of South African Trade Unions, and all of which there is not room to include in here.

The National Medical and Dental Association

During the first two years of its existence, NAMDA emphasised dialogue on the causes of ill health and the role played by the legal violations of human rights.

In 1984, with a new wave of detentions, tortures and killings of political activists, NAMDA was forced to shift emphasis and intensify its work with the Detainees Parents Support Committee (DPSC) in defence of individual victims and their families as well as denouncing the legal structure of detentions and torture as human rights violations. In September 1984 NAMDA called for international support from doctors and the general public, demanding the abolition of detention without charges and stricter definition of the rights of people in police custody so that at all times they could be assured of access to a doctor of their choice and not be subject to physical abuse or psychological torture such as sensory deprivation, sleep deprivation etc.. It also asked support for a demand that lawyer and family would have regular access.

In January 1986 NAMDA called on the police to stop using tear gas, which killed so many small children, and to reveal its chemical formula. It also asked that it be tested like any other drug.

NAMDA has issued guidelines for ethical medical behaviour in situations of civil unrest and a comprehensive proposal for the medical examination of detainees. Many NAMDA doctors have played an important role in the provision of health care in the heat of the strife in the townships. This has included the organisation of intensive first aid courses for lay members of the township communities.

Several members of NAMDA have at times been detained, and the Minister of Health Dr Willie van Niekerk has often threatened to take action against what he describes as 'a disturbing element amongst doctors, who were actively fostering revolutionary activities'.

In 1986 two NAMDA doctors, Dr Fabian Ribiero and his wife Florence were shot dead outside their home in Mamelodi, near Pretoria. They had played a leading role at their clinic in the provision of health care for victims of police and army violence. There is overwhelming evidence that they were targets of attack by plain clothes police officers.

References

1. Training of Black Doctors in South Africa: Prof F.P. Retief South African Medical Journal Vol 61 (23B) 1982
2. Discrimination & Fragmentation in health Services: A dental perspective. Prof. J. Reddy NAMDA Conference proceedings Health & Human Rights 25/26 January 1986
3. Nursing on the Frontline: Catherine Watson, **Nursing Times** Aug. 27 1986

THE RESPONSIBILITIES OF HEALTH PROFESSIONALS IN BRITAIN

Since the establishment of the World Health Organisation in 1946 and before, it has been widely accepted that the responsibility of health professionals extends beyond the limited sphere of practice of an individual country, and entails a global responsibility. Virtually all professional organisations have now joined together into international bodies with the aim of maintaining the highest possible standards of clinical practice and professional ethics world wide.

The most widely accepted principle of medical ethics espoused by these organisations is that health care should be delivered without consideration of race, sex, colour or creed. This, most fundamental principle, is impossible to adhere to in apartheid South Africa, where so many apartheid laws ensure the forcible segregation of groups within the population on the grounds of race. Health services in South Africa are administered by four separate Departments of Health – one for whites, one for Asians, one for coloureds and one for Africans. Most hospitals and health posts in South Africa are segregated according to racial group, even if some of the more specialised units eg neurosurgery now have multiracial wards in a limited number of centres. Segregation of services extends down even to the ambulances and blood transfusion services. Black doctors are forbidden from holding posts in 'white' hospitals above registrar grade and never in obstetrics and gynaecology.

In October 1975 the Tokyo Declaration was adopted by the 29th World Medical Assembly of the World Medical Association:

'The doctor shall not countenance, condone or participate in the practice of torture or other forms of cruel, inhuman or degrading procedures whatever the offence of which the victim of such procedures is suspected, accused or guilty, and whatever the victims beliefs or motives, and in situations including armed conflict or civil strife.

'A doctor must have complete clinical independence in deciding upon the care of a person from whom he or she is medically responsible.

'The doctor shall in all circumstances be bound to alleviate the distress of his fellowmen and no motive – whether personal, collective or political – shall prevail against this higher purpose.'

NASA is a signatory to this declaration, yet despite the noble intention it has made no attempt to force its members to abide by it, nor to challenge the structure of apartheid medical care which prevents its proper implementation in South Africa.

This raises the question of what is the responsibility of health professionals in Britain towards the children of South Africa, how can we persuade our colleagues in South Africa that they must stop collaborating with apartheid health care and the widespread abuse of human rights?

