

T H E O T H E R T W O H O U S E S

The first five years of the Houses of Representatives and
Delegates

by

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For Gillian

ABSTRACT

Defying widespread predictions, the tricameral Parliament not only continues to function but, after five years, has become an integral part of the political realities in South Africa.

This thesis is concerned with an assessment of the dynamics of the new dispensation in general and the role played by the Houses of Representatives and Delegates in particular. It evaluates the implications of the new dispensation for the government, participants in government-created, racially segregated bodies and the extra-Parliamentary opposition. In addition, it synthesizes empirical data and theory by applying concepts of ethnicity and by reviewing the tricameral system in the light of the theoretical discussions on consociation and "control". The general elections of September 1989 have been used as a cut-off point for this study because the poll amongst Coloureds and Indians provides an opportunity to observe the effects of the performance of the "other" two Houses.

Although it is too early for an exhaustive evaluation of the tricameral system, three preliminary conclusions can be drawn. Firstly, despite its failure to gain legitimacy in wider circles, the new dispensation proved to be a qualified success for the government, particularly in so far as it has managed to involve Coloured and Indian participants in the administration of their "own" affairs. Secondly, after an acquiescent start the two new chambers

began to utilize the not inconsiderable potential innate to the Constitution of 1983 but failed to bridge the gulf separating them from the mainstream of black opposition. Thirdly, events in and more significantly outside Parliament, seriously undermined the success of the boycott strategy employed by the extra-Parliamentary opposition. While conducting research into apartheid institutions it has become necessary to use official terminology, for example, whites, Coloureds, Indians, Africans.¹ It goes without saying that this does not imply any measure of acceptance of government policy.

The methodology of the study is outlined in a brief appendix.

1. As it has become common practice, the term "black" will be used to refer to all three oppressed groups.

DECLARATION

I declare that this dissertation is my own unaided work. It is being submitted for the degree of Doctor of Philosophy in the University of Cape Town. It has not been submitted before for any degree or examination in any other university.

Signed by candidate

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LIST OF ABBREVIATIONS

ANC	African National Congress
CLP	Coloured Labour Preference
CP	Conservative Party
CRC	Coloured Representative Council
CTPA	Cape Teachers' Professional Organisation
DEC	Department of Education and Culture
DP	Democratic Party
DWP	Democratic Workers' Party
FP	Freedom Party
HoA	House of Assembly
HoD	House of Delegates
HoR	House of Representatives
LP	Labour Party
MDM	Mass Democratic Movement
MP	Member of Parliament
MPC	Member of the President's Council
NF	National Forum
NIC	Natal Indian Congress
NP	National Party
NPP	National People's Party
PC	President's Council
PCP	People's Congress Party
PFP	Progressive Federal Party
PPSA	People's Party of South Africa
PRP	Progressive Reform Party
SAIC	South African Indian Council
TASA	Teachers' Association of South Africa

TIC Transvaal Indian Congress
UDF United Democratic Front
UDP United Democratic Party
WECTU Western Cape Teachers' Union

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"If the tricameral Parliament succeeds, we fail."

(Ismail Omar, Solidarity MPC)¹

"They thought they were entering a partnership with the President, and they were mistaken. They thought he needed them, and he didn't."

(Paul Bell on the Labour Party)²

1. INTRODUCTION

Nadine Gordimer has called the Houses of Representatives and Delegates "the outhouses of Parliament". This quotation expresses a sentiment widely held by the general public, the media and the academia. The attitude is that the Coloured and Indian chambers of Parliament are void of any relevance. This argument rests on two assumptions, namely the waning significance of Parliament in general and the impotence of the "other" two Houses in particular.

The first assumption has been notably associated with Frederik van Zyl Slabbert. He argued that South Africa had an extra-Parliamentary government as Parliament had lost

1. Interview: Ismail Omar, 21.1.1987

2. Paul Bell(1988): 60

all relevance for both the representativity and accountability of government as well as for the constitutional change thereof. Thus he concluded, "the contest for power lies in the relationship between an extra-Parliamentary government and an extra-Parliamentary opposition, and increasingly Parliament itself has become less and less significant in influencing this relationship".³

The Houses of Representatives and Delegates have been described as irrelevant apartheid institutions on innumerable occasions. This perception is most comprehensively reflected in a statement issued by the UDF's regional executive in the Western Cape: "This powerless dummy body, filled with well-paid puppets, represents everything we reject".⁴ Slabbert regards the inclusion of Coloureds and Indians into the political process as strictly symbolic; its most significant impact lies in its ability to provide "a kind of multiracial bonhomie...taking place at cocktails, in dining rooms and standing committees".⁵

This study does not question the greater role played by the executive and particularly the security agents in the decision-making process in South Africa.⁶ It is, however, not convinced that this has rendered Parliament

3. F. van Zyl Slabbert(1987d): 6

4. Cape Times 4.7.1987

5. F. van Zyl Slabbert(1985): 160

6. See P.H. Frankel(1984) and K.W. Grundy(1983)

irrelevant. The dividing lines between the Parliamentary and the executive side of decision-making are not as sharply drawn as has been suggested by some conspiracy theorists. Mark Swilling has observed that "South Africa's state and government are...a hybrid that fuses party government based on a parliamentary process with a militarised state rooted in the security establishment".⁷

It should be noted that on the State Security Council representatives of the security establishment are regularly outnumbered by ministers. In this vein, Lawrence Schlemmer has argued that "the security elites have not acquired superordinate political status and they do not determine or influence state policy in spheres outside those relevant to security control".⁸

Although it has been the tendency in recent years to define more and more political spheres as security-relevant, the rise of the military influence in political decision-making has not simultaneously spelt the demise of the civilian input. The relationship between the two is a far more complex one; they co-exist and overlap, sometimes they are complementary and sometimes they are in conflict with one another. Once again it was Schlemmer who drew attention to the fact that "the most recent and pervasive security initiative, the Joint Management Centres, are under the overall control of a civilian politician with no

7. M. Swilling(1988)

8. L. Schlemmer(1988): 45

security background (Deputy Minister Roelf Meyer)".⁹

Recent developments - from the reply to the hunger strike of political detainees to the handling of peaceful protest - have revealed the limits of the hardliners on the State Security Council. There are indications that under President de Klerk the civilian side of the decision-making process is attempting to re-establish its supremacy.

Slabbert's notion of a power contest between an extra-Parliamentary government and an extra-Parliamentary opposition has to be qualified not only in regard to the first but in both respects. It is not only government that has retained a significant Parliamentary wing, but also the black opposition. From 1984-6 it appeared that the Houses of Representatives and Delegates had ceased to merit the term opposition and that its locus had shifted almost completely to the United Democratic Front.¹⁰

Yet the situation began to change with the imposition of the state of emergency; the reassertion of state control culminated in the virtual banning of extra-Parliamentary opposition in February 1988. Although this could not extinguish the underlying forces that led to the rise of the UDF, the inability to translate resistance

9. L. Schlemmer(1988): 45

10. In this study the term "UDF" is used to encompass all political forces which later became known as the Mass-Democratic Movement (MDM).

into lasting organisational structures clearly presented a severe set-back for extra-Parliamentary opposition.

Owing to these developments the Parliamentary wing of the black opposition acquired greater significance even though the victories attained in that forum were necessarily of a less dramatic nature. The more assertive stance recently adopted by the Labour Party revealed that the "other" two Houses could make a not insignificant contribution to opposition towards the government. This potential became apparent, for instance, in the LP's refusal to approve the postponement of both the elections scheduled for 1989 as well as essential constitutional amendments providing for African cabinet ministers.

It can even be maintained that the House of Representatives has acquired almost the same importance as the white chamber of Parliament.¹¹ The significance of the House of Assembly has, despite its institutional superiority, diminished in proportion to the rise of the executive because both are dominated by the National Party.¹² This phenomenon was observed by Slabbert:

11. Owing to the perceived vulnerability of the Indian population group the House of Delegates was inclined to take a more cautious line and would only follow the lead of the Labour Party once the territory of dissent had been chartered.

12. The election results of September 1989 confirmed that the Conservative Party would probably never win a majority

"As the executive became more independent of Parliament, the NP became more impotent and less well informed. Its primary function now is to serve as a recruiting base for the allocation of patronage. It is where you go and wait to see if you will become a Commissioner-General, Ambassador or Cabinet Minister."¹³

However, there are indications that the declining influence of the National Party caucus, and with it the House of Assembly, will be reversed under the presidency of FW de Klerk.

Besides its significance set out above, the impact of the tricameral Parliament transcends the confines of the new dispensation. When asked why the government had only included Coloureds and Indians in the new system, the then Deputy-Minister of Information and Constitutional Planning, Stoffel van der Merwe, replied: "We first have to solve the small problems, then we shall tackle the big ones."¹⁴ It has become apparent that the government will tackle the big problems, i.e. African inclusion in the central political order, in much the same way as it has attempted to "solve" the small problem constituted by Coloured and Indians. The government plans to establish an

of seats in the House of Assembly.

13. F. van Zyl Slabbert(1987d): 5a

14. Quoted by C.B. Herandien in Hansard, HoR 1987(fifth session), col. 3197

overarching "general affairs" body (the National Council or the Great Indaba) which is supposed to take decisions on the same basis of "consensus" as is done under the present dispensation. To complete the tricameral analogy, the Minister of National Education, F.W. de Klerk, announced intentions to establish "own affairs" structures for Africans outside the national states.¹⁵

The lessons learnt from the tricameral Parliament by all political actors, i.e. the government, Coloured and Indian participants as well as the UDF, will certainly have a bearing on future political developments in general and the envisaged inclusion of Africans in particular.

In line with this train of thought the Houses of Representatives and Delegates represent a worthwhile if underresearched issue of examination. The study therefore addresses the following questions: Did the tricameral Parliament constitute a success for what Slabbert has termed the government's policies of "co-optive domination"? Did Coloured and Indian participants utilise the new dispensation for the politics of transformation or have they been sucked into a co-optive vortex and developing vested interests in the perpetuation of the present order? Lastly, did the boycott stance adopted by the UDF prove to be a viable strategy?

15. Argus 1.10.1987

2. THE COLOURED AND INDIAN POPULATION GROUPS

Both the 2,5 million Coloureds and the 780 000 Indians (1980 census) occupy an intermediate position in South African society. This chapter is, however, not the place to give a comprehensive analysis of this phenomenon; this has been done elsewhere.¹ Here, a short discussion of the relevance of ethnicity, of the factors separating and binding Coloureds and Indians on the one hand and Africans on the other and of separate institutions and parties must suffice.

2.1. Ethnicity and group concepts

Both the liberal and the Neo-Marxist school of thought view ethnicity as a mere social construct and deny that it is, or ought to be, of any intrinsic significance to social relationships. The former perceives ethnocentrism as an "irrational, dysfunctional attitude...(which) must be combatted through a social therapy".² The latter views ethnicity as an ideological construct which serves particular class interests by camouflaging them.³ These

1. For the Coloureds see: G. Lewis(1987), R.E. van der Ross(1986) and I. Goldin(1984a). For the Indians see S. Bhana/B. Pachai(eds.)(1984).

2. P. van den Berghe(1981): 2-3

3. *ibid.*

fundamental premises are, however, unable to explain the magnetic allegiance ethnicity has elicited worldwide from socially and economically diverse groups. Therefore, in the following section, relevant concepts of ethnicity and group consciousness will be applied to the Coloured and Indian population groups in South Africa.⁴

Ethnicity cannot be fully understood if it is merely viewed as a primordial phenomenon. The theory of ethnicity as a socio-biological predisposition towards a variation on nepotism or group narcissism fails to take into account that the existence of ethnic "markers" (e.g., language, religion) is a necessary, but not a sufficient condition for the emergence of an ethnic consciousness. In order to mobilize those who share these markers into "self-conscious groups that will be internally cohesive and externally competitive", the given markers must be "infused with an intense, differentiating value".⁵ Although the objective origin of ethnic groups predates present society, the subjective ethnic consciousness only emerges in societal interaction.

This is reflected in the particular strength of ethnicity which is its ability to combine an interest with an affec-

4. Of the vast literature on ethnicity see, e.g., L. Kuper/M.G. Smith(1969), W. Bell(ed.)(1974), H. Adam/ H. Giliomee(1979), J. Rothschild (1981) and D. Horowitz (1985)

5. J. Rothschild(1981): 26/7

tive tie, both of which only become relevant in social relationships. The relationship between these two components has been described as dialectical: "Neither is a mere epiphenomenon of the other, and neither functions alone".⁶

It has been argued that ethnicity is essentially a phenomenon prevalent in traditional societies which is weakened by the process of modernization that detaches the individual from the original ethnic matrix.⁷ This approach is, however, undialectical. In the industrialized society, tradition is not merely replaced by modernity, but co-exists with it. It is precisely in modernizing societies that both the emotive and the material component of ethnicity acquire salience. To avert the threat of personal anomie people "draw a re-integrating identity from identification with their ethnic group, which is the only social entity left that defines and accepts them for what they are, rather than by what they do."⁸ Likewise, ethnic groups become mobilizing entities in the struggle for scarce resources in plural societies of the third world, which modernization entails.

As the four population groups in South Africa are not the product of voluntary identification but of statutory race classification, any concept of ethnicity can only be ap-

6. J. Rothschild(1981): 62

7. See L. Kuper(1974): 142

8. J. Rothschild(1981): 5/6

plied with caution. This is particularly the case with the so-called Coloured people as this group is defined in negative terms; every South African citizen who is neither white nor black nor Indian is classified as Coloured. The very existence of a group termed "Coloured" can be seen as an attempt on the part of the government to manufacture ethnicity. Coloureds lack any cultural symbols and ethnic "markers" of their own. As they share both the language and religion of the dominant group, they appear to be predestined for the role of an assimilationist minority which strives to join the ranks of the superordinate group.

However, the concept most appropriate to the Coloureds is that of the "marginal man". It was developed by E.V. Stonequist⁹ and R.E. Park¹⁰ and latter applied to the Coloureds by H.F. Dickie-Clark.¹¹:

"The most obvious type of a marginal man is a person of mixed racial ancestry who is poised in psychological uncertainty between two(or more) worlds reflecting in his soul the discords and harmonies, repulsions and attractions of these worlds, one of which is dominant over the other, within which membership is implicitly if not explicitly based upon birth or

9. E.V. Stonequist(1930)

10. R.E. Park(1950)

11. H.F. Dickie-Clark(1966)

ancestry(race or nationality); and where exclusion removes the individual from a system of group relations."¹²

The dual personality and double consciousness of the marginal man result in attitudinal ambivalence and divided loyalty. He seeks to adjust himself to the group that in his perception possesses greater prestige and power.¹³ The marginal man can thus either lead the subordinate group or be accommodated by the dominant one.

Despite their linguistic and religious heterogeneity, Indians conform much more to the concept of an ethnic group than Coloureds. Throughout their presence in South Africa they have remained an identifiable entity. "As a means of surviving in a hostile environment, South African Indians clung to traditional cultural tenets and found solace in their history and philosophy."¹⁴

Today their cohesiveness is reflected in a low rate of crime, alcoholism and illegitimate births. Their exclusivity is apparent in the existence of voluntary associations and a lack of social mixing and intermarriages. Indians can be viewed as a plural minority striving for parity with the dominant group but at the same time desiring to retain its identity.

Even an office-bearer of the UDF-affiliated NIC, who can

12. E.V. Stonequist(1930): 8

13. E.V. Stonequist(1930): 18

14. K. Moodley(1975): 256/7

be expected to regard any variety of ethnicity as anathema, concedes to the relevance of an ethnic consciousness among Indians. "Members of the community have a strong sense of being Indian. They do not have an inherent non-racial consciousness...".¹⁵ The very retention of the name Natal Indian Congress suggests the continued existence of a strong ethnic sentiment among progressive Indians. There is no progressive organisation with any reference to "Coloured" in its name.

The concept which best fits the Indian population group in South Africa is that of the "middleman minority" as developed by Pierre van den Berghe.¹⁶ A middleman minority consists of voluntary immigrants in strong, extended families; practices endogamy and cultural enclosure; lives in urban ghettos; is part of the petty bourgeoisie and politically powerless; possesses scarce skills and adheres to the Weberian values of "Protestant Ethic" (frugality, thrift, hard work, postponement of gratification and lack of ostentation). Their sojourner mentality entails cultural encapsulation, clannishness, failure to assimilate and divided loyalties.

Their relative wealth is the result of their filling specific economic niches and contributes to making them potential scapegoats, experiencing hostility from above as well as below. Middleman minorities are "pariah

15. Y. Carrim(1988): 43

16. P. van den Berghe(1981)

capitalists, hated for their wealth, mistrusted for their alienness, despised for their weakness, excluded from politics, rejected from civil society and tolerated only as long as they serve a need."¹⁷

2.2. The intermediate position of Coloureds and Indians

There are several factors that bind the three black population groups in South Africa. They include (now qualified) political exclusion, economic deprivation and social discrimination. These phenomena have been described exhaustively in innumerable publications and would suggest a large measure of common ground. While this is true to a degree, there are a number of objective and subjective factors which put some distance between Coloureds and Indians on the one hand and Africans on the other and thus place the former two groups in an intermediate position. These factors will be analyzed in this section.

The apartheid policy of the South African government makes provision for four statutory race groups. Therefore, Coloureds and Indians have been allocated different group areas¹⁸, amenities and educational institutions from those

17. P. van den Berghe(1981): 140

18. There was even further fragmentation within the Coloured group. Schotsche Kloof in Cape Town, for instance, was declared a specific Malay group area. See J. Western (1981).

of Africans.¹⁹

A special case was the Coloured Labour Preference Policy.²⁰ This policy which had been applied since 1954 amounted to a particularly strict form of influx control for Africans in the Western Cape. The establishment of an "economic homeland" for Coloureds was designed to partially co-opt that group and alienate them from Africans. The created Coloured "labour aristocracy" was expected to develop a vested interest in the perpetuation of Coloured Labour Preference.

This policy intensified existing differences in occupational patterns in the Western Cape. A quarter of the Coloured workers are employed in unskilled positions, 54 percent in semi-skilled ones, 18 percent in skilled ones and three percent in managerial occupations. In contrast, 87 percent of Africans are employed in unskilled grades, seven percent in semi-skilled ones, six percent in skilled ones and a negligible proportion in managerial positions.²¹

Coloured Labour Preference was not confined to labour-related matters but extended into the social sphere.

"Coloured" people relative to Africans, are granted relatively better education, housing, sport, health, culture,

19. See D.M. Smith(ed.)(1982)

20 . See R. Humphries(1986), I. Goldin(1984b), R. Evans (1985a, c)

21. I. Goldin(1984b):46

freedom of movement, occupational mobility and training as well as many other advantages."²² In fact, the upliftment the Coloured population experienced during the 1960s and 1970s can be partly attributed to their protection under Coloured Labour Preference. The policy was abandoned when the government introduced 99-year leasehold for Western Cape Africans in 1984.

The better facilities at the disposal of the two intermediate groups are reflected in several socio-economic indicators. For instance, the average monthly earnings as given by the National Manpower Commission for 1984 are R 363 for Africans, R 494 for Coloureds, R 693 for Indians and R 1 403 for Whites.²³ While the disparity between Whites and the three black groups narrowed between 1980 and 1984, the gap between Coloureds and Indians on the one hand and Africans on the other hand widened.²⁴

A look at the monthly average household income shows an even greater disparity. In 1985, Africans claimed combined earnings of R 352, Coloureds R 680, Indians R 1 109 and Whites R 1 958.²⁵ The percentage of white-collar workers among the Coloured and Indian communities respectively is 20 percent and above 50 percent (1983 figures), whereas the corresponding percentage among Africans is below 10.²⁶

22. *ibid.*: 87

23. C. Cooper et al (1985): 131

24. *ibid.*

25. *ibid.*

A certain social distance can be deduced from the fact that only 5 percent of the Coloureds and 11 percent of the Indians speak a Bantu language.

The objective factors separating Coloureds and Indians from Africans are complemented by subjective perceptions of the former two population groups which have been revealed in several surveys. The following paragraphs draw heavily on two HSRC polls which researched the attitudes of urban Coloureds and Indians.²⁷

In March 1984, 21,1 percent of the Coloured respondents expressed satisfaction and 34,6 percent dissatisfaction with the political situation.²⁸ Among the Indians, the proportion of satisfied respondents(35,8 percent) outnumbered the dissatisfied ones(27,5 percent).²⁹ When asked to choose a national leader, 37,3 percent of the Coloureds and 42,6 percent of the Indians named P.W. Botha.³⁰ A further 15,2 percent of the Coloureds and 10,6 percent of the Indians chose other white politicians. Leaders from their own population group were named by one in ten Coloureds(A. Hendrickse, A. Boesak) and 1,4 percent of the

26. H. Giliomee(1983) and H. Giliomee(1984b)

27. N. Rhodie et al(1987b) and N. Rhodie et al(1987c)

28. N. Rhodie et al(1987b):5

29. N. Rhodie et al(1987c):5

30. It is interesting to note that in 1987 more Indians(45 percent) than whites(38 percent) chose the State President as South Africa's leader. See Cape Times 3.5.1988

Indians (J.N. Reddy, A. Rajbansi, NIC leaders). What is noticeable is the large percentages of respondents who could not or would not make a choice of leader (35,1 percent of the Coloureds and 37,9 percent of the Indians).³¹ The figures given above show a surprising closeness between Whites and the two intermediate black groups. This picture is confirmed by Coloured and Indian replies to questions assessing their relationship to Africans. When asked to choose a national leader of their liking, only 1,9 percent of the Coloureds and a negligible proportion of Indians named an African. While almost one in three Coloured and more than half of the Indian respondents expected a bright future under a white-dominated government, only roughly 5,5 percent of both groups held the same evaluation in case of a government dominated by Africans. The majority (52 as opposed to 32 percent) of Indians questioned rejected African representation in Parliament if this were based on population strength.³²

The greater Indian wariness of an African government can probably be partially attributed to their recollection of the 1949 clashes in Durban between Africans and Indians, which left 50 Indians dead. The precarious situation of Indians, which has been likened to "the filling in

31. See N. Rhodie et al(1987b): 15, N. Rhodie et al(1987c): 15

32. See N. Rhodie et al(1987b): 15, N. Rhodie et al(1987c): 15, 19,

the sandwich"³³ has been exposed particularly in East Africa. Pat Poovalingam warned South African Indians not to put themselves in a position where they would become as hated as some of the Asians in East Africa, "because they were seen as part of an exploitative community which joined the British in exploiting the Blacks".³⁴ More recently there were racial undertones in the unrest between Africans and Indians in Inanda(Durban) during August 1985.

Because of the schism between Africans and South Africa's two intermediate groups the ANC's information secretary, Tom Sebina, apparently felt compelled to reassure both Coloureds and Indians that they need not fear reprisals in the eventuality of an ANC government.³⁵

Although more recent surveys indicate a heightened antagonism between Whites on the one hand and Coloureds and Indians on the other, this does not in principle detract from the potential of the two intermediate groups as prefabricated collaborators.

2.3. Separate political parties

Apart from separate group areas and schools, for instance, Coloureds and Indians have a history of racially exclusive

33. M. Rajab in Hansard, HoD 1987(fifth session), col. 175

34. P. Poovalingam in Hansard, HoD 1986, col. 694

35. Sunday Tribune 20.7.1986

political institutions and parties.

In 1853 the Cape Province put all male adults on a common voters' roll while such a general franchise remained unknown in the Transvaal and the Orange Free State. From 1956, however, Coloureds were required to register on a separate roll electing four white MPs to Parliament. Even this token representation was terminated in 1968. The following year the government established the Coloured Representative Council(CRC).

During the first half of the twentieth century, the African People's Organisation(APO) emerged as the dominant Coloured party. Its policies and tactics were closely associated with Abdullah Abdurahman who led the movement from 1905 until his death in 1940. Founded in 1902 the APO attempted both to mobilise Coloured voters behind Parliamentary candidates sympathetic to its cause and to socio-economically uplift the Coloured community. Gavin Lewis has made this cogent summary of the APO's political approach:

"From the outset the APO's leaders stressed the moderation of their demands...Their faith lay in the principles of nineteenth-century Cape and British liberalism. Their goal was amalgamation into the existing white-dominated society, not social or economic revolution."³⁶

36. G. Lewis(1987): 24

While present-day participatory politics among Coloureds can be traced back to the APO, non-collaboration is the legacy of the NEUM(Non-European Unity Movement). Formed in 1943 as a federation of Coloured organisations under a non-white banner, the NEUM adopted a distinctly elitist style of politics. Strongly middle-class in its composition, the movement did not organise campaigns around issues relevant to the masses and therefore failed to live up to its claim of representing the vanguard of the working class. Lewis remarked that to its leaders "the 'masses' remained a theoretical abstraction, something to be debated rather than confronted in real life. They desired mass support for their policies, but they were unwilling to face either the risks or the sheer hard, painstakingly slow work needed to attract grassroots support."³⁷

The lack of the NEUM's mobilising capacity was one of the reasons why the policy of non-collaboration, which critics have linked to the "psychology of the radical petty bourgeoisie"³⁸, did not prove to be a viable strategy. Richard van der Ross argued that it "broke down because it could not be applied in meaningful and effective situations. In the important departments of life, in employment, housing, recreation, schooling, transport, health and hospitalisation, the people were not yet suffi-

37. G. Lewis(1987): 253

38. R.E. van der Ross(1986): 244

ciently united and strong in conviction to refuse "collaboration".³⁹

The first expression of organised political activity among Indians in South Africa was the formation of the Natal Indian Congress(NIC) by Mahatma(also Mohandas) Gandhi.⁴⁰

South Africa provided a suitable political environment for his ideas of non-violence and passive resistance. Owing to white antagonism, the organisation adopted a more confrontationalist stance after Gandhi's departure. In 1955 the NIC figured prominently in the Congress Alliance and in the formulation of the Freedom Charter. While the NIC remained a legal movement in the 1960s, its entire leadership was banned, and this led to a period of dormancy.⁴¹

It should be noted that the Indian community in Natal had the vote until 1896. This was followed by a long period of disenfranchisement. When the National Party came to power in 1948 it refused to even recognize Indians as South African citizens. It was only after it had changed its stance on the matter in 1960 that the government made provision for the South African Indian Council(SAIC).

The following sections will outline the parties' institutional history, their internal structure and their political programmes.

39. R.E. van der Ross(1986): 241

40. See K. Moodley(1976): 257 pp.

41. For some remarks on the revitalised NIC see later in

2.3.1. The Labour Party

The LP is the only political party, participating in the two new chambers, deserving the name of party. It has been in existence for more than 21 years and has during that time developed a durable structure, a functional machinery and a dependable loyalty of an identifiable constituency.

The Labour Party was formed in 1965 three years prior to the establishment of the CRC. In fact, participation in that body can be regarded as the party's "raison d'être". The LP fought the first CRC election campaign in 1969 on a ticket of not taking up their seats if elected. But having won the elections, the party reneged on its promise, even though the government packed the council with more obedient politicians from the Federal Party.

The CRC consisted of 40 elected and 20 nominated members. Its legislative functions which included education, welfare, local government and agriculture were circumscribed by a government right of veto. As to executive matters, overall control remained in the hands of the Minister of Coloured Relations.

Although it had joined the "system" in 1969, the Labour Party had to be counted among the so-called radical forces in South Africa during the 1970s. At that time participation in government-created structures did not necessarily

this chapter.

imply expulsion from the broader democratic movement. A number of present-day office-bearers of the UDF come from a LP background; they include the UDF's Natal vice-chairman, Virgil Bonhomme, national vice-chairman George du Plessis and Trevor Manuel, the UDF's Western Cape secretary.

Allan Hendrickse was referred to as "the father of black consciousness among Coloureds".⁴² His son, LP MP for Addo (Eastern Cape), points out that the Labour Party was one of the first political movements to propagate black consciousness.⁴³ This assertion is supported by various speeches held by LP office-bearers during the 1970s, for example, an address by David Curry to the party's annual conference in 1973:

"White people will find that Black people will not be prepared to integrate with them on white terms. Black consciousness is the awakening of a critical consciousness...Blacks must liberate themselves and eventually liberate white people from their own whiteness."⁴⁴

The LP developed close ties with the Black Consciousness Movement with which it shared, for instance, a platform at the University of the Western Cape. The party was held in high regard by Steve Biko:

42. Quoted from P. Coetzer (1984)

43. Interview: Peter Hendrickse, 4.3.1986

44. Quoted from P. Hugo (1978): 202/3

"The Coloured Labour Party stood for elections on an anti-apartheid ticket and won most of the elected seats. Further, the Labour Party wasted no time in spelling out its anti-apartheid stance and revived political activity to a great extent within the Coloured community. In fact the growing consciousness of possibility of political action among the Coloured people is due to the Labour Party."⁴⁵

When the LP won the second CRC elections in 1975 and, despite promises to the contrary, took over the executive, the party's romance with the BCM ended. Nevertheless, it remained within the ambit of the progressive movement.

During its control of the CRC executive, Labour Party members on that committee symbolically refused to use all of the perks that came with that position. They made use of the official cars and chauffeurs but, in protest against the living conditions of most Coloureds, they refused to occupy the official residences provided for CRC executive members.

When the Labour Party refused to pass the 1975 budget the government removed LP leader Sonny Leon from the position of chairman of the executive and replaced him with the Federal Party's Alatheia Jansen.

After the Soweto uprising of 1976, some members of the LP's upper echelons were detained; these included Allan

45. Quoted from Hansard, HoR 1985, col. 1426/7

Hendrickse and Charles Redcliffe. Peter Hendrickse was also detained. Jac Rabie was shot by the police.

The Labour Party was applauded by progressive organisations for rejecting the government's constitutional proposals in 1977. When Allan Boesak opened the party's annual conference, he emphasized its legitimacy: "Although I am not a member of the Labour Party I recognize that the Labour Party represents a large portion of the community. In fact it is the only party that can claim to represent our community."⁴⁶ Even in the late 1970's, overseas meetings were held between LP representatives and the ANC of which some LP MPs were former members. The Labour Party's strategy in the CRC was praised in an article in Sechaba.⁴⁷

In 1978 the LP became a founder member of the South African Black Alliance consisting, apart from itself, of Inkatha and the (Indian) Reform Party. SABA's primary goal was to develop a common sense of blackness among the three disenfranchised groups despite their statutory division. This was to thwart government attempts to co-opt Coloureds and Indians by offering them a political deal different from that which was in store for Africans. The association with Inkatha further enhanced the LP's standing.

When party leader Sonny Leon showed signs of succumbing to government pressure to take a more favourable view

46. Quoted from Hansard, HoR 1986, col. 188/9

47. Interview: Peter Hendrickse, 4.3.1986

of its dispensation, he was replaced by the Rev Allan Hendrickse in 1978. The new leader adopted an uncompromising attitude towards the proposed constitution and refused to give evidence before the Schlebusch Commission. The ensuing confrontation with Prime Minister Botha led to the resignation of a number of prominent members from the LP. In addition to Sonny Leon, Lofty Adams, ex-chief whip in the CRC, and former CRC Speaker Les du Preez, both left the party.

The CRC was finally abolished in 1980. While the LP claimed credit for this, its critics maintained that the CRC was closed not because of, but despite the Labour Party and its policy.

The LP MP for Addo stated the official party line. "We entered the CRC to close it down, to expose, embarrass and obstruct. We had a wonderful time."⁴⁸ Because of the closure of the CRC some LP representatives on that body forfeited their R 15 000 p.a. income. David Curry saw this as proof that the Labour Party was not "in this for the money".⁴⁹ Longer-serving members could, however, claim a government pension of half their annual salary.

Apart from financial considerations of individual office-bearers, as a political party the LP feared that the lack of an institutional platform would lead to its disintegration.

48. Interview: Peter Hendrickse, 8.9.1986

49. Argus 11.3.1980

The LP's critics argued that it was rejection by the community that finally led to the CRC closure and that the party was probably more of a help in getting a potentially stillborn body off the ground in the first place. Frank Molteno stated:

"...the CRC had the Labour Party's participation to thank for ever enjoying any 'credibility' at all. Without the Labour Party, the CRC would never have been able to weigh anchor let alone wait around to be wrecked. We repeat that it has been the people, through NON-COLLABORATION - not the Labour Party through collaboration - who have ensured the failure of the rulers' CRC tactic."⁵⁰

But even if they did not credit the LP with the abolition of the CRC, some critics could still see some good emanating from its participation because "it has played a significant role in politicising the coloured people".⁵¹

Both the positions outlined above do not take into account that the government never considered the council to be more than a temporary body. It should be noted that the closure of the CRC dovetailed with the government's plans for a new constitution, as it came at a time when other ways of politically incorporating Coloureds were under consideration. It is not without irony that the old

50. F. Molteno(1979): 16

51. J. Gerwel in: Work in Progress, February 1983: 7

Senate, which once was packed to remove the Coloureds from the common voters' roll, today serves as the venue for the House of Representatives, while the old CRC building has become the senate hall of the University of the Western Cape.

Subsequent to the demise of the CRC the Labour Party refused to serve on the first President's Council. But without an institutional platform the LP began to falter in the early 1980s and became quasi-dormant. LP MPs concede that the period 1980-4 was a difficult one. Although the party held annual congresses "to a certain extent it was in the doldrums".⁵² This also applied to several party stalwarts; for instance, the only job David Curry had was that of chairman of ASSOMAC. This slow process of decline was instrumental in shaping the LP's Eshowe decision in 1983 to participate in the tricameral Parliament.

As its name implies, the LP was established as a workers' party. Its original constitution obliged it to look after the interests of Coloured labourers in particular. In 1972 however, any reference to "Coloured" was dropped and substituted with a black identity. Defying the stipulations of the Prohibition of Political Interference Act, the LP opened its ranks to members classified other than Coloured. In 1984 the party claimed to have 200 African members at two Karoo branches and a total of roughly 1 000

52. Interview: Desmond Lockey, 11.5.1988

white members.⁵³ In the same year the LP established five branches for Indians and elected Salaam Abram-Mayet, an Indian MPC, to its Transvaal executive.

Today, the party claims a membership of 100 000. At the LP's annual congress in 1987 P.E. Peters, its national secretary, maintained that after the repeal of the Interference Act non-Coloureds rushed to join the party:

"At one of our branches in the Transvaal of its 222 members 165 are black. We also have in the Cape and Transvaal branches where there are large numbers of members of the white group. Yet the press has the audacity to continue labelling us as "the Coloured Labour Party of South Africa"."⁵⁴

At the same congress, the national secretary appeared to be somewhat contradicted by his own leader who said: "Die Arbeidersparty is die enigste sogenaamde kleurling politieke party wat die tyd deurstaan en nie op die een of ander stadium gedesintegreer het nie."⁵⁵

Contradictory statements as to whether the LP was non-racial in character or whether it was, in effect, a Coloured party have pervaded its history. Shortly after Eshowe, for instance, Don Mateman said of Africans: "They don't need our leadership. They have their own leaders.

53. C. Cooper et al(1984): 26/7

54. Labour Party(1987c): 2

55. Labour Party(1987a): 7

The Labour Party has reached the stage where it must fight for its own people."⁵⁶ In contrast, during the first week of the 1985 session of the tricameral Parliament, a fellow-MP claimed to represent "urban blacks".⁵⁷

Whereas there is some ambiguity about the non-racial character of the LP, it has maintained its working class orientation until today. In support of this, MPs cite the fact that the party traditionally holds its annual congresses between Christmas and New Year because it is only during this period that workers can get leave. However, while individual workers remain an essential component of the LP's constituency, the party has increasingly distanced itself from organised labour. The Labour Party continues to cater for workers as underprivileged members of the Coloured population group, not as wage labourers with specific class interests.

This was particularly apparent in the attitude the LP displayed towards the controversial Labour Relations' Amendment Bill. Whereas all major trade unions rejected the Bill, which sought to circumscribe their rights, Labour Party MP A.E. Poole hailed it as "one of the finest pieces of legislation to be found anywhere".⁵⁸ "While I believe there is much sympathy in this House for the trade union movement", he continued, "one has to weigh this up against

56. Rand Daily Mail 18.2.1983

57. P.S. Jacobs in Hansard, HoR 1985, col. 166

58. Hansard 1988, col. 10215

the responsibility towards the employers".⁵⁹ The growing hostility between the Labour Party and progressive trade unions is most strikingly reflected by a statement by another LP MP, Pat McKenzie, that "every onslaught, every boycott, every petrol bomb and every strike must be seen as a function of war".⁶⁰ This is hardly the language spoken by a working-class party.

The antagonism between the Labour Party and intellectuals is undisputed. David Curry said that these "in their elitist distance from the grass-roots concerns"⁶¹ never supported the LP.

In order to characterize the Labour Party constituency socially, registration and voting in the 1984 elections for the House of Representatives can serve as a rough indicator for LP support. A HSRC survey shows that the proportion of registered voters increased with age. This finding is supported by the fact that only 26,3 percent of students registered while the average for the group was above 50 percent.⁶² The working-class orientation of the LP is somewhat reflected in the fact that the turn-out decreased with improving educational qualifications. Furthermore, less than a quarter of the Muslims voted in the elections as opposed to more than 50 percent of the

59. Hansard 1988, col. 10219

60. Hansard 1988, col. 9910

61. Quoted from H. Adam and K. Moodley(1986): 277

62. N. Rhodie et al(1986): 15

Christians.⁶³ Therefore it can be said that the archetypal LP supporter tends to be elderly, Christian and not well educated.

This profile of the LP constituency is reflected in the regional support pattern for the party. As the area with the largest proportion of middle-class Coloureds, greater Cape Town is the traditional weak point of the Labour Party. Various factors have shaped the attitude of the Coloured middle-class in the Cape Peninsula where 29,6% of the total Coloured population live (1985 census). They include the Trotskyite tradition of non-collaboration associated with the Non-European Unity Movement⁶⁴ and a sentiment of political deprivation which roots in the removal from the common voters' roll.

An LP MP expressed the opinion that "whoever is going to stand in the Western Cape, it is going to be very difficult to mobilise the Coloureds there because they do not need anything from the government".⁶⁵ The LP's weakness in the Peninsula is reflected in the continued absence of a party office in Mitchell's Plain with its 250 000 Coloured inhabitants. In an opinion poll conducted in the greater Cape Town area in September 1983 only 0,5 percent of the Coloured respondents answered in the affirmative when asked whether they belonged to a party that planned to

63. N. Rhodie et al (1986): 24/5

64. See G. Lewis (1987)

65. Interview: Desmond Lockey, 11.5.1988

participate in the tricameral Parliament.⁶⁶

In the Boland with its working-class population (where 8,2% of the total Coloured population live) the Labour Party is considerably stronger. David Curry's Stellenbosch constituency is regarded as one of the party's strongholds. In the Eastern Cape there is a significant LP presence, especially among the skilled work-force of Port Elizabeth.

The traditional Coloured areas of the Karoo and Namaqualand have been characterized by a LP MP as "Coloured nationalist because people have not really had that exposure to blacks".⁶⁷ In the words of the same parliamentarian a similarly conservative "almost anti-black" attitude can be found in the Orange Free State where "the Group Areas Act has really contributed to the upliftment of the Coloured people".⁶⁸ Both Namaqualand and the Free State recorded exceptionally high percentage polls in the elections for the House of Representatives. This reflects the impact of conservative and Coloured nationalist thinking in the Labour Party.

Owing to their minority position the Coloured people in Natal are also regarded as conservative. Yet the different political situation in that province has led them to adopt an approach of political abstinence similar to that of

66. C. D. Schutte(1985): 26

67. Interview: Desmond Lockey, 11.5.1988

68. *ibid.*

large parts of the Indian population. Several by-election campaigns revealed the inefficient state of LP organisation in Natal. This disarray was due to the stream of resignations that the Labour Party had to face after the Eshowe congress at which three of the four active branches in that province withdrew.

In the Transvaal the mix of urban and rural areas is reflected in different degrees of support for the Labour Party. While some rural constituencies recorded the highest turn-out in the 1984 polls, the results in urban seats on the Witwatersrand were not nearly as bad as in the Cape Peninsula. This can be partially attributed to the fact that Coloureds on the Reef have never had the franchise and therefore do not bear sentiments of deprivation.

Although the LP is the only party in the two new chambers that offers some degree of ideological consistency, its parliamentarians still span a wide political spectrum from former ANC members⁶⁹ and present sympathizers⁷⁰ to MPs who would not be misfits in the Conservative Party caucus.⁷¹

A look at intra-party divisions shows that the ideological and the generation conflict coincides to a large degree. Desmond Lockey describes the different ap-

69. Interview: Peter Hendrickse, 4.3.1986

70. Sunday Star 31.8.1986

71. Interview: Frederik van Zyl Slabbert, 23.1.1986

proaches of the more progressive "young turks" and the conservative wing. "For the older MPs Parliamentary participation is a success in itself. They fought a long fight for it. But the younger ones merely regard Parliament as a base for reform."⁷²

The social worker-type MP, usually older and from a rural background, is content to busy himself with the upliftment of the Coloured population group. He perceives as unwarranted and detrimental any orientation towards national (as opposed to ethnically confined) politics or non-racialism. This type of politician has been termed "Colouretician".⁷³

Under the leadership of then Minister of Education and Culture, Carter Ebrahim, the "Coloureticians" attempted to rebel against the party leadership at the LP's 22nd annual Congress in December 1987. Carter Ebrahim was said to have had the tacit support of ten MPs including the Peninsula secretary of the Labour Party, Nic Isaacs, and David Curry, Minister of Local Government, Housing and Agriculture. However, the rebellion faltered and Ebrahim left the party together with six other MPs in September 1988.⁷⁴ The simmering conflict between the Rev Hendrickse and Minister Curry, the natural leader of the "Coloureticians", recently spilled into the open over an assurance to concur on a

72. Interview: Desmond Lockey, 21.8.1986

73. Interview: Peter Mopp, 24.6.1987

74. Sunday Times 25.9.1988

certain bill which was allegedly given to the government by David Curry.⁷⁵

Although the conservative faction is estimated to outnumber the Hendrickse loyalists by roughly two thirds of the MPs to one quarter, Minister Curry has not yet deemed the moment appropriate to engineer a split in the party. This assessment shows how the leader's position of authority has strengthened since he has departed from the cabinet and adopted a more assertive attitude towards the government.

The third camp within the Labour Party, the so-called young turks, are a vociferous group although they number no more than half a dozen MPs. The archetypal young turk is, as the name implies, youthful and well-educated. He shares with supporters of the progressive movement a commitment to a non-racial democracy and only differs with them on the question of the most promising strategy.

Despite their numerical inferiority the Hendrickse loyalists have appropriated the LP's decision-making process, which has seen a substantial centralization and even personalization since 1984. The more pivotal role of the leader can be explained by the insecurity and Parliamentary inexperience of many MPs who feel their political fate is best placed in the hands of so seasoned a politician as Allan Hendrickse.

75. Sunday Times 2.10.1988

It should be noted in passing that the few LP candidates who lost in 1984 or subsequent by-elections were spared the potential wrath of the community and the possible fate of unemployment. D. Adams, who lost the constituency of Bokkeveld, and P. Klink, who was unsuccessful in Riversdal, were nominated to the President's Council. Likewise, A. Roper, who lost a by-election in the Transvaal seat of Bosmont, became the LP's Natal nominee to the President's Council.

A senior MP disclosed that the Labour Party's core decision-making unit merely consists of the Reverend and his family.⁷⁶ Allan Hendrickse's decision to bring his son("die groot en die klein meneer"⁷⁷) and son-in-law(Desmond Lockey) into the caucus has been the cause of much derision. The LP leader's tendency to surround himself with those with whom he is spiritually close became evident when he brought two other church ministers into the five-man Ministers' Council of the House of Representatives. The Rev Andrew Julies, who belongs to the same Congregational denomination as Allan Hendrickse, was entrusted with the handling of finances. The other man of the cloth, Chris April, had left the LP to serve on the first President's Council and only rejoined the party in the year of the elections. He was not directly elected to the Coloured chamber of Parliament, but was nominated by

76. Off the record-interview with senior MP in the HoR

77. Interview: Jakes Gerwel, 8.9.1986

the State President.

Complaints that Allan Hendrickse had usurped the functions of the LP executive and that caucus meetings would end on the note of "die leier het gepraat"⁷⁸ led to the break-away of half a dozen Labour Party MPs in early 1987.

2.3.2. Other Coloured Parties

At the time of the 1984 elections there were a number of political parties with a Coloured constituency besides the LP. The major difference between them and the Labour Party was their protagonism of Coloured nationalism as opposed to the LP's, albeit ambiguous non-racialism. Later, a number of Coloured parties emerged in the House of Representatives. Although none of the abovementioned parties acquired any prominence, a short description of each of them is included here for the sake of completeness.

The Freedom Party consists of the remnants of the old pro-government Federal Party which was the majority party in the CRC during the early 1970s. It changed its name to Freedom Party in 1978. In the year preceding the elections for the Coloured chamber it was plagued by organisational problems. After the LP had decided at their Eshowe congress to give up their boycott stance and join "system

78. Interview: Peter Mopp, 24.6.1987

politics", all 22 FP branches in the Free State joined the Labour Party. In February the FP suffered a split when its deposed leader, Charles Julies, left the party and was succeeded by Arthur Booysen.

In the elections of August 1984 the Freedom Party contested all 10 seats in the Transvaal (its regional stronghold) but only 12 in the rest of the Republic. But it lacked both sufficient staff and funds and consequently failed to win a single seat. A Supreme Court ruling later made party leader Arthur Booysen, who had tied with the LP candidate in his constituency, MP for Bosmont. In July 1985 the Supreme Court determined that the Labour Party candidate in the electoral division of Tafelberg had bribed four pensioners with money and Christmas gifts and pronounced Mrs Soheir Hoosen the winner with 115 votes to 114. Mrs Hoosen, who had stood as a candidate for the People's Congress Party, subsequently joined the FP, thus bringing its total to two MPs.

These failed, however, to ask a single question during four Parliamentary sessions. The membership of the Freedom Party is unknown although its leader claimed in early 1986 that his party had grown by 100 percent during the previous year.⁷⁹ When Arthur Booysen died in October 1986 he left Mrs Hoosen the sole FP MP. Her Egyptian descent made her the victim of much ridicule with fellow-MPs who teased her for pronouncing the three-chamber system as

79. Hansard, HoR 1986, col. 686

"tri-camel Parliament".

The old FP constitution, which was recently amended, stated its Coloured nationalist position in no uncertain terms:

"Die Party stel die belange en die eenheid van Kleurlinge dwarsdeur Suid-Afrika voorop ...In besonder word die ekonomiese bevordering en die skepping van gelyke werkseleenthede vir die Bruinman as eerste en primêre doel gestel...Die Party onderskryf die onvervreembare reg van die Bruinman om sonder inmenging self oor sy eie sake en eie belange binne 'n eie Parlement te besluit..."⁸⁰

In the amended version all blunt references to the Coloured population group have been deleted, but the ideological position has not necessarily changed: "The party acknowledges and respects the rights of all groups in the country and shall therefore strive for a system that will protect the interests of all groups, minorities and majorities. The Party rejects the idea of majority rule, whether white or black, or by means of any other majority and therefore unconditionally rejects a system of one-man-one-vote in a Unitary State (sic)."⁸¹ This approach was reflected in Mrs Hoosen's support for a qualified franchise.⁸²

80. Hansard, HoR 1986, col. 1604, 1607

81. Freedom Party(s.a.): par. 2(7)(b) and (c)

ment unopposed, he can claim to have got 100 percent. We knew there would be a low poll, but to make a low poll the reality we had to fight the elections."⁸³

When the elections for the House of Representatives were announced the People's Congress party was only four months old and lacked both infrastructure and requisite funds. Nevertheless, it managed to field 59 candidates of whom 9 held university degrees and 3 were school principals. Furthermore, in Sonny Leon and Les du Preez, the PCP attracted two prominent ex-Labourites as campaigners. The former called the new constitutional proposals the fulfilment of his wildest dreams.

Although the PCP kept the LP majority below 600 in 22 constituencies, only Dennis de la Cruz (Ottery/Cape Town) was elected. After that lone MP defected in 1985, the People's Congress Party was left without representation in Parliament although Peter Marais was still a member of the President's Council. He could claim a contingent of 3 MPCs, as the lone PCP MP constituted the Official Opposition in the House of Representatives in late 1984 when the seats on the President's Council were allocated.

The PCP is regarded as a Coloured nationalist party and Peter Marais is quoted as saying that he refuses "to be part of any movement that will lead to Africans gaining power".⁸⁴ In 1987 the party rejected the proposals of the KwaNatal Indaba as these did not make provision for

Coloureds in the second chamber of the executive committee. The PCP stated that any future elections held in Natal would have to recognize "groups as enshrined in the Race Classification Act."⁸⁵

The PCP's affinity towards government policies was also reflected in Peter Marais' characterization of extra-Parliamentary activities:

"We are not facing mere township unrest in South Africa. We are facing well-organized, well-financed, brainwashed revolutionaries... We are facing people led by pseudo-clerics who have not been called by God to preach the gospel but hired by non-believers to preach hatred instead of love...I want to say that it must be clear to everybody now that terrorism and lawlessness flourish best in those countries where democracy is looked upon as a holy cow. (Interjection: Down with democracy!) No, not down with democracy, beware democracy of communism taking over!"⁸⁶

"South Africa is facing a Marxist onslaught... Today's detainees are tomorrow's cabinet ministers. This is a stark reality and the Rev HJ

83. Interview: Peter Marais, 23.1.1987

84. Quoted from S. Gastrow(1985): 23

85. Cape Times 14.1.1987

86. Hansard, PC 5.6.1985, col. 354/5, 357

Hendrickse is a prime example of that."⁸⁷

Owing to its lack of Parliamentary representation the PCP disintegrated in 1985. Lately the party's Natal leader, Morris Fynn, attracted some media attention when he cut down apartheid signs on the Durban beach-front.⁸⁸ In late 1987 the PCP disbanded to form the United Democratic Party together with a number of LP defectors.

After Charles Julies had lost the leadership of the Freedom Party in early 1984, he broke away and formed the Reformed Freedom Party. The RFP stood for a qualified franchise and immediate and unqualified military conscription for all Coloureds. It adopted an "unashamedly Coloured nationalist" position, stating that "our people's interests should be put first".⁸⁹ The party failed, however, to capture one percent of the vote in August 1984; all its 11 candidates lost their deposits. After the formation of the Democratic Workers' Party, Charles Julies asked all RFP supporters to throw in their lot with that party.

The New Convention Party was formed in mid-1984 under the leadership of the Rev J. M. Vosloo. It failed to field any

87. Hansard, PC 19.-20.6.1986, col. 307

88. Weekly Mail 6.3.1987, 13.3.1987, Sunday Times
8.3.1987, 3.5.1987

89. C. Cooper et al(1984): 31

candidates for the elections and has not been heard of since.

Several Coloured parties have emerged since the inception of the House of Representatives. The first one to come into being after August 1984 was the Democratic Workers' Party. The DWP came into being in January 1985 as a result of the breakaway from the PCP. The conflict resolved around the so-called "toilet bribe", an incident in which PCP leader Peter Marais was handed an envelope containing R 2 000 in a toilet in the H. F. Verwoerd Building. The money was destined for a prospective President's Councilor in order to induce him to withdraw his candidacy for that body.⁹⁰

Dennis de la Cruz, the only elected MP of the People's Congress Party, left the PCP taking with him 12 party members who made up two thirds of the executive.⁹¹ Subsequently 8 of these 12 returned to the PCP's fold, 3 joined the LP and only 1 stayed with the DWP.⁹² However, the Democratic Workers' Party managed to attract two more MPs from the ranks of the PCP, one originally elected as an independent and another who won a by-election in December 1984. The PCP's only MPC besides Peter Marais also joined the DWP.

