



# **Report on Provincial Consultative Process**

**July & August 2000**

# **National Conference on Racism**

## **Themes**

### **Theme 1**

The History, Nature and Sources of Racism

### **Theme 2**

Contemporary Forms of Racism,  
Consequences and Impact

### **Theme 3**

Strategies to Combat Racism: The Way Forward

Provincial summaries compiled by Nicole Turner

**National Conference on Racism**  
**Report of Provincial Consultative Process**

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## OVERVIEW

*"We were insulted by being called 'mud-slinging kaffirs' and they (farmers) demanded that we leave and go and tell Mandela, the jailbird."*

*"If you call Mlungus by their first names, they get angry and their faces turn red"*

*"To me, racism is like AIDS. The only difference is that, with Aids there is no cure, while with racism, we are the cure".*

These are some of the stories that ordinary South Africans told at the public meetings on racism, which were held in all nine provinces in July 2000. These meetings were held as part of the preparation for the National Conference on Racism, to give ordinary South Africans an opportunity to share their experiences on how they experience racism in their communities and what strategies should be adopted to combat it.

South Africans from all walks of life were invited to participate in this historic process at which, for the first time since the advent of our democracy, it was hoped South Africans across the racial divide would come together and seriously begin to deal with racism. Unfortunately, this was not to be because very few members of the white community lived up to this challenge. Their conspicuous absence reinforced the myth that the struggle for non-racialism is a struggle of black people. Yet, the truth of the matter is that all South Africans have experienced racism, either as victims or perpetrators. The response of black people on the other hand was heart warming and humbling. This was evidenced in one of the provinces by the arrival at the meeting of a group of 10 elderly men and women (all above the age of 70) at about 15h00. They informed one of the organizers that they had spent the whole day collecting money for transport from the community to attend the meeting so that their stories could be heard.

In most provinces, the meetings were well attended and successful, whilst in one or two the attendance was not as good as we would have wanted it to be. According to the submissions that were made, racism in the rural parts of the country takes the form of racial violence and attacks against farm workers. This is particularly the case in provinces such as the Free State, Mpumalanga, North West and Northern Cape. In the urban areas, racism and racial discrimination seem to be prevalent in schools, institutions of higher learning, and in banks. The issue of xenophobia, particularly against Africans from other parts of the continent, was also highlighted.

Although we as a Commission deal on a daily basis with a multitude of complaints of violations of human rights, sitting through these meetings was not only humbling, but also made us realise that, despite the miracle we achieved in 1994, we still have some way to go before we fully become the South Africa so imaginatively envisioned in the preamble of our constitution, namely a "... South Africa (that) belongs to all who live in it, united in our diversity".

The people have spoken! What remains is for the National Conference on Racism to come up with a strong plan of action that will address the plight of ordinary people in places such as Bothaville, Wolmaransstad, Noenieput and other far flung areas in our country, who continue to bear the brunt of racism in their daily lives. May the conference live up to this challenge.

**Pansy Tlakula,**  
*SAHRC Commissioner and Convenor of the Provincial Consultative Process*

## National Conference on Racism – Provincial Public Meetings

| PROVINCE          | TOWN                       | VENUE                                                      | DATE | CO-ORDINATOR                                                                           |
|-------------------|----------------------------|------------------------------------------------------------|------|----------------------------------------------------------------------------------------|
| Eastern Cape      | East London                | City Hall                                                  | 19/7 | Sakhele Poswa                                                                          |
| Free State        | Bloemfontein               | City Hall                                                  | 20/7 | Commissioner Jerry Nkeli assisted by Commissioner Manana Tlake - CGE and Forum members |
| Gauteng           | Braamfontein, Johannesburg | Metropolitan Civic Centre                                  | 21/7 | Deputy Chairperson Ms Shirley Mabusela assisted by Corlette Letlojane (HURISA)         |
| Kwazulu-Natal     | Durban                     | City Hall                                                  | 18/7 | Karen Stone                                                                            |
| Mpumalanga        | Nelspruit                  | Word of Grace Bible Church Promenade Centre NuMetro Centre | 17/7 | Ntshole Mabapa                                                                         |
| Northern Cape     | Kimberley                  | City Hall                                                  | 21/7 | Funeka Thema assisted by Rev. Swartland - Youth Commission                             |
|                   | Roadshows                  | Kakamas School Hall                                        | 17/7 |                                                                                        |
|                   |                            | Pofadder Community Hall                                    | 18/7 |                                                                                        |
|                   |                            | Bergsig Libra Hall (Springkok)                             | 18/7 |                                                                                        |
|                   |                            | Calvinia West                                              | 19/7 |                                                                                        |
| Northern Province | Pietersburg                | Mankweng Magistrates Court Conference Room                 | 19/7 | Ntshole Mabapa                                                                         |
| North West        | Mafikeng                   | Mabana Cultural Centre                                     | 20/7 | Commissioner Tlakula assisted by forum members                                         |
| Western Cape      | Cape Town                  | Western Cape University (Bellville)                        | 14/7 | Funeka Thema                                                                           |
|                   |                            | Gugulethu                                                  | 20/7 |                                                                                        |
|                   | George                     | Town Hall                                                  | 4/8  |                                                                                        |

## Eastern Cape

Consultations in the wider Eastern Cape community culminated in a public meeting in East London on 19 July 2000. Over 160 people, representing more than 43 organisations and political parties, attended and 15 written and 6 oral submissions were received.

The overall tone was a combination of sadness, anger, hope, fear and disappointment. The submissions expressed fear for future generations living in a racist and dehumanising society. While the black majority has heeded the call for reconciliation with a view to building a better country, white people do not appear to reciprocate. Some submissions expressed anger towards black people in positions of power who do not advance black empowerment.

