

6. LIQUOR AND THE COLOUR BAR

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A POWERFUL and concerted drive is under way in South Africa to break down the colour bar in the liquor trade. On all sides, voices are being raised to demand that liquor should be freely available to all, without distinction of race or colour. Among those who have indicated their support for the revision of the liquor laws are Nationalist Cabinet Ministers, judges of the Supreme Court, police chiefs, and administrators of African affairs. And spearheading the agitation is the rich and influential "Ko-operatiewe Wijnbouwers Vereeniging," the wine farmers' co-operative, which has an almost total monopoly of the production and export of wine and spirits produced in this country. The K.W.V., formed in 1918, has always pressed for the right to sell liquor freely to people of all races in South Africa, as this would greatly increase the market for its products. Never, however, has the agitation for the revision of the liquor law been so strident, so well-organized and so widespread as it is to-day.

Public attention was most sharply focused on the issue at a session of the Transvaal Agricultural Union on August 29, 1957, when more than 100 Transvaal farmers publicly admitted to their colleagues that for some time they have been defying the law by supplying liquor to their African workers.

"This wholesale confession of lawbreaking was one of the highlights of a heated session," reported the *Cape Argus*. "In spite of statements by several speakers that the supply of liquor to Native farm workers would 'open the floodgates to drunkenness and crime, and that women and children on farms would be exposed to all sorts of dangers,' a resolution was adopted by an overwhelming majority calling for the revision of the liquor laws so as to allow Natives to drink light wines."

Some clue as to why farmers in the Transvaal should be so keen to provide their labourers with free access to liquor was provided by one delegate who said that "the sooner Native farm labourers were supplied with liquor, the sooner would there be a stable labour force on the farms." It is well known

that farmers in the Western Cape, where the tot system¹ is practised, have less labour trouble than farmers in a 'dry' province like the Transvaal. Not that their labour gives them less trouble—especially on Saturday nights—but they have less trouble getting labour, because so many workers have become addicted to the tot that they are not prepared to work without it and so are tied down to the area in which the tot system is legal.

A further 'advantage' of the tot system, of course, is that very often the tot is regarded, by employer and labourer alike, as wages in kind. Thus for a trifling outlay in the purchase of cheap wine, the farmer would be able to make a considerable saving in his cash payments. And, in fact, it is quite evident from what was said at the Congress that the tot system is already widely practised in the Transvaal. All the farmers are now asking is that the practice should be legalized and the shadow of prosecution lifted finally from them.

It is to be hoped that during the coming session of Parliament some Opposition M.P. will ask the Minister of Justice whether, in consequence of the admissions made at the Congress, any prosecutions have been instituted; and if not, why not? Possibly the Minister may not care to answer such a question, because he himself went on record during the 1957 session of Parliament as being in favour of a revision of the liquor laws. Introducing a motion in the Senate on May 10, 1957, that the policy of his Department be reviewed, Mr. Swart said that the Liquor Law of 1928 had proved completely inadequate, and the time had arrived for an intelligent and realistic tackling of the problem. The whole question of licences and distribution had proved a failure, he said. A tremendous amount of time was taken up in the police force by the administration of the Liquor Law and the combating of crimes involving liquor.

The police force itself is one of the most powerful instruments for change in this respect. From the Commissioner of Police downwards, many police chiefs in recent months have expressed the view that the law must be changed. Briefly, the law in regard to the supply of liquor to non-Europeans is as follows:

Coloured people in the Cape, and Asians and Coloureds in Natal, are allowed to buy restricted quantities of liquor. In the Free State and Transvaal, Coloureds are subject to the same disabilities as Africans, and it is an offence for them to be found

¹ The supplying of 'tots' or rations of drink to labourers

in possession of liquor. Total prohibition applies to Africans in all provinces, with the exception of the supply of beer under the control of certain local authorities and the ration (or tot) in the case of those employed by farmers in the Cape Province and, to a lesser extent, in the Free State.

Africans, Asians and Coloureds may obtain permits from a magistrate exempting them from any prohibition imposed by the Liquor Act if the magistrate has satisfied himself, on the basis of information supplied by the police, "(a) that the applicant's stage of development and his general manner of living are such as to entitle him to be regarded as having attained a standard of life equivalent to that of European civilization; and (b) that the quantity and kind of liquor to be purchased are such as are suited to the applicant's personal requirements, regard being had to his income and his mode of living."

According to a statement by the Commissioner of Police, Major-General C. I. Rademeyer, on March 18, 1957, there are about 20,000 Africans in the Transvaal who are permitted to buy from bottle stores, and in their case "abuse of liquor and drunkenness were not the problem they were among Natives who were forbidden to obtain liquor." General Rademeyer, who made it clear he was speaking in his "private capacity" (whatever that means), said he was a protagonist of the unrestricted supply of liquor to all, irrespective of race or colour. The costs to the taxpayer of applying the liquor laws ran into millions of pounds a year. In his opinion, restrictions on liquor were a luxury which the country could no longer afford. "I call this a luxury restriction on a luxury article."

