

THE EVOLUTION OF THE POLICY OF UNIVERSITY APARTHEID

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In 1959 the Extension of University Education Act and the Fort Hare Transfer Act were passed. These two acts codified into law one particular model of university apartheid which had, over the preceding decade, been forged out of a range of contending visions of university apartheid. The version of university apartheid that held sway by the late 1950s expected to provide for far more than the separation of white from black students: that was only one of the roles assigned to university apartheid in the broader sweep of apartheid social engineering. This paper examines the contorted and contested way in which this model of university apartheid became official government policy, and attempts to delineate these different roles, and their relationship to apartheid in its wider context.

Little has been written on the development of the policy of university apartheid. As the issue was so pertinent to academics in the 1950s, a flurry of articles was published at that time describing what was happening and speculating about the implications of the changes that were about to be wrought in the organization of tertiary education. [1] But, for the most part, these authors did not analyse the forces which were motivating the framing of an apartheid policy for the universities. These accounts, while painting a compelling and detailed picture of the way in which apartheid was defined and imposed on the universities, are silent on two key questions: Why did the 1959 Acts encode that particular model of university apartheid? And why was the development of the legislation so protracted?

The position of the National Party (NP) on university apartheid has changed over the years, but there have always been two central considerations: the call to separate white from black students, and the perceived "duty" of the Nationalist government, as "trustees" of the African people, to provide university education. Neither element is unproblematic. Although analytically it can be understood that racism is historically constructed and is constantly being made and remade, the ideologues and policy-makers who shaped university apartheid unanimously took the "need" to segregate students as given. In the early 1950s, however, there was no unanimity about the way in which the NP government should be the "trustee" of the African people in terms of university education. Different models and ideas circulated which sought to alter the ways in which African students could obtain university education.

At the end of the 1940s, access to university education for Black students was extremely limited. In 1948 Eiselen estimated that there were only about 400 full-time African students. Most were registered at Fort Hare, or at the non-European section of the University of Natal. At the "open" universities - Witwatersrand and Cape Town - there were less than 100 African students. [2] These figures not only indicate how few African students there were, but also the extent to which university education was already segregated.

Before 1948 the United Party had no clear policy regarding the universities. There was some dissatisfaction with the open universities and there were suggestions that the government should "see whether we can spread the idea of separatism inside the university for the time being". Senior UP opinion held that the law should not be amended to to enforce the exclusion of Black students from the universities until alternative "adequate facilities for the non-European inhabitants of this country" were in place, but it is clear that the UP had not developed a thorough strategy to segregate university education.

In 1947 the report of the NP's investigation into "the colour question" - the Sauer Commission - was published. Sometimes viewed as a "blueprint" of a "grand plan" used to plan change after 1948, the report made such scant reference to university education that it is

impossible to regard Sauer's views as having any practical impact on university policy. Sauer specified that "where necessary higher education and university training should be provided for Natives in their own areas" and a further requirement was that "special provision must be made for the training of Natives who can give leadership and exert influence in the native areas". But besides this cursory handling of the universities, the report described a general approach to apartheid education that could be seen as providing the subsequent framework for university policy. Sauer wrote that the NP believed it was the responsibility of "whites, as trustees of the natives", to provide education to "fit in as far as possible with the Bantu's own national character, disposition and background and should cultivate dignified and useful Bantu citizens". The purpose of education was "to build character and to allow the native to fit into his own environment on the basis of his own community and native social structure ... cultivating national pride and self respect". A separate section of the Department of Native Affairs was seen as an appropriate locus of state control over both policy and syllabus. [3]

In 1948, the NP waged its electoral campaign using the Sauer report as its ideological manifesto. In his first speech to Parliament the new Prime Minister, Dr D F Malan, said he regarded the introduction of apartheid at the universities as an "essential measure". Malan was concerned about the presence of black students at "white" universities, which he regarded as "an intolerable state of affairs ... which gives rise to friction, to an unpleasant relationship between Europeans and non-Europeans". Nevertheless, Malan assured Parliament that "we do not want to withhold higher education from the non-Europeans, and we will take every possible step to give ... sufficient university training as soon as we can, but in their own spheres ... in separate institutions". Malan did not elaborate on this last point, saying that the matter would be discussed further at a later stage.[4] Meanwhile, the Native Education (Eiselen) Commission was considering the issue in more depth, developing Sauer's ideas about the role of university education in producing African "leadership" by establishing a broader link between university apartheid and "development". Eiselen thought the provision of university education for Africans was inadequate, considering both the size of the African population and the African school population. He linked the limited numbers of students to the shortage of properly trained teachers at high schools, and argued that the improvement of schooling and university education were interrelated.

Eiselen emphasized two key roles for African university education: "to provide general education for leaders" and "to provide high-grade technical men for their future economic and social development". In this context he recommended that the state should plan for "the eventual founding of an independent Bantu university". But, although he established these principles, Eiselen declined to make concrete recommendations because the success of any plans was seen as dependent on "a well-thought out plan for Bantu development" [5] - a reference to the work of the Tomlinson Commission which was then in progress.

The report of the Eiselen Commission therefore resulted in no practical steps towards the implementation of university apartheid. One reason that could have accounted for this was the weak position of the NP at this time. In the two years that elapsed between the report of the Eiselen commission and the next time that university apartheid was raised in Parliament, the NP had contested an election and obtained a more comfortable majority of seats.

