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SECTION D.

GROUP AREAS ACT AND DURBAN.

1. The City Council of Durban, as the representative of the white minority of the city, has historically played no mean part in giving birth to the Group Areas Act. Although a multi-racial city, Durban's administration, in keeping with the general South African pattern, is vested in the white minority group which has the municipal vote and elect the City Council.
2. Long before the Nationalist Government came into power the City Council of Durban had agitated for the segregation of Indians. Through its endeavour the first move in the direction of zoning of Indians in Durban was attempted through the pre war "Lawrence Committee". Its failure, and the continued white demand for residential segregation of Indians led to the enactment of the Pegging Act of 1943, which applied to Durban, and the subsequent enactment of the Asiatic Land Tenure and Indian Representation Act of 1946 which extended the scope of the previous measures to the whole of Natal.
3. In 1948 the Durban City Council found a strong ally in the Nationalist Government. Immediately after the passing of the Group Areas Act in 1950, the Durban City Council appointed a sub-committee of full-time officials, at the expense of the ratepayers of Durban, to zone the whole of the city. This Technical sub-committee laboured for 2 years to produce a voluminous report in three parts and produced a blue print for preserving "white supremacy" by allocating the best and the greater part of developed Durban for the exclusive ownership and occupation of Europeans.
4. The proposed uprooting of thousands of non-white people from built-up Durban to remote undeveloped areas outside the city boundaries, as envisaged in the Council's proposals is clearly illustrated in the zoning plans submitted by the Council to the Land Tenure Board for its consideration and recommendations.
5. According to the figures of the 1951 Census the population of Durban was as follows:-

Europeans	131, 430.
Indians	145, 744.
Africans	132, 841.
Coloureds	16, 104.
TOTAL	<u>426, 119.</u>

The European population constitutes less than one third of the total population of the city.

6. The land holdings in Durban as at 1952 were:-

Owned by Government and Local Authorities:	12,885 acres
European owned:	16,419 "
Indian owned	10,323 "
African & Coloured owned:	<u>105 "</u>
TOTAL	<u>39,732</u>

7. It is worth noting that the only non-white group which holds an appreciable amount of land in Durban is the Indian group.

8. The value of land holdings are as follows:-

	<u>Acres:</u>	<u>Value</u>
Total area of Durban	39,732.	£178,645,960.
Owned by Govt. & Local authorities:	12,885	£40, 113,620.
European owned	16,419	£113,879,100
African & Coloured owned	105	90,000.
Indian owned	10,323	£ 24,541,060.

The above valuations have been determined by doubling the municipal rateable value. However, in view of the high prices of land in Indian areas, due to previous restrictions on land purchases, the real value of the 10,323 acres of land owned by Indians in our view would not be less than £30,000,000.

Zoning plans Submitted by the City Council:

9. The main reason advanced by the City Council for the zoning plan of Durban submitted to the Land Tenure Board at its sittings in Durban in March, 1958 are as follows, in the words of the Technical sub-Committee Report:-

"The juxtaposition of races of different cultures, by causing one group quite unwittingly to offend another one, has tended to produce conflict. Residential neighbourhoods should therefore, not only be clearly defined, but should be such as to reduce the possibility of one group spilling into another's area, or of casually crossing the border."

10. The Report then deals with the need for effective boundaries between races and adds:-

"Effective segregation therefore demands effective boundaries. Some natural features, e.g. rivers, steep valleys, cliffs and hill tops are very effective barriers, whereas narrow vacant green belt tends simply to become a communal park and thus encourage contact. The most effective artificial barrier is a belt of industrial or commercial development. Although the meeting of racial groups occurs in such areas, it is not of the kind that encourages mingling in residential areas... Friction occurs also when members of one racial group travel through the living area of another race."

11. The theoretical basis propounded in the above quotation can only come from a group deeply tainted with the myth of race and the myth of race superiority. By such basically fallacious reasoning, theoretical and philosophical arguments are often advanced for a policy of naked economic oppression which bring in its wake the uprooting of peoples from their homes, businesses and lands.

12. As soon as the zoning plans of the City Council were published, it became evident that the European population of Durban was not prepared to lose a single home or an inch of their ground. When a vocal protest was made by the European residents of the Main-line suburbs, namely, Sea View, Bellair, Hillary, Montclair and Woodlands, the City fathers hastened to change their Zoning plans which had emerged after years of labour and so-called scientific approach. Here was the voice of people with the Municipal franchise and that voice had to be heeded.

13. Contrast this with the attitude of the City Council when the non-European residents of Mayville, Cato Manor, Riverside and Sydenham protested with a united voice. That was the voice of a people without the municipal franchise, and that voice had to be ignored.