The majority of the submissions dealt with contemporary, institutionalised racism that excludes black people from opportunities and ensures widespread inequality in the workplace and the wider community. Various forms of racism function to deny black people access to facilities, justice and basic services.

Black youths are sidelined in an education system where racism is rife but incidents go largely unreported. On leaving school, they are marginalised from the economy and forced to watch their white colleagues participate actively. "This totality of the exclusion of blacks from all layers of power and wealth had a huge impact on youth".

Those who do find work are exposed to racism in the workplace. Black employees spoke of experiencing unfair and discriminatory labour practices in favour of white employees. The meeting heard the case of Ms Thomas who worked for a NGO in East London. Despite her qualifications and experience, she was turned down for the position of director in favour of a white applicant. After a lengthy dispute, Ms Thomas was awarded the directorship. Since then, she has experienced racism from donors and sponsors. Her story was echoed by the Eastern Cape Non-Governmental Organisation Coalition who said: "Blacks are often regarded as poor, uneducated and helpless while their white colleagues are seen as saviours by foreign donors who hold onto their old stereotypes".

Black children in the Swartkops area are threatened with violence for playing in an area where white children played, without problems, before. In another instance, the black Aloes community near Port Elizabeth has been forced to live for years with a hazardous waste-fill site on its doorstep. Despite protest by the community, little has been done. Disabled white people have better access to better services, facilities and opportunities. For instance, reading materials in Braille are only available in English with minimal, or no, use of African languages.

Mavis Mjijako, a member of Women Against Women Abuse, related how the man who raped her was sentenced to 15 years but was released after serving only 10 months. Like many members of the black community, she feels that justice is only done when the victims are white and the perpetrators are black.

In crimes where the victim is black, it is often the case that inexperienced, junior members of the police will be assigned to the case. Often victims do not receive the justice they deserve due to ill-prepared cases, which often lead to acquittal. The submission by police union POPCRU said some black officers in the South African Police Service "concede to white domination". Black officers who still have a mindset of white supremacy allow white senior officers to be the custodians of transformation, so the process does not move as fast as it should.

Racism is still very much alive in sport. The contributions made by black cricketers are not displayed at clubhouses. In rugby, black players battle against a lack of resources. Nearly 95% of rugby players in the Eastern Cape come from disadvantaged areas. More than half are unemployed and so their clubs struggle financially. The unification of rugby only seems to have served as a passport for white rugby's re-entry into international rugby. Black rugby players have not seen the benefits of this unification.

The meeting resulted in a number of recommendations, including:

- Racists should be exposed and penalised;
- The police force must be cleansed of racism;
- Sport administrators must root out racism from all sporting codes; and
- A clear programme must be drawn up to address the predicament of black youth.

## Free State

The Free State meeting was held on 20 July 2000, at the Bloemfontein City Hall. About 110 people attended, including representatives from the Bloemfontein council, women's groups, SA Police Services, Correctional Services, the Education Department the NGO sector and groups representing the disabled, political parties and tertiary institutions. Oral submissions were made by 17 individuals and 7 written submissions were received.

The mood varied from the despondence displayed by farm workers, to the anger and bitterness expressed by black students. Those representing NGOs displayed a more proactive approach to dealing with racism, while members of some political parties expressed disillusionment with the ANC-led government.

Three written submissions were concerned with the agricultural sector. Organisations representing the interests of farm workers drew attention to prevailing racism on farms in the province. This racism is expressed in the form of insults, physical assault and ill treatment. It is made more serious by the lack of intervention structures for farm workers who have few, if any, effective means of recourse.

Workers are denied managerial positions on farms and those that do manage are paid much less than their white counterparts. Workers are beaten and sometimes shot by farm owners. They are subject to summary and unfair dismissal, low and inconsistent remuneration and little, if any, compensation for occupational injuries. A representative from a farm workers' union said that unfair evictions have skyrocketed since 1995. In many cases, employers defy the Labour Court's orders to reinstate unfairly dismissed workers.

An example of fraud was cited in the case of a paralegal officer conniving with a white farmer so that a case against the farmer did not proceed. Farmers are also accused of unlawfully confiscating workers' belongings. The local police seem loath to intervene in cases. When workers take their cases to the police, they are often told to seek legal advice, which they cannot afford. It was also pointed out that the Extension of Security of Tenure Act has loopholes which are easily exploited by farm owners.

Farm workers are subjected to verbal abuse, including ridicule of the present government and those who support it. When workers experience personal or health problems, these are met with a lack of consideration or support from their employers. One example of the general ill treatment of farm workers is the practice of farmers to make workers travel on the back of bakkies, even when it is raining.

These submissions were echoed by 17 individual oral submissions that detailed the abuse that farm (and other) workers are exposed to. Besides the issues already mentioned, the following came to light: underpayment, irregular working hours, lack of access to health and other services, political repression, persecution for union membership, irregularities with Unemployment Insurance Fund payments, and denial of death benefits and sick leave.

Instances of verbal abuse included a farmer asking: "Does Mbeki have a farm?" after throwing a black person into his dam for walking on his land. In another instance, when a black worker challenged his employer who had called him a "kaffir", the employer said: "Even Mandela is a kaffir."

Concerns about police collusion with racist farmers were evident in the oral submissions. There were reports of the SAPS conniving with white farmers to intervene and harass



workers on labour related issues. In another submission, it was said that members of the SAPS intervene unfairly, if at all, in disputes because they are bribed by farmers.

Another oral submission concerning the SAPS told the story of Moses Seabe, a police officer, who was unfairly dismissed because he was opposed to racism in the police force. Allegations of firearm theft were brought against him. Mr Seabe's attempts to reapply for a position in the SAPS have met with failure.