During this period there was little development in the ideas about what apartheid would mean at universities. In August 1953, when the Minister of Education, J H Viljoen, raised the issue of "the difficult and delicate matter ... of non-Europeans at our universities", he spoke in terms which, like Malan, seemed to stem primarily from the desire to segregate students. Viljoen noted with approval the "large measure of apartheid at the Natal University in the sense that they have apartheid in academic accomodation, classrooms, laboratories and class attendance, while this form of apartheid is complete at Fort Hare". [6] It is clear that for Viljoen university apartheid meant little more than segregation. Eiselen's ideas about development were not incorporated.

Viljoen soon addressed a memorandum to the cabinet on “‘Apartheid’ at Universities” [7], which said that the government had been brought under increasing public pressure “to provide separate educational facilities for non-whites at universities”. Viljoen’s ideas on university apartheid were vague and non-committal. He wrote that “separate provision, in whatever form, will involve considerable additional expenditure and whether such a step can be justified under present financial conditions is a question that demands thorough investigation”.

In December 1953 a commission was appointed, chaired by Dr J E Holloway, formerly Secretary of the Treasury, “to investigate and report on the practicability and financial implications of providing separate training facilities for non-Europeans at universities”. [8] Holloway had impressed Viljoen with his efficient handling of the Commission on University Finances in 1951. The other two members of the commission were Dr R W Wilcocks, the former Rector of the University of Stellenbosch, and Dr E G Malherbe, the Principal of the University of Natal. [9] The appointment of Malherbe underscores Viljoen’s approval of the system of parallel classes at the University of Natal.

The commissioners considered their prime concern to be “organisational problems” and not “the desirability of the provision of separate facilities for non-Europeans”. However, they did investigate “whether universities in South Africa had the right to refuse admittance to non-European students”. [10] Several different groups submitted memoranda to the Holloway Commission, each outlining a different vision for the future of university apartheid

Three of these recommendations concerned the future of the Kolege ya Bana ba Afrika, which had been founded by the Dutch Reformed Church in 1946 with 27 students. By 1953 there were 76 students. The academic staff were employed in the first instance by UNISA and the University of Pretoria, and worked part-time at the college. The college management advocated “the establishment of a Bantu University in the Transvaal which can take over the work of the College”. UNISA recommended the development of the college in such a way that contact with UNISA was maintained, the students writing UNISA exams and receiving UNISA degrees. Instruction at the college would continue to be segregated. The University of Pretoria advocated the development of a university under its control for “the Sotho-Bantu group” but which would be “Afrikaans in its orientation”. Pretoria further proposed a university for Coloureds under the guardianship of the University of Stellenbosch; that Fort Hare be “reconstituted for assignment to the Nguni Bantu group” under Rhodes; and that the non-European section at the University of Natal be allocated to the Indian group. Each of the four institutions should develop to the point where they could be granted their independence. Potchefstroom University made similar proposals.

The South African Bureau for Racial Affairs (SABRA) considered three different ways in which separate university education could be provided: parallel classes, separate facilities in non-white areas integrally linked to a white university, and separate institutions. SABRA regarded the third system as the most satisfactory; and was of the opinion that this system should be regarded as the ultimate goal, even if other temporary measures had to be adopted. SABRA regarded it as “essential that such institutions should be established ... in accordance with the general plan for the development of the separate non-white groups and their areas”. Three institutions were envisaged: one for the Nguni people, another for the Sotho and a third for Coloured students. The first two university colleges should be situated “in those places where they can further the interests of the group concerned in the broadest sense and in the best manner”, but no specific locations were mentioned.

Eiselen also made recommendations on behalf of the Native Affairs Department. He submitted that “university institutions for the Bantu should be situated in the Native reserves”, and wrote that he envisaged three “Bantu university institutions” as “an ultimate ideal”. In this model Fort Hare “should become a Xhosa institution” and there would be “a Zulu institution in Natal to serve the Northern Nguni as well as a Sotho institution in the

Transvaal to serve the whole Sotho community". Eiselen also suggested that UNISA should control the institutions, but "their expansion and growth towards independence must be determined by the increasing productivity of the Bantu population. The ultimate objective is that the staff of these institutions should be non-European." [11]

The Holloway Commission thus received submissions regarding a number of different models of university apartheid. But while the models had common elements, there were also wide differences on the question of siting, relationship to the existing universities, staffing, and the composition of the student body and its relation to "ethnic groups". The Department of Education had not specified the form that separate provision should take. The only government submission was presented by the NAD, and even Eiselen's contribution was presented as a long-term ideal.

Holloway's response to these competing models was, in line with his brief, to assume the desirability of segregation, and to recommend a feasible scheme to achieve this goal, taking financial considerations into account. On these grounds Holloway's major recommendation was that black students should be concentrated in the parallel classes at the University of Natal in Durban, and at Fort Hare.

The report was complete by late June 1954 [12], but only released in February 1955. It is likely that it was recognized that the publication of the report would excite controversy, inopportune in late 1954, with the NP in the midst of a leadership struggle. After Malan retired in October, Strijdom had become the new Prime Minister, against Malan's wishes, and with extensive support from Verwoerd. The range of Verwoerd's influence was consolidated and extended at this stage, with direct repercussions on the response of the Cabinet to the report of the Holloway Commission.

Immediately after the publication of the report of the Holloway Commission, SABRA denounced it as "a repudiation of government policy". [13] The criticism was an unfounded fabrication - as has been seen above, the government had no uniform vision, let alone defined policy. SABRA's claim that the Holloway Commission reported against its brief and government policy indicates the extent to which ideas on apartheid were contested by different groupings within the broad circle of the NP.

But that the Holloway Commission disregarded the proposal of the NAD is perhaps significant, revealing the struggles that were taking place over the shaping of new policies, prompted by differences in priorities and strategies. The NAD, however, made no public intervention after the report of the Holloway Commission: but SABRA played a pivotal role at this point in ensuring that the quest to establish a version of university apartheid which they found acceptable did not founder on Holloway's muted and pragmatic report. SABRA's press release condemning the report established a public climate [14] for a hard-hitting, confidential memorandum to the Department of Education.

