

James Kantor's *A Healthy Grave* – An Apartheid Prison Memoir Retro-Review

Nelson Mandela wrote of both his prison and Rivonia Trial experiences, as did Govan Mbeki. Ruth First, Raymond Suttner, and Albie Sachs published prison diaries – *117 Days, Inside Apartheid's Prison*, and *The Jail Diary of Albie Sachs*. But *A Healthy Grave* was different. Unlike Mandela, Mbeki, First, Suttner, or Sachs, James Kantor was not involved in the struggle. The bottom line was that he was arrested for being the brother-in-law of Harold Wolpe. Actually, he wasn't alone in this type of detainment during the apartheid reign of the Nationalist Party. Ronald First was arrested solely because he was the son of Julius and brother of Ruth. But the story, of course, is much more complex.

James Kantor's book was published in 1969. A high-priced lawyer, Kantor was married to an actress/model when he was detained in 1963 by the apartheid regime. He was not fond of communism and did not approve of the Marxist disposition of his brother-in-law, Harold Wolpe. But he was Wolpe's law partner and was jailed after Wolpe, Arthur Goldreich, Abdulhay Jasset, and Mosie Moolla escaped from Marshall Square prison in Johannesburg. So why is this book still important. First, of course, it is worthwhile solely because James Kantor's prison/trial memoir needs to be read and reread as part of the history of apartheid – it is a book that appears to be lost for many South Africans. But it is also important because it reemphasizes issues of liberty and democracy that are transgressed at the present time by the South African government and other nations throughout the world.

Kantor wrote of his experience from exile in London six years after the judge in the infamous Rivonia Trial, Quartus de Wet, dismissed his charges before sentencing eight of his co-defendants to life in prison. But, dismissal did not come until Kantor was put through his own Kafkaesque version of hell in 1963. Arrested at his office, shuffled between prisons in Johannesburg and Pretoria, given bail only to have it rescinded, James Kantor was still well aware that he was treated much better than any black detainees. In spite of that awareness, the injustice of his experience provides multiple as well as wide-ranging lessons. In addition, the apartheid regime ruined his life and arguably facilitated his early death.

There are a variety of insights and lessons from Kantor's reflections. He had a breakdown at one point of his sentence but understood fully that his detainment was relatively relaxed. He lost his law practice and livelihood and yet, he was able to contemplate on his place in South African society.

I was no active do-gooder with a burning desire to right the wrongs of the world. I felt I had contributed in a small way to racial tolerance by allowing the defense of political cases through the office at no cost to the accused; but, in the cold darkness, with my sandals slop-slopping on the concrete floor as I shambled my way up and down, I realized this was nothing more than a superficial sop to the conscience which was now struggling to break through

the smugness engendered by years of good living. At the same time I could not stop feeling sorry for myself.

Nelson Mandela, Hilda Bernstein, and his sister, AnnMarie Wolpe, all wrote about James Kantor in their respective autobiographies. Mandela asserted that “he had no involvement whatsoever with the ANC or MK.” “I assumed the only reason the state kept up the charade of prosecuting him in prison was to intimidate progressive lawyers,” added Madiba. It is in AnnMarie’s book, however, that we get testimony of her brother’s lack of involvement in struggle politics or actions. When she decided to tell him that Harold was planning an escape, his response was: “My God, he’s crazy. He must stand his trial like a gentleman.”

Throughout the book Kantor gives thanks for the many people who assisted him throughout his detention and trial. There were the lawyers that tried to help save his practice including Joel Joffe and liberal colleagues Jack Cooper, Ben Joseph, and Harry Schwartz. The last was de Klerk’s appointment as Ambassador to the United States in 1990. Kantor recalled thoughtful conversations with co-defendants Robert Hepple and Denis Goldberg as well as the strength of his wife Barbara. But, the deepest memories in terms of ‘allies’ are of Nelson Mandela and Kantor’s own mother. The culminating experience with Madiba came on the day de Wet ruled for Kantor’s release.

That morning, while waiting in the cell before the start of proceedings, Nelson and I had been walking up and down discussing my application. He was very confident that it would succeed, and suddenly stopped in his tracks and said impulsively, ‘Here, let’s exchange ties for luck.’

Mandela also recalled the moment:

But when he saw the wide, old-fashioned tie I gave him compared to the lovely, silk tie he gave me, he probably thought I was merely trying to improve my wardrobe. Jimmy was something of a clotheshorse, but he wore the tie to court and when Justice de Wet dismissed the charges against him, he lifted the tie up to me as a kind of salute and farewell.

Kantor also wrote of his mother:

I was constantly amazed at the way my mother behaved. She contrived to be always cheerful and full of hope, a remarkable feat for someone over sixty. In the past year there had been the death of my father, the almost fatal illness of a grandchild, Harold Wolpe's arrest, the arrest and release of my sister, and then my arrest. And yet she remained bright, full of confidence, and seemed younger than ever."

Two additional aspects of *A Healthy Grave* expose both the evil of apartheid and issues that are still evident today in terms of government, power, and citizenry.

Throughout the book we are presented portraits of the purveyors of apartheid. In addition, Kantor's internal deliberations on talking to the Special Branch, of ratting out other people, speak to the ethical/moral dilemma that existed at the time and remains today, not only in places like Palestine and Pakistan, but in South Africa and throughout the world. Descriptions of Special Branch detectives Swanpoel and Viktor, as well as Rivonia Trial prosecutor, Percy Yutar, appear in James Kantor's memoir. While both Swanpoel and Viktor are portrayed in other prison diaries, and a mini-biography of Yutar is included in Glenn Frankel's *Rivonia's Children*, Kantor provides insights into how the dispositions and actions of all three men are directly related to the immorality of apartheid. Almost everyone who has written of his or her arrest, interrogation, and imprisonment by the apartheid regime has mentioned Swanpoel. Descriptions by Kantor connect to the overt examples of Special Branch obscenity that other people have described.