The South African Paediatric Association has not condemned the system of apartheid which has led to widespread malnutrition amongst black children in a country which is a net exporter of food. They have not condemned the detention and torture of children. In guidelines produced regarding the treatment of children who are detained they tacitly accept the system of detention without charge by stating that children may be detained without charge for two days or longer if a court insists, and that parents might not be informed of their child's arrest for 24 hours, or as long as 48 hours at weekends. The children are referred to in the document as 'juvenile delinquents' or 'child political offenders'. On corporal punishment, the document states that **'punishment should not be administered too often otherwise it loses its value completely in time.'** With reference to the deaths of children in detention – there have been six since 1984, none of them from natural causes – it states that **'in the case of death the parents/guardian shall have the following rights: to appoint an independent pathologist or doctor at their own cost to be present at the autopsy or to reexamine the body.'** (1)

South Africa's Associations of pathologists have not disciplined members who have ignored clinical findings of lacerations, wounds and burns found on detainees who have died and not suggested that the deaths may be due to other than 'natural causes'. They have also taken no action against pathologists who have exhibited overt racism with respect to their judgements as to likely causes of death. In June 1985 a 13 year old black child died after being beaten and strapped by the neck to a pole by a white farmer. The pathologist found that the boy had died from 'natural causes'. (2) No action has been taken against the pathologist in question.

The Society of Psychiatrists of South Africa has not taken action against the inhuman conditions for black patients in South Africa's private mental hospitals, as exposed by the American Psychiatric Association Report of the Committee to visit South Africa in 1976. (3) Instead they have engaged themselves in the official cover-up of the situation and in so doing helping to perpetuate the system of inadequate medical and psychiatric diagnosis and treatment of patients and grossly substandard living conditions. (For further details see 'The Case for the Expulsion' of South Africa from International Psychiatry' UN Special Committee against Apartheid).

The record of all South Africa's specialist bodies is similar. Is it acceptable for health professionals in Britain to maintain 'normal' relationships with their colleagues and sister organisations practice on a practical rather than academic or theoretical level falls so far below an acceptable norm?

Dr Wendy Orr, in her speech to the conference in Harare, ⁽⁴⁾ challenged the international medical community: **'The questions are why the deafening silence? Why was I the only district surgeon to reveal these assaults? Why have the Medical Association of South Africa and the South African Medical and Dental Council not acted to bring doctors who do not report torture to task? And why the apathy and lack of sanctions from the international medical community, my challenge to the international medical community and to the World Medical Association is to take up the issue of torture and detention and the passive role of acceptance that South African doctors play, this is an area literally asking for international pressure. All doctors in the privileged position of providing health care for the detainees should be obliged to report every instance of cruelty or degrading treatment via an independent body. It is only through the use of specific pressure and sanctions that some change might be bought about in the attitude of South African Medical Organisations. That the atrocities in detention be revealed. But it is not until a free democratic society is established in South Africa that these atrocities and the aftermath thereof will be abolished forever.'** Some actions have already been taken by health bodies in Britain and internationally. Many countries withdrew from the World Medical Association in 1981 when South Africa was readmitted. The British Medical Association withdrew in protest against this in 1983 and severed all relations with the Medical Association of South Africa. They took further action in 1986 at the Annual Representative Meeting by passing a resolution banning any doctor from going to work in a hospital where apartheid is practised. South Africa has also been forced to resign from the International Council of Nursing and the International Planned Parenthood Federation, and in 1986 was expelled from the International Red Cross. However South African organisations are still represented on many international bodies.

Health Professionals concerned with the plight of children in South Africa are beginning to feel that positive action must be taken. The abuse of children by apartheid both within South Africa and in neighbouring States must be highlighted in Britain and internationally. Professional bodies need to be informed about their counterparts in South Africa and their record on this question. Health Professionals can campaign for the release of their detained and imprisoned colleagues in South Africa, and for the release of other political prisoners especially those such as Harry Gwala and Oscar Mpetha who are suffering from medical conditions: motor neurone disease and poorly controlled diabetes mellitus in these cases). Many Health Professionals feel that they want to contribute in a practical way to help the children of South Africa, and in this case donations can be made through the Medical Aid Campaign for Southern Africa, an organisation which provides medical assistance to refugees from Namibia and South Africa in the SWAPO and ANC organised refugee camps and settlements.

References

1. Children in places of detention: A code for their handling. South African Medical Journal 1987 71 (suppl)
2. Sunday Tribune (S.A)16,6,85
3. Report of the Committee to visit South Africa: Official Action of the American Psychiatric Association. American Journal of Psychiatry 136:11 Nov 1986
4. Children of Resistance, statements from the Harare Conference, edited by Victoria Brittain and Abdul Minty, Kiptown Books, London 1988

HEALTH OF CHILDREN UNDER APARTHEID

NAMIBIA

Namibia is one of the wealthiest countries in Africa, with a per capita Gross Domestic Product in 1983 of \$1,259 <1> but the wealth is very unevenly distributed. The average ratio of white to black incomes is 18: 1<2>. In 1983 only 22% of the GDP was spent on the black population, who form 94.5% of the total population. Of this about three quarters went on wages to workers, 10% on the earnings of small traders and business people and so only a quarter is left for the very large peasant population.<3> Much of Namibia's wealth is exported by foreign companies (largely South African), with the colonial structure of the economy ensuring that most of the remaining wealth of the country stays in the hands of the white population.