In this memorandum SABRA did not reiterate the same position as it had presented to Holloway, but developed its ideas about the university college for Coloureds, and specified that the new institutions for Africans should be sited in the "Bantu homelands". Further, SABRA "pleaded for the immediate planning for the establishment of a number of university colleges for the Bantu":

In terms of our revised opinion three such colleges will be needed, namely one for the Xhosa-speakers in the Eastern Cape Province, one for Zulu-speakers in Natal and one for Sotho-speakers in the Free State and Transvaal, preferably situated in the Transvaal. [15]

These three university colleges could be organized on a federal basis to form the Bantu University of South Africa. [16]

It is noteworthy that over the period that elapsed between the submission of their initial memorandum to Holloway, in early 1954, and the second memorandum to the Department of Education, in April 1955, SABRA's views had come to coincide much more closely with those of the NAD. At this stage SABRA was something of a think-tank for the NAD, and it seems likely that the task of publicly criticizing the Department of Education was assigned to SABRA. (17)

But behind the closed doors of the Cabinet, Verwoerd, as Minister of Native Affairs, acted forcefully to carry the issue forward. He told the Cabinet that "where the Bantu are concerned I find the whole approach of the Commission is wrong, and as a consequence I cannot identify myself with its recommendations ..." More specifically, Verwoerd rejected "the Commission's demand for education of the essentially equivalent quality", demanding in its place "educational opportunities for a sufficient number of deserving Bantu for posts in service of their community that are essential to fill". Verwoerd had defined ideas on the form that "service" should take under apartheid: "I contend that the Bantu that obtain their education at the open universities are in most instances rendered in-serviceable in furnishing social services because they no longer regard themselves as Bantu but as members of an exclusive international brotherhood of intellectuals with no particular responsibilities to their own people."

Verwoerd said that the Commission had been required to find out whether separate university education was practicable and, if so, what it would cost. He said that the short answer given by the Commission was that separate education would be expensive, and therefore it was not practicable except in limited ways. He responded that the costs to the country were too high to baulk at the price: "the integrated education of white and Bantu creates astonishingly big problems because it defines the nature of the moulding that Bantu leaders receive. Thus ... the price of separation also buys a guarantee against corrupting influences on Bantu leaders with all the attendant implications." [18]

Verwoerd's own recommendations provide the first definitive elaboration of the model of university apartheid that, with minor adjustments, was later encoded in the 1959 Acts. In brief, he recommended the establishment of two new university colleges, one for "the Sotho" in the Transvaal or Orange Free State, and one for "the Zulu" in Natal - both "on modest terms with facilities for an ordinary BA course (aimed at teacher training) and an ordinary BSc course". They would be "founded in or near native areas" and "Fort Hare should be declared a Bantu institution for the Xhosa and church trusteeship should be exchanged for State trusteeship. (Indian and Coloured students must be removed from here.)" Separate institutions for Coloured students (in the Western Cape) and Indian students (in Durban) were also recommended.

Following Verwoerd's Cabinet intervention and SABRA's public campaign, Viljoen told the Assembly that the government had for some time been reviewing the report of the Holloway Commission and reasserted that it was government policy to extend apartheid to the universities, and that Holloway had not provided the government with a breakdown of the financial implications of such development. Viljoen also somewhat unfairly criticized Holloway for failing to consider the needs of the different ethnic groups and had only spoken in "general terms of the Bantu". Revealing his imperfect grasp of a set of ideas that were clearly not his own, Viljoen said that they would "have to consider whether it is practical to provide such an institution for the Xhosa population, and one for the Basutos, and another for the Coloureds. These are all matters which require careful investigation." [19]

Later in the year an inter-departmental committee was appointed, chaired by H S Van der Walt, the Secretary for Education. (The other members of the committee were the Secretary for Finance, the Commissioner for Coloured Affairs, and Dr Eiselen.) [20] According to a contemporary observer, Verwoerd was scornful of the tradition of public commissions of enquiry, and favoured internal, interdepartmental committees. [21] The committee's brief

was "to investigate and report on the provision of separate university facilities". Even at this stage, the model that was to be costed had not yet been officially fixed: as the Van der Walt report to Viljoen stated, "you have indicated that the government has not yet come to a final decision". Verwoerd's intervention had, however, served its purpose. A senior official in the NAD later said that the White Paper which was produced by Van der Walt "expresses the intentions of the Department." [22] Van der Walt had also explicitly been told by Viljoen that "in order to assist the committee in its research ... the following can serve as a guideline ..." and Verwoerd's scheme of five university colleges had then been described.

The considerations facing the Van der Walt committee were not purely technical. The Committee made major policy decisions, including estimating student numbers, opting for residential universities and considering a preliminary syllabus. It considered it preferable that more students should be able to register as internal students at a university, rather than to study externally through UNISA, as

underdeveloped societies are particularly prone to suffer from a certificate complex and are inclined to neglect the development of personality ... in order to restrain this evil tendency, there ought to be a great preponderance of internally trained scholars.

In terms of the courses to be taught, the Committee "limited itself to the most essential and important subjects for the immediate future". These were considered to be: in Arts, "a relevant Bantu language with a comparative study of the Bantu language", Afrikaans, English, Latin, History, Geography, Economics, Sociology, Psychology, Philosophy, Public Administration, Political Science, Law (Native Law and Roman Dutch Law) and Ethnology; in the Science Faculties, Mathematics, Physics, Chemistry, Botany and Zoology would be taught. Both a postgraduate and a lower secondary teacher's diploma would be offered. (For reasons which were not explained in the report, at the Coloured and Indian university colleges the courses would be slightly different: Commercial Subjects, Domestic Science and Music were to be offered instead of African Languages and Ethnology.)