90. Cape Times 15.1.1985

91. Interview: Dennis de la Cruz, 17.12.1986

92. Interview: Peter Marais, 23.1.1987

Owing to its extremely limited resources, both material and human, the DWP could never rise to a serious opposition in the House of Representatives. Its constitution was allegedly prepared by a member of the PFP⁹³ while an NP MP acted as legal adviser and ghost-writer for the party for one year.⁹⁴ DWP policy was never set out conclusively. In 1985 Dennis de la Cruz called for a qualified franchise.⁹⁵ His 1987 motion of no confidence was almost a verbatim copy of the one moved by the opposition in the House of Delegates the previous year. A bid to withdraw the motion failed.

The DWP held only one congress in early 1986 and failed to hold any branch meetings. Its representation in Parliament was reduced to one when one MP died and another one joined the Labour Party. In April 1988 the DWP's leader and sole MP announced his plans to leave the party in order to let it "fade away gracefully".⁹⁶

The Democratic Workers' Party was superseded as Official Opposition in the House of Representatives by the Democratic Party in mid-1987. The DP came into existence when seven disenchanted Labour Party MPs, five from the Coloured and two from the Indian chamber, defected. The

93. Hansard, HoR 1985, col. 160

94. Hansard, HoR 1987(fifth session), col. 242

95. The Citizen 30.3.1985

96. Sunday Times 24.4.1988

group that included senior ex-LP members Peter Mopp and Charles Redcliffe accused the Labour Party of having become "an appendage of the NP"⁹⁷ and perpetrating apartheid. This stance was allegedly epitomized when, at a LP caucus meeting in early 1987, MPs defended the Group Areas Act without being reprimanded by the leader.⁹⁸

The former Labour Party Parliamentarians stayed independent MPs for some time and only decided to form the DP as they could otherwise not be recognized as the official opposition. Therefore, the DP is not to be seen as a party in the proper sense of the word, but rather as a "reluctant" party.⁹⁹

One month after the seven rebels had left the Labour Party, its Transvaal leader Jac Rabie resigned. He also accused the LP of increasing meekness in face of the government. He stressed the difference between the steadfastness Allan Hendrickse had displayed when confronted by P.W. Botha in 1979 and the timid apology the LP leader offered the State President after the "swimming incident" in early 1987.¹⁰⁰ However, Rabie did not join the DP but stayed on as independent MP.

Soon after the breakaway a bitter feud ensued between LP and DP. The Labour Party rejected the political reasons

97. Cape Times 25.3.1987

98. Interview: Peter Mopp, 24.6.1987

99. Interview: Peter Mopp, 24.6.1987

100. Interview: Jac Rabie, 13.2.1987

the MPs gave for their defection and alleged that unfulfilled personal ambitions were the true cause. In April 1987 Allan Hendrickse reportedly called upon an Uitenhage audience not to support a business in which one of the rebels was a partner. He suggested shoppers patronize an alternative outlet owned by a Labour Party supporter.¹⁰¹

Furthermore, the LP demanded that due to an agreement every LP MP had to sign, the defectors should resign their seats or otherwise continue to pay their monthly pledges (amounting to a tenth of their salaries) to the party. Such agreements were, however, found to be void on legal grounds.¹⁰²

In late 1987 the transitional DP merged with the remnants of the PCP and independent Jac Rabie, to establish the United Democratic Party. In order to transcend racial lines, the UDP was also to include the three-men Progressive Reform Party in the House of Delegates; but this did not materialize. The party, led by Jac Rabie, planned to combine the Parliamentary representation of the DP and the grassroots infrastructure of the PCP.

The UDP prided itself as the first party in the tricameral Parliament to have adopted the Freedom Charter as a working document. It announced it would be guided by the aim to implement the principles contained in the Declaration of Human Rights, as adopted by the General Assembly of the

101. Sunday Times 3.5.1987

102. Sunday Times 29.7.1987

United Nations in 1948.¹⁰³ Despite the UDP's adoption of the Freedom Charter and the similarity of name, the UDF announced that it would "have no truck with the UDP".¹⁰⁴ In view of the presence of Chief Mangosuthu Buthelezi and Mr Y.S. Chinsamy of the (Indian) Reform Party at the inaugural meeting of the United Democratic Party, there was speculation that the UDP might join forces with the South African Black Alliance; yet this did not come about.

Although the UDP was designed as a party to the left of the LP, it failed to achieve any political or ideological consistency. After the attempted revolt by Carter Ebrahim and the Labour Party's right wing, the UDP expressed sympathy for their stance and suggested Mr Ebrahim join its ranks. When the National Party attempted to split the LP after the refusal of the latter to have the white elections postponed, the United Democratic Party held a lengthy meeting with the State President. This perceived cosiness with the NP prevented the planned merger between the UDP and the PRP in the House of Delegates.¹⁰⁵

There was also internal tension in the ranks of the United Democratic Party. In August 1988 its chairman and lone President's Councillor, Peter Marais, supported a bill which legitimized invalid actions by the KwaNdebele government retrospectively. The bill had been referred to

103. Sunday Times 15.11.1987

104. Leader 15.1.1988

105. Sunday Star 31.1.1988

the PC after rejection by both LP and UDP in the House of Representatives.¹⁰⁶

After it had only been in existence for half a year, its failure to attract significant support and its increasingly tarnished image as a principled opposition party appears to have brought the UDP to the verge of collapse. One of its MPs resumed his independent status in mid-1988. Several others, including Charles Redcliffe and Peter Mopp, are reportedly considering joining the PFP.

In conclusion it can be said that the longer-established Coloured parties opposing the LP have disintegrated since the inception of the tricameral Parliament because of their own lack of representation and the LP's predominance. Those parties established as opposition to the Labour Party since the establishment of the House of Representatives have failed to put down any firm roots and have mainly consisted of their respective MPs. Participation under the Constitution of 1983 created legitimacy problems even for the LP with its established credentials as an anti-apartheid party. Parties that emerged from the new Coloured chamber were unable to overcome the taint of originating from a government-created institution. They served as mere way stations for personally and politically disenchanted Parliamentarians.

The development of all participatory Coloured parties was

106. Sunday Times 14.8.1988

seriously hampered by their inability to attract support from the better-educated strata. Significant numbers of Coloured high school pupils, students and professionals joined progressive organisations as early as the early 1970s. It should be noted that in 1972 eight of the eleven candidates elected for the University of the Western Cape Students' Representative Council were members of the Black Consciousness-orientated SASO (South African Students' Organisation).

After the demise of the Black Consciousness movement the majority of educated Coloureds found their political home in the non-racial Charterist-leaning camp. Since the inception of the UDF in 1983 they have provided the backbone of the front's support in the Western Cape. This pattern has been reflected in a multitude of opinion polls which have consistently shown that rejection of the tricameral Parliament, i.e. sympathy for the progressive movement, increased with increasing educational qualifications. While only nine percent of the Coloureds who had reached standard five disapproved of the new dispensation, the corresponding figure was 79% among those who had progressed beyond standard ten; among students of the University of the Western Cape the rate of approval for the tricameral system reached only 3,2%.¹⁰⁷

2.3.3. Indian parties

Most of the personalities that dominate Indian participatory politics today started their career in the SAIC. When the South African Indian Council was first statutorily recognized in 1968, it was merely an advisory body consisting of 25 appointed members. Only six years later half of the members were elected from Local Affairs Committees. Although executive decisions in connection with Indian education and social welfare were transferred to the SAIC in 1976, it remained constitutionally inferior to the CRC.¹⁰⁸

The majority of representatives on the SAIC were members of the professional and management classes. A "respected professional man" was quoted as characterizing the SAIC as follows: "In terms of the resolutions passed and the representations made..., it concerns itself with the articulate trading class."¹⁰⁹ Besides being viewed as a domain of the wealthy, the SAIC was seen as Muslim-dominated reflecting the continued significance of religious stratification among Indians.¹¹⁰ In addition to religious factors linguistic cleavages persisted,

108. See L.J. Boulle(1984)

109. Quoted from C. Postlethwayt(1983): 77

110. The same can be said of the current NIC and TIC which are largely dominated by some prominent Muslim clans, such as the Salojees or Meers.

particularly among the older generation. The fact that Amichand Rajbansi comes from the Hindi-speaking group gave him some popularity just as JN Reddy and Pat Poovalingam owed their limited support to being perceived as successful Tamil representatives.

The first elections for the then 45 members of the SAIC were held in 1981. The predominance of personalities in South African Indian politics was reflected by the fact that of the 86 candidates, 61 were independents. After the elections the fluidity of parties became obvious. The leader of the "majority" Democratic Party was installed as the council's chairman, but shortly afterwards Amichand Rajbansi formed the National People's Party and took control of the SAIC executive committee.¹¹¹

In contrast to the CRC the SAIC and its majority party never displayed any tendency to question the very institution that provided them with a political platform.

Likewise, the NPP came out in unqualified support for the dispensation of 1983; there was no participation debate within its ranks. The NPP fought a low-key campaign stressing bread and butter-issues, catering for the needs of those who hoped to gain socio-economic upliftment from the tricameral Parliament.

Although the elections for the House of Delegates ended inconclusively, Amichand Rajbansi managed to attract support from a sufficient number of MPs to install the NPP as

111. See C. Postlethwayt(1983): 76

the governing party in the Indian chamber and earn himself a place in the Cabinet. But despite a crash course in Afrikaans there were still doubts as to whether or not he had acquired sufficient knowledge of the language to follow the discussions at Cabinet meetings.

As in the case of other Indian parties, the NPP revolved more around the personality of its leader than around any identifiable political programme. Like many Indian politicians, Amichand Rajbansi cites Mahatma Gandhi as his main model in politics.¹¹² Owing to the pivotal position of Amichand Rajbansi few NPP MPs have risen above obscurity. The former deputy leader, the late A. Choonara, was a signatory to the Freedom Charter in 1955. A nominated MP, R.S. Nowbath, raised some eyebrows when he expressed agreement with the AZAPO viewpoint that liberal whites should educate their own community rather than dabble in black politics.¹¹³

The allegedly authoritarian leadership style of Mr Rajbansi led to some degree of internal disenchantment. A NPP MP accused him of a "bully attitude": "Mr Rajbansi is a junior Botha; the entire caucus is run on his one little finger."¹¹⁴ These sentiments were echoed by A. Mayet, an Indian Labour Party member nominated to the House of Delegates by the NPP. He complained about being "treated

112. Interview: Amichand Rajbansi, 23.2.1987

113. R.S. Nowbath in Hansard, HoD 1986, col. 78

114. Off the record-interview with an Indian MP

like a child" and maintained that the House of Delegates had become a "one-man show".¹¹⁵ After being relieved of the portfolio of health and welfare, the former minister, Dr M. Padayachy, said that he was "sick and tired of being treated like a pawn".¹¹⁶

Since the inception of the tricameral Parliament the Indian chamber has seen several abortive attempts by NPP MPs to rebel against their leader.¹¹⁷ In February 1988 Mr Rajbansi announced his resignation as party leader in protest over the "betrayal" of caucus members who had voted for the opposition candidate to be nominated to the house of Delegates.¹¹⁸ However, two days later he decided to stay on as leader of the NPP.¹¹⁹

Dissatisfaction with Amichand Rajbansi's leadership style and continued allegations of corruption and maladministration led to a breakaway of 11 NPP MPs in May 1988. The rebels who included three own affairs ministers, the (general affairs) Deputy Minister of Environment Affairs and the chairman and deputy chairman of the House of Delegates¹²⁰ formed the People's Party of South Africa and announced plans to work together with the opposition

115. Sunday Tribune 27.4.1986

116. Sunday Times 6.7.1986

117. See, for instance, Sunday Times 27.9.1987

118. Sunday Times 14.2.1988

119. Cape Times 16.2.1988

120. Cape Times 6.5.1988

Solidarity.

Although Mr Rajbansi no longer held majority support in the House of Delegates, the State President refused to reconstitute the Ministers' Council of the Indian chamber as the Constitution demands. This reluctance can be explained by Mr Rajbansi's habitual compliance with government policy. However, when a Parliamentary Select Committee found that Amichand Rajbansi had misled the House of Delegates in connection with a donation to his party¹²¹, he was dropped from the Cabinet¹²² and suspended from the Indian chamber.¹²³ Furthermore, the State President appointed a judicial commission of inquiry into repeated allegations of irregularities in the House of Delegates.

The NPP's constitution compels it to oppose communism vigorously and commits it "to the sharing of political rights by all citizens without the domination of one group by another".¹²⁴ A commitment to the principle of "one person, one vote in a unitary state" is conspicuously absent from the party's programme. The NPP's Cape leader, R. Bhana, expressly rejected such a system.¹²⁵

The agenda of the National People's Party was dominated by topics of ethnic relevance. Sine 1984 its leader has

121. Cape Times 14.6.1988

122. Cape Times 16.6.1988

123. Cape Times 30.6.1988

124. NPP(s.a.): 2

125. Rand Daily Mail 9.7.1984

emerged as the archetypal "own affairs politician". Anxious not to get out of his depth, he kept a low profile in national politics. Those unfamiliar with the ethnic context in which Indian parties operate have been taken aback by his priorities. Several observers expressed surprise that Mr Rajbansi threatened to resign from the main Cabinet over a parochial issue like the second access road to Chatsworth in Durban at a time when the furore over the Uitenhage shootings was at its height.¹²⁶ Likewise, when Mr Rajbansi became the first "non-white" Cabinet minister to address the House of Assembly, he devoted a considerable amount of time to the question of foreign Indian brides.¹²⁷

The NPP's main adversary in the House of Delegates was Solidarity. Solidarity was formed in January 1984, taking its name from the Polish trade union. After only four months of existence it claimed a card-carrying membership of 12 000.¹²⁸ Asked about the reasons for the foundation of a party with virtually the same programme as that of the established NPP, Solidarity's leader, Dr J.N. Reddy, was non-committal: "It is just that two parties were formed; these things happen."¹²⁹ Then chairman Pat

126. Argus 25.4.1985

127. Fiat Lux, April 1986: 2

128. Financial Mail 25.5.1984

129. Interview: J. N. Reddy, 21.1.1987

Poovalingam stated that the new party was supposed to create "as much hell as possible" for the government.¹³⁰ Ismail Omar, the present chairman, stressed the necessity to provide "clean leadership".¹³¹

There was suspicion that Solidarity was, in one way or another, initiated by the government. This was fuelled by the Prime Minister's reported dissatisfaction with the calibre of NPP leadership and his alleged preference for Dr Reddy who served as a member of the Economic Advisory Council.¹³²

As Solidarity's "raison d'être" was the tricameral Parliament, there was no participation debate within its ranks. In its campaign the party focussed on the demand to repeal discriminatory legislation in the economic field. Although Solidarity polled the majority of votes in the elections for the House of Delegates and won most of the Natal seats, it failed to gain an over-all majority because of shortcomings in its newly established Transvaal organisation. After a multitude of defections to and fro, Solidarity emerged as the opposition in the Indian chamber of Parliament.

In January 1986 Solidarity entered into an agreement of unity with the NPP giving it a share of the executive of the House of Delegates. This arrangement created the

130. Financial Mail 25.5.1984

131. Interview: Ismail Omar, 21.1.1987

132. Sunday Tribune 15.1.1984

curious situation that Dr Reddy was Minister of Finance and leader of the Official Opposition at the same time. The unity agreement collapsed in March 1987 when the Speaker ruled that Solidarity could not retain the title of Official Opposition while its leader served on the Ministers' Council.

During the course of the tricameral Parliament the party lost several MPs due to defection; in early 1987 four MPs broke away to form the Progressive Reform Party.

Solidarity's weak organisational base has been reflected in its failure to win a single by-election held since 1984.

Solidarity is led by Dr J.N. Reddy. Several opinion polls show that he is the most popular Indian leader of so-called moderate persuasion.¹³³ His political roots lie with the Charterist movement, as is the case with many of today's participation politicians. Dr Reddy was present at Kliptown in 1955 when the Freedom Charter was adopted, as he had been politically active in the NIC from an early age. He subsequently became chairman of the SAIC's executive committee in 1973, holding that office until 1980. Before he joined Solidarity both the NPP and the Reform Party tried to enrol his services.¹³⁴

Dr Reddy started the New Republic Bank, in his words the first black bank in South Africa, "before you even had one

133. See, e.g., N. Rhodie et al(1987c): 16

134. Argus 17.1.1984

person of colour cashing money over the counter".¹³⁵ He was also a founder member of the Small Business Development Corporation. The doctorate he holds is an honorary one awarded by the University of Durban-Westville.

Unlike the NPP, Solidarity succeeded in attracting representatives from the Indian middle-class, mostly businessmen and lawyers. One high-profile figure was the party's initial chairman, Pat Poovalingam, who can look back upon a chequered political career. Once a supporter of the Communist Party, he joined the NIC and later became a founder member of the Liberal Party.¹³⁶ When J.N. Reddy was chairman of the SAIC executive he was branded a "sell-out" by Mr Poovalingam.

After its congress in November 1985 Solidarity faced turmoil in connection with the unity agreement subsequently signed with the NPP. Dr Reddy claimed that a motion that was adopted at that conference only prohibited a direct merger with the NPP; he accused party secretary M. Rajab of having had the minutes of congress changed to also include after "mergers" the words "working arrangements or coalitions". This version was rejected by Mr Rajab.

Mr Poovalingam alleged that Solidarity's congress in January 1987, which decided upon the contentious wording of the abovementioned resolution, was of an irregular na-

135. Interview: J.N. Reddy, 21.1.1987

136. Interview: Pat Poovalingam, 25.3.1986

ture. He maintained that in the weeks prior to that conference Dr Reddy had established 19 new branches and enrolled more than 1 000 new members which meant that the congress was attended by roughly 800 delegates as compared with 125 in 1985.¹³⁷ At that congress the line of the party leadership was sanctioned and four MPs resigned; they formed the Progressive Reform Party under the leadership of Pat Poovalingam.

Solidarity's political programme remained vague. According to its leader, there were no major differences between the party and the NPP. On the other hand, Mr Poovalingam stated that Solidarity's policy was in line with that of the NIC¹³⁸ and that it had no quarrel with the Freedom Charter.¹³⁹ Yet the differences between Solidarity and the Charterists cannot be reduced to a question of diverse approaches to strategy and tactics. Especially with respect to economics, the two positions appear to be incompatible with Solidarity's policy document committing it to the "free enterprise system".

From the inception of the tricameral Parliament Solidarity enjoyed a close relationship with the PFP, which was described by Pat Poovalingam as the "natural home" of Solidarity MPs. Towards the end of 1985, a merger of Solidarity with the PFP was stalled by the latter's

137. Interview: Pat Poovalingam, 29.1.1987

138. Argus 17.1.1984

139. Graphic 3.2.1984

refusal to put up candidates in future elections for the Houses of Representatives and Delegates.

Besides the NPP and Solidarity, the Progressive Independent Party was represented in the House of Delegates from August 1984. The PIP was formed just two months prior to the elections. The party fielded eight candidates, but only its leader, Faiz Khan, was successful. In Parliament he took a separatist stance, saying, for example, that he "would accept an Indianstan in the Tugela basin".¹⁴⁰

A similarly exclusivist stance was taken by the National Federal Party. Its national chairman, R. Reddy, supported the Group Areas Act as its repeal would cause Indians financial losses. Whilst other parties participated in the 1984 elections to fight the Constitution, the NFP intended to make the system work and get the best for the Indian people.¹⁴¹ The party put up three candidates in Natal, all of whom lost their deposits.

The same happened to the two candidates fielded by the National Democratic Party of Mr Mohamed Khan; they drew a total of 14 votes. More information about this party is neither available nor warranted.

140. F. Khan in Hansard, HoD 1987(fourth session), col.

328

141. Cape Times 3.8.1984

The Reform Party, the Indian component of the South African Black Alliance, is the only Indian party (as opposed to movement) that did not participate in the elections for the House of Delegates. Its leader, Yellan Chinsamy, advocated a referendum among the Indian population to test its acceptance of the constitutional proposals. When this did not materialize, he called for a boycott of the polls and announced that any defiant member would be expelled. In this context a founder member of the RP, Somaru Patchay, resigned in mid-1984 and joined the NPP.¹⁴² The decline of the Reform Party underlines the inability of a political party to exist without a political platform.

The two Indian parties that came into existence since the inception of the tricameral Parliament were merely transitional groupings of MPs. The Progressive Reform Party was formed when four disenchanted Solidarity members broke away in January 1987. Its leader, Pat Poovalingam stressed that he was not canvassing for support in the House of Delegates but that the PRP was merely formed for the sake of Parliamentary advantage.¹⁴³ The party, which was reduced to three men because of the death of one of its members, decided to disband in March 1988 and Pat

142. Post Natal 27.6.1984

143. Interview: Pat Poovalingam, 29.1.1987

Poovalingam and M. Rajab became the first "non-white" PFP MPs.¹⁴⁴ The third PRP member, John Iyman, later became the first Parliamentarian of Dr Denis Worrall's Independent Party.¹⁴⁵

When a number of dissatisfied MPs resigned from the NPP they founded the People's Party of South Africa. However, the common denominator of the PPSA appears to be its members' dislike of Mr Rajbansi; the party can be said to have been established purely for the sake of Parliamentary necessity.

In conclusion it can be said that Indian parties did not develop any clear-cut political programme; for purposes of cohesion they often relied upon the personality of their leaders. Indian parties cannot be viewed as ideologically consistent pressure groups, but must be seen as almost apolitical vehicles for organizing the dispensation of patronage. An Indian MP characterized the attitude of his fellow Parliamentarians as follows: "The majority of Indian MPs are elderly people who take the little they can get today. The rest they leave for tomorrow."¹⁴⁶

144. Cape Times 1.3.1988

145. Argus 25.6.1988

146. Off-the-record interview with an Indian MP

2.3.4. The Indian Congresses

The Natal and the Transvaal Indian Congresses are the only organisations of the Congress Alliance that still function legally. They were revived in 1973 and 1982 respectively. Although they work within the non-racial framework of the UDF their very names reveal an ethnic exclusivity. There are two schools of thought which attempt to justify the continued existence, and even the re-emergence, of Indian political organisations.

The old guard of the NIC stresses the specific cultural heritage of the Indians. This train of thought perceives cultural separateness as a historic given and dovetails with the NP's notion of cultural pluralism. It is incompatible with the credo of non-racialism.

The NIC's so-called young turks justify the organisation's "Indianness" on account of the divisive mechanisms of the apartheid society. Their argument for the legitimacy of the "I" in NIC is spelt out in detail by a member of the executive:

"The NIC argues that there is a significant enough unevenness in the degree and form of oppression, the level of consciousness, and the extent and form of organisation between the different communities to warrant its role. If the Indian community is to be mobilized, this must be on the basis of its specific oppression and material conditions...The goal of non-racialism must not be confused with

the present starting point...The NIC emphatically rejects the argument that it is "ethnic". It sees this as a crude and simplistic contention. To determine whether an organisation is "ethnic", it is not enough to look at its form or appearance only. It is necessary to look also at its...principles, aims, the content of its politics, and its activity."¹⁴⁷

However, the argument that people are most effectively organised in their immediate neighbourhood is only valid in the case of local organisations. If the notion of the unevenness of oppression is applied to provincial federations, it amounts to the admission that apartheid has successfully divided the three black groups and "ethniced" South African politics.

Furthermore, it is ahistorical to sever means and ends of non-racialism. The chances of realisation at the end of the struggle are incomparably higher if non-racialism is already constructed in the process of transformation.

The NIC failed to develop a strong organisational base and lacks democratically accountable structures. It does not have a members' list and neither does it hold regular annual meetings. Its officials have been accused of being self-proclaimed leaders conducting "ad hoc politics" and high profile activities designed primarily to attract the attention of the media.

Divisions within the organisation came into the open when in November 1987 the NIC held its first congress in 10 years.¹⁴⁸ On the eve of the conference general secretary R Ramesar and third vice-president R.B. Chaudhary resigned in protest against the "closed" (i.e. secret) nature of the congress. Three more senior members, including two vice-presidents, threatened to follow suit.¹⁴⁹ At the conference, accusations that a six-man "cabal" had exercised undue influence on the direction of the NIC were not denied, but attributed to "the objective circumstances of the time, when its leaders were detained or involved in political trials".¹⁵⁰

NIC's lack of grassroots support became obvious when the movement proved incapable of drawing any Indian participants to a Cosatu rally held in Durban on May Day 1986 although many workers had the day off. Even an executive member of the NIC, Yunus Carrim, admits that there is no "significant working-class representation" in the movement's structures.¹⁵¹

While Solidarity managed to attract some members of the Indian intelligentsia, the majority of the upper middle-class are aligned with the NIC. The bourgeois arrogance of some NIC members is epitomized by a statement by Dharam

148. Leader 4.12.1987

149. Cape Times 3.11.1987

150. South 11.2.1988

151. Y. Carrim(1988): 44

Singh, a lawyer active in the organisation: "How can a butcher, baker, and second-hand car dealer dictate to academics?"¹⁵²

A survey conducted by the Institute for Black Research under the presidency of Fatima Meer found that in the wake of the Inanda unrest¹⁵³ of August 1985, the support for the Natal Indian Congress dropped by half to 2,3 percent.¹⁵⁴ In the same vein, a prominent NIC member characterized the period from 1985 as one of decline and "increasing isolation from the masses".¹⁵⁵

152. Quoted from H. Adam and K. Moodley(1986): 278

153. See A. Sitas(1986)

154. Cape Times 16.9.1987

155. Y. Carrim(1988): 41

3. THE CONSTITUTION OF 1983

3.1. The evolution of the Constitution

The Constitution of 1983 can be regarded as one of the few examples of pro-active government reform. There was no pressing necessity, political or economic, to include Coloureds and Indians (at least nominally) in the political decision-making process. Nevertheless, the question of Coloured political accommodation has, historically speaking, been of ideological importance to the National Party. Since the abolition of the Coloured vote in the Cape Province it has been perceived as the NP's constitutional "missing link".

This is illustrated by a story about a "Nat" and a "Sap" with the latter saying to the first: "Jy sien...julle Natte het nou so gesukkel om die Kleurlinge uit die Parlement te kry. Die grap is: dink nou net hou gaan julle nie eendag sukkel om hulle weer terug te kry in die Parlement nie!"¹

The demise of the CRC and the abortive attempt to replace it with a fully nominated body created a constitutional and ideological vacuum. Government thinking on how to fill this vacuum focused primarily on the question of a new dispensation for Coloured people; the inclusion of Indians in the tricameral system can be seen largely as a by-

1. Die Suid-Afrikaan No. 1: 2

product of these deliberations.

These ideological reasons were complemented by political ones. The 1970's had seen the emergence of Black Consciousness and a growing radicalization, especially of the Coloured youth. The increasingly rebellious mood among the Coloured youth and their closer alignment with their African counterpart (which was apparent in the unrest of 1976) took the government by surprise. This sentiment was expressed in The Cape Herald under the headline "They said it could never happen": "Bonteheuwel, Wednesday August 25 1976 - a day to remember. A day people said would never happen. Soweto, yes. Guguletu, Langa, Nyanga, yes. But never a Coloured township. But then it happened."²

The government saw the whites' special relationship with, and the perceived closeness to, the Coloured people wane. Its fears of further alienation between whites and Coloureds and a growing alignment of the latter with Africans were compounded by renewed unrest in the Peninsula in 1980. This was reflected in an editorial of the government-initiated Citizen:

"Coloured people have become more radical.

Far too many Coloured people have thrown in their lot with the Black militants, instead of regarding Whites as friends and natural allies, as people with whom they can join hands to ensure a peaceful

and prosperous future for all. The fact that there is a new militancy among Coloured students, a linking up of Coloured youth and Black school radicals, is warning enough that we risk losing the support not only of the older, but of the younger generation of Coloureds as well...The government must act, as a matter of some priority, to bring the Coloured people back into their special relationship they had vis-a-vis the Whites."³

But the 1970s had seen the erosion of the state's ability to contain Coloured grievances by traditional means. Housing ceased to be a mechanism to "buy off" discontent as the group areas filled up, and the shortage of schools and amenities contributed to the anger of the Coloured people, who, in the words of an activist, "never forgave or forgot their disenfranchisement".⁴ Hence the government decided to improve the mechanisms of co-optation in order to check the alienation of the Coloureds.

The year 1976 is usually regarded as the starting point of the present Constitution as it was in that year that the Theron Commission, which had investigated "matters relating to the Coloured population group", tabled its report⁵.

3. Citizen 22.1.1980

4. Interview: Greg McMaster, 29.4.1986

5 . For a detailed chronology of events leading up to the passing of the Constitution see N. Stultz(1983)

However, the constitutional relevance of that report was limited as it was mostly concerned with socio-economic issues. Only the last of 178 recommendations had some bearing on the constitution. It suggested that "provision be made for satisfactory forms of direct coloured representation and a direct say for coloured people at the various levels of government and on the various decision-making bodies".⁶ This call for direct representation in both the legislative and executive was rejected by the government which finally opted for a separate House of Representatives. The Constitution of 1983 does not institutionalize Coloured(or Indian, for that matter) representation on the Cabinet.

Later in 1976 a cabinet committee was appointed under the chairmanship of P.W. Botha to investigate a new constitutional dispensation. Its findings were presented to the NP caucus in 1977, but were rejected by both the CRC and the SAIC. After a spell of vacillation, an almost identical set of proposals was published in 1979 taking the form of a Republic of South Africa Constitutional Bill. This was never tabled in Parliament but eventually referred to the Schlebusch Commission for further deliberation. Yet its contribution remained insignificant and with effect from 1 January 1981 another constitution-drafting body, the President's Council, was established.

The council consisted of 60 members who were appointed by

6. S.T. van der Horst(1976): 118

the State President acting upon the advice of the government. Initially it included 14 Coloured and Asian members; there were no representatives of the African population. The vast majority of councillors had previously worked in state-created structures. In the words of F. van Zyl Slabbert, the President's Council "became the grazing ground for political has-beens rewarded for loyal service, or a hitching post for others waiting for vacancies to occur elsewhere."⁷ The body consisted of five committees of which the constitutional committee was the most important.

In May 1982 the PC tabled the first report of its constitutional committee, which had worked under the chairmanship of Denis Worrall. The report, which was largely of an academic nature, proposed the introduction of a system of consociational democracy for whites, Coloureds and Indians; for this purpose a single, undivided legislative body was to be established. For Africans the report suggested the perpetuation of existing structures.

Out of a total of 60 councillors there were only two dissenting voices. One of them, Dr G Mohamed, asked: "...are the Coloureds and Asians expected to be party to a political machinery that will make and execute influx control laws, population registration laws, race classification laws, group area laws?...Will Coloureds and Asians be

7. F. van Zyl Slabbert(1985): 107

party to their application to blacks...and so become part of the oppressor minority?"⁸

When the Prime Minister responded to these proposals in mid-1982 at the NP's federal congress in Bloemfontein he accepted the concept of one, albeit racially divided, Parliament, but failed to mention the underlying idea of consociationalism.

The second and final report of the PC's constitutional committee was issued in November 1982. It contained a measure of criticism of the guidelines laid down by P.W. Botha in Bloemfontein, e.g. of a non-Parliamentary executive. Furthermore, it spelt out the envisaged dispensation in more detail, providing a first definition of own affairs and of the legislative functions of the three formally equal Houses.

Corresponding draft legislation was introduced in Parliament in May 1983 and put to the white electorate in a referendum in November of that year where it was supported by a two-thirds majority. After the elections for the Houses of Representatives and Delegates the tricameral Parliament became operational on 3 September 1984.

8. Hansard, PC May 12-19 1982, col. 382

3.2. The provisions of the Constitution

A detailed analysis of the provisions of the Constitution of 1983 is outside the scope of this thesis.⁹ Therefore this chapter will focus on the wider implications of the Constitution and attempt to ascertain whether the tricameral Parliament amounts to a system of power-sharing as claimed by its architects.

The Constitution divides the legislative sphere into "general" and "own" affairs, which are the exclusive domain of each of the population groups.¹⁰ The notion of power-sharing stems primarily from the legislative mechanism relating to general affairs bills, which is purportedly based on the principle of consensus. General affairs bills require the support of a majority in all three chambers of Parliament. The (white) House of Assembly, the (Coloured) House of Representatives and the (Indian) House of Delegates are formally equal in legislative respect, although the respective number of their MPs is based upon a ratio of 4:2:1, which reflects roughly the numerical strength of the three population groups in question.

If the three chambers fail to reach consensus on a piece of legislation, the State President can refer it to

9 . For such an analysis see E.F.J. Malherbe(1984) and N.J.J. Olivier(1984a)

10 . The own affairs system is described in a separate chapter.

the NP-dominated President's Council in order to break the deadlock.¹¹ This provision enables 90 MPs (constituting the majority in the House of Assembly) to dominate the combined total of their 218 fellow-members, i.e. in case of a legislative deadlock the professed principle of consensus is abandoned and the constitutional mechanism reverts to the Westminster principle of "winner takes all".

There are, however, certain legislative matters which cannot be referred to the PC for "rubber-stamping" and thus give the two new chambers an effective veto right. The one so-called entrenched clause governs the equality of the two official languages (sect. 89); this regulation can only be changed with a two-thirds majority in all three Houses.

In addition, there are 32 semi-entrenched clauses which require a simple majority in each chamber in order to be altered. Those relevant to the State President concern the composition and the voting procedure of his electoral college as well as his tenure of and removal from office. Those pertaining to the executive are furthermore the constitutional sections governing the composition of the Cabinet and the three Ministers' Councils. In the legislative sphere the following matters are semi-entrenched: the definition of general and own affairs, the powers of the legislature, the legislative procedures, the constitution,

11. See separate chapter on the President's Council!

duration and dissolution of Parliament. Concerning the PC, a change in its composition, duration and arbitration powers requires the assent of all three Houses. Finally, the same applies to the franchise.

The existence of semi-entrenched sections of the Constitution was brought to the attention of a larger public when the Labour Party refused to support an amendment of sect. 39(1) which intended to postpone the next general election to 1992.

The co-operation of both the Coloured and Indian chambers will be required again if and when the government wants to include the hitherto unenfranchised African majority in its constitutional framework at national level. In that case it will have to alter sections 37(1) (constitution of Parliament) and 52(franchise) and/or sections 70(1) (composition of the PC) and 77(duration of the PC).

It is only pertaining to their internal proceedings that the Houses of Representatives and Delegates enjoy complete freedom of action. Sect. 63 stipulates that each House may make its own rules and orders. This means that each chamber "can appoint its own Chairman, chairman of committees, the chief whip of the House, and its select committees; it decides on its sitting hours, adjournment, and its Order Paper; it can discipline its members and can pass motions of censure and/or no confidence in the Cabinet and in its own Ministers' Council."¹²

However, according to sect 39 of the Constitution a motion of no confidence in the Cabinet would require the State President to dissolve the House in question. This provision reflects the tricameral Parliament's departure from the Westminster system and necessitates a reassessment of the concept of opposition. It shows that despite possible political differences, the majority parties in both the Houses of Representatives and Delegates find themselves in what could be termed a "structural coalition" with the government.

When the leaders of the official opposition in the Coloured and Indian chambers had moved their traditional motion "that this House has no confidence in the Cabinet" the majority parties moved amendments to the effect that they approved the government's reform initiatives but urged it to move at a faster pace. The admissability of such an amendment was questioned by M. Rajab of the PRP, who referred to a statement by the Secretary of the House of Assembly during the case of Leon v Sanders:

"It is...an accepted principle of parliamentary government that the Government resigns if the motion of no confidence is successful. So much is this the position that Mr Speaker has in fact ruled that a proposed amendment of a motion of no confidence attempting to evade the abovementioned consequences of a successful no-confidence motion, is inadmissible."¹³

Like the role of the majority parties, that of the opposition in the two new Houses has to be reassessed. Was it their task to oppose the majority parties in their chambers on a micro (own affairs) level? Or would that amount to Parliamentary "faction fighting" and should all members of the two new Houses therefore oppose the government? Solidarity leader JN Reddy adopted the latter view and called the title leader of the official opposition a "misnomer" when he entered into an agreement of unity with the majority NPP in early 1986.¹⁴ His argument was supported by Solidarity's national secretary, Ismail Omar, who stressed that the whole concept of opposition rests on the sovereignty of Parliament; as the Constitution bestowed only limited sovereignty on the House of Delegates, there could be no opposition.¹⁵

The unity agreement, and the concomitant elevation of Dr Reddy to Minister of the Budget, led to some bizarre circumstances. Whereas Dr Reddy introduced his budget and urged the Indian chamber, in his ministerial capacity, to support it, he later voted against his own budget in his capacity of leader of the opposition. "Unity" came to an end when the Speaker ruled that Solidarity either had to enter into a full-scale coalition with the NPP or sever

13. Hansard, HoD 1987(fourth session), col. 212

14. Interview: JN Reddy, 21.1.1987

15. Interview: Ismail Omar, 21.1.1987

all ties and return to the classic role of opposition. The party chose the latter option and its leader resigned from the Ministers' Council.¹⁶ Since the repeal of the Prohibition of Political Interference Act even more bizarre scenarios are imaginable, e.g. that of a party constituting the majority in one House and the opposition in another.

By way of summary, it can be said that the Constitution of 1983 fails to provide the two new Houses with an institutional lever to repeal existing legislation. Neither are they capable of preventing new apartheid acts from becoming law as the government can use the President's Council to place them on the statute book. The legislative success of the Coloured and Indian chambers rests therefore not on the institutional framework of the Constitution but on the political dynamics thereof.¹⁷

Yet it is apparent from the abovementioned semi-entrenched sections that the Constitution of 1983 marks the end of the white chamber's capability to tailor any future dispensation solely according to its own ideas. Any major change of the present Constitution can only be effected with the concurrence of both the Houses of Representatives and Delegates. It is only in this regard that the nec-

16. Cape Times 23.3.1987

17 . An attempt to conceptualize the Constitution will be made towards the end of this thesis after the political implications of the Constitution have been discussed.

cesity to arrive at consensus between the three chambers has been institutionalized.

On a political coordinate system, the Constitution marked a move (albeit limited), from white exclusivity towards inclusion, as well as a move from accountability (albeit restricted) towards autocracy. Besides the abovementioned distinction between general and own affairs and the ensuing statutory entrenchment of ethnicity, the second major feature of the Constitution of 1983 was the move towards a powerful executive.

This is epitomized by the pivotal position occupied by the State President. The powers vested in him exceed those of executive heads of state elsewhere, for instance in France or the United States. Whereas these countries adhere to the separation of legislature and executive, in contemporary South Africa "authority is effectively allocated at a single decisive site"¹⁸.

It should be noted in passing, that the rise of the executive is partially counteracted by a more active role played by the legislature. While up to 1984 the executive did not usually encounter opposition in the legislative process, the standing committee system¹⁹ provided for a closer involvement of the individual MP in the detailed formulation of bills. Parliamentarians were elevated to

18. W. van Vuuren(1985): 52

19. A closer look at the standing committee system, including case studies, will be taken at a later stage.

such a degree that, in some exceptional situations, the NP government had to lobby its own MPs.

The State President is elected by an electoral college in which, according to the 4:2:1 formula, the governing party of the House of Assembly has the absolute majority as there are no representatives of the opposition parties. However, the State President can only be removed from office with the support of all three chambers. This provision appears to be of an academic nature, unless the majority in the white chamber changes, e.g. by way of by-elections or defections.

The pretence of power-sharing does not extend into the executive. The Constitution does not apply the 4:2:1 ratio to the Cabinet and even fails altogether to institutionalize the presence of Coloureds and Indians on that body. Initially the State President appointed the chairmen of the Ministers' Councils of the two new Houses to the position of ministers without portfolio. After the departure of Messrs Hendrickse and Rajbansi the Cabinet has regained its all-white composition.

The Constitution stipulates that the State President shall appoint members of the Ministers' Councils on the advice of the majority in the chamber in question and that all own affairs ministers must, in his opinion, have majority support in their respective House. Defying these provisions, the State President failed on various occasions to act accordingly. He did not immediately dismiss Carter Ebrahim, the then Minister of Education and Culture in the House of Representatives, when asked to do so by LP leader

Allan Hendrickse. Furthermore, Amichand Rajbansi continued to hold the office of Chairman of the Ministers' Council in the House of Delegates for some time after his NPP had lost its majority in that chamber. Four years of the tricameral Parliament have shown that the Houses of Representatives and Delegates are not even competent to determine the composition of their respective Ministers' Councils, although the realm of own affairs is purportedly their exclusive domain.

In conclusion it can be said that the Constitution does not furnish the two new chambers with an institutional lever to extract concessions from the government. Slabbert described the tricameral Parliament aptly as an integration-cum-separation system in which macro-partition has been substituted by micro-separation, while built-in white domination remains an established feature.²⁰

The only institutional power of the Houses of Representatives and Delegates is a negative one; they can either obstruct the functioning of the system or withdraw en bloc. However, the Constitution circumscribes even these powers by containing several fail-safe clauses which enable Parliament to continue with only one or two chambers operating. This provision guards against a boycott (presumably by one or both of the new Houses), e.g. the refusal of elected MPs to take up their seats or the blanket resignation of sitting MPs. NJJ Olivier points out some of the

20. See F. van Zyl Slabbert(1985)

questions that would arise should Parliament consist of only one or two chambers:

"...how is this going to affect: (a) the composition of the electoral college; (b) the requirement that in respect of "own affairs" the State President has to act on the advice of the relevant Ministers' Council; (c) the composition of the Ministers' Council;...(e) the provision that bills on the "own affairs" of a population group can only be disposed of by the House concerned; (f) the requirement regarding the support of the majority of members in each House in order to amend the "semi-entrenched" provisions in the Constitution."²¹

The pressure mechanism at the disposal of the Coloured and Indian participators is of a political nature. It rests on the assumption that the government will have to give some meaning to the consensus principle, on which the tricameral Parliament is allegedly based, in order to gain a measure of legitimacy for the system both at home and abroad.

21. N.J.J. Olivier(s.a.): 11

4. THE 1984 ELECTIONS

The first elections for the Houses of Representatives and Delegates were held on 22 and 28 August, respectively.¹ From the delimitation of constituencies to the registration of voters, the process was fraught with controversy and marred by violence.

4.1. The delimitation of constituencies

Sect. 42(2) of the Constitution stipulates that of the 80 directly elected MPs of the House of Representatives 60 shall be from the Cape, 10 from the Transvaal and 5 each from Natal and the Orange Free State. Sect. 43(2) makes provision for 29 Indian constituencies in Natal, 8 in the Transvaal and 3 in the Cape Province. No constituencies in the House of Delegates are allocated to the Orange Free State, because when the Constitution was drawn up, no person classified as Indian was permitted to stay in that province for more than 72 hours. This was stipulated in chapter 33 of the Free State Law Book and retained by the Pre-Union-Statute Laws Revision Act of 1979.² These provisions were repealed early in 1986.³ The small number of

1. The elections have been described in detail elsewhere. See, for instance: E. Patel(1985), N.J.J. Olivier(1984b), A. Lemon(1984).

2. G Howe(1984): 11

people who have subsequently moved into an Indian group area demarcated in the Orange Free State⁴ are therefore left without parliamentary representation. This disenfranchisement is incompatible with sect. 52 of the Constitution which states that "every White person, Coloured person and Indian...shall be entitled to vote at any election of a member of the house of Assembly, the House of Representatives and the House of Delegates...".

The Constitution does not advance any reason for the abovementioned disproportionate allocation of parliamentary seats to the various provinces.

Table 1: Allocation of Parliamentary seats:⁵

HOUSE	PROVINCE	VOTERS	CONSTITUENCIES	QUOTA
Reps.	Cape	853 157	60	14 219
	Natal	43 029	5	8 605
	Free State	17 364	5	3 472
	Transvaal	107 153	10	10 715
Delegates	Cape	12 311	3	4 103
	Natal	261 573	29	9 019
	Transvaal	56 086	8	7 010

The above table shows that a Coloured vote in the Orange Free State carries 4,09 times the weight of one in the

3. Cape Times 14.2.1986

4. SA Digest 17.10.1986

5. Government Gazette 11 June 1984

Cape. Inhabitants of the provinces outside the major concentration of the respective group, i.e. the Cape in the case of the Coloureds and Natal in that of the Indians, are overrepresented to a varying degree.

The reason for this uneven distribution is not hard to fathom. The present delimitation has, outside the areas of regional clustering, already created vast constituencies. The seat of North-Western Transvaal in the House of Delegates measures roughly 150 000 square kilometers and the constituency of Eastern Transvaal amounts to almost two thirds that size. An equal distribution would have created even more unmanageable constituencies. In that case, Coloured voters in the Free State and Indian ones in the Cape Province would have been entitled to just one parliamentary seat each.

Whilst every constituency-based electoral system causes distortions, these grow to critical proportions when a country the size of the Republic of South Africa is divided into three sets of constituencies, one of them for a group that constitutes a mere three percent of the total population. A system of proportional representation would have avoided these problems.

The outcome of the bias in favour of rural areas was that the Western Cape was only allocated 20 out of a total of 80 seats in the House of Representatives, although 40 percent of the total Coloured population reside in that area. In the House of Delegates, Lenasia was allocated three seats, rendering its ratio of eligible voters per constituency more than twice the average in the Transvaal.

These distortions were already to be found earlier in the distribution of constituencies for the CRC and SAIC. In the case of the former, one vote in the Orange Free State carried the same weight as 6,2 votes in the Cape. The 1979 delimitation for the SAIC set the Natal quota at 8 352 voters per electoral division and the one in the Cape Province at 2 176.⁶

Besides the bias discriminating against regional clusters of both Coloureds and Indians, there was another source of representational inequality, namely the outdated population register which the Delimitation Commission had to use. The Commission itself admitted to these shortcomings:

"At its public sessions it was repeatedly brought to the Commission's attention that the population register did not reflect the true state of affairs relating to sparsity or density of population in any given area; from areas in which there are, according to the register, reasonably large numbers of voters, the population in question has in many cases totally or largely withdrawn; in other cases the opposite has taken place and areas in which, according to the register, there are no or small numbers of persons entitled to vote, have become densely populated."⁷

6. Cape Times 8.5.1969, Government Gazette 20.7.1979

For instance, the Commission worked with a number of 1 020 721 potential Coloured and 329 920 Indian voters, whereas the government, half a year later, gave the totals as 1 500 558 and 519 471 respectively.⁸ Other estimates, applying a combination of methods, arrive at even higher numbers, e.g. 1 546 558 in the case of the Coloureds.⁹

These discrepancies would not represent a distortion if they were evenly spread over the country. But due to the continuous flux of people from the rural to the urban areas, the underestimation amounted to another bias in favour of regions more sparsely populated. Thus the two mechanisms for unequal representation, namely the allocation of constituencies and the inaccuracies of the population register, reinforced each other. This led to a double discrimination against areas of dense population, a prime example being the Cape Peninsula, which should have been entitled to 26 seats in the House of Representatives, but was only allocated 20 constituencies and thus placed at a disadvantage of 30 percent.

4.2. The registration of voters

The shortcomings prior to the 1984 elections were not confined to the delimitation of constituencies but ex-

7. Government Gazette 11.6.1984

8. Cape Times 2.8.1984, Daily News 3.7.1984

9. Patel(1985): 57

tended into the registration of voters.

74 percent of all Coloureds who were on the voters' roll for the 1984 elections of the House of Representatives had not registered for that poll, but rather for the last CRC elections in 1975. Having registered for a different institution, for different policies by participating parties and under different political circumstances, they can only be regarded as being registered in a very narrow sense of the word. The registration campaign prior to the 1984 elections only managed to attract 238 055 new Coloured voters. The total percentage of registered Coloured voters varies, depending on the source, from 56,7 to 65,2.¹⁰

The Coloured public appeared not to have been sufficiently aware that registration for the CRC elections of 1975 was valid for the polls of 1984. This confusion was reflected by the fact that a number of Coloureds, who were eligible to vote for the House of Representatives, were under the impression that they were not registered.¹¹

The state of the voters' rolls in some areas bordered on the comic. In the Table Mountain constituency roughly one thousand "ghost voters" from District Six were included who had been removed in the late 1960s.¹² These inaccuracies suggest that the number of registered voters

10 The Cape Times of 24.8.1984 gives 56,7%, A Lemon(1984) 57,5%, E Patel(1985) 59% and G Howe(1984) 65,2%.

11. N Rhodie et al(1986): 9, 11

12. Cape Times 11.8.1984

cannot serve as a reliable yardstick and that the final turn-out of the elections should therefore be given as a proportion of the number of eligible voters.

The number of Indians who registered was substantially higher; the percentages given vary from 79 to 87.¹³ The majority of these were, however, "old" voters. The proportion of newly registered voters was similar to that of the Coloureds and amounted to just over 27 percent of persons who had their names put on the voters' roll between 1 May 1984 and the closure of registration. The higher number of registered Indians appears to reflect the more ambiguous stance the Indian Congresses have taken towards participation in government-created structures. This is in contrast with the Trotskyite tradition of strict non-collaboration which still exerts some influence among Coloureds, especially in the Peninsula.

4.3. The participation debate

The main controversy prior to August 1984 was not between the various parties vying for control of the two new chambers, but between those prepared to participate and those advocating a boycott. This participation debate can be said to have started in January 1983 when the Labour Party decided at Eshowe to "go inside". However, in order to

13 A Lemon(1984) gives 79,2%, E Patel(1985) 80% and G Howe(1984) 88,7%.

analyse this pivotal decision which facilitated the establishment of the tricameral Parliament, it is useful to include the government's constitutional proposals of 1977.

The proposals of 1977 made provision for three separate Parliaments (as opposed to one Parliament with three separate chambers). They vested undiluted control over all "affairs" (i.e. general and own affairs) in the House of Assembly. The other two chambers were supposed to act merely on delegated authority from the white Parliament which would have made them "Parliamentary or ethnically defined homelands"¹⁴ and the House of Representatives a mere "continuation of the old CRC".¹⁵ In the words of a Labour Party MP the proposals of 1977 would have amounted to a division of power¹⁶, while the government claims that the 1982 proposals, which form the basis of the present dispensation, constitute power-sharing.

The proposals of 1977 were totally rejected by the LP's national executive:

"The proposals are designed to entrench Apartheid in the constitution by preserving the so-called ethnic divisions of "coloureds, Indians and whites". We see the plans as a subterfuge for using

14. Interview: Peter Hendrickse, 4.3.1986

15. Interview: David Curry, 15.1.1986

16. Interview: Peter Hendrickse, 4.3.1986

"coloureds" and "Indians" as tools to entrench exclusive National Party rule... The plans are solely and exclusively those of the government and as such do not in any respect accord to the democratic principle that all the people of South Africa could, through their authentic representatives, have an effective say in designing a new constitution...The only solution acceptable to us would be the holding of a National Convention representative of all South Africans."¹⁷

At the LP's annual congress in 1978 Allan Hendrickse emphasized his party's stance that "we are black" and described the proposals as indicative of "decadence, immorality and a sick society and an attempt to entrench racism in the constitution".¹⁸ He stressed that "nothing but direct representation in Parliament for all South Africans is going to satisfy the majority of South Africans and particularly the Labour Party."¹⁹

After the LP's rejection had "sent the government back to the drawing board"²⁰, the constitutional committee of

17 . Labour Party: a constitutional decision? Work in Progress No 25(February 1983): 6/7

18. *ibid.*: 7

19. Cape Times 29.12.1981

20. Interview: Charles Redcliffe, 13.2.1986

the President's Council produced its second report in 1982 which was largely identical with the Constitution of 1983. These proposals did not differ significantly from those made five years earlier: they still excluded Africans, entrenched ethnicity, vested sweeping powers in the executive State President and were still not the product of negotiation. Consistently, David Curry called the 1982 proposals "a clever and sophisticated scheme for entrenching white baaskap"²¹. He could not believe they would be acceptable to the Coloured community.