The consequence of this is that the vast majority of black Namibians live in extreme poverty, which has severe consequences for their mental and physical wellbeing. A survey of living conditions in Khomasdal township carried out by the Department of Planning of the Municipality of Windhoek found a chronic housing shortage, with an average of 13 people occupying every rented two-bedroomed house and in some instances up to 35 people. Other families lived in old cars and shacks. 16% of the working population were unemployed and of those with jobs, 45% were working in the building industry where employment is erratic. In late 1983 the official population figure for Khomasdal was 19,675, independent researchers put it at 30,000 <4>

The United Nations Institute for Namibia estimate of the Infant Mortality Rate for black children in Namibia was 155 in 1977-78 <5>, which is seven times higher than that for whites. However the true figure for some areas is almost certainly much higher as statistics are not officially collected by the apartheid authorities. Malnutrition is a serious problem. A survey by Oxfam of 714 pre-school children found 25% to be underweight, 15.3% stunted with evidence of chronic malnutrition and 11.4% showed evidence of wasting and recent malnutrition. 22% were found to have eaten one or no meals on the day prior to the survey and 21% to have eaten only maize. <6>

According to Windhoek statistics, 'black' infants are 40 times more at risk of dying from meningitis, gastroenteritis and tuberculosis than white infants <7>. Tuberculosis is a major health problem with the estimated incidence varying from 40-500 per 10,000 people, with blacks up to 50 times more at risk than whites <8>. This compares with the incidence in England of 1.64 per 10,000 in 1978-79.

Many other infectious diseases such as typhoid, diphtheria and leprosy are endemic in Namibia as is bubonic plague. This latter disease reached epidemic proportions in 1983 with 548 cases confirmed between March 1983 and January 1984. The incidence was confined to squatter camps in the 30km strip between Oshakati and Ondangwa in northern Namibia where over 250,000 people (almost a quarter of the country's population) live in insanitary conditions <9>.

The health service in Namibia is racially segregated. Per capita spending on health services in 1981 ranged from R233.70 for whites to R56.84 for blacks in Kavango to R4.70 in Rehoboth (both Bantustans). <10> The town of Okahandja, north of Windhoek, illustrates the unequal access to health care. In 1981 it had a population of 13,320 black people and 1,800 white people. For the whites there was a 12 bed hospital with facilities for general surgery, maternity, chronic and infectious diseases and X-ray facilities. For blacks only a 4 bed clinic run by a nursing sister. This gives a ratio of 1 bed for 150 whites and 1 for 3,330 blacks. <11>

Access to health facilities is particularly poor in the northern war zone. A night curfew is in force and those in need of emergency medical assistance cannot travel to clinics at night. Movement of ambulances is restricted by curfew and danger of landmines reduces the mobility of health workers and emergency vehicles. <12>

Military activity has reduced the number of health centres in the war zones and the South African Defence Force has shown a total disrespect for those remaining medical facilities. In 1980 the South African police raided the mission hospital at Odibo, doors and windows were broken, and workshops, a women's hostel, offices and a church building vandalised <13>. In July 1984 an explosive device was planted by a South African soldier outside the maternity unit of the Lutheran Hospital at Onandjokwe while his colleagues searched the hospital and checked up on all the patients. The device was discovered and removed. <14> South African soldiers are used widely as doctors for hospitals in Namibia as part of the SADF's 'hearts and minds' campaign and also for intelligence gathering.

Women and children bear a disproportionate share of the suffering occasioned by the war. In 1983 the Attorney General revealed that 42% of all cases reaching the Supreme Court in Namibia involved rape. A third of all criminal cases brought before the courts involved members of the armed forces and a significant proportion of these were acts of assault and rape against black women. <15> No statistics specifying the numbers of children killed are published by the South African authorities but numerous examples exist. A British church delegation to Namibia in November 1981 reported a case of a woman whose two sons aged 8 and 15 were killed when South African soldiers fired indiscriminately at her home. She was offered R100 and a bag of maize meal as compensation.