It has been estimated that in some parts of the Transvaal the illegal trade in liquor is of even greater extent than the legal—and on occasion it has been found that the police themselves are involved in it. General Rademeyer said there were about 343,000 cases a year arising from infringements of the liquor laws. Of this number, 250,000 were in respect of Africans, 55,000 in respect of Coloureds, 15,000 in respect of Europeans and 3,000 in respect of Asians.

A news item which appeared in the *Cape Times* on September 4, 1957, stated: "Police officers throughout the Union admit that it is impossible to smash the vast and profitable illicit liquor racket. One deputy commissioner admits that nearly a third of the policemen in his division are engaged, directly or indirectly, in the suppression of the racket, the destruction of

illegal liquor supplies and the investigation of cases in which liquor plays some part. Thousands of detectives and policemen are occupied with nothing but these duties. The result is that a fifth of the yearly prosecutions for all types of offences are for infringements of the Liquor Act. Most police officers are convinced that the only way to smash the racket is to supply non-Europeans with liquor. Some feel that they should be limited to malts and light wines."

Similarly, Brigadier H. J. du Plooy, Assistant Commissioner of Police, C.I.D., told a special session of the S.A.B.R.A.² Conference last April, that he too (speaking in his personal capacity!) favoured the revision of the entire situation. Attempting to enforce the Liquor Act cost the country at least £2,000,000 a year, according to his estimate. Contraventions of the Act constituted almost a quarter of the country's crime—and still it was impossible to enforce prohibition.

It is noteworthy that the S.A.B.R.A. Conference, which was addressed by managers of non-European affairs from various centres, penologists, social scientists and others interested in the problem, presented a picture of startling agreement that the law should be amended. The only delegates to object were representatives of the S.A. Temperance Alliance, the Afrikaans Churches and the Nederduitse Gereformeerde Mission Church. But their opposition was adequately balanced by support from the powerful Nationalist daily *Die Burger*, which stated in an editorial on April 23, 1957, that, in the light of the practical experience of the police, "we believe that a case has been made out for the revision of the existing ban on liquor for Africans." Even the Bench considered the problem, and Mr. Justice van Wyk of the Cape Supreme Court, giving judgment in a case heard last March, "pointed out that he was dealing with another of the thousands of cases where this prohibition created crime. The Native was no innocent who had never tasted alcohol. In getting it illegally, not only was he made a criminal, but so were all those who were ready to supply him. 'One wonders,' said the judge, 'if the time has not come to have the whole thing investigated.'"

In actual fact, "the whole thing" has been under investigation for several years. Parliament has had under consideration since 1951 a new Liquor Law, providing for radical amendments to the 1928 Act, but retaining the colour bar clauses to which

²The apartheid-minded South African Bureau of Racial Affairs.

there is now such strong objection in high quarters. In its evidence to the 1951-52 Select Committee, the K.W.V. pleaded for further investigations to be conducted before a final decision was taken. Eventually, in 1956, a Commission was appointed to investigate and report upon "the general distribution of intoxicating liquor and the selling prices thereof."

The K.W.V. had urged the appointment of such a commission and had stressed, in its evidence to the Select Committee in 1952, that the Commission should visit other wine-producing countries to study their methods of production and distribution of liquor, as well as other territories in Africa which permitted the supply of liquor to Africans. The K.W.V. is patently confident that the evidence obtained in these countries will support its claim that the colour bar in liquor distribution should be abolished. Some years ago it sent a Commission to Lourenço Marques and ascertained that, though liquor is freely obtainable by Africans there, very little drunkenness exists. A similar investigation was carried out by an official of the K.W.V. in Ghana (while it was still the Gold Coast), and he reported that, although liquor was freely available, he had not seen a single drunk African during his stay. On September 9, 1957, Mr. J. B. le Roux, a K.W.V. director, said: "The K.W.V. is striving to extend its markets. Two of its chief officials were in Central Africa for this purpose and sent back interesting information."

Only four days previously, on September 5, one of the Commissioners himself, Dr. Otto du Plessis, M.P., reported on visits the Commission had made to neighbouring territories, stating that the difference had "vastly impressed" him. "In Southern Rhodesia, South African wine is being freely supplied to Natives. In Portuguese East they have access to the same wine the Portuguese drink—namely, light Portuguese wines." And the press report continued: "Dr. du Plessis confirms that discrimination leads to drunkenness on illicit and usually poisonous adulterated substitutes. Northern Rhodesia provides a very healthy kaffir beer. But ordinary commercial beer is also freely available without colour discrimination."

Similar information is persistently published in the press. At the annual Conference of the Institute of Administrators of non-European Affairs, on September 11, Kitwe's African Affairs Director, Mr. H. Pridham-Jones, said that in 1956 Africans in Kitwe had spent £161,737 on African beer, £181,415 on

European beer, and £6,509 on wine. In Angola, it was reported on September 10, "wine is sold freely in restaurants and cafés at all hours of the night, seven days of the week. Natives are also allowed to buy it." And on the same day, a columnist reported: "I learned yesterday that liquor permits are now being given in the territories to a limited number of Africans. But not so limited. In Swaziland alone there are reckoned to be 180,000 potential permit-holders." The same system applied in Basutoland. The monthly amount allowed on permit was a maximum of four bottles of spirits, eight of wine and 24 quarts of beer. "No cases of drunkenness have come before the Courts where permit-holders are concerned. That would be a reason for withdrawing a man's permit."