The "toenadering" between LP and NP began only one year after the demise of the CRC when the Labour Party revised its constitution committing it to "vigorously opposing communism in all its forms". Elaborating on this amendment David Curry said that the Coloureds had been drawn "into some kind of arrangement so they can help the whites against the communist onslaught".²²

The run-up to the LP congress at Eshowe was characterized by indecision and vacillation. Although the Labour allegedly found majority support for participation²³, its membership appeared to be evenly divided on this question. Whereas the Cape leadership favoured participation, the Transvaal and Peninsula organisations as well as the LP

21 . Labour Party: a constitutional decision? Work in Progress No 25(February 1983): 9

22. Cape Times 26.11.1981

23. Interview: Desmond Lockey, 11.5.1988

youth wing were opposed to it.²⁴

The events at Eshowe have been described in detail elsewhere.²⁵ Allegedly the congress was loaded with more acquiescent delegates from the platteland. The proceedings were run in a very firm manner and finally the chairman, David Curry, called for a vote, without having first called for amendments or objections. Owing to its importance the resolution, the phrasing of which has been called ambiguous, is given here in full:

"The Labour Party of South Africa believes in the effective participation of all South Africans, irrespective of race, colour or creed in the councils of the nation at all levels. The party does not see the proposals of the National Party as being the answer to the constitutional demands of the people. Because of the exclusion of the greatest number of people, the Africans, it is not the answer to the constitutional demands of our time. It entrenches ethnicity. We reiterate our demands for and belief in one man, one vote in a unitary system, the latter being negotiable.

However, the Labour Party believes that its

24. Argus 4.1.1983

25 . See Labour Party: a constitutional decision? Work in Progress No 25(February 1983): 9pp

participation in the tricameral parliament and subsequent standing councils can assist us in the achievements of our goals and constitutional objectives, and further instructs its leaders to continue on the road of negotiation with the government of the day."²⁶

Out of a total of about 350 delegates, there were only nine noes and roughly 50 abstentions. In the wake of the Eshowe decision, however, the LP lost its former Transvaal leader Sam Solomon, its then vice-chairman in the Transvaal, Mohammed Dangor, and its Natal leader Norman Middleton. In Worcester the executive of the local LP branch resigned in toto.²⁷

In order to justify the much criticised participation decision, the Rev Hendrickse challenged the notion that the tricameral system excluded blacks (as opposed to Africans) and hastened to say that "we are black".²⁸ In contrast, Jac Rabie concentrated more on the practical consequences of the new dispensation and stressed that "for the first time you and I are going to be part of the decision-making body that will divide the financial cake."²⁹

26 . Labour Party: a constitutional decision? Work in Progress No 25(February 1983): 10

27. Rand Daily Mail 6.1.1983, 8.1.1983

28. Star 5.1.1983

29. Star(International Airmail edition) 19.2.1983

A comparison between the constitutional proposals of 1977 and 1982 shows that, although differences exist, these are not significant enough to warrant a participatory about-face. An explanation for the dramatically changed stance of the LP is not to be found in the constitutional fine print, but in the (supposedly) altered political climate and the Labour Party's position after the demise of the CRC.

The LP leadership perceived P.W. Botha's willingness to risk the breakaway of the Conservative Party over the issue of "healthy" power-sharing with Coloureds and Indians as proof of his commitment to reform and political sincerity. The sentiment prevailed that if the Prime Minister was willing to jettison his right wing, the Labour Party had to be willing to confront its left wing.

Thus, the split of the National Party provided the LP with one of its reasons to rejoin the "system". This had become a pressing necessity as the party had begun to show the first symptoms of disintegration and dormancy after the closure of the CRC in 1980. David Curry admitted to this political-institutional necessity when he stated that the LP "had been formed to operate within the system".³⁰

Despite its obvious indispensability to the tricameral system, the LP virtually issued a blank cheque to the order of the government. At the time of the Eshowe congress the Constitution had not even been presented as a bill in

Parliament and the Prime Minister had given no declaration of intent to dismantle apartheid. In its desperate need for an institutional platform the Labour Party failed to write up a detailed agenda stating the terms and conditions under which it would take part. According to its leader, the LP entered into negotiations with the National Party with the proposal of a single House of Parliament based on the 4:2:1 ratio. However, as this would only have required 23 white MPs to align themselves with the two new chambers in order to swing the majority, it was rejected by the government.

There was no comparable debate in Indian participatory politics. Solidarity's present national chairman, Ismail Omar, summed up the perceived difference between the SAIC and the House of Delegates when he stressed that the former was merely a consultative body whereas the latter, as part of Parliament, would have the opportunity to challenge and influence unjust legislation.³¹

After the LP's Eshowe decision the stage was set for the main participation debate between those parties which favoured working from within the system, and the forces of non-collaboration. The rejection of the tricameral Parliament saw otherwise feuding movements like the UDF, the National Forum and Inkatha taking the same political line. The advocates of a boycott maintained that it would amount to a "contradiction in terms" to work for a non-racial

democracy from within the system.³²

The critique of the non-collaborationist stance was summarized by Helen Zille:

"In going for the boycott option...the UDF chose the easy way out: it can safely sit on the sidelines, shouting the odds and raising expectations without having to deliver the goods. It can claim to represent all integrity and moral consistency, without having to move into the smelly armpit of real politics, with its horse-trading and compromise. It can substitute the mass rally for real political organisation, and rhetoric for political analysis, it can claim the backing of a vast constituency without ever having to put its head on the line and deliver tangible support in the form of votes actually cast."³³

The arguments of the boycotters were summed up by NIC president George Sewpershad. In his words participation would

- "- Alienate Indians and Coloureds from the African majority.
- Lead to racial division, suspicion and conflict.

32. Interview: Jakes Gerwel, 8.9.1986

33. H. Zille(1984): 43

- Make Indians and coloureds responsible for Acts of oppression, such as removals, Group Areas and security laws, without the power to change these laws.
- Lead Africans and the world to perceive Indians and coloureds as active participants in the implementation of apartheid."³⁴

Along these lines it was argued that participation would give undeserved credibility to the tricameral Parliament. However, how a (supposedly) tarnished party such as the LP could possibly give credibility to the new dispensation remained unexplained.

While most proponents of a boycott wanted no truck at all with the tricameral system, the NIC deviated from the path of all-pervasive non-collaboration. It called for a referendum on the issue of participation³⁵ which would have required its supporters to register on ethnically separate voters' rolls. During the election campaign of 1984 the Natal Indian Congress put up "counter candidates" to spearhead its campaign in each constituency.³⁶

Participating parties rejected being labelled collaborators or junior partners in apartheid merely because of their decision to work from within the system. The Labour Party recognized the dependence of negotiation

34. Sunday Times 27.5.1984

35. Graphic 17.2.1984

36. Daily News 2.8.1984

politics on protest politics and refrained from seeing the two as historically distinct strategies; it did not question its opponents' bona fides on the strength of their decision not to participate. Jac Rabie urged the party's critics: "Stop dividing the community even further. We have never condemned the strategies you applied in the total liberation struggle."³⁷

The blanket equation of participation and collaboration is indeed a simplistic contention. In order to determine whether a political organisation can be termed collaborationist, it does not suffice to look only at the political structures it makes use of; it is necessary to look also at its principles, objectives and activities. This view was supported by H.W. Vilakazi: "There is nothing inherently sinful about anyone operating from a reactionary government-created platform. What determines whether or not a particular individual should be indicted for operating from a certain platform, is not the identity of the people who created that particular platform, but specific, ascertainable historic conditions, chief of which is the question...how that particular individual uses that particular platform."³⁸

In order to justify their stance participating parties referred continuously to the past practice of contemporary

37. Labour Party: a constitutional decision? Work in Progress No 25(February 1983): 11

38. Cape Times 8.12.1983

adversaries who then chose to work from within the system. The ANC used a participatory boycott in the 1940s' elections to the Native Representative Council. Communist Party members were put up and elected to the white Parliament during the same period. Even Nelson Mandela was enlisted as drawing a distinction between boycott as a strategy and boycott as a principle:

"...in 1958 he supported a decision of the South African Coloured Peoples Organisation to take part in the Parliamentary elections of that year. He had also called for a review of the 1947 ANC decision to boycott statutory bodies for Africans. He argued that the parliamentary forum must be exploited to put forth the case for a democratic and progressive South Africa, such a movement to have a voice both within and outside Parliament."³⁹

David Curry pointed out that even today protagonists of non-collaboration like Allan Boesak or UWC students "use an apartheid platform to fight apartheid".⁴⁰

In South African Indian politics both participating parties and boycotting movements were eager to substantiate their arguments by drawing analogies with Mahatma Gandhi's stance in the India of the 1930s.

39. I. Omar(1987): 102

40. Cape Times 23.3.1983

Solidarity's national chairman pointed out that in 1935 Gandhi reversed his earlier decision to boycott elections, opted for full participation and won the polls. By 1939, however, when British attempts at co-optation had proved successful, he called on all ministers to resign.⁴¹ The NIC maintained that any such comparison was misplaced as Gandhi had "worked with the masses and symbolized India's passion for total independence".⁴² In full-page advertisements the NIC claimed that Gandhi would not have voted, quoting him as saying that "non co-operation with evil is as much a duty as is co-operation with good".⁴³

The Labour Party stressed repeatedly its policy to view boycott as a strategy, not a principle. It referred to the Coloured stay-away during the 1948 elections, which brought the NP into office, as an example of a counter-productive boycott.

Jac Rabie pointed out that the LP had applied a boycott several times when circumstances were perceived to be conducive to that strategy. "It boycotted Simba Chips, Fattis and Monis, Rainbow chickens, Rowntrees, Eveready batteries, foreign firms...It boycotted the CRC budget, the imposition of government policy..., the Erica Theron commission, the Schlebusch commission..."⁴⁴

41. Interview: Ismail Omar, 13.5.1987

42. Leader 18.5.1984

43. Leader 10.8.1984

44. Cape Times 20.1.1983

Thus the non-collaborationist stance of the UDF converted the participation debate into the real election campaign and relegated the actual campaign for the polls in August 1984 to the periphery of political interest.

4.4. The election campaign

The election campaign for the House of Representatives as well as the House of Delegates was marred by violence. On the eve of the elections for the Coloured chamber, and again on that of the polls for the Indian one, 18 leaders of organisations advocating a boycott were detained. They included UDF president Archie Gumede and the front's publicity secretary, Patrick("Terror") Lekota. Among those detained were also NIC president George Sewpersadh and vice-president MJ Naidoo.

These detentions were generally condemned by participating parties and politicians. Solidarity's executive considered an ultimatum to the government to release the detainees or face a withdrawal from the elections by that party.⁴⁵ The LP's Natal leader, Albie Stowman, however, said that "some of these UDF backroom boys should have been picked up a long time ago" and accused the UDF of "subverting the democratic process".⁴⁶

On polling day for the House of Representatives, 152

45. Interview: Ismail Omar, 21.1.1987

46. Rand Daily Mail 6.9.1984

people were arrested. Six days later, when the Indian elections took place, the situation was calmer, but in some places outbreaks of violence occurred. In Lenasia hundreds of people were injured and at least ten petrol bombs were thrown.⁴⁷

Participating politicians were targets of violence, too. During the campaign the homes of at least seven candidates were petrol-bombed.

After a rowdy campaign start at its traditional stronghold of Stellenbosch and two more failures in Bredasdorp and Vredenburg, the LP abandoned public meetings in the Western Cape. Subsequently, the party shifted the focus of its campaign to the Transvaal where it failed to do better. A "military wing", which the Labour Party planned to form and which was sanctioned by the government, never materialized.⁴⁸ The only Coloured party to hold public meetings in the UDF stronghold of Mitchell's Plain was the PCP. These gatherings were, however, disrupted and party leader Peter Marais was punched. Similarly, Solidarity was forced to abandon public meetings in the Transvaal.

The major thrust of the election campaign was the clash between the forces advocating a boycott and those urging participation. Among the latter there were few recognizable differences. The LP's professed non-racialism stood out somewhat against the otherwise predominant con-

47. Star(International Airmail Edition) 3.9.1984

48. Cape Times 15.2.1983

cept of Coloured nationalism. The Labour Party was, however, accused of drawing on NP resources by political opponents both from its left and from its right. An NP-controlled marketing company called Communitel allegedly handled the Labour Party's campaign and helped raise one million Rand from white businessmen.⁴⁹ Peter Marais complained that his PCP was allocated only a number of minute-long advertising spots on SABC while Allan Hendrickse had two half-hour appearances.⁵⁰

There were almost no detectable differences between the NPP and Solidarity.

Finally, a total of 207 candidates was put up for election to the House of Representatives; these included 33 independents.⁵¹ In the case of the Indian polls, almost one in two candidates was an independent.⁵² In the constituency of Phoenix, for instance, no fewer than seven non-aligned contenders stood for election. This phenomenon reflects the "village politics" character of South African Indian politics and the unfamiliarity with party politics. Here, personalities clearly play a more pivotal role than parties, which have neither tradition nor a defined constituency. The South African Indian politician resembles a feudal lord.

49. Grassroots August 1984

50. Interview: Peter Marais, 23.1.1987

51. Star 30.7.1984

52. Star 6.8.1984

With virtually no political choice to be made at the polls, the 1984 elections amounted to a referendum. Participation became the equivalent of a 'yes' vote for the tricameral Parliament and deliberate staying away that of a 'no' vote.

4.5. The results

In order to evaluate the election results of the House of Representatives correctly, the total of four uncontested seats has to be taken into account. If the projection made by NJJ Olivier is followed⁵³, the final calculated result for the Coloured elections is:

Table 2: Calculated result of House of Representatives elections, based on number of registered voters:

PROVINCE	LP	TOTAL VOTERS	REG. VOTERS	%POLL
Cape	179 385	236 420	774 215	30,87
Natal	5 750	8 429	31 647	26,93
OFS	10 318	12 247	20 001	61,41
Transvaal	23 944	34 943	81 284	43,41
total	219 397	292 039	907 147	32,53

If the percentage poll is calculated on the basis of eligible voters, it drops to 19,66.

To analyse the result it is helpful to break down the

53. NJJ Olivier(1984b): 8

provinces into smaller and more coherent entities.⁵⁴

CAPE PENINSULA: Belhar, Bishop Lavis, Bonteheuwel, Elsie's Rivier, Grassy Park, Hanover Park, Heideveld, Kasselsvlei, Liesbeek, Manenberg, Matroosfontein, Mitchell's Plain, Ottery, Ravensmead, Retreat, Rietvlei, South Cape, Silvertown, Strandfontein, Tafelberg(20)

PORT ELIZABETH: Bethelsdorp, Gelvandale, Schauderville, Swartkops(4)

WESTERN CAPE "COUNTRY": Bergrivier, Bokkeveld, Britstown, Diamant, Diaz, Daljosaphat, Esselen Park, Genadendal, Griqualand West, Hantam, Hawston, Kalahari, Karee, Macassar, Mamre, Mid-Karoo, Northern Cape, Nuweveld, Pniel, Rawsonville, Riversdal, Robertson, Springbok, Steinkopf, Swartland, Suurbraak, Upington, Vredendal, Wuppertal(29)

EASTERN CAPE "COUNTRY": Addo, Border, Dysseldorp, Fish River, Haarlem, North Eastern Cape, Outeniqua(7)

WITWATERSRAND: Alra Park, Bosmont, Eldorado Park, Klipspruit West, Newclare, Reiger Park, Toekomsrus(7)

PRETORIA/NORTHERN TRANSVAAL: Eersterus, Northern Transvaal, Rust Ter Vaal(3)

BLOEMFONTEIN: Heidedal, Opkoms(2)

OFS "COUNTRY": Western OFS, Eastern OFS, Southern OFS(3)

DURBAN: Durban Suburbs, Greenwood Park, Wentworth(3)

NATAL "COUNTRY": Natal Interior, Natal Mid-East(2)

54. See A Lemon(1984): 99

In terms of the percentage poll of registered voters the abovementioned regions rank as follows:

Cape Peninsula 11,1
Durban 23,1
Natal "country" 30,1
Western Cape "country" 35,4
Port Elizabeth 36,1
Witwatersrand 37,1
Eastern Cape "country" 43,3
Bloemfontein 53,6
OFS "country" 59,4
Pretoria/Northern Transvaal 62,5

The overall turn-out in rural areas was 37,9 percent as opposed to 21,6 percent in urban areas. It would, however, be an oversimplification to see a general correlation between a high poll and the rural area of a region. This becomes obvious when a map which depicts areas where Coloureds are predominantly farm workers is superimposed on a map giving the election results.⁵⁵ The urban constituencies on the Witwatersrand, for instance, achieved a higher turn-out than many agriculturally-dominated seats in the Boland.

It is also noteworthy that the four Port Elizabeth seats recorded a higher number of votes than the 20 electoral

55. E Patel(1985): 30/1

divisions in the Peninsula, although the total of their registered voters amounted to just over a third of those in Greater Cape Town. Nationwide, Tafelberg had the lowest poll (4,1 percent) and Rust Ter Vaal the highest (68,2 percent).

A different picture emerges if calculations of the percentage poll are not based on the number of registered voters, but on the total eligible population classified as Coloured:

Table 3: Result of House of Representatives elections, based on number of eligible voters⁵⁶:

REGION	POTENTIAL VOTERS	PERCENTAGE POLL
Cape Province	1 317 554	16,9
Peninsula	504 950	4,9
Cape excl. Peninsula	812 602	24,3
Transvaal	141 408	24,9
Natal	54 647	15,7
Orange Free State	32 999	18,4
total	1 546 607	17,6

As compared with the calculation based on registered voters, the poll drops from 32,5 to 17,6 percent. Two things must be taken into account, however, when analysing the above table. First, the figure for the Orange Free State is greatly distorted, as two out of five seats were

56. See Patel(1985): 13

uncontested. It would therefore be appropriate to increase the turn-out from 18,8 to roughly 26,3 percent. Secondly, the numbers are based on an estimate of the eligible Coloured population, which is slightly higher than the official number of potential voters. If this is used, one arrives at a figure of 19,3 percent of persons who cast their votes.

Winning 73,2 percent of the total poll, the LP captured 76 of the total of 80 directly elected seats in the House of Representatives. The Labour Party was strongest in the Free State and the Cape, while its opponents managed to attract roughly one third of the vote in both Natal and Transvaal. Had there been a system of proportional representation, the LP's competitors would have won 20 out of 80 seats; the constituency-based system, however, awarded them only four.

The electoral division of Ottery (Cape Town) was won by the PCP. The two successful independent candidates later joined the Labour Party. In the Transvaal seat of Bosmont two contenders polled the same number of votes; subsequently the Supreme Court declared Freedom Party leader Arthur Booysen the winner.

As the programmes of all the LP's competitors bore many similarities, there was talk of an anti-Labour alliance prior to the elections. The party's dominance is reflected by the fact that such a pact would have wrested only another two seats from the LP. In all other constituencies its candidates received more votes than the combined poll of the opponents.

The LP's senior politicians received the following percentages from the registered voters:

- Andrew Julies 47,7
- Jac Rabie 41,9
- Peter Mopp 40,9
- Allan Hendrickse 36,2
- Carter Ebrahim 26,7

David Curry stood unopposed in his Boland constituency of Pniel.

The results given above show that personalities did not play a decisive role in the Coloured elections. The poll of the LP's most prominent candidates did not differ substantially from the overall regional pattern: the highest percentages were recorded in the rural Cape Province (A Julies/Kalahari), followed by the Transvaal (J Rabie /Reiger Park), the Eastern Cape (P Mopp/Border, A Hendrickse/Swartkops) and the Peninsula (C Ebrahim/South Cape). The best results were achieved in areas with the highest overall poll, although the LP candidates in question were junior ones: G Rooskrans (Western Free State) 53,4 percent, SK Louw (Rust Ter Vaal) 51 percent.

In comparison with the Coloured polls, the inter-provincial differences were not as stark in the elections for the House of Delegates.

Table 4 : Result of House of Delegates elections, based on registered voters:

PROVINCE	TOTAL VOTES	REG. VOTERS	%POLL
Cape	2 649	11 014	24,1
Natal	67 540	341 392	19,8
Transvaal	13 912	59 305	23,5
total	84 101	411 711	20,4

There were no uncontested seats.

Outside Natal, where the vast majority of South African Indians live, the turnout was slightly higher.

Again, it is useful to categorize the constituencies as to region and urban/rural character.⁵⁷

CHATSWORTH(DURBAN): Arena Park, Bayview, Cavendish, Chatsworth Central, Glenview, Havenside, Montford, Moorcross(8)

OTHER DURBAN: Brickfield, Clare Estate, Durban Bay, Marianhill, Phoenix, Red Hill, Reservoir Hills, Springfield(8)

PIETERMARITZBURG: Allandale, Newholme(2)

NORTH and SOUTH COAST: Isipingo, Merebank, North Coast, Stanger, Tongaat, Verulam, Umzinto(7)

NATAL "COUNTRY": Camperdown, Natal Midlands, Northern Natal, Southern Natal(4)

CAPE URBAN: Malabar, Rylands(2)

57. See A Lemon(1984): 101

CAPE "COUNTRY": North-West Cape(1)

LENASIA(JOHANNESBURG): Lenasia East, Lenasia Central,
Lenasia West(3)

OTHER TRANSVAAL TOWNS: Central Rand, Laudium, Actonville
(3)

TRANSVAAL "COUNTRY": North-West Transvaal, Eastern Trans-
vaal (2)

These regions rank as follows on a scale of percentage
turn-out of registered voters:

Pietermaritzburg 9,7

Lenasia 10,8

Other Durban 17,2

Chatsworth 18,4

Cape "country" 19,7

North and South coast 23,9

Cape urban 25,4

Natal "country" 25,7

Transvaal "country" 28,0

Other Transvaal towns 28,7

The combined turn-out of the 16 Durban constituencies amounted to 17,8 percent. Overall, the lowest poll was recorded in Lenasia(6,9 percent) and the highest in Umzinto in Natal(40,2 percent). As the Indian population is urbanized to a degree exceeding 90 percent, little significance can be attached to election results in rural areas.

Owing to the relatively high percentage of registered Indians, the difference between results based on registered and eligible voters respectively is not as marked as in the case of the House of Representatives.

Table 5: Result of House of Delegates elections, based on eligible voters:

PROVINCE	POTENTIAL VOTERS	PERCENTAGE POLL
Cape	21 249	12,5
Transvaal	74 979	18,6
Natal	418 719	16,0
total	514 946	16,2

Whereas calculations based on the number of registered voters arrived at a turn-out of 20,4 percent, the percentage poll drops to 16,2 if the number of eligible voters is used.

In contrast to those for the Coloured chamber, the elections for the House of Delegates were hotly contested. Although Solidarity received slightly more votes, the NPP won 18 seats as against its rival's 17. In addition to one PIP candidate, three independents were successful. One of them was a Labour Party member who stood "disguised" as an independent because at that time the Prohibition of Political Interference Act still outlawed mixed-race parties.

Immediately after the elections large numbers of Indian MPs crossed and recrossed the floor. This occurred on such a scale and with such frequency that details cannot be

recorded here. In the end, however, NPP leader Amichand Rajbansi managed to construct a workable majority.

The lack of charismatic leaders among participating parties was reflected in the percentages of the registered voters they attracted:

- JN Reddy 17,2
- Amichand Rajbansi 10,3
- Pat Poovalingam 7,7

The best result was achieved by the NPP's Cape leader, Raman Bhana, with 29,2 percent in the urban constituency of Malabar.

Although only four independent candidates were successful, the 74 non-aligned contenders for the Indian chamber polled more than a quarter of the votes. In the Transvaal the combined vote of all independent candidates was higher than that of either of the two major parties. Of the 74 independents four were "disguised" LP candidates who were prevented by the Prohibition of Political Interference Act from standing openly as members of their (Coloured) party in the Indian elections. These four Labour Party candidates managed to attract an average of 32,4 percent of the votes cast in their constituencies.

4.6. Analysis

The organisations that had called for a stay-away from the elections interpreted the low poll as a resounding victory for their position. The leaders of participating parties, however, perceived the modest turn-out as still represent-

ing a sufficient basis of legitimacy although they had predicted a higher percentage poll before August 1984. LP leader Allan Hendrickse was reported to have given estimates ranging from 30 to 40 percent.⁵⁸ NPP leader Amichand Rajbansi predicted a 30 percent poll⁵⁹, as did Solidarity's M Rajab. Among the predominant expressions of satisfaction were, however, voices of disillusionment. For instance, the Labour Party's national secretary, Fred Peters, described the LP's victory as "hollow" and said the party had received a mandate, but "not to the extent we expected".⁶⁰

It is difficult to assess the scope of non-collaboration as the turn-out of less than 20 percent of the eligible voters does not, of course, imply that 80 percent of the Coloureds and Indians boycotted the elections.

This section will first try to put the poll of 1984 in historic perspective by comparing it to earlier elections for the CRC and SAIC. Then an attempt will be made to assess which proportions of the Coloured and Indian population can be seen as deliberately supporting or rejecting the tricameral Parliament. The factors taken into account in this exercise include intimidation, ignorance and apathy.

The Coloured elections show a marked downward trend from

58. Star(International Airmail Edition) 5.3.1984, 2.7.1984

59. Star(International Airmail Edition) 5.3.1984

60. Rand Daily Mail 23.8.1984

the 1969 and 1975 CRC elections to the 1984 polls for the House of Representatives. This is already obvious from the dwindling proportion of registered Coloureds. In 1969 more than three out of four potential voters were registered. In 1984 this number had fallen to 59 percent. Although the number of eligible voters increased by 84 percent over this 15-year period, the total of registered voters grew by only 38 percent.

This trend was reflected by the fact that despite the growing population and the lowering of the voting age, fewer votes were cast in 1984 than in 1969.

Table 6: Coloured election results 1969, 1985 and 1984:⁶¹

YEAR	VOTES CAST	POTENTIAL VOTERS		REGISTERED VOTERS	
		NUMBER	POLL	NUMBER	POLL
1969	300 918	843 973	35,7%	612 832	49,1%
1975	251 631	994 191	25,3%	521 557	48,3%
1984	272 854	1 546 607	17,6%	881 984	30,9%

Broken up into various regions, the following picture of the percentage poll of registered voters emerges.

61. E Patel(1985):16

Table 7: Coloured elections 1969, 1975 and 1984: Percentage poll of registered voters by region:⁶²

PROVINCE	1969	1975	1984
Cape Province	46,1	45,7	29,5
Peninsula	25,6	24,9	11,1
Port Elizabeth	70,6	67,6	36,0
Other Cape Province	54,9	57,2	37,6
Natal	68,6	72,5	25,5
Transvaal	73,7	69,8	43,2
Orange Free State	76,6	76,9	55,6

The sharply decreasing turn-out in every region becomes obvious. Whereas roughly two in three seats recorded a registered poll of above 50 percent in 1969 and 1975, this proportion dropped to 13 percent in 1984. In the CRC elections about half of the constituencies fell into the bracket above 60 percent; in 1984 there was just one electoral division (Rust Ter Vaal) left in that category (= 1,25 percent).

Besides the institutional differences between the CRC and the House of Representatives, there was a slight political difference in the approach of the Labour Party. In 1969 and 1975 it campaigned on a partial boycott ticket, promised to "wreck" the body if elected as majority party. Therefore, the CRC polls can be expected to include a number of voters who supported the option of a participatory

62. E Patel (1985): 18

boycott.

Figures comparing the 1981 SAIC elections to the House of Delegates poll in 1984 reveal a picture different to that of Coloured politics.

In the case of the Indians, the proportion of registered voters increased substantially to more than 80 percent. The same applied to the turnout of registered voters.

Table 8: Indian election results 1981 and 1984: Percentage poll of registered voters:⁶³

PROVINCE	1981	1984
Cape Province	12,5	24,2
Natal	13,6	19,6
Transvaal	11,4	23,4
total	13,4	20,3

There are, however, several factors that qualify the higher turnout in 1984. In 1981 six out of 40 seats were uncontested, while three years later at least two candidates stood in all electoral divisions. In the elections for the House of Delegates there was also a substantial number of spoilt papers, equalling roughly two percent of the registered voters. Furthermore, the history of the (formerly nominated) SAIC was even more compromising than that of the CRC and the former's area of responsibility was more circumscribed than those of its

63. E Patel(1985): 36

Coloured counterpart; these two factors would have contributed to a lower percentage poll in 1981. Finally, when the SAIC elections were held, the inception of the tricameral Parliament was to be anticipated, as the first President's Council had already been established. As the (elected) SAIC failed to transcend the image of a transitional body, the incentive to vote remained low.

Between the earlier elections and August 1984 a number of socio-economic developments affected Coloureds and Indians. It was to be expected that the rising rate of urbanisation, the improvement in education, the expansion of the middle class and the increased exposure to the media (television was introduced in 1976) would have led to increased participation in elections. On the other hand, the political scene of 1984 included a concerted boycott campaign which was unknown prior to the tricameral election campaign. As Coloureds and Indians were exposed to the abovementioned changes to a similar degree, these changes in participation suggest that Coloureds were more susceptible to the boycott campaign.

To assess the proportions of Coloureds and Indians respectively supporting and rejecting the Constitution, those who participated in the 1984 elections can be perceived as being favourably disposed towards the tricameral Parliament. This view is supported by several findings of two HSRC surveys conducted shortly after August 1984.⁶⁴

64. See N Rhodie et al(1986) and N Rhodie et al(1987a)

There were two factors which could potentially qualify the aforementioned assessment, namely intimidation and media manipulation.

While intimidation during the election campaign was usually attributed to the boycott camp, that phenomenon can work both ways. Occasionally, for instance, there were reports of participating politicians threatening elderly people with the loss of their pensions if they did not vote. Acts of intimidation by the state and its security forces were obvious, culminating in the detention of prominent UDF and NIC leaders on the eve of the polls.

For both Indians and Coloureds television is the prime source of political information. News programmes on SABC are regularly watched by more than half of the Indians while political reports in newspapers are regularly read by only a quarter of that population group.⁶⁵ Coloureds in urban areas of the Cape Province make less use of the media. One in three adults watches TV news programmes regularly while only 15 percent read political newspaper reports on a regular basis.⁶⁶

There is, however, no empirical evidence to suggest that either state intimidation or manipulation by state-controlled media induced a significant number of people to vote. Therefore, the percentage poll of eligible voters, namely 20 percent of the Coloureds and 16 percent of the

65. N Rhodie et al(1987a): 14

66. N Rhodie et al(1986): 59

Indians, appears to give an accurate indication of the actual support for the tricameral Parliament among these population groups.

These low figures should not come as a surprise in view of the constitution which participating parties had to "sell" during the election campaign. These parties saw the dispensation as a flawed system they had had no part in creating and which they rejected in principle. One LP MP stressed the fact that his party "had to a certain degree to sell the NP also".⁶⁷ Furthermore, even the government conceded that the tricameral Parliament was a mere way-station on the road of constitutional development. Transitional institutions, however, seldom elicit magnetic allegiance. It was strategic reasoning, not dedicated support, that made the LP, NPP and Solidarity participate. Under such circumstances, the newly enfranchised groups could not be expected to rally enthusiastically around the Constitution of 1983. The gradual, drawn-out process of "change from within" was void of any symbols for popular identification.

Any momentum for participation that might have been created by the LP's Eshowe decision to "go in" was certainly lost during the ensuing 19 months that passed before the elections were held. This assessment is supported by the results of an exhaustive opinion poll conducted by the HSRC in September 1983. At that time, 22,9

67. Interview: Desmond Lockey, 11.5.1988

percent of Coloureds in the Western Cape and 28 percent of Indians in the Greater Durban area planned to vote in the coming elections.⁶⁸

Moreover, it has been suggested that the lack of serious opposition to the Labour Party and the absence of any programmatic differences between the NPP and Solidarity provided for a low poll.⁶⁹ As the majority of Coloureds and Indians were primarily interested in the material benefits the new system (supposedly) held in store for them⁷⁰, there was little incentive to contribute to a high poll, as the result of the elections was immaterial to one's aspirations and might further alienate Africans.

Whereas the proportion of Coloureds and Indians who voted in August 1984 can be seen as supporting the Constitution, it is far more difficult to assess how many potential voters deliberately boycotted the polls.

One of the factors mentioned frequently to explain the low turn-out was intimidation by the movements advocating a stay-away. This notion is, however, not supported by the findings of opinion surveys. Only 1,5 percent of the Coloureds in the Western Cape, the UDF's stronghold, gave

68. CD Schutte(1985): 23, 26

69. Interview: Desmond Lockey, 21.8.1986

70. 57,9 percent of the Coloureds in Western Cape towns(N. Rhodie et al(1986): 27) and 27,9 percent of the Indians cited socio-economic improvements for them as their prime reason to vote(N. Rhodie et al(1987a): 6).

intimidation as the reason for not casting their vote.⁷¹ The corresponding proportion of Indians was 2,6 percent.⁷² While accusations of intimidation were primarily levelled against the UDF and its affiliated organisations, some significance was attached to the so-called "Zulu factor" in Natal. This refers to Inkatha's opposition to the tricameral Parliament and Chief Mangosuthu Buthelezi's advice in general and to his fellow Natalians in particular not to vote.

In this regard it is interesting to note that in both the Houses of Representatives and Delegates the lowest poll was recorded in Natal. Furthermore, an extraordinarily high proportion of special votes was cast in the elections for the House of Delegates; one out of every three votes was a special one. In some constituencies the number of special votes exceeded that of those cast on polling day. The electoral division of Springfield recorded 700 special votes as against only 410 ordinary ones. In the Brickfield seat the ratio was 750:380.⁷³ The UDF argued that it was not intimidation by its supporters which caused the high number of special votes but that participating parties abused the instrument of special votes.⁷⁴

From the points made above it can be gathered that, while

71. N. Rhodie et al(1986): 33

72. N. Rhodie et al(1987a): 15

73. Leader 31.8.1984

74. *ibid.*

(perceived) intimidation might have had some effect in Natal, it cannot be seen as a nation-wide factor contributing to the low turn-out.

A second argument advanced to explain the low percentage poll was ignorance among Coloureds and Indians, especially lack of electoral experience, education and overall sophistication. This theory can, however, be empirically refuted as the House of Representatives recorded the lowest poll in the old voters' roll areas. This suggests rejection of the tricameral Parliament because of a sentiment of relative deprivation. Furthermore, the stay-away was strongest in those areas which had the highest proportion of middle-class inhabitants and the most pervasive media penetration: the Cape Peninsula among Coloureds, and Pietermaritzburg, Lenasia and Durban among Indians.

In rural areas where a higher degree of ignorance relating to electoral processes can be assumed there was a higher turnout. The argument centering around ignorance as a cause of low polls can therefore not only be discounted but reversed. The turnout increased with a decreasing level of education as the underprivileged strata expected the tricameral dispensation to raise their standard of living.

The most powerful argument of participating parties qualifying the high number of non-voters is that of apathy among Coloureds and Indians. Jac Rabie maintained that the Coloureds of the Cape Peninsula had "a tradition of apathy dating back to 1948, when their boycott of the general elections gave the Nationalists victory. Here in the

Transvaal we had a good turnout...".⁷⁵

In fact, several opinion surveys confirm the notion of apathy. Of the Coloureds in the Western Cape, 55,9 percent responded that they took little or no interest in political matters.⁷⁶ Lack of interest was the reason for 22,3 percent of the registered Coloured voters in urban areas of the Cape Province not to go to the ballot-box.⁷⁷ Even a representative of Grassroots, a UDF-supporting community newspaper, complained about "a lacking political consciousness among Coloureds".⁷⁸ Correspondingly, the figures for Indians expressing little or no interest in politics range from 42,5 percent⁷⁹ to 75,7 percent.⁸⁰ The failure of 26,4 percent of all Indians to cast their votes was due to their being uninterested.⁸¹

The following calculations are based on the assumption that people can make a deliberate political decision, namely to vote or to boycott elections, only if they take some interest in political matters. If one takes this section of Coloureds in the Western Cape as it emerged in the HSRC poll cited above, i.e. 44,1 percent, and subtracts 17

75. Sunday Express 2.9.1984

76. C.D. Schutte(1985): 28

77. N. Rhodie et al(1986): 29

78. Interview: Saleem Badat, 6.5.1986

79. C.D. Schutte(1985): 28

80. N. Rhodie et al(1987a): 13

81. *ibid.*: 7

percent participators, one arrives at a figure of 27 percent of persons who consciously rejected the Constitution in an area regarded as the UDF's stronghold.

This relatively low proportion is not surprising if one looks at the difficulties of mobilisation which even progressive organisations have experienced in the Western Cape. Labour Party MPs pointed out that the turnout for SRC elections at the University of the Western Cape amounted to only 30 percent while a poll of 20 percent was recorded at the Peninsula Technikon.

One MP stressed that the UDF's nation-wide "million signature campaign" only managed to obtain the support of just under 500 000 South Africans, although every adult was eligible and the campaign extended over a considerable period of time. In contrast, the Coloureds and Indians could cast their ballots on only two days and still polled a total of over 356 000 votes. UDF office-bearers concede that "the original projections were unrealistic".⁸²

The difficulties the UDF experiences in organising Coloureds is also reflected in the labour field. At the time of the elections the progressive trade unions had failed to make any significant inroads into the Peninsula workforce, which is predominantly made up of Coloureds. In 1984 the vast majority of unionized Coloured workers were members of the conservative, apolitical TUCSA.⁸³ At that

82. Interview: Trevor Manuel, 6.5.1986

83. Star 2.12.1986

time the federation represented 380 000 workers.⁸⁴ Its most important affiliate was the Garment Workers' Union(Western Cape) with a membership of over 50 000.⁸⁵

While the conservative trade unionism declined with the demise of TUCSA in 1986, the political apathy of Coloured workers persisted. The schism between them and more active African workers was repeatedly reflected in widely varying work attendance figures. When the progressive labour federations called for a nation-wide stay-away on 1 May and 16 June 1986, this move was opposed by the Garment Workers' Union.

Table 9: Stay-away percentages 1986:⁸⁶

	1 May	16 June
Transvaal	80	90
Western Cape	15	39
Eastern Cape	99	99
Natal	70	60-80

The marked difference between the Western Cape with its large proportion of Coloured workers and the rest of South Africa is obvious. Whereas 78 percent of the African work-force stayed away in the Western Cape on the tenth an-

84. M. Bennett(1987): 82

85. I. Goldin(1984b): 29

86. SA Labour Bulletin August 1986: 102

niversary of Soweto day, only 26 percent of Coloured workers heeded the call. In the manufacturing industry in Greater Cape Town, which is particularly Coloured-dominated, 10 percent of the Coloureds did not show up for work on 1 May 1986 as compared to 71 percent of the Africans.⁸⁷ This trend continued in 1988 when the consequences of an otherwise successful call for a three-day stay-away were virtually negligible in the Western Cape.⁸⁸

The corresponding calculation for Durban Indians is based on the assumption that 40,9 percent of that population group take an interest in political matters. This figure is arrived at by taking the average of the two relevant findings mentioned above. If the 16 percent voters are subtracted, 25 percent active boycotters remain. This figure does not differ too much from the results of two opinion polls which put the support for UDF and NIC among Indians at 21,2⁸⁹ and 30 percent.⁹⁰

4.7. The MPs

Concluding the chapter on the 1984 elections, this section will take a look at the political and socio-economic background of the MPs. Besides political and institutional

87. H. Joffe(1986): 14

88. Weekly Mail 10.6.1988

89. N. Rhodie et al(1987a): 16

90. Post Natal 16.2.1982

determinants that shaped their role within the system, the personality factor contributed its part.

In August 1984 a total of 120 MPs were elected to the two new chambers of Parliament. Later 10 more were either nominated by the State President or indirectly elected by the Houses of Representatives and Delegates respectively. Owing to the lack of available information and the reluctance to supply further details, the picture of the archetypal participating Coloured or Indian politician remains sketchy.

During the past four parliamentary sessions the MPs in question were frequently made the object of ridicule because of their alleged lack of education. This was particularly the case in the House of Representatives. The Labour Party, however, does not apologise for the fact that some of its MPs cannot live up to high intellectual standards. The LP leader stresses that "they represent the real community. They come out of the people and therefore they can speak for the people."⁹¹ David Curry characterizes the LP as "essentially a working-class party"⁹² and points out that the LP practises what many other organisations preach, namely the leading role of the labourers in the political process.

This claim is, however, not necessarily borne out by a profile of the parliamentarians in the House of Representa-

91. Interview: Allan Hendrickse, 11.2.1987

92. Cape Times 1.2.1983

tives. The following tables include the four non-LP MPs who sat in the Coloured chamber at the start of the first session. They are based on information supplied by the parliamentarians themselves and may therefore reflect subjective reality in some cases.

Table 10: Professional background of Coloured MPs(in percentage):

educationists	33
businessmen	23
workers	13
clergymen	4
professionals	4
civil servants	2
farmers	1
full-time politicians	1
other employees	18

Table 11: Political background of Coloured MPs(in percentage):

former member of CRC	21
former or present member of Mancom	49
no former member of any government-created body	42

These figures show that only a relatively small proportion of Coloured MPs are old-timers from the days of the CRC, while a significant number had, up to 1984, not participated in government-created institutions. The table also underlines how deeply Coloured parties, i.e. in ef-

fect the LP, are rooted in local-government structures.

The average MP in the House of Representatives was 49 years of age when elected. The Coloured chamber of Parliament furthermore reveals male predominance as there are only three female MPs.

From the House of Delegates a different picture emerges.

Table 12: Professional background of Indian MPs (in percentage):

businessmen	44
educationists	18
professionals	11
farmers	4
clergymen	2
civil servants	2
full-time politicians	2
other employees	16

Overall, the MPs in the House of Delegates have a higher educational and professional standing than their colleagues in the Coloured chamber, or their predecessors in the SAIC. Those who were already represented on that body have over the years acquired a higher position, not least due to their involvement in the system. An opponent of the tricameral Parliament said that "the butchers and the bakers, the candlestick-makers and the tinkers who have hitherto played the clown in the circus will be replaced by the merchants and the bankers, the lawyers and the property developers".⁹³

These figures given above reflect the different social basis of the Indian chamber. Its archetype tends to come from a self-employed middle-class background (businessmen, professionals) as opposed to the Coloured MPs, who are

mostly state employees (educationists) and members of the lower and lower-middle class. Neither workers nor women are represented in the House of Delegates. At 53 years of age the average Indian politician is slightly older than his Coloured counterpart.

Table 13: Political background of Indian MPs (in percentage):

former member of the SAIC	51
former or present member of LAC	36
former member of (first) President's Council	4
no former member of any government-created body	33

The table shows that more than half of the SAIC members found their way into the House of Delegates. This can be explained by the "smooth" transition from one body to the other, whereas there was a four-year break between the disbanding of the CRC and the establishment of the House of Representatives. Differentiating between the NPP and Solidarity, difficult as such an endeavour may be because of the high rate of fluctuation, one finds that the latter fielded more candidates with no prior connections to the "system" (47 percent) than the NPP (36 percent), whose MPs have stronger roots in the LACs (44 as against 20 percent).

It is safe to assume that the vast majority of MPs earn significantly more money now than in their previous professions, especially as a substantial number of Coloured parliamentarians were unemployed or even un-

employable prior to their election.⁹⁴

It would, however, be simplistic merely to measure previously earned salaries against those of MPs, although these are substantial already. A minister, for instance, earned R 121 500, a deputy minister R 77 400, the Leader of the Official Opposition R 77 000 and an ordinary MP or MPC R 49 8000.⁹⁵ In addition to these traditional parliamentary offices, the position of ministerial representative was created later. It had the rank and salary of a deputy minister.⁹⁶

The salaries were accompanied by various perks and benefits:⁹⁷

- Pension and "golden handshake" after serving in two parliaments or for 7 1/2 years (full pension equal to parliamentary salary after 15 years)
- Car allowance (R 800 per month)
- Secretarial contribution to salary for duration of a parliamentary session (R 140 per month)
- Free air fares (36 single flights p.a. on SAA domestic service)
- Contributory membership of Parmed (medical aid scheme for MPs, MPCs and judges)

94. Off the record-interview with a prominent member of the Coloured community

95. Die Nasionalis March 1986

96. Weekly Mail 13.2.1987

97. Argus 7.1.1987

To these quantifiable benefits the power to give patronage has to be added. All these comforts constitute a temptation into which, it has been argued, people, particularly from a humble background, are prone to fall.

5. OWN AFFAIRS

5.1. The own affairs system

One of the main features of the Constitution of 1983 is the distinction drawn between so-called own and general affairs. The system is largely based on research done by G.S. Cloete into various forms and historical examples of communal autonomy.¹

In his study the author describes communal autonomy as a non-territorial variety of federalism and refers to Friedrich's notion of "corporate federalism".² The three examples he scrutinizes are Estonia, Cyprus, and Belgium.

Estonia's application of a system of communal autonomy during the period 1925-1934 was, according to Cloete, the first ever. He evaluates the country's experience with "gemeenskapsoutonomie" as very successful. Despite a basic similarity to the South African system of own affairs which will be discussed below in some detail there are important differences. Whereas the Constitution of 1983 prescribes the statutory definition of groups, the relevant law in erstwhile Estonia provided for freedom of association by leaving it to the individual's discretion to register with any group of his choice. Even those registered as members of a certain group could decide whether they wanted to make use of the system of communal

1. G.S. Cloete(1984)

2. *ibid.*: 1

autonomy or not. The Estonian system did not amount to group protection per se, but rather provided for the protection of the individual's cultural rights within a group framework.

In the end, only the German minority (representing the cultural and political elite) and the Jewish one (making up the upper strata of the trading class) opted for communal autonomy.³ According to Cloete, the other minority groups, e.g. the Russian and the Swedish section of the population, were geographically concentrated to such a degree that they felt adequately represented on "normal" local and regional government structures.

In Estonia legislative, executive, and financial powers were devolved to the cultural councils. They primarily controlled educational matters relating to their population group. It was left to the discretion of parents to decide whether to send their children to a school administered by the relevant cultural council, or to one controlled by the central authority.⁴ In 1934 the system of communal autonomy gave way to what Cloete terms a Marxist dictatorship.

A less successful example of applied communal autonomy investigated by Cloete was Cyprus during the years 1960-64. During this period members of the Greek majority and the Turkish minority could, in addition to the unicameral House of Representatives, elect their own communal cham-

3. G.S. Cloete(1984): 9

4. *ibid.*: 7

bers in which legislative control over matters of exclusive interest to the relevant population group was vested. Matters in their jurisdiction included cultural affairs and welfare services. The two chambers had the right to collect personal income tax from members of the group in question; these funds were supplemented by proportionally allocated grants from the House of Representatives.⁵ In 1964, the communal autonomy interlude on Cyprus ended in civil strife.

The most topical example of "gemeenskapsautonomie" is the Belgian one. During the constitutional reform of 1970-71 cultural councils were established for each of the three communities, Flemish, French, and German. These bodies have legislative authority over, inter alia, cultural and educational matters⁶ and each of them elects an executive committee. The cultural councils are financed partly by direct subsidies from the national budget and partly by levying a tax on property, motor-cars, and the media.⁷

Belgium is the only example of communal autonomy examined by Cloete which is still in operation. Its success shows that "gemeenskapsautonomie" can be a viable instrument for conflict resolution in segmented societies even if they are industrialized; this refutes the criticism that the concept is only applicable in pre-modern societies.⁸ Also, differential incorporation of the

5. G.S. Cloete(1984): 15

6. A. Molitor(1980): 144

7. G.S. Cloete(1984): 26

various population segments does not appear to be an insurmountable obstacle to the successful implementation of the system of communal autonomy; all three societies scrutinized by Cloete are vertically stratified.

A comparison of the experiences of Estonia and Belgium on the one hand and Cyprus on the other illustrates that general acceptance of communal autonomy is a necessary precondition for its successful implementation. In the first two cases the concept gained widespread legitimacy amongst all population groups involved, whereas in Cyprus it was imposed by the departing colonial power, Britain, and failed to gain support from any of the population segments.

All of the three systems of communal autonomy are based on the principle of freedom of association and involve legislative, executive, and some form of financial authority. The South African system of own affairs as established by the Constitution of 1983 does not involve any of the features identified in the paragraphs above. While it has gained some, albeit mostly tacit support, from participating Coloured and Indian parties it is not based on free association nor does it provide the Houses of Representatives and Delegates with an independent fiscal base.

The own affairs system does not provide Coloured and Indian participants with a constitutionally unassailable terrain of jurisdiction. The method employed by the Constitution to define own and general affairs reveals its

executive-orientated character. "The distinction between 'own' and 'general' affairs is not like the distinction between state and federal matters under a federal constitution - i.e. an attempt to create a constitutionally defined division of powers between co-ordinate government institutions. It is rather an administrative system which allows for the delegation of functions to subordinate institutions of government not in terms of the constitution but in terms of Presidential decree."⁹ One MP in the House of Delegates, Pat Poovalingam, described the own affairs system as a "bastardised form of delegation."¹⁰

Sect. 14(1) of the Constitution states that "(m)atters which specially or differentially affect a population group in relation to the maintenance of its identity and the upholding and furtherance of its way of life, culture, traditions and customs, are...own affairs in relation to such population group." Schedule 1 of the Constitution lists as these matters

- social welfare,
- education at all levels,
- art, culture and recreation,
- community development,
- local government,
- agriculture,
- water supply,
- appointment of marriage officers,

9. W.H.B. Dean(1984)

10. Star, 9.2.1986

- election of members of the House of Parliament in question,
- finance in relation to own affairs,
- staff administration and
- auxiliary services necessary for the administration of own affairs.

General affairs are, like a Coloured person, not defined positively but in a negative way, as those matters which are not own affairs.

Sect. 16(1) of the Constitution states that it is the prerogative of the State President to decide any questions arising out of the distinction drawn between own and general affairs. It is not exactly clear whether this provision is merely applicable in cases of doubt or whether it enables the State President to override the abovementioned enumeration by refusing to issue a certificate necessary in terms of sect. 31(1) stating that a bill deals with own affairs.

The government itself perceives the need for a sharper line to be drawn between own and general affairs. In this regard the chairman of the Ministers' Council in the House of Assembly, F.W. de Klerk, referred specifically to the field of health administration.

The authority of the Houses of Representatives and Delegates relating to the matters contained in the own affairs schedule is circumscribed in two ways. The lack of an independent fiscal base is in many instances exacerbated by their subordination to a general affairs department. The jurisdiction of, e.g., the key portfolio of

education and culture is restricted by Schedule 1 of the Constitution. It reserves for the Department of National Education authority relating to

- norms and standards for the financing of running and capital costs of education,
- salaries and conditions of employment of staff and professional registration of teachers, and
- norms and standards for syllabuses and examination and for certification of qualifications.

With respect to their own administrations the Houses of Representatives and Delegates are only free to appoint rank-and-file employees. Top positions fall under the ambit of the all-white Commission for Administration. A senior LP MP, Jac Rabie, cited as an example the case in which his party had to use its representation at cabinet level to get its candidate appointed to the post of Director-General of Education and Culture (House of Representatives).¹¹

The list enumerating own affairs appears to have been compiled in a partly arbitrary manner as far as assessing the relevance of a particular matter for the preservation of group identity is concerned. In all three cases investigated by G.S. Cloete the realm of communal autonomy was confined to education, culture and social welfare. No explanation has been offered as to why mining, forestry and fisheries were defined as general affairs in South Africa while agriculture and water supply were included in

11. Interview: Jac Rabie, 13.2.1987

Schedule 1 of the Constitution. This can probably be explained by the sensitive place the latter two matters occupy in the perception of a strategic part of the NP clientele.

