

the College by the erection of a hostel on the terms specified under Article 111 and other specified in the Schedule of Regulations affecting Hostels shall be entitled to receive from the Council land for the said purpose on terms to be determined by the Council.

Any Church proceeding under this regulation would then be entitled to representation as of right on the Council - Clause 5 (1)(j). The D.R.C. was at one stage prepared to consider erecting a hostel.

(iv) There are particular reasons for representation of Natal and Witwatersrand.

Natal has a non-White Section and a Medical School. Witwatersrand receives 5 medical scholars from Fort Hare each year. (Page 31 of Calendar).

(v) The Government has 6 representatives on the Council. It has never through these members criticised any aspect of the Council's policy or administration or warned it of sanctions.

(vi) There has never been any sustained informed criticism of Fort Hare. Indeed,

praise/.....

praise has come from all quarters.

Thus, Dr. D.F. Malan stated on

1.10.1924:

I am greatly interested in the work of the College and I assure the staff that it will have consideration and support as much as any other Colleges that come under my Department.

"Die Kerkbode" wrote (18.5.1955. page 630):

As opvoedingsinrigting het dit inderdaad 'n besondere bydrae gelewer.

- (vii) The Council could readily be reconstituted by agreement.
- (viii) The Council will now consist of the rector and not less than 8 members to be appointed by the Governor-General, at least 4 of whom shall be appointed on the ground of their special knowledge of or connection with University affairs. Why should this body be more distinguished and competent than past Councils?
- (iii) Competence of Staff. The heads of departments are academicians of the highest calibre from South Africa and overseas; most have

research/.....

research degrees. See Fort Hare Papers and the research programme. Staff have come from and gone to White universities.

Advertisements for staff are world-wide.

(iv) Extensions to buildings. Fort Hare started in 1916 with three bungalows. A master plan was drawn up in 1917 by the Department of Public Works. The following has been the subsequent development:

- 1921 : Stewart Hall; opened by F.S. Malan.
- 1921-34 : Wesleyan and Anglican Hostels; Presbyterian Hostel.
- 1926 : Assembly and Dining Hall; foundation stone laid by Gen. Hertzog.
- 1926 : Farm of 1250 acres bought.
- 1930 : Student Christian Union building opened.
- 1936 : Livingstone Hall (Science block); foundation stone laid by F.S. Malan.
- 1941 : Women's Hostel.
- 1942 : Henderson Hall (F.S. Malan Bantu Museum and Howard Pim Library).
- 1947 : Hostels extended.
- 1959 : College Hostel.

In addition, the College now has 31 staff houses.

(v) Numbers of students. There has been a steady increase:

1916/.....

1916 : 20 (All high school pupils).  
1920 : 50  
1930 : 130  
1940 : 190  
1950 : 380  
1959 : 500 (36 non-matriculants)

- (vi) Relations between Council members. The relations between White and non-White members have always been harmonious. The Council has had non-White members since its founding, and has never, in its entire history, been divided on any issue along racial lines.
- (vii) Relations with Government members of Council. The relations with the two persons each appointed by the Departments of Education and Native Affairs have always been friendly.
- (viii) Relations with Rhodes University. There has been the closest co-operation with Rhodes. Dr. T. Alty, Vice-Chancellor of Rhodes, is Chairman of the Council of Fort Hare.
- (ix) Relations with townspeople of Alice. The students are noted for their exemplary behaviour. This is confirmed in letters from (a) Municipality of Alice, (b) Cooper Bros. and (c) the local Cinema Manager.

(x) Resources.

(a) The cost value of buildings alone is £342,000, of which the Government has contributed £17,000.

(b) This constitutes a percent value of at least a million pounds.

(c) This does not include land, farms and endowments (the latter worth £16,000 per year).

(d) The College owes £6,000 (to the Government), and is the most solvent university in South Africa.

(xi) Outside visitors. The success of the attempt to overcome the slight disadvantage of comparative geographical isolation by inviting visiting lecturers is shown at page 99 of the Calendar.

(xii) Student activities. The scope of student activities is shown at page 102 of the Calendar.

(xiii) Discipline. The Council has dealt effectively with occasional cases of drunkenness, immorality and insubordination, and in 1921, 1942, 1946 and 1955, with cases of disobeying

regulations/.....

regulations or assault or boycott of lectures or meetings. There has been no violence. There is a strict control of student organisations - see Calendar page 110.

- (xiv) Administration. The following reference was made at page 27 of the Duminy Report:

"We were greatly impressed with the qualifications and efficiency of the administrative staff. In fact, we have no hesitation in saying that the College is better served in this respect than any educational institution of comparable size that we know. They not only possess the necessary knowledge and enthusiasm for their work, but are also imbued with a very commendable feeling for the students of the college - a feeling which we have emphasised in previous sections as being of paramount importance and which will no doubt be borne in mind by Council in making even the most minor of its administrative appointments."

- (xv) Achievements of graduates. See above.

All this has been achieved without abnormal Government aid. As regards buildings, see above. As regards current expenses, the Government's subsidy is 77.8%, compared with the following:

O.F.S.	:	72.8%
Potchef-		
stroom	:	77.4%
England	:	69.9%
St.Andrews:		79.1%
Glasgow	:	73.9%

4. The transfer will sever the consultative liaison between the White residential universities and the college.

(i) The expressed policy of the government is to create and maintain equivalent university facilities.

(ii) Equivalence can be maintained only by consultative liaison with other universities.

As was stated in the Duminy Report:

"...It is important that Fort Hare should be linked up in every possible way with other university institutions."

(iii) Fort Hare has at present the following means of liaison:

(a) It is under the supervision of the Department of Education, which has supervised all higher education, including the universities, for 50 years. It has a highly qualified staff.

(b)/.....