And it is at this stage that one begins to get a trifle suspicious. To hear police chiefs and Nationalist politicians advocate the abolition of colour discrimination in any sphere would be remarkable enough. But why is their enthusiasm for equality of treatment confined to the question of liquor? From the point of view of the police, one would imagine a far more convincing argument could be made out for the abolition of the pass laws. They, too, are almost impossible to enforce, cost the taxpayer millions in their administration, and lead to the wholesale destruction of family life among large sections of the African people. The number of convictions under the pass laws far exceeds that under the liquor laws, and it is equally certain that a far greater proportion of the police force is engaged in enforcing the pass laws. Is it not strange that not a single police officer has expressed his "private opinion" that the pass laws should be abolished? But to ask the question is to realize its absurdity. One can imagine just how long Major-General Rademeyer would last in his job if he were to make such a suggestion!

In the case of liquor we are dealing with quite a different problem. The liquor lobby is one of the most powerful in the country. Amongst the most prominent figures in the wine industry and the K.W.V. are to be found Members of Parliament and Senators, and our legislators are annually reminded of the existence of the K.W.V. when they receive a well-stocked hamper of its choicest products free round about Christmas time. When the K.W.V. speaks, politicians listen with respect.

Giving evidence to the Select Committee in 1952, the chairman of the K.W.V. at the time, Mr. H. F. Theron, was asked: "Would you like to see the tot system extended to the

north?" And he replied: "Because I am connected with wine farming I would very much like to see that, since it will create a more extended market for the product I produce." Asked if the abolition of restrictions would put an end to drunkenness and the illicit trade, Mr. Theron replied: "Yes, of course."

For the K.W.V. this has become a matter of great urgency, because the industry is going through an exceedingly lean time. Faced with vastly increased production on the one hand, the wine farmers complain that there has been no commensurate increase in the outlets for their product. Between 1954 and 1956 the wine crop increased from 506,000 tons to 620,000 tons. Exports, however, remained static, and the local rise in consumption was small compared with the increase in population. In the last few years the number of planted vines has been increasing by 3 to 4 per cent., and, with an increased yield from modern methods of fertilization, this has resulted in an increase of about 10 per cent. in the crop.

Just how hard hit the K.W.V. has been was revealed by the report for 1956 presented to the annual general meeting of the K.W.V. on June 12, 1957. The estimated surplus in 1956 was again fixed at 24 per cent., but since only 266,332 tons were taken up by the trade, another 12½ per cent. of vintage had to be transferred to surplus stock as unsold. The actual surplus in 1956 was therefore 36½ per cent. The excess surplus was transferred to surplus stock account at the price of £12 13s. 5d. a ton paid to suppliers, making a total of £635,267, which changed the profit of the account—£288,416—into a deficit of £346,851, compared with a profit of £667,826 in 1955.

"As a result of the above deficit," read the press report, "only £21,648 stands in the appropriation account. . . The provision available for payment is only £185,647, that is to say, a fraction of the bonus payments during previous years."

Many were the voices of complaint raised at the meeting from amongst the farmers, for, whereas the price per ton in 1956 had been fixed at £9 5s., as a result of the huge surplus the price in 1957 was reduced to £7 18s. Mr. F. Rabie, of Worcester, said that the situation was getting out of hand. Certain farmers had planted 250,000 vines last year. "We are worse off than in 1932."

The wine industry has made representations in the strongest terms to the Government, which has already taken action to meet the crisis. In June, 1957, the Wine and Spirit Control

Amendment Act was passed by Parliament, giving the K.W.V. power to limit the production of alcohol. The K.W.V. is already applying this Act by way of fixing quotas for the production of alcohol for each wine farm. The quota system has caused a great deal of heart-burning among the farmers, but the K.W.V. was determined to restrict production in the 1958 season as a means of maintaining prices. The immediate effect of the measure was that, at a special meeting of the K.W.V. in January, 1958, the Directors restored the price to £9 5s. a ton. The position, however, remains so precarious, that the quota system will have to remain, despite the opposition to it among the farmers, unless the market for liquor can be considerably expanded.

No wonder then, that pressure is being brought to bear for the amendment of the law to allow non-Europeans, including Africans, unrestricted access to all types of liquor. This pressure has now reached such a pitch of intensity that it is almost certain the Government, once the Commission has reported, will bring in new legislation on the desired lines. No one, however, should be under any illusions that the motive for the change is solely the altruism of the majority of its protagonists. The main motive force is the uninhibited drive for profits—in an industry which, according to the State Information Office Digest of South African Affairs of September 13, 1957, “is to-day estimated to be worth £100 million.” The reserves of the K.W.V. alone stand at over £7 million.

If only, one reflects, our farming community could be persuaded that freedom pays dividends in every sphere, much of the evil of apartheid could be undone almost overnight. As it is, it would appear that most of them are determined to learn that lesson the hard way.