A submission from the South African Student Congress focused on the prevalence of racism in higher education institutions. One of the problems highlighted was the continued policy of separate development, as evidenced by dual medium instruction (favouring Afrikaans to the detriment of black students). There are few black academics and some learning materials are inaccessible to black students because they are made available only in Afrikaans.

According to the submission, hostels are also segregated according to race, as are social activities. Sports traditionally associated with the white community (like rugby) are favoured and there are no structures to develop black participation in these sports. There is also racial inequality in the allocation of part-time jobs, which are mostly reserved for white students. Incidents of physical assault have been reported on campuses, along with reports of black students being exposed to food poisoning and being pelted with water-filled condoms.

Three political parties made submissions. The South African Communist Party expressed concern about the impact of globalisation on the poor and said that the majority of South Africans are still trapped in debilitating conditions of life, including extreme poverty, unemployment, low life expectancy, a skills and resource backlog, illiteracy and many overt forms of discrimination.

A representative of the African Christian Democratic interpreted racism as discrimination against a certain socio-economic class of people displayed as "hatred with clear intentions." He said the Bloemfontein Transitional Local Council deliberately denies residents of Mangaung (a black area) access to quality services.

A representative from the New National Party said that racism did not only come from white people and that the murder of white farmers was one of the most abominable acts of racism. He cited affirmative action as racism in reverse and one of the major reasons why young white South Africans are leaving the country.

Proposed strategies to combat racism in the agricultural sector included:

- Legislation pertaining to the agricultural sector (especially the Extension of the Security of Tenure Act) should be revised and clarified to give farm workers more rights; and
- Formal and effective complaint structures should be set up and vigorously marketed within the farm workers' communities. These structures should also play an educational and supportive role to farm workers.

## Gauteng

The Gauteng provincial meeting was held on 21 July 2000, in the Metropolitan Centre in Braamfontein, Johannesburg. The meeting received 16 oral and 13 written submissions.

These submissions were mostly concerned with institutional and structural racism in, amongst others, the defence force, education, prisons, the media and the workplace. There were also accounts of xenophobia and anti-Semitism.

The Commission for Gender Equality explained that black women experience a more complex form of racism, based on their subjugation firstly as black South Africans and secondly as women. For instance, in research conducted by the Commission in the private sector, only 7% of companies expressed a preference for hiring black women, who are more likely to occupy unskilled positions.

The South African Prisoners Organisation for Human Rights presented a petition from female inmates at Pretoria Prison. One example of the racism they experience is in the allocation of work in the prison. White inmates are given "soft" work (library and shop duty) while the black prisoners are allocated "hard" work like scrubbing floors and doing laundry.

A number of submissions dealt with the issue of xenophobia. African immigrants, refugees and asylum seekers are subjected to discrimination from South Africans who label them with derogatory names and see them as a threat. The press and government use the words "hoards" and "floods" to describe the arrival of refugees. Banks refuse to open accounts for refugees, who are often forced to pay more for housing and education than South Africans do. White foreigners are treated much better than black foreigners, who are often robbed or beaten up by police who know they are too scared of reprisals to report crimes against them.

The National Community-Based Paralegal Association cited the building of low-income housing in areas previously designated as black areas as an example of government's inability to fight racism. Old laws are still being used to prevent people from moving to other areas. For example, a 1915 ordinance was used to evict people from Meyerton. The fact that traditional healers are not accredited as medical practitioners was cited as an example of Eurocentric ideology or "Afrophobia".

The South African Democratic Teachers Union presented an account of institutional racism in the education sector. Cited were: the way that rationalisation happens; how candidates for promotion are chosen; head office employment ratios; and the governing structures of schools and technical colleges. For example, in technical colleges where students are mostly black, only five out of 33 colleges are headed by a black person.

The South African Graduates Development Association (SAGDA) cited systematic racism that works against black graduates. For every hundred black graduates, only 10 or 20 secure jobs despite affirmative action policies. Although SAGDA membership is open to all, there are no white members

Anang Sechaba (an organisation that works with the disabled and elderly) submitted instances of racial discrimination against black pensioners and disabled people. For instance, black pensioners suffer many hardships at payout points that white pensioners are not subjected to. Disabled black people have to wait three years before they are accepted at places of learning while whites are accepted immediately.

The Western Metropolitan Local Council spoke for domestic workers who could not attend the hearing because they were working. Domestic workers experience racial discrimination when their children are not allowed to register at schools in the areas where they work. Community centres in these areas are rarely made available to black people

Oral submissions were heard from sub-regions in Gauteng. These mostly dealt with cases of racism experienced at work. One young woman related how she had been promised promotion from part-time cashier to full-time when a position was free. When a position became vacant, a white woman filled it. The young woman fears losing her job if she complains. In another instance, black employees have to use different and inferior toilets to their white counterparts. In yet another, black workers are searched when leaving work but white employees are not.

The Citizen's Commission on Human Rights detailed discrimination at mental institutions. Accounts of racism included doctors not attending to black patients, giving false reasons for death and not informing families when a death occurred.

A great number of recommendations were made. They include:

- Government must address racism through education campaigns and through real implementation of policies;
- Various socio-economic issues around gender must be considered;
- State and independent investigations into workplace conditions should monitor the treatment of and facilities for employees;
- Education campaigns should be used to challenge xenophobia;
- Foreigners' skills should be used and they should be valued for their contribution to South Africa;
- Government should implement policies, like affirmative action, and not use them as window-dressing;
- Laws that defy the constitution need to be reviewed and abolished;
- Educational structures have to change to reflect the demographics of the institution;
- Curricula must be developed and changed to accommodate black tertiary students; and
- Inter-cultural and cultural activities are suggested to combat racism and racial cliques amongst students at tertiary institutions.