References

1. *Estimates based on SWA/Namibia Department of Finance Statistics/Economic Review 1984, SWA/Namibia Directorate of Development Coordination, and SWA/Namibia Information Service, National Atlas of South West Africa 1983.*
2. *IBID*
3. *IBID*
4. *The Namibian Review No 27 Jan-March 1983 p.16-19, Windhoek Advertiser 22.4.83, 2.7.83, Windhoek Observer 3.9.83*
5. *UNIN Health Sector Policy Options for Independent Namibia 1984 p.19*
6. *Labour Weekly 29.8.86*
7. *UNIN op.cit p.21*
8. *UNIN op.cit p.25*
9. *Cape Times 17.2.84, The Namibian Review No. 30 Sept-Dec 1983 p.28-32, Daily News (Durban) 30.9.83, RDM 14/30.9.83*
10. *NSC Health Collective Namibia: Reclaiming the People's Health 1984 p.13*
11. *UNIN op cit p.49*
12. *Focus No. 50 Jan-Feb 1984 p.10, Action on Namibia No 2 1983 p.5*

ARCHITECTURE AND PLANNING

1. Introduction

Since 1966 the South African authorities have refused to give any information or statistics on detentions. IDAF has collated some startling statistics from various and reliable resources, ie between 1984 and 1986, during the state of emergency, it is seen that:

1. 312 children were killed and 1,000 children were wounded by the SAP
2. 11,000 children were detained without trial
3. 173,000 children were awaiting trial in police cells.

This systematic brutality has become even more extreme and is directed at all fronts. This is shown by the regime's recent banning of 17 major organisations involved at various levels in the liberation struggle. Many of these organisations are directly involved with children and students.

These repressive actions are enacted in an environment where the day-to-day lives of the majority, both children and adult, are lived out in conditions of extreme poverty and enforced exploitation. Architects and planners in South Africa are instrumental in this repression – they shape the built environment according to the tenets of apartheid ideology. Both architecture and planning contribute to the repression of children under apartheid

2. The built environment and children

Basic statistics

Before engaging in the specifics it seems prudent to consider some basic statistical facts about life under apartheid for the majority of South Africans:

1. Wealth and land:

The 4.5 million white minority constitute 15% of the population. They own 83.6% of the land and 64% of the gross national income. The remaining majority of 26.3 million people (85.4% of the population) own the residue: 13.7% of the land and 36% of the gross national income.

2. Health and infant mortality:

The white minority has an infant mortality rate of 7/1,000 live births. This is similar to a First World profile. The figures for the African majority are radically different, ie infant mortality rates of 80/1,000 live births. The majority of doctors are white and located in the four main urban centres. The health programme is 'curative' and not 'preventative'. Health infrastructure and capital expenditure reflect this 'curative' mode, ie urban concentration of medical resources.

3. Primary education:

The white minority spends seven times more on education and educational facilities for each white child (R2,746 per capita) than the amount spent on black education (R395 per African child).

These are simple statistics. They help articulate the gross inequalities fundamental to apartheid. These indicators, however, do not expose the magnitude of repressive controls which punctuate every aspect of life under apartheid (eg the Population Registration Act and the Group Areas Act).

The built environment – typical scenarios

For the purpose of this conference it is necessary for architecture and planning to be considered in the typical scenarios in which black children and their families live and interact.

Before discussing these typical scenarios, it is necessary to mention some of the recent changes proposed by the state in an attempt to disperse the present conditions of social

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unrest and resistance. It is also necessary to describe the magnitude of the black housing crisis.

Urbanisation and 'grand apartheid'

Before the recent proposals to institute regional services councils under the Regional Services Councils Act of 1985, the mechanisms of population control were brutally visible. Briefly, the African majority were divested of their South African citizenship. Their primary place of residence, of employment and of political expression was to be the 10 bantustans. Where employment was available in white areas and farms, Africans could be accommodated there – but only under strict controls. They were in the long term regarded as 'visitors' in white areas. The number of African 'visitors' in towns was to be frozen. They were to be formalised into a segmented labour market beneficial to industry and commerce. This segmented labour force was regulated by the enforcement of the pass laws and other restrictive legislation. Housing and land allocation featured as a major means of state control.

This brutal system of visible control is being amended and restructured at present. The state proposes to establish regional services councils (RSCs) as under the Regional Services Councils Act of 1985. These RSCs are essentially bodies empowered to orchestrate the allocation of infrastructure and services to various local authorities which are bounded by the defined area of each particular RSC. They are to be located in the metropolitan areas. The financial base of the RSC is the private sector within each RSC – business and commerce are to pay a tax-deductible enterprise levy, whilst workers are to pay a regional services levy or payroll tax.

