

5. EFFECTS OF THE IMPLEMENTATION OF RECOMMENDATIONS OF COMMISSIONS OF INQUIRY ON UNIVERSITY EDUCATION

5.1 Introduction

This chapter aims at analysing the effects of the apartheid policy on Black university education. The Commission of Inquiry on Separate Training Facilities for non-Europeans at Universities (1953-1954), together with the Inter-Departmental Fact-Finding Committee on the financial implications in connection with the establishment of separate university colleges for non-Europeans (White Paper C/1957), spearheaded the way towards the separation of university facilities along racial lines. This was an extension of the principle of separate development.

Since their establishment, these universities have been sites of the struggle against the apartheid laws and the education designed for Blacks. A number of commissions of inquiry have been appointed to look into the problems prevailing at these universities.

The previous chapter served as a background to the events that led to the appointment of the Commission of Inquiry into the violence which occurred on 29 October 1983 at the University of Zululand (80/1985) and the Report of the Commission of Inquiry into certain matters relating to the University of the North (1975).

In explaining the spirit of protest that characterised these universities for Blacks since their establishment, it is necessary to look into the effects of the establishment of Fort Hare in 1916. This was the first University College in the country built exclusively for Blacks. The Report of the Fort Hare Commission (1955) came long before the

establishment of the other two universities for Blacks. Nevertheless, the events that took place there would help our understanding of how these institutions turned into breeding grounds for politicians.

5.2 Report of the Fort Hare Commission (1955)

5.2.1 Introduction

The Government instructed the Commissioners to give an appraisal of Fort Hare as an institution of learning.

5.2.2 Membership

Professor J.P. Duminy - Chairman - Principal - Pretoria Technical College

Professor M.C. Botha - Member of Parliament - House of Assembly

Dr. E.H. Brookes - Former member of Permanent Native Affairs Commission

The membership of the Commission included people who were not only from a different social class and racial group as the students, but also not connected with the university at all. As outsiders they were not expected to understand perfectly all the dynamics at play at this institution. It is clear that there is a disadvantage in having people assess the life and work of an institution of which they are not part. At the same time insiders might not approach the task with an open mind. Perhaps a mixture of insiders and outsiders would prove the best. It was also unwise to have an all-White Commission when there were disagreements between White administrators of the college and Black

students.

Therefore, in the words of the Commission: "The attitude of the students at the Assembly at which we met them did not give us reason to hope that we would receive any cooperation from them..." (Report/1955: Par. 2).

5.2.3 Terms of reference

Because of the instability experienced in terms of tuition at the college, the members of this Commission were given the duty: "To investigate the conditions of life and work in the college and to make recommendations for their improvement" (Report/1955: Par. 1).

The Commission constructively commented that: "These terms of reference, wide as they are, were interpreted as liberally as possible, even to the extent of including a study of the incidents leading to the closing of the college in May, and of the events that followed. The Commission felt that only with such an interpretation of its terms of reference could it hope to arrive at a proper appraisal of the situation and to perform the task it had been called upon to undertake" (Report/1955: Par. 1).

5.2.4 Findings and recommendations

The Commission found that the institution was a glorified High School with a strong missionary influence, rather than a university. There was therefore a paternalistic spirit that prevailed at the institution. For many Africans, being a student at Fort Hare was

a status symbol and a source of pride. It brought hopes of future equality with the other races.

The Commission stated: "Its place in non-European thought is unique, for its failure means the extinguishing of many hopes, its success points the way to success in the wider spheres of South African life. The participation of non-Europeans in the life of the universities of Cape Town, the Witwatersrand and Natal, while most valuable and while better in principle than the building up of a 'segregated' institution, has somehow not the same symbolic value. The old students, who occupy a very distinguished place in non-European society and do much to mould its opinion, are peculiarly sensitive to anything which makes Fort Hare appear less in status than a true university should. Recent events, whether justified or not, have deeply wounded this sensitivity" (Report/1955: Par. 4).

The Commission discovered that there was great enmity between the students and college authorities and some White members of staff. There was also feeling of distrust among the students themselves because of the 'tale-bearing system of control'. There existed a lot of political and racial tensions, which the Commission felt were caused by the lack of sympathetic response from the university authorities towards the grievances of the students, most of which the commission considered genuine. At the same time, the students' demands were considered as occasionally intolerable. There was a great lack of student responsibility. Drinking was a problem.