## KwaZulu-Natal

About 300 people, including 61 who made oral submissions, attended the KwaZulu-Natal Consultative Meeting in the Durban City Hall on 18 July, 2000. More than 100 written submissions were received. Those present came from throughout the province, including the greater Durban area, Empangeni, KwaDukuza, Newcastle and the Creighton area.

A wide range of issues was raised, allowing a number of divergent voices to be heard. Almost half of the written submissions and a number of oral submissions were more suited to a Truth and Reconciliation Commission (TRC) type of hearing. Many were concerned with political violence, unemployment and poverty – the legacies of the racist apartheid regime

Several submissions dealt with different forms of racism and a variety of perceptions relating to its practice in society. While one submission said that to speak of a racist is to speak of a white person, another countered that racism was not simply a white preserve. According to the Pietermaritzburg office of Lawyers for Human Rights, “Apartheid did succeed in creating a culture of racism in our country; racism that we need to fight to the bitter end.”

Several submissions dealt with gender discrimination and sexual equality. A speaker from a rural community detailed how women in her area are treated as if they are a man’s property. Black women were underrepresented in business, particularly in senior positions and, compared with white, coloured and indian women, experience the most discrimination in the workplace.

The relationship between race and land was mentioned in submissions concerning how communities had been deprived of land, and thus dignity and pride. Members of the Mzingazi community said “Today still, the attitudes of white residents living on the border area [are] very aggressive in nature.”

Blatant racism on farms was an important issue for several people who told stories of violent and inhuman treatment at the hands of white farmers. The meeting heard about racist insults, rape, assaults and murders of farm workers. One submission told of a confrontation between a (black) family and a farmer who allegedly killed eight cows belonging to them. When the family group approached the armed farmer, he insulted them, using racist language. The farmer called in the local commando. “We were insulted by being called ‘mud-sliding kaffirs’ and they demanded we leave or face the snakes and [we should] go tell Mandela the ‘jail bird’.”

The Association for Rural Advancement said that reports from people on farms suggest that there are a number of serious human rights violations taking place and that the criminal justice system was either unable, or in some cases unwilling, to take action against those responsible.

Submissions dealing with the marketplace detailed how black people continue to be exploited. According to one submission, racism is subtler than it was in the past with black people getting fewer promotions and meaningless skills development programmes. Several submissions stated that employment was difficult to find for blacks and a contributing factor in this was that blacks are denied equal education. Submissions also described the problems of black employees of Indian employers or black workers who were discriminated against in favour of Indians.

In the education system, issues relating to discriminatory practices included high school fees, exclusionary language and admission policies, school-based promotions, the election

of School Governing Bodies, and the crowding out of black learners by bussing whites into certain areas. Other issues were the population of schools, the distribution of services to different public schools, and the role of society, progressive organisations and educators.

Low cost housing is still based on racist architecture, according to one submission, while several others stated that black people living in rural areas were discriminated against in terms of the delivery of services. According to these submissions, white people living in rural areas had access to phones, electricity and water, but this was not the case with black residents.

Several submissions were concerned with the treatment of people who are HIV positive or who have AIDS. Said one: "The common perception that AIDS is a "black disease" has no doubt contributed to the country's failure to give an appropriate response to the epidemic." Another submission dealt with discrimination against traditional healers who are viewed as unqualified by western standards.

Several submissions dealt with racism in law enforcement and in the criminal justice system. An example was given of a black district chief magistrate who had to step down because the legal representative of a white farmer, accused of assaulting black people, claimed that he wanted a magistrate who could speak Afrikaans. Systemic forms of racism in the police, army and correctional services were also detailed.

A submission by the Limehill Paralegal Centre stated that people in rural areas were concerned that the new system of municipalities resulting from the demarcation process was being imposed on them without any consultation.

Several submissions were concerned with the use of languages other than English. Application forms using complicated English put those who are not English speaking at a disadvantage. Black people are denied a user-friendly service in government offices, banks and post offices, where staff make no effort to learn isiZulu.

Several submissions related to elder abuse in homes for the aged. One submission described the difficulties of working in a home where many white residents have poor short-term memory but their long-term memory is intact, along with racist perceptions formed in the apartheid years. The young black staff members are faced with the dilemma of having to care for these "oppressors".

With regard to xenophobia, one submission claimed that the government had embarked on a policy that would reinforce racism within and beyond South Africa's borders. According to the submission, if a nation could not be open to the diversity of the planet, then it could not come to terms with diversity within its own boundaries.

In making recommendations on how to deal with racism, several submissions stated that people from different races needed to talk openly to one another. There was a specific emphasis on the need for programmes for the youth. Education is seen as a particularly important area for transformation and there is a significant role to be played by art, drama and music.

## Mpumalanga

The Mpumalanga public meeting on racism was held on 17 July 2000 at the Word of Grace Church in Nelspruit. 32 people attended and one written and five oral submissions were received before participants broke into groups to discuss issues around racism. Participants came from Nelspruit, Kabokweni, Barberton and surrounding areas.

Ms Pinky Phosa, Deputy Speaker of the Mpumalanga Legislature, opened the meeting. She said that combating racism was a mammoth challenge, given that racism is entrenched in South African institutions. She singled out the judiciary which, she said, has encouraged racism. "Do our courts treat black people in the same manner as whites? Do whites pass judgment on black and white suspects correspondingly?" she asked.

The oral submissions started with Samukelo Khoza, who spoke about the effect of widespread racism in the workplace. White people tend to occupy high positions while the potential of black employees is ignored. Private institutions have a tendency to look down on disadvantaged people, and so black people are often not consulted about the upliftment of their own lives. Mr Khoza said that, in the institute where he works, white people occupy all the managerial positions while the lowest positions are filled by black people: "Even if they hold doctorate degrees, they are working as ordinary labourers."