This new strategy of control accepts the process of urbanisation as inevitable but imposes order and control. Furthermore, the pass laws are removed and people with section 10 rights (ie rights to permanent residence) have greater mobility between urban centres. It is a state response to the context of an economy in decline since 1984, growing pressure on the government to remove the pass laws and the gradual but consistent breakdown of state control in the townships. In justification of this policy it is argued that:

- (a) RSCs allow the state to bear little of the cost for providing both existing and future urban services.
- (b) the cost of both urbanisation and labour reproduction is displaced from the state and employers to the working people.
- (c) the onus is placed on individuals to acquire 'approved' accommodation. Those who resort to squatting due to the acute housing shortage will fall foul of the plethora of remaining legislation. The same applies to 'approved' employment. The scarcity of work and shelter both become fundamental mechanisms of influx control.
- (d) the RSCs may be multiracial but members are nominated by and responsible to their separate racial local authority. As such the RSCs are not non-racial but remain endorsements of apartheid segregation.
- (e) voting is loaded to favour high service consumers, ie the white local authorities.
- (f) the acute scarcity of 'approved' housing and employment allows for housing schemes to be of an even lower standard, eg site and service, core housing. Housing is to be financed through the RSCs and the private sector.

Clearly the condition of 'grand apartheid' remains.

The housing crisis

There is an extreme shortage of black housing. It has been estimated that between 1987 and 1990 over 1.5 million houses need to be built just to accommodate the existing backlog plus the simultaneous growth during this same period. It is also estimated that to meet the demand thereafter an additional 100,000 units are required complete each year. The West Rand Administration Board claimed that 4.1 million houses needed to be built by the year 2000. This requires a building rate of over 4,000 units complete each working day. The present rate of actual building is less than 20 units per working day. Between 1981 and 1985, only 41,000 houses were built for the African population. Furthermore, the state built no African housing in 1987. The present shortage of African housing is

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estimated at 832,000 houses. This obviously places the existing township stock and infrastructure under the most extreme conditions.

Urban scenario – townships (layout, infrastructure and dwellings)

The dominant example of the built environment in which black children live is that of the township. Townships occur in and around urban centres. They are designed by white planners and architects under the specific guidelines of apartheid.

Townships are designed and built in locations that maximise their isolation from both white residential areas and central business districts. Usually there is a perimeter of 'no man's land' and close proximity to a major highway. During unrest and insurrection, this combination allows for quick deployment of the South African police and defence forces and maximises containment and isolation.

Townships are also designed and built in locations furthest from places of employment. They are provided with minimal public transport. This dramatically increases the length of the working day for parents and breadwinners who are predominantly unskilled and earning subsistence wages. Economic exploitation plus reduced family life prevail.

Street and plot layout within the township is based on the grid format. This maximises service layout, access and control, and mechanised construction methods. The spatial hierarchies and combinations are devoid of democratic participation. The communities cannot intervene nor engage in any aspect of the design or construction processes.

The cost of infrastructure and maintenance of township fabric (eg sewage and roads) has until fairly recently been based on a perverse policy of 'self-sufficiency', ie whereby most of the necessary finance is obtained from both rents and liquor consumption at beerhalls. The state owns both dwellings and beerhalls. These conditions simply mean that the more liquor consumed, the better the infrastructure.

The schools located in the townships are overcrowded, acutely understaffed, under-resourced and under-facilitated. This helps to ensure that children have minimal access to higher education. The poverty cycle remains entrenched and reinforced because education gives access to skills, and skills in turn give access to privilege and surplus. Access to skills clearly undermines apartheid ideology. The reproduction of cheap labour reserves is guaranteed under existing conditions.

Recreational facilities in townships are minimal and scarce. In 1983 there were 12 sports fields for 226,000 Africans in the Cape Peninsula, and one sports field for over 3,000 African high school children.

The townships primarily consist of standard housing types (eg 51/9 units). These standard low-cost house types are equations in minimal space standards, minimal environmental control and minimum privacy. The design embodies behaviour patterns and hierarchies which are forced upon the tenants. The design has no user participation and involvement. It is merely a sub-standard final product of over-inflated value due to the acute housing crisis which exists within a greatly under-subsidised need in South Africa. It is proletariat housing.

The dominant house type is the 51/9 unit. These are two-bedroomed units with kitchen, bathroom and living/sleeping room. The unit has an internal area of 45.8 sq m and was originally designed for a maximum of six people in 1946. This is an average of 7.6 sq m per person. The acute housing shortage makes these already minimum standards seem adequate by comparison. The National Building Research Institute estimates that 5.9 million people live in 466,000 units of similar status. The average occupancy per unit in Soweto is presently 16 people (average 2.8 sq m per person) and in some townships this increases to 30 or even a staggering 42 occupants per dwelling!