The relations in the classrooms were not as bad, but the emphasis of the students on examinations and degrees to the exclusion of other things, was not encouraging. Fort

Hare left much to be desired academically and in terms of the relationship between the students and authority, and so the atmosphere in this institution was highly volatile. The University could not escape the racial and political tensions prevalent in the country. The Commission believed that: "Fort Hare is a 'segregated' institution in the sense that the right of admission is confined to non-European students. While present national policies prevail this state of affairs is unalterable. This factor leads to tensions and antagonisms which we believe do not exist at universities in the Union where both Europeans and non-Europeans are admitted, and renders the situation at Fort Hare all the more difficult for the authorities to understand" (Report/1955: Par. 6).

It was added that the college was geographically, academically, socially and culturally isolated. There existed no meaningful sport and competitions. This college was also affected by developments in the rest of Africa and the World.

There was generally no contact between the students and staff. The students resented the method of imposition used by the university authorities. They wanted a forum for consultation as well as a platform where they could also voice their opinions. The hostel rules and regulations were considered strict and unfair.

Not all the students belonged to political organisations. A number of them were members of the Youth Movement of the African National Congress (ANC) and others belonged to the Sons of Young Africa (SOYA). The latter was a junior branch of the All-African Convention. These organisations were very influential at the university. The students who were members were in contact with their leaders. The Commission asserted that: "It may be that the unique position of the Institution in the Union and the

great national and international interest in it has led these leaders (of political organisations) into the unhappy policy of using it as the spearhead of a national political struggle" (Report/1955: Par. 7).

Nevertheless, the Commission concluded that political agitation could not be totally eliminated at the university. It formed part of the mental activity of any normal university. At the same time, the authorities were expected to discipline disrespectful and insubordinate students very promptly and effectively.

The Commission found that there was great resistance among students to religion, though Fort Hare was established as a result of the co-operation between Blacks and missionaries. What started off as compulsory attendance of religious services soon became voluntary (Report/1955: Par. 8).

Life in the hostels also left much to be desired. The main problems were identified as: the personality of the wardens; accommodation and the hostel system itself. The attitude of some wardens towards their work was not conducive to good relations, the common rooms were 'bleak and unattractive' and some students did not even have mattresses to sleep on. Furthermore, there was a lack of uniformity between the different hostels in terms of adherence to the rules.

There were complaints from the students about the unsatisfactory quality of food served. The menu was not varied. There also existed a need for the building of a students' centre which could provide facilities for reading, writing and music. A cafeteria was also a necessity. The Commission felt that the building of a sanatorium

with a full-time African nurse was also required. There was a need for housing for members of staff. The Commission felt that grass, trees and plants should be planted so that the campus could have a more attractive appearance. Regarding the administrative functions of the college, the Commission reported that the Principal had too much responsibility. There was a need for duties to be delegated in order to relieve him. It was also recommended that students should be given more responsibility.

The Commission further made suggestions on the conducting of discipline in the school. The Principal should be relieved of some of his disciplinary functions. The disciplinary system used at the college should be consistent. Student informers should not be encouraged. Rules that were not enforceable should be reviewed. Misbehaviour by the students should be categorised and dealt with at the different levels.

The unfortunate situation of the ill-health of the Principal was noted. Academically, Fort Hare needed to be involved in more research work and post-graduate studies. Lecturers from other universities should be encouraged to visit Fort Hare. It was unfortunate that Rhodes and Fort Hare had severed their relationship; nevertheless, avoidable isolation should not be encouraged to develop. The range of degrees offered should be extended to include, for example, commerce. The university also needed a Careers Guidance Officer (Report/1955:Par. 9-10).

The Commission recommended that Saturday classes should be abolished. Lazy students should be eliminated through proper control of their work. Theatre should be revived. Facilities in laboratories, lecture rooms and in the library were only adequate for those who were doing junior degrees. Music should also be introduced at the

university as a matter of priority. The college had to look into the establishment of a Department of Physical Education.