An anonymous submission echoed these complaints, adding that black employees experience physical harassment from their white counterparts. When cases are reported to the police, there is no effective law enforcement and so black employees remain unprotected. There are also problems at financial institutions, which exclude black people and make it difficult for them to get financial assistance.

The meeting then heard the story of Mr Norman Themba, who quarrelled with a white co-worker at a sugar factory near Nelspruit. Thinners was poured over his face leaving him partially blind. He was subsequently fired and, in negotiations with his employers, he was promised compensation that has not been paid. He consulted a lawyer but when his case was to be heard in the labour court, the lawyer did not arrive.

The oral submissions included two submitted at a workshop held at Naas Township in Kamaqheza. Both dealt with deaths that were not recorded properly. In the case of Zodwa Mkhabela, who went missing in April 1997, her death was recorded by a doctor as being caused by dogs. Her body was found with her hands cut and her mouth gagged. The family could not understand how dogs could gag a child.

Elisa Mashaba went missing and was found dead and in a state of undress in a slaughterhouse. The same doctor indicated that she had been killed by lightning and refused to release the body until the family agreed to his report. The doctor refused to explain his findings and, although the families reported the matters to the police, they have not been contacted.

The National Community-Based Paralegal Association (NCBPA) submitted a written account of several cases, the likes of which are said to occur on an everyday basis in the province. They include unfair labour practices, dismissals and evictions. In one case, a farm worker was born on a farm and had lived there for 39 years. He was evicted by the white farmer who burned his house down (with all his possessions inside) before dumping him in another area.

The NCBPA says that many doctors in the province engage in racism by dividing their practices to serve those on medical aid (mostly white) and those who pay cash (mostly black). One doctor has two entrances to his surgery: one for white patients and one for black patients.

A number of recommendations were made during group discussions, including:

- NGOs should conduct workshops to educate people on human rights;
- The media should be transformed to depict black people fairly;
- In the workplace, documents should be available in the language employees understand;
- All people should play a role in educating others about cultural differences; and
- In the workplace, cultural programmes should be put in place to encourage understanding of and respect for people of different cultures.

## Northern Cape

The Northern Cape public meeting on racism was held in the Kimberley City Hall on 21 July 2000, with about 100 people present. Oral submissions were made by 11 people, and participants heard presentations on wider issues around racism. After the submissions and presentations, people broke into groups to discuss racism and make recommendations.

Submissions dealt with the history and sources of racism, moving into life in different sectors and how these were affected and dictated by racial policies and prejudice.

Elfreda Meyer made a submission about the effect of forced removals on communities, who lost valuable items as well as their history. The removals caused resentment among various race groups when some were seen to be treated better than others.

Florence Guys spoke about being a person of Damara origin living in a coloured township. She and her children tried to conform, to the extent that she even tried to straighten her hair with an iron so people would think she was coloured. Once, when she was arrested on a pass law offence, the magistrate tested to see if she was coloured by making her say the word "jakkals." When her daughter (now a Defence Force sergeant) applied for a nursing post at Kimberley hospital, she was rejected because she looked "too black". Recently, a coloured member of her community called Ms Guys a "kaffir". Now, she says, she doesn't have to pretend because she is part of the rainbow nation.

In a submission on education, Ms Refilwe Molusi said when you hear about racism you think about white people oppressing people with darker skin. In her case, she experienced discrimination for speaking English well and having white friends. She was called "Little Miss White Princess" and "Mrs English" at school. Today she is proud of who she is.

Henry Hopley related how he started a career as a journalist in 1965 as a freelance for a coloured newspaper. In 1978, he was employed as a "township reporter" for the Diamond Fields Advertiser (DFA). The highest position for a black journalist on the DFA was "senior township reporter". Although black reporters had few opportunities, he eventually became sports editor. Even so, he and a black colleague were constantly frustrated by racism.

Norman Khojane testified how, as an excellent sportsperson, he played football under the SACOS banner. They were never given any support by business even though business made money from black consumers. He was denied the opportunity to perform at his best because of segregation and lack of training, facilities, sponsorship and coaching. He asked that all people with talent in sport be given the necessary support and development.

Re-ana Willemsse, a student at Diamantveld Hoërskool, said there are problems at her school that can only be attributed to racist attitudes. Most of those in the less privileged class are from the black community. People have problems accepting that, as a black pupil, she is capable of performing better than her white peers and fellow pupils have made racist remarks. Last year, black pupils rebelled against the predominantly white student body (most of the pupils at the school are black). When black students speak out, they do so in fear of being victimised. She asked the Education Department to intervene and protect pupil's rights.

Claudine Lucus described how she had been treated by her boss at a butchery in Kimberley. He insulted her, swore at her and treated her worse than other employees. He once warned a customer not to touch her because she was "infested with AIDS".



Jonas Edwards, a farm labourer, detailed how badly farm workers are treated. They are expected to work from 5am to 8pm and if they make mistakes they are called “kaffirs” or “hotnots” and threatened with dismissal. The farmer makes unreasonable demands on his workers and they are paid R25 a week.

Elizabeth Sello used to work as an administrative clerk in a magistrate's court, where she was badly treated by the magistrate and his wife, her supervisor. When she fell pregnant, she was given additional tasks and forced to work overtime. One night, she had to sleep in the court to finish the workload.

F Gabadise is a disabled learner at Elizabeth Conradie – a multi-racial school. Teachers mostly speak only Afrikaans, which discriminates against black learners. The culture of black learners is not respected in the hostel or at socials where the music that is played is from white culture. Black learners are not allowed to pray in their own language or to speak their own language among themselves.