- (b) The principal of Fort Hare is a member of the Committee of University Principals.
- (c) Fort Hare is indirectly represented on the Universities' Advisory Committee.
- (d) Fort Hare is a member of the Association of Commonwealth Universities. Apart from the honour (and the Chairman of Fort Hare's Council is the Chairman of the Association), Membership assists in maintenance of standards, policy-making, promotion of goodwill and recruitment of staff. Why should a college of 188 students be accepted if Roma has been rejected?

- (iv) Under the Bill all direct consultative liaison with the eight white residential universities will disappear, save that there may be consultation between Fort Hare and the University of South Africa on questions of syllabuses.

5. The transfer will ignore the expressed wishes of the Council, Senate, Lecturers' Association, and Students of Rhodes University and of the College.

(i)/.....



- (i) The Council, Senate, lecturers and students of Rhodes University have, since 1957, by way of formal resolutions, protest marches and telegrams, expressed their firm and unanimous opposition to the transfer of their affiliated College. (See letter from Dr. Alty).
- (ii) In regard to Fort Hare, the Senate passed opposing resolutions on 1.3.1957, 18.3.1957 and 22.3.1957, the Council on 1.8.1956 and 26.3.1957. All 22 members of the Lecturers' Association oppose the transfer and sent letters of protest to 43 newspapers in South Africa. The students have sent telegrams of protest to the Hon. Dr. Verwoerd, the Hon. Mr. Serfontein, the Hon. Mr. Maree, Sir de Villiers Graaff, and Mrs. Ballinger, and participated in a solemn protest march through the streets of Alice. The S.R.C. have drawn up a memorandum in opposition.

6. The transfer will break the links between former members and the College.

- (i) There is a strong emotional attachment of  
former/.....

former members to the College. The Duminy Report states at page 4:

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 ... all concerned with Fort Hare should be aware of these very important facts.

- (ii) The attachment is shown, for example, by:
- (a) The movement for representation on the Council. Former members sought and now have a representative as of right (with a Secundus) - Clause 5 (1)(k) of the Scheme. Both these attend Council meetings regularly.
  - (b) The movement for a formal association. An association of former members was to be formed in July, 1959.
  - (c) Re-unions. Re-unions have been held in 1936 (when the College came of age) and in 1949 (on the retirement of Dr. Kerr - when 70 attended).
  - (d) Meetings. Apart from Re-unions, former members meet, particularly in Natal.
  - (e) Contributions to the College. Former

members/.....

members make donations to the College - e.g., specimens to the Museum.

(f) Attendance at functions. Former members regularly attend Graduation Days and inter-College sports meetings.

(g) Institution of scholarships. Former members have instituted the Dr. Alexander Kerr Scholarship and the Prof. Davidson Don Tengo Jabavu Scholarship.

(h) Financial assistance. Transvaal graduates have raised a fund to help students from that province.

(iii) Former members are uniformly opposed to the Bill.

(iv) The Bill does not provide for representation as of right for former members. As a Government institution, it will lose considerable emotional and material support.

7. The transfer will remove an incentive for the support of the college and of the other proposed separated university colleges by the non-White community.

(i) The Government intends establishing separate University Colleges for Xosas,

Sothos/.....

Sothos, Zulus, Indians and Coloureds.

- (ii) The success of these colleges depends on the support of the communities they serve. Apart from sentiment, individual Bantu contributed directly and substantially to the Foundation fund and to the College thereafter.
- (iii) The transfer of Fort Hare will reflect upon the bona fides of the Government. Professor Olivier stated before the de Wet Nel Commission (para. 16 of the Minority Report):

... If such an institution is to be effective in the community life of the Bantu, then the Bantu themselves must have a measure of confidence in these institutions. If there had been no other university here in South Africa and no other universities to which they had free access, then it would perhaps have been a horse of a different colour. Under the conditions prevailing in South Africa itself, with the existence of other universities here, with the development in Africa, the emergence of University Colleges in Ghana, Nigeria and Uganda, there are institutions which are very much younger than the Universities in South Africa. They are only 6, 7 or 8 years old, and by reason of that development we can no longer say today that, because those people stand on a level of development which compares unfavourably with that of ours, or where we stood hundreds of years ago, they should therefore start where we started."

Question:/....

Question: You are therefore of the opinion that we should start with them as near as possible to the point where we are?

Professor Olivier: With certain reservations, yet - certain qualifications - but, broadly speaking, you will have to make your basis such that the new system is comparable with what we know and what they also already know.

- (iv) The Bantu community is implacably opposed to any suggestion of inferiority of their higher education institutions. They are therefore opposed to Government control - see editorials in "Golden City Post" 17.3.57; "Leader" 22.3.57; "The World" 15.6.57. Not a single Bantu gave evidence in favour of the proposed colleges before the de Wet Nel Commission. The only supporter since is Chief Botha Sicqau. He is a Pondo, is not a graduate of Fort Hare and has not recently visited the college.
- (v) The feelings of the Bantu community are in fact known to the Government. Sapa, on 8.4.59. reported Professor Bavinck as saying:

... the Minister of Bantu Administration and Development, Mr. de Wet Nel, told me in discussions this morning that the compulsory exclusion of non-Whites from all

White/.....

"White universities" was essential, otherwise non-Whites would prefer to go to the open universities rather than to the new ethnic universities.

- (vi) The only Xosa member of staff is leaving.
- (vii) Any argument based on propaganda ignores the facts:
  - (a) that the main provisions of the Bill speak for themselves;
  - (b) the persons involved are university graduates.

8. The transfer will forfeit the goodwill of world opinion.

- (i) The following are some of the prominent non-Union Bantu graduates of Fort Hare:
  - (a) Basutoland:
    - Mr. J.M. Mohapeloa, M.A., Education Officer, Basutoland.
    - Mr. T.S. Thelejane, M.Sc., Lecturer in Zoology, Roma, Basutoland.
    - Mr. Morojele, B.Sc.(Hons) Mathematics, Government Statistician, Basutoland.
    - Mr. J. Kotsokoane, B.Sc.(Hons)(Wits) Soil Reclamation Officer, Experimental Station, Basutoland.
    - Mr. A.M. Masilela, M.A.(S.A.), Psychological Research, National Institute for Personnel Research, Basutoland.
    - Mr. N. Mkele, M.A.(Natal) Psychological Research, N.I.P.R., Basutoland.

