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THE BLACK SASH

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BLACK SASH NATIONAL CONFERENCE 1992
NARRATIVE REPORT OF THE TRUST FOR 1991

This report was written in October 1991 after the annual workshop held for all the advice offices and service programmes of the Black Sash. It will be followed by a brief summary of the individual advice office reports which cannot be compiled until after the National Conference in March.

1. VIOLENCE.

All work in most parts of South Africa has to be done in the context of the violent conflict in Natal, in the Transvaal and now in Cape Town where the so-called "taxi war" is devastating the townships there. Even Knysna is beginning to experience the spill-over from that particular conflict.

Of great concern are the assassinations of local political leadership figures and the attacks on commuter transport. Many observers now believe that there is planning behind the killings and are asking serious questions about how it fits into the process of transition and the political manoeuvrings to hold on to power. The violence seems to be turned on and off like a tap at the will of people who are skilled in the techniques of destabilisation.

It is reminiscent of the National Security Management System of P.W.Both's days which was a two pronged strategy to "address the grievances of the people" on the one hand and ruthlessly repress political opposition on the other.

The same two strands can be discerned now - the very important repeal of apartheid legislation on the one hand and sometimes devious attempts to defeat the political opposition on the other. The revelations and admissions made at the time of the Inkathagate scandal are believed to be only the tip of an iceberg but have had the salutary effect of making us all more cynical again and less trusting. Analysing what is actually done rather than what is said has again become a priority.

There is no doubt that we will have non-racial elections based on a universal franchise but whether they will be free and fair is doubtful.

2. RACE CLASSIFICATION.

The repeal of the Population Registration Act has not repealed race classification. All of us who have already been entered in the Population Register at the time of the registration of birth or, failing that, at the time of application for an Identity Document remain classified according to race and this still dictates many aspects of our lives and which of the many different government departments is responsible for our administration.

This is leading to many curious anomalies.

Some of the exiles who have returned to South Africa have never been entered into the Register. They fall into two main groups - the elderly who left more than thirty years ago without ever applying for a Reference Book because they were involved in the protest against the imposition of the Pass Laws on african women, and the young who left more recently without applying for a Pass or who were born outside to SA exiles.

They are now entered into the Register for the first time and are not classified according to race. There is no longer anything in the law which provides for a racial definition.

The young ones need to apply to enter a school in the coming year. To which education authority must they apply?

The elderly are entitled to a state old age pension but pensions are administered by 17 different administrative authorities - ten homelands, four Provincial administrations for black persons who live outside the homelands, and the coloured, asian and white administrations of the tricameral Parliament.

White pensioners receive R314 per month, coloured and asian pensioners R275 per month and black persons R235.

So to whom should a newly registered old person apply for a pension?

The advice offices will take legal action on behalf of the first such person who is told she/he cannot have a pension at the level of R314 because she is black but the September meeting also took a decision that we must intensify our efforts to have the "own affairs" schedule to the 1984 SA Constitution repealed at the beginning of the 1992 parliamentary session.

It will be a tragedy if this monstrous system of a multiplicity of public services is carried with us into the future. No new government will be able to deal with its priorities if it first has to dismantle these bureaucracies.

3.RETURNING EXILES.

The anticipated problems have not materialised. The Department of Home Affairs is doing all it can to ensure that exiles do not experience difficulties with their documentation.

Foreign spouses of South African exiles are exempted from the cumbersome procedures involved in applying for permanent residence and are given permission to reside at the port of entry.

Xhosa, Tswana and Venda speaking South Africans whose citizenship was taken away from them on the day of independence of their imputed homelands are being recognised as South African citizens on their return. The ruling is that all exiles have been temporarily absent and have therefore been permanently resident in SA while they have been elsewhere. This entitles them to restoration of their citizenship.

The only real problems experienced are in cases where local officials do not understand or comply with the guidelines and, in some cases, where children have been born outside SA and lack proof of birth and of the father's citizenship at the time of the birth.

The co-operation of the Department of Home Affairs is in stark contrast to the continuing obstruction and rigidity of the Department of Justice which administers the indemnity procedures. This remains a very real problem because the department's interpretation of the indemnity guidelines is extremely restrictive. Advice offices refer all such cases to lawyers because it is beyond the skills of para-legals to resolve them.

4.TRAINING.