Jan Nel was born in the heyday of apartheid. As a white employee in the Department of Justice, he helped to enforce the pass laws and Immorality Act. He said that, prior to 1994, it was easy for him to get a job but now he has started studying because he realised he cannot just “walk into a job” as he did in the past. He thinks it is good that his children are growing up without segregation.

Recommendations made as a result of discussions include:

- Continued efforts to promote non-racism, non-sexism and democracy are required;
- Partnerships with NGOs and government must be created to deal with existing institutional problems;
- The media must play an educational role and report on human rights violations;
- Student bodies must be representative of all communities and learners;
- Religious leaders must take responsibility for preaching against racism;
- Government must look at legal loopholes that allow exploitation of casual labour; and
- NGOs must make an active effort to hire black people as consultants.<sup>1</sup>

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<sup>1</sup> Note: In addition to the large Kimberley meeting, a series of “roadshows” or “mini-meetings” were conducted in other smaller Northern Cape towns, as it is such a vast and sparsely-populated region. These meetings averaged an attendance of about 30 people, and, although they were not recorded, similar patterns emerged to those described above.

## Northern Province

The Northern Province public meeting was held at the Mankweng Magistrate's Court on 19 July 2000, to hear submissions on racism in the province. The meeting was attended by 54 people from diverse backgrounds. Participants represented various political parties and included members of the legislature, government departments, the University of the North, traditional leaders, people working in the NGO sector, labour and the media

There were 9 oral submissions and 12 written submissions, all of which made it clear that racism is present in all spheres of life in the province including schools, the workplace, financial institutions, the police and the judiciary. However, racially motivated attacks on farms are more brutal in nature, with people being insulted, assaulted or killed without any intervention from the police.

Countless stories were submitted of brutal assaults, murders and unfair labour practices on farms. One of these cases concerns Jan Seepa, a farm worker at Alldays farm, who was asked to work over the Easter holidays in 1998. Jan failed to return home and five days later his mother was told by the farmer that he had been beaten up and they did not know where he was. Jan's headless body was found in the river and, after examination by the police, his death certificate said a crocodile had killed him. When his head was found without any signs of a crocodile bite, a new death certificate was drawn up with the cause of death as "unknown". There was no investigation and the docket was closed for "lack of evidence".

In another case, a farmer approached the Deaf Association of South Africa to recruit deaf people to do farm work. When the workers arrived at the farm, they found inhuman conditions; they were to sleep in a place without a roof, men and women were to sleep together and they had to wash in a dam used by cattle. When they complained, they were dumped in town at night.

Chief magistrate, Collen Nkwenyane, described the institutional racism evident in the judiciary. Courts in black areas, such as the Mankweng Magistrates Court, do not have enough resources (magistrates and prosecutors) but despite requests for more staff, there has been no relief. The court has no security, unlike the courts at Pietersburg.

The provincial secretary of POPCRU detailed racism within the SAPS. Black police officers experience racism from their white co-workers when they have to use separate toilets. In one case, when a black station commander arrived to take up his position, he found that the chair and radio used by his predecessor had been removed.

Racism is also directed towards the community. For instance, the police collude with white farmers who hire illegal immigrants to work on their farms. When it is time to pay the workers, the farmers call the police and the workers are deported. Traffic officers in Pietersburg are required to regulate traffic around schools in town to protect the (mostly white) learners. The same service is not provided in the townships. Instead, traffic officials hand out tickets to motorists on their way to work.

Media coverage in the Northern Province is racist. There are two newspapers, one aimed at whites and one at blacks. The same company owns them both. A black journalist said that all decisions are made by the white editorial staff and "the provincial government is hit left and right, whilst anything white is condoned." Black reporters are paid less than their white co-workers and white journalists with less experience are promoted over black journalists.

Three submissions cited racism in financial institutions. For instance, Mr. X fell foul of racial stereotyping when he wanted to buy a kombi for which he had the 10% deposit required by banks. When he approached the bank, he was informed that a 40% deposit was required because when a black person buys a kombi, it is used as a taxi and within a few years it loses value.

The meeting heard about problems of ethnicity in the Northern Province where there are three main ethnic groups: the North Sotho, Shangaan and Venda people. During discussions, it emerged that Shangaan and Venda people are seen to occupy senior positions in human resource departments with the result that Shangaans and Vendas dominate all departments. Very few North Sothos hold senior positions in government departments.

A woman whose case is being investigated by the SAHRC made an anonymous submission. She is a coloured woman married to a Yugoslavian man and they have three children. Throughout their marriage, they have had to move because of racism. They now live in a retirement village in Warmbaths where they constantly experience racist slurs from their neighbours.

During discussions on the reluctance to discuss racism, Tjol Lategan said: "Only if we understand each other and you understand why the Afrikaner specifically fears the future and why they act as they do, can you be in a position to anticipate and discharge those fears. The way in which things are going now, the Afrikaner feels that they have to carry the burden for everything that went wrong."

Strategies to combat racism were suggested as follows:

- Making racism a crime and punishing offenders, as well ensuring that they pay heavy fines which would then be given to the victims as compensation;
- The SAHRC should conduct research into racism in the farms;
- There is a need to target key people in the white, Indian and coloured communities to kick start dialogue around racism in their areas;
- There needs to be specific training geared towards law enforcement officers, especially the SAPS and justice sector;
- Consideration should be given to traditional and religious values and the traditional and religious leaders should be engaged in debates. While these institutions were previously used to foster racism, they can now be used to foster racial equality; and
- Ultimately, each and every person in South Africa has the responsibility to challenge racism wherever it may occur, no matter who is being racist.

## North West

On June 20 2000, 320 people crowded into the Mmabana Cultural Centre in Mafikeng to attend the provincial meeting on racism in preparation for the National Conference. Participants hailed from Coligny, Vryburg, Jerrico, Wolmaransstaad, Leballeng, Makwasi, Taung, Rietvlei, Ottosdal and Thlabane in Rustenburg, amongst several other areas. The meeting heard 32 oral submissions and received 8 written submissions.