14. The Government is not altogether confident that Local Authorities are capable of effectively applying their Apartheid policy with fervour and finality under the Group Areas Act. Therefore the Land Tenure Board has an appendage known as the Planning and Reference Committee. The task of this Committee is to goad Local Authorities into action, and in the final analysis to see that the Group Areas plans submitted to the Board meet the requirement of the Nationalists Apartheid ideology. This was clearly evident when Durban's race Zoning proposals were considered by the Board.

15. A study of the Zoning proposals of the Durban City Council discloses the following:

(1) Southern Zone For the Africans.

The following areas are proposed for a Southern Zone for Africans:

(i) Isipingo Rail Strip	850 acres
(ii) Umlazi Glebelands	150 "
(iii) Lamont Location and S.J. Smith Hostel	800 "
(iv) Land west of Lamont Location	1100 "
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T O T A L	2900 "
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16. The points to be noted in relation to these areas are:

(a) Isipingo Rail Strip: is predominantly Indian occupied and at least half the land is owned by the Indians. However, the consideration of this area was deferred to some future date by the Group Areas Board.

(b) The population which is largely to be displaced is Indian, numbering about 3,579.

(c) Land west of Lamont Location: is partly owned by the Corporation, but it is believed to be predominantly Indian owned. No exact figures of ownership is available.

(2) Southern Indian Zone:

<u>Description of Area</u>	<u>Acres:</u>
(a) Merebank-Wentworth	1,070
(b) Land North of Lamont	410
(c) Southern portion of Stainbank Estate	400
(d) Umhlatuzana Township	550
(e) Umhlatuzana Rural Area	2,620
	5,050

Comments:

17. (a) The only part of the Southern Indian zone which is developed and settled is the Merebank-Wentworth area. the rest of the areas are largely unsettled and undeveloped land, outside the boundaries of Durban.
- (b) Of the total Merebank-Wentworth area about 620 acres are Indian owned.
- (c) Umhlatuzana Rural Area is predominantly Indian owned.

(3) Southern Coloured Zone:

Merebank-Wentworth 622 acres.

Comments:

18. In this area Indians are to be dispossessed of 241 acres with a municipal valuation of £82,140.

(4) Southern European Zone:

(i) Bluff	2680 Acres
(ii) Montclair & Woodlands	1360 "
(iii) Stainbank Estate	780 "
(iv) Rossburgh, Sea View, Bellair & Hillary	2700 "
TOTAL	7520

Comments:

19. (a) Bluff:

- (i) 840 Indian, 3359 Africans and 181 Coloureds to be displaced: Totaling 4380.
- (ii) Indians to be dispossessed of 552 acres and 175 dwellings with a Municipal Valuation of £195,000.

(b) Montclair and Woodlands:

1612 Africans, 30 Coloureds and 175 Indians to be displaced: Totaling 1787.

(c) Rossburgh, Sea View, Bellair and Hillary:

- (i) 6080 Indians, 493 Coloureds and 3306 Africans to be displaced: Totaling 9879.

(ii) The European population of this area is 7696.

(iii) Indians will be disposed of 755 acres and 419 dwellings valued at £266,520 (rateable value)

(5) Central European Zone:

(i) Beach and Berea	3700	acres
(ii) Fenniscowles	225	"
(iii) Cato Manor & Western Berea slope	5315	"
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	9250	"

Comments:

20. (i) Beach: To be exclusively reserved for European ownership and occupation.

(ii) Berea: Indians to be disposed of 127 acres of land and 705 dwellings and flats valued at £1,134,480. (rateable value)

(iii) Cato Manor, Western Berea slope and Fenniscowles:

- (a) The European population of this area is 6,309
- (b) 25,798 Indians, 2,107 Coloureds and 28,298 Africans are to be displaced in this area.
- (c) Indians will be disposed of 2891 and 2444 dwellings and flats valued at £1,686,350. (rateable value)
- (d) Coloureds and Africans will be disposed of 76 acres and 133 dwellings valued at £5,940. (rateable value)
- (e) The removal of the Africans from Chesterville location is contemplated.

(6) Sydenham Coloured Zone:

Sydenham 630 acres.

Comments:

21. (i) 10,504 Indians and 1040 Africans are to be displaced in this area.

(ii) Indians are to be disposed of 347 acres and 893 dwellings and flats valued at £781,030. (rateable value)

(7) Indian Zone along the Umgeni:

Springfield	763	acres.
Reservoir Hills	1837	"
Sydenham, Springfield and Clare Estate	1337	"
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TOTAL	3937	

(8) Northern African Zone:

Duffs Road - Inanda area 8300 acres.

Comment.

- 22. (1) 2858 Indians to be displaced.
- (11) Some Indian owned lands but no details available.