The Commission further stated that the composition of the Senate needed to be seriously looked into and adjusted in order to make it more representative, and comparable to what was happening in other universities. It was felt that the Senate had to have representatives of the lecturers and the African students themselves. Furthermore, the Boarding Master, the Bursar and the Librarian did not need to have a seat on the Senate. Fort Hare differed from other South African universities in that members of the Senate took turns in becoming Deans of Faculties. This practice deprived this office of its status. Constant changes in Senate representatives was also not a wise practice. It was regrettable that Africans were also not represented in the University Council. The council was advised to consider meeting more than twice a year.

It was also recommended that a Permanent Hostels Committee should be appointed in order to co-ordinate and supervise the work of the Hostels. It would also help in the implementation of the recommendations made by the Fort Hare Commission. The Commission tried to eliminate 'relics of the Missionary High School system' practised at Fort Hare. The university produced many politicians, as well as educationists, who went on to occupy leadership positions in the African Continent.

The main observations of the Commission were that the college had not received full status as a university and, as a result, certain freedoms were prohibited. The university needed to be brought to par with other tertiary institutions of other racial groups.

5.2.5 Effects of grievances of student behaviour

Troup (1976:53) acknowledges that: "The roll-call of well-known Southern African leaders from Fort Hare is a long one. It includes Oliver Tambo, Robert Sobukwe, Govan Mbeki, Duma Nokwe, Denis Brutus, Gatscha Buthelezi - all South Africans. Seretse Khama, (former) president of Botswana; Ntsu Mokhehle, the Lesotho politician; T.G. Silundika, the ZAPU leader, and Herbert Chitepo the ZANU leader killed in 1975; Malawian political figures Orton Chirwa and the late Henry Chipembere; and Zambian politician Sikota Wina."

Students and graduates of Fort Hare soon became leaders of organisations like the ANC and the PAC. For example, the first Black graduate of this institution, Prof. Z.K. Matthews, became a very distinguished leader of the ANC. Nelson Mandela was President of its Youth League, while Robert Sobukwe became President of the PAC.

Most of the students did not complete their degrees at the college because some were expelled while others were either suspended or were disturbed by unrest on the campus.

When the two other universities for Blacks were established in 1960, the same spirit of protest prevailed in their campuses. The students at these two universities became members of the National Union of South African Students (NUSAS). NUSAS was a multi-racial organisation. When the Non-European Unity Movement (established in 1943) became stronger, it encouraged disaffiliation from NUSAS, as they viewed NUSAS membership as a form of collaboration with the oppressors. There was a

strong spirit of Black consciousness prevailing at the time.

Hirson (1979:65-69) reports that NUSAS, which was formed in 1924, was meant to unite all White students from different universities. The problem arose when Fort Hare applied for membership to NUSAS in 1933. This led to the beginning of the break-away from NUSAS by mainly Afrikaans-speaking universities.

The University College of Potchefstroom, Pretoria and the Grey University College, as well as Bloemfontein University broke away from NUSAS in 1933. The University of Stellenbosch did so only in 1936. Their withdrawal left NUSAS as an English-medium University body. In 1945, it accepted the affiliation of Fort Hare. The Afrikaans universities formed the Afrikaanse Studentebond (ASB) (Hirson, 1979:66).

The reasons advanced by the Afrikaans-medium universities for breaking away from NUSAS were the same as the ones given by universities for Blacks for breaking away from NUSAS in the early 1970s. They formed Black-only organisations such as the South African Student Organisation (SASO), the Black People's Commission (BPC). These were basically Black Consciousness Movements. Later Indian and Coloured Universities were also allowed to join SASO. Its constitution and activities have already been discussed (page 108-109). Its formation served to intensify student protests at universities (Hirson, 1979:71-73). Inter alia the infiltration of the Black Consciousness Movement into secondary schools culminated in the outbreak of the 1976 riots in Soweto and elsewhere.

to the University of the North (1975)

5.3.1 Introduction

Due to disturbances that took place at this University, the government appointed a commission of inquiry to look into the matters in detail.

5.3.2 Membership

There was only one member chosen who was also Chairman: J.H. Snyman. The commission therefore suffered from a lack of representativeness and from imposition like all the others.

5.3.3 Terms of reference

As a result of unrest experienced at the above-mentioned institution of learning, the Snyman Commission was asked by the Government: "To inquire into and report on:

(1) The events of 25 September 1974 on the Campus of the University of the North with the view to determining the causes that gave rise thereto and the part played therein by the University Management, the SRC and any other organisation of either the students or the lecturers, with specific attention to:

(a) the relationship on the Campus between the Black and White academic staff as well as between the Black academic staff and the

students; and

- (b) related matters concerning the present and future management of the university, including possible interference therein by the Black Academic Staff Association.