Mr./.....

Mr. J.T. Mohapeloa, First Head of the Basutoland Native Treasury, now Asst. Government Secretary, Basutoland.  
Mr. B.K. Taona - Asst. District Commissioner, Basutoland.  
Mr. J.T. Mahapelsa - Asst. Government Secretary, Basutoland.

(b) Bechuanaland:

Chief Tshekedi Khama, leading chief in Bechuanaland Protectorate.  
Miss G. Chiepe, B.A.(S.A.) M.Ed.(Bristol) Education Officer, Bechuanaland Prot.

(c) Swaziland:

Mr. S.M. Sukati, B.A., Asst. Government Secretary, Swaziland. (Liaison Officer with Paramount Chief Sobhuza).

(d) Ghana:

Dr. J.A. Mokoena, B.Sc.(S.A.), B.Sc.(Hons), Ph.D.(Wits), Lecturer in Mathematics, Kumasi College of Technology, Ghana.

(e) Rhodesia:

Mr. H.W. Chitepo, B.A.(S.A.), LL.B.(Lond.), Salisbury.  
Mr. E.N.K. Mudenda, Plant Breeder in Dept. of Agriculture, Northern Rhodesia Civil Service.  
Mr. Mudenda, Psychological Research, Rhodesia.  
Mr. W.M. Chirwa, B.A., Member of the Federal Parliament of the Central African Federation representing Nyasaland.  
Mr. R.G. Kamlangwa, Magistrate in District of Renpa, Nyasaland.  
Mr. H. Chilipo Bamsli - Rhodesia.  
Mr. Chiswa - ex M.P. Federation.  
Mr. G. Mhlanga - Headmaster Salisbury Govt. School, Rhodesia.  
Mr. S. Samkange - Secretary, Nyatsine College, Rhodesia.

Mr./.....

Mr. G. Kumalo - Teacher, Fletcher High School, Gwelo, S. Rhodesia.

(f) Uganda:

Mr. S.J.J. Zake, B.A.(S.A.), LL.B.(Lond.)  
Uganda.

Mr. Y. Lule, B.Sc., Minister of Rural  
Development, Uganda.

Mrs. E.P. Kisosonkole, B.A.(nee Ngozwana),  
formerly of the Transkei, now member of  
the Legislative Council, Uganda.

(g) Kenya:

Mr. H. Njonjo, B.A.(S.A.), LL.B.(Lond.),  
Kenya.

Mr. Njoroge, B.Sc., Medical Dept. of Kenya.

(h) Tanganyika:

Mr. E. Khomo, B.Sc. Chemical Research,  
Govt. Agricultural Research Station,  
Daresalaam, Tanganyika.

Mr. T. Msikinya, B.Sc., " " " "

- (ii) 10% of Fort Hare graduates have been non-Union nationals. They have strong affection for and loyalty to Fort Hare. They are extremely influential and will be the leaders of their countries. This Bill will offend them and reduce their goodwill towards South Africa.
- (iii) Apart from graduates, Fort Hare has become a showplace. (See the list of distinguished visitors to the College in 1958 - page 101 of the Calendar).
- (iv) The Bill forfeits this opportunity for  
goodwill/.....



goodwill. In 7 years the College would celebrate its 50th birthday (easily the oldest institution for higher education for non-Whites on the African continent) and would perhaps have become a full university, with all the required Departments, with an international name and consequent international support. It would give the lie to internal and external allegations of governmental educational oppression and restriction. If Union Bantu turn to overseas universities, to the University College of the Central African Federation, and to the Roman Catholic University College of Roma in Basutoland, and they are prevented by the Government from proceeding thence, the world will know that Union Bantu are being denied the possibility of wider academic experience. On the other hand, if they are allowed to leave the Union, they will carry with them the objections to a fully state-controlled university here set out.

(v) The Holloway Commission (1953) stated (paragraph 39):

Another question demanding careful  
consideration/....

consideration is whether (any limitation of a university's autonomy) will not have a deleterious effect upon the status which South African universities at present enjoy in the academic world also abroad.

And Professor J.H. Bavinck stated:

... The whole world will take notice of enforced University apartheid, and ... it will have a serious effect on world goodwill towards South Africa. It will seriously affect also the goodwill of other countries in Africa - of the whole Afro-Asian group towards the Union. And in the critical conflicts which exist between the Western world and the communist world, this is a factor which is of immense significance.

- (vi) At the recent International Students' Conference held in South America, serious doubts were raised by many delegates as to whether overseas universities would recognise academically the degrees conferred by South African non-White university colleges.

9. The transfer will deter many highly qualified persons from remaining at or applying for teaching posts at the college.

- (i) It is undisputed that men of the highest calibre should teach at a university. As  
was/.....

was stated in the Holloway Commission Report (para. 375):

"We have elsewhere stressed our belief that the interests of the country can best be served by its University institutions only if these latter can attract to their service as teachers and as research workers men of high calibre."

- (ii) Persons will be deterred from "state" posts since a politician will have powers of appointment, promotion, transfer, discharge, etc.
- (iii) Persons will also be deterred from "council" posts, since a Government appointed body will have the powers of appointment, promotion, discharge, and the determination of conditions of service, salary, scales of salary and leave and other privileges. Being Government controlled, it will seem, even if this be not so, that the council may be under political pressure.
- (iv) In any event, it seems inevitable that academic salaries will almost certainly be lower than in the white universities. The Government has already been withholding equivalent consolidation of cost of living allowances for Fort Hare staff, as compared with teachers at the White universities/....

universities.