9. Northern European Zone.

(i) All land within city, North of Umgeni River and East of North Coast Road.	2800 acres
(ii) Glenashley	310 "
(iii) Mount Argus, Prospect Hall Road Redhill to Mt. Edgecombe, Umhlanga Rocks	4265 "
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TOTAL	7375 "
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Comment.

23. Re: Area (1).

- (i) 4454 Indians and 4308 Africans to be displaced.
- (ii) Indians to be dispossessed of 281 acres of land, 232 dwellings valued at £219,000 (rateable value).

Re: Area (2) and (3).

- (i) 619 Indians and 638 Africans to be displaced.
- (ii) Prospect Hall Area - Indians will be dispossessed of 144 acres of land and 168 dwellings valued at £184,240 (rateable value).

10. Northern Indian Zone.

(i) Duffs Road Township	60 acres
(ii) Residential Land Temple Halt/Duikerfontein	1450 "
(iii) Land North of Umgeni River including FOS.	1100 "
(iv) Residential Portion Duffs Road Indian Zone	5500 "
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TOTAL	8110 "
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Comment.

- 24. (i) In the Sea Cow Lake, Temple Halt, Duikerfontein Area Indians own 1287 acres of land and 460 dwellings.
- (ii) The gain from European is 743 acres of land and 80 dwellings.
- (iii) Duffs Road Zone is largely undeveloped and outside Durban. Figures of ownership of land not available.

11. The City.

The total area of European Zones within the City of Durban is 19440 acres.

In comparison:

- (i) Indians are to be dispossessed of 4608 acres of land and 3873 dwellings valued at £3,516,720 (rateable value).
- (ii) Coloureds are to be dispossessed of 28 acres of land and 59 dwellings valued at £55,480.
- (iii) Africans are to be dispossessed of 60 acres of land and 117 dwellings valued at £20,340.
- (iv) European population of this area is 103,134 (1951)
- (v) 42,014 Indians, 4591 Coloureds and 69,236 Africans are to be removed. T O T A L: 115,841.
- (vi) There will be a nett gain of 3021 acres of land by Europeans from other communities.

12. Total Picture of Indian Zones within the City of Durban.

Indian Zones 7350 acres.

Comment.

- 25. (i) A net loss of 2973 acres to other communities.
- (ii) The land allocated to Indians is largely undeveloped.

13. Total Displacement of Population under Zoning Plan.

	<u>Europeans</u>	<u>Africans</u>	<u>Indians</u>	<u>Coloureds</u>
Within City:	3070	81,886	57,639	6923.
Outside City:	392		7,106	
T O T A L:	<u>3462</u>	<u>81,886</u>	<u>64,745</u>	<u>6923.</u>

Grand Total of persons to be displaced: 157,016.

The above figures exclude the working areas which have not been considered for the purpose of zoning in which 54,000 Indians, 6,000 Coloureds and 44,000 Africans dwell who will be ultimately displaced. If the non-Europeans are removed from the working area the grand total of displacement will be: 257,554.

26. Final Analysis.

In the final analysis under the City Council Zoning plans, Indians will lose 6,658 acres of their present land holdings - Municipally valued £4,548,620 and 4,626 dwellings.

27. African Land Holdings.

It is important to note that while the African people constitute approximately thirty per cent of the population of Durban they own a meagre quarter per cent of the total land acreage in the City.

28. The Urban Areas Act of 1923 and the Land and Trust Act of 1936 have made the African urban dwellers a landless people. The Natal Indian Congress has consistently advocated equal land rights for all sections of the South African population and in keeping with that policy it has demanded the repeal of the restrictive land laws against the African people.

29. It will be recalled that the Congress called upon the Indian community of Durban to play its part in making Indian owned land available at Cato Manor for African housing. No sooner had the Congress made this call than the Council's plan for African Housing at Cato Manor was abandoned and at the behest of the Minister of Native Affairs Cato Manor was earmarked as a white group area.

30. The zoning plans of the Durban City Council clearly illustrate the tremendous hardships the Group Areas Act will impose on the non-white people of Durban. The pattern laid down by the Council's Technical Sub-Committee is one which other white urban authorities have on the main followed.

31. On the 8th day of August, 1955 the Group Areas Board announced that it had made its recommendations on Durban to the Minister of the Interior. A study of these recommendations confirm the Congress viewpoint that almost wholly the Council's plans have been accepted.

32. The Board had sat in Durban for merely four weeks and the Natal Indian Congress in particular had placed before it in an uncompromising manner the unjust nature of the Council's plans. Any impartial historian will record that justice was on our side but there could be no equity, nor did we expect it, when the sole consideration was the enforcement of the oppressive and unjust racial policy masquerading under the name of "APARTHEID."