The tone of submissions was much like those heard at the Truth and Reconciliation Commission (TRC). Participants – mostly rural people - spoke with anger, bitterness and despair of their daily experience of blatant and deliberate racism. The meeting heard accounts of inhuman treatment and racially motivated verbal assaults and physical attacks. Some people wanted to know how the meeting would help them, since they have not seen any results from the TRC.

The main issues in the written submissions concerned racism and victimisation in the South African Police Service. At Orkney and Kanana police stations, black police officers are refused transfers - unlike their white colleagues who transfer regularly. Black officers are not allowed to use the kitchen stove and must use separate utensils and toilet facilities. When black policewomen wear make-up, they are told that they are “trying to look white.” While white officers use cars, black officers have to perform their duties on foot.

In Vryburg, a man was arrested for allegedly stealing firearms at Piet Plessie Police Station. He was repeatedly assaulted while in police custody. He was later moved to another police station where he was assaulted until he lost consciousness. When he woke up in hospital after 12 days, he was shown a statement that he had allegedly signed. He was then detained and only released after three months. On his release, he laid charges against the police but no investigation seems to have taken place.

At Taung, two white farmers were held hostage after they allegedly assaulted a farm worker on January 29 this year. After this, the farm worker went missing and was later reported dead. Remains of a human body were found in the farmyard and the matter was reported to the police, but no arrests have taken place. When the family of the murder victim enquires at the police station, they are sent from pillar to post.

In Rietvlei, a man has been left disabled by an assault. His wife was abducted for two days and was raped and covered with paint. Another man complained of being attacked in his home. He was shot and left disabled and, as a result, cannot pay his children's school fees.

In the Coligny public library, white patrons do not want to be served by a black librarian. A domestic worker in the town says she has to wear plastic gloves when she works in a white person's house. Her boss asks her to wash in cold water and watches while she does so. In the same home, other workers have to drink their tea from tins.

In Jerrico, a deaf and dumb man lost his right ear and sustained other injuries when he was attacked by dogs while visiting his father. The owner of the dogs, his father's boss, promised to pay compensation and to cover the medical bills. The injured man has not received payment.

Racial tensions are still simmering in Vryburg. The school and the town's police station became the subject of a SAHRC investigation after a racial incident at the school. According to a Vryburg High School pupil, white teachers refuse to teach black students mathematics

and computer lessons. Discrimination is rife in sports as well, with black students barred from playing certain sports.

In another case in the town, two women were found guilty of committing an offence at work. The black woman was found guilty and fired while her white colleague received a warning and continues to work for the company.

In Ottosdal, white nurses refuse to bath and feed black patients. Black nurses are passed over for promotion in favour of white nurses. In Pampierstaat, a black man's face was disfigured and his left eye gouged out when his boss attacked him. The black man was arrested and sentenced to 5 years' imprisonment despite the attack on him being unjustified.

In Leballeng, a black male was sentenced to 4 months in jail after a farmer claimed that he had stolen his lemons. A 15-year old boy from Wolmaransstaad was assaulted so badly he had to be hospitalised for a month after a security guard claimed that he had stolen books from the shop. The books were not found.

A pupil from Rietvlei High School said that, as soon as black children were admitted, the school rules changed. A bus is provided for all pupils but only white students are allowed to use it. There are no black students on the student committee and all communication is carried out in Afrikaans.

Plotlo Mokoke, a 9 year old boy from Mafikeng Primary School, said children in his town were not affected by racism because black and white children go to the same school, share food, toys and even beds. Racism, he optimistically stated, was something he and other children in Mafikeng will never experience because they are growing up together as one and understand each other and their different cultures. He then made a stirring appeal to adults, asking them to deal with racism at the top and make sure that their children do not experience racism and abuse in the future.

From the submissions made in the North West, it is clear that something drastic must be done to stop the endless abuse, degradation and victimisation of black people at the hands of white people. Recommendations include:

- White farmers should be prosecuted and sent to jail for a very long time;
- All cases must be investigated and those who are at fault should be arrested and punished; and
- Laws should be put in place to discourage people from being racist.

## Western Cape

The Western Cape regional office of the SAHRC convened a provincial meeting on racism at the University of the Western Cape (UWC) on 14 July 2000. Less than 40 people attended the meeting for many reasons: it had not been well advertised, it was held on short notice, and bad weather and transport unrest also contributed. Another meeting was held in Gugulethu, attended by about 30 people. One written and 20 oral submissions were received.<sup>2</sup>

Submissions covered a number of areas, including institutional racism in the workplace, in the SAPS and in public places. Particular emphasis was given to racism in institutions of higher learning, the slow pace of transformation in these institutions and the unequal allocation of resources.

While immigrants (illegal and legal) from Europe and other parts of the world enjoy a dignified status, there is considerable abuse, harassment and ill treatment of legal and illegal immigrants from other African countries by members of the SAPS. Local Government Authorities also display a racist approach to African migrants and the continued use of the Aliens Act by the Department of Home Affairs was questioned.

The treatment of the elderly and disabled in hospitals and clinics came under the spotlight in submissions. They are often the victims of ill treatment, racism and abuse. There is also racism evident in the allocation of donated organs.

Low-income housing targeted at black people is evidence that racism is still prevalent. The size, quality and location of these "houses" are seen as insulting. An example given were the "houses" built in Phillipi East, which have open toilets facing the living room.

In human resource development and the process of skills transference, there is ample evidence of racism. The advertising and security industries were cited as examples.