The way in which these particular subjects were chosen is of central importance. The Van der Walt report indicated that

the Committee was largely influenced by the courses which non-Europeans follow at existing universities ... the subjects taken by non-Europeans at present are an important indication of their needs in this connection.

As Eiselen had recognised five years before, the courses of study followed by students were rigidly determined by the employment opportunities available after graduation. In choosing these subjects on this basis, two contradictory strategies were wedded at the heart of this policy. On the one hand, the university colleges were being increasingly seen in terms of the role that they could play in providing skilled and politically malleable leadership for the Bantu Authorities; on the other hand, at least one aspect of this interventionist strategy was negated by what could be called a *laissez-faire* approach to student enrolment and subject choice. This contradiction established a structural weakness at the foundation of the entire edifice of the policy of university apartheid, which was not resolved by assertions on the part of the Committee that, as "nation-building and social development" progressed, other subjects would have to be included. [23] Perhaps it was because the policy was generally surrounded by such heightened political tension that the educational question of the definition of what should be taught at these colleges and why was never addressed directly in the 1950s, with serious repercussions for the implementation of the policy.

While research on the Van der Walt White Paper was in progress, a Bill to introduce university apartheid to Parliament was drafted. In October 1956 Viljoen had announced that

five non-white university colleges would be established and that legislation would be introduced in 1957 to prohibit the "open" universities from admitting non-white students, and in March 1957 he introduced the first draft of the Separate University Education Bill. [24] The aim of this Bill was

To provide for the establishment, maintenance, management and control of university colleges for non-white persons; for the transfer to the government of the maintenance, management and control of the University College of Fort Hare, and the Medical School for Non-Europeans, University of Natal; for the admission of students to and their instruction at university colleges; for the limitation of the admission of non-white students to certain university institutions; and other incidental matters.

This Bill was withdrawn on a technicality: it was a "hybrid" Bill, dealing with both private interests (Fort Hare and Natal Medical school) and matters of public policy. (After this, legislation concerning Fort Hare proceeded through Parliamentary channels independently, but the policies remained inextricably linked. Events at Fort Hare influenced some of the measures introduced into the Bills, and I deal with these elsewhere.)

The technical objection to the Bill did not cause a serious delay - an amended Bill that excluded the "private" aspects was introduced in May. [25] The Bill assigned control of the three African university colleges to the Minister of Native Affairs, while the other two institutions would be controlled by the Minister of Education. The African institutions would be financed from the Bantu Education account, the other two from the Consolidated Revenue Fund.

Admission to universities would henceforth be on the basis of race: white students could not enrol at any of the new institutions; and, except for those who had already commenced courses of study at a university, no black student could in future be admitted to a university without the consent of the Minister of Education. Black students would be required to attend the university college allocated to their particular racial or ethnic group.

Academic control was delegated to UNISA, which would be the examining authority at all of the new university colleges. Administrative control was provided for in two ways. The councils of the university colleges would be appointed by the Governor-General. Besides this task, the powers of the responsible Minister were extensive. The Minister would appoint the Senate, any other bodies he deemed desirable, and the Principal and the staff, and would prescribe faculties and departments to be established. The Minister also had stringent control over the Principal, the staff and the students. The only limitation on the Minister's powers was that no religious test could be imposed.

The Bill was debated for three days in the House of Assembly. Both the Native Representatives and members of the United Party spoke extensively in opposition to the Bill, but what is pertinent here are the comments made by Viljoen in introducing the Bill, and interventions by certain other NP members.

Viljoen turned his attention, first, to the effect of university education in socializing future African leadership. Viljoen indicated the fears that the mounting political opposition of this period was raising in government circles, and the way in which this linked to plans for the university colleges:

I am convinced that one of the basic causes of the numerous defiance campaigns that we have so frequently in our country amongst the non-white population groups, is that they are developing a national consciousness, but it is attributable

particularly to the fact that the leaders of those non-whites are often trained in an area and in an atmosphere which is totally foreign to the section of the population they have to serve, and when those trained leaders of the non-white population have completed their training and want to get away from that unnatural atmosphere, they have to go back to a society where they are frustrated, a society with which they are out of touch, and they regard it as humiliating to return to that society ... is it to be wondered then that such a person becomes an agitator and takes part in disturbances such as we have seen in this country in the past? ... instead of becoming a leader and a social asset, he becomes a traitor and a social evil . [26]

In contrast, the new policy was based on "the necessity of maintaining ethnic ties in university institutions", which, Viljoen said, sprang from the conviction that

the future leader during his training, including his university training, must remain in close touch with the habits, ways of life and views of members of his population group. [27]

Viljoen also commented on the contradictions in the position of the "open" universities. He said that, while there was equality in academic opportunity, socially Black students were actively disadvantaged by being excluded from important aspects of university life. But, while pointing out these inconsistencies, Viljoen nevertheless feared "that the open universities are deliberately working in the direction of complete social equality" and that there was therefore

a great danger ... that in the course of time their students will be preponderantly non-white and that the atmosphere and orientation will then be such that White students will not feel at home there and will eventually have to hand over these universities to the non-Whites.

This point, which echoes and incorporates a simpler, segregationist model, was repeatedly reiterated by other NP members - it seems that for those not directly involved in conceptualizing the policy, this was a real concern.