SECTION E.

OPPOSITION TO THE ACT

1. The Group Areas Act is perhaps the only law of a member state of the United Nations which was circularised to delegates of that Assembly as an official document for consideration when that world forum discussed the racial policies of the Union Government.
2. It is natural that this law should have received the condemnation of democratic world opinion, for does not Article 17 of the Universal Declaration of Human Rights read:-
 - (1) Every one has the right to own property alone as well as in association with others; (2) No one shall be arbitrarily deprived of his property"
3. The Act, its background and the present policy of the Nationalist Government all go to indicate that this law seriously infringes the principles contained in this International Declaration.
4. Within the borders of the Union this Act is totally opposed by the vast majority of the people. In 1946 the Indian people of the Union under the banner of Congress launched the Passive Resistance Campaign against this Act's predecessor, the Asiatic Land Tenure and Indian Representation Act. In opposition to that law over two thousand men and women, young and old, served terms of imprisonment in order to show their abhorrence of the principles underlying it.
5. In 1952 under the leadership of the African National Congress and the South African Indian Congress the Defiance of Unjust Laws Campaign was launched against a number of measures amongst which was the Group Areas Act. In that heroic struggle over 8,500 individuals of all races went to jail rejecting the policy of apartheid and upholding the principles of democracy. That opposition to the Act is enshrined in the hearts of the masses of South Africa.
6. We reject apartheid. We reject the contention that separation of races leads to racial harmony in a multi-racial society. We oppose the uprooting of any peoples from their homes. We are firmly convinced that the policy of apartheid leads further to the oppression of the Non-European people. The application of this policy has accentuated racial tension, conflict and bitterness on an unprecedented scale. No policy which attempts to keep the majority of the population of South Africa under permanent subjection or "baaskap" can ever succeed. The non-European people rightly claim full democratic rights in the land of their birth.
7. In relation to the Indian community, it is clear that the real motives behind the Group Areas Act are:
 - (a) To deprive the Indian people of their long established ownership of land and homes.

- (b) To facilitate the uprooting and expatriation of South African citizens of Indian origin.
- (c) To ruin the Indian people economically.
- (d) To confine them to ghettos as a source of cheap labour.

8. Any Act conceived under the policy of "baaskap" and apartheid and passed by a Parliament from which all non-Europeans are strictly excluded, can only be in the interest of the white dominating section of South Africa.

9. A law which is manifestly unjust cannot be applied justly.

10. Arising from the above contentions the Congress policy on the Act is unambiguous and clear. We declare our total opposition to the law and at no stage will we be a party to its implementation. We believe that it is wrong for any opponent of the Act to submit any type of race zoning plans before the Group Areas Board. We have consistently exposed the unjust nature of all plans submitted to the Board from time to time.

11. This paper is being presented to a Conference which is historic in that it presents a broad united front against the act which is the corner stone of the policy of apartheid.

Not only have we to be united but we must be for ever vigilant.

B. SD (IV) 92 EC 3.1

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in SD(N) Series*

THE IMPLICATIONS OF THE GROUP
AREAS ACT FOR INDIAN EDUCATION

Being a paper by

DR. S. COOPAN Ph. D

read at

CONFERENCE ON GROUP AREAS ACT CONVENED BY

NATAL INDIAN CONGRESS
(Founded by Mathama Gandhi in 1894)

5th - 6th MAY, 1956, at DURBAN.

1. The scope of this paper is limited to setting out statistically the distribution of existing educational facilities and discussing the financial implications, if certain proposals for the racial zoning of Durban made by the Durban City Council and if certain recommendations made thereon by the Land Tenure Advisory Board to the Minister of the Interior are accepted by him and proclaimed under the Group Areas Act. The setting aside of segregated areas for the different racial groups involves the shifting of populations from their present areas of residence, and, therefore, involves a redistribution of schools.
2. Undoubtedly one would have welcomed a broader study covering all the racial groups as this would have brought out the differential effects of the proposals and recommendations on the distribution of schools, but I have not had the time to extend the study. There are, however, good reasons for initiating such a study with the Indian schools for it was made clear at the hearings of the Land Tenure Advisory Board at Durban in 1953 that far more Indians are likely to be moved out from their present areas of residence than any other racial group. As nearly 40% of the entire South African Indian population (and half of Natal's Indian population) lives in the City of Durban it would be no exaggeration to say that Durban is the heart centre of the cultural and spiritual activities of the Indian people. Any large scale disturbance of the mode of living of such a large section of the Indian population is bound to have repercussions upon the community as a whole.
3. In the first part of this paper I have attempted to show the number of Indian schools and pupils falling in the different group areas as at 1955. Therefore, it has been difficult to avoid a table of figures in presenting the position as succinctly as possible. In locating the schools in the proposed or recommended areas I have used both the Durban City Council's proposals as set out in its map of May, 1952 and a map showing the latest recommendations of the Land Tenure Advisory Board to the Minister. The Board has deferred making recommendations on a fairly large area of Durban occupied by the various racial groups. But the recommendations already made for full group areas and undated group areas (or 2 bis areas)

follow with slight modifications the general pattern of segregation proposed by the City Council.