- (2) Any related matter which comes to the notice of the Commission and which in its view calls for inquiry.
- (3) To make recommendations in view of the findings which the Commission deems necessary" (Report/1975: Par. 1.1).

These terms of reference were aimed at uncovering causes that led to the outbreak of violence in the campus on 25 September 1974. By singling out the management of the University, the SRC and other organisations, these terms of reference limited the scope of the inquiry. They focussed the attention of the Commissioner to the exclusion of other important bodies who could have played a role in causing the outbreak of violence.

It was also very difficult to address Black and White relationships without touching on the policy of the government that had fostered this relationship. If the relationship was poor, then a White Commissioner was not the best person to address this issue, because he might be faced with resistance from the students and Black staff and be viewed with suspicion. Therefore, his chances of addressing the issue successfully and getting the sincere co-operation of the people involved were slim.

The terms of reference seem to acknowledge the fact that there could be problems with the management of the university. At the same time, they seemed to be anticipating problems from the Black staff only. The use of the word 'interference' from the terms of reference of the Commission, suggests that the Black staff would be treading on illegal ground if they insisted on having a say or a role to play in the matter. This attitude could hardly relieve the tension that existed between the Black and White members of staff and students. It was the right of all members of staff, Black or White, irrespective of race, to participate in all the activities of the University. To suggest that Black staff would be interfering if they participated meant that the terms of reference were biased and racist.

At the same time, it was good that in the terms of reference, provision had been made for any other matter that would call for an inquiry. This broadened the focus of the Commissioner on the matter, since the focus was limited by the clause that picked on certain structures and organisations.

Lastly, the Commissioner was expected to make recommendations based on his findings. This was unfortunate because a bigger, more representative forum should possibly have been charged with this duty.

5.3.4 Findings

The Commissioner analysed the establishment, development, administration and autonomy of the University of the North in detail. He then gave a synopsis of the background of the students at the University, together with the Students' Organisations and their activities on the campus. He also looked at the staff, their associations, and

their relations with one another and with the students. He specifically focussed on the events of 25 September 1974, as that was the day on which widespread unrest started. The South African Students Organisation (SASO) had announced that it was going to arrange pro-Frelimo rallies to celebrate the victory of these forces in the struggle for freedom and democracy in Mozambique. The students would celebrate 'SASO week' on the campus from 20 to 22 September 1974. The Government was against the holding of such rallies. There were anti-White posters and slogans displayed all over the campus. The Rector of the University, Prof. C. Boshoff, announced to the students that they should proceed with their normal classes. The students were assembled in the University Hall, when a police contingent arrived. The police instructed the students to disperse as the meeting was unlawful. As the students moved out of the hall, there was stone-throwing. The police used teargas to disperse the students and also started baton-charging them (Report/1975: Par. 7.2).

Some students vented their anger by attacking the White members of staff who were arriving at the University at that time. On 27 September 1974, the University was closed. The President of the SRC, K.G. Sedibe, was arrested by the police under The Suppression of Terrorism Act (83/1967). Another member, Cyril Ramaphosa, was arrested when the students handed over a memorandum to the police. The Rector was also given a memorandum of condemnation. A sit-in was arranged to protest against the arrest of students by the police. Nevertheless, on 22 October 1974 all students returned to their classes.

The Commissioner cited the following as causes of the unrest: the students' defiance by holding an unlawful gathering; the solidarity pledged by the Black Academic Staff

Association with the students; the undisciplined behaviour of the students; SASO's advocacy of violent revolution; the policy of separate universities for Blacks and poor relationships between Blacks and Whites, specifically on the campus, and more generally in the country. The students resented the ethnic grouping policy of the University and the Government as well as the paternalistic attitude displayed by the Whites towards the Blacks (Report/1975: Par. 7.5).

5.3.5 Recommendations

Regarding the structure and control of the University, the Commission recommended that the university should in future be controlled by a council which had a Black majority designated by the homeland Government concerned. It should be appointed by the Council in consultation with the Senate (Report/1975: Par. 7.6.1).