While in his attempts to justify state control of the new university colleges Viljoen revealed that the State's paternalism had a provident facet, he also indicated the extent to which it could be authoritarian:

The non-whites are still too immature to accept the responsibilities concomitant with an independent university. Apart from that, unfortunate experiences, some of them very recently, have clearly shown how susceptible the non-white students are to undesirable ideological influences which can so easily lead to riots and violence ... from a disciplinarian point of view it is essential that the new authority should be in a favourable position energetically to cope with smouldering and undesirable ideological elements. Taking all these factors into consideration, the most suitable Government Department is therefore the desirable authority to control these non-white university colleges for the present.

There were several reasons, Viljoen said, why the NAD should control the African university colleges. The NAD was seen as being well placed "fruitfully to control the Bantu colleges for the Bantu population groups" and "to co-ordinate by means of sympathetic guidance the

supply and demand of university-trained Bantu in order to utilize them to the best advantage". It was also pointed out that the NAD controlled the Bantu Education Account. [28]

As Minister of Education, Viljoen had been obliged to introduce the Bill, which was the responsibility of his department. But as the thrust of the Bill was to remove responsibility for providing university education for Africans from his Department and to allocate this duty to the NAD instead, Viljoen was placed in the awkward position of motivating a policy over which he would have little control. Besides this, it was obvious to all present in the House that the ideas that Viljoen was presenting were not his own. Speaker after speaker pointed out the inconsistencies between the views of his address and earlier positions which he had espoused: he was repeatedly reminded of a speech he had made in 1951, when he had promised not to interfere with the autonomy of the universities. But, more to the point, Viljoen was constantly taunted by opposition members suggesting that he was being manipulated by Verwoerd: one member said that Viljoen had "fettered his discretion with the inflexible preconceived ideas of the Minister of Native Affairs". [29]

Perhaps to maintain the appearance that the Bill was the initiative of the Department of Education, Verwoerd himself made not one intervention during the entire debate. However Verwoerd's Deputy Minister, W A Maree, voiced the central preoccupations of the NAD. (An opposition member caustically observed that Maree was prompted to speak by Verwoerd: "one of the first speakers that was put into the debate by [Verwoerd] was his under-Minister ... just to make quite sure that the debate would proceed along the right lines." [30] Maree's main point was that

It is absolutely essential for the application of our apartheid policy and for the safeguarding of the white civilisation that we should supply and produce as soon as we can the numbers of Natives required for the development of those areas out of their own power ... For that reason separate universities will be established which will specially offer those courses which are necessary for the development of the Bantu areas. [31]

When the debate concluded, the Bill passed the second reading by 72 votes to 42. But instead of proceeding to the third vote and the Statute Books, it was referred to a select committee, which was converted into a commission at the close of the session.

In Parliamentary practice, the function of the second reading is to examine and debate the principles contained in a Bill, and if it passes this stage it implies that the majority of the House accepts these principles. At this point provision is made to refine the details of the Bill, and to remove inconsistencies that have emerged in the course of the debate, by referring the Bill to a Select Committee. If the business of this committee is not complete when the session ends, it can be transformed into a Commission.

The decision to refer the Separate University Education Bill to a Select Committee raises some intriguing questions. Having passed the second reading by a clear majority, the Bill could easily have been enacted, but, instead, a process was set in motion which ultimately delayed the implementation of the policy of university apartheid until 1960. One factor which could have influenced the delay was the opposition which had been mounted by liberal circles to the Bill. The open universities, as well as NUSAS and the South African Institute of Race Relations, had vigorously opposed the Bill. With the general election looming in April 1958, the popular intensity of this opposition was perhaps a serious consideration for the NP.

But if this was a "concession" to the opposition, it was a concession at the level of appearance only. The function of the Commission was explicitly not to reopen the debate on the principle of separate university education. The real considerations at this point concerned

the details of the Bill. In the light of this, two key issues must be addressed. What was to be gained by the delay, and by which interests? In order to answer these questions, the changes that were introduced to the Bill need to be examined, both in terms of the content of the changes, and, perhaps more importantly, the processes through which these changes were effected.

It was clear from the start that Verwoerd had a great deal of influence over the Commission. The appointed chairman of the Commission was the Deputy Minister of Native Affairs, M D C de Wet Nel. [32] Verwoerd also seemed to control the decision to transform the Select Committee into a Commission, and its terms of reference. In August 1957 the Secretary of the NAD wrote to Viljoen to say that Verwoerd "accords with the resolution of the Honourable Minister of Education to appoint a Commission, with the terms that you have expounded". [33]

Nel was clear on the task that had been set for the Commission. At the first meeting of the Commission he outlined his interpretation:

A few principles have already been established in the Bill. It is unnecessary to allow people to compose memorandums and that sort of thing from which we will later differ. [34]

Nel regarded the principles that had been established to have been:

the desirability ... of the provision of separate university education facilities for non-Europeans [and] the prohibition of the admission of non-Europeans to the eight residential universities which are exclusively or chiefly attended by Europeans. [35]

The Commission received written submissions from over thirty organizations and individuals. It also heard oral evidence in Cape Town and Pretoria, and visited the University of Natal in Durban, and Fort Hare. But although in this way the views of a wide range of organizations and individuals were collected, the majority of the Commission focussed only on certain aspects of this evidence. Nel disregarded evidence that addressed the principles that he considered had been established.

What is of interest here is to uncover where the changes that were introduced originated, as well as the suggestions from within the broad circle of NP intellectuals that were rejected. For these reasons the evidence submitted by the Department of Education, the NAD, SABRA, Potchefstroom University and the Dutch Reformed Church deserve examination. The Department of Education pointedly remarked that, as it had been responsible for drafting the Separate Education Bill, its suggestions and opinions were already contained in the Bill. The only change recommended concerned the position of Black students at the open universities in the interim period, that is, before the new university colleges were established.