4. One cannot, of course, conclude that the "deferred" areas will be zoned by the Land Tenure Advisory Board or the Minister exactly as the City Council had proposed. But on the other hand, it would not be unreasonable to infer from the recommendations already made that there is likely to be substantial agreement between the City Council's proposals and the Board's final recommendations. As a working basis I have used the 1952 map of the City Council. If any of the areas proposed by the City Council, ^{and} that recommended by the Board happen to coincide fairly closely then the future of the existing Indian schools in such areas might be said to have been decided either in favour of or against the Indian people except, perhaps, for the Minister's proclamation. Where the Board has deferred its final recommendations, I have assumed the racial pattern of the area to be as proposed by the City Council.
5. For those who would prefer to have a clear picture of the distribution of the schools as it stands today on the Board's announced recommendations, I am presenting two separate lists of schools and figures of attendance: one based upon the City Council's proposals of 1952 and the other based on the Board's recommended and deferred areas.
6. Now turn to Annexure A in which I set out a list of Indian schools as they will become distributed on the City Council's proposals for the Borough of Durban. It should be noted that I am dealing with Indian schools within the Borough of Durban only. The schools listed are government, government aided, platoon, religious schools, and certain private registered schools whose pupils do not attend an "English" school at all.
7. The Group Areas classification used are:-
 - (1) Working or Unzoned Area.
 - (2) European area
(a) full group; (b) undated (or 2 bis area).
 - (3) Coloured area
(a) full group; (b) undated.
 - (4) Indian area
(a) full group; (b) undated.
8. I have also tried to indicate in a rough manner the localities of Durban, as for example, central Durban, beyond Umgeni, main line suburbs, Clairwood, etc covered by the group areas.
9. Now turn to the Table contained in Annexure B where the information contained in Annexure A is presented in a summarised form. It would be observed that the total number of Indian primary and secondary schools covered in this study is 110, and the number of pupils 35, 476. (In 1955 the total number of Indian schools in Natal was 286 and the pupils in attendance 76,443)

10. This table shows that in Durban nearly 45 per cent of the pupils (15,954) fall in the so-called working or Unzoned Area involving 43 schools. (Here I should mention that the Board has recommended that Riverside should become a European Area, whereas the Council had left this as an Unzoned Area. I have, therefore, in my location of schools taken the recommendations of the Board first). Further, another 20 per cent of the pupils (7091) would fall in an European area, involving 27 schools. Nearly 5 per cent or 1680 pupils will fall in the Coloured Area, involving 8 schools. Some 30 per cent or 10,751 pupils fall in the Indian areas involving 32 schools.
11. The M.L. Sultan Technical College and its branches in Durban with a gross enrolment of over 2500 in 1955 would fall in the "working" or unzoned area.
12. In 1956 two government schools, one primary and one high school, were opened in Clairwood, i.e. in a "working Area" and enrolled over 1200 pupils. In August 1956 another Government primary school will be opened near the Springfield Training College in a Proposed Indian area and is likely to enrol over 600 pupils.
13. The distribution of schools by the recommended and deferred areas of the Land Tenure Advisory Board are set out in the Annexures C and D. From an examination of these figures it will be observed that the Board's recommendations to date have caused to fall in a European area 27 schools (24 of which are in Undated areas, mainly Cato Manor and Riverside). So far only one school (Mocnathoe) falls in the Undated Coloured area at Morebank, and, eight schools remain in areas presently predominantly Indian and recommended for Indian occupation. This leaves 74 out of 110 schools in the deferred areas, comprising mainly the working areas, Sydenham-Sparks Estate, Springfield-Overport, and Däikerfontein. A fairly extensive area recommended for Indian occupation falls in the Reservoir Hills - Chiltern Hills sector and in the Umhlatuzana rural area which falls outside the borough boundary.
14. According^{to} the Board's present recommendations a total of 28 schools involving 7155 pupils fall into areas set aside for European and Coloured occupation. According to the City Council's proposals which cover a wider area, 35 Indian schools will fall into areas set aside for other racial groups, involving 8771 pupils (i.e. 25 per cent of the total number in Durban). All these schools are Government-aided, platoon, and private schools. For the erection of these schools the Indian community had to pay fully for the land, and the Provincial Administration came to their assistance only with a £ for £ building grant. The Indians themselves had to foot the greater part of the bill. Indeed, over 90% of the Indian schools are such Government aided schools, not by choice but by the force of circumstances.
15. It should be pointed, however, that the 35 schools mentioned above are conducted actually in 22 school buildings. Owing to the pressure upon school accommodation there are several "platoon" schools to-day, i.e. separate afternoon schools conducted in the same building after the morning school has been dismissed. These platoon schools are in receipt of a Government grant-in-aid.