The training programmes continue and are being extended. There is a demand for training in mediation and conflict resolution skills from the many para-legals who are working with people in land claims disputes, disputes about upgrading schemes in informal settlements, disputes about the high costs of essential services etc.

Advice offices are increasingly being seen as resource centres for wider development programmes to address the problems of the whole community. This has always been the ideal but it has been thwarted by the crises of resistance and the state's response by way of States of Emergency and other means of repression.

It is now possible to work more constructively towards the creation of a more just society.

There is also a most urgent need for information on the basics of the parliamentary and election process. People who have never voted before and who have never been able to exercise any restraints on those who have ruled over them lack the most basic understanding of what a vote is and how it can be used. The National Party constitutional proposals include provision for those at local and regional level who have property to exercise two votes. At the grassroots people have a perception that they can vote several times over - the most common expression of this being the intention to vote for both the ANC and the SACP.

For this reason we have taken a decision to focus on basic information to the communities we work with and intend to produce a small book "You and Your Vote" and to use it extensively as a tool for giving information just as we did with "You and Your Local Authority."

5. WOMEN AND PEOPLE WHO LIVE IN RURAL AREAS.

It is a priority for us to enable the voices of rural people, and especially rural women, to be heard in the raging national debates.

Our field workers and advice office training co-ordinators make this a special focus of all work.

TRAC has been working intensively to link the women's groups they have worked with in the past in the fight against removal together to address the problems of the future.

Bringing groups of women together from different parts of the Transvaal has led to the formation of the Rural Women's Movement which is addressing the major problems they experience - water, land and job creation. They aim to bring these issues on to the agendas of the national political movements.

Rural women relate their powerlessness to their legal position in relation to land, its ownership and useage.

In all sectors of South African society women need to shed their submissiveness and to learn to speak out fearlessly in the presence of dominant and powerful males.

6. LAND

The work of the Black Sash service arms makes us acutely aware of the conflict between the right to ownership of private property and the right to secure shelter.

At the moment the national debate focuses only on the right to ownership and does not take into account the rights of tenure

which should be enshrined for those who have never owned but have occupied and are using land.

The demands for restoration, restitution and reparation by those who have been dispossessed are as yet unheard and are not on the agenda of any of the parties involved at the national level. They must be heard and debated and resolved as part of the formation of the new South Africa.

Land is at the root of most of the problems facing us both in urban and rural areas and is the heart of the debate about "nationalisation." Is land, a finite resource on which life depends, to be used for the private profit and enrichment of the few at the expense of future generations?

For us this is not an academic question. It is the very essence of our daily work as we try to assist people who are homeless, who have been evicted from farms with their families, who cannot afford to avail themselves of any of the housing options being presented at this time.

The eviction of black families from farms where they have lived for many years is a particular concern of the East London, Grahamstown and Knysna advice offices and of the rural field workers everywhere.

For these reasons the question of land use as opposed to ownership has been identified as a priority for the Black Sash service programmes.

7. MANAGEMENT AND FUTURE PLANNING CONCERNS.

There is a great temptation in this time of transition for long established NGOs to grow larger and to accommodate themselves to the new situation where projects must be designed according to the criteria of development imperatives.

It is very important but the Black Sash is primarily a human rights organisation which needs to maintain its independence into the future. Violations of human rights are mostly perpetrated by governments and by the wealthy upon the poor.

We are very small and have for 36 years been largely driven by the voluntary involvement of our members.

As a voluntary organisation we do not have the capacity for indefinite expansion nor do we think that it would necessarily advance our aims and objects which are to strive for justice and morality in government.

After much serious discussion we have concluded that we do not

have the capacity to manage or fund a large expansion of our work.

We have decided that we must remain a "lean machine" focussing on the continuing violations of human rights in South Africa and seeking ways in which we can combat them and promote the idea of justice and democracy in a country which has not known either.

We can make such a hard decision because there are so many new organisations now appearing in the field. We see our task as being to network with them and to seek ways in which we can co-operate with them rather than seeking to compete with them in fields where we have for so long been alone.

The groundfloor work is absolutely essential if we are ever to achieve justice in a future society. Justice and democracy are, after all, defined by the enforcement of the rights of ordinary people against powerful rulers and entrenched bureaucracies.

This has always been our focus and will remain so into the foreseeable future.

Sheena Duncan

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