The NAD submitted a memorandum which considered in turn each article of the Bill, and Dr P A W Cook, a "Professional Advisor for Bantu Education" in the NAD, was interviewed by the Commission. Two significant changes were recommended: that "the Minister is empowered to establish a further body (or bodies)", and that "no provision should be made for a Convocation".

To justify the first of these changes, the NAD argued that:

With the development of the system of regional and area authorities, it will probably be desirable to appoint an Advisory Council for each university college that consists of Bantu members from the regional authority, and possibly also co-

opted members from different academic institutions.

When Cook appeared before the Commission, he was asked why the Department considered it necessary to establish separate advisory Councils and Senates, and could not "start off by putting their representatives of their own communities on the Council and giving them the same responsibility for running it". Cook indicated that the new advisory bodies were seen by his Department as closely linked to the development of the Bantu Authorities, and that "certain functions" would be allocated to the advisory bodies from the start, and that in this way the members of the bodies would learn to take responsibility.

Supporting their view that no Convocation should be appointed, the NAD had suggested in its memorandum that

At this stage it appears undesirable to allow [Council] members who will bear no real responsibility to be chosen [by a Convocation]. The opinions of alumni can be brought to the attention of the Department in other ways. [36]

Cook's evidence often indicated that the policy was being tailored to fit new needs that had arisen. Explaining the considerations that had been taken into account by the NAD in this matter, he said

Let us be open about it. I think it is not a secret that at Fort Hare there are members who are elected by Convocation and they tend to raise all sorts of demands for this, that and the other. It may be perfectly natural, but I think it is not a good principle particularly for the developing people. [37]

The evidence submitted by the NAD largely reiterated and elaborated on earlier positions they had forwarded. It was clear that the Department that would bear responsibility for executing the policy was giving it the closest consideration. The two substantive changes that the Department introduced were both motivated by a perceived need to tighten control over the university colleges, to allow for the Minister's untrammelled intervention and to block African political control over the direction and policy of the institutions. As has been seen, the Department linked this explicitly to political events at Fort Hare, and, as the fifties drew to a close, these considerations were increasingly articulated, particularly in the 1959 Parliamentary debate (see below.)

While the evidence submitted by the two government departments sought to justify extensive Ministerial powers, other Nationalist ideologues were less enthusiastic about the extent to which state control had penetrated the marrow of the policy.

SABRA adopted a particularly aggressive attitude to the new elements of the Bill. This must be seen in the context of the broader relationship between the NAD and the organization. SABRA's role in NP policy-making changed over the 1950s: the relationship between SABRA and the NAD, which was the government department most directly concerned with racial affairs, was particularly volatile. Lazar's study of the organization demonstrates that the question of total separation, and its attendant implications for economic integration and white reliance on African labour, repeatedly generated conflict both within SABRA and, in particular, with Verwoerd. For Verwoerd, "the existence of a permanently settled urban African labour force was inevitable" [38], a view which frustrated what Lazar calls the "visionary" element of SABRA. Lazar suggests that until about 1956 the tensions between SABRA's "visionaries" and Verwoerd had been diplomatically muted, but after Verwoerd's rejection of the Tomlinson report, which advocated total separation, this diplomacy began to erode. The general outline of Lazar's thesis is borne out by developments regarding university apartheid.

Thus, while the memorandum submitted by SABRA agreed in principle with the Bill, it expressed the reservation that certain provisions in the Bill "were not calculated to, and would not have the effect of, attaining the desired intentions". In particular SABRA emphasized that the state had been granted too much control over the new institutions, and that this would prevent them from attaining a status equal to that of the established universities. With an unmistakeably critical tone, SABRA commented:

... the Minister concerned actually has sole authority and complete and unqualified control over the university colleges; ... the university colleges are regarded as mere divisions of the civil service, with no independent legal status [regspersoonlikheid] whatsoever; ... the lecturing staff are regarded as state officials, to be replaced arbitrarily by the Minister.

In place of this system, SABRA recommended that control over the university colleges should be vested in the Council, as with the established universities. The role of the state should be to provide the Council with the necessary finance to establish and develop the university college. SABRA considered the maintenance of full equality and comparable standards at the university colleges to be essential, and argued that "the dominant intention should be to establish institutions that will serve the non-White population groups (and not the White population) and that will further their interests. [39]

Potchefstroom University also criticised the extent of state involvement, pointing out that, although universities in South Africa had always been heavily reliant on state support, the universities had nevertheless been granted independent legal status. The three Dutch Reformed Churches (i.e. the Nederduitse Gereformeerde Kerk [NGK], the Nederduitse Hervormde Kerk and the Gereformeerde Kerk) were divided on the question of the role of the state . This difference surfaced over the question of whether it was appropriate to establish faculties of theology at the new university colleges. A memorandum had been drafted and submitted on behalf of the three branches of the church, which asked for the establishment of complete theological faculties, and representatives of the three churches were to appear before the Commission to argue for this point. However, in the interim, the NGK reconsidered its position on this question, and therefore failed to appear before the Commission. In a later memorandum submitted separately, the NGK said that it no longer considered it desirable that theological training be undertaken by the new university colleges, on the grounds that they would be "in all respects, state institutions: the state will, for example, appoint and pay the professors of theology". The NGK commented that they doubted the feasibility and desirability of such an arrangement. [40]

With the business of the Commission complete, the Commissioners divided into two groups to draft their reports. Five of the thirteen members of the Commission compiled a minority report [41] which drew on the evidence of the universities of Natal, the Witwatersrand, Cape Town and Potchefstroom, as well as SABRA, which, they said, all "unequivocally rejected the idea of State institutions governed from above for non-Whites", and insisted that

if the proposed university colleges were to fulfil the function postulated for them - to provide university institutions for non-whites of a standard equal to that of our existing universities - they must be autonomous institutions in the sense of managing their own affairs with the least possible interference from above.