16. One could estimate the immediate replacement cost of these 22 school buildings. Let us make the conservative assumption that the respective schools would continue to carry their "platoon" schools (These "Platoon" schools provided accomodation for 2537 pupils). The morning schools had an attendance of 6234, and on this figure alone we would need to build about 156 classrooms (based on 40 pupils per classroom). At present day average cost of about £1600 per classroom to local Indian School Committees, the total cost of replacement of the 22 buildings would be £249,600. To this we should add the cost of land. Land values in the Indian areas are high, and one would be lucky to purchase an acre in the proposed Indian Area for less than £1200 an acre. By departmental standards a primary Indian school requires at least 4 acres of ground (though some of the existing schools have grown up on less acreage). So we should have to purchase about 88 acres. At an average cost of £1200 per acre this would total £105,600. The combined total estimate for land and buildings for these 22 schools could therefore amount to £355,200.
17. From the proportion of government to government-aided Indian schools, and the present dependence upon the platoon school for providing extra accomodation, it is clear that the policy of the Provincial Administration is to throw the major responsibility for providing school accomodation upon the Indians themselves. If Indians are to be compulsorily moved out from the areas where they have built their schools at considerable financial sacrifice, then one may ask whose responsibility it would be to provide them with the alternative accomodation? No morally responsible person would suggest that the Indians should begin at the beginning. For one thing, it would be an economic impossibility for the Indian.
18. Most of the existing structures are not likely to commend themselves for the use of European pupils. It had been suggested that a certain amount of money would be recovered by the sale of these buildings and land. What economic value has a school building for the industrialist, businessman or houseowner? One could imagine the resale value of some of these buildings which are attached to a mosque or a temple, and many of which are sited on slopes of hills. Generally it would seem that the implementation of the group areas scheme would involve the province in a lot of additional capital expenditure, whether the Indians are to be moved out within the next five years (in the full group areas) or gradually over the next twenty years in the undated group areas.
19. Whether the province could afford the luxury of replacing existing Indian schools to fit in with the group areas proposals of various municipalities when it has still to provide schools for some eleven to twelve thousand Indian school children refused admission in 1956 is another question which has to be answered. Furthermore, the Indian community has accepted the admittedly inferior platoon system only under heavy pressure and that, too, as a temporary expediency. There are over 10,000 Indian children in Natal in such platoon schools. The Indian Education Committee has been strongly urging the Provincial Administration to embark upon a definite building programme to bring the school-less children into schools, and to accomodate the platoon school children in regular schools giving the normal hours of instruction, and to introduce compulsory for Indian Children. All this costs money. The cost of buildings alone (without land) for 10,000 platoon school pupils will be £400,000 and

and for those refused admission another £480,000. Even a small request to increase the building grant from 50 to 75 per cent has been turned down by the province.

20. If some of the Indian schools in the central "Working Areas", built at very great expense to the province and the Indian community are also to fall in areas set aside for non-Indian groups then the cost of replacement is going to be nearly £1 million. Then again what of the school buildings that are required every year for about 2500 children for normal expansion?

21. The capital sums required to deal with the backlog in Indian education and for normal expansion are already high enough, and not forthcoming, without having to be burdened with replacement costs under the group areas proposals and recommendations. The financial implications are such that it requires careful thought before the predominantly Indian areas are frozen for non-Indian occupation.

22. I should bring to the notice of this Conference that the urgent need for additional school accommodation everywhere in Durban has been brought to the notice of the Natal Committee of the Land Tenure Advisory Board by deputations of the Indian Education Committee. The Board has assured the Committee that it would take a sympathetic view and recommend 10-year permits to build modern schools (or make additions to existing schools) in areas predominantly occupied by Indians. The Education Department was required to certify that there was need for a school in particular localities. The future of such schools, especially if they are aided schools, after the expiry of ten year period is left in some uncertainty. It was hinted that Indian schools built to European requirements might easily be used for the incoming European or Coloured groups. Perhaps, we would be wise to cross the stream when we come to it. But in the meantime what incentive will there be for the Indian people to raise money to build aided schools in the undated areas if they are to lose these schools eventually?