The houses are constructed with materials which are high-technology specific and constructed with non-transferable skills. For instance, the 51/9 house type has been used

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extensively throughout South Africa. The design and construction remain basically the same as when it was first built in 1946. The prototype is used extensively without suitable adaptation to the various differing climatic conditions that exist in South Africa. The houses do not provide effective temperature control. Internal temperatures move to extremes and render the units virtually uninhabitable. This can precipitate ill health.

The potential conditions for ill health are enhanced by the combined effects from conditions of extreme overcrowding interacting with paraffin/wood/coal cooking and heating systems that seem prevalent (eg Soweto has only 45% of units with electricity).

To date almost all African housing has been financed by the state and quasi-state bodies. The private sector has, even after many initiatives, managed to produce only minimal housing. Under the proposed RSCs, housing will fall predominantly to the private sector. The housing shortage requires vast reallocation of resources which is impossible to envisage without the ending of apartheid.

With the acute shortage of housing for black urban workers coupled with the increased migration to the urban centres for work, plus the lack of welfare provision, excessive pressure is placed on families. Extended families are forced to live in units designed for the nuclear family format. The dwellings cannot be extended because the houses are rented from the local administration. The above briefly describes the nature of the built environment in which the majority of black South Africans live within the urban areas. The net result is disrupted family life in conditions of ill health and overcrowding within the environments of minimal infrastructure. This is aggravated even further in that residents cannot help themselves forming democratic organisations. The townships are in essence 'prisons' bound by the poverty trap enforced by the apartheid system.

Squatters

The total number of squatters in South Africa is not known. The magnitude of this phenomenon is clearly apparent in and around the major urban centres. With the forced migration of the landless majority rendered redundant in the outlying agricultural areas by dispossession, forced removals, overcrowding, overgrazing and erosion, plus the even worse poverty of the homelands causing migration to the urban centres (eg Crossroads, KTC), fits the pattern of urbanisation which is dominant in the Third World. The already impoverished condition and context of squatters is made even more horrific in South Africa. The apartheid legislation (eg Prevention of Illegal Squatting Act 1951, plus various amendments) allows homes to be demolished without prior notice. Furthermore, squatters who do not have section 10 rights are forcibly removed back to the 'homelands'. The apartheid system forcibly removed over 3.5 million people from their homes between 1960 and 1983. An estimated 1.8 million people remain under threat of removal. These figures exclude pass law enforcements. Shelters continue to come and go after each forced demolition.

These people cannot go anywhere else because there is no housing available and there is only slow starvation and extreme poverty in the 'homelands'. These communities are devoid of any infrastructure and services. The shelters are inadequate and the conditions abysmal. This is another context in which children must live, learn and become socialised.

Bantustans

The context of bantustans also forces people, especially males, to dispose of their only remaining asset, ie labour power, in return for unskilled work outside bantustans. The family is destroyed by the hardship of migrant labour.

The bantustans are merely large reserves of cheap labour. Each reserve is in competition with each other and in competition with the Front Line States. This policy of competing labour reserves for the limited and unskilled employment opportunities outside the reserves ensures minimum subsistence wages and maximum profit for the white owners.

The false separation brought about by the 'independent' status of bantustans enables the apartheid regime to relegate labour power to commodity status. The responsibility for the

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maintenance and reproduction of these reserves (at subsistence level) is the internal affair of these 'independent' bantustans. Housing, education, infrastructure, welfare resources are similarly rejected by the regime.

The condition of cheap labour is maintained and simultaneously assured by supply outstripping demand.

Squalor and poverty, malnutrition and migration are the context of the bantustans. They are also the basic conditions in which African children live and die.

These conditions are aggravated by the regime's active policy of divide and rule. The method is to create a black middle class. The middle class in the bantustans has further impoverished the lives of people by indulging in corruption and greed (eg Transkei, Ciskei).

3. Architects and planners in South Africa

Every fact of apartheid life is marked by enforced segregation. University and tertiary education are no exception. Higher education is racially segregated – blacks require permission to study at white universities in white areas.

To date all schools of architecture and planning are seated in the white universities. Over the last two decades only the three English-speaking universities (UCT, Wits and Natal) have accepted black students. The Afrikaans universities state that they are 'open' but as yet their student intake remains totally white.

At present the three liberal schools of architecture have a total of 726 students. Only 12 of these 726 are African (1.6%). The percentage of black students at these three schools constitutes a meagre 2.5% of their student intake. This figure is even smaller when the totally white student intake of the three Afrikaans schools is included. Clearly white students dominate architectural education and training.

This disparate dominance is reflected in the profession itself. In 1986 the Institute of South African Architecture had a total of 2,645 registered architects. This excludes 'retired' members. There are three 'African' architects, eight 'Coloured' and 25 'Asiatic' architects. The remaining 2,609 are white (ie 98.6%). These figures have been ascertained from the 1986 ISAA directory.