The Commissioner went on to recommend that the university should abolish the system of admitting students on the basis of their ethnic grouping. The training needs of the Black community were not to be overlooked. Research was necessary to establish the need for trained personnel in the homelands and then adjustments should be made to provide for such training. Students should be encouraged to study in the fields where there was a need. The existing facilities should be extended to include the training of students in the technical field. A students' service bureau or vocational guidance bureau should be established at the university in order to guide students in their choice of careers. Lastly, recommendations were made regarding parity in salary between Black and White personnel at the university (Report/1975: Par. 7.6.2-7.6.4).

It is important to note that the Commissioner acknowledged the unnecessary categorisation of the university into ethnic groupings since this had been assumed as necessary by the Holloway Commission (1954). He nevertheless wanted the University to be linked to a homeland Government whose desirability among Blacks had never been tested. In this, he committed the same mistake as Holloway.

5.4 The Commission of Inquiry into the violence which occurred on 29 October 1983 at the University of Zululand (1983-1985) (R.P. 80/1985)

5.4.1 Introduction

The Government charged Prof. A.J. Middleton with the task of investigating the causes of the violence, leading to loss of life, that occurred at this University.

5.4.2 Membership

The Chairman and sole member of the Commission was Prof. A.J. Middleton of the Department of Criminal Law and Procedure of the University of South Africa.

5.4.3 Terms of reference

As a result of the violence that claimed the lives of students on the campus the Commissioner was instructed: "To inquire into and report and make recommendations on the violence which occurred on 29 October 1983 at the University of Zululand, as well as the cause giving rise thereto" (Report, R.P. 80/1985: Par. 1.2.1).

These terms of reference were rather restricting in that they did not specify that the Commissioner should also report and make recommendations on any matters that he felt were relevant to the causes of violence. As a result, important information and sound recommendations could not be made. Consequently Prof. Middleton wrote: "Although the Commission found it necessary to take cognisance of the various political ideologies in so far as they were relevant as constituting causes of the violence ...the merits of the various ideologies, being party political matters, were considered to be beyond the terms of reference" (Report: R.P. 80/1985: Par. 1.3.2).

5.4.4 Findings

In his findings about the causes of violence, the Commissioner asserts that: "Perusal of the initial representations calling for the appointment of a Commission of Inquiry clearly revealed that the violence which erupted on the campus of the University of Zululand on 29 October 1983 was the culmination of a series of events on the campus commencing with the booking, on 13 October 1983, of the Bhekuzulu Hall, for the holding of a ceremony commemorating the death of King Cetshwayo" (Report:80/1985: Par. 1.3.1).

It was found that one of the speakers at the above-mentioned ceremony was to be Dr. Gatsha Buthelezi, the chief Minister of Kwa-Zulu, who was regarded by the anti-homeland Blacks as one of the puppet leaders installed by the South African Government to perpetuate the policy of apartheid and separate development. As a result, anonymous pamphlets were distributed on the campus. These incited the students to protest against Dr. Buthelezi's presence at the university. A peaceful

demonstration was arranged for the 28 October 1983 to protest against the visit of the so-called 'Homeland Puppets.' On the other hand, Inkatha, a supposed Cultural Movement that had since turned into a Political Party, had members that were determined to protect their leader while they were on the campus with him (Report: R.P. 80/1985: Par. 4.6).

On the morning of 28 October 1983, the students gathered on the campus and shouted anti-Inkatha slogans. They held a meeting and dispersed, but they met again the following day in order to vent their anger at the Inkatha rally. When the expected visitors arrived, there was stone-throwing and violence broke out. A number of students were beaten and assaulted by the visiting Inkatha supporters. Five people were killed as a result of the violence that started on 29 October 1985 between the students and Inkatha supporters.

Prof. Middleton, after an in-depth analysis of the events that led to the violence, came up with the following as reasons for the disturbance. He cited the ethnic aspects of the developments of the University of Zululand. He went further and said: "Moral objections to the principle of ethnicity, according to the evidence and arguments before the Commission are a source of discontent amongst the students ... It is however necessary to note the views of the students and staff of the University of Zululand, because, in the opinion of the Commission, the fairly general adherence on the campus to the application of the principle of ethnicity as undesirable appears to have been the basis upon which much of the student opposition to the Inkatha movement and the Chancellor (Dr.Buthelezi) himself has been fermented" (Report:R.P.80/1985: Par. 4.2.6).