- (v) Staff fear (i) redundancy in view of a drop in the number of students and post-graduates, (ii) lack of Government sympathy as shown by Parliamentary debates and (iii) racial discrimination.

- (vi) (a) There have been the following resignations:

1953	:	4
1954	:	-
1955	:	2
1956	:	9

(These all resigned owing to (i) marriage or (ii) age or (iii) health or (iv) the Duminy Report).

First-half 1957	:	-
Second-half 1957	:	6
First-half 1958	:	1
Second-half 1958	:	2
First-half 1959	:	15
<del>Second-half 1959</del>	:	4 (including the only Xosa member of staff).

In two years 14 out of a staff of 50 have resigned, none for any of the above reasons. 8 others have intimated resigning.

- (b) There are still 15 vacancies on the staff.

- (c) Of 47 advertisements for posts since 1957, 9 successful candidates declined, 22 were appointed, 14 posts were not filled, 1

post/.....

post is still open, and 1 successful candidate has not yet obtained a permit to enter the Union.

Arguments based on isolation and lack of professional status are invalid.

10. The transfer will imperil a university's prime function to teach and seek the truth.

- (i) It cannot be disputed that the function of a university is to teach and seek the truth.
- (ii) State members of staff will be prohibited from criticising the administration. History, politics, economics, education, agriculture cannot be taught without a free range.
- (iii) If a politician has wide powers of promotion, transfer, etc., the college will necessarily be under a cloud of doubts and fears, even if the powers are not unjustly used.
- (iv) But it is by no means certain that the powers will not be unjustly used. The following expressions of opinion emanate from the Government:

(a) The de Wet Nel Commission Report:

The present facilities for non-European students at the "open"

universities/....

universities ... expose the non-European students to undesirable and irresponsible opinion, expressed by immature European students, which he might regard as authoritative (para. 43).

The State should accept responsibility for .. the building up of a sound tradition of academic freedom which will ... protect the developing ethnic groups against irresponsible political agitation. (para. 60).

- (b) The following have been Parliamentary pronouncements:

(Government control is needed) energetically to cope with smouldering and undesirable ideological developments. (Hansard 1957, 6776).

(The students will) have to develop on healthy lines from the bottom up. (Hansard 1957, 6890).

(The colleges must prevent) a spirit of equality arising (Hansard 1957, 6866).

(The colleges will obstruct the) disastrous influence of liberalism which is using the university as a breeding place. (Hansard 1957, 6795).

We propose applying this code of discipline which, with one or two very minor exceptions applies to the Public Service today so that we will have the necessary control over them and so that we can prevent evil influences infiltrating from the very beginning. (Hansard 1957, 6998).

- (c) The Hon. Mr. Swart has stated (Hansard 1957, 6864-5):

I/.....

I say that the State, on behalf of the taxpayers who provide the money should have authority over who is taught and what is taught ... Is the State to allow the State funds to be used in a university to propagate Communism? If the Department of Philosophy propagates atheism, is the State to allow it in South Africa? Are we to allow that academic freedom?

This ignores the following:

- (i) The criminal law exists to sanction Communist propaganda. As to the latter, Fort Hare is built on Christianity.
- (ii) The Council has four Government nominees to safeguard State interests.
- (iii) The argument is based on extremes: Because Communism and Atheism may be taught, the State should control all that is taught. Sir Walter Moberley stated in "The Crisis in the University"

There is always the danger that the layman, employing criteria which he can understand and seeking to satisfy the felt need of the moment, will impair or destroy the university's most precious but intangible assets. He will use a razor to sharpen a pencil. It is only the insider, soaked in a tradition of craftsmanship, who is likely to have the trained flair and the sense of

perspective/

perspective, which will enable him to say, "You can't do that here," when it is vital to say it.

- (v) The main objection to a "slanted" higher education, apart from the fact that it may ignore the truth, is that if a political party can compel a University to adapt its internal policy to that party's political attitude, then its successors in power can do the same and the universities would then, theoretically, be obliged to alter their academic policies with every change of Government.

11. The transfer will endanger the goodwill of the non-White community.

- (i) As regards the students:
- (a) There will always be an unfavourable comparison made between a State-controlled institution and the independent college they once knew.
- (b) It is clear that, in the future, as in the past, most students at Fort Hare will have to be assisted by bursaries and loans. Since the Government will control admission, they will control the grant of bursaries and

loans/.....



loans. Conditions of an objectionable character may be imposed upon such grants. (Thus the Government provides bursaries to 15 non-European students at the Natal Medical School annually, but the holders must agree (i) to work for the Government for one year after qualifying for every £200 advanced, and (ii) never to administer to European patients, except in emergency). A hint of this control of graduates appears also in the de Wet Nel Commission Report, which states that the "open" universities - and this is cited as an objection to them - "bear no responsibility for subsequent development or employment of students."

(c) The "slanted" higher education which will be available at the university colleges will be incompatible with the influence of outside opinion. It has been categorically stated by the Government that the library at Fort Hare will be maintained and improved along past lines. But books, journals and newspapers may, for example, advocate liberalism. There will therefore be academic tension.

- (ii) As regards the non-White community apart from students and potential students, the following objections to the transfer exist:
- (a) Fort Hare occupies a special place in the affection and loyalty of the non-White community, particularly the Bantu. As was stated in the Duminy Report at page 3:

We wonder whether the symbolic value of Fort Hare to the African and other sections of the community has been adequately appreciated ... Many of them follow its fortunes with intense interest ... All concerned with Fort Hare should be aware of these very important facts.

As was stated also by Dr. W.F. Nkhomo before the de Wet Nel Commission:

We regard it as our special place and would like to see it built up into a great university.