Jill Nattrass has criticised that areas which require a common strategy, e.g. flood and drought relief, have been classified as own affairs."...since natural disasters tend to be geographic rather than race specific, it is clear that the ends of social justice would be far better served if a common approach to the relief...was taken."¹²

When the system of own affairs was established by the Constitution in 1984 it superseded the SAIC on the one hand and a form of self-administration of the Coloureds on the other. The latter had been in operation since the demise of the CRC in 1980. While formal authority was vested in the relevant white ministers none of them showed much interest in Coloured affairs and delegated a lot of their powers. Therefore, effective authority rested with the (Coloured) director of the portfolio in question, his senior officials and the heads of professional organisations like the CTPA.¹³

The new system has replaced white bureaucrats, with Coloured and Indian politicians heading the departments in question while the majority of the senior staff remains white. On the one hand this has provided for greater receptiveness and more grassroots feed-back, while on the

12. J. Nattrass(1984)

13. Interview: Desmond Lockey, 11.5.1988

other hand it has laid the system more open to corruption, nepotism and the abuse of patronage. The Minister of Local Government, Housing and Agriculture in the House of Representatives was heard to ask members of the official opposition in that chamber whether they were there for "eie sake" or "eie sakke".¹⁴

While the government's standpoint is that the own affairs system provides a mechanism for the protection of group rights in a plural society and cannot be equated with apartheid¹⁵, the attitude of participating Coloured and Indian parties is equivocal.

The Labour Party rejected the Constitution of 1983 and with it the own affairs system continuously admitting that it amounted to apartheid. The LP was, nevertheless, prepared to participate in both and to accept them as an "interim measure".¹⁶ Charles Redcliffe, the party's spokesman on finance, viewed the system as a basis for a policy of affirmative action. The separateness of population groups, he argued, made it easier to identify the underprivileged components of society in order to first equalize and then integrate.¹⁷ Instant integration would, according to this train of thought, amount to no more than

14. David Curry in Hansard, HoR 1987(fifth session), col. 1127

15. F.W. de Klerk in Die Nasionalis, January 1988

16. T. Abrahams in Hansard, HoR 1987(fourth session), col. 61

17. Interview: Charles Redcliffe, 13.2.1986

tokenism.

The LP has pursued a policy of affirmative action as to the employment of personnel in the administration of the House of Representatives. That chamber's annual report 1986 sets out the relevant guidelines:

"The personnel requirements, especially in the entrance ranks of the Administration, must in the first instance be filled from the ranks of the Coloured community. Only if a suitable candidate is not available, within or outside the Public Service, from this group, will candidates from other population groups be considered; the filling of posts from the ranks of persons outside the Coloured community shall be subject to the approval of the Ministers' Council..."¹⁸

At the LP's 21st annual conference in early 1987 the party leader reviewed the results of the policy of affirmative action. "Van die huidige totaal van naastenby 50 000 amp-tenare is ongeveer 90% bruinmense...Indien dit nie dien as bewys van ons beleid, wat anders is dit dan?"¹⁹

However, despite the improved utilisation and promotion of Coloureds, the administration of the House of Representatives employs, for example, 26 white Assistant Directors as opposed to seven Coloured ones, and 16 white Deputy

18. Administration: House of Representatives. Annual Report 1986: 5

19. A. Hendrickse(1987a): 12

Directors, while only one Coloured occupies that position.

By way of contrast, the Indian chamber has not pursued a specific policy of affirmative action. In reply to a question, the Chairman of the Ministers' Council merely referred to a Cabinet decision that "preference will be given to available qualified Indian candidates for the filling of posts on the Administration: House of Delegates' establishment".²⁰ This difference in approach can probably be explained by the Indians' notably better education which makes job protection mechanisms superfluous.

With its emphasis on sectionalism and the tendency to develop a momentum of its own, the concept of affirmative action runs the risk of reinforcing the very societal segmentation it ostensibly vows to eradicate. By creating a new Coloured Labour Preference Zone within the ambit of its immediate authority, the LP has introduced the term "non-Coloured" to the political terminology in South Africa.

The majority party in the House of Delegates, the NPP, has embraced the concept of own affairs more readily than its counterpart in the Coloured chamber. Its leader, Amichand Rajbansi, has repeatedly stressed the perceived necessity for taking into account what he termed group realities.

"We are on a grand road to progress. Let us not mistake own affairs for apartheid. Own affairs is the provision of

20. A. Rajbansi in Hansard, HoD 1985, col. 29(questions)

services in one's own area..."²¹

Coloured and Indian participants in the tricameral Parliament face the dilemma that while they profess to enter government-created structures in order to dismantle apartheid from "within", the Constitution of 1983 does not only represent a perpetuation of the policy of racial separation but, through the system of own affairs, its expansion. The more "successful" the Houses of Representatives and Delegates are in making the system work, the more they entrench apartheid.

As ethnically defined "homelands" they tend to develop vested interests in the political and bureaucratic spheres. The dynamics that can be observed in connection with the territorially-based homelands are applicable to the two new chambers. As Heribert Adam remarks: "Critics who constantly ridicule the Bantustans as economically unviable and internationally unrecognized fictions of dreaming Afrikaner minds ignore the success of a policy in the form of retribalized nationalism with vested interests of a growing administrative class of civil servants, professionals, petty traders and market-producing peasants."²²

Five years of own affairs have shown that the system has created a momentum of its own by developing a potential for empire-building. The most obvious example of this was the increase in executive positions. While the Indian chamber increased the number of its ministerial posts from

21. A. Rajbansi in Hansard 1988, col. 440

22. H. Adam in H. Adam/H. Giliomee(1979): 10

four to six, the Labour Party's Desmond Lockey complained that the House of Representatives had been excluded from the process of administrative expansion.²³ The period from 1984 also saw the appointment of various ministerial representatives.

Far from being a mere "myth"²⁴ the own affairs system has gone some way in towards helping Coloured and Indian participants cushion the existing repression and poverty by administering it themselves, and thus slotting in with the government's design of indirect rule.

5.2. The own affairs budgets

The ability of the Coloured and Indian chambers to realize the upliftment of their communities hinges on their ability to extract additional funds from the national budget. The critical importance that the new participants attach to this is reflected by a former Minister of the Budget in the Indian chamber. "...in order to ensure the success of this new experiment there is one ingredient which must be freely available to the elected representatives, so that the problems that have been troubling the minds of the people of these communities can be identified and removed. That one ingredient is money..."²⁵

Prior to the establishment of the tricameral Parliament

23. Cape Times 7.6.1988

24. Interview: Wynand Malan, 15.4.1986

25. J.N. Reddy in Hansard, HoD 1986, col. 32

the government held out the prospect of utilizing the own affairs system for purposes of upliftment as one of the major incentives for prospective participants to join the "system". NP spokesmen did not foresee a redistribution of funds at the expense of the white population but they repeatedly promised that the new dispensation would raise the standard of living of the two newly enfranchised groups. An official pamphlet which did not carry the name of the department through which it was issued gave answers to questions presumably asked by Coloureds and Indians:

Q: Will the proposals allow Coloureds and Indians to improve their position with regard to housing, salaries and wages, education, sports grounds, employment opportunities and discrimination?

A: Without doubt, yes. Coloureds and Indians will be members of Parliament and the Government. Therefore, they will not only be able to state their case at the highest level of government but also have a say in the decisions taken on these issues.²⁶

The promises of consensus politics at general affairs level in general, and the abovementioned ones in particular, raised expectations of Coloured and Indian participants as to their capability of securing sufficient funds. When J.N. Reddy was appointed Minister of the Budget in the House of Delegates he stressed that he,

together with his two colleagues in the other chambers, served "on all important committees, such as the State President's Committee on National Priorities, the Committee on Financial Policy and Strategy and the Cabinet Committee on Economic Affairs. The three of us, together with the hon the Minister of Finance, must reach consensus and assume co-responsibility on budgeting matters."²⁷

The Constitution of 1983 defines the aspect of finance which deals with the levying of taxes and the raising of loans as a general affair. The only exception is paragraph 11(3) of Schedule 1 which enables the own affairs administrations to impose levies over and above payments for services rendered. Minister F.W. de Klerk suggested that the two new Houses use this avenue in case of dissatisfaction with the funds put at their disposal by the national budget.²⁸ So far neither the Coloured nor the Indian chamber has resorted to this. The Minister of Health and Welfare Services in the House of Representatives, Chris April, expressly excluded the possibility of subjecting the Coloured population to additional levies because of its overall poverty.²⁹

Sect. 81(1)(b) provides for three separate sub-accounts of the State Revenue Fund upon which the two new chambers rely almost totally. During the 1987-88 financial year, for instance, the House of Delegates, out of a total

27. J.N. Reddy in Hansard, HoD 1986, col. 1497

28. Cape Times 14.1.1987

29. Interview: Chris April, 10.6.1988

budget of R 759 million, generated only two million Rand itself. It is a pivotal feature of the Constitution that the financing of own affairs is a general affair.

The 4:2:1 ratio, reflecting the approximate numbers of the white, Coloured and Indian population groups, does not apply for purposes of allocating resources to own affairs budgets. In sect. 84(a) the Constitution of 1983 makes provision for a distribution formula. The first two years of the tricameral Parliament saw, however, no guiding principles as to the annual statutory amounts to be transferred to the budget accounts for own affairs. Such a formula for the expenditure on housing, education and social welfare services was only worked out during the 1987-88 financial year.³⁰ Negotiations in this regard were resumed later and no distribution formula has been implemented yet.

Asked about the application of the 4:2:1 ratio to budgetary matters, the Minister of Health Services and Welfare in the House of Representatives rejected such a mechanism because it would perpetuate the historical disparities and rule out the elimination of the existing backlog. "We shall not allow a 4:2:1 formula, it should be 4:4:4, or rather 4:8:12."³¹

The financial authority of the Houses of Representatives and Delegates is confined to allocating the appropriated

30. J.N. Reddy in Hansard, HoD 1987(fifth session), col.

31. Interview: Chris April, 10.6.1988

amount to the various portfolios under their jurisdiction. The post of Minister of the Budget in the two new Houses has been termed ceremonial. An Indian MP remarked that "the hon the Minister...is operating like a robot. The hon the Minister of Finance controls the lights. He controls them and I believe that he has forgotten to adjust them from red to green."³²

The former advisor to the Minister of Education and Culture in the House of Representatives, A.W. Muller, pointed out that the present budgetary cycle extends from 1985 to 1990³³ - i.e., it was devised in 1984, prior to the establishment of the tricameral Parliament and therefore without input from the Coloured and Indian chambers. The history of the tricameral Parliament shows that the existing imbalances between the three population groups continue to grow.

Table 14: Own affairs budgets in R m(in brackets growth rate)³⁴:

	1985	1986	1987	1988	total
HoA	2,3	4,8(108%)	5,3(14%)	5,8(9%)	(252%)
HoR	1,4	1,7(21%)	2,0(18%)	2,3(15%)	(64%)
HoD	0,56	0,71(26%)	0,76(7%)	0,84(11%)	(49%)

32. A.E. Arbee in Hansard, HoD 1987(fifth session), col. 623

33. Interview: A.W. Muller, 3.4.1986

34. Cape Times 25.3.1986, Financial Mail 19.6.1987, Cape Times 22.3.1

It should be noted that the 1985 figure for the House of Assembly does not lend itself to comparison because at that time the expenditure on white education still fell under the jurisdiction of the Provincial Councils. So it is only after their demise that the 1987 figures reflect the true proportions.

The following table shows how the Houses allocated their 1988 resources to the most important portfolios³⁵:

Table 15: Own affairs allocations(1988):

	HoA	HoR	HoD
education and culture	64%	48%	55%
health and welfare	16%	32%	20%
local govt., housing & agriculture	18%	19%	22%

In view of the crucial importance usually attributed to education among underprivileged groups in South Africa, it comes as a surprise that the two new chambers spent proportionally less on this portfolio than the House of Assembly.

According to the population ratio of roughly 4:2:1 the House of Assembly can only lay claim to 57 percent of the total funds allocated to own affairs. Yet in 1988, it received 65 percent of that sum whereas the Coloured chamber (29 percent of the population, 26 percent of the budget) and the Indian chamber (14 percent, 9 percent)

35. Cape Times 22.3.1988

received disproportionately small amounts which could usually not even compensate for the rate of inflation.

While the House of Representatives overspent its 1985-86 budget by roughly R 30 million, the House of Delegates underspent by R 7 million.³⁶ In March 1986, the accumulated surplus in its revenue account amounted to more than R 26 million which the administration was unable to spend.³⁷ Previously, any unspent money had been sent back to the treasury and only recently has it been procedure to deposit the funds in the respective reserves and for it to remain in its revolving fund.

Dissatisfaction amongst Coloured and Indian MPs was at its highest when they touched on the issue of their own affairs budgets: "Barend du Plessis caters to the needs of 166 white constituencies first. David Curry, as a minister, is only 167th in line."³⁸

On this issue vociferous discontent was not confined to the ranks of the opposition. The own affairs budget debates numbered among the few occasions when Coloured and Indian MPs failed to constantly toe the party line and gave vent to their frustration. Being allocated insufficient funds was the bottom line for the majority of conservative LP and NPP MPs. Upon seeing their very "raison d'etre" for entering Parliament endangered, they were willing to abandon their otherwise reticent stance: "The

36. Interview: Ismail Omar, 29.1.1987

37. M. Rajab in Hansard, HoD 1987(fifth session), col. 621

38. Interview: Peter Mopp, 24.6.1987

hon the Minister of the Budget says there were other priorities and the hon the Minister serves on the Priorities Committee himself. I must come to the conclusion that the Whites will always enjoy preference in South Africa."³⁹

The majority parties in the two new chambers refrained from rejecting their respective own affairs budgets because of the constitutional ramifications such a move would entail. Sect. 39(3)(b)(ii) stipulates that in such a case the State President has to either reconstitute the Ministers' Council or dissolve the House in question. The first option does not appear to be a practical one as the Ministers' Council is merely a reflection of the House. Complying with the latter option and holding new elections, the State President could well find the former majority party to be successful at the polls.

Any recalcitrant party could thus immobilize a chamber of Parliament. Both LP and NPP appear not to have used this obstructive potential the Constitution offers because they are reluctant to face their electorate and are primarily interested in a smooth and preferably improved functioning of the own affairs system.

One example in 1986 showed that while Coloured and Indian participants lack institutionalized leverage to extract additional funds from the national budget, they have other, that is, political means, at their disposal to achieve that objective.

39. C.B. Herandien in Hansard, HoR 1986, col. 1550

In June 1986, during the second reading of the Sales Tax Amendment Bill, the Labour Party moved an amendment declining to pass the bill unless the Minister of Finance undertook to reduce GST to not more than 10 percent. A then LP MP describes the ensuing attempts by the minister in question to secure the party's support.

"The hon the minister ran around and ended up in the middle of the Labour Party's caucus. That is what I mean when I talk about confrontation politics. What was the benefit thereof? Some R 1,5 billion was produced to wipe out the housing backlog in the Black and Coloured townships."⁴⁰

Securing additional appropriations for the Coloured and Indian population groups obviously harbours the danger of detrimentally affecting Africans. Nevertheless, some Labour Party MPs continuously proclaim that they also speak on behalf of Africans. The House of Delegates was repeatedly cautioned not to pursue a policy of uplifting the Indian community without regard to others.

"It would be suicidal for any member of this House to urge any of his constituents to compete with anyone else...What we must ask for - and this is all we can do - is a fair share... If the others are suffering, we must suffer with them. We must not try to get ahead of anyone else."⁴¹

40. P. Mopp in Hansard, HoR 1987(fifth session), col. 197

The economy of a country cannot necessarily be viewed in zero-sum terms, although in times of recession and scarcity of funds this might well be the case. Nattrass has argued along these lines and suggested that the improved political access of Indians and Coloureds could mean that "African groups, particularly the governments of the 'independent' and homeland states, could find themselves in an even more stressed financial situation than they are at present."⁴²

5.3. The own affairs portfolios

5.3.1. Agriculture

Coloured and Indian farmers do not exist in significant numbers. One of the major reasons for this is that members of these population groups may own farms only if they obtain a permit exempting them from the provisions of the Group Areas Act. Accordingly, the minister responsible for agriculture in the House of Representatives stressed that he is "not a minister of agriculture like Greyling Wentzel. I think they must change that name to minister of rural areas."⁴³

Within its limited scope of authority the Coloured chamber of Parliament tried to revive co-operative farming and in-

41. P. Poovalingam in Hansard, HoD 1986, col. 695

42. J. Nattrass(1984)

43. Interview: David Curry, 9.5.1988

troduced such a scheme in Genadendal, historically recognised as a Coloured farming area.⁴⁴ The objective of the relevant policy of the House of Delegates is a "decentralised, informal agricultural sector."⁴⁵

Agriculture is one of the matters defined as own affairs which would appear to necessitate a national approach. Accordingly, the Labour Party proposed a motion to consider agriculture as a general affair.⁴⁶ The motion was accepted unanimously. This is the only known case in which the two new Houses advocated a re-transfer of powers delegated to them under the system of own affairs.

The responsible minister in the House of Delegates described the lack of land as "the single greatest obstacle confronting our farming community".⁴⁷ Within these spatial confines the Indian chamber attempted to revive Indian agriculture, particularly cane-growing. Its concept of a "decentralised, informal agricultural sector"⁴⁸ transcended farming and amounted to a strategy of integrated rural development. The House of Delegates also played a not insignificant role in allocating relief funds to Indian farmers after the Natal floods of 1987.

44. *ibid.*

45. S.V. Naicker in Hansard, HoD 1987(fifth session), col. 1723

46. J.D. Swigelaar in Hansard 1988, col. 3164

47. S.V. Naicker in Hansard 1988, col. 6257

48. S.V. Naicker in Hansard, HoD 1987(fifth session), col. 1723

5.3.2. Local government

Another own affairs portfolio with rather limited authority is local government. At present the portfolio of the responsible Indian minister consists of four autonomous local bodies and that of his Coloured counterpart of one. This made the latter say that he is "not a Minister of Local Government in the true sense of the word".⁴⁹

Participants in the two new chambers are faced with the dilemma that they can only expand their scope of authority as to local government by agreeing to the establishment of autonomous Coloured and Indian third-tier bodies. Both LP and NPP are, however, opposed to such a move because it would entail further fragmentation along racial lines.

5.3.3. Welfare

Both the Houses of Representatives and Delegates have set themselves the goal of reaching parity in pensions. At present white pensioners receive R 218 per month and Coloureds and Indians R 167.⁵⁰ In 1985 they managed to take the first interim step and affect uniform social pensions increases for all population groups.⁵¹

49. D. Curry in Hansard, HoR 1986, col. 3681

50. Sunday Times 24.4.1988

51. C. April in Hansard, HoR 1986, col. 3302

The principle of bringing about parity was accepted in 1986 when an additional increase was first granted to Coloured pensioners.⁵² In March 1988 the Minister of Health Services and Welfare in the House of Representatives, Chris April, announced a further additional increase for Coloured pensioners.⁵³ He had, however, to renege on that promise because no provision for the necessary sum of R 36 million had been made in the own affairs budget of the Coloured chamber.⁵⁴ In order to realize the promised elimination of the racial pensions gap by 1989, the minister will have to overcome the remaining backlog within the period of a single year.

One critic of the Labour Party alleged that it had, contrary to its promises during the 1984 election campaign, not abolished the discriminatory means test which stipulates different maximum income levels for the four population groups determining whether a person is eligible to draw a pension.⁵⁵

In contrast to his Coloured counterpart, the Indian minister in charge of welfare adopted a more accommodating stance towards the government. While he reaffirmed his objective to obtain parity in pensions, he expressed his understanding that this could not be achieved in the short term owing to "the present financial situation the State

52. Argus 21.3.1988

53. *ibid.*

54. Cape Times 23.4.1988

55. Interview: Peter Marais, 23.1.1987

finds itself in".⁵⁶

5.3.4. Health

Health services is one of the fields in which the own affairs system has led to further fragmentation along racial lines, i.e. the development has been in a direction contrary to the professed objectives of Coloured and Indian participants.

Until early 1988 the provisions made by the Constitution relating to health services were not fully implemented. This was, inter alia, due to a lack of clarity in the distinction drawn between own and general affairs in this field. Recently, however, control of 38 clinics and hospitals in the Cape Province was transferred from the provincial administration in question to the relevant department of the House of Representatives.⁵⁷

The responsible ministers in the two new chambers stated repeatedly that they were opposed to any further fragmentation of health services in South Africa. "...this House is opposed to any system based on ethnic grounds. I am of the opinion that devolution of power must occur based on a system of regionalisation and that apartheid in all its forms must be abolished."⁵⁸ The successor to this minister introduced a certain ambivalence into the Indian

56. R. Bhana in Hansard 1988, col. 6753

57. Government Gazette 11196, 25.3.1988

58. I. Kathrada in Hansard, HoD 1986, col. 3714

chamber's stance on this matter when he announced that his department would not be party to a take-over of hospitals "unless the finances can be guaranteed".⁵⁹

Both the Houses of Representatives and Delegates stressed that any medical facilities to come under their jurisdiction would be thrown open and would render services irrespective of race.⁶⁰ In March 1987 the Coloured chamber took over health and welfare services for the few Indians living in the north-western Cape Province. M.S. Padayachy, LP MP for that area, termed that pooling of resources a move away from "fragmentation of services and apartheid".⁶¹

The devolution of health services is accompanied by a change of priorities which reflects the increased receptivity to the needs of the community. The shift in emphasis is from a "highly technological and professional health service for First World diseases...to...primary health care and, in particular, promotive, preventive and curative services."⁶²

The responsible minister in the House of Representatives gave the following as his main objectives, namely, to encourage self-care, to bring the health services within easy reach of the community and to put strong emphasis on

59. R. Bhana in Hansard 1988, col. 6765

60. C. April in Hansard, HoR 1986, col. 3310; I. Kathrada in Hansard, HoD 1986, col. 3712

61. Diamond Fields Advertiser 23.3.1987

62. R. Bhana in Hansard 1988, col. 6765

preventative and promotive health services.⁶³ He prided himself on heading the "most cost-efficient department in South Africa".⁶⁴ Minister April, who sees himself as "a glorified social worker"⁶⁵, has come in for some criticism for his lack of political involvement, e.g. for allegedly declaring 1986 the year of the child without uttering a single word about children in detention.⁶⁶

5.3.5. Housing

The estimated housing shortage is 100 000 units for Coloureds and 44 000 for Indians. An expert in this field, cautioned, however, against accepting the first number at face value.⁶⁷ He stressed that the high point of the Coloured housing crisis occurred in the 1970s and has since been alleviated by the building of Mitchell's Plain, a drop in the rate of the population explosion and urbanisation and an increase in salaries and private sector involvement. Whatever the real figures are, housing must be viewed as one of the most pivotal own affairs portfolios. The responsible ministers in both new Houses affected a

63. C. April in Hansard, HoR 1987(fifth session), col. 1997

64. Interview: Chris April, 10.6.1988

65. C. April in Hansard, HoR 1987(fifth session), col. 1870

66. Interview: Peter Marais, 23.1.1987

67. Interview: Wolfgang Thomas, 13.5.1988

significant shift in priorities in this matter.

Due to the acquisition of additional funds David Curry managed to avoid rent increases and the concomitant explosive situation. He urged a move away from "the rental cult to the ownership cult"⁶⁸. This policy was echoed by his director of local government and development. "Home ownership helps create stable harmonious, productive capitalist groups in which wealth is generated to the benefit of all. Home ownership gives a man a stake in his community and a reason for working hard and improving himself."⁶⁹

The biggest housing project started by the Coloured chamber of Parliament, which rests entirely on the basis of home ownership, is Blue Downs in the vicinity of Cape Town. That suburb is designed to eventually house 250 000 people in 40 000 dwellings and thus to eliminate most of the housing backlog in the Western Cape.⁷⁰ A significant feature of Blue Downs is the involvement of the private sector. The activities of the state are confined to the provision of the basic infrastructure while private companies finance 90 percent of the total costs with 20 percent of the plots tendered to small builders from the ranks of the Coloured population.⁷¹

The House of Representatives did not only make provision

68. Interview: David Curry, 9.5.1988

69. H. Kloppers in Argus 9.7.1986

70. Argus 9.7.1986

71. Interview: David Curry, 9.5.1988

for land for housing purposes in the Cape Peninsula but in almost every town throughout the country. From early 1996 until mid-1987, 4 600 ha was proclaimed for Coloured housing.⁷²

In the House of Delegates the minister responsible for housing also described "home-ownership for everybody" as his goal.⁷³ In 1986 he announced a 10-year plan to eliminate the Indian housing backlog.⁷⁴ The Chairman of the Ministers' Council in the House of Delegates announced that 25 000 houses would be built for Indians throughout South Africa within a three-year period from 1988 onwards.⁷⁵ Controversy surrounded the practice of various construction companies which had been awarded contracts by the Indian housing department to place advertisements praising the House of Delegates.⁷⁶

In order to affect the move away from what David Curry terms the sub-economic cult, his department applied a two-pronged strategy by embarking on a campaign to sell the housing stock and simultaneously starting various self-help programmes. By mid-1988 he had managed to sell 25 percent of the stock.⁷⁷

One of the cornerstones of the policy of the Minister for

72. Financial Mail 11.9.1987

73. B. Dookie in Hansard, HoD 1986, col. 3029

74. B. Dookie in Laudium Sun, September 1986

75. A. Rajbansi in Fiat Lux, March/April 1988

76. Sunday Tribune 27.12.1987, Leader 22.1.1988

77. Interview: David Curry, 9.5.1988

Local Government, Housing and Agriculture in the House of Representatives was to introduce self-help schemes upon which a quarter of the department's budget was spent. This approach rests on the assumption that "the individual remains responsible for the provision of housing for himself and his dependants while the State plays a supporting role in this respect".⁷⁸

The Minister stated that he regarded self-help housing as the most suitable strategy because it allowed for a high degree of individual and community participation, the utilization of community resources like labour, finance and materials and for individual expression. Furthermore the Minister emphasized its flexibility and cost-effectiveness. The programme was designed for the upgrading of existing squatter settlements, for site and service schemes and for core housing projects.⁷⁹

While the House of Delegates also initiated a campaign to sell rented dwellings, the reliance on self-help programmes was not as prominent.

Soon after the inception of the tricameral Parliament the Coloured chamber appointed a select committee to investigate, inter alia, the question of rentals. The LP based its policy on the committee's recommendation that rentals be linked to the income of a tenant, and not to

78 . Administration: House of Representatives, Department of Local Government, Housing and Agriculture. Supplementary Information to the 1985 Annual Report: 3

79. Interview: David Curry, 9.5.1988

the cost of a project.⁸⁰ This new formula benefitted low-income households. In April 1985 Minister Curry announced that unemployed persons could approach their local government body and apply to have their rentals reduced.⁸¹ The House of Delegates adopted a similar policy and the responsible minister announced that his department would spend R 40 million per year on subsidisation in respect of the new rental formula.⁸²

All housing projects started by both the Houses of Representatives and Delegates catered only for members of the two population groups in question. This differs from the policy of the Labour Party in the fields of education and health services, in which it opened all facilities under its control. The new project of Blue Downs is designed to be a Coloureds-only residential area. Allegedly Minister Curry was afraid of encroachment from neighbouring African townships in case of a non-racial Blue Downs.⁸³

As opposed to the field of education, perceptible community resistance to the housing policy of the two new chambers remained at a low level. In marked contrast to African townships there were no known rent boycotts and only a few protest demonstrations against rent increases in Coloured and Indian residential areas occurred.⁸⁴ Mini-

80. Hansard, HoR 1985, col. 3109-13

81. D. Curry in Hansard, HoR 1985, col. 1948

82. A. Rajbansi in Hansard, HoD 1987(fifth session), col. 2117

83. Interview: Wolfgang Thomas, 13.5.1988

ster Curry attributed this to the lesser degree to which housing is politicized as compared to education. "With housing you can do certain things, you can bring people loans and teach them to build their own homes, you can sell them the house and teach them how to upgrade, you can upgrade their quality of life so that they physically see a difference."⁸⁵ The Minister pointed out that his department subsidizes not only rents but also service rates.

Opposition spokesmen in the two new chambers pointed out that only additional funds would alleviate the housing shortage, not separate structures. The triplication of bureaucracies, they argued, more probably depleted already scarce resources.⁸⁶ However, despite difficulties to identify funds for Coloured housing before 1984, an expert in that field emphasised that the inception of the tricameral Parliament brought about a significant increase in finance available for that purpose.⁸⁷

5.3.6. Education

Of all the own affairs portfolios, education was the most important. Both Coloured and Indian participants attached the greatest significance to this matter; nevertheless, their implementation of own affairs education triggered an

84. Leader 15.4.1988

85. Interview: David Curry, 9.5.1988

86. Interview: Peter Mopp, 24.6.1987

87. Interview: Wolfgang Thomas, 13.5.1988

unprecedented degree of community resistance. The period since the inception of the tricameral Parliament has seen a severely strained relationship between the relevant departments in the two new Houses on the one hand and teachers' associations, parents and students on the other.

This culminated in school boycotts which had no parallel in the days when Coloured and Indian education was, at least nominally, the responsibility of a white minister. Jakes Gerwel explained this phenomenon: "As 'n wit minister voorheen 'bruin' skole gesluit het, was daar iets van 'n magtelose aanvaarding. Nou word dit gedoen deur 'n 'bruin' politikus wat gesien word as 'n usurpeerder - die woede is veel meer konkreet en die teenstander lyk veel meer omverwerpbaar".⁸⁸

In view of the pivotal position occupied by Coloured education in particular in the own affairs system, a more detailed study of this field appears warranted.

5.3.6.1. Coloured education

5.3.6.1.1. The Labour Party policy

The clash between the LP, and particularly Carter Ebrahim, its responsible minister until early 1988, and the community at large, revealed two conflicting perceptions of education and the concept of education involved. Both of them, briefly outlined in the following paragraphs, show a

rather one-sided understanding of the issue. A more comprehensive view of legitimacy would incorporate both aspects and take into account the interaction between the two.

The position viewing legitimacy as the product of voluntary identification with certain normative values was expressed by Franklin Sonn, president of the Cape Teachers Professional Association (CTPA) as follows:

"The first requirement of education is that it must find legitimacy with the users - they must identify with it. They must believe in it. They must be proud of it. They must see it as a fully acceptable vehicle to the future they desire, rather than a vehicle to transport them to an Apartheid Own Affairs society with all the warts and malignancies and symbols of an inferior Apartheid society."⁸⁹

On the other hand, Minister Ebrahim perceived legitimacy as primarily deriving from material upliftment, i.e. the closing of the gap between white and Coloured education.⁹⁰ He displayed a high-handed attitude with scant respect for other parties involved in education by vowing to put an end to the practice of teachers, parents and pupils to challenge his authority in court⁹¹: "I have been given certain powers and I will use these to the utmost."⁹²

89. F. Sonn(1986a): 17

90. Interview: Carter Ebrahim, 5.3.1986

91. Cape Times 6.1.1986

The vast differences between opportunities offered to white and Coloured children are reflected throughout the field of education. In 1986 the state spent R 2 746 on a white child and R 892 on his/her Coloured counterpart. This led to a teacher-pupil ratio of 1:16 and 1:25 respectively. A disproportionately larger percentage of whites were enrolled in secondary education (40 percent vs. 22 percent); members of that population group also showed a substantially higher matric pass rate (92 percent vs. 67 percent). A number of Coloured pupils were subjected to double sessions while such a phenomenon was unknown at white schools. More than seven percent of Coloured teachers at DEC schools had no professional qualifications whatsoever. More than one in two had matric, roughly one third a junior certificate and only 3,7 percent held a university degree.⁹³

In his endeavour to overcome this backlog, Minister Ebrahim thought primarily within the parameters of own affairs. He did not view the integration of education in South Africa as a necessary prerequisite in order to overcome the historic imbalances between the various population groups in this regard. The Minister complained that the suggested unitary body had obscured all other recommendations of the De Lange report.⁹⁴ For him, the value of

92. Cape Herald 12.10.1985

93. Information supplied by the Department for National Education

94. Interview: Carter Ebrahim, 5.3.1986

a single department of education is basically of a symbolic nature.⁹⁵ In this point his position dovetailed with that of the government: "It is tempting to think that the problems can be solved with a wave of the magic wand by simply changing the organisational structure of education, or simply dismissing me and the four executive education ministers and saying that just one man should be appointed to do the job of all five."⁹⁶

This approach is correct in that a non-racial system of education would not be able to immediately eradicate the objective disparities that have built up over generations. It fails to understand, however, that it is the very symbolism of compulsory separation along racial lines that denies the system legitimacy in the eyes of many of its users. The primary grievance among teachers, parents and, above all, pupils is not the absolute standard of education they receive, but the use of education as a vehicle for apartheid which manifests itself in separate structures. This instills a feeling of relative deprivation in the users of "non-white" education irrespective of the funds allocated to the various population groups. This sentiment was expressed by the historic ruling of the US Supreme Court that separate could never be equal.

In one regard, however, the Department of Education and Culture (DEC) in the House of Representatives did transcend the confines of own affairs. This was in the

95. C. Ebrahim in Indicator SA, Vol 3 No 4

96. F.W. de Klerk in Hansard, HoR 1986, col. 1280

question of opening schools under its control to pupils classified other than Coloured.

According to the Constitution, an own affairs authority is only entitled to provide services to persons who are not members of the population group in question if it has the approval of the State President to do so. In its "opening" of Coloured schools the DEC did not comply with this procedure. This case showed that ministers in the two new Houses did not necessarily incur the wrath of the government if they flouted some of the rules of separation in their administration.

This proves that there is a certain potential for obstructing the system of own affairs. Just as the laws prohibiting sex and marriage across colour lines only applied between whites and "non-whites", the National Party does not appear to object if "non-whites" remove the walls between their respective own affairs compartments, because it does not affect white privilege.

The LP policy of open facilities dates back to the days of the CRC. The "opening" of Coloured schools and the removal of all reference to race in DEC regulations as declared by Minister Ebrahim in February 1986⁹⁷ therefore amounts to a re-statement of party policy. It was the first time, however, that permanent employment at Coloured schools was made available to teachers of all population groups.⁹⁸

The "opening" of Coloured schools did not see the un-

97. Cape Times 21.2.1986

98. Cape Times 12.2.1986

qualified rendering of services to pupils of other population groups. Allegedly the policy was virtually restricted to the Cape Province and did not apply to the Transvaal.⁹⁹ Principals were asked to submit the names of Indian and African pupils at their schools.¹⁰⁰ No African student living farther than eight kilometres from a Coloured school was allowed to enrol there. Although the DEC reserved for itself the final decision on the admission of African children, this regulation was defied by numerous headmasters.¹⁰¹

The practical consequences of the "opening" of Coloured schools remained limited. Because of the small number of Indians in the Cape Province, their students have traditionally attended educational institutions designed for Coloureds. According to Minister Ebrahim, their numbers amounted to a proportion of roughly five percent.¹⁰² It is surprising to note that despite the LP's policy to pool educational resources the number of Indian pupils at DEC schools seem on the decline. It was given as 1 601 in 1985¹⁰³ and 824 one year later¹⁰⁴. The provincial breakdown was Cape Province 806, Transvaal 6 and Natal 12.

99. Interview: Ismail Omar, 29.1.1987

100. Cape Herald 15.3.1986

101. Sunday Times 13.4.1986

102. Interview: Carter Ebrahim, 4.3.1986

103. Hansard, HoR 1985, questions, col. 63

104. Administration: House of Representatives. Annual Report 1986: 22

The limited "opening" of educational facilities designed for Coloureds was not welcomed by opponents of the LP who chided the party for implementing apartheid. Franklin Sonn called it "an additional burden on an already disadvantaged group. It means unfair competition, the Coloureds get punished twice".¹⁰⁵ According to a Labour Party MP, numerous Coloured teachers "squealed" with displeasure in face of the prospect of Africans attending their schools.¹⁰⁶ Likewise the CTPA was said to have criticized the LP for its decision to appoint whites permanently in the DEC hierarchy on the basis of merit.¹⁰⁷

The reaction of the CTPA appears to communicate to African pupils that, until a non-racial system of education has been achieved, they are not welcome to share the relatively superior facilities Coloureds enjoy. The CTPA is effectively accusing the DEC of not implementing the own affairs system strictly enough by exposing Coloured pupils to "unfair competition" with African children.

In conclusion it can be said that the policy of the Labour Party was primarily concerned with the delivery of the educational goods to its constituency within the given parameters of own affairs. It failed to address larger issues pertaining to the overall structure and legitimacy of the educational system in South Africa. Instead of working

105. Interview: Franklin Sonn, 4.3.1986

106. Interview: Jac Rabie 25.2.1986

107. Interview: Allan Hendrickse, 11.2.1987

closely with the users of Coloured education, the DEC displayed an antagonistic attitude towards pupils, parents and teachers.

5.3.6.1.2. The DEC and the CTPA

With its membership comprising 22 000 teachers employed at DEC schools, the CTPA is the largest organized body in the Coloured community. As its members represent the majority of Coloured educationists it is the only government-recognized body in this field. The CTPA is by far the biggest affiliate of the nation-wide federation of Coloured teachers' organisations, UTASA (Union of Teachers Associations of South Africa). The other three provincial components are SONAT (Society of Natal Teachers), OFSTA (Orange Free State Teachers' Association) and TAT (Transvaal Association of Teachers).¹⁰⁸ During its long years of existence the CTPA has developed a strong administrative and organisational base, with particular emphasis on research.

Like the Labour Party the CTPA was established during the mid-1960's. It was considered a conservative professional organisation, primarily concerned with educational bread-and-butter issues and uncomfortable in its relationship with progressive organisations like SACOS and, later, the UDF.

Both being structured along ethnic lines, regarded as con-

108. R. Burrows (1986)

servative and pursuing a policy of participation in government-created institutions, the CTPA and the Labour Party could have been viewed as natural allies.

Together with Labour Party leaders Franklin Sonn was involved in talks with prominent NP members during the early 1980's which centred around the government's plans for a new constitutional dispensation. A Labour Party MP claimed that prior to the LP congress at Eshowe the CTPA head sent a telegram to the party's leader urging him to participate in the tricameral Parliament.¹⁰⁹

After the LP's decision to "go in" had proved to be an unpopular one and after the subsequent formation of the UDF the CTPA modified its stance towards the LP and kept the party at some distance. Yet it remained predominantly apolitical desiring to "be left alone" by politics¹¹⁰. At the inception of the new system Franklin Sonn was offered the education portfolio which he turned down not for political or professional but for personal reasons.¹¹¹

After the establishment of the tricameral Parliament, the CTPA adopted a "wait and see" attitude.¹¹²

The grievances the CTPA aired during the early days of the DEC were of a professional rather than a political nature. The foremost accusation levelled against the department in general and Minister Ebrahim in particular related to

109. Interview: Desmond Lockey, 11.5.1988

110. Rapport 23.6.1985

111. Rand Daily Mail 6.9.1984

112. F. Sonn(1987a)

their respective authoritarian approaches. Now that the recipients of Coloured education and those controlling it were drawn from the same population group, the latter felt more exposed than their predecessors and therefore compelled to assert their authority in the strongest possible way.

This institutional mechanism was exacerbated by the specific personal characteristics of Carter Ebrahim. Prior to his nomination as minister, he was a primary school teacher who allegedly could not find permanent employment.¹¹³ To compensate for the resultant insecurity, Minister Ebrahim attempted to control every aspect of education personally, taking back duties which had been delegated to officials and committees.¹¹⁴ He announced that he would personally "hire and fire" teachers.¹¹⁵

This pattern also led to clashes within the DEC. Its executive director, A.J. Arendse, who had run the department since 1979, resigned in April 1986 complaining about untenable political pressure: "The problems are not from down below but from high up and from outside my department."¹¹⁶

The most frequent grievance raised by the CTPA was that of alleged LP interference in Coloured education. The Labour Party was accused of approaching teachers who were in line

113. Interview: Peter Marais, 23.1.1987

114. Cape Herald 12.10.1985

115. Sunday Times 28.9.1986

116. Sunday Times 27.4.1986

for promotion, and suggesting to them they join the party in order to further their prospects.¹¹⁷ Although they have never been conclusively proved, reports persisted that the DEC kept so-called "black lists" of allegedly deviant teachers and especially principals.¹¹⁸ The CTPA repeatedly called for an independent commission of enquiry into the accusations of interference levelled against the LP.¹¹⁹

Although LP spokesmen repeatedly insisted that its critics failed to produce documentary proof to substantiate their allegations, the utterances of one of its MPs confirmed the perception that teachers were the educational transmission belt of the party. "We need to re-orientate the teacher towards the aims and educational lines that the LP want. We need to instill in them a new set of values."¹²⁰

One Labour Party MP points to the fact that from 1980-84 Franklin Sonn was the "informal minister of Coloured education" and could thus influence all top appointments: "The allegations that we make political appointments must be weighed up against what the CTPA did in the past."¹²¹

The LP's decision to base promotions not only on academic qualifications but also on teaching experience

117. Cape Herald 14.12.1985

118. O. van den Berg/B. O'Connell(1986)

119. Argus 28.3.1987, 3.10.1987

120. P.C. McKenzie in Hansard, HoR 1987(fifth session), col. 1765

121. Interview: Desmond Lockey, 11.5.1988

aroused further suspicion.¹²² The Rev Hendrickse made out the case for this change, arguing that in the past, when only "paper" qualifications were taken into account, the choice was not always the right one from an educational point of view. "The old stalwarts who have always formed the backbone of education and who have the necessary expertise on the basis of experience, will be evaluated by independent inspectors, and promoted on merit."¹²³

Political opponents, however, interpreted this step as the creation of a loophole to introduce favouritism to the advantage of older and academically less qualified teachers from rural areas, most of whom are LP supporters.¹²⁴

By late 1985, at the height of the unrest, the CTPA had to contend with the foundation of a rival body, the avowedly progressive WECTU (Western Cape Teachers' Union). The emergence of WECTU laid the foundations for a complete change in relationship between the CTPA and the "system" in general and the DEC in particular. Fearing significant inroads into its membership, the CTPA made a sustained effort to alter its previously conservative image until it was "welcomed home" into the fold of the UDF in mid-1988. WECTU started out with 1 500 signed-up (as opposed to paid-up) members at DEC schools. It did not manage to draw away support from the CTPA to any significant degree, as

122. Sunday Times 5.1.1986

123. Sunday Times 5.1.1986

124. Interview: Peter Marais, 23.1.1987

it tapped a reservoir of so-called radical teachers who had never seen fit to join that association because of its conservative image. As a body born out of an acute crisis, WECTU experienced problems in acquiring the necessary perseverance and consequently its membership soon began to drop.¹²⁵ But this did not constitute a major cause for concern as the organisation, in its own words, drew its strength from the respect and the recognition of the UDF.¹²⁶

Such an assessment reveals an elitist approach. If the UDF lays claim to democratic ideals, its strength cannot be measured by any criterion other than the number of affiliated members.

Although WECTU positioned itself in the socialist¹²⁷ and non-racial camp, it failed to establish a foothold outside DEC schools because progressive teacher associations were structured along racial lines. Black educators in the Western Cape were, for example, organised in DETU (Democratic Teachers' Union).

At first there was open hostility between the two organisations. After its establishment, WECTU called on all progressive educators "still held captive in the bureaucratic clutches of the CTPA" to join its ranks.¹²⁸ The following year it protested against the presence of

125. WECTU Newsletter No 8

126. South 19.11.1987

127. See WECTU(1985)

128. WECTU Newsletter No 1

UTASA at the NECC conference in Durban.¹²⁹ In response, the CTPA recalled the dismal record of other progressive teachers' bodies born out of the school crisis of 1980. Without explicitly referring to WECTU, it accused these organisations of undermining teacher unity and of being strong on short-term radicalisation of students but weak on the continuous work of addressing educational grievances.¹³⁰

Owing to both the antagonistic attitude of the DEC and escalating pressure from students, WECTU and the community at large, the relationship between the CTPA and the Labour Party deteriorated more and more. This manifested itself at the 19th annual congress of the CTPA which amounted to a first watershed for the association. The delegates at Kimberley overwhelmingly supported a motion to withdraw from all structures of the DEC as well as the Department of National Education in protest against the "racist basis" of the system and the "inefficiency and unprofessional management" of education by the DEC.¹³¹ At the congress Franklin Sonn accused the LP of being "secondary dispensers of apartheid".¹³²

The decision to withdraw from all DEC structures was a departure from arguments put forward by Franklin Sonn less than a year earlier: "We cannot escape the fact that we

129. WECTU Newsletter No 5

130. R. van den Heever(1986a): 5-6

131. Cape Times; 20.6.1986

132. Sunday Times 22.6.1986

are teachers and principals. For example, a minister of religion can easily decline to speak to government but can he continue in his job should he decide on principle not to speak to his church council or his church trustees?"¹³³ The CTPA's decision places it closer to WECTU which has yet "to resolve the issue of how it could function without being prepared at least to admit to the existence of the employing authority for purposes other than denigration"¹³⁴. Such an approach makes it difficult for a teachers' organisation to function.

Furthermore, the CTPA was right to criticize the "racist basis" of the present education system. This basis does, however, also apply to the association itself.

In retaliation for the CTPA's stance, the Labour Party announced that the Ministers' Council in the House of Representatives had decided to terminate all stop-order facilities of about 30 000 teachers to their professional organisations, amounting to roughly R 650 000. The LP argued that the CTPA could not expect "hand-outs" and at the same time "kick us in the face" and announced its intention of reviewing the associations's recognition.¹³⁵

This threat against the CTPA and its parent body UTASA, which represents 75 percent of all teachers in the employ of the House of Representatives, elicited sharp criticism from its president. "In hierdie opsig het die

133. F. Sonn(1985): 2

134. O. van den Berg/B.O. Connell(1986): 10

135. Sunday Times 17.8.1986

sogenaamde "Kleurling-Ministerie" homself as self meer verdrukkend en onverdraagsaam as sy Nasionale Partyvoorganger gedra, want ongeag fundamentele verskille is nooit sedert 1960 met sulke onbeskaamde hooghandigheid opgetree nie."¹³⁶

However, at closer inspection the Labour Party found the consequences of its threat undesirable and did not carry it out.¹³⁷

It should be noted in passing that a similar conflict over financial arrangements occurred between the LP and the University of the Western Cape. According to UWC's then Vice Chancellor-designate, "at first Allan Hendrickse even refused to underwrite loans for UWC. This is something the Nats never resorted to vis-à-vis Wits or UCT."¹³⁸ This reflected the extremely strained relationship between the House of Representatives and what one of its MPs termed the "University for Wild Coloureds". The Rev Hendrickse labelled UWC a "nest of Marxist opportunists"¹³⁹ and, at one stage, threatened to close it down.¹⁴⁰ It is noteworthy that his son-in-law, Desmond Lockey, is the only UWC graduate in the Coloured chamber.

The alienation between the DEC and the CTPA grew in course of time as the latter's leadership, in an attempt to align

136. F. Sonn in Die Suid-Afrikaan Herfs 1987: 20

137. Sunday Times 28.9.1986

138. Interview: Jakes Gerwel, 8.9.1986

139. Cape Times 7.2.1986

140. Cape Times 20.8.1986

itself more closely with the mainstream of liberation forces, had talks with the ANC, UDF, Cosatu, the NECC and various student organisations. CTPA meetings were addressed by people like Allan Boesak and Beyers Naude.¹⁴¹

The CTPA's move to the left continued at its 20th annual congress when Franklin Sonn explicitly dropped his former apolitical stance and contended that "we cannot leave politics alone, because politics will not leave us alone".¹⁴² He set the stage for a cautious attempt to forge closer links with progressive organisations, which, he conceded, had been neglected in the past.

"Die KPO verteenwoordig 'n groepering wat homself in die buite-parlementêre dinamika bevind...Die tyd het voorts aangebreek dat die KPO opnuut moet kyk na ander buite-parlementêre groeperinge. Hy moet sy onafhanklikheid en integriteit behou. Hy mag egter nie sy outonomie tot so 'n heiligheid verhef dat hy uit voeling raak met die woelinge en stuwing om hom heen nie, of dat hy die geleenthede tot samestryd met ander groepe prysgee of verbeur nie."¹⁴³

In this vein, one of the conference resolutions demanded "the immediate release of all detainees and the abolition of all laws upholding detention without trial."¹⁴⁴

141. Argus 24.6.1987

142. F. Sonn(1987a)

143. CTPA(1987a)

Franklin Sonn also adjusted his previously more or less neutral attitude towards the tricameral Parliament, now calling it "an instrument of oppression".¹⁴⁵ Far from regarding it as a step, albeit small, in the right direction, he now viewed it as a retrogressive development:

"Die De Lange-komissie, waarvan ek 'n lid was, het in 1981 'n paar belangrike aanbevelings gemaak. De Lange het gesê:

- daar moes een onderwysdepartement wees;
- daar moes vryheid van assosiasie wees wat toelating van skole betref;
- professionele onderwyssersorganisasies, onder meer die KPO, moes groter erkenning en respek kry;
- daar moes gelyke onderwysgeleenthede vir almal wees.

Op feitlik al hierdie gebiede het ons 'n stap, of verskeie stappe, terruggetree."¹⁴⁶

Furthermore, the conference repeated its stance against the employment of white teachers at Coloured schools.¹⁴⁷ It also supported the furthering of a workable programme for alternative education.¹⁴⁸ Subsequent to the conference the CTPA published its first books on alternative

144. CTPA(1987): 46

145. *ibid.*

146. F. Sonn in *Die Suid-Afrikaan*, Herfs 1987: 20.

147. CTPA(1987): 48

148. *ibid.*: 45

Afrikaans¹⁴⁹ and encouraged its members to teach a "hidden syllabus"¹⁵⁰

Lately the new Minister of Education and Culture in the House of Representatives, the Rev Hendrickse, has departed from his party's complete rejection of people's education and supported "positive aspects" thereof, e.g. the recognition of the need to involve the community in the educational structure.¹⁵¹

Shortly after the CTPA's 20th annual congress both Franklin Sonn and his deputy, Randall van den Heever, were part of the IDASA delegation which held talks with representatives of the ANC in Dakar. Minister Ebrahim slated their participation and said that the CTPA had now entered the political arena "in full force"¹⁵²

The CTPA's about-face was viewed with suspicion by organisations with established progressive credentials. WECTU dismissed it as an act of "naked opportunism" forced upon the association by a leadership which regarded the shift as politically expedient: "Wectu's existence is effectively denying CTPA progressive respectability - a status Sonn and others so desperately seek."¹⁵³

Lately there has been a rapprochement between the CTPA and WECTU. This was apparently due to pressure exerted by

149. Sunday Times 6.12.1987

150. R. van den Heever in South 2.7.1987

151. Argus 28.4.1988

152. Sunday Times 1.8.1987

153. South 19.11.1987

the NECC and Cosatu which had, in line with its policy of "one industry, one union", urged progressive teacher organisations to abandon plans for the establishment of a nation-wide federation in exclusion of associations like the CTPA.¹⁵⁴ However, WECTU showed little enthusiasm for any merger and insisted that any new union would have to be formed along its own principles, which included non-collaboration.¹⁵⁵

At its 21st annual conference in June 1988 the CTPA completed its move towards the progressive camp by adopting the Freedom Charter as a key document.¹⁵⁶ This stance was incongruent with utterances made by Sonn as late as 1984 when he gave two reasons for the CTPA not to choose any specific political direction:

"Die een is: as jy dit doen, word jy gedienstig aan 'n politieke party of beweging en dan word hy jou baas. Die ander is: jy maak dit onhoudbaar vir mense wat om ander redes by jou aangesluit het om nog by te bly, want dan kaap jy mos vir hulle na 'n bestemming wat hulle nie voor oë gehad het toe hulle by jou aangesluit het nie. Dis my kritiek teen dr. Boesak by die Sendingkerk."¹⁵⁷

154. South 4.2.1988

155. South 21.7.1988

156. Cape Times 22.6.1988

157. Die Suid-Afrikaan No. 1: 6

Furthermore, the congress resolved to support non-racial sport and to actively discourage its members from practising "normal" sport.¹⁵⁸ The leadership succeeded in dissuading some of the body's more radical members from moving a motion making it incompatible to hold membership of both the CTPA and the Labour Party.¹⁵⁹ One of the guest speakers at the conference was Wectu president Yusuf Gabru who expressed his hope to see one national, democratic, non-racial teachers' union affiliated to Cosatu.¹⁶⁰

One of the prime objectives of a trade union appears to be to enter into negotiations with the employer in question. But Wectu, and increasingly also the CTPA, decline to talk to the DEC.