This was the only way to "avoid the damaging impression among non-whites of inferiority of character and quality". Believing that criticism from within NP circles would sway Parliament, the minority report pointed out that

Those witnesses were equally agreed that if these new colleges were to train the non-white groups for whom they are intended to the point where they can assume independent control of their own institutions, they must provide for co-operation between whites and non-whites on Council and Senate.

By late 1958 Nel announced that "the majority of the Commission has a new Bill that is in principle the same as the old Bill, but which differs appreciably in detail from the old Bill". The report proposed 119 changes, and these were outlined in detail. Changes of significance included establishing separate, "advisory" Councils and Senates; and removing the "Conscience Clause". [42]

The Nel report recommended the creation of separate bodies on the basis of a conception of the "present state of immaturity the non-European groups" which rendered them unable "to finance, staff and control a university college on their own". For Nel, this meant that white staffing was essential; but it was considered desirable that "non-Europeans should serve, not as subordinate members of a European body, but rather on their own bodies which will gradually develop into bodies with full status".

The justification of the advisory Councils clearly demonstrated how closely this initiative was related to the new roles that were being defined for Bantu Authorities. The approach to African political structures was still being formulated at this stage, although the NAD may have had a fairly clear idea of the outcome, and so the provisions for advisory Councils were left open-ended and could be altered by the minister, who was given "a large measure of discretion" to enable him to establish special bodies. But it was anticipated that "as systems of local control are developed for the Bantu, it will become desirable to constitute an advisory Council for each university college".

Nel outlined the way in which the Council was expected to work with the advisory Council:

The object of the institution of the advisory Council is to provide from the outset for the training of a non-European Council which will not only be able to act in advisory capacity but will also be prepared for the eventual assumption of responsibility ... appointed by the Minister. The Minister and the Council may gradually delegate important functions to the advisory Council, such as matters in connection with bursaries, negotiations with non-European statutory bodies, discipline, etc. The advisory Council will remain a non-European body until such time as the Council is constituted of non-Europeans. At that stage the advisory Council will become a European body with purely advisory functions.

Regarding the parallel Senate structures, Nel commented:

Initially senior European teaching staff exclusively will be appointed to the Senate. As soon as non-Europeans constitute the majority of the senior staff and the Minister is satisfied that the time has arrived for such a step, the Senate will be constituted of non-Europeans. The remaining members of the teaching staff will then be constituted as an advisory Senate, and as a body, its functions will be purely advisory. A European lecturer who is fully responsible for a subject, will remain in charge of that subject. Eventually the European staff members will disappear from the scene. [43]

The suggestion of the creation of parallel Councils and Senates had come only from the NAD: as the Minority report commented: "the only witness who gave strong support to the proposal for separate Councils and Senates was the representative of the NAD."

Nel, who had been appointed Minister of Education after Viljoen's death late in 1957, gave notice in August 1958 that the Extension of University Education Bill would be introduced. [44] In April 1959 the revised Bill - renamed the Extension of University Education Bill - was debated in Parliament. [45] The debate was protracted and bitterly contested. [46] There was extensive discussion on the part of the NP concerning the principles and motives underpinning the Bill. This discussion largely reiterated and expanded on what had been said in 1957. Little interest was shown by either the NP or the Opposition in the new elements which had been introduced to the policy. Verwoerd himself took the responsibility of addressing the question of the role and functions of the advisory bodies, baldly restating the motivation that had been reported by the Nel Commission. [47]

A UP member of the Commission pointed out that, while "enthusiastic supporters of the NP both inside and outside this House, could accept the principle of separate university institutions for our non-white population", he felt "they could most certainly not support the methods, the compulsion or the control regulations ... the far-reaching powers being accorded the Minister or the State". [48] Verwoerd's closing response was that the new system was aimed at "promoting development" and that "for the outside world to vilify us as a people who are trying by this legislation to establish an inferior type of institution and to exercise tyrannical control over them is nothing but an absolute untruth". [49]

Thus the two Acts passed in 1959 marked the consolidation of the dominance of the vision of university apartheid that was favoured by the NAD. An examination of the implementation of this policy at Fort Hare and the new university colleges demonstrates that this policy did in fact "establish an inferior type of education" and did "exercise tyrannical control". But it also becomes clear that the way in which this vision triumphed over other visions resulted in a contradictory legacy. This conflicting policy was contested within the ranks of nationalist intellectuals, and the terms of the debate accordingly revolved around the overtly political issue of control. In this environment, central educational considerations were sidelined.

This paper has focussed on a single aspect of education policy. It seems clear that this policy was part of a broader approach to apartheid, and that the forces moulding the overall shape of apartheid affected this aspect indirectly. Recent studies [50] have demonstrated that, as the 1950s drew to a close, apartheid entered a second phase in response to the failure of its earlier policies to stabilize the turbulent urban environment. Fundamental policy shifts were occasioned by this continuing, and escalating, crisis which threatened both white supremacy and prosperity. In this context the NAD consolidated and extended the reach of its influence, reconceptualizing the role of the regional authorities and linking them to a plan to create the conditions for political stability.

The contention that the NAD wielded increasing power over policy making is borne out by the way in which Verwoerd's and Eiselen's version of university apartheid became dominant. That the NAD developed policies that were responsive to the political context, rather than pre-planned and linear, is also supported by the delays and changes that beset the policy, particularly between 1957 and 1959. Verwoerd's and Eiselen's version of the policy changed little after it was first expounded in 1954, but it took time to impose this version on the NP as a whole. In the meantime other pressures arose, which led to adjustments, linking the policy more and more closely to the Bantu Authorities, rather than to some vague sense of "development". By 1959, university apartheid had become an integral component of a strategy to defuse political tensions through the Homelands policy .