- (b) The transfer cannot but make the Bantu community feel that the College will be inferior in character and quality. Sabra submitted to the de Wet Nel Commission (para. 13 of the Minority Report):

... Indien sulke inrigtings as minderwaardig beskou sou kon word, verswak dit nie alleen die saak vir sodanige inrigtings nie, maar sal dit ongelukkig en nadelige reperkussies uitlok, waarvan die gevolge nie tevoor sien is

nie/.....

nie ... Om te voorkom dat hierdie kolleges byvoorbaat as minderwaardige inrigtings gebrandmerk sou wees, wil dit dus vir ons voorkom dat hierdie kolleges in hul aard, samestelling, organisasie, en funksies in bree trekke vergelykbaar moet wees ... met ons bestaande universiteite ... As hierdie kolleges, na aard, organisasie, en samestelling, ingrypend van ons bestaande universiteit inrigtings sou verskil, sou hulle onmiddelik as minderwaardige inrigtings gebrandmerk word. In belang van die kolleges self en van goeie rasse betrekkinge moet hierdie indruk vermy word.

A similar objection was raised by the University of Potchefstroom, as reflected in para. 21 of the Minority Report:

Die vrees bestaan dat, teen die agtergrond van die huidige gevoelige rasse in ons land, uitsluitlike permanente staatsbeheer van hierdie inrigtings (soos die Wetsontwerp dit tans stel) geïntepretereer sal kan word as onnodige en gevaarlike diskriminasie; as 'n wantroue in die essentueele bestuursmondigheid van die gemeenskappe vir wie die inrigtings bedoel is en dus as 'n element van minderwaardigheid sodat die inrigtings wat anders hoogs begeerlik en aanvaarbaar sou wees vir die nie-blankes nou minder aanneemlik sal wees ... derhalwe wil ons daarvoor pleit dat die uiteindelijke wet uitdruklik en duidelik voorsiening sal maak daarvoor om die organisasie en beheer van die voorgestelde inrigtings soveel as moontlik te baseer op die vorm van die bestaande en bekende universiteite.

(c)/.....

(c) The result of the loss of Fort Hare will be an increase in anti-White sentiment.

12. The transfer will eliminate the substantial direct and indirect public and private financial support presently given to the college.

(i) The Government's present financial support is certain. The Holloway Commission treated Fort Hare on the same basis as white universities, and, consequently, under the University Act, No. 61 of 1955, Fort Hare receives an equal subsidy. The financial position will now become uncertain, since the College will be financed out of the Bantu Education Account on a special appropriation by Parliament (Section 2 (4)). Financing will therefore depend on:

(a) The resources of the Bantu Education Account. In terms of Section 20 of Act 23 of 1956, the Government's contribution to the account is fixed and can only be changed by legislation; the account can be enlarged only by loans of which the repayment falls back on the Bantu community.

(b) The will of Parliament. Appropriation will/....

will depend upon the Minister.

(ii) The College has always had substantial private support, and has received:

- (a) Some £123,000 in outright donations;
- (b) Countless gifts - for example, the Howard Pim library of 2,000 volumes, and, in 1958, the United States Information Service gave a film projector;
- (c) Grants from 45 donors for bursaries and prizes now worth £15,000 every year.

(iii) This private support cannot fail to diminish, because:

- (a) The donee will be a Government Department or Fund;
- (b) Donors will no longer as of right be entitled to representation on the Council - Clause 5 of the Scheme of Government provides for five representatives of donors.

(iv) The annual sum of donations has already dropped from £5,884 in 1957 to £4,790 in 1958. The Basutoland Government has announced its withdrawal of its annual grant of £500. A private donor has already enquired whether

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the endowment may be withdrawn. The Bantu Welfare Trust and Bantu Sports Club Trust refuse to proceed with their assistance programme.

(v) The proposed transfer will cost the Government the capital amount of the compensation payable to the hostels, which will be more than £120,000 (see the Van der Walt Commission Report, page 41), and, if present standards are to be maintained, may have to furnish an additional annual subsidy of £20,000 - made up of interest on compensation, depreciation on buildings, running cost of hostels, and loss of income from donations.

(vi) These extra sums will therefore have to be found either by increased taxation of the Bantu peoples, or by raising the fees for students. The Bantu peoples can least afford increased taxation inasmuch as:

(a) Between 69 and 78% of Bantu families in urban areas have incomes below the minimum necessary to provide the barest essentials of healthy living (S.A.I.R.L. 1956-1957, p.84)

(b) The average Bantu family in the Reserves have an annual cash income of £40 (Tomlinson Report/....

Report).

(c) The average monthly wage of Bantu employed on white farms is £3.8.5. for men and £1.13.7. for women (S.A.I.R.L. 1954-1955).

Very few students indeed can afford unaided to pay even the present fee, which is the lowest university fee in Africa. There is no reason why the Bantu should pay for their higher education, inasmuch as:

- (i) Non-Europeans have been directly taxed for White education;
- (ii) Bantu will continue to contribute substantially to the general Exchequer through indirect taxation paid on goods and services purchased;
- (iii) Until the establishment of the Coloured and Indian colleges, the Bantu will be subsidising Coloureds and Indians.

13. The transfer will impede future academic and building plans for the College.

(i) The following factors render the future financially uncertain:

(a) The insecurity of Government subsidisation/.....

sation (only a constant subsidy makes it possible to estimate income and expenditure sufficiently in advance to enable rational planning and development); the forthcoming subsidy can be exactly calculated since it is based primarily on student numbers in the previous year;

(b) The elimination of private and Church support; and

(c) The expense of establishing two other Bantu University Colleges, with the duplication of heavy equipment which that involves. If non-Xosas are excluded and present courses maintained, there will be 19 full Departments and a staff of 48 for a student body of 200. (This assumes that there will be maintenance of or rise in the number of Xosa students - cf. Dr. Kerr's evidence). This will also obtain at the other University Colleges. The unit cost will rise greatly. This must be borne by the Account.

(ii) This is bound to affect the future building and academic expansion of the college, which must be planned well in advance. The College's requirements are as follows:

1. Building:

(a) Library extension - £20,000 required.