The most surprising aspect of the CTPA's course correction is how so radical a shift was carried out in so short a space of time. It seems virtually impossible that this step could have been preceded by proper canvassing of rank-and-file opinion, especially as a substantial number of teachers in the rural areas are members of the Labour Party. The procedure of adopting the Freedom Charter and the lack of any recognizable dissent casts some doubt on the democratic nature of CTPA decision-making and confirms Wectu's view that the association has a "top-down leadership"¹⁶¹

158. Cape Times 23.6.1988

159. Die Suid-Afrikaan, Junie/Julie 1988: 15

160. Cape Times 21.6.1988

161. South 19.11.1987

In conclusion, the drifting apart of the Labour Party and the CTPA can be viewed as exemplifying the progressive polarisation of South African society. Before 1984 both organisations could be perceived as being part of such a political middle ground. Subsequently, however, two strong rallying points emerged in the form of the tricameral Parliament on the one hand and the UDF and its affiliates on the other. As a growing vortex developed around both of them a non-aligned position became more difficult to sustain. The antagonistic attitude of the LP can therefore be ascribed to the pressures of being part of the "system" camp, just as the growing "radicalisation" of the CTPA must be viewed as the result of opposite pressures emanating from progressive pupils, parents and teachers and the Coloured community at large.

5.6.3.1.3. The school boycotts in the Western Cape

The controversy between CTPA and DEC was at times overshadowed by the conflict between the latter and pupils at schools under its jurisdiction. This was particularly the case during the "hot" phase of the crisis from mid-1985 to early 1986. Several papers have focused on the sociological background to this period of unrest.¹⁶² Chronological details of the school boycotts and analyses of student politics have also been given elsewhere.¹⁶³

162. See C. Bundy(1986) and M. Hall(1986)

163. See R. Jordy(1986) and Ad-hoc Research Group for (CW)

This chapter will try to shed some light on the side of the DEC in an attempt to establish whether any underlying policy of some consistency can be identified.

Whilst the school boycotts in the Transvaal and Eastern Cape started towards the beginning of 1984, they spread to the Greater Cape Town area as late as July 1985 in response to the declaration of a partial state of emergency in other regions of the country. Apparently the government regarded the Western Cape as an area compliant enough to be handled by ordinary security legislation. It had shown a similar miscalculation in a comparable situation in 1976. It was soon proved to be wrong again and three months later the emergency was extended to Cape Town.

The focal point for the first wave of unrest was provided by the banned march on Pollsmoor prison in late August 1985. Just over a week later Minister Ebrahim, in an unprecedented move, closed a total of 464 schools and colleges under his jurisdiction which were attended by almost 500 000 youths.¹⁶⁴ He gave the alleged incapability of educational authorities to ensure the physical safety of students as the reason for this step. As this decree was issued only hours after the then Minister of Law and Order, Louis le Grange, had visited the region, there was widespread speculation about a causal connection. A source close to DEC decision-making confirmed that orders to

Region(1986)

164. Cape Times 7.9.1985

close down Coloured schools had come from the "white top"¹⁶⁵

There were different assessments within the House of Representatives and the DEC regarding the centre of the unrest. One MP saw its focal point at "bourgeois schools"¹⁶⁶, while Minister Ebrahim thought it to be on the poorer Cape Flats.¹⁶⁷ In this vein, a high-ranking DEC official perceived a direct relationship between the underprivileged state of a community and its potential for actions like boycotts.¹⁶⁸

Neither of these evaluations were vindicated empirically. The events rather suggest a cycle of unrest. In keeping with a greater perception of relative deprivation among more affluent communities, it started apparently in middle-class neighbourhoods like Athlone. After these suburbs had given the lead, the situation there tended to calm down and the boycott movement shifted its centre to poorer townships like Bonteheuwel where it persevered longer.

When students, teachers and parents attempted to re-open schools in mid-September 1985 this was declared illegal by Minister Ebrahim. On 1 October 1985, officially the first day of the final term, he issued another decree

165. Off the record-interview with a senior Coloured educationist

166. Interview: Peter Hendrickse, 4.3.1986

167. Interview: Carter Ebrahim, 5.3.1986

168. Interview: A.W. Muller, 3.4.1986

- banning meetings of student organisations on school premises;
- empowering the minister to appoint head boys and girls; and
- empowering principals to suspend any pupil or teacher guilty of undermining lawful authority.¹⁶⁹

An application to the Cape Supreme Court to have the regulations declared invalid, brought in, inter alia, by the CTPA, was partially successful, and the stipulations governing the suspension of pupils and teachers were declared null and void. The regulations banning SRC meetings and empowering the minister to appoint head boys and girls, however, remained in force.¹⁷⁰

The 1985 examinations provided the next focal point of conflict between the DEC and Coloured students. Two hours before 510 pupils at Zeekoevlei Senior Secondary School in Lotus River were supposed to sit for their tests, police detained the entire school.¹⁷¹ As the Minister did not object to such a measure, he became known as "Casspir Ebrahim".

While WECTU adopted an ambivalent stance towards the boycott and demanded the postponement of the tests, as holding them at the scheduled date would have been fraudulent from an educational point of view because of the disturbances at Coloured schools, the CTPA advised

169. Government Gazette No 9960, 1.10.1985

170. Argus 28.10.1985

171. Cape Times 8.11.1985

students to write examinations¹⁷². It requested those not writing in 1985 should be allowed to sit for the supplementary tests in early 1986. In keeping with its rigid attitude, the DEC rejected this compromise proposal. According to Minister Ebrahim, 67 percent of all candidates wrote their senior certificate examinations in 1985.¹⁷³

It is noteworthy that the white Department of Education and Training proved to be more conciliatory and flexible than its Coloured counterpart and gave pupils at schools under its jurisdiction the option of writing examinations either in November 1985 or in May/June 1986.

Having assumed a position of strength, the DEC felt fit to dispense concessions in piecemeal fashion. In early December it invited boycotting students to apply for supplementary examinations in March 1986.¹⁷⁴ In conceding ground only by the inch, the new regulations required students to submit affidavits made before a commissioner of oaths, outlining what prevented them from writing; political reasons were explicitly excluded.¹⁷⁵ Eventually, 1 162 matric pupils applied in time, of whom 977 actually wrote the tests.¹⁷⁶ This brought the total percentage of those who sat for examinations to 73,8. About 4 000 pupils did not return at all.

172. R. van den Heever(1986a): 7

173. C. Ebrahim in Indicator SA Vol 3 No 4: 11

174. Cape Times 3.12.1985

175. Sunday Times 8.12.1985

176. C. Ebrahim in Indicator SA Vol 3 No 4: 12

In late December 1985 the Soweto Parents Crisis Committee (SPCC) convened a meeting of representatives from 160 educational organisations in order to discuss the school crisis. It was resolved that pupils should return to school in January 1986 but that this would be conditional upon certain demands being met by the end of March of that year. These included education-related issues like the rescheduling of examinations, the reinstatement of all dismissed teachers and the recognition of SRCs as well as political issues, like the lifting of the state of emergency and the withdrawal of troops from all townships.¹⁷⁷

Although none of these demands were met, the school boycott was not resumed. The only concession the DEC was prepared to make was to drop the suspension of some teachers, as it was in "the interest of education that the situation be defused"¹⁷⁸.

With the majority of students back at school, Minister Ebrahim felt in a strong enough position to change his stance on the contentious issue of the promotion of pupils who had not written examinations. In February 1986 he announced a "carefully planned system" of promotions for high school pupils who had boycotted the end-of-year tests in 1985. Before, he had categorically ruled out such a possibility. The new approach gave schools the option to either promote pupils internally or set new examina-

177. R. Jordy(1986): 27

178. Cape Times 15.1.1986

tions.¹⁷⁹

Long after the boycott had ended and with activism at Coloured schools having lost most of its momentum, the DEC went ahead with disciplinary hearings for 72 teachers, most of them members of WECTU, over their refusal to administer the 1985 examinations.¹⁸⁰ The Minister did not budge in the face of widespread appeals and went on to demote an allegedly errant Mitchell's Plain principal and WECTU member.¹⁸¹

The outcome of the 1985/6 crisis in Coloured schools must be viewed as a qualified success for the DEC's hard-line approach to "remove the political onslaught from education"¹⁸². This process saw the elimination of any perceptible differences between the DEC and Minister F.W. de Klerk, who habitually refers to "interference by radicals in education"¹⁸³.

Most of the concessions, concerning content as well as timing, were made by Minister Ebrahim were made on his own terms. Those whom he termed "die bont fluitspelers van die revolusie"¹⁸⁴ were unable to score many tangible successes. However, the extent to which the attitude of the DEC, which itself politicized Coloured education sig-

179. Cape Times 27.2.1986

180. Sunday Times 5.7.1987

181. South 8.10.1987

182. A. Williams in Hansard, HoR 1986, col. 3544

183. F.W. de Klerk in Hansard, HoR 1986, col. 1283

184. Die Karet Februarie 1986

nificantly, alienated pupils, parents and teachers in the long term can only be assessed in the future.

When another school crisis flared up briefly in the Western Cape in 1988¹⁸⁵, a less antagonistic attitude was displayed by the Rev. Hendrickse who had taken over this sensitive portfolio after the dismissal of Carter Ebrahim. Minister Hendrickse requested and received an undertaking from police not to enter school premises unless asked to do so by principals.¹⁸⁶ This new approach helped to defuse the situation within a relatively short space of time.

5.3.6.2. Indian education

The development of Indian education under the jurisdiction of the House of Delegates did not deviate significantly from the pattern that had evolved in Coloured education. The minister in charge, Kassie Ramduth, transgressed the parameters of own affairs to an even lesser extent than his counterpart in the Coloured chamber of Parliament. The incentive to do so appears to be in inverse proportion to the present position of relative privilege.

Minister Ramduth did little to enhance the legitimacy Indian education enjoyed among its users. His alienation from mainstream sentiments amongst pupils, parents and teachers became evident when Indian schools stayed open on 16 June 1986 while their Coloured and African counterparts

185. S. Venter(1988)

186. Cape Times 29.4.1988

were in recess.¹⁸⁷ The most important curriculum change effected by the House of Delegates was the introduction of Indian languages as compulsory subjects.¹⁸⁸ This step reflects the emphasis on sectionalism the Indian chamber displayed throughout its policy.

The NPP was subject to accusations of interference in education similar to those levelled against the Labour Party. The best-known example of alleged interference occurred prior to the inception of the tricameral Parliament when the NPP was the majority party in the SAIC and punishment, like the transference to a "rural school in the Transvaal for five years", was meted out to Indian student teachers who were guilty of misdemeanors like "addressing and arousing students to rebel"¹⁸⁹. A Solidarity MP quoted principals as complaining about party-political interference in Indian education: "Give us back the once so-called White oppressors."¹⁹⁰

In contrast to Minister Ebrahim, the House of Delegates did not adopt an, at least nominally, coherent policy governing the "opening" of schools under its jurisdiction. The question as to whether Indian schools remained reserved for members of that population group, or whether they rendered services irrespective of race is a pivotal

187. Cape Times 22.4.1986

188. Interview: Amichand Rajbansi, 23.2.1987

189. The Graphic 6.1.1984

190. P.I. Devan in Hansard, HoD 1987(fifth session), col.

one as Indians enjoy a standard second only to white education. Indian education was reported to be 20 percent above the overall "equality line" in South Africa.¹⁹¹

Amichand Rajbansi stated that with regard to education Indians were "better off than two race groups in South Africa. We are not badly off when compared to the Whites."¹⁹²

In the early stages of the tricameral Parliament Minister Ramduth admitted that he "had not given Black involvement in Indian schools a thought".¹⁹³ Later the Indian chamber dodged a motion urging it to follow the lead of the House of Representatives and to open all educational institutions under its jurisdiction.

In February 1987 the Chairman of the Ministers' Council in the House of Delegates, Amichand Rajbansi, called for the simultaneous opening of all State schools. He announced that he would make Indian schools non-racial "the day the other communities also opened their schools"¹⁹⁴. This had already happened in the case of Coloured schools while Africans could not open theirs because there is no system of own affairs governing their education. As to white schools, the preservation of their racial exclusiveness was one of the main designs behind the introduction of

191. A. Rajbansi in Hansard, HoD 1986, col. 1985

192. A. Rajbansi in Hansard, HoD 1987(fourth session), col. 690

193. M. Rajab in Hansard, HoD 1985, col. 103

194. Phoenix February 1987

"own affairs".

Finally the House of Delegates accepted "non-Indian" pupils in exceptional cases. Details of this policy relating to the admission of African students were spelt out in a "strictly confidential" circular sent to principals by the Executive Director of Indian Education which contained the following paragraphs .

- The character of the schools must not be prejudiced as the result of the admission of any black pupil.
- Preference at all times must be given to Indian pupils.
- The principal must decide whether the pupil is easily assimilated into the relevant class, taking into account the pupil's physical stature.¹⁹⁵

Political opponents criticized the NPP for "learning the Nat's language very quickly", contending that the circular sounded "like something straight out of the race classification handbook."¹⁹⁶

Prior to the inception of the tricameral Parliament there were no African pupils at Indian schools. Because of the protracted boycott at African schools during 1985 and 1986 the question of the racial character of Indian schools assumed practical importance. Approximately 300 African pupils attempted to enrol at six high schools in

195. Indicator of Lenasia 24.3.1987

196. *ibid.*

Lenasia.¹⁹⁷ Several similar applications were made at Indian schools at Benoni and Pretoria.¹⁹⁸ Finally, four Africans were admitted in the Transvaal and 64 in Natal.¹⁹⁹ The presence of Coloureds at Indian schools increased from 700 in 1984 to 3 000 two years later.²⁰⁰ By 1987, 7 000 white, Coloured and African pupils had been admitted to Indian schools.²⁰¹

The Indian education department appeared reluctant to share its resources with the KwaZulu administration, although Natal's geography would strongly suggest such a policy.²⁰²

There were no "non-Indians" enrolled at teacher training colleges falling under the department of Minister Ramduth.²⁰³ Yet at the M.L. Sultan Technikon this group made up 19 percent of the total student population. At the university of Durban-Westville whites, Coloureds and Africans accounted for almost one in three students.²⁰⁴

The adherence of the Indian education authority to separate structures was manifested most obviously by the establishment of a dental faculty at the University of

197. Indicator of Lenasia 27.1.1987

198. Business Day 30.1.1987

199. Hansard, HoD 1987(fifth session), questions, col. 65

200. Hansard, HoD 1987(fifth session), questions, col. 65

201. Statistical release, HoD

202. Hansard, HoD 1986, questions, col. 244

203. Hansard, HoD 1987(fifth session), questions, col. 137

204. Hansard 1988, questions, col.1065

Durban-Westville, although such a proposal had been rejected by a government-appointed commission of experts which had investigated South Africa's manpower needs in this regard.²⁰⁵

The relationship between Minister Ramduth and the (Indian) Teachers' Association of South Africa was almost as strained as the one between Carter Ebrahim and the CTPA. This can be explained by the abovementioned dynamics of exposure to different sets of pressures. A slight difference was effected by the lower profile Kassie Ramduth kept in comparison to the head of the coloured DEC.

With its 8 000 members TASA represents roughly two in three Indian teachers. It has developed into an efficiently organised and financially sound body. Although it had always been closely aligned with the UDF, it refrained from advising its members as to whether to participate in the 1984 elections or not²⁰⁶ and later resolved to work within the structures set up by the House of Delegates.²⁰⁷ Both TASA's history and present stance contrast with that of the CTPA and combine a commitment to non-racial education with an effective functioning under given circumstances.

The Indian chamber of Parliament has managed to maintain a working relationship with the staff of UDW. Unlike UWC the university has not become a "home of the left". There were

205. Leader 13.3.1987

206. Leader 17.8.1984

207. R. Burrows(1986): 17

repeated clashes between opposing student groups on its campus which were alleged to have been racially inspired.²⁰⁸

The unrest at Indian schools did not assume the same proportions as that at Coloured educational institutions. This can probably be attributed to the generally greater encapsulation of the Indian population. Indian schools did not, however, completely escape the boycott campaign. This was most pronounced at Rylands High School in Athlone where the stay-away spilled over from Coloured schools. This was the only Indian institution in secondary education to boycott the 1985 matric examinations.

Amichand Rajbansi accused Rylands students of "lawlessness" and of "making petrol bombs and coffins".²⁰⁹ Towards the end of 1985 eleven teachers were dismissed and the same number were transferred out of Cape Town.²¹⁰ When the teachers concerned brought a court application, Minister Ramduth decided not to defend his department's case and agreed to pay the costs for the eleven educators.²¹¹ The principal of Rylands High School resigned in 1988, citing "political interference" as the reason.²¹²

208. Leader 1.4.1988

209. Sunday Times 19.1.1986

210. Cape Times 10.12.1985

211. Argus 27.12.1985

212. Argus 16.6.1988

5.4. Conclusion

In conclusion it can be noted that the own affairs system proved to be a successful model of indirect rule for the government. It served to further entrench a political system based on statutorily defined groups. Neither the Coloured nor the Indian chamber of Parliament broke down the confines of own affairs to any significant degree.

"Own affairs" also worked, to a lesser degree, for participants in the two new Houses. They managed to obtain substantially more financial resources for the upliftment of their communities than were available in the pre-1984 period. During the last five years, funds available for Coloured and Indian development have doubled.²¹³ In addition, they were better able to allocate resources because of the greater proximity between administrators and the community. At times, an insufficient absorptive capacity in the two new chambers proved to be more of a problem than lack of appropriations.²¹⁴

However, the dynamics of "own affairs" showed that the two strands of Coloured and Indian strategy, upliftment and dismantling apartheid, were incompatible. As the upliftment of the two population groups had to be accomplished within a group-based framework, it did not contribute to the elimination of apartheid but rather compounded it. The system of own affairs developed a momentum of its own and

213. R. Lee(1989): 68

214. Interview: Wolfgang Thomas, 13.5.1988

led to the emergence of self-entrenching bureaucracies structured along racial lines.

An opponent of the tricameral Parliament maintained that the system in general and "own affairs" in particular had fostered the emergence of "Colouredism" in the House of Representatives.²¹⁵ The thinking within ethnic parameters was underpinned when the Leader of the Official Opposition in the House of Delegates stressed that the Indian chamber would busy itself with matters pertaining to Africans, only "after we have looked after the interests of the Indian people"²¹⁶.

Critics of the Houses of Representatives and Delegates maintained that the degree of oppression had not lessened since Coloureds and Indians were administering their own affairs. One complaining teacher was quoted as saying: "Die greep van die ystervuis om my keel bly dieselfde - net die kleur daarvan het verander."²¹⁷ In some instances there was even harsher repression than before the inception of the tricameral Parliament.

As the delegates of control and the people affected were now drawn from the same subordinate stratum, the former had to assert their authority more resolutely than their predecessors from the superordinate stratum. This need was reflected in the attitude of so-called progressive

215. Interview: Jakes Gerwel, 8.9.1986

216. J.N. Reddy in Hansard, HoD 1987(fifth session), col. 690

217 . F. Sonn(1987): 21

organisations which displayed a greater preparedness to talk to the delegators of control than to the delegates. The CTPA, for instance, refused to speak to the Rev Hendrickse in his capacity as minister in charge of Coloured education, but was willing to enter into negotiations with the Minister of National Education, F.W. de Klerk.²¹⁸

While Coloured and Indian own affairs had been administered by white bureaucrats before 1984, they were now handled by politicians from the two new Houses. This led to an inevitable politicization of education, housing and welfare. Since the new authorities were part of the affected communities, they found themselves much more in the firing line of Coloured and Indian opposition than their white predecessors. The ensuing conflicts, e.g. between the Coloured DEC on the one hand and the CTPA and boycotting students on the other, saw an absorption of significant anti-apartheid energies within subordinate groups.

The patronage at the disposal of the two new chambers of Parliament laid the system of own affairs open to favouritism and general abuse. While the accusations levelled against the LP were largely confined to part-political interference in Coloured education, the NPP, and especially its leader, Amichand Rajbansi, were subjected to innumerable accusations of nepotism, maladministration and corruption. This difference between the Houses of

218. Cape Times 22.6.1988

Representatives and Delegates can probably be ascribed to the more tightly-knit social structure of the Indian population.

6. GENERAL AFFAIRS

It has been maintained in a previous chapter that the Constitution provides the Coloured and Indian chambers of Parliament only with a limited leverage. It is the objective of this section to assess how they have used the means at their disposal, that is, to give an evaluation of their performance as regards "general affairs". An analysis of the overall showing of the Houses of Representatives and Delegates is followed by a more detailed assessment of their approach to key policy areas (constitutional policy, group areas and security) and their performance in the standing committees. For analytical purposes two periods shall be distinguished, one of acquiescence, from the inception of the tricameral Parliament until the resignation of the Rev Hendrickse from the Cabinet in August 1987, and from then onwards one of confrontation.

6.1. The performance of the Houses of Representatives and Delegates

The limitations of the institutional framework of the Constitution and the dangers of co-optation inherent in participatory politics required skilful, creative and assertive political action from Coloured and Indian MPs. Participating parties had promised to provide just that and, in the words of David Curry, not to have entered the system as "Parliamentary furniture"¹. However, during the

first period of the tricameral Parliament the two new Houses failed to seize the political initiative. They did not provide a forceful and inspired articulation of black grievances and demands and therefore failed to put on the agenda items like African participation and human rights. Contrary to their announcements, they allowed the National Party to determine both direction and pace of the so-called reform process.

Coloured and Indian MPs had indirect success when they used private members' bills to effect some input into the legislative process. In fact, Amichand Rajbansi singled out this instrument as one of the highlights of NPP participation during the first tricameral session.² While the relevant standing committee failed to meet in 1985 to consider any of the proposed bills, the government subsequently took over some of them. Examples were bills relating to mixed marriages, the racial clauses of the Immorality Act and the Prohibition of Political Interference Act.

The acquiescent stance taken by the two new chambers of Parliament resulted from a combination of lack of Parliamentary experience and of political will to oppose the government. This approach was apparent in the voting pattern of the first session. While the PFP rejected 19

1. Argus 29.1.1985

2. Post Natal 22.1.1986

bills, the House of Delegates, apparently out of confusion, opposed two technical bills and the House of Representatives approved all legislation. The two new chambers not only failed to dismantle apartheid, as they had promised during the election campaign, but also agreed to place new apartheid legislation on the statute book, e.g. the Regional Services Councils Act.

Despite its refusal to pass two bills, the members of the House of Delegates in particular conformed so much to the role of "brown Nats" that the State President, when speaking in the Indian chamber, said he felt it was like being in his own caucus.³ The acquiescence of the House of Delegates culminated in the suggestion by its then Minister of Health Services and Welfare, Dr Padayachy, that the Nobel Peace Prize be awarded to the President.⁴ Under circumstances of secrecy, individual members of the Indian chamber were prepared to formally align themselves with the government. This was reflected in the election of a new Speaker of Parliament in early 1987 when two (out of 13) NPP members of the electoral college supported Louis le Grange over the candidate put up jointly by the LP and their own party.

The initial meekness of Coloured and Indian participants pertained also to their representatives on the Cabinet, Allan Hendrickse and Amichand Rajbansi. While as ministers

3. Argus 25.4.1985

4. Leader 7.2.1986

without portfolio they did not wield any executive power, they could have used their presence for a much more effective performance. What forum could be more suitable to air black grievances and oppose government policy than the, at least formally, highest decision-making body in the country? However, the uninspired performance of both the Rev Hendrickse and Mr Rajbansi left them in the role of mere observers, and their only reported achievement was a lowering in the price of paraffin.⁵

For Coloured and Indian participants to take up executive posts under the tricameral Parliament was a difficult decision. On the one hand they acquired positions of power, on the other they were required to implement government policy and bear responsibility for it. At present there are only two "non-white" deputy ministers with general affairs' jurisdiction, namely S.V Naicker (Environmental Affairs) and L.T. Landers (Population Development). The latter was reportedly "unhappy because of the limitations" of his possibilities.⁶

When Allan Hendrickse and Amichand Rajbansi were members of the Cabinet, the only known case in which one of them distanced himself from a Cabinet decision was when the LP leader disagreed over the question of independence for KwaNdebele. As ministers, they obviously felt compelled to approve government policy in all other regards, and this

5. Interview: Peter Mopp, 24.6.1987

6. Interview: Allan Hendrickse, 11.2.1987

contributed to further blunt any opposition from their caucuses. This assessment was confirmed when Allan Hendrickse described his departure from the Cabinet as an unshackling experience.

The timid stance adopted by the Houses of Representatives and Delegates was epitomized by the so-called swimming incident when the Rev Hendrickse swam at one of Port Elizabeth's whites-only beaches in January 1987. For the occasion of this calculated defiance of the Separate Amenities Act, the Labour Party had composed the tune "Dit is lekker om in wit water te swem".⁷ However, what had obviously been planned to enhance the LP leader's standing as a defiant opponent of apartheid ended in humiliation. The State President stressed that Hendrickse had contravened his ministerial oath to maintain the Constitution and all other laws of the country and presented him with the choice either to step down from the Ministers' Council in the House of Representatives, or to have the House dissolved and new elections held, or to apologize. Reluctant to face the electorate, Hendrickse defied a caucus decision to the contrary and apologized.⁸

It should be noted, in passing, that the Labour Party leader did not budge in a similar situation during the final year of the CRC. The 1979 controversy between him and the then State President centered around general

7. Hansard, HoD 1987(fifth session), col. 188

8. Cape Times 22.1.1987

policy differences and was triggered by David Curry's reported quotation, pertaining to P.W. Botha's perceived lack of direction, that he could not "follow a blind man". The fact that the confrontation of 1979 contributed to the demise of the CRC while the 1987 one resulted in a humiliating apology underscores the vastly different position of the Labour Party.

The swimming incident reflected the reversal of what can be termed "negative power". It has been set out previously that the Constitution provides Coloured and Indian participants only with a limited "positive" leverage, i.e. the two new chambers alone do not have the legislative ability to repeal apartheid laws or prevent new ones from being placed on the statute book. An analysis of the institutional framework of the tricameral Parliament showed that the power at the disposal of the Houses of Representatives and Delegates is largely a "negative" one. They can threaten to embarrass the government and deny it the legitimacy it seeks primarily in the eyes of the white electorate. They can also obstruct the workings of the system, possibly resulting in the dissolution of one or two chambers, and ultimately threaten to withdraw altogether.

But due to their acquiescent performance, Coloured and Indian participants were wary to face another election. The threat to go back to the ballot box had, instead, become a weapon in the government's hands. The NP also did not need

to fear a total withdrawal from Parliament by the two new Houses. All Coloured and Indian parties had granted the tricameral system a five-year trial period thus blunting one of their sharpest weapons before they could even start using it. Whilst the question of further participation surfaced occasionally in the House of Representatives, there was no debate about a withdrawal in the Indian chamber. Like its predecessor, the SAIC, the House of Delegates never thought of challenging the very system that had created it.

Due to their unimaginative performance during the period until mid-1987, Coloured and Indian MPs achieved few tangible results in their professed fight to dismantle apartheid. Accordingly, most of them referred to changes in the hardly quantifiable realm of attitudes and perceptions as their greatest success. Pat Poovalingam pointed to a "cross-fertilisation of ideas and cross-pollination of concepts"⁹ and Allan Hendrickse stressed the establishment of a "new atmosphere around Parliament which used to be an all-white affair"¹⁰. These sentiments were echoed by a National Party MP, Albert Nothnagel, who spoke of the "fascinating experience of a racially mixed Parliament".¹¹

As the alleged change of perceptions was not reflected in the legislative status quo, it may be said that the

9. Hansard, HoD 1986, col. 1313

10. Interview: Allan Hendrickse, 11.2.1987

11. Interview: Albert Nothnagel, 18.4.1986

tricameral Parliament conformed largely to the description by Frederik van Zyl Slabbert that it merely provided for "a kind of multiracial bonhomie...at cocktails...and in dining rooms".¹²

The swimming incident, however, not only marked the high-point of acquiescence, but also the turning-point towards a second period of participation characterized by a more assertive and confrontational stance. In March 1987 the Labour Party lost the Bosmont by-election to an unknown independent candidate who guaranteed his victory simply by continuously referring to the Rev Hendrickse's apology. Subsequently the LP lost third-tier by-elections in Elsie's River(Cape Town)¹³ and, more importantly, in Uitenhage, Allan Hendrickse's hometown and his party's stronghold.¹⁴

Alarmed by its waning support, the Labour Party called a weekend seminar at St James near Cape Town in August 1987. A Labour Party MP, Desmond Lockey, called the seminar a "watershed" in the party's participation, as the self-critical assessment made at St James mapped out the medium-term strategy on which all subsequent decisions of the LP were based.¹⁵

The ensuing confrontation between the Labour Party and the government was reflected in the State President's speech

12. F. van Zyl Slabbert(1985): 160

13. Sunday Times 3.5.1987

14. Sunday Times 9.8.1987

15. Interview: Desmond Lockey, 11.5.1988

in the House of Representatives on 19 August 1987. He criticized Coloured MPs for allegedly insulting remarks about himself, the government and the Afrikaners and advised them to be grateful for the position of relative privilege NP policy had awarded to them. Immediately after P.W. Botha's speech the Labour Party announced that it would demand the repeal of the Group Areas Act in exchange for its assent to the government's plans to postpone the 1989 general elections.¹⁶ A couple of days later Allan Hendrickse resigned from the Cabinet.¹⁷

Initially the new assertiveness remained confined to the House of Representatives. While the Coloured chamber funnelled an increasing amount of energy into the confrontation with the government its Indian counterpart remained concerned with parochial matters earning Mr Rajbansi the title of "Minister of Indian Affairs". He was permanently occupied with the task of retaining his fickle majority in the volatile House of Delegates which did not display the continuity of the Coloured chamber.

For this purpose Mr Rajbansi would, in his own words, "dangle carrots" to members of the House.¹⁸ In order to enlarge the cake of patronage at his disposal he split the department of local government, housing and agriculture and created the post of deputy-minister in these port-

16. Cape Times 20.8.1987

17. Cape Times 25.8.1987

18. Sunday Tribune 8.5.1988

folios. This position was awarded to S. Pachai, when he aligned himself with Mr Rajbansi to give the latter a majority of one in the no confidence vote of 1987. Complaining about the limits on patronage he could dispense, Amichand Rajbansi made the suggestion to "amend the Constitution to the effect that the House of Delegates must have 45 ministerial posts".¹⁹ His political practice caused never-ending allegations of corruption and maladministration.²⁰ He was found guilty of maladministration by a Parliamentary select committee in mid-1988.²¹

Amichand Rajbansi stayed on in the Cabinet after the resignation of the Rev Hendrickse and approved the postponement of the 1989 elections²². For this loyalty he was rewarded with an unprecedented amount of prime time on SABC. It was only when Mr Rajbansi lost his hold on the House of Delegates that the Indian chamber started to follow the LP's example and to adopt a more assertive approach.

This development reflected the general pattern, namely that the Indian House would only follow suit once its Coloured counterpart had chartered the territory of dissent. This phenomenon is rooted in the different positions

19. Hansard, HoD 1987(fifth session), col. 226

20. See, for instance, Hansard, HoD 1985, col. 860-74; Hansard, HoD 1986, col. 1518-70;

21. Cape Times 24.8.1988

22. Phoenix January 1988

that Coloureds and Indians occupy in South African society.²³ Owing to their greater vulnerability Indian parties were inclined to display a more timid attitude. This tendency was obvious in the different histories of the CRC and the SAIC.

During the remaining weeks of the 1987 session, the LP rejected more bills than in the three previous years combined. Now it not only opposed new apartheid bills, but also objected to the perpetuation of existing separate structures.²⁴ In early 1988 the Rev Hendrickse announced that his party would not only boycott the Dias Festival, but also the commemorative festivities relating to the Great Trek and the arrival of the Huguenots because they failed to constitute a reason to celebrate for "any self-respecting person of Colour".²⁵ The reference to the self-respect of black South Africans is reminiscent of the LP's alignment with black consciousness during the 1970s.

After the Labour Party had adopted its new stance vis-à-vis the NP, the Rev Hendrickse described the government's reaction as a "total onslaught" against the LP.²⁶ During November 1987 there were reports of alleged attempts by the government to "bribe" Coloured MPs to assent

23. See the section on the intermediate position of the two population groups for a detailed assessment.

24. For details see the section on standing committees.

25. Argus 19.1.1988

26. Argus 19.10.1987

to the NP's desire to postpone the general elections scheduled for 1989.²⁷ The pro-postponement stance taken by Carter Ebrahim, the then Minister of Education and Culture in the House of Representatives, at the LP's annual congress in late 1987 was seen chiefly as a government-inspired move to split the party.²⁸ This interpretation was underscored when despite a request by the Rev Hendrickse, the State President refused to relieve Mr Ebrahim of his post.²⁹ However, when it became apparent that Mr Ebrahim did not command significant support in the LP caucus, the State President complied with the request.³⁰

It was recently reported that the government supported the decision of at least eight Labour Party MPs to defy an instruction of their leadership not to stand for the municipal elections of October 1988.³¹ Furthermore the Rev Hendrickse intimated that the refusal of the Minister of Finance to accede to a request for an additional appropriation of R 38 million for Coloured education might be an act of retribution because of his party's confrontational attitude.³²

27. Argus 7.11.1987

28. Argus 29.12.1987

29. Cape Times 20.1.1988

30. Cape Times 22.1.1988

31. Sunday Times 11.9.1988

32. Sunday Times 21.8.1988

Lately the legislative course of events around three bills relating to group areas has come to epitomize the potential of skilful participation politics. When both the Houses of Representatives and Delegates refused to consider the legislation in question, the white chamber changed its rules and orders and debated the bills as if they were own affairs legislation. This was an apparently unconstitutional move as the procedural rules of the three Houses cannot be phrased in such a way that they conflict with the Constitution.³³ After widespread pressure the government bowed to demands by the two new chambers for a return to constitutional procedure without, however, changing the substance of the bills.³⁴

During the ensuing joint meeting of the three Houses the Rev Hendrickse held an impassioned speech referring to his personal experiences under the Group Areas Act:

"It is so easy to reject the emotions, the feelings and the experience of other people when one is in the position of not having gone through that experience. That is why I welcome this opportunity to address people from the governing party. I cannot do otherwise but remember the injustices we suffered. Let us look at a few of them...I was visited in the home in which I was born by the Police because

33. Sunday Tribune 28.8.1988

34. Cape Times 2.9.1988

I was living there in contravention of the Group Areas Act. That was the house in which I was born! Do hon members know what I mean? Have they experienced it? Do they share my experience? Yet they sit here in judgement on the whole of South Africa and they want to make a law."³⁵

According to the Afrikaans press, this speech made a deep impression on some circles in the National Party.³⁶ Nevertheless, the three pieces of legislation were referred to the President's Council. For the first time the PC did not merely rubber-stamp a bill under its consideration but recommended to the State President that substantial changes be implemented.³⁷ Although the altered government position reflects a multitude of pressures, the stance taken by the Labour Party can be assumed to have been a contributory factor.

With the adoption of a more determined attitude the withdrawal debate within the LP was resumed. In view of the government's unpreparedness to compromise on issues like the Group Areas Act the Rev Hendrickse said his party was seriously considering the option of leaving the tricameral Parliament and its "deadlock politics".³⁸

35. Hansard 1988, col. 16665, 16667.

36. Rapport 2.10.1988

37. Cape Times 30.11.1988

38. Sunday Times 7.8.1988

But the threat of withdrawal appeared to be a hollow one as the circumstances of 1988 cannot be compared to those of 1980 when the Labour Party withdrew from the CRC. The new dispensation and the ensuing political polarisation have created their own dynamics which militate against the withdrawal option. Today participating parties cannot expect to shed the stigma of the alleged collaborator and to be admitted back to the fold of the UDF. Both outside the tricameral Parliament, that is, devoid of concomitant state protection, and outside the mainstream of black politics, participating parties and their MPs would suffer the worst of both worlds.

Yet even after the two new Houses had adopted a tougher stance towards the National Party in general affairs matters, they continued to give priority to own affairs issues. The foremost concern of Coloured and Indian MPs was to uplift themselves and their communities. Heribert Adam observed that "the system is not about ideology but about a hand in the till".³⁹

The preoccupation with material upliftment was rooted in the essentially working-class character of the two new chambers' constituency. Hermann Giliomee pointed out that the government failed in its attempt to use the tricameral Parliament to build a middle-class alliance of whites, Coloureds and Indians:

"Die nuwe bruin middelklas verwag nie dat

39. Interview: Heribert Adam, 26.1.1987

politici vir hulle in die nuwe bestel veel meer konkrete voordele sal kan beding nie. Waarin hulle belang stel, is om die dinge uit te skakel wat stry met hulle reeds verworwe sosiale status: afskaffing van die Groepsgebiedewet, Bevolkingsregistrasie en die verkryging van verteenwoordiging sonder onderskeid van kleur in die Parlement. Maar dit is juis wat die nuwe Konstitusie (nog?) nie bied nie."⁴⁰

The same author remarked that

"ironically the new dispensation attracted the 'wrong' classes from the government's perspective. They are those in the middle level of the working-class, mostly semi-skilled or newly skilled artisans, low and middle level civil servants and (in the case of the coloured population) agricultural labourers. They form a category of people which generally has unrealistic economic expectations of the constitution..."⁴¹

This assessment was echoed by Coloured and Indian MPs. The national secretary of the Labour Party, F.E. Peters, stressed that "the majority of our people, including Blacks, are not so much interested in principles and high

40. Die Suid-Afrikaan No. 1: 4

41. H. Giliomee(1984b): 125

ideas. They are solely in need of living wages and proper housing...We speak on behalf of our people - people who are living in abject poverty."⁴² Solidarity leader J.N. Reddy expressed the same sentiment: "The electorate does not have a high political awareness. To them important things are work, housing and transport."⁴³

The emphasis on own affairs was reflected in the questions Coloured and Indian MPs asked in Parliament. Until the end of the 1988 session the House of Representatives had asked 248 questions relating to general affairs and 191 relating to own affairs. In the House of Delegates the proportion stood at 340:462. The questions directed at general affairs ministers included a large number of enquiries pertaining to the constituency of the respective MP or his population group at large. If these are subtracted, only 105 genuine general affairs questions remain in the case of the Coloured chamber (out of a total of 439) and 116 (out of 802) in that of the Indian House.

In conclusion it may be said that the Houses of Representatives and Delegates went through a protracted period of acquiescence before they started to use their leverage to achieve their objectives. However, their twin goals, namely the dismantling of apartheid and the upliftment of their communities, proved to conflict with each other. The two new chambers could not use their "negative"

42. Hansard, HoR 1987(fifth session), col. 101/2

43. Interview: J.N. Reddy, 21.1.1987

powers to obstruct the system or withdraw from it altogether and simultaneously reap the material benefits of participation.

Furthermore, the underlying assumption of their participation proved to be self-defeating. Coloured and Indian parties had calculated that the government would have to compromise on some of their demands in order to gain legitimacy for the tricameral Parliament. But it was the very implementation of the new dispensation that triggered an unprecedented mobilisation of black resistance and thus caused the government to rely on coercion rather than legitimacy in order to secure compliance.

Whilst discontent in the Houses of Representatives and Delegates did not threaten the stability of the state, large-scale unrest in the townships did. This order of priority was confirmed by reports that the government injected large sums into the most unrest-stricken areas, the so-called "oilspots", in order to upgrade and pacify them.⁴⁴ The Rev Hendrickse expressed the suspicion that taking militant action in the townships might be a swifter route to upliftment than airing one's grievances in Parliament: "At great risk and sacrifice we are participating in this particular structure, but sometimes one gets the feeling that it is almost better to throw stones outside...".⁴⁵

44. Weekly Mail 20.5.1988

45. Hansard, HoR 1987(fifth session), col. 874

6.2. Key policy areas

In order to assess the performance of the Houses of Representatives and Delegates it is instructive to analyse their stance with respect to the key areas of government policy - racial separation and security. In the following chapter a closer look will be taken at racially separate structures at a macro level (constitutional policy) and a micro level (group areas) as well as the issue of state security.

6.2.1. Constitutional policy

It is in the field of constitutional policy that the participating parties' commitment to non-racialism can best be tested. For this purpose the constitutional guidelines espoused by Coloured and Indian parties shall be compared to their actual performance in Parliament.

The Labour Party's official policy has long been to advocate a non-racial democracy. In 1980 the LP's du Preez Commission recommended a "colour-blind" version of the then constitution of South Africa. But there were already ambiguities prior to the establishment of the tricameral Parliament. David Curry, for instance, referred to the plural nature of the South African society. "Ons anvaar dat Suid-Afrika 'n plurale gemeenskap is. Die Here het in Suid-Afrika 'n blomtuin gemaak en ons almal is Sy verskillende blomme."⁴⁶

While reference to pluralism is inherently innocuous and need not be incompatible with non-racialism, in the specific South African circumstances it acquires a meaning usually interpreted as support for the concept of group-based politics. There was no clear-cut commitment to non-racialism on the part of the Indian parties in view of the ethnic consciousness and the perceived vulnerability of their constituents.⁴⁷

46. Rapport 27.2.1983

47 . This point is elaborated on in the section on the in-

During the election campaign of 1984 as well as the early days of the tricameral Parliament, all Coloured and Indian parties stressed that joining a system that excludes Africans did not mean that they turned their backs on the majority of the population. David Curry maintained that the Labour Party entered the system "to bring our black brothers in"⁴⁸ and Amichand Rajbansi claimed that participation did not mean "abandoning our disenfranchised friends".⁴⁹

Over the years, however, references to non-racialism grew scarcer. While they were largely absent in the House of Delegates, the LP continued to call for the repeal of the racially relevant clauses of the Population Registration Act, which constitutes the basis of all racial separation in South Africa. Peter Hendrickse proposed a motion to that effect⁵⁰ and his father rejected the "ungodly" Act at the LP's 21st annual congress:

"The Race Classification Act under which a people and a government have usurped the right of divinity, in this sense that God has created people, men and women of different colours, different complexions, tex-

intermediate position of the Coloured and Indian population groups.

48. Argus 29.1.1985

49. Star 16.7.1984

50. Hansard 1988, col. 1662

tures and nationalities. But this country of ours has taken unto itself a God right, a divine right to classify people - God's people - into categories."⁵¹

However, such statements were outnumbered by innumerable references in both Houses to the plural character of the South African society and the ensuing necessity to recognize groups as constitutionally relevant entities. This notion was epitomized by David Curry's statement that there is no "denying that South Africa is a plural society"⁵² and Amichand Rajbansi's assertion that "one cannot run away from group realities"⁵³ and that every racial segment should be given a "share" in the decision-making at the highest level.⁵⁴

The convergence between the government and the LP (there was never much of a difference between the NP and the Indian parties) is reflected in the changed constitutional policy of the Labour Party. At Eshowe the demand for a unitary system still formed part of its resolution.⁵⁵ When

51. A. Hendrickse(1987a): 18/9

52. D. Curry in Hansard, HoR 1987(fourth session), col. 134

53. A. Rajbansi in Hansard, HoD 1987(fifth session), col. 2362

54. Citizen 30.9.1985

55. Here unitarism shall be taken as the antithesis of federalism as is usually done in the constitutional dis-

Allan Hendrickse spelt out his party's new constitutional formula at its Goodwood congress in 1986, he had adopted not only the government's notion that there should be "no political domination of one group over another"⁵⁶ but also the concept of an ethnic federation:

"Usually it appears not to be an easy task to convert a strong unitary state into a federation. Fortunately South Africa with its provinces, national states and independent states(TBVC) has such a high degree of diversity and geographically distributed powers which are enforced by a strong historical legitimacy, that a federal option for the country as a whole may well be found."⁵⁷

Within a mere three years the LP had moved from a unitary state to a geographical federation to an ethnic federation "without group domination" thus effectively embracing the government's constitutional concept. While the homelands as purely geographical entities are not necessarily incompatible with the notion of non-racialism, they are inextricably linked to the NP's policy of depriving Africans of their South African citizenship by means of expatriation, i.e. the establishment of "independent" states. For

cussion in South Africa, although the antagonism is rather between federalism and centralism.

56. Opening address: 9

57. Ibid.: 11

a professed non-racialist to describe these entities as historically legitimate is certainly evidence of a degree of cynicism.

The two new chambers displayed an ambiguous voting pattern regarding issues pertaining to Africans. On the one hand they approved of the Borders of Particular States Extension Amendment Bill which provided for the incorporation of a part of KwaNdebele into Bophuthatswana and implied the forced removal of about 15 000 people.⁵⁸ On the other hand the Labour Party opposed the Self-Governing Territories Bill which sought to increase the powers of non-independent homelands⁵⁹ and also the granting of independence to KwaNdebele as this would have led to a further fragmentation of South Africa. This was the only known case in which Allan Hendrickse publicly voiced his dissent from a Cabinet decision. However, the motion that the House of Representatives agreed to was ambiguously phrased; it stated that "independence should not be granted simply in response to the request for independence made by the Legislative Assembly of KwaNdebele".⁶⁰

The proposed National Council was at first rejected by the LP. The party changed its stance when an amended version of the bill enabled former prisoners like Nelson Mandela to participate, removed the State President from

58. Cape Times 5.9.1986

59. Cape Times 13.8.1987

60. Hansard, HoR 1987(fifth session), col. 1048

the chairmanship and made provision for urban African representatives on the council to be elected.⁶¹ In its endeavour to facilitate ANC participation in negotiations for a future constitution the Labour Party called continuously for its unbanning. This contrasted with the stance adopted by the NPP whose E. Abramjee said that "as long as organisations such as the African National Congress refuse to give up violence and terrorism, they exclude themselves from the chance to sit around this negotiation table."⁶² This attitude is totally congruent with government policy.

When Coloured and Indian MPs could develop their own initiative, as in the field of questions, their preoccupation with their own population group showed. Taken together, the Houses of Representatives and Delegates, during the first four sessions, asked more own affairs questions(653) than general affairs questions(588) of which the majority(367) were not "genuine" general affairs questions as they pertained to Coloured and Indian MPs' constituencies.

During the first year of the tricameral Parliament, Indian MPs did not ask a single "genuine" general affairs question. During the first four Parliamentary sessions the NPP failed to ask a single question concerning Africans while

61. Argus 17.6.1988

62. E. Abramjee in Hansard, HoD 1987(fifth session), col. 2319

Solidarity asked one such question. The parochialism of the House of Delegates was also reflected in their private members' motions which were, inter alia, concerned with the problem of Indian brides(1985) and the issue of a second access road to Chatsworth(1986). Out of the 588 general affairs questions a total of 42 pertained to Africans.

This is not the pattern to be expected from non-racialists who entered the system ostensibly to "bring in their black brothers" to whom they gave the assurance that they had not been abandoned. It is the pattern that can be expected from parties representing an essentially conservative constituency which objects to those aspects of apartheid which separate it and its life chances from whites, and not so much to those which oppress Africans.

It has been shown that that some commitment to non-racialism and African inclusion in the decision-making process at national level remains in the policy of the Labour Party (and also Solidarity). This commitment is, however, outweighed by the vested interests of Coloured and Indian parties to keep their respective population groups identifiable and constitutionally relevant entities.

In a non-racial system based on universal franchise all parties participating in the Houses of Representatives and Delegates would be certain to fade into oblivion, that is, for them African participation would result in a deprivation of power. Coloured and Indian politicians can therefore be seen as "ethnic entrepreneurs", who try to avert

the dissolution of (constitutionally relevant) groups because these very groups guarantee the perpetuation of their organisational base.⁶³

Due to their marginality within the wider political framework of South Africa, their stake in the retention of codified ethnicity can be viewed as even greater than that of the National Party. This makes for an identity of interests between the government and its tricameral partners. The State President did not fail to stress that the present constitution amounted to the best deal Coloured and Indian parties could ever hope for:

"If it were not for that very Afrikaner and the National Party, the Coloured population would not be in the privileged position it is in today!⁶⁴...If it were not for the National Party policy - for the policy of this Government - you would not be sitting here today.

This is the nearest you have ever come in your lives to governing South Africa."⁶⁵

In conclusion it may be said that the approach of the two new chambers is more in line with the government's plans to convert South Africa into a multiracial autocracy under the tutelage of the National Party than with aspirations to replace apartheid by a non-racial democracy.

63. See J. Rothschild(1981): 150

64. Hansard, HoR 1987(fifth session), col. 2286

65. *ibid.*, col. 2291

6.2.2. Group areas

The Group Areas Act is directed particularly at the Coloured and Indian population of South Africa. Prior to its implementation there was substantial intermingling between whites and these two groups. Accordingly, both of them suffered severely. From the inception of the Act up until 1976 one in six Coloureds (totalling 306 000 people) and one in four Indians were removed forcibly.⁶⁶ Of the whites only 0,15 percent were affected.

Leaving aside the quality of the land allocated to the various population groups, 86 percent of all group areas were reserved for whites although they only make up 57 percent of the population classified as white, Coloured and Indian. Nine percent of the land was declared group areas for Coloureds (33 percent of the relevant population) and six percent for Indians (10 percent of the relevant population).

In view of this discrimination, stern opposition against the Group Areas Act may have been expected from the quarters of all participating parties. But while the Labour Party took an ambiguous stance, the NPP supported the Act implicitly.