23. I wish to conclude with an observations on certain non-financial implications for education of the concept of group areas and the proposals for racial zoning that have emanated. The Indian, African and Coloured students of Natal look to the University of Natal to provide them with university education.

24. In Durban certain rooms in the City Buildings of the University are used for giving lectures to non-European students. Though the building falls in a 'working' area the occupancy must be deemed to be European under the Group Areas Act. I wonder whether the law is not being violated here. A multi-racial University like Natal could hardly build or retain its organic unity under such conditions.

25. The proposals for racial segregation made under the Group Areas Act will undoubtedly consolidate and make more rigid the system of segregated educational institutions

which has developed in this country. Are we then finally and irrevocably committed to complete avoidance of any contact between the minds of White and nonwhite, Indian and African, and African and Coloured students? Are we fully aware of the price that might have to be paid in the future by placing iron curtains around the intelligentsia of the different racial groups? Since we shout so loudly of the need for displaying a passionate South African patriotism, of loyalty to South Africa, is not this system in fact conducive to producing just the opposite results?

26. Can a common loyalty be built up, or even commanded, towards an abstraction? There can be no basis for building up a common loyalty except on the basis of common, shared human experiences.

27. There can be loyalty between strangers, a relationship which these proposals deliberately foster. I want to leave you pondering over the social cost of educating the people of a single country, of a single nation, in the rigidly defined and controlled atmosphere of racial exclusiveness.

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being a paper by

MRS. J. ARENSTEIN

read at

CONFERENCE ON GROUP AREAS ACT CONVENED BY

NATAL INDIAN CONGRESS
(Founded by Mathma Gandhi in 1894)

5th - 6th May, 1956, at Durban.

1. The avowed Government object of the Group Areas is to separate races; but Government spokesmen have not hidden that they regard it primarily as being for the benefit of Europeans. The officials are doing their best to administer the act in such a way as to give the maximum benefit and minimum difficulty to the European sections, e.g. a few years ago when the Durban Corporation submitted its proposals to the Land Tenure Board it was found that:
 - (a) Under the Municipal plan, only one-fortieth of the total European population of Durban, but one-half of each of the other groups, would be displaced.
 - (b) Property to the value of £9,000,000 would be taken away from Indians, and made available to Europeans; the property of which Europeans would be deprived in favour of Indians is worth £900,000.
 - (c) Should the proposed displacements take place, little new accommodation would be required for displaced Europeans, but housing for some 152,000 displaced Non-Europeans would be required.
 - (d) In all about 3000 Europeans would be displaced.
2. In other centres the different local authorities attempted to carry out the same pattern e.g. Balfour Municipality wanted to move the Indians to an undeveloped site some two miles out of town.
3. It is not surprising therefore that the majority of Europeans are either apathetic to the Group Areas Act, or alternatively, support the principle of the Act. Nevertheless, Europeans are beginning slowly to realize that the Group Areas Act is having some serious disadvantages to them, and as a result many oppose its application, when it is realized what it means.
4. When the Durban Corporation published its plans the Europeans who were affected by the plans were up in arms against being removed from their special areas. They could not be convinced that suitable alternative housing would be given to them. Correctly they pointed out that their homes were not merely houses, which could be exchanged at will. Their homes were not merely houses, value to them. What compensation could they get for the hours of devoted attention to their gardens, to the associations their homes had with the rearing of their children, with its manifold memories, painful and pleasurable, with the traditions of their areas and districts.
5. As a result of the determined opposition of the small group of Europeans nothing much seems to have been heard of the original Corporation plan. It no doubt came as

as a shock to the Corporation to find that they could not treat people as pawns.

6. Pretoria is also finding difficulty in its plans. There is no agreement as to where the Indians should be removed to. As each suggestion is made it is found to conflict with the wishes of the Europeans who would be nearest to the proposed Indian area. There has been much bitterness and fighting among Europeans as a result of each plan being announced, and even Nationalists are fighting Nationalists, to prevent Indians from being settled in different areas.

7. The Chamber of Industries who represent a most influential section of the Europeans expressed doubts on the wisdom of proceeding with the law, when the Bill was originally being introduced to Parliament. Their attitude was that the enactment of this law was of such far reaching significance that it required a thorough preliminary investigation. In the third reading debate in the Assembly a letter from the Federated Chamber of Industries was read which contained the statement that the Act "cannot fail but to create an economic disturbance in the industrial sphere, the volume and extent of which it is difficult to foresee."

8. Some of the difficulties are already apparent to a large number of Europeans. The cost of transfers has gone up and much additional work is required in the transfer of properties, occasioning also greater delay in the transfer of licences. There is often a delay in the granting of licences because of red tape. Applicants for trading licences have in the past been required to declare that the person who would be in active control of the business and in occupation of the premises was lawfully entitled under the Group Areas Act, to do so. Now an amending measure provides that before a new licence can be obtained or an existing one transferred to new premises, the applicant must produce a document signed by an authorised representative of the Group Areas Board, certifying that the person who will occupy the trading premises is a qualified person in terms of the Act.

