



**South African Council for  
Town and Regional Planners**

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Stads- en Streekbeplanners**

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Dr Randera  
Truth & Reconciliation Commission  
P O Box 1158  
JOHANNESBURG  
2000

Your Ref/U Verw

Date/Datum

21 October 1997

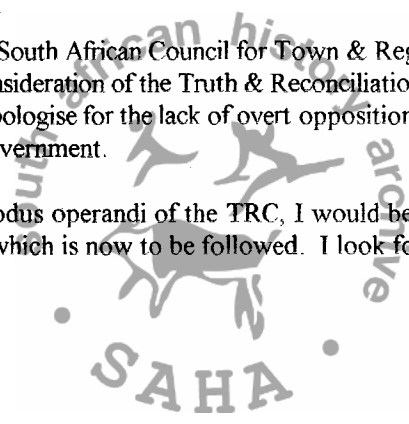
Dear Dr Randera

I have been authorised by the South African Council for Town & Regional Planners to submit the attached document for the consideration of the Truth & Reconciliation Commission. The Council wishes to acknowledge and apologise for the lack of overt opposition by previous Councils to the policies of the Nationalist government.

Being unfamiliar with the modus operandi of the TRC, I would be pleased if you would kindly advise me of the procedure which is now to be followed. I look forward to hearing from you.

Yours sincerely

PROF J G MULLER  
PRESIDENT



## THIRD DRAFT FOR COMMENT AND CRITICISM

### SUBMISSION TO THE TRUTH AND RECONCILIATION COMMISSION

#### 1. PREAMBLE

The discipline of town and regional planning has over the years been described and defined in various ways. It has from time to time been perceived as being primarily concerned with physical layout/design, with administrative/legal procedures, with analytic/quantitative procedures and the like. More recently planning has been seen as having a particular professional responsibility in the associated areas of environmental sustainability and social justice. These areas reflect the fundamental concerns of late twentieth century society and have a particular pertinence to conditions in South Africa at the present time. The political transformation in South Africa requires that planning adopt a clear ethical and practical stance which is congruent with the principles attaching to, in particular, social justice. This is essential in the light of the history of the profession of planning which, it may be argued, has neglected its responsibilities in this regard.

The submission that follows is thus predicated upon the conception that the profession must now come to terms with its past. That past can be characterised as inadequate and unconcerned in respect of the critical issue of justice for all sectors of South African society.

Since 1985 persons qualified and practising the profession have been required by an Act of Parliament to register with the South African Council for Town & Regional Planners. The Council is therefore formally associated with the profession but it is not empowered to represent the views or attitudes of the individual registered persons of the profession. This submission is consequently restricted to the performance of the Council and not the activities of the profession of town and regional planning collectively, nor of the individual activities of registered persons. More particularly, the Council has no mandate to represent those persons who have not taken up registration as town and regional planners.

#### 2. BACKGROUND

The South African Council for Town & Regional Planners was established in terms of the Town & Regional Planners Act, 1984 (Act 19 of 1984) and came into operation in February 1985. The Members of the Council are appointed by the Minister for a period of three years and the fifth group of people are currently serving on the Council. The Act allocates three major areas of responsibility to the Council:

- The Registration of Town and Regional Planners and Town and Regional Planning Technicians;
- The exercising of discipline over Town and Regional Planners, Town and Regional Planners in Training and Town and Regional Planning Technicians;

- The Education of Town and Regional Planners and Town and Regional Planning Technicians in South Africa;

The Council has over the past twelve years discharged its responsibilities as required above. The Act also empowers the Council to:

*"9.(1)(i) take steps which it may consider expedient for the protection of members of the public in their dealings with town and regional planners, town and regional planners in training or town and regional planning technicians and for the maintenance of the integrity of, the enhancement of the status of and the improvement of the standards of services rendered by town and regional planners, town and regional planners in training or town and regional planning technicians, and after consideration of any advice or recommendations of the Education Advisory Committee, the improvement of the standards of the academic qualifications of town and regional planners or town and regional planning technicians;"*

It is in relation to Section 9. (1)(i) above of the Act that the present Council considers that previous Councils, i.e. between the years 1985 and 1994, were negligent in the sense that they did not see fit to confront the imbalances, discrimination and injustices prevalent during those years. The fact that the present Council issued a Position Statement in August 1995 setting out its policy on redressing, through planning, the imbalances of the past (see attachment), does not absolve it of the responsibility of acknowledging the neglect of the previous decade. In so doing the present Council does not purport to be a voice of the town and regional planning profession, but speaks only for itself.

This submission will not address specific incidents that are illustrative of a lack of commitment to principles of human justice and equity, but will seek to highlight certain major events that could and should have been confronted by the Council in past years. These include the following:

### 3. EXAMPLES

**3.1 Group Areas Legislation:** Although enactments pertaining to separate development date back to the late 1950's, actions grounded in the Group Areas Act continued into the decade of the 1980's. The Act was repealed in 1991. Many persons in the profession were actively opposed to this legislation. However, the Council in its various groupings did not take a direct stand against the Group Areas Act. Persons in the profession concerned with, and knowledgeable about the consequences of spatial social engineering could not but have been aware of the extent of human suffering that occurred as a result of the Act. It would therefore have been a logical expectation that the Council for Town and Regional Planners would have drawn to the attention of the authorities the inequities of government policy. This did not happen - and that it did not happen is an indictment of previous Councils.