The LP continuously demanded the repeal of the Act and clashed repeatedly with the government on this matter. Its

66. See J. Western (1981)

members refused to sign the President's Council report on group areas and rejected the trilogy of group areas bills in 1988. The Labour Party leadership chose the issue of the Group Areas Act to confront the government after Allan Hendrickse had left the Cabinet in August 1987. It demanded the repeal of the Act in exchange for its assent to a constitutional amendment postponing elections⁶⁷ and later for its approval of any legislation at all.⁶⁸

There was, however, suspicion that the Labour Party had chosen the issue of group areas to enhance its credentials as opponent of the government, knowing that the government would not compromise on this sensitive question. The suspicion that the LP did not really desire the scrapping of residential segregation was underpinned by its unwillingness to lift the provisions of the Group Areas Act in Coloured areas until the legislation was removed from the statute book.⁶⁹ For instance, the Labour Party rejected a motion proposed by Peter Mopp(UDP) to open all Coloured areas while the Group Areas Act was still law.⁷⁰ In fact, on various occasions the LP participated in the implementation of the Act:

- In November 1984 Mr Curry and the Rev Hendrickse co-

67. Cape Times 20.8.1987

68. Argus 2.2.1988

69. See the section on housing in the chapter on "own affairs".

70. Hansard 1988, col. 3536, 3552

signed a government statement announcing the removal of "unqualified" Coloureds and Indians from the white Johannesburg suburbs of Hillbrow and Mayfair.⁷¹

- In March 1987 the Labour Party refused a permit application from an Indian man, who was in fact a Coloured but had been reclassified after his marriage to an Indian woman, to live with his family in a Coloured area of Durban. The decision was taken against the backdrop of a statement by the (white) Durban City Council that it had no objections. One of the Labour Party's Indian MPs commented that his party had promised its electorate it would "dismantle apartheid, not implement it".⁷² After widespread public criticism the LP finally approved the permit.⁷³
- Later in 1987 there was a similar incident relating to the refusal of the Labour Party to grant a permit to an Indian to buy a farm in a Coloured area.⁷⁴
- A Labour Party MP, Peter Harris, objected to the granting of a permit to a non-Coloured person to live in Mitchell's Plain.⁷⁵

The more insular position of the Indian population was apparent in the approach of the parties in the House of

71. Sunday Times 25.11.1984

72. Sunday Times 15.3.1987

73. Sunday Times 22.3.1987

74. Sunday Times 6.9.1987

75. Cape Times 15.4.1988

Delegates which supported the principle of residential separation. Amichand Rajbansi claimed that this stance reflected the conservative attitude of sections of the Indian population. "In some constituencies, if you campaign on a ticket to scrap the Group Areas Act, you will lose."⁷⁶

The concern of the Indian chamber lay rather with a more favourable distribution of land. The Deputy-Minister of Constitutional Development and Planning, Piet Badenhorst, quoted the NPP leader as saying that "it was not necessary to repeal the Act but that sufficient land must be available for affordable housing".⁷⁷ The concern with the detail of the Act's implementation rather than with the principle involved was echoed by Solidarity leader J.N. Reddy who complained that "the process and the time-lag between the first moves towards identifying land and the final processes leading to a proclamation constitute a very expensive delay."⁷⁸

In supporting the Group Areas Act the Chairman of the Ministers' Council in the House of Delegates referred to the protection it afforded to the less privileged strata:

"Let us scrap the Group Areas Act - we will still need protection from those who have the liquid cash and those who are holding the land.

76. Financial Mail 12.2.1988

77. Argus 11.9.1987

78. Hansard, HoD 1987(fifth session), col. 2321

The chance to give poor people protection after the lifting of the Group Areas Act will lessen. We will have to determine what kind of protection we can offer them before repealing this Group Areas Act."⁷⁹

In the same vein, President Botha underscored the relatively privileged position the Group Areas Act affords to the Coloureds: "There is no population group which has had greater protection over the years in consequence of the demarcation of group areas than specifically the coloured population."⁸⁰

It has been argued repeatedly that the Group Areas Act would prove the breaking point of cooperation between the government and the two new Houses as the Act could not even be sold to the latter's conservative constituency. Yet four years of the tricameral Parliament suggest that the issue is a more complex one. For the working-class clientele of the Coloured and Indian chambers, the repeal of residential segregation would not entail upward mobility into previously white suburbs, but rather exposure to an influx, albeit limited, of Africans into their neighbourhood. In areas where this has already appeared, there have been reports of resistance by some residents.⁸¹ A survey commissioned by the Labour Party

79. Hansard 1988, col. 443

80. Hansard, HoR 1987(fifth session), col. 2288

81. M. Ebrahim et al(1987): 12

found that while 83 percent of the Coloureds opposed the Group Areas Act, 79,5 percent would not want people of other races to settle in areas reserved for Coloureds as long as there was a shortage of houses and land.⁸²

The ambiguous line taken, especially by Coloured MPs, highlights the tension between their approach as individuals on the one hand and as constituency politicians on the other. As the former they might harbour intense feelings of bitterness about the Group Areas Act, but as the latter they realize that their clientele would derive greater benefit from a more favourable distribution of land within the existing legislative framework than from a repeal of the Act. Furthermore, the Group Areas Act keeps their organisational base spatially identifiable just as the Population Registration Act does in constitutional respect. Both residential integration and freedom of association would erode that base.

6.2.3. Security

As has been determined in the field of segregational policy, there was also a distinct convergence between the government and the Houses of Representatives and Delegates in security matters. For instance, the stance taken by the LP contrasted conspicuously with the situation of 1976 when several members of the party leadership were subject

82. Argus 30.12.1988

to detention.

The first security-related issue the Coloured and Indian chambers were confronted with was the police-shooting of demonstrators at Langa near Uitenhage in March 1985. When Labour Party MP Peter Mopp demanded the resignation of the Minister of Law and Order, who had misled Parliament about the events, he was rebuked by both his leader and the LP's spokesman on law and order, Don Mateman. During the debate on the Kannemeyer Report on the Langa shootings the rift between the two new Houses and the politicized part of the community and their organisations was revealed. The bulk of attacks by Labour Party MPs was not levelled against the police, but against the demonstrators and critics of the party. Both NPP and Solidarity stated that they had, in the words of Mr Abram-Mayet, "faith in the South African Police".⁸³

When the government attempted to vest emergency-like powers in the Minister of Law and Order in June 1986, the Houses of Representatives and Delegates rejected the two bills in question, namely the Internal Security Amendment Bill and the Public Safety Amendment Bill.⁸⁴ Nevertheless, they supported the imposition of a nation-wide state of emergency declared during the same month. The Rev Hendrickse said that he had "no alternative but to support the declaration"⁸⁵ and Mr Rajbansi viewed the action as

83. Hansard, HoD 1985, col. 4018

84. See case study in section on standing committees.

"fully justified".⁸⁶

This apparent contradiction led to speculation that the two new chambers had merely used the opportunity as a show of strength against the government. This suspicion was confirmed by the understanding of emergency measures that a Labour Party MPC, F.G. Backman, displayed during the debate of the bills in the President's Council:

"We in the Labour Party do accept that any democratic government must have two sets of laws...We also recognise that the Bills under discussion cannot be compared to the 90 day detention of the Vorster era. These 90 days detention measures were placed on the Statute Book in order to entrench apartheid and discrimination. As far as the present Bills are concerned, the Government wants them on the Statute Book in order to make reform possible."⁸⁷

This statement is synonymous with the military's notion that so-called law and order is a necessary prerequisite for reform. It does not object to the fact that the path of so-called reform leads in the direction of a multi-racial autocracy, not that of a non-racial democracy. It blends in with Minister Malan's assertion that, to the majority of black people, democracy is an irrelevant con-

85. Argus 13.6.1986

86. Cape Times 13.6.1986

87. Hansard, PC 19-20 June 1986, col. 363

cept.⁸⁸

During the unrest-stricken years of 1985 and 1986 the Houses of Representatives and Delegates debated in a Parliamentary cocoon and failed to a large extent to address the topical issue of township upheaval and security force action. How removed from the community they were, was apparent when, for example, no Labour Party MP intervened on behalf of the Coloured people of Athlone or Bonteheuwel who were affected by security force action.

Unlike the PFP, neither of the two new chambers monitored the situation in the townships or used their privileged position in Parliament to lift the veil of secrecy placed over the country and to expose excesses of the security forces. During the first four years of the tricameral Parliament the Houses of Representatives and Delegates asked 30 questions (out of a total of 1241) relating to the unrest. During the "hot" phase of the uprising, i.e. 1985/6, members of the House of Representatives asked only one question pertaining to the unrest situation; until the end of 1988 NPP MPs had asked only two unrest-related questions.

When the state of emergency was renewed in June 1987 there was no indication of an altered stance. The NPP's secretary, G. Thaver, was satisfied that "the President knows best the reasons why law and order of the country should be maintained".⁸⁹ A statement issued by the Labour

88. See Die Suid-Afrikaan No. 8: 13

Party expressed regret, but went on to express implicit understanding by slating "the forces of evil's continued attempts to instigate and create situations of violence and counter-violence".⁹⁰

Individual MPs went even beyond official government policy in their advocacy of methods that should, to their mind, be employed by the security forces. Patrick McKenzie urged the SADF to establish "bases" in black townships in order to "annihilate the enemy".⁹¹ Mr A.F. Johannes was more specific about the means of the proposed annihilation:

"The powers of the police to detain suspected terrorists or to interrogate those persons who have information on terrorist activities, are frequently the target of criticism; to such an extent that the police cannot make use of terrorism themselves to fight those persons who resort to or are in favour of terrorism."⁹²

Both in the House of Representatives and Delegates criticism of the police emanated mostly from the ranks of the opposition. Peter Mopp, then of the Democratic Party, warned against special constables: "We, who are on the side of law and order, do not want "skollies" in uniform ...The police should not become part of violence which is prevailing in this country."⁹³ Likewise, M. Rajab of the

89. Cape Times 11.6.1987

90. Hansard, HoR 1987(fifth session), col. 748/9.

91. Hansard, HoR 1987(fifth session), col. 2950

92. Hansard, HoR 1987(fifth session), col. 2911

small PRP in the Indian chamber urged the Minister of Law and Order "to give top priority to ensuring that the high-handed and often brutal and sadistic actions of some of the members of his staff are stopped."⁹⁴

Coloured and Indian MPs also subscribed, by and large, to government policy regarding the external security of the Republic. Mr W.J. Meyer was one of many who adopted the Nationalist rhetoric of a communist-inspired onslaught against South Africa. "I am sure", he said, "that Russia is after nothing but the mineral wealth that we have in this country."⁹⁵ This train of thought was echoed by D.W.N. Josephs who maintained that "the moment that the hammer and sickle is unfolded in Cape Town the circle of the aims of the Soviet will be completed".⁹⁶

Accordingly, SADF raids into neighbouring countries were regarded as a legitimate means to avert the purported threat. In May 1986 the Rev Hendrickse said that he had "no criticism of the action of the SADF"⁹⁷, which had attacked three frontline states with the obvious purpose of scuttling the mission of the Eminent Persons Group.

Amichand Rajbansi agreed, claiming that "there could be no questioning the fact that South Africa has exhausted all

93. Hansard, HoR 1987(fifth session), col. 2897/2899

94. Hansard, HoD 1987(fifth session), col. 3108

95. Hansard, HoR 1987(fifth session), col. 2940/2943

96. Hansard, HoR 1987(fifth session), col. 2944

97. Cape Times 20.5.1986

peaceful avenues at its disposal and that its approach in this matter has been more than reasonable."⁹⁸

As in other fields, the departure of Allan Hendrickse from the Cabinet also marked an altered stance of the LP in security matters. The party criticized the effective banning of several opposition movements including the UDF in February 1988⁹⁹. It also supported a motion proposed by Peter Mopp(UDP) to condemn the arrest of prominent clergymen in Cape Town.¹⁰⁰ Later that year its leader called the restriction of the End Conscription Campaign "another step on the road of totalitarian government."¹⁰¹ This statement led to a confrontation with the Minister of Defence who accused the Rev Hendrickse of playing into the hands of terrorists.¹⁰²

While the Labour Party became more critical of the SAP after August 1987 it continued to sing the praises of the SADF which LP MP D.W.N. Josephs termed "our pride and joy":¹⁰³

"When our people needed food the Defence Force was there to bring them food; when they stood naked, the Defence Force was

98. Cape Times 22.5.1986

99. Argus 25.2.1988

100. Hansard 1988, col. 2751

101. Cape Times 23.8.1988

102. Argus 23.8.1988

103. Hansard 1988, col. 9921

there to clothe them; when our people did not have a roof over their heads, the Defence Force provided them with tents."¹⁰⁴

Even long after their leader had resigned from the cabinet Labour Party MPs continued to echo the orthodox line of SADF policy. The LP's defence spokesman, A. Williams, concurred with Minister Malan "that revolutions in our neighbouring states are unacceptable"¹⁰⁵ and it was not meant as criticism when another MP, S.K. Louw, remarked that "the security of the State takes precedence over politics in this country."¹⁰⁶

In contrast to many other security-related matters the Houses of Representatives and Delegates maintained a largely unchanged stance with respect to the question of Coloured and Indian conscription. During the election campaign of 1984, organisations advocating a boycott of the tricameral Parliament argued that the extension of a formally equal franchise to Coloureds and Indians would necessarily lead to conscription for these population groups. Although there is no legal-constitutional nexus between participation in the new dispensation and mandatory military service, the issue remained a sensitive one. It was singled out by several persons interviewed as the one event that would result in a withdrawal of

104. G.L. Leeuw in Hansard 1988, col. 9898

105. Hansard 1988, col. 9887

106. Hansard 1988, col. 9901

participating parties.¹⁰⁷

When in June 1987 President's Councillors from both the LP and NPP signed a PC report on the youth in South Africa which implied conscription for all blacks, this had to be put down to the erratic performance of individual MPCs rather than to a drastic change of course by the parties concerned. On the occasion of the restriction of the ECC the Labour Party restated its opposition to conscription in general "until such a time that all South Africans have full and equal political, economic and social rights."¹⁰⁸ The Houses of Representatives and Delegates, however, did not object to Coloured and Indian volunteers serving in the SADF, but rather took pride in their achievements.

The only deviation from the abovementioned line occurred when Peter Mopp of the UDP suggested the conversion of the two-year period of military service for Whites into one year of mandatory training for all South Africans: "If we want to be citizens of this country, we will have to do compulsory military service, whether we like it or not."¹⁰⁹

In conclusion it may be said that during the first four years of the tricameral Parliament an identity of interest between the government and the two new chambers has been apparent in many security-related issues. This

107. See, e.g., interview: Peter Hendrickse, 4.3.1986

108. Cape Times 23.8.1988

109. Hansard 1988, col. 9881

"toenadering" on the part of the Coloured and Indian chambers was a direct consequence of their participation in system politics, which made several of their members victims of attacks. During mid-1985 alone, the homes of five Coloured MPs were attacked with petrol bombs and hand grenades.¹¹⁰

While National Party members viewed the question of security within the framework of the grand design of politics, the issue was of a much more immediate importance to Coloured and Indian MPs for whom the state of emergency meant a policeman on their doorstep. It was the NP's President's Councillor J.M. Henning who pointed out that Parliamentarians in the two new chambers could not afford to criticize the SAP and at the same time expect police protection:

"Daar is van die ander lede...wat gesê het, Maar mense, gee vir ons polisie." "Ons het 'n bespreking gehad en gesê, "Mense, ons wil mense hê om in ons gebiede in te kom en ons te beskerm"...Ek word bedreig; my familie word bedreig. Ek kan nie slaap nie, because I am high on the hitlist. Daardie mense moenie nou kom en van die polisie, wat onder die moeilikste omstandighede uitgetart word, verwag om hulle te beskerm nie."¹¹¹

110. Cape Times 13.6.1985, Sunday Times 18.8.1985

111. Hansard, PC 19-20 June 1986, col. 391

6.3. The standing committees

6.3.1. The standing committee system

The consensus on which the Constitution is allegedly built is supposed to emerge in the standing committees.¹¹² They have therefore been termed "the engine room of Parliament".¹¹³ As a kind of mini single-chamber Parliament they are the only tricameral institution where there is joint debate. In the following section both the institutional framework of the standing committees and their political dynamics will be assessed.

Both the establishment and duties of the standing committees are governed by the provisions of the Joint Rules and Orders. The Constitution, in sect. 64(3), only refers to the the existence of "at least one standing committee on bills dealing with general affairs". Initially a total of 27 standing committees was established, including 19 legislative ones, i.e. one for each general affairs portfolio. In mid-1987 this number was reduced to 12. At the same time four new standing committees, one for each province, were formed to take over many of the functions

112. The constitutional stipulations pertaining to general affairs legislation are described in the chapter on the Constitution.

113. Rapport 31.8.1986

of the now defunct Provincial Councils.¹¹⁴

A standing committee consists of three standing select committees, i.e. one from each chamber. Its composition, which was agreed upon in talks among the various political parties, deviates from the otherwise prevalent ratio of 4:2:1 being substituted by a ratio of 11(white): 7(Coloured):5 (Indian).

The composition of the standing select committees is based on the principle of proportional representation reflecting the strength of the various parties as in late 1984. Of the 11 members of the House of Assembly, seven represent the NP, two the PFP and one each the CP and NRP. As a standing select committee is constituted for the duration of a House, from May 1987 the CP is entitled to two representatives and the PFP only to one as is the newly-established NDM.

The Coloured contingent of a standing committee is made up of six LP members and one representative of the opposition. In late 1984 this was the PCP, but this party lost its representation when its three MPs broke away and formed the DWP as Parliamentarians retain their committee seats in their individual capacity even if they cross the floor. The Indian standing select committee consists of three NPP MPs and two from Solidarity.

The task of the standing committees is to establish consensus between white, Coloured and Indian representatives

in order to make legislation acceptable to all three Houses. In order to achieve this general affairs bills are, as a rule, referred to the relevant standing committee after the first reading. Each House can also refer general affairs legislation to a joint committee of all three chambers which is constituted on an "ad hoc" basis to consider specific bills. Furthermore the Joint Rules and Orders make provision for an agreement between all three Houses not to refer legislation to a standing committee but to move the second reading at a joint sitting.

To achieve an atmosphere conducive to consensus-building the standing committees sit behind closed doors. During these deliberations its members can call for submissions and expert evidence. The style of the debate in a standing committee is largely determined by its chairman, whose powers allow him to set the tone of the deliberations. He decides whether there is sufficient time for a thorough and informed discussion of a bill, before a formal motion as to its desirability is moved and the clauses and amendments are voted upon. All the chairmen, except for the LP's L.J. Hollander in the case of the Standing Committee on Health and Welfare, were members of the National Party.

Despite the joint debate in the standing committees, the three standing select committees vote as separate entities, i.e. there are separate votes for the contingents from the three Houses. In keeping with the government's concept of group politics, committee members do not vote in their individual capacity but as members of

the statutory group into which they have been classified. This provision prevents the formation of voting alliances between the liberal white opposition and MPs from the two new chambers. It ensures that, as long as it dominates the House of Assembly, the NP does not lose its grip on the system even though only seven out of 23 standing committee members represent the party.

If consensus has been reached the three standing select committees report accordingly to the Houses concerned so that the bill in question can be read a second time. Subsequently, if it is deemed necessary, it can again be referred to the relevant standing committee in order to consider potential amendments. In case there is no consensus, i.e. at least one standing select committee fails to report a bill to its House, the report adopted by any other standing select committee is then placed on the order paper of the abovementioned chamber to guarantee that each House is confronted with a version of the legislation in question. If the one or two dissenting Houses refuse to pass the bill, as did their contingent on the standing select committee, the State President can refer it to the PC in order to break the deadlock.

In line with the various fail-safe clauses the Constitution provides so as to prevent the break-down of the system in the case of a Coloured and/or Indian boycott, the Joint Rules and Orders stipulate that a standing committee can be deemed sufficiently constituted even if only one standing select committee is operational.

The introduction of the standing committees has changed

the quality of the legislative decision-making process in South Africa. Whereas under the old system the decision-making process was distinctly elitist and the position of the Cabinet aloof, the tricameral Parliament provided a more important and active role for MPs.¹¹⁵ Work on standing committees provides Coloured and Indian MPs with the opportunity to benefit from the generally greater experience of their counterparts in the House of Assembly, giving their leaders the opportunity to assess the ability of their Parliamentarians in order to identify and recruit future leaders. The process of specialization which MPs undergo due to their work on standing committees, enables them to make a more informed input.

Furthermore, the possibility of giving evidence before a committee constitutes a potential link between Parliament and extra-Parliamentary forces, as E.F.J. Malherbe observes: "Komitees verskaf meer en beter geleentheid vir steunwerwing deur belangegroepe en dus vir deelname deur buitestaanders aan die besluitnemingsproses. Dit lei dikwels tot groter ontvanklikheid by die wetgewer vir die eise en behoeftes van die kiesers."¹¹⁶ This opportunity to give evidence before a standing committee was used by organisations which otherwise avoided any contact with Parliamentary structures, for instance the Cosatu-

115. Interviews: Leon Wessels, 22.4.1986; Albert Nothnagel, 18.4.1986

116. E.F.J. Malherbe(1986): 14

affiliated National Union of Mineworkers(NUM)¹¹⁷ and the National Education Crisis Committee(NECC)¹¹⁸.

Both Coloured and Indian MPs regarded their performance on the standing committees as one of the highlights of their participation.¹¹⁹ Indeed, the better qualified members of the two new Houses, who usually staffed committees like those on Constitutional Development and Planning, took an assertive stance. However, the performance of the bulk of less astute MPs was less inspiring. It was noteworthy that senior Coloured and Indian MPs adopted a decidedly less confrontational approach on the Standing Committee on Constitutional Affairs(covering overall constitutional issues) as long as Messrs Hendrickse and Rajbansi, who sit on that committee, were members of the cabinet.

Inherent in the standing committee system is a potential conflict between the MPs on committees and their caucuses. While institutional necessity requires the former to arrive at consensus and therefore compromise in the process, the caucuses tend to be reluctant to accept any deviation from their original stance. This pattern can lead to instances in which committee MPs of a certain party approve of a bill, while their fellow party members in the respective House reject it for its incongruity in party policy.

117. Cape Times 6.9.1986

118. Weekly Mail 9.10.1987

119. Interview: Jac Rabie, 25.2.1986; A. Rajbansi in Post Natal 22.1.1986

During the first session of the tricameral Parliament the standing committee system, and with it the whole new dispensation, worked far more smoothly than anticipated. An article in the NP's official mouthpiece, *Die Nasionalis*, which made special reference to the standing committees, viewed the 1985 session as a success and ended with the exclamation "dit werk!".¹²⁰ During that year there were only two bills on which no consensus could be reached, namely the SA Police Special Account Bill and the Local Government Affairs Amendment Bill. Their rejection by Indian MPs can probably be put down to confusion in the House of Delegates as the two pieces of legislation hardly warranted the first conflict in the tricameral Parliament that ensued.

E.F.J. Malherbe draws attention to the impact the standing committees made during 1985: "van die meer as honderd algemene wetsontwerpe wat gedurende die eerste sessie voor komitees gedien het, (is) byna die helfte deur die komitees gewysig..., waarvan minstens twaalf substansieel. In twee gevalle het die betrokke komitee 'n nuwe wetsontwerp in die plek van die oorspronklike voorgestel en in drie gevalle het 'n wetsontwerp sy oorsprong in 'n komitee gehad."¹²¹ Due to both constitutional provisions and political considerations, a pattern of co-operation between the three majority parties emerged during the

120. *Die Nasionalis* June 1985

121. E.F.J. Malherbe(1986): 13

first session.

The standing committee system functioned less smoothly in 1986 when Coloured and Indian MPs rejected two pivotal pieces of security legislation, namely the Internal Security Amendment Bill and the Public Safety Amendment Bill.¹²² During the following year, the Labour Party in particular adopted an increasingly confrontational stance.

In 1987 the LP rejected the Regional Services Council Amendment Bill, which was later withdrawn by the government and passed in an amended version in 1988, the Pension Benefits for Councillors of Local Authorities Bill and the Renumeration of Town Clerks Amendment Bill.¹²³ The latter two represented merely technical bills dealing with separate structures which would probably have been passed by the Labour Party during earlier sessions. (They were eventually referred to the President's Council.) The Regional Services Council Amendment Bill sought to extend RSCs, which were welcomed enthusiastically by the LP¹²⁴, to rural areas.

During the 1987 session the Labour Party also blocked government plans to introduce joint debates of all three Houses. The triplication of debates on general affairs bills, which were held separately in the three chambers,

122. See case study below.

123. Cape Times 6.10.1987

124. See case study below.

had long been a source of dissatisfaction. Coloured and Indian MPs complained that they had to "read about the House of Assembly speeches in the press".¹²⁵ It was not uncommon to find that no government representative was present when the two new chambers discussed a motion of no confidence in the Cabinet.

The Rev Hendrickse objected to the NP proposals for joint debates as they retained the procedure of separate voting in separate Houses: "We are sick and tired of being sent back to our own ethnic chambers like a flock of sheep into its own kraal".¹²⁶ Furthermore, the proposals vested in the Chief Whip of Parliament the power to decide which items should be debated jointly and to allocate speaking time. As the LP did not approve of these provisions it referred them back to the Standing Committee on Rules and Orders which had to arrive at a consensus as there is no deadlock-breaking mechanism with respect to Parliamentary rules.

The procedure of joint debates finally agreed upon follows the example of the standing committee, i.e. the three Houses will vote separately, but in the same chamber.¹²⁷ This meant, for instance, that the two Indian PFP MPs could not vote with their white colleagues.¹²⁸ Regarding

125. Interview: Charles Redcliffe

126. Sunday Times 3.4.1988

127. Argus 29.3.1988

128. Cape Times 29.6.1988

the powers of the Chief Whip, the Labour Party had to compromise in that he will act after consultation with interested parties as the LP could not achieve that he had to consult with them.¹²⁹

The system of consensus politics, which was designed to be engineered in the standing committees, collapsed in 1988. Coloured and/or Indian MPs rejected the following bills:¹³⁰

- the Constitutional Laws Second Amendment Bill, validating past actions of the KwaNdebele government since its illegal election in 1984,
- the Constitution Second Amendment Bill, making provision for the delimitation of constituencies and the appointment of African cabinet ministers,
- the Self-Governing Territories Extension Amendment Bill, increasing the powers of non-independent homelands,
- the Moutse(Validation of Action), seeking to incorporate Moutse into the area of jurisdiction of the KwaNdebele Legislative Assembly,
- the Group Areas "trilogy"(Group Areas Amendment Bill, Free Settlement Areas Bill and Local Government in Free Settlement Areas Bill), establishing multi-racial residential areas while applying the provisions of the Group Areas Act more stringently

129. Cape Times 16.4.1988

130. Sunday Times 3.7.1988, 31.7.1988

- in the rest of the country,
- the Prevention of Illegal Squatting Amendment Bill, providing for the eviction of a certain section of newly urbanized Africans and
- the Constitution Third Amendment Bill, altering the technical procedure by which a ruling of the President's Council is tabled in Parliament

The first three bills were introduced in the 1987 session but, due to delaying tactics, especially by the LP, were still pending at the end of the 1988 session. (The Constitutional Laws Second Amendment Bill was referred to the PC in August 1988.¹³¹) The complete breakdown of consensus was reflected in the refusal by the Labour Party to consider any more NP legislation until the Group Areas Act was scrapped entirely.¹³²

In conclusion it can be said that the standing committee system started off smoothly; Coloured and Indian participators managed to make a substantial legislative input. Yet owing to the confidentiality of the committees and the ensuing secrecy in which they were shrouded, they did not enhance the standing of Coloured and Indian MPs as they were not seen to oppose the government. The "in camera" proceedings, which were designed to create an atmosphere conducive to consensus-building, became public in most cases.

131. Cape Times 3.8.1988

132. Argus 2.8.1988

With the adoption of a more assertive stance in August 1987 the Labour Party abandoned the strategy of "constructive engagement" it had so far applied in the standing committees, and substituted this with delaying tactics. The fourth year saw the collapse of the consensus system for reasons extraneous to the standing committee system.¹³³

6.3.2. Case studies

Because the proceedings of the standing committees are conducted behind closed doors and no records are kept, the role that these committees play is rather imperceptible. To shed some light on this process, this section will take a closer look at the committee stages of one bill on which consensus was reached (the Regional Services Councils Bill) and of two pieces of controversial legislation (the Internal Security Bill and the Public Safety Bill).

To the Houses of Representatives and Delegates, the RSC Bill¹³⁴ was an ambivalent one. On the one hand it contradicted their stated policy by entrenching ethnicity

133. As the breakdown of consensus and the obstructionist approach of the LP are larger issues that pertain not only to the standing committees but to the tricameral Parliament in its entirety, they are discussed elsewhere.

134. For an analysis of the NP's local government restructuring see R. Cameron (1986b) and A. Todes et al (1986)

due to the fact that racially segregated primary local authorities constitute the building blocks of the RSCs. Furthermore, political power was centralized in the form of the far-reaching authority vested in the provincial administrator, a government appointee. On the other hand the bill provided for the first inclusion of Africans in a common, (indirectly) elected body. In addition it laid down that underprivileged areas were to receive preferential treatment in the allocation of resources thus effecting a certain redistribution of wealth.

The bill discussed in 1985 was different in one essential aspect from an earlier draft in that it provided for the representation of African Local Authorities on the RSCs. Through a MP, T. Abrahams, the Labour Party claimed credit for this change:

"It was the Labour Party that brought black people into third-tier government. Let no man deny that. The Labour Party did it."¹³⁵

Coloured and Indian MPs managed to extract no fewer than 77 amendments from the government. It is surprising that they did not even attempt to challenge the perpetuation of statutory ethnicity inherent in the RSC Bill. For this there may be two explanations. Either the Parliamentarians from the two new chambers saw no reasonable chance of changing this cornerstone of NP policy, or, despite their rhetoric, they did not object to the group-based concept

135. T. Abrahams in Hansard, HoR 1986, col. 3782

of politics as this puts their groups in a relatively advantageous intermediate position.¹³⁶

However, the Coloured and Indian members of the Standing Committee on Constitutional Development and Planning succeeded in lessening the centralization of power by curbing the authority vested in the Administrator. While sect. 2(1) and (2) of the bill reads that he could delimit regions after consultation with the three own affairs ministers in charge of local government, the final version stipulates that he shall exercise his power with the concurrence of the abovementioned ministers, thus giving the Houses of Representatives and Delegates an effective veto right.

By means of sect. 3(1)(a) of the bill, the government had tried to give itself a fall-back mechanism which enabled the Administrator to determine which local bodies were represented on a RSC thus empowering him, for example, to exclude African local authorities. In the final RSC Act his authority has been severely circumscribed; now the Administrator may merely announce which local bodies are represented.

The Administrator's powers were also curbed in relation to appeal procedures. Whereas the bill vested this competence solely in him (or, in money matters, in the Minister of Finance), the act establishes an appeal board

136. This issue is enlarged on in the section on constitutional policy.

consisting of the Administrator (or the Minister of Finance), the minister handling African affairs and the three own affairs ministers in charge of local government. In order to be accepted an appeal has to have the support of four of the five board members. This means that, provided they act in concert, the two "non-white" ministers can block appeals not to their liking, for instance, by white local authorities objecting to redistribution. The three NP members on the board can, needless to say, still reject appeals by Coloured management committees or Indian local affairs committees as these require four votes to be successful.

Sect. 11(6) of the RSC Bill gave the Administrator (or the Minister of Finance, depending on the competence) the right to virtually by-pass a "hung" council and to take decisions of his own accord when no appeal was lodged. This clause was negated in the standing committee.

As to the election of the chairman of a RSC the National Party was not prepared to have him elected at the first council meeting, but insisted that the Administrator appoint him (sect. 7(1)).

Surprisingly no amendment was proposed to omit or alter sect. 13(1) of the bill which empowers the Administrator to effectively overrule any RSC decision in order to prevent dissident bodies to the left or right of the NP to "highjack" Regional Services Councils. Certainly this provision is incompatible with the much-heralded "broadening of democracy".

The voting power on the RSCs is proportionate to the ser-

vices used by the various primary local authorities. Hence it is weighted in favour of the wealthier, i.e white, bodies and amounts to a qualified franchise. In order to avoid further distortions, Coloured and Indian MPs managed to get an amendment agreed to which excludes services provided in (white-controlled) industrial or central business districts from the apportionment of votes on a RSC.

In contrast to the abovementioned successes, Coloured and Indian MPs were unable to alter the revenue-generating provisions of the bill. They objected to both the "regional establishment levy"(charged on payroll) and the "regional services levy"(on turnover) arguing that their constituents could not possibly shoulder a further financial burden. Their assessment of the likely consequences of the two new levies was supported by David Solomon.

"The pressures fall on the sections of the community which are under most stress: the African, coloured and Indian workers. They are least able to adapt to the new environment by migrating or diversifying. Accordingly they bear the brunt of the taxes, without enjoying commensurate benefits of the spending thus financed."¹³⁷

All that the representatives of the two new Houses could achieve was a change in the process of determining the "regional establishment levy"; whereas the bill provided

for the Minister of Finance to do this single-handedly, the act states in sect. 1(xi)(b) that the tax is set by each individual RSC in concurrence with the Minister.

To conclude it may be said that the input of the Coloured and Indian MPs changed the RSC Bill quite dramatically in respect of the inclusion of Africans. This raised the Regional Services Councils above a mere third-tier general affairs authority in tricameral vein. Furthermore, standing committee members of the Houses of Representatives and Delegates had a measure of success in curtailing the powers of the Administrator. They failed, however, to even attempt to challenge the entrenchment of ethnicity inherent in the RSC Bill.

One of the LP's constitutional thinkers, Desmond Lockey, sees no incompatibility between the concept underlying the RSCs and his party's constitutional guidelines: "The Regional Services Councils are nothing but a federal model with strong consociation elements."¹³⁸ One of his colleagues, David Curry, expressed the view that the standing committee proceedings on the RSC Bill constituted a milestone in the course of the tricameral Parliament: "For the first time we have reached consensus on a controversial piece of legislation."¹³⁹

The second example of standing committee procedure that will be examined in some detail relates to the Internal

138. D. Lockey in Hansard, HoR 1986, col. 130

139. D. Curry in Hansard, HoR 1985, col. 3929

Security Amendment Bill and the Public Safety Amendment Bill. These two pieces of legislation sought to confer wide-ranging, emergency-like powers upon the Minister of Law and Order, for instance to detain people without trial for 180 days and to declare "unrest areas" and impose restrictions in terms of them. The Bills specifically put the actions of the Minister beyond the jurisdiction of the courts. As these powers are usually only available to the State President under a declared state of emergency, a LP MP termed the provisions of the two Bills a "privatization of the state of emergency".¹⁴⁰ His party as well as all members of the House of Delegates were unwilling to issue a "blank cheque" to the Minister of Law and Order.

The ensuing confrontation came to a head when the Labour Party contingent on the Standing Committee on Law and Order asked that, according to the usual procedure, the desirability of the two Bills be discussed because the LP could not support the principle of the two Bills. When the chairman, Leon Wessels, refused this request and proceeded to put the Bills to a vote instead, the standing select committee of the House of Representatives and two members from the House of Delegates walked out so that the required quorum was no longer present. Nevertheless, the chairman continued with the proceedings and asked the remaining component of the standing committee to vote.

This led to the first constitutional crisis in the

140. Interview: Peter Mopp, 17.6.1986

tricameral Parliament. In the eyes of the Coloured and Indian MPs the standing committee proceedings without a quorum had constituted an "illegal meeting"¹⁴¹ as rule 15(3) of the Joint rules and Orders of the three Houses requires the chairman of a standing committee to either suspend business or adjourn if there is no quorum.

However, Leon Wessels and later also Mr Speaker invoked rule 9(e), which stipulates that, in case one or more standing select committees are unable to perform their functions, the standing committee shall be deemed to consist of only one or two standing select committees.¹⁴² The difference of interpretation between the two parties is therefore whether withdrawal from a meeting can be subsumed to the functions of a standing select committee.

After the report of the white standing select committee had been tabled in the two new chambers, both Bills were referred back to the Standing Committee on Law and Order where the LP and NPP proposed several amendments. One objective of the amendments relating to the Internal Security Amendment Bill was to restore the detainees' access to the courts. A member of the NPP caucus, S. Abram-Mayet, stated that the security legislation in

141. Interview: Peter Mopp, 17.6.1986

142. This provision is the fail-safe clause referred to in the section on the standing committee system which is designed to prevent a collapse of the system in the case of a boycott by Coloured and/or Indian MPs.

Bophuthatswana was acceptable to his party as it provided for access to courts. A second objective was, in the words of a LP MP, "to ensure that the detainees come back alive".¹⁴³

Hence the Labour Party proposed amendments that would guarantee instant medical examination of all detainees(sect. 50A(1)) and their being brought before a magistrate within a week of their detention(sect. 50A(2)). Other amendments sought to gain detainees access to family members and legal advisors (sect. 50A(5)) and to cut the period of detention from three months to one month(sect. 50A(9)). The Minister of Law and Order indicated that he could not agree to a detainee being legally represented at hearings, but that all other requests could be accommodated.

The Coloured and Indian MPs also proposed a number of amendments to the Public Safety Amendment Bill. The most important sought to delete sect. 5B, thus restoring the courts' right and competence to inquire into or give judgement on the validity of any proclamation, notice or regulation issued under the Bill in question. The Minister agreed to this amendment.

Yet, the representatives of the two new chambers were not satisfied with the progress made. As the Minister saw that no consensus could be reached, he revoked all concessions; accordingly, only the white standing select committee

143. Interview: Peter Mopp, 17.6.1986

reported and the House of Assembly passed the two Bills in the form in which they were originally introduced. Because the other two chambers refused to approve the legislation, it was referred to and passed by the President's Council.

In conclusion it can be said that the case of the Internal Security Amendment Bill and the Public Safety Amendment Bill clearly showed the limits of a standing committee's ability to arrive at consensus on controversial legislation, if the government viewed it as essential. Whereas the NP was prepared to compromise relating to more peripheral bills, this tolerance faded when it came to the core of its policy - security. In this case the sensitive and time-consuming consensus-seeking of the standing committees was flouted and the Bills in question were rushed to the PC in order to be put on the statute book.

7. THE PRESIDENT'S COUNCIL

The "new" President's Council with its dual function both to advise the State President on matters of national interest and to arbitrate in legislative conflicts between the three chambers of Parliament differs fundamentally from the "old" PC which supposedly drew up the new dispensation.¹

7.1. Constitutional provisions

The composition of the President's Council between 1984 and 1989 deviates from the 4:2:1 ratio underlying other institutions established by the Constitution of 1983. It consisted of 41 white, 13 Coloured and 6 Indian members; this approximates a ratio of 6:2:1. Of the 60 MPCs 39 are designated by the respective majority parties in the three chambers - 20 by the House of Assembly, 10 by the House of Representatives and 5 by the House of Delegates.

Furthermore, 21 Councillors are appointed by the State President. Of these 10 have been nominated by opposition parties (House of Assembly: 6, House of Representatives: 3, House of Delegates: 1). It is not entirely clear whether the provisions of sect. 70(2) empower the State President to refuse to confirm the nominations made by op-

1. For this reason the role of the "old" President's Council is dealt with in the chapter on the Constitution.

position parties. But even without this prerogative the abovementioned stipulations leave the majority party in the white chamber with a built-in majority of 35 out of 60 members of the President's Council.

Nowhere in official publications is there any justification for the deviation from the 4:2:1 formula as regards the composition of the PC. It is obvious, however, that this is necessary to preserve the white majority party's overall control of the legislative process in the face of the fact that the President's Council is the only constitutional body where there is both integrated debate and voting. (In the standing committees there is integrated debate but the three standing select committees vote as separate entities.) The "loading" of the PC with National Party members guarantees that the NP is not outvoted by an alignment between the liberal white opposition and the Coloured and Indian MPCs.

It should be noted in passing that the Constitution does not make provision for the change of the majority party by way of by-elections or defections. In case the role of governing party and opposition should reverse in one of the chambers the new governing party cannot revoke its predecessors' nominations to the PC.²

Each Councillor is assigned to one of the three 20-strong committees on social, economic and constitutional affairs. The MPCs of the relatively highest calibre are to be found

2. See N.J.J. Olivier(s.a.): 18

on the most important committee, that on constitutional affairs. All chairmen are NP representatives. In addition, there is a steering committee which draws up the Council's rules and regulations, assigns tasks to the three committees and is entrusted with the general control and management of the PC.³

The dual function of the President's Council has been mentioned above. In addition to advising the State President the body serves as a deadlock-breaking mechanism in the case of legislative disagreement. If the three chambers fail to reach consensus on a bill, the President can refer it to the PC in order to overcome the stalemate. As the final locus of arbitration, the PC is the country's highest legislative body and can be regarded as the "upper house" of Parliament. Yet its scope of activity is severely limited as the Constitution empowers it only to vote "yes" or "no" on one or several versions of the bill(s) in question and does not make provision for the body to move amendments. Recently, however, the PC has made informal recommendations relating to squatter and group areas legislation.

In the past there have repeatedly been reports about government plans to give Africans some semblance of political rights at national level by way of including a number of them in the President's Council.⁴ As a cor-

3. See PFP Research Department(1985): 46

4. Argus 1.10.1985, Cape Times 15.11.1985

responding change in composition would be incompatible with the PC's decision-making role within the tricameral Parliament these intentions appear to have been given up.

7.2. The performance of the Coloured and Indian MPCs

The early stages of the "new" President's Council were prominently shaped by its first chairman, Dr Piet Koornhof. The former Minister of Co-operation and Development attempted to demonstrate that the Council could operate independently of the dictate of the respective caucuses and forge consensus irrespective of colour and party lines. A PFP Councillor stressed that "Koornhof wanted the President's Council to be different; he called it 'the other place'".⁵

This conception was taken up by Coloured and Indian MPCs because it justified and elevated their presence in an appointed, NP-dominated body. They consistently portrayed the Council and their role in the constitutional process as occupying the heights of principled decisions and therefore somewhat aloof from the petty depths of party politics. Solidarity's MPC Ismail Omar termed the President's Council "the political conscience of our country"⁶ and T.L. Gounden of the NPP stressed that the Council "transcends the prejudices and characteristics of party-

5. Interview: Robin Carlisle, 22.12.1986

6. Hansard, PC 19-20 June 1986, col. 296

political thinking."⁷ Accordingly, they were full of praise for the role played by Dr Koornhof. MPC Peter Marais said that "he would take you with him on the road to reform".⁸ These sentiments were echoed by P. Chetty of the NPP:

"Dr Koornhof is a great human relations man. He is like John the Baptist. He has seen a lot of suffering, he knows the problems of the blacks. His mission is to change hatred into love."⁹

(It should be noted here that former Speaker Mr Johan Greeff, who succeeded Dr Koornhof as chairman of the President's Council in January 1987, could never inspire a similar measure of enthusiasm in the Coloured and Indian MPCs.)

With his appealing concept of the PC and his lobbying skills, Dr Koornhof managed partially to de-link Coloured and Indian Councillors from their respective caucuses. The personal style of the chairman added to the insecurity of these MPCs. Void of any back-up system (as the MPs have at their disposal), they were susceptible to NP lobbying.

The potential conflict between Coloured and Indian members of the President's Council and their respective caucuses became evident in June 1985 on the occasion of

7. Hansard, PC 5 June 1985, col. 333

8. Interview: Peter Marais, 23.1.1987

9. Interview: P. Chetty, 22.1.1987

the first legislative disagreement between the three Houses. Although the Indian chamber had rejected the SA Police Special Account Bill, the whole of the NPP contingent on the PC voted in favour of the bill. This deviation was justified by P. Chetty:

"We are not here to toe any party line. If we were, there would be no need for a President's Council. We are here in the interests of the country, and it is expected that we use our objective judgement."¹⁰

It was no coincidence that representatives of the National People's Party were the first to fall victim to NP lobbying since both caucus system and party discipline are much less developed in the Indian chamber than in the Labour Party.

The PC had to arbitrate again in August 1985 when the House of Delegates rejected the Local Government Affairs Amendment Bill. By now Amichand Rajbansi had put an end to any "independence" of his Councillors and all five NPP MPCs toed the party line as laid down in the Indian chamber.

The alleged consensus-finding mechanism of the PC received a severe blow when the government rushed two controversial security bills (the Internal Security Amendment Bill and the Public Safety Amendment Bill) through the Council, thus degrading it to the status of a mere rubber stamp.¹¹

When the pattern of disagreement between party caucuses and their respective PC contingents became a recurring feature in 1987, this appeared more to be the result of personal ineptitude on the part of Coloured and Indian MPCs than of calculated political defiance. In June 1987, the bizarre PC report on the youth, which recommended conscription for all South Africans, was signed by four out of the LP's ten men on the Council as well as two of the five NPP members even though it was rejected by both parties.¹² For S.K. Louw of the LP the stance adopted by his party's representatives on the President's Council was indicative of their "political ignorance".¹³

One of the LP signatories of the report, which contained a warning against alcohol abuse, was E.D. Jackson who had one month earlier withdrawn his resignation from the party as this had been made "in a moment of weakness and while under the influence of liquor".¹⁴ A fellow-signatory, R. Mohangi of the NPP, admitted to being unable to understand the document:

"The whole report was in Afrikaans. I don't read or understand the language. No one explained its contents to me and I didn't care

11. See the section on standing committee case studies in the chapter on general affairs.

12. Sunday Times 21.6.1987

13. Hansard, HoR 1987(fifth session), col. 1172

14. Cape Times 21.5.1987

to ask anyone what it was all about. I saw the other members signing it, so I decided to do the same. Furthermore, I didn't worry much about what the report contained because it dealt with youth. In the social affairs section of the PC, I am involved in old age matters."¹⁵

K. Hassim of Apdusa commented that "after all, the essence of being a stooge is blind and unquestioning loyalty".¹⁶

In September 1987, the President's Council report on the Group Areas Act led to another breakdown of uniform decision-making by the Parliamentary caucuses and PC contingents of both the LP and NPP. While nine out of the Labour Party's ten Councillors staged a walk-out from the debate in protest against the Group Areas Act and the NP's unwillingness to reject the underlying principle, the LP's PC leader, Fred Backman, stayed behind.¹⁷ He was later expelled. Two NPP members also remained in the chamber and even signed the report. One of them, T.L. Gounden, was subsequently expelled from the party.¹⁸ The other, P. Paruman, maintained that he had signed the document inadvertently; he had actually wanted to leave the chamber, but had found himself locked in, as the doors had been

15. Sunday Times 21.6.1987

16. Leader 26.6.1987

17. Cape Times 18.9.1987

18. Cape Times 19.9.1987

closed already.¹⁹

At the same time a fundamental shift in the approach of Coloured and Indian MPCs occurred. The acquiescent attitude of the new participants, which could be observed from the inception of the tricameral Parliament until Allan Hendrickse's resignation from the Cabinet in August 1987, was not confined to the Houses of Representatives and Delegates but extended into the President's Council. This phase saw close co-operation across colour lines between the respective majority parties in the three chambers. The predominant voting pattern was an alignment of NP, LP and NPP versus PFP, Solidarity and sole PCP-Councillor Peter Marais; this was contrary to the NP-nurtured myth that the Coloureds would always join forces with the PFP against the National Party. The fact that LP Councillors in particular adopted a much more assertive stance from late 1987 and threatened to automatically reject all legislation referred to the Council is indicative of the inseparable link between the PC and Parliament.

In conclusion it can be said that "the first experience in a mixed, multi-racial Parliament"²⁰, as the President's Council has been termed by MPC Peter Marais, was a sobering one. The debates in the Council provided ample room for discussion during which even NP members did not always

19. Cape Times 23.9.1987

20. Interview: Peter Marais, 23.1.1987

toe the party line. However, as this degree of latitude came to an abrupt end when the vote was taken, the PC could never transcend the image of the government's rubber stamp.²¹ The strict reign of the National Party over its PC contingent exposed any notion of the Council's purported independence from Parliamentary and party-political dynamics as a myth.

21. It was only in November 1988 that for the first time the PC did not merely give its blessings to legislation referred to it but proposed changes to the Group Areas Amendment Bill.

8. THE RELATIONSHIP WITH OTHER POLITICAL FORCES

The success or failure of the Houses of Representatives and Delegates cannot be evaluated by merely assessing their use (or lack thereof) of constitutional mechanisms and their stance towards the government.¹ Such an analysis has to be complemented by a look at the relationships the two new chambers developed with other political organisations, e.g. with the liberal white opposition in Parliament, anti-apartheid groups that use separate structures, and the UDF working outside government-created institutions.

The establishment of strong political relationships is particularly necessary in view of the limited institutional leverage the Coloured and Indian participators have at their disposal. While they might be unable to achieve much on their own, the potential for change could increase significantly if they acted in alliance with the liberal white opposition and/or as the Parliamentary beachhead of the UDF.

8.1. The liberal white opposition

Prior to the inception of the tricameral Parliament the PFP could conceivably have been viewed as the natural ally

1. For the relationship of the two new chambers to the NP see the chapter on general affairs.

of both the Houses of Representatives and Delegates. The two new chambers with their limited resources, both human and material, could have benefitted from the PFP's experience and funds. The PFP and the Coloured and Indian parties could have held joint caucus meetings, coordinated their strategy and co-operated closely in integrated bodies such as the standing committees and the President's Council.

This possible alignment did not materialize because of antagonism between the PFP and the Labour Party. The Coloured community in the Cape has for long harboured ill-feelings towards white liberal parties because of the perceived exploitation of the Coloured vote. Similar sentiments can even be traced back to the early 1900s, when Dr Abdurahman's APO took a decidedly pro-participation stance.²

In this vein, the LP voiced doubts about the non-racial credentials of the PFP's predecessors. It was pointed out that, in the 1960s, the Progressive Party had conformed to the provisions of the Prohibition of Improper Political Interference Act, which outlawed racially mixed parties, whereas the Liberal Party had chosen to disband. David Curry stressed that their "'whiteness' was not foisted on the liberals. Liberals like Alan Paton led the old Liberal Party of South Africa into oblivion rather than compromise with the government."³

2. Interview: Desmond Lockey, 11.5.1988

It should be noted in passing that the relationship between the PFP-dominated Cape Town City Council(CCC) and the LP-dominated management committees has been characterized by a long-standing feud.⁴ David Curry, in particular, never tired of criticizing the CCC's double standards:

"The city council of Cape Town became a white separate development council in terms of government policy. Not one white city councillor resigned in protest when coloureds were removed. We who also use a separate local government structure, the management committee, are not "kosher" in the eyes of the city council. Whites can use the "system" but coloureds or Indians cannot. If you're white you're right, but if you're coloured you must stand down."⁵

Differences between the Labour Party and the Progressive Federal Party heightened after the LP had decided at Eshowe to participate in the tricameral Parliament whereas the PFP rejected the new dispensation. Allan Hendrickse accused the PFP of applying double standards: "Die Progge

3. Cape Times 22.3.1985

4. This issue is beyond the scope of this chapter as this study deals with politics at national level. See R. Cameron(1986a).