Clearly whites dominate architectural practices. Apartheid ensures that these conditions remain.

Schools of architecture

To date the schools of architecture have in general not responded positively to the needs of the liberation struggle. There have been sporadic responses and outbursts of protest and resistance to apartheid. These actions have, however, been limited and uncoordinated due to the lack of unity and clarity of political purpose within and between each school. There are many factors leading to this stance.

The existing courses in architecture in South Africa have their content and structure modelled directly on the present European models. Construction, technology, design theory, etc, all embody a First World ideology and methodology.

Architectural courses are inappropriate to the reality of South Africa as a Third World country. The courses do not enable architects to engage democratically with communities. The course alienates and removes architects from the real context and struggles. As such the training is largely irrelevant and remains both elitist and dominated by whites.

Furthermore, these same courses follow the academic line that architecture and academia are 'neutral' and 'apolitical', yet somehow supposedly socially responsible. The ideological basis of the course reinforces this myth of neutrality and as such sustains the apartheid

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system by being ineffective and isolated. Here the 'pen' clearly joins forces with the 'sword' of the oppressors.

It must, however, be said that the initiative for appropriate architecture engaging positively in the liberation struggle has come from students and teachers from these three liberal schools. Some of these initiatives will be articulated later within this paper.

The profession

All professional bodies dealing with registered architects and planners in South Africa (eg Institute of South African Architects, Cape Provincial Institute of Architecture) remain supporters of the apartheid system and regime. All architects, in order to practice, must register with the ISAA. The ISAA then has regional/provincial institutes. The model remains as that of the UK and RIBA. The professional body has resisted all deviation from the apartheid line. Hans Schumacher and AAP and PLACE attempted to get the Transvaal members to include the UIA's Warsaw declaration of human rights within the ISAA constitution. This was defeated in 1985-86. If one reads the 1987 CPIA minutes one will see that a similar motion has been rejected by the membership.

- (a) The motion to include the Warsaw declaration and its principles within the preamble of the ISAA constitution was defeated.
- (b) The following motion was also defeated (by 32 votes against, 11 votes for and four abstentions):
'the ISAA recognises that the achievement of the needs and rights embodied in these principles (Warsaw declaration) is dependent upon all forms of discrimination, in particular discriminatory education which excludes the majority of the population from the opportunity of reaching tertiary education level, population registration, separate development and group areas legislation which restricts where and how people are housed, work, set up business, recreate, etc. It is also dependent upon an alignment with the communities of the majority, to serve them with professional skill in achieving physical needs and democratic aspirations. Consequently, the ISAA commits itself towards the elimination of those ills and towards that alignment.'

The apartheid system requires a mutually supportive spatial organisation and built environment. Apartheid ideology, the design process and the built environment are inseparable in South Africa. The built environment and spatial organisation of surplus by way of infrastructure make visible and 'concrete' the ideology of apartheid.

The apartheid system requires a built environment in which the disparate relations of production must operate and be maintained. Architecture and planning provide this service at the expense of their own credibility. As such, the professions of architecture and planning cannot deny their active support of apartheid.

4. Alternative/progressive architect/planning groups in South Africa

To date the majority of South African communities and their grassroots organisations do not have access to either profession. The lack of access is to both education and service. All community initiatives in seeking democratic involvement in the shaping of their environment has been strictly monitored and fiercely discouraged. Democratic participation and intervention are not prerequisites of the apartheid-built environment.

This fundamental fact has been recognised by a small number of architect/planner organisations and individuals in South Africa. These groups have actively aligned with the democratic movement. They work with communities as support groups, giving professional and technical advice in a multitude of ways.

Presently there are four such democratic organisations engaging direct with community organisations. They are located in and around each of the major urban areas (Johannesburg, Durban-Pietermaritzburg and Cape Town).

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(a) PLANACT

This organisation is based in Johannesburg. It was set up in 1985 and has a core group of 15-20 people. Planact has projects throughout the country. Since the state of emergency its clientele has increasingly been the unions. The group has a history of support aid during the removals struggle. Its resources are limited.

(b) PADA (Planning Action and Development Agency)

PADA is one of two groups which operate in and around the Durban-Pietermaritzburg environs. The group was formally constituted in October 1986 in direct response to the immense conservatism which had become obvious at the SAITRP convention of 1985. This voluntary organisation has a membership of about 42. Members are organised into ad hoc working groups which emerge around specific needs. PADA's main involvement has been in planning aid to community groups in Natal. Their policy is to make planning and related technical services available to people, groups and organisations who cannot normally gain access to these services. Accountability is to its body corporate. Resources are limited.