He is about thirty-five years old, of medium height but so broad as to create an illusion of stockiness. He is already starting to turn fat. His fair crew-cut hair bristles up on the crown of his head above a thick neck and squashed-up red, pugilistic face. His most distinguishing features are tiny eyes... Over the years I had defended several cases in which he was the investigating officer, and almost without exception prisoners complained his violence. He boasted openly of having shot and killed several Africans resisting arrest.

Kantor's encounters with Viktor, a man who sparred with Ruth First during the latter stages of her imprisonment, exemplify the breadth of the apartheid ethos. There were two events and they both warrant full quotations. The first ensued when Viktor transported Kantor to the prison in Pretoria.

Once outside of Johannesburg, Viktor started talking. He spoke in English and, although he addressed his remarks to his companion, they were clearly meant for me. The topic he chose for discussion was 'The Jews', on which he now professed to have a vast and specialized knowledge. For instance, he knew for a fact and 'even the Bible made it clear' that there had never been any Jewish pioneers or explorers. Their cunning was always to wait until a country had been fully colonized and then to move in and take over its wealth by dishonest means. They were Communists and money-lenders, they were vermin, they should be exterminated and Hitler certainly knew what he was doing. His companion seemed embarrassed and looked straight ahead without making any comments. Finally, I broke into the monologue. 'You know, Vic, I've always known that you had no manners, but for the first time I realize that you are also stupid. You are making a bloody idiot of yourself which I find quite amusing.'

The second occurrence was similar although circumstances had changed in that it was very clear that it was only a matter of time before charges would be dismissed.

On this occasion Viktor had driven James Kantor to his home at the time, Marshall Square Prison in Johannesburg.

Once more making derogatory remarks about the Jews. He dealt with Jewish blood-sucking, Jewish business dishonesty, Jewish involvement in sabotage, adding that I should remember that the gallows were being oiled in preparation for me and my companions. I kept quiet until we arrived at Marshall Square. Once in the charge office, with all the staff within hearing distance, I said loudly, 'You can now listen to me, Viktor. You're an ignorant bastard and I've had just about enough of your stupid anti-Jewish statements and impertinent behavior. I intend making a full statement about this in Court tomorrow and I would now appreciate it if you would repeat what you said in the car, so that I have some more witnesses.'

Ironically, the third purveyor of apartheid whom Kantor described, the prosecutor, Percy Yutar, was Jewish. While Yutar has been thoroughly described by other writers, Kantor's portrait is interesting because he contrasts it with that of Heinrich de Villiers, who was a strident Nationalist Party member and judge. In his book *Rivonia*, de Villiers wrote: "Yutar has been the undoing of many a reluctant or truculent witness. One of the most respected and colourful in South Africa's administration of justice." To which Kantor said:

Yutar is a little tyrant filled with his own importance and a burning desire to become the first Jewish Attorney General ever appointed in South Africa. Of his Jewishness he makes no secret and professes to be devoutly religious. In fact he asked to be assigned to the Rivonia Trial in order to vindicate the Jewish community in South Africa and to prove 'that all Jews are not Communists'.

Finally, James Kantor was faced with an ethical dilemma as soon as he was arrested and throughout the time he was detained. Shortly after Harold Wolpe escaped from Marshall Square, Hilda Bernstein visited Kantor at his office and asked for help hiding the escapees. Kantor recalled the first interrogation and knew that if he implicated Bernstein or someone he does not name, Market Theatre impresario Barney Simon, he could have gone free.

The thought of going back into a cell was terrifying, and the alternative so simple. In fact I need mention only one name. But which one? Either way, it meant someone being arrested that very night and so I would simply be trading my freedom for that of another.

Kantor did ponder whether or not he was being irresponsible toward his family obligations. But at various times during interrogations he thought, "It was simply that if I exchanged my position with someone else, no matter who, I knew that I should regret it for the rest of my life." The Special Branch also attempted to get

Kantor to snitch on his fellow prisoners, Rusty Bernstein, Robert Hepple, and Denis Goldberg. Hilda Bernstein wrote about the issue in *The World That Was Ours*.

Jimmy knew Bob and Rusty very slightly, Denis not at all; none of them meant anything to him. He was opposed to their political views and activities. Yet again he refused to take the path of escape offered to him. The temptation must have been enormous... to save what was left he was asked to do quite a simple thing; to turn his back on these men who, after all, meant nothing at all to him. Yet he did not.

James Kantor did turn his back on the legal profession – an institution that he had total belief in but proved to him, in a very personal way, that it was a shameful sham in apartheid South Africa. Not long after released from prison, he decided that he could no longer live in South Africa. He moved to London with his family but he was a changed man. And in 1974, at the age of forty-seven, his life was cut short by a heart attack. In 1963, the apartheid regime was becoming increasingly vicious and their treatment of Kantor was a foreshadowing of the obscene treatment of other South Africans, activists and others, who were harassed, detained, and murdered by agents of the South African government. Innocent people were killed in Sharpeville and Soweto while young liberals, draft resisters and United Democratic Front activists met the same fate for over two decades after James Kantor was arrested and tried for being Harold Wolpe's brother-in-law. Besides being an important historical story – let us also view Kantor's story as a cautionary tale in South Africa and throughout the world.

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