In 1954 Fort Hare had 25,000 books and



received 200 periodicals annually, Cape Town and Witwatersrand 250,000 and 3,000 respectively. The Holloway Commission (1951) stated (paragraph 221):

"An adequate library is essential to the educational and research function of a university. The library can be considered as the core of the university".

- (b) Hostels' extension.
- (c) Staff Housing - 2 more staff houses, costing £8,000, required.
- (d) New Biology building.
- (e) Assembly hall.
- (f) Sanatorium.
- (g) Sports Pavilion.
- (h) Gymnasium.
- (i) Swimming Bath.

The Bantu Education Account will have to finance 3 sanatoria, sports pavilions, etc.

2. Academically:

- (a) The following departments are needed:

Agriculture.  
Commerce.  
Civil Engineering.  
Geology.  
Architecture.  
Pharmacy (16 students ready to start).  
Music and Fine Arts.  
Social Science.  
Physical Education.

But/.....

But:

(a) In regard to Pharmacy:

- (i) There were 16 students (5 Xosas) ready to start Pharmacy in 1959.
- (ii) Staff and equipment were available; the South African Pharmacy Board was enthusiastic; 51 hospitals had indicated willingness to accept apprentices.
- (iii) The scheme is frustrated by the Government's refusal.
- (iv) When will a Pharmacy Department be created for 5 students?

(b) In regard to Agriculture:

- (i) Agriculture has been regarded as one of the most important courses since the College's inception.
- (ii) Government recognition has been refused on the ground that there is no place for B.Sc.(Agric.) graduates in Bantu areas.

(c) In regard to Law:

- (i) The College for many years sought the establishment of a Law Department.
- (ii) Although the Government approved, it withheld a subsidy until 1959, the College/.....

College financing the Department  
itself in 1958.

(iii) Ll.B. Courses cannot be instituted as no suitable assistant for the Professor can be obtained.

The drive for academic expansion will  
lessen under Government control.

(b) If the open Universities are closed to non-Whites, and non-Whites are not permitted to study overseas, the College must expand its facilities for post-graduate work, which "ought to be considered as one of the prime functions of a university" (see Holloway Commission Report, para. 232). This will require more staff, accommodation, and equipment.

But:

On the exclusion of non-Xosas, the numbers will drop to 180. For this number will new courses and staff be added to 19 full Departments and a staff of 50? On present increase figures there will be 500 Xosas at Fort Hare in 2060. There may even be an initial decrease. Staff will decrease with a

consequent/.....

consequent loss in specialised teaching. Library and scientific subsidies are based on student numbers. Fort Hare's expansion will also be retarded by the establishment of the Bantu colleges - new departments will have to be instituted simultaneously to avoid discrimination. A retardation of new courses will affect the development of Bantu areas. Any scheme by which a student must complete different courses at different colleges will (i) cause hardship and (ii) disrupt homogeneity. There is already unevenness. Fort Hare has more post-graduate students in psychology than Cape Town but has had to refuse 3 B.Sc.(Hons.) students. The need for a Commerce Department is shown by the facts that in 1951 there was only 1 graduate and 1958 of 847 Bantu in the universities, only 12 were registered in Commerce.

As regards staff recruitment, university teachers should have post-graduate degrees. Under the envisaged educational policy post-graduate students will have to register with the University of South Africa and attend a White university, since extra-university facilities/.....

facilities (e.g., at Onderstepoort or dynamite factories) cannot be adequate. He will there not be permitted to attend lectures or seminars, and will be limited in his use of laboratories, libraries, etc. He will not be allowed contact with other students. This contact will be allowed only at vacation courses in Pretoria. He will then have to revert to an ethnic college. The unsatisfactory nature of external post-graduate study is shown by the figures for the University of South Africa: there is one candidate for a master's degree and 2 for a doctor's degree. And see section 34 of the present Transfer Bill. The importance of post-graduate work is shown by the College's granting 4 post-graduate scholarships. The first Ph.D will soon be awarded. There are 45 post-graduate students.

14. The transfer will destroy the corporate communal spirit and character of the College.

(i) Fort Hare has built up over 43 years an immense corporate and communal spirit, stemming from the following two factors:

(a)/.....

- (a) As regards students, there is a great pride in the origin, traditions and progress of the College;
  - (b) As regards staff, the fact that students are drawn from underprivileged groups gives service on the staff of the college a humanitarian appeal, which attracts men and women of character.
- (ii) The spirit is shown by the reaction of the College to the Bill. There has been every possible expression of opposition, but no violence, no threat thereof, no agitation.
- (iii) This spirit will now be shattered. No sub-department of State can have the same spirit as that of a voluntary association. It is true, as stated by the de Wet Nel Commission in paragraph 39 of their Report, that University Colleges should have a mission and a character. But Fort Hare will be administered by a White Minister, a White Secretary for Bantu Affairs, White officials with delegated powers, a White Council, and a White Senate. Even the Rector will be White (Hansard 1959, 4529). As was stated in the Honourable House (Hansard 1959, 4513):

(Whites)/.....

(Whites) are really going to tell the Xosa people and every other Bantu community to whom they give a college, exactly how they are going to develop their culture. The only people who are not going to have one word to say about what happens to Bantu culture, are the Bantu themselves. The incongruity and impracticability is shown already by the building of the "lapas". Any argument based on the advisory bodies is invalid. Their powers, duties and functions are prescribed by the Minister.

A character tending to the good can be formed only spontaneously and self-creatively, and cannot be imposed from above by a Government Department watching over the destinies of what it regards as three separable and severable cultures.

If the promoter's irreversible policy is ethnic grouping, the present Bill is unnecessary, inasmuch as:

(i) ethnic grouping at the University level will flow gradually, naturally and smoothly with the development of Bantu areas, and the establishment of other colleges;

(ii) even if the promoter's policy is immediate compulsory ethnic grouping, this may be achieved by any one of the following:

(a) The amendment of Clauses (3) and 26(1) of the present Scheme of Government.