9. With the institution of group areas, Europeans may find that they will have to pay exorbitant prices for land previously occupied by Indians. Under the Group Areas Development Act of 1955, when an area is about to be declared a Group Area valuers will determine the market value of the properties at a date immediately prior to the proclamation which rendered them affected properties. But property values in areas where Indians could purchase has for years past been much inflated because these areas were extremely limited in size. Consequently these properties would bear little relation to amounts these properties would fetch on the open market.

10. Although a number of European traders in the countryside wish to eliminate Indian competition by removing their competitors from the towns it is clear that their desires are not supported by the ordinary public. When the anti-Indian boycott campaign was at its height during 1946/47, it had

little effect, because the Indian traders were giving their public an economic and efficient service. It is noteworthy, therefore, that a number of local town councils have had difficulty in implementing their plans. In Wolmaranstad the Committee of the Land Tenure Board which heard evidence decided that neither of the sites proposed for Indians was suitable, and asked the Municipality to reconsider its plan. The Balfour Municipality agreed to drop its proposal to move the Indians to a site some two miles out of town. At the conclusion of the hearing at Carolina, the Municipality agreed to postpone its plan to move the Indians; to grant them at least two more years' residence in the homes they at present occupy, and to leave their trading businesses undisturbed for 6 years.

11. Other Europeans who are extremely troubled by the implications of the Act, are those in African areas, as can be shown by the example of Umtata.

12. During 1954 the Town Council of Umtata, in the Transkei, planned to lay out an industrial township on part of the commonage and requested the co-operation of the Native Affairs Department in its application for a railway line in the area. The Secretary for Native Affairs advised the Town Council in April, 1955, that Umtata must be regarded as a White town serving the interests of Africans in an African area. With the passage of time and as Africans developed they would take over activities at present being carried out by Whites. The Department was, therefore, not in favour of further expansion of White interests in the town.

13. On 3rd May, 1955, the Chief Information Officer of the Native Affairs Department issued a statement. Umtata and other White settlements in the reserves, he said, must be regarded as but temporarily White, for in the course of time they would be taken over by Africans. The principle must be honoured that if 'black spots' in White Areas were to be eliminated, so also must 'white spots' in African areas. Three days later the Minister of Native Affairs qualified this by stating that it had never been his policy forcibly to remove the whites; the process would be one of natural development, taking place over a long period of time. His policy had been fully explained in Parliament and in Umtata during 1951.

14. These statements caused a great deal of uncertainty and had economic repercussions. The Chairman of the Transkeian Territories European Civic Association is reported to have said that wholesale firms in East London, Kingwilliams-town, and the Transkei had as a result restricted credit to traders who, in turn, had restricted credit to Africans. Property values had fallen. False hopes had been aroused in the minds of Africans. Representatives of the Chambers of Commerce of Umtata and East London met on 15th May to discuss the situation; and a mass meeting of the representatives of public bodies in the Border area, together with citizens of Umtata, held on 21st May, 1955, called for a statement of the Government's exact intentions. Subsequent statements were made which boiled down to the assertion that the process would be gradual and would take a long period of time. Nevertheless uneasiness still remains in these areas.

The Attitude of European Progressives and
the Congress of Democrats:

15. While the majority of Europeans oppose only such aspects of the Group Areas Act which act to their disadvantage, there is a progressive section of Europeans who are opposed to the Act in principle. Their numbers are still small, and must necessarily remain so for a long time. But they can do much effective work to show Europeans generally how bad the Act is both in principle and practice not only for the Non-Europeans but also for the Europeans.
 16. The attitude of the progressives may be summed up in Article 17 of the Universal Declaration of Human Rights. "(1) Everyone has the right to own property alone as well as in association with others; (2) no one shall be arbitrarily deprived of his property."
 17. The attitude of progressives is that South Africa is becoming a highly industrialised country where integration is taking place in a large scale. The whole trend of economic relations is against the policy of the Group Areas Act.
 18. In any case the Act is obviously unfair to Non-Europeans and on that score alone is wrong.
 19. The huge sums of money that are being spent to implement the Group Areas Act should be spent on much more useful social objectives such as full and proper education for all sections of the community, the prevention of soil erosion and the development of social services such as free medical attention and improved housing.
 20. In conclusion, the writer of this paper acknowledges that most of the facts have been obtained from the "Race Relations" publiciations who, however, are not in any way responsible for any of the views expressed.
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TREASON TRIAL, 1956 1961

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