Notes

- 1 See, for example, A Kerr "University Apartheid", in *South African Outlook*, 87, 1957; and Z K Matthews, "Ethnic Universities", in *Africa South*, 14, July-September 1957.
- 2 South Africa: U6, 53 - 1951, *Report of the Commission on Native Education* (Eiselen Commission), (Pretoria, 1952), pp 68-71.
- 3 Verslag van die kleurvraagstuk-kommissie van die Herenigde Nasionale Party, 1947, p 13.
- 4 *Assembly Debates*, 16 August 1958, col 219.
- 5 *Report of the Commission on Native Education*, Chapter 10: Universities.
- 6 Hansard, *House of Assembly Debates*, 8 of 11th Parliament, cols 2592-94.
- 7 Pretoria, Department of Education files, UOD E53/94, File 1397. Dated 22 October 1953.
- 8 Government Notice No 2789, 18 December 1953.
- 9 UOD E53/94, File 1397; *The Cape Times*, 3 February 1955.
- 10 UOD E53/94, File 1397: minutes of the first meeting of the Commission on University Facilities for non-Europeans, Pretoria 14 December 1953.
- 11 South Africa. *Report of the Commission on the Implications of Providing Separate Training Facilities for Non-Europeans at Universities* (Holloway Report), (Pretoria, 1954)
- 12 Letter from Secretary of Education to Secretary of Treasury, 29 June 1954.
- 13 UOD E53/94: Persverklaring uitgereik deur SABRA i.v.m die verslag van die Kommissie van ondersoek na die verskaffing van afsonderlike universiteitsopleidingsgeriewe vir nie-blankes.
- 14 The response of the Afrikaans press to the Holloway report had initially been favourable. *Die Burger* ran an editorial acknowledging the pragmatism of Holloway's views, 3 February 1955.
- 15 UOD E53/94: Memorandum van SABRA i.v.m. die verslag van die kommissie van ondersoek oor afsonderlike universiteitsgeriewe vir nie-blankes.
- 16 UOD E53/94: Memorandum van SABRA insake voorsiening van afsonderlike universiteitsopleidingsgeriewe vir nie blankes, 14 April 1954.
- 17 J Lazar, "Conformity and Conflict: Afrikaner nationalist politics in South Africa, 1948-1961", DPhil, Oxford, 1987.
- 18 Kabinetmemorandum: mening van die Minister van Naturellesake oor verslag van die Kommissie insake Afsonderlike Universiteitsopleidingsgeriewe (Gesirkuleer aan

kabinetslede op versoek by vorige vergadering).

- 19 *Assembly Debates*, 13 May 1955, col 5608.
- 20 WP C-'57: Short summary of the findings of the interdepartmental fact-finding committee on the financial implications in connection with the establishment of separate university colleges for non-Europeans.
- 21 Interview with Professor N J J Olivier, May 1990.
- 22 Commission K106, Verbatim report of Dr P A W Cook's evidence, p 378.
- 23 WP C-'57. Short summary ... in connection with the establishment of separate university colleges.
- 24 *Assembly Debates*, 8 cols, 2493-95.
- 25 *Ibid.*, 12 cols, 4227-33.
- 26 *Ibid.*, 27 May 1957, cols 6765 ff.
- 27 *Ibid.*
- 28 *Ibid.*
- 29 *Ibid.*, col 6778.
- 30 *Ibid.*, col 6769.
- 31 *Ibid.*, cols 6847-48.
- 32 Proclamation No 269 of 1957. See also Lazar, "Conformity and Conflict".
- 33 UOD E53/115, Box 1407, Part 1: letter from Secretary of Native Affairs to Minister of Education, 15 August 1957.
- 34 UOD E53/115, Box 1409, Part F.
- 35 UG 32 - 1958. South Africa: *Report of the Commission on the Separate Universities Education Bill* (de Wet Nel chairman), (Pretoria, 1958), p 1.
- 36 UOD E53/115. Wetsontwerp op afsonderlike universiteitsopleiding: opsomming van die getuienis wat namens die Departement van Naturellesake afgelê sal word.
- 37 Commission K106, Cook's verbatim evidence, .
- 38 Lazar, "Conformity and Conflict", p 183.
- 39 UOD E53/115, Box 1408, Part A: Memorandum insake die Wetsontwerp op afsonderlike universiteitopleiding voorgelê deur SABRA.
- 40 UOD E53/115. Letter and enclosed memorandum from the Nederduitse Gereformeerde Kerk van Transvaal to the Minister of Education, 21 May 1958.
- 41 E53/115, Box 1409, File D.

- 42 The “conscience clause” concerned the right of the university to impose a religious test on its members.
- 43 *Report of the Commission on the Separate Universities Education Bill* , pp 15-18.
- 44 UOD E53/115, Box 1407, Part 3: Letter 6 June 1958.
- 45 Assembly Debates, 8 March 1959, cols 3188 ff.
- 46 SAIRR, *Survey of Race Relations in South Africa, 1958-59* (Johannesburg, 1959), pp 266-67.
- 47 *Assembly Debates*, 10 April 1959, col 3510.
- 48 *Ibid.*, 8 April 1959 col 3189.
- 49 *Ibid.*, 10 April 1959, col 3510.
- 50 See, for example, Lazar, “Conformity and Conflict”; D Posel “Influx Control and the Construction of Apartheid 1948-1961”, DPhil, Oxford, 1987.