(b) The amendment of Section 19 (1) of Act No.30 of 1923 by the insertion of a new sub-paragraph

(j) to read:

(The Minister may make regulations, not (save in regard to sub-paragraph (j)) inconsistent with this Act, respecting - (j) the restriction or extension of admission of students to the University College of Fort Hare to persons of one or more races or groups as he may determine and the grant of permission in any particular case to any person of any other race or group to attend the said college.

(c) The amendment of the Extension of University Education Bill, 1959, by the insertion of a new Section:

The Governor-General may, by proclamation in the Gazette, and as from a date specified in such proclamation, apply any or all of the provisions of sections ... of this Act to the University College of Fort Hare.



1. The grounds advanced for the expediency of the Government's assuming control of the Church hostels are:

if the University College is to realise the ideal of becoming a national college for the Xosas and is to function efficiently as a State institution it will be necessary for the State to assume control of the hostels. It would not be wise or reasonable to permit three churches to retain control of hostels. It is not in the interest of good discipline for the control of hostels to be divided.

2. These grounds are insubstantial, inasmuch as:

(i) Any implied objection that only 3 Churches

administer hostels ignores the fact that

(a) the 3 Churches involved have strong historical connections with the College and

(b) it is open for any other Church to erect and maintain a hostel.

(ii) There is no division of control, inasmuch as the Churches' relationship is association, not control. The Churches each

(a) have a representative on a Council of 22;

(b) have a representative on the Wardens Sub-Committee of the Senate;

(c) have a representative on the Senate;

(d) administer a residential hostel.

But:

(a)/.....

- (a) This administration is subject to the general control of the Council, inasmuch as
- (i) the relevant clauses of the leases provide, inter alia,:

5. That such Hostel shall be erected on plans approved by the said Council in writing and at a cost of not less than £2,000 sterling, and the said Lessee shall not begin the erection of such Hostel or any outbuildings save and except with the written approval of the said Council first had and obtained.

6. That the said Lessee shall and will at all times keep and maintain the said Hostel and outbuildings, fences and ground, in a fit and proper state of order, repair and cleanliness to the satisfaction of the said Council.

7. That the dormitory accommodation shall be of such extent and so arranged as to satisfy the requirements of the said Council.

8. That the Hostel shall be open to inspection by the Council or any deputed member of it at all reasonable hours.

9. That the Hostel and land shall be used only for the purposes of the College.

13. That the said Lessee shall be bound by all such bye-laws and regulations as the said Council has already framed or may in future frame for the good and seemly government of the Hostels.

(ii) The Wardens are appointed by the Council.

(b) There are three hostels administered directly by the College. Of the 490 students, 137 do not reside in Church hostels.

(c) The three Church hostel wardens tutor  
certain/.....

certain students in the Diploma of Theology, but the College Department of Divinity is independent of any Church and comprises:

Senior Lecturer: Rev. F.W. Sass, B.A.  
(Shelton), B.D. (Montreal), M.Th.  
(McGill), Ph.D.(Edin).

Lecturer: Rev. F. Hecht, Staats-  
examen in Theologie (Halle).

(d) The promoter's reliance upon the Duminy Report is misplaced, inasmuch as:

(i) The Commission regarded personalities and compulsory services as substantial causes. These criticisms have been met.

(ii) In suggesting that the Churches relinquish administrative duties, the Commission simultaneously recommended resident chaplains. There is no evidence that if resident chaplains were not possible, the Churches should still leave. The contrary is indicated in paragraph 13:

It is the intention that the Churches will maintain their association with their present hostels.

(iii) In suggesting relinquishment, the Commission recommended transition to a fully-fledged university institution.

(iv) No action recommended in the Report was ever called for by the Department of

Education.

(e) An argument based on Government assumption of Church schools is invalid inasmuch as there is no reason why principles applying to schools must apply to universities. Thus, the Government has never suggested compulsory single-medium language White university education.

(f) The following arguments are invalid:

(a) An applicant has no choice of hostel.

If an applicant is of one of the three main denominations he will clearly want to enter the particular hostel. If not, he may ask to enter a College hostel. If he has no preference there is no objection to allocation.

(b) The system is too onerous on the Warden. But he has no more to do than an average head of a residential institution. He is dealing with University students who have house committees.

(c) There is a restricted choice of Wardens. But the choice is from all ordained ministers throughout South Africa. In regard to:

(i) the Methodist Church: 5 of the 7 Wardens have been Presidents of the Conference. The last three each served for

more/.....

more than 10 years each (and each had University degrees).

(ii) The Anglican Church: The first two Wardens were Bishops, the last two Archdeacons.

(iii) The Presbyterian Church: The present Warden has university degrees from Oxford and Edinburgh, and studied at Heidelberg.

(d) Discipline is administered by Wardens. But a Warden has little jurisdiction, infrequently exercised. Cases are normally dealt with by the House Committees and the College Disciplinary Committee. The following cases were dealt with in 1958:

Iona	2
Wesley	-
Beda	1
Women's Hostel	4
S.R.C.	-
Discipline Committee	5

3. In any event, the following circumstances render the assumption of control of Church hostels inexpedient:

1. The assumption of control will reduce the opportunity and incentive for individual and corporate Christian worship.

(i) The presence of a Minister of Religion in residence in each hostel allows the following religious/....

religious services:

Every Sunday morning (Hostel).  
Every Sunday evening (College)  
Every evening (Hostel prayers).

(ii) A considerable number of non-Theological students attend these services. Witnesses have deposed to the comparative strength of religion.

(iii) Visiting Chaplains cannot maintain such services.

(iv) The parents of students are strongly in favour of personal religious supervision.

2. The assumption of control will weaken the Christian influence and witness of the college.

(i) The college has always had a strong Christian character. The original constitution provided that the College: "shall be a Christian college and all members of its staff shall be professing Christians and of missionary sympathies."