The indictment is the stronger because of the ethical foundations upon which the profession of planning is purported to stand. That ethical stance is one which, above all, is directed toward the furtherance of the interests of society at large - and not toward the self interest of a minority group. The public interest should, logically extend consciously to furthering the interests of the least advantaged, under privileged and deprived sectors of society. The Council was silent in respect of this crucial issue.

Examples include the following:

The removal of Indian businesses from the Central Business Districts of towns and cities was not only unacceptable in planning terms but also from an economic point of view. In Middelburg (Transvaal) the heart of the town died when the Indian businesses were moved out. The creation of an Asian Bazaar in towns is in principle not necessarily wrong but these should have been part of the natural economic and social development of a town. The Asiatic Bazaars of Johannesburg and Pretoria are clear examples of forced economic relocation - which can be found in many towns and cities throughout South Africa.

- 3.2 Planning Legislation:** From the early 1970's through to the late 1980's a number of enactments pertaining to town and regional planning were passed by the government. The most pervasive of these included the Physical Planning Act, 1967, and various amendments thereto in the ensuing decades. This Act made provision for the compilation of Guide Plans. The Act also made provision for the prohibition of industrial development and the apportioning of ratios of employment along racial lines [sections 2 & 3] which had the effect of enforcing influx control. This Act was repealed in 1991. Throughout its lifespan, this Act, purported to promote orderly development but was in fact directed toward the extension and consolidation of the apartheid policy. As in the case of the Group Areas legislation, this legislation brought suffering to the black majority in the country on whom these discriminatory policies were imposed. Although previous Councils must have been aware of this legislation and its impact, no action was forthcoming. This omission is untenable.
- 3.3 Forced removals:** A particular manifestation of Group Areas policy was the enforced removal and resettlement of defenceless communities. The uprooting of such communities and the separation of them from land which was rightfully (and frequently legally) their own, had great social, physical and emotional repercussions, which even today have not yet been redressed. Uprooting took place in areas such as District Six in Cape Town, Fairview in Port Elizabeth, Pageview in Johannesburg and in many others. In many cultures - not least those in South Africa - the issue of land is central to the well being of society and to be forcefully deprived of that central civil/human right brought extreme unhappiness to many of the black citizens of the country.

Another manifestation of this form of human suffering took place in the process which was known as "Bantustan Consolidation" which was carried out in terms of planning concepts to attain order and control of group development at the macro scale. The previous Councils chose to turn a blind eye to this suffering and must consequently be censured for its lack of action, disregard and apathy in respect of a fundamental human problem. Ironically the phenomenon of regional planning was such that most of the employment available to regional planners in the 1970's and 1980's was to be found in state or Bantustan authorities.

- 3.4 Planning System:** During the era of apartheid planning activities operated on two distinct and separate systems. Planning for the white population was basically pursued on the basis of provincial ordinances and town planning schemes which were in principle derived from British town and country planning legislation. The approach was essentially permissive, open and (to a degree) participatory.

The planning system relating to the black population was totally different in that all planning was carried out by the governmental authorities. The latter procedure can, and has been, characterised as "top-down" in as much as planning and development was imposed on black citizens who, unlike the white population, were permitted no involvement in the planning process and who had no recourse to appeal.

Separation of urban areas and the planning of new areas in what were known as Bantustans included the following: Ladysmith (Natal) and the resettlement of people into the dormitory towns of Ezakheni (KwaZulu), the creation of Botshabelo outside Bloemfontein in the Free State, the creation of Mdantsane (Ciskei) outside East London in the Eastern Cape and many others throughout South Africa.

Where a profession purports to act on the basis of fair ethical tenets, it is clearly untenable for that profession to adopt differentiated approaches for different social groups. Such differentiation was however accepted - without question - by previous Councils.

- 3.5 Other:** Numerous other lapses in the approach of previous Councils can be cited. Amongst these would be the ruthless demolition of informal settlements, the inadequacy of facilities available to residents of black townships, the paucity of social, recreational, educational, facilities available to black citizens and lack of access to education at all levels. During the apartheid era membership of the planning profession was perforce restricted to those who were able to benefit from a discriminatory education system. As a result, relatively few people from disadvantaged communities became members of a profession where their values, skills and perspectives were sorely needed. The previous Councils failed to speak out against this discrimination and made very little effort to broaden access to the profession or increase its representivity.

4. **GENERAL**

This Council finds it incumbent upon itself to apologise for the shortcomings of the Councils in the past.

The opportunity now exists for the present Council, in acknowledging the lack of performance in past years, to move into an approach which will establish its (and by extension the profession's) credibility and legitimacy in the new South Africa. In so doing the present Council will accept its responsibility to address the imbalances of the past. Planning has the capability of enabling through its practical processes - notably those of a participatory and mediatory nature - to empower those citizens previous denied decision making involvement in matters affecting their lives. This is a worthy and defensible objective for a socially sensitive profession and is one that the Council would support now and in the future.

1 September 1997