(c) BESG (Built Environment Support Group)

BESG is a group which was formed in 1982. It emerged out of projects which university people had become involved in as individuals. Since 1986 the group has become accountable to the board of the faculty of architecture at the University of Natal. The group has 25 members and six paid staff workers. The group offers free policy aid, community defence, planning and technical assistance, architectural service and training to communities and their organisations. The projects are various and more numerous than those of PADA. BESG receives funding from donors like Rockefeller Foundation, Kagiso Trust.

(d) DAG (Development Action Group)

DAG developed in the wake of the 1986 disturbance in and around Crossroads squatter camp in Cape Town. During this crisis the homes of 70,000 people were destroyed. ASS released a statement of protest against the state's involvement via vigilantes. Subsequently a petition was circulated by the emergent 'Environment Planning and Design Committee' calling on architects, planners and others not to be involved in the upgrading proposals without the full knowledge and involvement of the community as it existed before the destruction. DAG developed out of this initiative. The group formally launched itself as a constituted organisation in July 1987. This was done after lengthy negotiations with democratic organisations. The group has a membership of 50-60. The membership is accountable to a body corporate which is the paid up membership. DAG has completed a variety of projects with various communities and their democratic organisations. The group is a voluntary organisation and it provides free technical aid.

These are the major alternative architect/planner organisations working towards a socially responsible profession with accountability towards the majority of the South African people. None of these organisations has adopted a confrontational stance towards the ISAA and SAITRP. They have rather opted for independent programmes aligned with the democratic movement. This is obviously consistent with strategies aimed at widening the base of the liberation struggle amongst the whites by utilising the prevailing 'crisis of morality' felt by many white professionals.

Apart from being young organisations with limited skills and experience, they have engaged directly with the process of democratising both architecture and planning. Initiatives and workshops are presently being explored and developed, eg:

- (a) the need for and structure of a national coordinating body
- (b) skill transfer and relevant training to a wider base
- (c) relevant and appropriate tertiary education
- (d) state of the nation — an ongoing critique of state strategies in areas like housing, urbanisation
- (e) the role of professionals/service organisations/support groups

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- (f) the accountability of intellectual work, cooption, etc
- (g) clarification of the specifics in implementation of the cultural and academic boycott policy.

These efforts can only result, ultimately, in a built environment which helps to make real a free, non-racial and democratic South Africa.

5. British professions and their responsibilities to South Africa

The South African degrees and professional bodies were historically modelled on the RIBA and its specific interpretation of appropriate education and code of conduct. This is due to the fact that South Africa was a British colony and part of the British empire starting in the Cape in 1806 and ending with the Nationalists coming to power in 1948, and with Britain in the interim handing the administration to the white minority by the Act of Union in 1910. South Africa became a republic in 1961.

To date there are over 630 South African ISAA-registered architects who enjoy subscribed membership of the RIBA. RIBA derecognition of South African architectural degrees has only occurred quite recently, ie 1987. In the eyes of the South African majority, this continued link with ISAA members is tantamount to support for the apartheid regime because the ISAA clearly serves white minority interests.

The profession here in Britain needs to realise its responsibilities to South Africa and its children more comprehensively. This can be achieved by understanding fully the exact implications and repercussions of its actions and links with South Africa. The following actions are proposed:

1. The professions of architecture and planning should support the call for academic and cultural boycott of the illegitimate regime and consult with the legitimate organisations in clarifying the specifics of this policy.
2. The professions should strengthen their support for the academic and cultural forces of resistance.
3. The professions should lobby the building industry and its subsidiaries to isolate South Africa and to engage in voluntary boycott of materials and services produced by those companies which maintain strong trade links with apartheid South Africa.
4. The professions should set up a working/research group with the building industry to research and make regularly available information on those materials and companies which have extensive economic links with South Africa and those which do not.
5. To encourage the planning and architecture professions to establish contact with the professional bodies of the ANC and the NDM inside South Africa – noting that contact with the NDM inside South Africa is to be done through the ANC.
6. The professions should encourage assistance in the form of scholarships, work experience and equipment. This should be provided to the liberation movement by professional organisations without qualification or constraint.
7. The professions should support the SOMAFSCO-RIBA initiative.
8. The professions should call for research on post-apartheid architecture and planning education with consultations with ANC.
9. The professions should request the RIBA to set up a working committee to look into the implications of the academic and cultural boycott and its South African membership.
10. The professions should also request ARCUK to set up a committee to look at the relationship of South African degrees, international law and the academic and cultural boycott.
11. For schools of architecture and planning to generate socially relevant design theory and methodology through rigorous analysis of the South African context.