5. David Curry in a letter to the Cape Times, 13.5.1985

het die Arbeidersparty veroordeel oor sy deelname aan die driekamerparlement terwyl hulle niks fout gevind het met hul eie deelname nie."⁶

The then Transvaal leader of the Labour Party, Jac Rabie, announced, after the Eshowe congress, that his party would in future fill the position of the NP's main adversary in Parliament. "Die blanke opposisie is genullifiseer tot wat hy werklik is en die Arbeidersparty het die ware opposisie van die Nasionale Regering geword...En ons wag nie totdat ander dit sê nie, ons sê dit nou self aan die Regering: ons is jou opposisie."⁷ When the then PFP leader Dr van Zyl Slabbert stated that an alignment between the two parties would depend on the stance taken by the LP, Allan Hendrickse rejected this view as patronizing and said that the Labour Party would decide whether "to form an alliance with a minority party like the PFP, and not the other way around".⁸

The relationship between the two parties became even more strained after the repeal of the Prohibition of Improper Interference Act. At its annual congress in August 1985 the PFP decided to canvass for support in the Coloured and Indian communities and, in principle, to contest elections for the Houses of Representatives and Delegates.⁹

6. Burger 9.2.1987

7. Burger 26.1.1983

8. Sunday Times 2.9.1984

9. Cape Times 31.8.1985

This membership drive was initially reported to have met with some success. The PFP managed to attract George Blouws as one of its organisers in Coloured areas, who had had a chequered political career: he was a member of the South African Coloured People's Organisation (an ANC affiliate), a regional chairman of the Labour Party, one of the official speakers at the launching of the UDF and an unsuccessful candidate in the 1984 elections for the House of Representatives.¹⁰ Mr Blouws claimed that the PFP was making rapid headway and that he had signed up more than 200 new members within six weeks.¹¹

In the Indian community the PFP managed to recruit Dinkie Pillay, a former member of Solidarity, who lost in his Lenasia constituency in the elections of August 1984.¹² The party's attempt to hold a public meeting in Lenasia ended in disaster when all but a few of the audience left in protest.¹³

Today it would appear that the PFP's organizational drive in "non-white" areas has largely failed; the "Outreach" campaign only succeeded in enrolling 3 000 new members.¹⁴ But it was enough to infuriate the Labour Party. When it

10. Cape Times 10.8.1984, Weekly Mail 23.8.1985, Sunday Times 1.9.198

11. Sunday Tribune 1.9.1985, Argus 23.9.1985

12. Indicator of Lenasia 24.9.1985

13. Cape Times 22.10.1986

14. Interview: N.J.J. Olivier 5.8.1987

was rumoured that the PFP intended to contest the Bosmont by-election for the House of Representatives in March 1987, Jac Rabie declared "war" on the PFP.¹⁵ After its reverse in the white elections of May 1987, the PFP decided to revive its dormant plans to get "involved" in the two new chambers of Parliament.¹⁶

The altered Parliamentary situation with the Conservative Party as the Official Opposition in the House of Assembly, boosted the LP's confidence. The Labour Party saw itself as "the most prominent opposition party" to the left of the government, and one of its MPs claimed that people like Colin Eglin "would love to be seen in our circles now".¹⁷ The same MP spoke of an "open-ended working relationship" between the two parties¹⁸, although plans to form a joint caucus never materialized.

However, the simmering tensions between the two parties resurfaced during the first joint debate of the tricameral Parliament when the affinity between LP and NP was considerably closer than between the LP and the PFP. The Deputy Minister of Population Development, L.T. Landers, in particular, subjected the PFP to scathing attacks:

"When I listened to the hon leader of the PFP,
I was reminded that it was the same PFP which

15. Sunday Times 9.11.1986

16. Argus 22.2.1988

17. Interview: Desmond Lockey, 11.5.1988

18. *ibid.*

in 1983-84 decided that I should not stand where I am standing today. It was the same PFP which decided that I should not participate in the parliamentary process until that day of liberation and freedom had been achieved. The message, or the signal, emanating from the PFP to us, was one of "You upstarts must wait your turn until we say you are wanted here".¹⁹

Although the antagonism between the PFP and Indian parties was not as acute as in the case of the LP, the relationship has deteriorated since the inception of the tricameral Parliament. R.S. Nowbath, a nominated NPP MP, maintained that, owing to their sophistication, liberals posed a greater threat to black South Africans than the National Party:

"I am not at all enamoured with the White liberal politicians...They use surgeon's scalpels to destabilize Black communities. The Afrikaner, bull-headed, uses a butcher's cleaver, he bludgeons so that we know: here is an enemy confronting us. We can take evasive action. But what do these liberal Whites do?"²⁰

In the same vein as his LP colleagues, E. Abramjee com-

19. Hansard 1988, col. 14663

20. R.S. Nowbath in Hansard, HoD 1986, col. 77

plained that the PFP had "persistently opposed measures which were designed to bring disenfranchised people closer to the corridors of power."²¹ His leader, Amichand Rajbansi, warned that the PFP could "never be trusted"²² and claimed that, in terms of racial discrimination, it had "a worse record than the NP".²³

The relationship between the PFP and Solidarity was much more amicable and reflected a largely similar constituency in terms of social class. There was repeated speculation about a merger between the two parties. Although this did not come about, the PFP gained its first "non-white" MPs when two former members of Solidarity, Messrs Pat Poovalingam and R. Rajab, joined its ranks.

In conclusion it can be said that the relationship between the two new chambers and the PFP was an uneasy one.

Representing primarily a lower-class constituency, the Labour Party (and to a lesser degree the NPP) criticized the PFP for its alleged paternalism in general and its arrogance in speaking on behalf of "non-whites" in particular. Hence, the antagonism between the LP and the PFP was not so much rooted in the political programme of the latter, but rather in its perceived image as a collection of upper middle-class celebrities, whose professed

21. Hansard 1988, col. 14752

22. Hansard, HoD 1987(fifth session), col. 2340

23. A. Rajbansi in Hansard, HoD 1987(fourth session), col.

progressivity was seen as a mere attempt to enjoy the best of both worlds. The prevailing sentiment of suspicion on the part of the Coloureds and Indians was most aptly summarized by a senior MPC: "The PFP plays politics - we have to live with it."²⁴

In contrast, the relationship between the Houses of Representatives and Delegates and the so-called independent movement, which emerged prior to the white elections in May 1987, was considerably closer. The Rev Hendrickse welcomed Dr Denis Worrall's candidacy in Helderberg as adding "a new dimension to South African politics".²⁵

Whereas the PFP's concept of opposition to the government appeared to be confined largely to the House of Assembly, Dr Worrall never failed to include the parties in the Coloured and Indian chambers when he referred to the "creative opposition".

This alignment was reflected in the invitation the Labour Party extended to Dr Worrall to attend its annual congress in late 1987. However, the LP remains sensitive about his image. "You have to keep him a little bit at distance because he is not so well-accepted in the black community", cautioned a Labour Party MP. "They cannot forgive him that, years back, he was the only prominent English-speaking academic who belonged to the NP."²⁶

24. Off the record-interview with a senior MPC

25. Argus 28.2.1987

26. Interview: Desmond Lockey, 11.5.1988

8.2. Inkatha

Prior to its Eshowe congress in early 1983 the Labour Party constituted the Coloured component of the South African Black Alliance, of which Inkatha is the core. The LP and Inkatha can be regarded as natural allies as they hold largely congruent views not only on the methods of the liberation struggle, but also on its objectives. Both apply a strategy of working from within government-created structures in order to dismantle apartheid and both regard a non-racial system of federalism as the constitution most suited to South Africa's needs.

After its decision to participate in the tricameral Parliament, the Labour Party was forced to withdraw from SABA. While this de facto-expulsion compounded the party's political isolation, it was perceived as unshackling in certain LP quarters who had come to see the alliance as an extension of Chief Buthelezi's power-base.

However, Allan Hendrickse maintained that his personal bond with the Chief, which was formed during their days at Fort Hare, was never severed.²⁷ The two parties' joint participation in the kwaNatal Indaba ushered in a period of cautious rapprochement, which became more tangible when the Inkatha Youth Brigade attended the LP's annual congress in early 1987. Shortly afterwards Allan Hendrickse

27. Interview: Allan Hendrickse, 11.2.1987

singled out Chief Buthelezi for praise and called him worthy of the Nobel Peace Prize.²⁸ In late 1987 the "toenadering" between the two organisations saw a meeting at the level of deputies when Dr Oscar Dhlomo and Miley Richards met in Ulundi.²⁹

In view of the concentration of Indians in Natal the parties in the House of Delegates were particularly eager to maintain a non-antagonistic relationship with Inkatha. On the eve of the elections of August 1984 Chief Buthelezi issued a thinly veiled threat towards Indians when he referred to the "bitter experiences" of Asians in other African countries and warned South African Indians not to seal "the doom of their children" by voting and thus committing a "mammoth betrayal" of Africans.³⁰

Accordingly, Indian parties adopted an appreciative stance towards Inkatha. This was apparent in their praise for the organisation's role in the Inanda unrest of August 1985.

8.3. The UDF

The relationship between the two new chambers of Parliament and the UDF remained largely a non-existent one. Wherever there were points of contact a mutually

28. A. Hendrickse in Hansard, HoR 1987(fourth session), col. 243

29. Sunday Times 1.11.1987

30. Rand Daily Mail 22.8.1984

hostile attitude prevailed. This was obvious in repeated attempts by the Labour Party to cut off subsidies to organisations critical of its policy.³¹ For instance, in 1985 the LP's Eastern Cape congress passed a resolution which proposed to reconsider the granting of bursaries, loans and housing subsidies to students and teachers who were members of UDF-affiliated bodies like SACOS.³² In 1986 the party threatened to cut off social welfare subsidies to the Ned Geref Sendingkerk.³³

Due to the lack of actual contact between the Houses of Representatives and Delegates and the UDF their relationship was largely confined to the participation debate which has continued ever since the Labour Party congress at Eshowe. The debate revolved around the nature of boycott and participation, the relationship between Parliament and extra-Parliamentary groupings, an evaluation of the Houses of Representatives and Delegates and the assessment of the strength of the state and the democratic movement. Its outcome resulted in a rethink, albeit very limited, of the UDF on the issue of participation.

The standard assertion of the UDF was that its decision to boycott the tricameral Parliament was strategic.

31. LP sanctions against the CTPA and the University of the Western Cape are discussed in a separate section on Coloured education.

32. Sunday Times 13.10.1985

33. Cape Times 3.10.1986

National treasurer Azhar Cachalia stressed that the front's position in relation to participation was "tactical and not one of principle"³⁴ and NIC executive member Farouk Meer rejected the notion that the Natal Indian Congress were "blanket boycotters".³⁵

To warrant the label "strategic" any decision has to be preceded by a thorough analysis of the specific political context. If it is taken without such examination, it amounts to the assertion of a principle. However, the UDF failed to subject to a detailed analysis both the provisions of the Constitution and the political dynamics flowing from it. At no stage were any conceivable scenarios of participation discussed. Up until more than three years after the elections for the Coloured and Indian chambers the UDF failed to spell out precisely the conditions which would warrant participation. Only in late 1987 did the NIC list six preconditions for reconsidering its boycott stance. They were

- the unbanning of the ANC,
- the free return of exiles,
- the release of all detainees and political prisoners,
- an end to violence by the State and the withdrawal of troops from townships,
- the repeal of repressive security laws and

34. Cape Times 3.7.1987

35. Sunday Times 5.7.1987

- the dismantling of the tricameral Parliament and the Bantustan administrations.³⁶

While preconditions 1, 2, 3 and 5 are self-explanatory, numbers 4 and 6 warrant closer scrutiny. It is not entirely clear what is meant by "an end to violence by the State". As the UDF adheres to the notion that structural violence is inherent in the apartheid state, it is unlikely that this precondition is confined to acts of physical violence by the state's security agents. If this interpretation were correct it would imply a transition from the present order to a democratic one void of structural violence. In a similar vein, precondition 6 refers to the repeal of racially separate structures and thus, implicitly, to non-racial political institutions.

Taken together the two abovementioned preconditions mean that the NIC would only participate in statutory bodies once South Africa had been converted into a non-racial democracy. However, under such circumstances any debate about the merits and demerits of participation in apartheid structures in order to work for a non-racial democracy would become irrelevant.

This line of argument would suggest that in boycotting the tricameral Parliament, the UDF did not take a strategic decision but asserted a principle, as the boycott of the new dispensation constituted its very "raison d'être". This view was confirmed by Ameen Akhalwaya, editor of the

UDF-supporting "Indicator of Lenasia". He wrote that participation "would make the UDF irrelevant as it was formed specifically to oppose the racist Parliament...If the UDF or its affiliates was to participate then the last four years of vigorous campaigning against the system would have been in vain."³⁷

N.J. Naidoo, a prominent member of the NIC, demanded suppression of any debate about participation:

"I believe this issue should not be put on the table. There should not be any discussion on the matter. If discussions eventually get off the ground it will lead to bitterness and acrimony and this will lead to a division in our ranks."³⁸

The ideology of non-collaboration was also apparent in the constant reiteration that any participation in state-created structures would necessarily bestow legitimacy upon apartheid structures. This notion is usually associated with Black Consciousness-orientated organisations.

In other divided societies, organisations of extra-Parliamentary origin have found that participation in government-created structures could provide them with a wide range of new opportunities. Hermann Giliomee pointed out the analogy with Northern Ireland and the strategy of

37. Post Natal 15.7.1987

38. Post Natal 8.7.1987

Sinn Fein, the political wing of the IRA.³⁹ Sinn Fein decided in 1981 to break with its past strategy and attempt to marry "the ballot and the bullet". It managed to win roughly 10 percent of the seats on local government institutions. A spokesperson for Sinn Fein expanded on the strategic reasons for working from within the system:

"...the issue of participation is not decided by the tainted quality of the institutions; it is decided by the degree of commitment of your members and the discipline the movement can exert over them. We reject the legitimacy of this government and its institutions, but for the time being this is the de facto government, and we use our participation to get for our people the social services they are entitled to."⁴⁰

In the past the Palestine Liberation Organisation used a similar strategy in the occupied areas. It was the very success of this institutional infiltration that prompted the Israeli government to resume direct rule on the West Bank.

The dynamics that transforms a strategy into a principle works both ways. Not only does non-collaboration tend to develop a momentum of its own, but so too does participa-

39. Sunday Times 10.4.1987

40. *ibid.*

tion. After the Labour Party, the NPP and Solidarity had taken an allegedly strategic decision to participate in the tricameral Parliament, they were prepared to work on all statutory bodies set up since then. There was no assessment as to whether participation in these institutions could provide a platform to strive for the objectives of the parties in question. It seemed that the Houses of Representatives and Delegates had become "blanket participators".

The question of the nature of boycott and participation is inextricably linked to the relationship between Parliament and extra-Parliamentary forces. It should be noted that the perception of a dichotomy between these two spheres emerged only with the establishment of the two new Houses. Before 1984, participation in the House of Assembly was not seen as bestowing legitimacy upon an apartheid institution. Then, the criterion for admission to the UDF was a common goal, namely the commitment to a non-racial democracy. Today, it appears to be a common strategy, that is, non-participation in government-created structures.

This dovetails with the aforementioned interpretation that the UDF's decision to boycott the tricameral Parliament was not strategic but one of principle. Otherwise there would have been no inherent need to withhold anti-apartheid credentials from parties following a course of critical participation. It appears that the crude and simplistic equation of participation with collaboration was designed to further the legitimacy of the UDF, as its very "raison d'être" was the boycott of the new constitu-

tional dispensation.

The perceived dichotomy between parliamentary and extra-parliamentary politics is summed up by UDF-patron Allan Boesak who speaks of the spheres as "twee onhoudbare pole" and stresses the necessity to choose between them.⁴¹ But the purported incompatibility of the two has never been demonstrated convincingly. Andre du Toit showed that both spheres are not only compatible, but even complementary:

"Historically, the extra-parliamentary nature of the main opposition and resistance movements has been forced on them and was not a free political choice: the primary objective has always been to gain participation and representation for all as equal citizens at every level of government. In the midst of the struggle we should not forget what it is all about; it is a political resolution that we seek, and we should assure that in terms of its long-term political objectives, the extra-parliamentary opposition is not seen as an alternative to parliamentary politics but as a means towards it."⁴²

How Parliamentary and extra-Parliamentary politics can complement each other is demonstrated by the forces on the extreme right of South Africa's political spectrum, that

41. Die Suid-Afrikaan No 12: 18

42. Die Suid-Afrikaan No 11: 20

is, by the Conservative Party and the AWB. While Hilda Ndude claimed that the UDF had achieved "national unity"⁴³, it was precisely the abovementioned dichotomy that divided the opposition and consumed much of its energy. It must be recalled that participating parties, although often virulently critical of the UDF, never questioned its "bona fides" because of its different strategy. The participating parties were bound closer to the government by being "excommunicated" from the UDF. The sentiment of isolation is expressed by Dennis de la Cruz, the then leader of the Official Opposition in the House of Representatives, in his own peculiar way.

"Parliament is an island, it is an isolated island; it is removed from the mainland. I am tired of being on an island, I want a link to the mainland."⁴⁴

The refusal of the UDF to accept Parliamentary forces as part of the broader democratic struggle severely restricted the chances of success for the participatory option; by doing so the movement made its prediction, i.e. that the tricameral system would be a failure, a self-fulfilling prophecy.

The UDF's refusal to work within state-created structures was, however, an inconsistent one as, in the words of Franklin Sonn, "almal kollaboreer"⁴⁵. Individuals and

43. South 20.8.1987

44. Interview: Dennis de la Cruz, 17.12. 1986

organisations affiliated to the UDF did use institutions established by the government like state schools, universities, courts, industrial relations reconciliation mechanisms and, in exceptional cases, even the opportunity of testifying before standing committees of Parliament.

The University of the Western Cape regarded itself as the intellectual home of the Left. Lawyers tested emergency regulations in court without being accused of giving credibility to apartheid's judicial system. Similarly, trade unions used the registration system as well as the industrial court and council without being branded collaborators. In all these cases the political law of unintended consequences has been exploited; in principle, the same route is available in the tricameral Parliament.

Besides the more theoretical issues mentioned above, the participation debate was informed by evaluations of the relative strength of the state and the UDF. The UDF's assessment of its own strength was ambiguous. On the one hand, UDF spokespersons have readily admitted that the front suffered a severe setback because of the state of emergency, which would imply a necessity for at least considering strategies other than the present one. On the other hand, its Western Cape chairman, Dullah Omar, maintained that the front had made "tremendous gains in the struggle because it had adopted a position of non-

collaboration; there is no reason to change".⁴⁶ While admitting that "the struggle is far more difficult and complex than many people thought", he stressed that the government needed the state of emergency precisely because the political institutions established by the Constitution had not been working.⁴⁷ As proof he pointed out that, after only two years of the tricameral Parliament, there was already talk of a new dispensation. It must be noted, however, that the National Party spoke of the necessity for accommodation of at least a portion of the African population in the central political system even before the new dispensation was implemented.

The virtual banning of the UDF and other organisations of the UDF in February 1988 supports the first, more pessimistic of the evaluations mentioned above. It deprived all movements, operating outside government-created structures, of an organisational base. Such a platform is indispensable in order to translate mass mobilization into organisational strength. By way of contrast, the National Party has not dared to stifle Parliamentary opposition, regardless of how vociferously the government has been attacked in the three chambers. From an organisational point of view, a strategic assessment would therefore suggest that the necessity for participation increases with increasing repression, even to the point where it remains

46. Interview: Dullah Omar, 25.9.1987

47. *ibid.*

the only strategic option.

As certain individuals and organisations affiliated to the UDF realized the impact of the state of emergency, there were signs of a cautious reassessment of the boycott. The first indications of such a development became apparent during the run-up to the white elections in May 1987. The UDF did not explicitly call on its white supporters to boycott the poll and there were reports that members of the UDF had appealed to the PFP to continue their fight against apartheid from within the system.⁴⁸

UDF patron Johnny Issel warned the UDF against being guided by "emotional superficialities" and stressed that the productivity of a particular form of struggle would change with altered circumstances.⁴⁹ He advocated a close relationship with the NDM and explained the application of obviously different standards to the House of Assembly on the one hand and the Coloured and Indian chambers on the other with the white "tradition of parliamentary politics".⁵⁰

This distinction can only be drawn from a perspective of historical legitimacy. If the matter is approached from a strategic point of view, that is, one not guided by "emotional superficialities", the Houses of Representatives and Delegates would appear to be more promising

48. Sunday Tribune 1.3.1987

49. South 3.12.1987

50. South 5.11.1987

targets of participation. Whereas the UDF does not stand a chance to gain a majority in the House of Assembly, it might well capture both the Coloured and Indian chambers and, despite their inferior status, use these for its purposes. It should be noted in passing that the curbs of February 1988 have been interpreted as being designed to exclude the possibility of UDF participation in the nation-wide local elections of October 1988.

The often pitiful performance of the two new chambers caused doubts even in the mind of a protagonist of non-collaboration like Ameen Akhalwaya:

"Our best and brightest refuse to participate in the apartheid political structures created by the National Party minority...They have, by default, left participation mainly to people whom the community would not dream of endorsing in free and fair elections. When we look at the farcical performances of MPs elected by a minority of voters, and of nominated President's Councillors, we are often tempted to ask ourselves if it is not time for a rethink, whether our best and brightest should not in fact get in and do a better job."⁵¹

The person who is most commonly associated with a reassessment of the UDF's boycott position is Archie Gumede,

51. Indicator of Lenasia, quoted from Cape Times 20.7.1987

one of its presidents. In June 1987 he broke a non-collaborationist taboo and met informally with members of the PC's constitutional affairs committee.⁵² One month later he urged the UDF to consider participating in the 1989 Parliamentary elections⁵³ and said of this strategy "if it fails, it fails and we go back to the people".⁵⁴

His remarks elicited responses ranging from neutral to overtly hostile. Not surprisingly, the UDF's regional executive in the Western Cape re-affirmed its non-collaborationist stance and, referring to the tricameral Parliament, stated that "this powerless dummy body, filled with well-paid puppets, represents everything we reject".⁵⁵ As the least unfavourable reaction came from the NIC, there was speculation that Mr Gumede had tested the participatory water for those who could theoretically vote in a general election in 1989.

In conclusion it can be said that the participation debate, which dominated the relationship between participating parties and the UDF, was marked by shortcomings. The UDF failed to evaluate thoroughly enough the possibilities provided by the Constitution.

In order to do this it is not sufficient to merely look at the particular performance of participating parties; what

52. Argus 8.6.1987

53. Cape Times 3.7.1987

54. Cape Times 17.7.1987

55. Cape Times 4.7.1987

is needed is an analysis of the innate potential of the system. Despite the claim that its decision to boycott was not one of principle the UDF did not assess the options open to candidates put up by the front. (These could possibly stand under a different flag; for instance, the United Democratic Party offered its services in this regard⁵⁶.) They could either refuse to take up their seats or they could take them up and force the collapse of the system⁵⁷ or work it as the Trojan Horse of the UDF movement. The UDF's failure to at least consider these respective scenarios reveals a lack of strategic astuteness and has been termed a "lack of politics".

56. Financial Mail 4.3.1988

57. For a more detailed description of the possibilities in this regard see the chapters on the Constitution and own affairs.

9. CONCLUSION

This chapter will attempt to answer the questions set out in the introduction: Has the new dispensation entrenched white (or Afrikaner) rule and strengthened the government? Have the Coloured and Indian participants utilized the tricameral Parliament for the politics of transformation towards a democratic order in South Africa? And: Has the boycott stance adopted by the UDF proved successful? Furthermore, the conclusion will try to integrate empirical evidence and theoretical concepts.

In connection with the previous chapter, the following section will attempt to ascertain whether the tricameral Parliament conformed to the model of consociationalism or control.

The government has consistently referred to the tricameral Parliament as a consociational system. This was particularly conspicuous in the starting-point of the new dispensation, the first report of the PC's Constitutional Committee. "In its consideration of possible political choices before South Africa, the Committee took as a neutral starting-point the views of two political scientists, namely Arend Lijphart and Samuel Huntington"¹. After analyzing the suitability of various options the report suggested "the continuation of the direction of official constitutional policy with regard to Blacks..., and

1. Constitutional Committee of the PC(1982): 31

consociational democracy as far as Whites, Coloureds and Indians are concerned."² This mix of control and consociation was justified by the fact that "South African conditions are highly unfavourable to the successful operation of a consociational democracy which included all groups:

- (a) There is no multiple balance of power among the groups;
- (b) historical tendencies towards inter-group accommodation are weak;
- (c) there are severe socio-economic inequalities;
- (d) external threats are not perceived as a common danger by the different groups; and
- (e) society-wide loyalties are weak or absent."³

However, even if the alleged consociation is confined to whites, Coloureds and Indians, the conditions remain unfavourable. Here the whites are the dominant group and between the three population segments a tradition of conflict resolution is absent, while socio-economic inequalities persist.

The government's frequent references to consociational democracy are belied by the very architect of that model. Lijphart himself termed the new dispensation "a travesty of my conception".⁴ He criticized the Constitution on the following grounds:

- 2. Constitutional Committee of the PC(1982): 36
- 3. Constitutional Committee of the PC(1982): 39
- 4. Quoted by L.J. Boulle(1984): 185

- blacks are excluded;
- Coloureds and Indians lack an effective veto power;
- the group classification is involuntary;
- it entrenches NP domination;
- the strong presidency is not conducive to power-sharing;
- it was imposed unilaterally; and
- the 4:2:1 ratio is fixed and does not allow for demographic trends.⁵

Furthermore, Lawrence Boulle observed that the professed concept of consociationalism was not applied throughout the new dispensation as the majoritarian principle persisted at intrasegmental level, e.g. in the adherence to the constituency-based electoral system.⁶

Taking a wider view, Frederik van Zyl Slabbert saw Coloureds and Indians participate in a system of "co-optive domination"⁷ void of the consensual features of consociational democracy:

"...the government gives uni-lateral content to bi-lateral political concepts and processes...It has made the idea of democracy, reform negotiation and consensus ridiculous in the South African political context: Negotiation, in effect, means for

5. A. Lijphart(1985)

6. L.J. Boulle(1984): 185

7. F. van Zyl Slabbert(1987b): 26

the government to persuade opponents to fit into their scheme of things. Consensus simply means that others must be reasonable and agree with government."⁸

A closer look at the tricameral Parliament confirms the complete absence or insufficient fulfilment of the four elements of a consociation. The assessment given below confines itself to the new dispensation as, needless to say, none of the consociational requirements can be met with regard to the excluded Africans. Furthermore, it must always be noted that the statutorily classified groups, of National Party design, do not conform to the concept of self-defined segments as envisaged by consociationalism.⁹

1.) Grand coalition (executive power-sharing among representatives of all significant groups): The Constitution of 1983 does not make any provision for a grand coalition. That the initial co-optation of the Chairmen of the Ministers' Councils in the two new Houses could not be seen as a departure from this position is underscored by the subsequent reversal to an all-white Cabinet.

2.) Mutual veto on most vital issues: In the case of "normal" legislation Coloured and Indian participants do not have a right of veto at their disposal. Should there

8. F. van Zyl Slabbert(1986a): 5

9. The following paragraphs are numbered according to the numerals given to the four elements of a consociation as set out in Appendix I.

be disagreement among the three Houses any consensus-seeking mechanism is disposed of and the bill can be referred to the NP-dominated President's Council. The Constitution of 1983 does, however, provide the two new chambers with a right of veto in the case of so-called entrenched and semi-entrenched clauses. Whilst these might be few in number, they are of considerable impact as they concern any future dispensation in general, and the issue of the constitutional inclusion of Africans at national level, in particular.

Besides their circumscribed institutionalized veto power, the Houses of Representatives and Delegates have a limited political pressure mechanism at their disposal. Their lack of "positive" leverage, that is, their inability to effect legislative change, is partially compensated for by their "negative" power: in view of the government's need to portray the new dispensation as a functioning and legitimate system the two new chambers can obstruct the working of the tricameral Parliament, embarrass the National Party and threaten to withdraw from the system altogether. Hence legislative success for the Coloured and Indian participants is likely to flow from the political dynamics of the system rather than its institutional framework.

3.) Proportional representation in the legislative and executive: The consociational principle of proportional representation is limited to Parliament and the President's Council. W.H.B. Dean observes that Coloured and Indian participation "will occur in a legislature which is

not intended to play a really significant or effective role in political (as perhaps opposed to technical) decision-making".¹⁰ The Constitution does not to extend proportional representation into essential executive fields, for example, the civil service, the diplomatic corps and the security forces. The same applies to the judiciary.

The failure to institutionalize Coloured and Indian representation is reflected most conspicuously in the composition of the "general affairs" civil service which virtually remained an exclusively white affair after the inception of the new dispensation. Out of a total of 10 966 state employees in the upper eight post levels 96 percent were white, 1,8 percent African, 1,4 percent Indian and 0,7 percent Coloured.¹¹ Only six out of 26 departments employed at least one black person in the five most senior post levels. In none of the departments were blacks represented in the top three levels. Positions of Director-General and Deputy Director-General were exclusively held by whites.¹² Since 1984 the government has appointed two black ambassadors to the Netherlands and the European community. The most senior position held by a black in the SADF is that of lieutenant-colonel. The first black judge was appointed in 1987.

10. W.H.B. Dean(1983): 112

11. Argus 21.8.1987

12. Hansard, HoR 1987(fifth session), questions, col. 121-

4.) Segmental autonomy (high degree of internal autonomy for all groups): While the own affairs system is supposed to conform to the consociational requirement of segmental autonomy, the fulfilment of this condition is circumscribed in several ways. As the distinction between own and general affairs remains the prerogative of the State President the new dispensation does not provide the Houses of Representatives and Delegates with a constitutionally unassailable terrain of jurisdiction. Furthermore, the various segmental administrations do not generate their own revenue, making own affairs' finance a general affair. Even within this framework there is no proportional allocation of funds, as an analysis of the appropriations of the three chambers has shown. Finally, both the legislative and the executive "own affairs" authority of the other two Houses is restricted through the existence of overarching "general affairs" ministries.

The application of Lustick's analytical framework shows that via the new dispensation the government used a considerable number of "control" methods with respect to Coloureds and Indians.¹³

1.) Segmentation (depriving subordinate groups of facilities for united political action, i.e. isolating them from the superordinate group and manufacturing in-

13. The following numbers correspond to those given to the three elements of "control" in Appendix I.

ternal fragmentation): The separationist provisions of the Constitution isolate Coloured and Indian participants from like-minded sections of the dominant group by preventing them from entering into an effective (formal) coalition with, for instance, white liberal opposition parties. Yet the period from August 1987 (that is, after the departure of the Rev Hendrickse from the Cabinet) saw a frequent (informal) alignment between the Labour Party and the PFP in integrated bodies like the standing committees and the President's Council.

By way of exacerbating the antagonism between participating parties on the one hand and non-collaborating movements on the other, the tricameral system heightened intra-segmental cleavages within the Coloured and Indian population groups. In addition, the reinforcement of ethnic identities, which is inherent in the new dispensation, increased the alienation of South Africa's two intermediate groups from the African majority.

In contrast to the abovementioned features of structural segmentation, the Constitution of 1983 did not entail any elements of institutional segmentation. On the contrary, it marked the transition from the exclusively white or Afrikaans character of the South African state - referred to by Gagiano as "boereplaas"¹⁴ - to a more inclusive concept. The tricameral Parliament broke with the NP's past practice of co-opting groups into structures away from the

14. See Die Suid-Afrikaan No. 10, p. 25-7

central state and amounted to the first exercise in "inclusion-cum-separation".

The National Party was keen to see Coloureds and Indians participate in public and national institutions, albeit not in controlling positions, as this gave credence to its purported policy of dismantling apartheid. Housing and other upliftment projects initiated by the two new chambers, the appointment of "non-white" ambassadors, the achievements of Coloureds and Indians in the security forces and the business world, the multi-racial composition of churches and voluntary associations, the inclusion of black sportsmen in Springbok teams - all these facets were highlighted by the government-supporting media.

The success of the NP's attempts to enlist the services of "responsible" Coloureds and Indians in its fight against the forces of the total onslaught was reflected in the utterances of many MPs in the Houses of Representatives and Delegates who, particularly during the latter stages of the tricameral Parliament, referred to the South African State as "we".

2.) Dependence (denying subordinate groups access to independent sources of economic support): As in the case of segmentation, a degree of dialectics could be observed with respect to the government's use of the instrument of dependence. On the one hand the new dispensation provided Coloureds and Indians with a semi-independent institutional base in the form of the own affairs administrations. On the other the Constitution instituted their final dependence on white-approved funds.

Whilst Coloureds and Indians now have relatively autonomous churches and schools and political parties at their disposal, most members of the two intermediate groups continue to lack an independent economic base. Attempts by the National Party to exploit this dependence were, however, partially thwarted by the existence of a significant proportion of traders and self-employed artisans to be found among Coloureds and Indians.

3.) Co-optation (using elites of subordinate groups for surveillance and resource extraction): As opposed to the homeland elites there were no traditional Coloured and Indian leaders in the early 1980's. Therefore the co-optive attempts of the new dispensation were directed at the middle-classes of the population groups in question. However, as the most determined resistance to the Constitution originated from this stratum, the process of tricameral co-optation had to manufacture its own political elites in the form of the members of the Houses of Representatives and Delegates. As the MPs did not command the community's respect or occupy the pivotal position of the middle class, the government's co-optive policies met only with modest success. Coloured and Indian MPs played a limited role in providing a flow of information to monitor the two intermediate groups and to extract resources.

Another method of determining whether the government's tricameral policies fit the model of control or that of consociation is to place them in a conceptually distinctive framework provided by Lustick. He contrasts the two models in seven respects:¹⁵

a) the criterion that governs the allocation of resources: The Constitution of 1983 fails to conform to consociational requirements, that is, to institutionalize the common denominator of segmental interests as the decisive factor in this regard. On the whole the provision of funds continues to be the prerogative of the superordinate group as even the supply of finances to the own affairs administrations of the two new chambers falls within the ambit of general affairs.

Besides this institutional aspect there were several instances in which the government used its financial competence for political purposes. After the Rev Hendrickse's swim, for example, the Administration: House of Representatives was reported to have been financially disadvantaged. In a similar vein, the Minister of Finance refused to allocate resources to the Coloured minister in charge of pensions although the latter was under the impression that these funds had already been promised. A rare exception to this pattern emerged when the Minister of Finance, by way of a trade-off, reportedly agreed to provide a large sum for Coloured and African housing in order to gain the LP's consent to a money bill.

b) Linkages between the segments and

c) the significance of bargaining

are closely intertwined:

The new dispensation is neither a system of genuine bargaining nor one of pure dominant group unilateralism. Except for some constitutional amendments the Constitution does not force the National Party into legislative compromise.¹⁶

The actual character of the tricameral system is, however, not only determined by its institutional provisions but also by its political dynamics. Although there was, for example, no necessity for serious negotiation by the NP in the standing committees, the Coloured and Indian participants succeeded in effecting some considerable legislative changes as was particularly evident in the altered RSC Bill. Furthermore, the significantly changed linkage between two segments, that is, the NP and LP, after the resignation of Allan Hendrickse from the Cabinet, shows that political variables can shape the character of the new dispensation to a not inconsiderable degree.

d) the role of the official regime, represented by the civil service bureaucracy, law enforcement agencies, the courts, the public educational system, and the armed forces:

As can be gathered from the remarks above, the role of the tricameral regime conforms neither to that of an "umpire" ensuring adherence to the rules of the political game nor

16. See the remarks on the consociational element of a mutual veto made in Appendix I.

to that of the legal and administrative instrument of the superordinate segment. As the new dispensation shows more affinity towards the characteristics of "control", the role of the South African regime under the present constitution could be described as that of a biased referee.

e) the normative justification for the political order: In this respect the tricameral Parliament has to be placed closer to the consociational pole of the analytical framework (legitimization by reference to "common welfare"). The dispensation of 1983 can be regarded as the constitutional result of the government's move from an openly racist to a technocratic rationale, albeit limited. The normative justification for the perpetuation of the political order in South Africa is no longer primarily based on the ruling group's ideology, i.e. apartheid, but on technocratic values like stability and prosperity.

This ideological change is graphically illustrated by a chart drawn up by Willem van Vuuren. He shows that the utopian projection of racial harmony through segregation has been largely superseded by the notion of peace and material prosperity through pragmatic reform. The myth of an all-pervasive danger has been redefined from "swart gevaar" to chaos and economic decline. To prevent this, so-called moderates from all population groups have to unite against threatening "radicals".¹⁷

It is the professed rational superiority of technocracy

17. W. van Vuuren(1984b): 20

and its allegedly apolitical character that makes it a viable basis for the inclusion into the system of hitherto excluded groups. The system is no longer legitimized by potentially controversial normative values but rather by its efficiency.

However, the rise of technocratic rationality does not imply the demise of segregationist ideology. While these two strands have often been erroneously portrayed as mutually exclusive, Deborah Posel points out their interaction.

"...themes, symbols and styles of the previous state ideology still linger amidst the new, in uneasy, contradictory relationship to it. Certainly, old ideologies stick fast."¹⁸ This argument is underpinned by Willem van Vuuren, who stresses that the ideological potency of the technocratic rationale "lies precisely in its ability to conceal its ideological character".¹⁹

f) the character of the central strategic problem facing segmental elites:

In a "control" system the character of the central problem with which group elites are confronted is asymmetric, reflecting their superordinate-subordinate relationship. By contrast, in a consociational system the problem is symmetric for each segmental elite, as they share an overarching commitment to perpetuate the political order. An analysis of the constitutional policy of the Houses of

18. D. Posel(1982): 8

19. W. van Vuuren(1984b): 18

Representatives and Delegates has shown that, despite all criticism of the tricameral Parliament, Coloured and Indian MPs have a vested interest in maintaining the existing system. The very essence of the Constitution, that is, codified ethnicity, assures parties of the two intermediate groups of at least a measure of political prominence; in a system not based on the group concept they would certainly fade into oblivion.

g) the appropriate visual metaphor:

Neither of the two descriptions provided by Lustick - that of a delicately balanced scale and that of a puppet-show - fits the new dispensation. Perhaps the best analogy would be a Pied Piper, calling the tune but at the same time eager to attract followers.

Concluding this section, it can be said that the new dispensation does not conform to the consociational model. However, the tricameral system also marks a departure from the racial concept of control as it was in operation roughly until the mid-1970's.²⁰ Placed on a continuum between the two poles of consociation and control the new dispensation would stand closer to the latter. History has shown, however, that genuine consociations tended to originate from what Hanf has termed "sham consociations". He refers to the experiences of Belgium and the Nether-

20. It is beyond the scope of this thesis to describe the National Party's earlier "control" policies. For an overview see G.M. Carter(1958) and D. Brown(1966).

lands where the Flemish and the Catholics respectively managed to achieve emancipation from a subordinate position and to acquire one of equal status. Hanf also cites the case of the formerly subordinate cantons in Switzerland which succeeded in ridding themselves of that role.²¹ While South Africa's chances to proceed to a genuine co-sociation appear to be slim, lately the more assertive stance of the Labour Party has at least moved the tricameral Parliament a little way in that direction.

Bearing in mind the assessment made above, it must be said that the government's policy of co-optive domination met with only limited success. It was, however, not the failure of the new dispensation to gain legitimacy among a majority of the target groups that constituted a set-back for the National Party, as it managed to attract enough Coloureds and Indians to make the system of self-administration (own affairs) work. The fault lay rather in the fragility of the government's broadened base. The state's co-optive capability was severely circumscribed by two factors - the economic recession and the government's shift towards a free enterprise system, which sought to restrict the state's involvement in the economy in general and its redistributive role in particular. The government's attempts to co-opt the Coloured and Indian population groups were not only faced with the abovementioned obstacles but were also based on a

21. See T. Hanf et al(1978): 439

theoretical misconception. Under conditions of vertical stratification the chances to "buy off" the elites of subordinate strata are slim; all that can be done is to give their discontent more space. Upliftment within the confines of subordination tends, however, to defeat the objectives of the dominator, as it is likely to heighten sentiments of relative deprivation among the subordinate group.²²

This phenomenon was confirmed by a Labour Party MP: "We believed that improvements would make people less interested in the political questions - but it's only made them more interested."²³ Steven Friedman has aptly summed up that its attempts at co-optation have left the government with the worst of both worlds. "It has failed to give its black participants and their constituents enough to recruit them as allies but has given them enough to limit government options".²⁴

From the government's point of view the greatest success of the new dispensation was the avoidance of total failure, i.e. the much-predicted collapse of the system. Even during 1985/6, when the resignation of many African councillors rendered numerous third-tier bodies non-functional, Coloured and Indian MPs viewed the rewards of participation as greater than the stigma resulting from

22. See J. Gagiano(1979)

23. Quoted by S. Friedman(1988a): 25

24. S. Friedman(1987): 83

it. During five years of the tricameral Parliament only one MP resigned because of community pressure; unlike his colleague, the Rev Hendrickse, the Rev Alwyn Goosen chose the option of further membership in the United Congregational Church over that of continued presence in Parliament.²⁵

Although the Minister of Information, Stoffel van der Merwe, labelled the tricameral Parliament a success²⁶, its overall implications have left the government not strengthened but weakened. The Constitution of 1983 harmed the National Party's standing in the eyes of the white electorate; owing to the confrontationalist stance recently adopted by the Labour Party and the allegations of corruption in the House of Delegates, the tricameral system has not generated legitimate inter-racial consensus as promised by the NP. Designed by technocrats as a depoliticizing device, the new dispensation provided a rallying point both for the right and for the left - it prompted not only the breakaway of the Conservative Party but also an unprecedented mobilisation of black resistance as epitomized by the formation of the UDF.

Turning to the second question set out in the introduction, i.e., the record of the other two Houses, it can be said that, judging from their preoccupation with group-related matters, the new chambers perceived the realm of

25. Argus 12.5.1986

26. Interview: Stoffel van der Merwe, 29.9.1987

own affairs as the most significant part of the tricameral system. Parochial issues were particularly prominent in the House of Delegates reflecting the encapsulation inherent in the position of "middle man minority" as occupied by the Indian population.²⁷ The performance of that chamber conformed to the interests of a so-called pluralistic minority striving to retain its identity. Even the NIC had to admit to the presence of a "strong sense of being Indian" and the absence of an "inherent non-racial conscience".

While these characteristics were less obvious in the House of Representatives, it could still be observed how the emotive and material components of ethnicity reinforced one another. Both intermediate groups were used as mobilizing entities in the struggle for scarce resources. Coloured and Indian leaders played the role of "ethnic entrepreneurs" who represent essentially conservative constituencies which hate apartheid because it is detrimental to their life chances, not because it oppresses Africans. This attitude was reflected in the ambivalent stance taken towards the Group Areas Act; for the working-class clientele of the two new chambers the repeal of residential segregation would not primarily entail upward mobility into previously white suburbs but rather exposure to the influx of Africans into their neighbourhood.

As the system of own affairs tended to entrench

27. See chapter 2.1.

separate structures the two professed strands of participation - the upliftment of the Coloured and Indian communities and the dismantling of apartheid - proved incompatible. As ethnically defined "homelands", the Houses of Representatives and Delegates developed vested interests in the perpetuation of a group-based political order. Any non-racial dispensation would deprive the two intermediate groups in general and the new chambers in particular of their position of relative power and privilege and would cause Coloured and Indian parties to fade into oblivion. Their stake in the retention of codified ethnicity induced the new participants to keep their population groups as identifiable and constitutionally relevant entities.

One of the NP's experts on constitutional matters, Stoffel van der Merwe, pointed out that racially separate structures benefit Coloureds and Indians both at a macro and micro level. He observed that the new dispensation was the best deal the new participants could possibly hope for as one integrated chamber of Parliament (representing whites, Coloureds and Indians) would have relegated them to a less privileged position.²⁸

In the realm of the "general affairs" performance of the Houses of Representatives and Delegates, two distinct phases could be observed. During the first three years of the tricameral Parliament the two new chambers allowed the

28. Interview: Stoffel van der Merwe, 14.4.1986

National Party to determine both the direction and pace of the so-called reform process. Coloured and Indian participants failed to seize the political initiative and to provide an inspired articulation of black grievances. During the unrest-stricken years of 1985/6 the new MPs debated in a Parliamentary cocoon; they hardly addressed the issues of township upheaval and security force action and failed to lift the veil of secrecy placed over the country by the state of emergency.

Until mid-1987 the Houses of Representatives and Delegates did not utilize the opportunities at their disposal and even surrendered their "negative", i.e. obstructive, powers: the confrontation ensuing after the "swimming incident" (when the LP leader had defied the Separate Amenities Act) showed that the threat of forcing new elections - originally thought to be a potent weapon in the hands of the other two Houses - was now being used by the government. The ultimate threat available to Coloured and Indian participants, that of complete withdrawal from the system, was never a credible one; positioning themselves both outside the Parliamentary sphere and the mainstream of black politics with no prospect of being accepted into the fold of the UDF, they would suffer the worst of both worlds.

The two new chambers had calculated on the government's willingness to compromise in order to gain legitimacy for the new dispensation. Yet this underlying assumption about

the inception of the tricameral Parliament proved to be self-defeating: as the very implementation of the Constitution of 1983 triggered unprecedented mobilization of black resistance the government fell back on relying upon coercion, rather than legitimacy, to secure compliance.

After its leader had left the Cabinet in August 1987, the Labour Party began to shed its image as the acquiescent junior partner of the NP and started to use the limited leverage at its disposal. The LP's more assertive stance showed that the relationship between the government and the "other" two Houses can be more complex than that between the dispenser of patronage and his clientele; the Rev Hendrickse's refusal to approve the postponement of the general elections until 1992 even earned the party's leader the name "baas Allan" from the Conservative Party.

Despite its more steadfast approach, the Labour Party failed to secure a higher turnout in the 1989 elections; on the contrary, the poll decreased from 32 percent of the registered voters in 1984 to 25 percent five years later. As in the first tricameral elections, the turnout was particularly low in the Cape Peninsula. Of the 41.000 registered voters in Mitchell's Plain only 731 cast their ballots - out of a total population of well over 250.000 - producing a poll of 1,9 percent. The outcome must have been particularly disappointing for the LP as the 1989 elections were held under conditions more favourable to it - including the state of emergency and the amended

procedures allowing for special votes to be cast before election day. The House of Delegates managed to increase its poll slightly from 20 percent of the registered voters in 1984 to 22 percent.²⁹

When, in mid-1988, Peter Hendrickse ended his speech at one of the first joint meetings of the three chambers with an "Amandla!"³⁰ and the LP resolved to become the first party in Parliament to have open contact with the ANC³¹, this was merely a foretaste of the Constitution's innate potential. One can only imagine how better-educated MPs with a firm foothold in political, community, youth, religious, labour and other organisations outside Parliament could have converted the "other" two Houses into a powerful instrument of the broader democratic struggle. Had the UDF decided to participate, the history of the UDF might have taken a more fortunate turn as the threshold for the government's ban on the Front would have been incomparably higher.

Yet the UDF chose to elevate the boycott of the new dispensation to the status of a "deus ex machina". This decision was informed by a seriously underdeveloped analysis of both the provisions of the Constitution itself and the political dynamics flowing from it. The repeated statements that the Constitution amounted to recycled apartheid

29. Sunday Times 10.9.1989

30. Hansard 1988, col. 14741

31. Cape Times 30.12.1988

and did not satisfy the demands of the UDF were correct but missed the strategic point. In order to determine whether it is possible to build "a non-racial future with bricks baked in a racially defined furnace"³² it is not sufficient to point out the largely acquiescent performance of particular parties; what is needed is a thorough analysis of the tricameral Parliament's innate potential. In view of the absence of any such assessment, non-collaborationist stance has to be seen as one of principle rather than strategy. Morris and Padayachee argued that "notwithstanding the genuflection that 'the boycott is a tactic not a principle', in practice boycottism has the status of first political reflex".³³ It can, in fact, be maintained that the boycott of the dispensation was the very "raison d'être" of the UDF.

This explains the introduction of an unnecessarily divisive dichotomy between Parliamentary and extra-Parliamentary politics; the criterion of admission to the ranks of the UDF was no longer defined in terms of a shared goal (a non-racial democracy) but in terms of a common strategy (non-participation in government-created structures). In its one-dimensional rigidity the boycottism of the UDF even bore some resemblance to the government's policy of the total strategy; both transformed what was meant to be a means to an end into an end in itself.

32. A. Bernstein/ B. Godsell(1988): 194

33. M. Morris/ V. Padayachee(1988): 16

The UDF failed to see that the two spheres of Parliamentary and extra-Parliamentary politics are not only compatible but complementary, as the latter cannot be viewed as an alternative to the former, but rather as a means towards it.

The vehemence with which non-collaborators attacked participating parties appeared to reflect a measure of self-doubt as well as a sense of weakness. In fact, only a very disciplined and self-confident movement could have afforded the temptations of critical participation without either being co-opted or falling apart.

It can be concluded that the new dispensation failed to strengthen the status quo but seeded further change.

Having peeled away the outer layer of exclusive white (or Afrikaner) rule and having started the process of black inclusion in Parliament, the government found more sensitive layers of its political order exposed to pressure.

The National Party had to realize that it had invited unpredictable imponderables. Like other concessions granted to streamline and stabilize NP domination, the Constitution of 1983 set in motion a development heading in the opposite direction: unprecedented unrest and mobilization of the progressive opposition, increasing international pressure and isolation, the rise of the Conservative Party and, lately, even a challenge from the Labour Party.

APPENDIX I: CONCEPTUALIZATION: CONSOCIATION AND "CONTROL"

In this appendix two concepts will be introduced which offer contrasting explanations for the maintenance of stability in vertically stratified societies: that of consociation, as associated with Arend Lijphart, and that of "control", which was developed by Ian Lustick.

I.1. Consociation

The origins of the concept of consociationalism can be traced back to the political theorist Johannes Althusius, who lived in the Netherlands of the late 16th and early 17th century. In modern times the concept has been closely identified with Arend Lijphart.¹

He set out consociationalism as both a normative and an empirical model of conflict resolution in plural societies. In this context pluralism will refer to structural pluralism as described by M.G. Smith as consisting in "the differential incorporation of collectivities segregated as social sections and characterized by institutional divergences."² His notion is particularly suitable for the specific South African circumstances: "The differential incorporation that institutes structural pluralism is found only in societies where institutionally

1. See A. Lijphart(1977)

2. M.G. Smith in L. Kuper and M.G. Smith(1969): 444

diverse collectives are set apart as corporate social sections of unequal status and resources. In these conditions, if the ruling section forms a numerical minority of the aggregate, we find the plural society in the classic form described by Furnivall."³

Reference to M.G. Smith and Furnivall does, however, not imply acceptance of the notion of the primacy of ethnic conflict expressed by the former or economic conflict as expressed by the latter.

Heribert Adam points to the politically relevant consequences of deep divisions in a society:

"The fundamental difference between Western political democracy and political procedures in ethnically plural states is the understanding in the former that political power can change from one party to another according to election results. A defeat is accepted by the incumbent group because its basic rights and privileges are not affected by four years opposition before the next attempt at regaining power is due...In contrast, politics between hostile ethnic segments in so-called divided or plural societies usually acquire the status of indefinite dominance and permanent subjugation."⁴

3. M.G. Smith_in L. Kuper and M.G. Smith(1969): 445

4. H. Adam in H. Adam and H. Giliomee(1979): 273

These drastic differences necessitate a deviation from the classic notion of Westminster-type majority rule in order to achieve stability and democracy in plural societies. As "the government-versus-opposition-pattern can be regarded as democratic only if the vital condition of alternation in government is fulfilled"⁵, Lijphart sets out a consensual system. The concept of consociation aims to institutionalize participation in the decision-making process by all groups and grant them extensive autonomy in matters of internal relevance. It is based on four main features:

- 1.) grand coalition,
- 2.) mutual veto,
- 3.) proportional representation and
- 4.) segmental autonomy.

In his latest book⁶ Lijphart elaborates on the various elements of consociation. He defines grand coalition as "executive power-sharing among representatives of all significant groups".⁷ However, the concept still remains vague as several pivotal questions remain unanswered. If it is assumed that the groups are constituted on the basis of voluntary association, Lijphart fails to address the issue of what is defined as a "significant" group and what constitutional arrangements are made for citizens who

5. A. Lijphart(1978): 30

6. A. Lijphart(1985)

7. For the following paragraphs see Lijphart(1985): 6pp.

refuse to align themselves with any group.

Furthermore he does not expand on the way executive decisions are taken. It can be assumed that at least the more essential decisions are taken in a consensual fashion as this would amount to the notion of a "minority veto on most vital issues". This stipulation appears to enable any group virtually to immobilize the decision-making process and thus perpetuate the status quo. However, no mention is made of a deadlock-breaking mechanism in order to prevent such a paralysis.

Lijphart suggests that the principle of proportional representation be extended to include proportional allocation of civil service positions and public funds. This implies that the "high degree of internal autonomy" afforded to the various groups does not include a provision for them to generate at least part of their own revenue, which would give additional substance to the concept of segmental autonomy. The application of proportional representation in the abovementioned matters marks a departure from the principle of over-representation to the point of equal representation for smaller groups which characterizes the executive decision-making process.