Section 2 of the present Scheme of Government provides: "The College shall be a Christian institution, but no special religious tests shall be applied."

(ii) The Christian characterisation of a university is well known among Western universities. Many universities in Europe and in the United States are denominationally founded, supported and orientated - for example, the Free Calvinist University of Amsterdam, Gottingen, Sorbonne, Padua and Basle. This is also the case with

Potchefstroom/....

Potchefstroom and Roma.

(iii) The de Wet Nel Commission noted that a positive norm now prevails in South Africa (paragraph 89). The Commission's implied approval of this cannot be reconciled with any reduction of Christian influence at Fort Hare.

(iv) The Churches are Bantu-orientated. Thus, there are 200,000 African members and adherents of the Methodist Church in the Eastern Province.

(v) The removal of some 50 theological students from Fort Hare will reduce the Christian influence. As was said, "Religion is caught not taught."

3. The assumption of control will eliminate the long-continued association of the Churches with the College.

(i) Fort Hare was conceived by Dr. Stewart, a Scots Missionary, in 1878. It would never have been started but for the promised support of the three Churches. The site and a large initial grant were donated by the Church of Scotland.

(ii) Security of tenure was the very basis on which the Churches contracted. This is shown by the terms of the leases themselves. The Bill now undermines contractual certainty.

(iii) Relations between the Churches and the Council have always been harmonious. There has never been any conflict/....

conflict of interest.

(iv) The assumption conflicts with the statement of the de Wet Nel Commission (paragraph 89 of the Report) that:

(The University colleges) should always be imbued with a positive religious spirit and have a religious character.

It conflicts with the South African tradition of Christian education.

4. The assumption of control will render more difficult the fulfilment of the conditions of the donation of the Christian Union Hall.

(i) The Christian Union Hall was completed in 1930 out of funds given by the Young Men's Christian Association of the United States of America.

(ii) The building now:

- (a) accommodates the college chapel, and college and student meetings;
- (b) has social and reading rooms;
- (c) is a centre of the social service work conducted by the Student Christian Association of the college among the Bantu people around Alice.

(iii) The building was subsequently donated to the College subject to the following conditions:

That/.....



That the building should be the home for the Native section of the student movement in South Africa; a centre for conferences; a centre for social service in this vicinity by the students of the neighbouring institutions; and a centre where plans for social service might be discussed and inaugurated especially by those who go out and become Ministers and teachers.

(iv) If the hostels are taken over by the Government, these conditions, requiring religious as well as social work, will be the more difficult to fulfil.

5. The assumption of control will abolish the financial assistance given by the churches to the college.

(i) The Churches made possible and maintained the residential system.

(ii) The capitation fee covers about half the total expenses. The Churches presently contribute annually to the college the following amounts:

- (a) Interest on the capital investment: £5,000
- (b) Depreciation on buildings: £5,000
- (c) Costs of repairs.

(iii) As a result, the student fee for 1959 was £90, probably the lowest in Africa.

(iv) The Bantu education account will therefore, if the churches are expelled, have to find at least an extra £10,000 annually, and this must come from the Bantu themselves. The unit cost per student to the Bantu Education Account will rise if the 3 hostels are

maintained for less students.

6. The assumption of control will abolish one of the first and few examples of oecumenical practice in Africa.

(i) The 3 Churches have been intimately associated with Fort Hare since its founding. The Anglican and Methodist Churches joined the United Free Church of Scotland in order to obviate denominational rivalry.

(ii) They have jointly been represented on the Council and on the Wardens' Committee.

(iii) Theological students now attend joint classes.

(iv) No applicant for admission is refused on religious grounds. The 140 students at Wesley House in 1959 were thus classified:

Methodist Theological students .....	29
Other Methodists .....	80
Bantu Methodist .....	2
African Episcopal .....	6
Dutch Reformed, Roman Catholic, Ethiopian, Lutheran, Moslem, Hindu .....	23

(v) Ministers of other denominations are invited to conduct Sunday evening services.

(vi) There is complete religious freedom at Fort Hare, there being:

Methodist ...	144	Anglican ...	81
Presbyterian.	87	Others .....	178

No religious services are compulsory.

7. The assumption of control will impair the discipline of the college.

- (i) Theological students have a stabilising influence in the College. Some have acted as sub-pastors.
- (ii) Wardens meet students in a secular way and are so able to influence their everyday lives.

8. The assumption of control of the hostels will disrupt the training of candidates for the Ministry.

- (i) The Warden of Wesley House is a theological tutor preparing students for the Diploma in Theology and for the Ministry. This was the basis of the contract in terms of which the Church erected a hostel.
- (ii) There are immense advantages in having a seminary in a university town - e.g., library facilities, athletics, etc. This is particularly so where the university has a strong Christian tradition.
- (iii) This is in line with other universities - Rhodes, Stellenbosch.
- (iv) The Duminy Commission reported "that it would be a calamity for the college if the Churches were to give up their theological courses here." (Para. 10).
- (v) Fort Hare is the only Methodist Seminary. Twelve probationary Ministers are passed through each year.
- (vi) A new seminary would have to be instituted. There would be difficulties as to:

(a)/.....

- (a) Location;
- (b) Association with a university;
- (c) Loss of time and continuity;
- (d) Compensation for the "fair value" of the buildings will hardly compensate for the acquisition of new contractual rights and the erection of new buildings.

4. If the expediency of transfer is proved, it does not necessarily follow that control of Church hostels should also be assumed, inasmuch as:

(i) There has been no consultation between the promoters and the Churches. It may well be that the latter would be prepared to continue, even under the present Bill.

(ii) There has been no conflict between the Council and the Churches. There is no reason why there should be in the future. The Churches may be prepared to negotiate different conditions of lease.

(iii) The continuance of the Churches would make the transfer smoother.