The meeting noted that formulating a strategy to deal with racism in its many forms and manifestations was a difficult task. It was noted that housing, job creation, the alleviation of poverty and other social problems would not solve the problem of racism, because racism is one of the causes of these problems. In most cases of racial discrimination, the homeless, unemployed and poverty stricken are the victims. The problem of racism lies within the racist and addressing social problems will not change the attitudes of racists or the source of racism, which is socialisation. One strategy then is to empower and educate victims of racism and their social status should not hinder the process of gathering a strong force against racism.

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<sup>2</sup> A subsequent meeting in George, attended by over 300 people, was held on 4 August 2000. Unfortunately, the report of this meeting was not received in time to be included in this publication.

## SAHRC Head Office

*Prepared by Dr. Amy E. Ansell*

This summary is based on the analysis of 154 written submissions on the theme of racism sent to the Head Office of the South African Human Rights Commission (SAHRC) in June and July 2000. The SAHRC invited these submissions as part of a consultative process in the lead up to the National Conference on Racism and for the express purpose of making public voices on the matter of racism heard.

Not a single submission argues that racism no longer exists in South African society. Beyond this lowest common denominator, there exists a fundamental lack of consensus regarding what racism is and how to combat it. Some public contributions assume that racism is practiced by whites against blacks and document continuing patterns of racial inequality and discrimination in the post-apartheid era. Others conceive of racism in more universalistic liberal humanist terms and blame ANC rule for reracialising South African society and politics and for entrenching a form of reverse apartheid in the form of Employment Equity policies and other race conscious strategies for redress (including the SAHRC National Conference on Racism). Although the submissions reveal a variety of perspectives on racism within each self-identified racial group, a significant racial dimension is clearly manifest. While such racial coding of submissions carries some danger in contributing to superficial racially essentialist approaches, there is an equal if not greater danger in ignoring the fact that different racial groups approach the questions that are the topic of the National Conference on Racism in meaningfully different ways.

About half of the public contributions received deal with Themes One and Two as identified by the Steering Committee for the National Conference: the nature, meaning, forms, sources, manifestations and consequences of racism in South African society. Contesting opinions regarding the meaning of the legacy of apartheid emerge as a central concern. Many submissions detail how the racism of apartheid continues today in new, more subtle and sometimes more entrenched forms. Contributors describe how racism continues to impact negatively on people's consciousness, and also how the residues of apartheid inequities and structures continue to limit the meaning of the metaphor of the 'rainbow nation'. Others understand the legacy of apartheid in very different terms. Especially amongst self-identified whites, a central concern is that Afrikaner nationalism is being replaced by African nationalism, with all the attendant negative consequences in terms of a racially divided and hostile society. Underlying these contrasting perspectives on the legacy of apartheid are (1) very different ideas regarding the definition of racism, each with implications for the debate about whether only whites can be racist; and (2) conflicting ideas regarding the causes or sources of racism. Furthermore, the submissions detail a variety of forms of racism: overt white racism, black-on-black racism, new racism, reverse racism, and anti-anti-racism.

Some submissions deal with racism in a variety of institutional contexts: workplace, economy, politics, law, sports, media, education, health, housing, religion and the military. The contexts that invited the most responses (and the most racially bifurcated responses) are racism in the workplace and racism and politics. Roughly half the responses in these categories were sent in by self-identified black South Africans who complain that discrimination has not stopped in the 'new' South Africa and, according to some, has even grown worse. Black individuals and organisations submit that they are still not treated equally in areas such as training, promotion, and dismissal. Government departments and companies remain white at the top. Affirmative action has been used for window dressing while white senior and middle management practice obstructionist tactics against

governmental and corporate transformation. Most of these submissions conclude with a call for national government intervention to monitor/stop discrimination and accelerate affirmative action in the workplace and local government structures. By contrast, the other half of submissions on these topics were authored by self-identified whites who assert that employment and political career opportunities are stacked against them, especially white males who are the alleged new victims of affirmative action. Most common are complaints that unskilled individuals are filling corporate and political positions because of the colour of their skin rather than demonstrated merit. Claims are made that government is benefiting one race at the expense of the other, creating racial disharmony and unjustly punishing new generations for the sins of their fathers.

Submissions document continuing racist practices in a number of other institutional contexts; most notably, health, housing, religion and the military. Submissions regarding racism in education and racism in law stand out as distinct in foregrounding complaints of lack of institutional transformation. The topic of racism and the media provoked widely divergent views. For example, one contribution argues for black media professionals to pursue a radical political agenda of decolonising the black mind and imagination, while another derides the media's role in promoting 'reracialisation' via employment of phrases such as 'black business' and 'white farmers'. Similarly divergent views are expressed in submissions on racism in sport: one author complains of a white racist conspiracy against the African continent as demonstrated by FIFA's 2006 soccer world cup decision, while another derides the decision to disallow the South African men's hockey team to compete in the upcoming Olympic games because of a lack of racial balance amongst team members.

Other submissions deal with strategies to combat racism, or Theme Three as identified for the Conference. The majority of submissions here concern the need to address stereotypes, prejudice, discrimination, and intolerance. Again a lack of consensus about what this means is manifest. For some such address calls for the fostering of dialogue to facilitate empathetic communication/action and to counter racial conditioning. Others employ religious metaphors in their plea for love and inter-racial friendship. Both stand in contrast to those who focus on the need to dismantle the structures of power and political economy that underlie and reinforce racial discrimination and inequity. A significant minority of submissions concerned with combating racism draw upon the nation-building framework in articulating competing notions of the meaning and usefulness of nonracialism and reconciliation. On a more positive note, some contributors summary of suggested remedies particular to specific institutional contexts.

The 154 submissions sent to the SAHRC Head Office contain the results of tremendous effort and concern on the part of the public. Their voices deserve a thoughtful hearing.



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Mr Justice Loape, Democracy for All  
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