Other causes cited by the Commissioner were: the opposing political views held by the students and the Inkatha Movement; a history of an unhealthy relationship between the two groups; the attitudes of the parties towards one another and the fact that the visitors were not confined to the Bhekuzulu Hall but were allowed access to other parts of the campus.

5.4.5 Recommendations

The Commissioner recommended an end to the system of separate universities. He added that students who caused disorder at the university should not be kept on the campus. The importance of maintaining discipline should be given priority by the Security Officers of the university. In future, when members of the public visit the university, they should be restricted to the immediate vicinity of the Bhekuzulu Hall. It was also important for the staff and students not to publicise official matters of the university. A properly elected Student Representative Council (SRC) should be restored on the campus. A Dean of Students should be appointed and a healthy relationship between the students and the Administration of the University should be promoted. Lastly, the Commissioner suggested that a happy balance should be struck between 'political activities' and the 'pursuit of academic goals' by the students themselves (Report:R.P. 80/1985: Par. 5.1-5.12). It is not a coincidence that this Commission, like the Snyman Commission (1975) also recommended that the university should cease to admit students according to ethnic grouping. This can be cited as one of the sore points in the history of the development of universities for Blacks in South Africa.

5.5 **Effects of recommendations on education policy for Blacks**

When the three universities for Blacks were established in 1959, they fell under the University of South Africa. The passing of the University of Fort Hare Act (40/1969), the University of Zululand Act (43/1969) and the University of the North Act (47/1969) gave them autonomy.

Furthermore, the Black Universities Amendment Act (6/1973) was passed in order: "To amend the provisions of the University of Fort Hare Act (40/1969), the University of Zululand Act (43/1969), and the University of the North Act (47/1969), relating to the seats of the said universities; to enable each of the said Universities to invest, lend and borrow money; to authorise the Minister to guarantee the repayment of any loan granted to each of the said Universities; to further regulate the powers of the Council of each of the said Universities in respect of decisions taken by certain committees by virtue of powers and functions assigned to such committees by such council; to further regulate the powers of the senate of each of the said Universities in respect of decisions taken by certain committees by virtue of powers and functions assigned to such committees by such senate; and to provide for incidental matters" (The Black Universities Amendment Act 6/1973: Par. 1).

In 1976, the Medical University of Southern Africa Act (78/1976) was passed. It provided for the establishment of a medical university exclusively for Blacks in Pretoria. Prior to the Act Black medical students were admitted at the 'open' universities as well as at the University of Natal (Durban Campus). At the latter university they catered for them by providing separate lectures with the same staff (The Report of the Commission

of Inquiry on Separate Training Facilities for non-Europeans at Universities U.G./1954: Par. 9(c)).

When the Black Universities Amendment Act (57/1977) was passed, it provided for the amendment of: "... the University of Fort Hare Act, 1969, the University of Zululand Act, 1969, the University of the North Act, 1969, and the Medical University of Southern Africa Act, 1976, so as to transfer the powers of certain universities relating to the acquisition and control of stores and equipment to the councils thereof; to amend the provision relating to the constitution of certain universities; to provide for the appointment of rectors and acting rectors for certain universities; to amend the provisions relating to the constitution of the councils and senates of certain universities; to abolish the advisory councils and senates of certain universities; to provide for convocations for certain universities; to amend the provisions relating to the establishment of certain universities; to amend the provisions relating to the determination of fees payable by students at certain universities; and to repeal the provisions relating to the delegation of certain powers of the Minister in respect of certain universities; and to provide for incidental matters" (The Black Universities Amendment Act 57/1977).

In 1979, it was again necessary to amend the Acts of 1969 through the passing of the Universities for Blacks Amendment Act (52/1979). Its aim was: "To amend the provisions of the University of Fort Hare Act, 1969, the University of Zululand Act, 1969, the University of the North Act 1969, and the Medical University of Southern Africa Act, 1976, relating to the spheres of activity of those universities; the constitution of the councils of those Universities; the registration of persons as students of those

Universities; and the admission as students of persons other than Blacks; and to provide for the establishment of institutes at the Medical University of Southern Africa; and for matters incidental thereto" (The Universities for Blacks Amendment Act (52/1979)).