Besides these "internal" criticisms the concept of consociation has been subjected to a more general critique.⁸ There have been two discernible strands, one questioning

8. See, for instance, B. Barry(1975) and M.C.P. van Schendelen(1983).

the ability of consociation to bring about stability and the other one regarding consociational democracy as a contradiction in terms.

While consociationalism identifies the divided nature of a society as the underlying cause for its political-constitutional problems, it does not seek to remedy the pluralism but strives to institutionalize it. The concept can therefore be said to form part of the problem rather than part of the solution. This assertion is rejected by Lijphart:

"It is important to understand that consociationalism deals with the potential problems of a plural society not by trying to make the society less plural, but by making it more plural - at least initially. By explicitly recognizing the segments, by subsidizing them on a proportional basis, and by encouraging segmental political parties through proportional representation, consociational democracy increases the organizational strength of the segments. But instead of creating conflict, the strengthened segments now play a constructive role in conflict resolution."⁹

This sentiment is echoed by Kenneth McRae, who elaborates on the mechanism of conflict resolution: "A political system will function best if there is a clearly defined

cleavage structure to articulate subcultural interests and provide clear channels for elite-mass relations..."¹⁰

The accommodatory contribution ascribed to consociation, however, hinges on the perception of all relevant groups that they can best achieve their objectives under such a system. The chances of success can be said to depend partially on the plural configuration of a society; a pattern of fragmentation, i.e. a multiple power balance, would appear to be more conducive to consociationalism than one of numerical domination.¹¹ Only under these circumstances can a pervasive group or elite commitment to the maintenance of the system be expected. Such a commitment would amount to a partial fulfilment of two conditions Lijphart regards as favourable for a consociation, namely, overarching loyalties and a tradition of accommodation. A plural society is, however, by definition characterized by the absence of these very factors.

The second strand of criticism views a consociation as an elite oligarchy and therefore as inherently incompatible with democracy. Indeed, the structural dominance of the elites places the non-elites in a passive and subordinate position. The perceived predominance of external antagonisms over internal group processes is reflected in the assumption that population segments would follow "their" leaders. The thesis of the insufficiently

10. K. McRae(1974): 10

11. For categories of pluralism see A. Rabushka(1978).

democratic nature of consociationalism is implicitly accepted by Lijphart when he refers to Hanf's notion that in constitutional matters majority rule constitutes champagne whereas consociationalism amounts to mere water.

I.2. "Control"

For many years after consociationalism had established itself in the relevant literature there was no coherent alternative concept to describe stability in deeply divided societies not as the result of segmental consensus, but as a result of sustained manipulation of subordinate groups by a superordinate one. The foundations for such a concept had been laid by the writers on pluralism. Leo Kuper wrote, for instance, that pluralism "necessitates non-democratic regulation of group relationships"¹². He was supported by M.G. Smith, according to whom plural societies "owe their maintenance to a central regulative organization which is prescriptively reserved for the dominant corporate group".¹³

However, a coherent concept of "control" was only recently developed by Ian Lustick. For this purpose he used a case study of Israel's policy towards its Arab population.¹⁴

Israel, Lustick argued, had achieved the following:

12. L. Kuper in L. Kuper and M.G. Smith(1969): 14

13. *ibid.*: 445

14. I. Lustick(1980)

- 1.) deprived the Arabs of facilities for united political action by SEGMENTATION, i.e. isolating them from Jews and manufacturing internal fragmentation,
- 2.) denied the Arabs access to independent sources of economic support by DEPENDENCE, i.e. enforcing their reliance on Jews for economic and political resources and
- 3.) penetrated the Arab group by co-optation, i.e. using Arab elites for surveillance and resource extraction.¹⁵

The three abovementioned instruments for the achievement of control, i.e. segmentation, dependence and co-optation, form a network of mutually reinforcing relations. Lustick analyzes each of them on three levels:

- a) structural (historic, cultural and economic circumstances),
- b) institutional and
- c) programmatic.

Israel followed a policy of structural segmentation by inhibiting alliances both within the Arab population and with dissident Jews. It used segmentalist policies to reinforce and exploit primordial identities and divisions. The institutional component of segmentation was characterized by making Israel a Jewish state; Arabs were excluded from public and national institutions and political parties until they were the "opposite of a pressure

group".¹⁶ Programmatic segmentation meant the establishment of a military government which prevented any form of autonomous Arab organisation.

In terms of structural dependence Israel used the development gap and maintained "a mass lumpenproletariat, maintaining rural residence, still tied to a traditional social structure, but dependent on outside wage labor for its sustenance..."¹⁷ The institutional component of dependence rested on the dual economy while the programmatic one saw the adoption of specific land policies. Israel's policy of co-optation was characterized by a two-pronged approach towards both traditional and modern elites.

Although Lustick's concept of control displays a large measure of coherence, there are certain shortcomings. Criticism pertains primarily to the three methods to achieve control, the exclusive focus on the superordinate group and questions of the universal applicability of "control".

It appears problematic to include segmentation, dependence and co-optation in a single category as the latter two are instruments to secure compliance while the former is merely a contributory factor. This unevenness is acknowledged by Lustick. He stresses that the three mechanisms form a network of mutually reinforcing relations. However, this

16. I. Lustick(1980): 115

17. I. Lustick(1980): 157

description is rather cursory and fails to address the complex intricacies involved; for instance, more segmentation need not necessarily lead to more dependence or co-optation. Furthermore, Lustick's confinement to the three abovementioned instruments fails to consider others like coercion and legitimacy; while these might be considered external to the core of his model of control, some assessment of their impact would give "control" a wider framework.

Lustick's control model focuses exclusively on the actions of the superordinate group. While the dominance of one segment is inherent in the underlying logic of "control", the concept should not perceive the subordinate group merely as a passive addressee of manipulation. This approach fails to take into account interaction between the two strata and the ensuing repercussions for intra-group processes in the dominant segment.

Lastly, Lustick derived his concept from an analysis of the specific policies of Israel towards its Arab population. A different configuration, e.g. multiple divisions or the dominance of a minority over a majority, would certainly have to be considered in the model. It is thus questionable whether "control" is sufficiently abstract from the particular situation of its derivation to warrant universal application.

APPENDIX II: METHODOLOGY

This thesis begins with the view that there is no effective reconstructive logic for the process of scientific discovery in the social sciences. The methodological approach used in this study is principally of a qualitative (or intensive) nature. This type of research method was preferred to its quantitative (or extensive) counterpart, as it appeared to be more suitable for successful research into the topic under examination. While it is beyond the scope of this study to discuss fully these two approaches, a brief reference to both of them is necessary to illustrate the reasons for the methodological choice underlying this thesis.¹

The essence of the quantitative approach² is aptly summed up by Lord Kelvin: "When you cannot measure it, when you cannot express it in numbers, your knowledge is of a meagre and unsatisfactory kind."³ This dictum shows that quantitative researchers are heavily influenced by positivist metaphysics and, in turn, by the natural sciences. Consequently, the quantitative method relies on a highly formalized research process using mainly rigidly

1. For a description of both these methods see B. Phillips (1971), A. Sayer(1984) and E. Babbie(1975).
2. For a general description see A. Sayer(1984): 158pp. and E. Babbie(1975): 296pp..
3. Quoted in A. Sayer(1984): 158

structured questionnaires and interview surveys in which characteristics of a certain sample are inferred to the population as a whole. For positivists, these data can be directly fed back into the world. "Within the widely held behaviouralist logic, if it can be shown that influence X is associated with a favoured action Y or belief Z, then X is increased as a stimulus to achieve the desired response Y or Z."⁴

However, the quantitative approach has come under increased criticism. Sayer stresses that the validity of mathematical reasoning is subject only to internal rather than empirical check. "This latter characteristic has great appeal for those who are frustrated by the seemingly endlessly contestable character of social science. Yet the recognition of the power and elegance of mathematics should not prevent us inquiring into the limits of its applicability."⁵ He goes on to emphasize the problems associated with the use of mathematical models in the social sciences.

"As a language, mathematics is acausal and astructural. It lacks the categories of 'producing', 'generating' or 'forcing' which we take to indicate causality. Mathematical functions such as $y = f(x)$ say nothing about what makes y or x, only that quantitative

4. D. Silverman(1985): 159

5. A. Sayer(1984): 158

variation in y is formally (not substantially) related in some way to quantitative variation in x ."⁶

Sayer sums up his argument by stating that the vocabulary of mathematics may be useful for recording the effects associated with the exercise of causal powers but that "other 'languages' are needed to show why objects possess them".⁷

Qualitative research⁸ focuses on processes which are not necessarily quantifiable. It differs from quantitative methods as regards both the collection and interpretation of data. It is characterised by a less rigidly structured approach towards data collection and regards very diverse materials (interviews, questionnaires, field observations) as means to provide valuable information. While quantitative methods use statistics or some other form of operation in analyzing data, the qualitative approach utilizes much more eclectic means for this purpose. This reflects the fact that "qualitative researchers tend to lay considerable emphasis on situational and often structural contexts, in contrast to many quantitative researchers, whose work is multivariate but often weak in context."⁹

Of course there are also limitations to the qualita-

6. A. Sayer(1984): 162

7. *ibid.*

8. For a general description see A. Strauss(1987): 1-20.

9. A. Strauss(1987): 2

tive method. Its results cannot lay claim to the same degree of precision and representativeness as those provided by quantitative research. Furthermore, the quantitative approach has been criticized for its alleged subjectivity. However, qualitative researchers have rejected the existence of an objective social reality as defined by positivists. The qualitative method is characterised by a strong relativist streak in that it views social situations as real only because they are so interpreted by participants.

This study is mainly based on primary data like the Debates of Parliament (Hansard). These were supplemented, in a qualitative sense, with the results of participant observation - including the study of party congresses, meetings, assemblies and demonstrations - and, above all, interviews.

As regards the interviews this thesis follows the interactionist approach.¹⁰ While positivists perceive interviews as research instruments designed to get at facts which are context-free, interactionists regard interviews as situated encounters where what is said makes sense only in context. Accordingly, positivism sees both interviewer and interviewee as mere objects - the former following strictly the protocol of the standardised interview and the latter revealing items relevant to the research protocol. Conversely, in interactionism both assume the role of sub-

10. See D. Silverman(1985): 161p..

ject - the interviewer constructing the interview context and the respondent complying with or resisting this construction.¹¹ While this study is aware of the necessary existence of an "investigator effect", it attempts to keep the alteration of the phenomena under examination to a minimum.

The respondents were chosen according to a judgement sample. By this method, a non-structured approach - "logic" or "commonsense" - is used as the basis for selecting a sample that is typical of a larger group without laying claim to empirical representativeness.¹²

The interviewees included members of the tricameral legislative (MPs from the NP, other parties in the House of Assembly, Coloured and Indian participants), MPCs, members of the executive (ministers, other bureaucrats), leaders of extra-Parliamentary political organisations and civics, educationists, media representatives, economists and academics.

Due to the state of emergency some problems were experienced in contacting several leaders of the extra-Parliamentary opposition. Furthermore, long-distance communication with political organisations based in Natal proved difficult, so that no NIC leader could be interviewed. Of those who responded to the initial approach, only a few refused to participate. Reasons given for this

11. D. Silverman(1985): 162

12. See S. Ferman/ J. Levin(1975): 48p..

refusal centered around doubts about the confidentiality of the survey. However, the overall attitude particularly among Coloured and Indian MPs was one of eagerness to be interviewed; this can probably be attributed to the lack of interest in the Houses of Representatives and Delegates shown by both the media and social scientists.

Finally, a total of about 50 respondents was chosen as this number still allowed for an intensive study of the sample. The interviews were designed to be semi-structured. They had the same definite focus on the "cognitive map" of the respondents, i.e., their attitudes and motivations. However, neither was the wording of the questions specified nor was a fixed sequence of the questions adhered to. This provided for a systematic collection of data as opposed to mere journalistic impressionism; at the same time it guaranteed a high degree of flexibility to enable readjustments according to the individual respondents, which might become necessary during the course of the interview.

The majority of the questions were open-ended to allow the respondents to choose their own terms and raise issues not contained in the schedule. While closed-ended questions provide greater uniformity of responses and are therefore more easily processed, the prestructured character of the responses tends to limit the insights which can be gained by the survey. The interviewer attempted to avoid "loaded" questions, i.e. those which coerce the interviewee to respond in any particular way. Questions which might be viewed as sensitive were placed last as respondents are

usually most resistant to controversial issues in the initial phase of the interview. Furthermore, the interviewer tried to maintain a careful balance between distance and friendliness. The interviews lasted from roughly twenty minutes to more than two hours.

The list below contains the interviews conducted on an on-the-record basis.

Abram-Mayet, S.(independent MP, HoD) 18.3.1986,
19.6.1986

Adam, Heribert(Professor of Sociology, Simon Fraser University, Vancouver) 26.1.1987

Alexander, Neville(Sached) 5.5.1986

April, Chris(Minister of Health Services and Welfare, HoR) 10.6.1988

Badat, Saleem(Grassroots) 6.5.1986

Baig, Mohamed(NPP MP) 1.9.1986

Bandulalla, Mohanlal(Solidarity MP) 22.8.1986

Buthelezi, Mangosuthu(Inkatha) 27.10.1986

Carlisle, Robin(PFP MPC) 22.12.1986

Chetty, P.P.M.(NPP MPC) 22.1.1987

Collis, C.M.(LP MPC) 21.1.1987

Curry, David(Minister of Local Government, Housing and Agriculture, HoR) 15.1.1986, 9.5.1988

Dookie, Baldeo(Minister of Local Government, Housing and Agriculture) 3.9.1986

de la Cruz, Denis(DWP MP) 17.12.1986

Ebrahim, Carter(Minister of Education and Culture, HoR)
5.3.1986

Gerwel, Jakes(Rector University of the Western Cape)
8.9.1986

Hartzenberg, Ferdi(CP MP) 30.4.1986

Hendrickse, Allan(Chairman of the Ministers' Council,
HoR) 11.2.1987

Hendrickse, Peter(LP MP) 4.3.1986, 8.9.1986, 12.8.1987

Julies, A.(Minister of the Budget, HoR) 22.4.1987

Khan, N.E.(NPP MP) 10.2.1987

Lockey, Desmond(LP MP) 21.8.1986, 11.5.1988

Malan, Wynand(NP MP) 15.4.1986

Manuel, Trevor(UDF Western Cape) 6.5.1986

Marais, Peter(PCP MPC) 23.1.1987

Mateman, Don(LP MP) 18.6.1986

McMaster, Greg(Belhar Civic) 29.4.1986

Moolla, Yunus(Solidarity MP) 5.9.1986

Mopp, Peter(LP/DP MP) 17.6.1986, 24.6.1987

Mulder, Pieter(CP MP) 2.6.1988

Muller, Abraham(Special Adviser to the Minister of
Education and Culture, HoR) 3.4.1986

Nothnagel, Albert(NP MP) 18.4.1986

Olivier, N.J.J.(PFP MP) 6.1.1986, 16.10.1986, 5.8.1987

Omar, A.M.(UDF Western Cape) 25.9.1987

Omar, Ismail(Solidarity MPC) 29.1.1987, 13.5.1987,
21.1.1987

Poovalingam, Pat(Solidarity/PRP/PFP MP) 15.3.1986,
29.1.1987, 23.9.1987, 26.5.1988

Rabie, Jac(LP MP) 25.2.1986, 13.2.1987

Rajab, Mahmoud(Solidarity MP) 26.6.1986

Rajbansi, Amichand(Chairman of the Ministers' Council,

HoD) 23.2.1987

Redcliffe, Charles(LP MP) 13.2.1986

Reddy, J.N.(Minister of the Budget, HoD) 21.1.1987

Sebina, Tom(ANC) 14.5.1986

Selke, James(PFP Research) 18.3.1986

Sonn, Franklin(CTPA) 4.3.1986

Thomas, Wolfgang(Small Business Development Corporation)
13.5.1988

van der Merwe, Stoffel(NP MP/Deputy Minister of Informa-
tion and Constitutional Planning) 14.4.1986, 29.9.1987

van Wyk, Andreas(Department of Constitutional Develop-
ment and Planning) 19.2.1986

van Zyl Slabbert, Frederik(PFP MP/Idasa) 23.1.1986,
20.8.1986, 18.11.1987

West, Norman(Sunday Times) 20.1.1987

Wessels, Leon(NP MP) 22.4.1986

Williams, Abe(LP MP) 5.9.1986

SELECT BIBLIOGRAPHY

1. Newspapers

Argus
Cape Times
City Press
Die Karet
Fiat Lux
Financial Mail
Graphic
Grassroots
Indicator of Lenasia
Leader
Phoenix
Post Natal
South
Star
Sunday Star
Sunday Times
Sunday Tribune
Weekly Mail

2. Official sources

Administration: House of Delegates. Annual Reports

1985-88.

Administration: House of Representatives. Annual Reports

1985-88.

Constitutional Committee of the President's Council
(1982). First Report.

Debates of Parliament(Hansard). 1984-88.

Government Gazette No. 8914, 28 September 1983. Republic
of South Africa Constitution Act, 1983.

Parliament of the Republic of South Africa(1985). Joint
Rules and Orders of the House of Assembly, the House of
Representatives and the House of Delegates(General
Affairs).

President's Council. Debates. 1985-88.

3. Institutional sources

Cape Teachers' Professional Association(1987). Education
in Strife. 20th Annual Conference - June 1987.

Freedom Party of South Africa(s.a.). Constitution.

Hendrickse, H.J.(1980). Address to 15th Annual Con-
ference of the Labour Party, Johannesburg.

----(1983a). The Constitution. Leadership 2: 2, pp.
19-24.

----(1983b). Address to Labour Party Congress at Eshowe.

----(1984). Opening Address to Annual Conference of
Labour Party, Kimberley.

----(1986). Opening Adress, Cape Town.

----(1987a). Opening Address at the 21st Annual Con-
ference of the Labour Party, Port Elizabeth.

----(1987b). Opening Address at Labour Party Annual
Congress, Pretoria.

Heunis, Chris(1983). The Constitution. Leadership 2: 2,

pp. 6-11.

Julies, A.A.(1987). Toesprak tydens die een-en-twintigste Jaarkongres van die Arbeidersparty.

Labour Party of South Africa(s.a.)(a). Agenda for the Twenty-First Annual Conference of the Labour Party of South Africa to be held at the Feathermarket Hall, Port Elizabeth from 2 to 4 January 1987.

----(s.a.)(b). Secretarial Report. 21st Annual Conference.

----(s.a.)(c). Constitution.

----(s.a.)(d). The Labour Party of South Africa and its Constitutional Options for South Africa.

National Peoples' Party of South Africa(s.a.). Constitution.

People's Congress Party(s.a.). Constitution.

PFP Research Department. Parliamentary Reports 1985-6.

Progressive Reform Party(s.a.). Constitution.

Reddy, J.N.(1987). Address to Second Congress of Solidarity, Durban.

Solidarity(s.a.). Constitution.

Sonn, Franklin(1985). Address to the Regional Conference of the CTPA, Port Elizabeth.

----(1986a). Education Crisis in South Africa. Speech held in Cape Town.

----(1986b). The Education Crisis: Is There a Way Out? Address delivered on the occasion of the 30th IPM Annual Convention, Johannesburg.

----(1987a). Presidential Address at the CTPA's Twentieth Annual Conference, Port Elizabeth.

- (1987b). Ystervuis van 'n ander kleur. Die Suid-Afrikaan No. 10, pp. 20-1.
- (1988). Ons het 'n 'job' om te doen. Die Suid-Afrikaan No. 15, pp. 16-8.
- van den Heever, R.P.(1986a). Die KPO as Deurlouterde Vereniging. Speech held at CTPA regional congress, Upington.
- (1986b). Die KPO: Midde in Krisis en Verandering. Speech held at CTPA mini-congress, Port Elizabeth.
- Western Cape Teachers' Union(WECTU)(1985). The Political Economy of Education in South Africa. Paper delivered at founding conference.
- . Newsletters 1985-6.

4. Books

- Adam, Heribert(1969). Südafrika. Soziologie einer Rassen-gesellschaft. Frankfurt am Main: Suhrkamp.
- (ed.)(1971). South Africa: Sociological Perspectives. London: Oxford University Press.
- and Hermann Giliomee(1979). The Rise and the Crisis of Afrikaner Power. Cape Town: David Philip.
- (1983). South Africa: The Limits of Reform Politics. Leiden: E.J. Brill.
- and Kogila Moodley(1986). South Africa without Apartheid. Dismantling Racial Domination. Cape Town: Maskew Miller Longmann.
- Babbie, Earl R.(1975). The practice of social research. Belmont, Ca.: Wadsworth.

- Baker, Donald(ed.)(1975). The Politics of Race.
London: Saxon House
- Bayerische Landeszentrale für Politische Bildungsarbeit
(1987). Südafrika - Krise und Entscheidung. München.
- Bell, Wendell(ed.)(1974). Ethnicity and Nation-Building.
Beverly Hills: Sage
- Benyon, John A. (ed.)(1978). Constitutional Change in
South Africa. Pietermaritzburg: University of Natal
Press.
- Berger, Peter L. and Bobby Godsell(1988). A Future
South Africa. Visions, Strategies and Realities. Cape
Town: Human & Rousseau/Tafelberg.
- Bernstein, Ann and Bobby Godsell(1988). The in-
crementalists. Pp. 164-99 in Berger, Peter L. and Bobby
God sell, Bobby, A Future South Africa. Cape Town: Human
& Rousseau/Tafelberg.
- Bhana, Surendra and Brigdlal Pachai(eds.)(1984). A
Documentary History of Indian South Africans. Cape
Town: David Philip.
- Boulle, L.J.(1984). South Africa and the Consociational
Option - A Constitutional Analysis. Cape Town: Juta.
- Brown, Douglas(1966). Against the World. A Study of
White South African Attitudes. London: Collins.
- Carter, Gwendolen M.(1958). The politics of inequality.
London: Thames and Hudson.
- (1980). Which way is South Africa Going?
Bloomington: Indiana University Press.
- Cell, John(1982). The Highest Stage of White Supremacy.
The Origins of Segregation in South Africa and the

- American South. Cambridge: Cambridge University Press.
- Coetzer, Piet(1984). Awaiting Trial - Allan Hendrickse. Alberton: Librarius.
- Cooper, Carole et al(eds.)(1985). Race Relations Survey 1984. Johannesburg: South African Institute of Race Relations.
- (1986). Race Relations Survey 1985. Johannesburg: South African Institute of Race Relations.
- (1987). Race Relations Survey 1986, Part 1. Johannesburg: South African Institute of Race Relations.
- (1988). Race Relations Survey 1986, Part 2. Johannesburg: South African Institute of Race Relations.
- (1988). Race Relations Survey 1987/88. Johannesburg: South African Institute of Race Relations.
- Dean, W.H.B.(1983). The Government's Constitutional Proposals 1982, in Dean, W.H.B. and Dirk van Zyl Smit Constitutional Change in South Africa. The Next Five Years. Cape Town: Juta.
- Dean, W.H.B.(1983). The Government's Constitutional Proposals 1982, in Dean, W.H.B. and Dirk van Zyl Smit Constitutional Change in South Africa. The Next Five Years. Cape Town: Juta.
- de Crespigny, Anthony and Robert Schrire(eds.)(1978). The Government and Politics of South Africa. Cape Town: Juta.
- de Klerk, W.A.(1975). The Puritans in Africa. London: Rex Collings.
- de St. Jorre, John(1977). A House Divided. South Africa's Uncertain Future. New York: Carnegie Endowment

- for International Peace.
- de Villiers, Fleur(ed.)(1983). Bridge or Barricade? The Constitution: A First Appraisal. Johannesburg:
- Dickie-Clark, Hamish(1966). The Marginal Situation. London: Routledge & Kegan Paul.
- Ferman, Gerald S. and Jack Levin(1975). Social science research. A handbook for students. New York: Schenkman.
- Frederickson, George(1981). White Supremacy: A Comparative Study in American and South African History. New York: Oxford University Press.
- Gann, L.H. and Peter Duignan(1980). Why South Africa Will Survive. London: St. Martin's Press.
- Gastrow, Shelagh(1985). Who's Who in South African Politics. Johannesburg: Ravan Press.
- Gerhart, Gail M.(1978). Black Power in South Africa. The Evolution of an Ideology. Berkeley and Los Angeles: University of California Press.
- Giliomee, Hermann(1982). The parting of the ways. South African politics 1976-82. Cape Town: David Philip.
- and Lawrence Schlemmer(eds.)(1985). Up Against the Fences. Poverty, Passes and Privilege in South Africa. Cape Town: David Philip.
- Glazer, Nathan and Daniel Moynihan(1975). Ethnicity. Theory and Experience. Cambridge, Mass.: Harvard University Press.
- Greenberg, Stanley(1980). Race and State in Capitalist Development. New Haven: Yale University Press.
- Hanf, Theodor et al(1978). Südafrika: Friedlicher Wandel? Möglichkeiten demokratischer Konfliktregelung -

- Eine empirische Untersuchung. München/Mainz:
Kaiser/Grünwald.
- Hare, A. Paul et al(eds.)(1979). South Africa.
Sociological Analyses. Cape Town: Oxford University
Press.
- Hellman, Ellen and Henry Lever(eds.)(1979). Conflict
and Progress. 50 Years of Race Relations in South
Africa. Johannesburg: Macmillan.
- Hill, Christopher(1983). Change in South Africa: Blind
Alleys or New Directions? London: Rex Collings.
- Horowitz, Donald L.(1985). Ethnic Groups in Conflict.
Berkeley: University of California Press.
- Huber, B.J. and H.W. van der Merwe(1974). Identifying and
interviewing the elites. Pp. 1-18 in van der Merwe, H.W.
et al, White South African elites. Cape Town: Juta.
- Hugo, Pierre(1978). Quislings or Realists? Coloured
Politics in South Africa. Johannesburg: Ravan.
- Huntington, Samuel(1969). Political Order in Changing
Societies. New Haven: Yale University Press.
- (1976). No Easy Choice. Political Participation in
Developing Countries. Cambridge, Mass.: Harvard Univer-
sity Press.
- Johnson, R.W.(1977). How Long Will South Africa Survive?
London: Macmillan Press.
- Johnstone, Frederick(1976). Class, Race and Gold. A
Study of Class Relations and Racial Discrimination in
South Africa. London: Routledge & Kegan Paul.
- Kinloch, Graham(1972). The Sociological Study of South
Africa. London: Macmillan.

Kitano, Harry(1980). Race Relations. Englewood Cliffs:
Prentice-Hall.

Kuper, Leo(1974). Race, Class and Power. Ideology and
Revolutionary Change in Plural Societies. London:
Duckworth.

----(1977). The Pity of It All. Polarization of Racial
and Ethnic Relations. London: Gerald Duckworth.

---- and M.G. Smith(eds.)(1969). Pluralism in Africa.
Berkeley and Los Angeles: University of California
Press.

Lambley, Peter(1980). The Psychology of Apartheid.
London: Secker and Warburg.

Leftwich, Adrian(ed.)(1974). South Africa. Economic
Growth and Political Change. London: Allison & Busby.

Leonard, Richard(1983). South Africa at War. Westport,
Conn.: Lawrence Hill and Company.

Lever, Henry(ed.)(1978). The South African Society.
Johannesburg: Jonathan Ball.

Lewis, Gavin(1987). Between the Wire and the Wall. A
History of South African "Coloured" Politics. Cape
Town: David Philip.

Lijphart, Arend(1977). Democracy in Plural Societies: A
Comparative Evaluation. New Haven and London: Yale Un-
iversity Press.

----(1978). Majority rule versus democracy in deeply
divided societies, in Rhodie, Nic(ed.), Intergroup
Accommodation in Plural Societies. New York: St. Martin's
Press.

----(ed.)(1980). Conflict and Coexistence in Belgium.

- Berkeley: University of California.
- (1985). Power-Sharing in South Africa. Berkeley: Institute of International Studies, University of California.
- Lustick, Ian(1980). Arabs in the Jewish State. Austin, Texas: University Press.
- McRae, Kenneth(1974). Introduction, in McRae, Kenneth, Consociational Democracy. Toronto: McClelland & Stewart.
- Marcum, John(1982). Education, Race and Social Change in South Africa. Berkeley: University of California Press.
- Marks, Shula and Stanley Trapido(eds.)(1987). The Politics of Race, Class and Nationalism in 20th Century South Africa. London: Longman.
- Molitor, Andre(1980). The Reform of the Belgian Constitution, in Lijphart, Arend, Conflict and Coexistence in Belgium. Berkeley:
- Moodie, T. Dunbar(1975). The Rise of Afrikanerdom: Power, Apartheid and the Afrikaner Civil Religion. Berkeley and Los Angeles: University of California Press.
- Moodley, Kogila(1975). South African Indians. The Wavering Minority, in Thompson, Leonard and Jeffrey Butler, Change in Contemporary South Africa. Berkeley and Los Angeles: University of California Press.
- Müller, Andre(1978). Minority Goals, Problems and Theories, in Hugo, Pierre, Quislings or Realists? Johannesburg: Ravan.
- Munger, Edwin(1979). The Afrikaners. Cape Town: Tafel-

- berg.
- Murray, Martin(1982). South African Capitalism and Black Political Opposition. Cambridge, Mass.: Schenkman.
- Nolutshungu, Sam C.(1982). Changing South Africa. Cape Johannesburg: David Philip.
- Nordlinger, Eric(1972). Conflict Regulation in Divided Societies. Occasional Paper No. 29. Center for International Affairs, Harvard University.
- Omar, Ismail(s.a.). No title. Unpublished book draft.
- Park, R.E.(1950). Race and Culture, in Hughes, E.C. et al (eds.), Collected Papers. Glencoe:
- Phillips, Bernard S.(1971). Social research. Strategy and tactics. New York: Macmillan.
- Price, Robert M. and Carl G. Rosberg(1980). The Apartheid Regime. Political Power and Racial Domination. Cape Town: David Philip.
- Rabushka, Alvin(1978). Prescriptions for the plural society: theory and practice in the South African context, in Rhodie, Nic(ed.), Intergroup Accommodation in Plural Societies. New York: St. Martin's Press.
- Randall, Peter(1973). South Africa's Political Alternatives. Johannesburg: SPRO-CAS.
- Rhodie, Nic(ed.)(1978). Intergroup Accommodation in Plural Societies. New York: St. Martin's Press.
- Robertson, Ian and Philip Whitten(eds.)(1978). Race and Politics in South Africa. New Brunswick: Transaction Books.
- Rotberg, Robert(1980). Suffer the Future: Policy Choices in Southern Africa. Cambridge, Mass.: Harvard Univer-

- sity Press.
- Rothschild, Joseph(1981). *Ethnopolitics*. New York: Columbia University Press.
- Said, Abdul and Luiz Simmons(eds.)(1976). *Ethnicity in an International Context*. New Brunswick: Transaction Books.
- Sayer, Andrew(1984). *Method in social science. A realist approach*. London: Hutchinson.
- Schermerhorn, R.A.(1978). *Comparative Ethnic Relations*. Chicago: University Press.
- Schlemmer, Lawrence(1988). South Africa's National Party government. Pp. 7-54 in Berger, Peter and Bobby Godsell (eds.), *A Future South Africa*. Cape Town: Human & Rousseau/Tafelberg.
- Schrire, Robert(1982). *South Africa. Public Policy Perspectives*. Cape Town: Juta.
- Silverman, David(1985). *Qualitative methodology & sociology*. Brookfield, Vermont: Gower.
- Smith, David M.(ed.)(1982). *Living under Apartheid. Aspects of Urbanization and Social Change in South Africa*. London: George Allen & Unwin.
- South African Institute of Race Relations. *Quarterly Countdown 1986-88*.
- . *Social and Economic Update 1987-88*.
- Stonequist, E.V.(1930). *The marginal man*. Chicago: Unpublished dissertation.
- Strauss, Anselm L.(1987). *Qualitative analysis for social scientists*. Cambridge: Cambridge University Press.
- Thompson, Leonard and Jeffrey Butler(1975). *Change in*

- South Africa. Berkeley and Los Angeles: University of California Press.
- van den Berghe, Pierre L.(1981). The ethnic phenomenon. New York: Elsevier.
- van der Horst, Sheila(ed.)(1976). The Theron Commission Report. Johannesburg: South African Institute of Race Relations.
- van der Merwe, H.W. and Robert Schrire(eds.)(1980). Race and Ethnicity. South African and International Perspectives. Cape Town: David Philip.
- van der Merwe, Nikolaas J.(ed.)(1979). Perspectives on South Africa's Future. Cape Town: University of Cape Town.
- van der Ross, R.E.(1986). The Rise and Decline of Apartheid. A Study of Political Movements Among the Coloured People of South Africa 1880-1985. Cape Town: Tafelberg.
- van der Vyver, J.(1984). Die Grondwet van die Republiek van Suid-Afrika. Johannesburg: Perskor.
- van Vuuren, D.J. and D.J. Kriek(eds.)(1983). Political Alternatives for Southern Africa. Durban: Butterworth.
- van Wyk, Koos and Deon Geldenhuys(1987). Die groepsgebod in P.W. Botha se politieke oortuigings. Johannesburg: Rand Afrikaans University.
- van Zyl Slabbert, Frederik and David Welsh(1979). South Africa's Options. Cape Town: David Philip.
- and Jeff Opland(eds.)(1980). South Africa: Dilemmas of Evolutionary Change. Grahamstown: Institute of Social and Economic Research, Rhodes University.

----(1985). The Last White Parliament. Johannesburg:
Jonathan Ball.

Vogt, Hermann(1982). Apartheid und Unterentwicklung.
Möglichkeiten und Strategien gesellschaftlicher
Veränderung in Südafrika. Frankfurt/New York: Campus.

Western, John(1981). Outcast Cape Town. Cape Town: Human
& Rousseau.

----(1982). The geography of urban social control: Group
Areas and the 1976 and 1980 civil unrest in Cape Town.
Pp. 217-29 in Smith, David, Living under Apartheid.
London: George Allen & Unwin.

Wright, Harrison(1977). The Burden of the Present.
Liberal - Radical Controversy over Southern African
History. Cape Town: David Philip.

Young, Crawford(1976). The Politics of Cultural
Pluralism. Madison, Wisconsin: University Press.

Yudelman, David(1983). The Emergence of Modern South
Africa. Cape Town: David Philip.

5. Articles and papers

Ad-hoc Research Group for (CW) Region(1986). The Political
Crisis as it affected Educational Institutions under
the Department of Education and Culture(House of
Representatives) , mid 1985 to early 1986. Regional
Topic Paper 86/2. Cape Town: South African Institute of
Race Relations.

Barry, Brian(1975). Political Accommodation and Consocia-
tional Democracy. British Journal of Political Science

5: 4.

Bell, Paul(1987). A Different Drum. Leadership 6: 6, pp. 48-54.

----(1988). Our Only Sin. Leadership 7: 3, pp. 51-60.

Bennett, M. et al(eds.)(1986). Servicing the Nation. Local & Regional Government Reform. Indicator Project South Africa. Durban: University of Natal.

----(1987). Maligned & Unaligned. Labour's Oldguard after Tucsas. Indicator SA 4: 3, pp. 81-4.

Berger, Guy(1988). The Great Participation Debate. Work in Progress No. 55, pp. 24-8.

Bloch, Graeme(1986). The UDF - 'A National Political Initiative'. Work in Progress No. 41, pp. 25-8.

Boesak, Allan(1987). Aparte ervarinkies te broos. Die Suid-Afrikaan No. 12, pp. 18-9.

Bundy, Colin(1986). Street Sociology & Pavement Politics: Some Aspects of the 1985 School Crisis in the Western Cape. Paper delivered at the conference Western Cape - Roots and Realities, University of Cape Town.

Burrows, Roger(1986). Beyond the Blackboard. Teacher Associations & Politics. Indicator SA 3: 4, pp. 14-7.

Buthelezi, Gatsha(1983). The Constitution. Leadership 2: 2, pp. 13-6.

Cachalia, Azhar(1987). UDF moet die hand uitreik. Die Suid-Afrikaan No. 12, p. 15.

Cameron, Robert(1986a). Cape Town City Council: Policy Analysis. Paper delivered at the conference Western Cape: Roots and Realities, University of Cape Town.

----(1986b). The Rhetoric and Reality of Local Govern-

- ment Reform. Paper delivered at the conference Western Cape: Roots and Realities, University of Cape Town.
- Carrim, Yunus(1986). Trade Unionism in Natal: Shopfloor Relations Between Indian and African Workers. South African Labour Bulletin 11: 4, pp. 44-64.
- (1988). The Natal Indian Congress: Deciding on a new thrust forward. Work in Progress No. 52, pp. 39-46.
- Chisholm, Linda(1986). From Revolt to a Search for Alternatives. Work in Progress No. 42, pp. 14-9.
- Cloete, G.S.(1984). Gemeenskapsoutonomie in Estland, Ciprus and België. Pretoria: Raad vir Geesteswetenskaplike Navorsing.
- Cilliers, S.P.(1984). Notes on the Launching of a New Constitution. Indicator SA 2: 3, pp. 12-3.
- Cobbett, William et al(1985). South Africa's Regional Political Economy: A Critical Analysis of Reform Strategy in the 1980s. Unpublished Paper.
- Cooper, Linda and Dave Kaplan(eds.)(1983). Reform and Response: Selected Research Papers on Aspects of Contemporary South Africa. Cape Town.
- Crocker, Chester A.(1981). South Africa: Strategy for Change. Foreign Affairs 59: 2, pp. 323-51.
- Dean, W.H.B.(1984). The Proposed South African Constitution. A (Westminster) Pig in a (Pretoria) Poke? Reality May 1984, pp. 4-7.
- Degenaar, Johan(1982). Reform Quo Vadis? Politikon 9: 1, pp. 1-3.
- Devenish, George(1982). The Role of a Constitution in a Just Political Order. Politikon 9: 1, pp. 4-18.

- de Villiers, Richard(1986). UDF - Front or Political Party. Work in Progress No. 40, pp. 14-7.
- du Toit, André(1987). Beginning the debate. Die Suid-Afrikaan No. 11, pp. 18-21.
- Ebrahim, Moosa et al(1987). Backs Against the Tide. An Evaluation of the President's Council's Report on the Group Areas Act. SAIRR Topical Briefing. Johannesburg: South African Institute of Race Relations.
- Evans, Rob(1985a). What Change in the Coloured Labour Preference Policy? Regional Topic Paper 85/2. Cape Town: South African Institute of Race Relations.
- (1985b). Coloured Squatters in the Cape Peninsula. Regional Topic Paper 85/7. Cape Town: South African Institute of Race Relations.
- (1985c). Coloured Labour Preference. A Government Labour Policy in Action. Cape Town.
- Friedman, Steven(1987). Reform: Greek Gift or Trojan Horse. Transformation No. 5, pp. 78-93.
- (1988a). Reform Revisited. SAIRR Topical Briefing. Johannesburg: South African Institute of Race Relations.
- (1988b). Shifting strategies in black politics. Optima 36: 3, pp. 148-55.
- Gagiano, J.(1979). Why Men Rebel: Towards a Theory of Protest Behaviour, in Nikolaas J. van der Merwe. Perspectives on South Africa's Future. Cape Town: University of Cape Town.
- Gerwel, Jakes(1985). Van 'Bush' na Befryding. Die Suid-Afrikaan No. 5, pp. 30-2.

- Giliomee, Hermann(1983). The Botha Quest. Sharing Power Without Losing Control. Leadership 2: 2, pp. 27-35.
- (1984a). Politics: White Supremacy Out, Black Supremacy Contained. Energos No. 10, pp. 25-44.
- (1984b). Changing Everything (Except the Way We Think). Leadership 3: 3, pp. 120-8.
- (1986). Afrikaner Nationalism and the Fable of the Sultan's Horse. Energos No. 16, pp. 28-48.
- (1988). The Elusive Search for Peace. Optima 36: 3, pp. 126-35.
- (s.a.). Land Reform and the SA Government. Unpublished Paper.
- (s.a.). South Africa 1949-1970. Unpublished Paper.
- Goldin, Ian(1984a). Coloured Preference Policies and the Making of Coloured Political Identity in the Western Cape Region of South Africa with Particular Reference to the Period 1948 to 1984. Oxford: Unpublished Thesis.
- (1984b). The Poverty of Coloured Labour Preference: Economics and Ideology in the Western Cape. Cape Town: Saldru Working Paper No. 59.
- Hall, Martin(1986). Resistance and Rebellion in Greater Cape Town, 1985. Paper delivered at the conference Western Cape - Roots and Realities, University of Cape Town.
- Hendricks, Cheryl(1988). Legitimacy Crisis for Mancoms. Indicator 5: 4, pp. 62-4
- Howe, Graham(1984). Few Votes of Confidence in the Quest for Legitimacy. A Comparative Data Base on Electoral Responses. Indicator SA 2: 3, pp. 7-11.

- (1985). The Politics of Non-Collaboration. Indicator SA 2: 4, pp. 15-20.
- Humphries, R.(1986). Coloured Labour Preference. Paper delivered at the conference Western Cape: Roots and Realities, University of Cape Town.
- Huntington, Samuel(1981). Reform and Stability in a Modernizing, Multi- Ethnic Society. Politikon 8: 2, pp. 8-26.
- Indicator SA(1986) 3: 4. Handling an Own Affair. Tricameral 'Coloured' Education. 11-3.
- Joffe, Hilary(1986). Stayaways in Cape Town 1986. Paper presented at the Association for Sociology in Southern Africa Conference, Durban.
- Jordy, Richard(s.a.). The Struggle in Department of Education and Culture High Schools in the Cape Town Area. July 1985 to January 1986. Unpublished Paper.
- Kruss, Glenda(1987). The 1986 State of Emergency in the Western Cape. Regional Topic Paper 87/5. Cape Town: South African Institute of Race Relations.
- Lee, Robin(1989). The cracks widen. Leadership 8: , pp. 67-70.
- Lemon, Anthony(1984). The Indian and Coloured Elections: Co-Optation Rejected? South Africa International 15: 2, pp. 84-107.
- Lodge, Tom(1986). The Politics of Refusal. Leadership 5: 1, pp. 21-3.
- (1987). The United Democratic Front: Leadership and Ideology. Unpublished Paper.
- Louw, Chris(1988). Kakamas ommekeer vir KPO. Die Suid-

- Afrikaan No. 15, pp. 14-6.
- Lustick, Ian(1979). Stability in Deeply Divided Societies: Consociationalism versus Control. World Politics 31: 3, pp. 325-44.
- Magubane, Bernard(1979). The Political Economy of Race and Class in South Africa. New York: Monthly Review Press.9*
- Magyar, Karl(1984). The Politics of Participation. South Africa's Indian Community and the New Constitution. Indicator SA 2: 2, pp. 12-3.
- (1986). The Permanent Minority. Indian Politics & the House of Delegates. Indicator SA 3: 3, pp. 15-7.
- Malherbe, E.F.J.(1984). Die Grondwet van die Republiek van Suid-Afrika, 1983: Samestelling, Bevoegdhede, Funkionering en Toekomstige Werkverrigting van die Wetgewende Gesag. Voordrag gelewer by 'n SAIPA simposium oor die nuwe Grondwet.
- (1986). Komitees van die driekamerparlement. Unpublished Paper.
- Molteno, Frank(1979). The Coloured Representative Council. Africa Perspectives No. 10.
- Morris, Mike and Vishnu Padayachee(1988). State Reform Policy in South Africa. Transformation No. 7, pp. 1-26.
- Nattrass, Jill(1983). The Proposed Constitutional Change and the Economy. Indicator SA 1: 1, pp. 3-5.
- (1984). Economic Aspects of the New Constitution. Indicator SA 2: 3, pp. 1-4.
- Olivier, N.J.J.(s.a.). The Tricameral Parliament: Potential Problems and Pitfalls. Unpublished Paper.

----(1984a). The Functioning of the New Tricameral Parliament. Unpublished Paper.

----(1984b). The 1984 Elections for the House of Representatives and the House of Delegates. Unpublished Paper.

Patel, Ebrahim(1985). Legitimacy and Statistics: A Critical Analysis of the First Tri-Cameral Parliamentary Elections, August 1984. Cape Town: Saldru Working Paper No. 61.

Pickard-Cambridge, Claire(1988a). Sharing the Cities. Residential Desegregation in Harare, Windhoek and Mafikeng. Johannesburg: South African Institute of Race Relations.

----(1988b). The Greying of Johannesburg. Residential Desegregation in the Johannesburg Area. SAIRR Topical Briefing. Johannesburg: South African Institute of Race Relations.

Posel, Deborah(1982). State Ideology and Legitimation: The Contemporary South African Case. Paper delivered at the Conference on South Africa and the Comparative Study of Class, Race and Nationalism, New York.

----(1984). Language, Legitimation and Control: The South African State After 1978. Social Dynamics 10: 1, pp. 1-16.

Postlethwayt, Cindy(1983). What if they gave a puppet show and nobody came? The SAIC 1964-82, in Cooper, Linda and Kaplan, Dave, Reform and Response. Cape Town.

Rhodie, Nic et al(1986). Kleurlinge se persepsies van die eerste verkiesing vir die Huis van Verteenwoordigers op

22 Augustus 1984. Pretoria: Raad vir Wetenskaplike Navorsing.

----(1987a). Indian perceptions of the first election for the House of Delegates: Findings of a sample survey undertaken in June 1985. Pretoria: Human Sciences Research Council.

----(1987b). Coloured perceptions of sociopolitical change in South Africa: Findings of a sample survey undertaken in March 1986. Pretoria. Human Sciences Research Council.

----(1987c). Indian perceptions of sociopolitical change in South Africa.: Findings of a sample survey undertaken in June 1986. Pretoria: Human Sciences Research Council.

Rotberg, Robert(1980). How Deep a Change? South Africa under Botha. Foreign Policy No. 38, pp. 126-42.

---- and John Barratt(eds.)(1980). Conflict and Compromise in South Africa. Lexington, Mass.: Lexington Books.

Schutte, C.D.(1985). Politieke deelname onder Indiërs en Kleurlinge in sekere stedelike gebiede in Suid-Afrika met spesiale verwysing na die eerste verkiesings onder die nuwe grondwetlike bedeling. Pretoria: Raad vir Geesteswetenskaplike Navorsing.

Singh, Ratnamala and Shahid Vawda(1988). What's in a Name?: Some Reflections on the Natal Indian Congress. Transformation No. 6, pp. 1-21.

Sitas, Ari(1986). Inanda, August 1985: "Where Wealth and Power and Blood Reign Worshipped Gods". South African

- Labour Bulletin 11: 4, pp. 85-121.
- Solomon, David(1986). Financial Implications of the Croeser Tax Package. A Critical Analysis of the Proposals for the Financing of RSCs, in Bennett, M. et al(eds.), Servicing the Nation. Local & Regional Government Reform. Indicator Project South Africa. Durban: University of Natal.
- South African Research Service(1986). South African Review 3. Johannesburg: Ravan Press.
- Southall, Roger(1983). Consociationalism in South Africa: The Buthelezi Commission and Beyond. Journal of Modern African Studies 21: 1, pp. 77-112.
- Stultz, Newell M.(1983). Consociational Engineering in South Africa. Journal of Contemporary African Studies 2: 2, pp. 287-317.
- (1984). Interpreting Constitutional Change in South Africa. Journal of Modern African Studies 22: 3, pp. 353-79.
- Swilling, Mark(1987a). The United Democratic Front and Township Revolt in South Africa. Paper presented at the 18th Annual Congress of the Association for Sociology in Southern Africa, University of the Western Cape.
- (1987b). The United Democratic Front and township revolt. Work in Progress No. 49, pp. 26-33.
- (1988). Reform, Security and White Power: Re-thinking State Strategies in the 1980s. Paper delivered at the Africa Seminar of the Centre for African Studies, University of Cape Town.
- Todes, A. and V. Watson(1986). Local Government

Reorganization: Government Proposals and Alternatives in Cape Town. Cape Town: Urban Problems Research Unit University of Cape Town.

---- et al(1986). Local Government Restructuring in South Africa: The Case of the Western Cape. Paper delivered at the conference Western Cape: Roots and Realities, University of Cape Town.

van den Berg, Owen and Brian O'Connell(1986). An Unfinished School Crisis in the Cape of Storms. Indicator SA 3: 4, pp. 7-10.

van der Ross, R.E.(1984). Die patroon van wit-bruin verhoudinge. Die Suid-Afrikaan No. 1, pp. 12-3

van Dyke, Vernon(1983). Legitimacy in Plural Societies. Politikon 10: 2.

van Schendelen, M.P.C.(1983). Critical Comments on Lijphart's Theory of Consociational Democracy. Politikon 10: 1, pp. 6-32.

van Vuuren, Willem(1984a). Waar lê die bruin steun vir die nuwe bedeling? Die Suid-Afrikaan No. 1, p. 20

----(1984b). Domination through Reform: The Functional Adaption of Legitimizing Strategies. Paper presented at the Conference on Economic Development and Racial Domination, University of the Western Cape.

van Zyl Slabbert, Frederik(1986a). The Politics of Siege and Human Rights. Paper delivered at the Conference on Professional Responses to the Law, Witwatersrand University.

----(1986b). Buite die Parlement. Die Suid-Afrikaan No. 6, pp. 46-8.

- (1987a). The Dynamics of Reform & Revolt in Current South Africa. Lecture One. From Apartheid to Reform: The Ideological Preparation for the Total Onslaught. A three part talk as Tanner Lecturer, Brasenose College, Oxford.
- (1987b). The Dynamics of Reform & Revolt in Current South Africa. Lecture Two. The Dynamics of Reform: Co-optive Domination - Sharing Power Without Losing Any. Loc. cit.
- (1987c). The Dynamics of Reform & Revolt in Current South Africa. Lecture Three. The Dynamics of Reform: Patterns of Resistance & Revolt. Loc. cit.
- (1987d). The Relevance of Parliament. Paper delivered at the WBS Business Forum.
- (1987e). Middele en doelstellings. Die Suid-Afrikaan No. 12, pp. 16-7.
- (1988a). Liberalism: A Time to Choose. Optima 36: 2, pp. 106-112.
- (1988b). Rituals and Realities. Leadership 7: 3, pp. 19-22.
- Venter, Sahm(1988). Biggest Protest Since 1985. Work in Progress No. 54, pp. 20-2.
- Vosloo, W.B.(1979). Consociational Democracy as a Means to Accomplish Peaceful Political Change in South Africa: An Evaluation of the Constitutional Change Proposed by the National Party in 1977. Politikon 6: 1, pp. 13-28.
- Welsh, David(1983). Constitutional Developments. Indicator SA 1: 1, pp. 13-4.

----(1984). Constitutional Changes in South Africa.
African Affairs 83: 331, pp. 147-62.

----(1988). Realities: A Reply. Leadership 7: 4, pp.
56-7.

Worrall, Denis(1981). The Constitutional Committee of the
President's Council. Politikon 8: 2, pp. 27-34.

Work in Progress No. 23. PC: the reality of reform? Pp.
26-7.

---- No. 24. Constitutional Proposals. Pp. 9-15.

---- No. 25. Labour Party: a constitutional decision?
Pp. 4-13.

---- No. 26. TIC Revived. Pp. 17-20.

---- No. 28. The Transvaal Indian Congress. Pp. 14-21.

---- No. 34. They Trade Horses Don't They? Pp. 4-6.

Zille, Helen(1984). Opposition Strategies: To Boycott
or not to Boycott. Frontline August 1984, pp. 42-3.