

Rhodes University,
Grahamstown,
15th February, 1960.

Mr. P.A.M. Moore,
House of Assembly,
CAPE TOWN.

Dear Mr. Moore,

I regret that owing to my journeys by road your letters of 5 and 10 February have only just been received.

1. The main reason why no representations were made in the Select Committee was that members of staff did not expect that such treatment would fall upon them. You will remember that Dr. Cook affirmed that all the staff could expect to be retained.

It was this unexpected and undeserved blow to eight white staff members which largely induced the senior non-white staff to resign.

2. I would like to emphasise the fact that the college has been united in its defence and in its attempt to seek fair and equal treatment for all its staff. For example:

you will remember that the Government last year approved and made provision for the payment of improved salaries to European university staff as from 1st October, 1958.

We asked how the college could be legally excluded from the new subsidy basis and how salary discrimination based on colour could be sanctioned under the 1955 University Act. This authority was supplied only as late as June (and antedated to 1.10.1958) by section 7 of Universities Amendment Act 1959 (Act No.82 of 1959). Incidentally this would seem to give the Minister a dangerous power to allocate differential subsidies to universities thus undermining the 1955 University Act.

Our Council, however, decided to use its own limited funds to meet the considerable cost of bringing the salaries of non-European members of staff up to the new scales for the year 1959.

3. I sent you a copy of the attached casualty list some three weeks ago.

(a) The dismissed persons (excluding Blackwell and Lady Agnew who held temporary appointments) received the total amount standing

to/2.

to their credit in the Provident Fund plus additional pension benefits to be paid by Social Welfare. (This relieved the College from finding half the normal pension).

- (b) Those resigning before 31.12.1959 under section 3(1) received their total Provident Fund balances but no additional pension benefits. Presumably, if they transferred to other universities they would carry over their normal benefits and privileges.
- (c) Those resigning after 31.12.1959 and not transferring to other universities would be treated as all others who resign from university service, i.e. receiving only their Provident Fund total less government contributions, and no pension. I should explain that the additional pension depends on the university being willing to pay on an agreed scale depending on salary and length of service. Government then adds an equivalent amount.

4. Re Group 2

These annual additional pension losses are:

- Matthews	£567
Mayisela	88
- Phahle	200
- Ngcobo	223
- Nyembezi	302
M'Timkulu	61
- Webb	306

They receive their total Provident Fund which includes their own past contributions and the past contributions from the college and government. But the people who were dismissed ^{also} received a pension or its equivalent - presumably for a greater crime!

5. The argument that they resigned "voluntarily" is not quite sound. The conditions of service were so drastically altered that the voluntary aspect almost vanished. Moreover, if the Minister did not like Mr. A. he dismissed ~~him~~, whereas if Mr. A. resigned because he did not like the Minister or his Department he was penalised!

6. Our Council worked hard to assist staff. For example after seeking legal opinion they made a total monetary grant of £6,400 in respect of accrued leave to members of staff who were dismissed or who resigned under section 3(1).

Council also tried to see if they could find the equivalent capital of £21,854 to meet the cost of providing full additional pension benefits to the members who resigned. Two senior counsel were consulted. Unfortunately, their opinions differed/3.

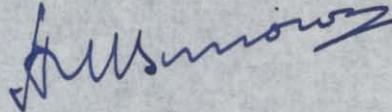
differed on whether the Council could legally realise its assets to meet such cost.

The Chairman of Council then approached the Minister to ask if there would be any objection to college resources being used to equate the treatment of staff who were dismissed and those who resigned. No reply however was received before the date the Council was ousted.

7. I am very grateful for your continued efforts on behalf of our Fort Hare casualties.

All good wishes.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'H.R. Burrows', written in a cursive style.

H.R. Burrows