The question of the establishment of Universities for Blacks in urban areas was also looked into, since there seemed to be a need for them. Therefore, the Vista University Act (106/1981) was passed to provide for the establishment of such university(ies).

In 1982, the Universities for Blacks Amendment Act (14/1982) was passed in order to amend the constitutions of the University of Zululand and that of the Medical University of Southern Africa. It also aimed at substituting or deleting certain obsolete designations provided for in 1969 in the case of the University of Zululand, and in 1976 in the case of the Medical University of Southern Africa (The Universities for Blacks Amendment Act 14/1982).

1984 saw the passing of the Tertiary Education (Education and Training) Act (92/1984). It amended the University of Zululand Act of 1969, the University of the North Act of 1969, the Medical University of Southern Africa Act of 1976 and the Vista University Act of 1981. The aim of passing the Act was to make the provisions governing these universities uniform. These universities were granted certain supplementary powers. Their constitutions were further amended and they were given more autonomy and responsibility as universities (The Tertiary Education (Education and Training) Act 92/1984).

The following year, the Universities for Blacks, Technikons (Education and Training) and the Education and Training Amendment Act (71/1985) was passed. That was done in order: "To amend the University of Zululand Act, 1969, the University of the North Act, 1969, the Medical University of Southern Africa Act, 1976, and the Vista University Act, 1981, so as to provide in respect of each of the said universities that the conditions of service, powers, privileges, duties and functions of the Rector and Vice-rector may be determined by the council without the approval of the Minister of Co-operation, Development and Education; to provide (except in the case of the Medical University of Southern Africa) for co-operation with other education institutions; and for a right to appeal to the said Minister in the case of a person permanently in the employment of the university being discharged from office; to provide in which circumstances a student may register for non-degree purposes approved by the council of a university to cancel the registration of a student if that council considers it to be in the interest of the University; to further regulate the admission as a student of a person other than a Black; to repeal the provision in terms of which a university may organise a portion of a university as an institute; in the case of the Medical University of Southern Africa, to alter the composition of the Senate and Convocation, to provide that its Council may, with the approval of the said Minister, establish an additional faculty, and to empower that Minister to provide for a nursing school at the Ga-Rankuwa Hospital; in the case of Vista University to further regulate the transfer of certain persons to posts on the establishment of that university; to amend the Education and Training Act, 1979, so as to provide for the entrusting of certain functions to certain bodies established by the said Minister for public schools; and to amend the Technikons (Education and Training) Act, 1981, so as to abolish the Co-ordinating Council for Technical Education; to provide for a right of appeal to the said Minister in the case of a person permanently in

the employment of a technikon being discharged from office; to enable the council of a technikon to cancel the registration of a student if that council considers it to be in the interests of the technikon; to redefine the duty of any such council to submit once every year to the said Minister certain statements and a certain report; and to re-determine that the functions that the Minister may assign to an officer; and to provide for matters connected therewith" (The Universities for Blacks, Technikons (Education and Training) and Education and Training Amendment Act (71/1985)).

Later on, the Universities and Technikons for Blacks, Tertiary Education (Education and Training) and Education and Training Amendment Act (3/1986) was passed. It amended the University of Zululand Act of 1969, the University of the North Act of 1969, the Medical University of Southern Africa Act of 1976 and the Vista University Act of 1981. The Act stated that these universities were allowed to choose more than one registrar and more than one vice-rector. The number of donors represented in the councils of these universities was to be increased from one to two. The Education and Training Act (90/1979) was amended in such a way that provision was made for the establishment of inter-mediate schools. The constitution of the governing bodies in schools was amended. The status and appointment of teachers on probation was further clarified and examination fees could be carried forward to a subsequent examination. The Council for University and Technikon Affairs (Education and Training) was abolished (The Universities and Technikons for Blacks, Tertiary Education (Education and Training) and Education and Training Amendment Act (3/1986)).

The University of Zululand Act of 1969, the University of the North Act of 1969, the Medical University of Southern Africa Act of 1976 and the Vista University Act of 1981

were further amended through the passing of the Universities (Education and Training) Amendment Act (34/1987). The aim was to make the provisions of the Universities Act of 1955 applicable at the said universities as well, especially those dealing with the management and control of such institutions of learning. The activities of these universities were further regulated by this Act (The Universities (Education and Training) Amendment Act (34/1987)).

In the same year, the Education Laws (Education and Training) Amendment Act (95/1987) was passed. It aimed at limiting the number of vice-rectors at the above-mentioned universities. The Minister of Education and Development Aid established a nursing college, while the designation of the Minister of Health was adjusted. The Act also abolished the Committee of University Rectors. It also amended the Technikons (Education and Training) Act of 1981 and the Tertiary Education (Education and Training) Act of 1984. The Education and Training Act of 1979 was also amended through the passing of this Act (The Education Laws (Education and Training) Amendment Act (95/1987)).

The Education Laws (Education and Training) Amendment Act (31/1988) was passed. This was done in order: "To amend the University of Zululand Act, 1969, and the University of the North Act, 1969, so as to delete the requirement that the designation of degrees shall be as prescribed by statute; to amend the Medical University of Southern Africa Act, 1976, so as to delete certain definitions and to insert new definitions; to provide that the principal and vice-principal shall by virtue of their office be members of committees of both the Council and the Senate; to regulate anew the constitution of the Senate; and to delete the requirement that the designation of

degrees shall be prescribed by statute". The Act further amended the Education and Training Act of 1979 (Education Laws (Education and Training) Amendment Act (31/1988)).

The Universities and Technikons (Education and Training) Amendment Act (41/1990) was passed. The aim of the Act was to amend the University of Zululand Act of 1969, the University of the North Act of 1969, the Medical University of Southern Africa Act of 1976 and the Vista University Act 106/1981. In the amendment provision was made for the appointment of acting rectors at these universities without the concurrence of the Minister. The constitutions of the Vista University and the Medical University of Southern Africa were also amended.

5.6 Conclusion

In its attempt to stabilise teaching and learning in these separate universities, the Government found itself having to pass and amend Acts at a very rapid pace. The legislation passed enabled these institutions to evolve from racially-segregated and ethnically-divided universities under the University of South Africa, to racially-desegregated and multi-ethnic institutions of learning with greater autonomy. Some of them have even established satellite campuses.

Behr (1988:197) describes how the Government attempted to bar Blacks from attending universities for Whites by passing the Universities Amendment Act (83/1983). This Act introduced the Quota System of Admission of Blacks to universities for Whites. These restrictions were rejected by some universities. This made the Government

desist from implementing the provisions of the Act and make it allow the universities greater academic freedom. A recent trend has been a movement towards desegregating all universities in the country. Letter-heads of most universities even before 1994 contain the university's commitment to non-racialism and non-sexism. They uphold that people should be judged on merit rather than on race, colour, nationality, sex or religion.

According to Troupe (1976:65): "The militancy of Black students, their energetic and outwardlooking approach to their educational concerns and to the cause of the liberation of their people, coming as they do from a generation which has known only the schools and colleges, the curricula and methods of 'Bantu education' as introduced by the Nationalist Government, demonstrate the failure of that policy to condition the majority of the Black intelligentsia to acquiesce in their imposed inferiority. At the same time, the policy has culturally, technically and spiritually impoverished the entire Black community, at all levels of educational achievement, and in this sense it has successfully served its principal function of buttressing the apartheid system and maintaining White domination."

Most Black South Africans therefore cherish the ideal contained in the Freedom Charter that was adopted on 26 June 1955, namely: "The doors of learning and culture shall be opened." They envisage a stage where there will be one non-racial, non-sexist education system in the country.

From the discussion of the turbulence that characterised these universities for Blacks since their establishment, it seems the greatest mistake made was to assume their

desirability, as Holloway (Report U.G./1953-54: Par. 202) stated. The Government had perhaps hoped to bring these institutions in line with its homeland policy of separate development.

As Dreijmanis (1988:36) states the socio-political consequences of establishing separate universities for different races and ethnic groupings were disastrous for the apartheid policy since these universities became breeding grounds for the conscientisation of the Black person. Their establishment thus backfired on the Government - a classical case of unintended consequences.

Noting that apartheid was becoming unworkable, the Government recognised the need for reform to appease the Black masses. This led to the passing of the Republic of South Africa Constitution Act 110/1983 which made provision for the amendment of the constitution of the country to accommodate other racial groups.