

**FROM GQOGQORA
TO LIBERATION:
THE STRUGGLE WAS MY
LIFE**

**The Life Journey of
Zollie Malindi**

**Edited by
Theodore Combrinck & Philip Hirschsohn**

University of the Western Cape
in association with Diana Ferrus Publishers

IN THE SAME SERIES

**Married to the Struggle: 'Nanna' Liz
Abrahams Tells her Life Story**, edited
by Yusuf Patel and Philip Hirschsohn.
Published by the University of the Western
Cape.



Zollie Malindi defies his banning order in 1989

(Fruits of Defiance, B. Tilley & O. Schmitz 1990)

First published in 2006 by
University of the Western Cape
Modderdam Road
Bellville 7535
South Africa

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Front and back cover illustrations by Theodore Combrinck.

ISBN 0-620-36478-5

Editors: Theodore Combrinck and Philip Hirschsohn

This book is available from the South African history online website:
www.sahistory.org.za

Printed and bound by Printwize, Bellville

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ACKNOWLEDGEMENTS

Special thanks to Graham Goddard, of the Robben Island Museum's Mayibuye Archive located at the University of the Western Cape, for locating photographic and video material.

Kate Allan, Coordinator of the Freedom of Information Programme, South African History Archive, University of the Witwatersrand for securing a copy of Zollie Mallindi's files from the Departments of Justice and Correctional Services.

Ineke Van Kessel, author of *The United Democratic Front and the Transformation of South Africa* (University of Virginia Press, 2000), for providing a copy of her detailed notes from her 1991 interview with Zollie Malindi.

Mandi Hendricks, Benefits Services Team Leader –Retirement at Woolworths, who tracked down David Susman and Geof Sonnenberg who had employed Zollie after his third banning order deprived him of his job as a taxi driver.

PREFACE

Zolile Malindi, better known as ‘Zollie’, was a prominent but unheralded leader of the struggle for labour and political rights in the Western Cape. His uninterrupted innings as a grassroots activist stretched from the late 1940s to the early 1990s. It is thus a great privilege to be able to publish his life story to coincide with his 82nd birthday. In a small way, this publication acknowledges and documents his unwavering dedication to the struggle for democracy in South Africa.

This life story is part of a larger research project on the life stories of trade union activists from the Western Cape, prompted by a fascinating book titled *Rank-and-File: Personal Histories by Working-Class Organizers* edited by Alice and Staughton Lynd (Monthly Review Press, 1988). They argue that the life stories of rank-and-file activists enable us to bypass the traditional approach to history where grassroots activists experience and create history while academics document their experience, and then interpret their story for them and society.

Prompted by the paucity of local stories about grassroots union activists, this project was initiated in 1999 as a research assignment for industrial relations students enrolled for graduate management degrees at the University of the Western Cape. Theodore Combrinck was one of many UWC students who had participated in the democratic struggle and identified closely with the need to document the contribution of unheralded participants who had made enormous sacrifices for the betterment of society.

Autobiographies of labour and political activists are initiated by people who wish to tell their stories. As oral history is typically initiated by the researcher, the academic lens and personal perspectives of the interviewers and editors have not only facilitated, but also influenced how this life story is related. Because of his humility, Zollie Malindi would have preferred that we did not highlight his contribution by publishing this story, but we remain convinced that it be told.

Mr Malindi was identified after he received the Disa award from the premier of the Western Cape for his contribution to the struggle for democracy and labour rights. His citation highlighted his involvement in the Garage Worker's Union. He was chosen because we sought to document the story of someone who had been active in the labour movement in the Western Cape during the 1950s and 1960s. His story turned out to be somewhat different to what we initially had in mind.

Mr Malindi's active involvement spanned a longer period than anticipated. His story is spread across the most interesting epochs of South Africa's history of struggle for democracy and the emancipation of the working class. His organizing work in the Garage Worker's Union occupied a relatively short period in a lifetime of political activism as a loyal card-carrying member of the ANC and SACP for almost sixty years.

Mr Malindi was Regional President of the ANC from 1959 until its unbanning in 1990. He witnessed the banning of the ANC and the SACP, and was detained for the first time in 1960 during the state of emergency. He met with Nelson Mandela when Umkhonto we Sizwe was launched in the Western Cape. He continued to be active in the ANC's underground and exiled structures, despite being jailed, banned

and tortured for his political beliefs and activism. In the 1980s he returned to prominence, despite being a pensioner and a chronic diabetic, when he was elected as the president of the United Democratic Front in the Western Cape. During this period he was detained with Trevor Manuel, now the Minister of Finance, who reflects poignantly on ‘Tata’ Malindi in the foreword.

We were fortunate to conduct several interviews with Zollie Malindi and his wife Lettie as they jointly narrated his life story. Much of the richness of this story can be attributed to Lettie’s assistance and extraordinary memory, although we have presented it as Zollie’s own. Due to recent ill-health and extensive torture while in detention, his ability to communicate clearly proved difficult at times. However, in subsequent interviews he was lucid and could recall dates, anecdotes, names and events more easily. He maintained an almost regal air of dignity throughout the interviews and always sought to downplay his contribution, despite his prominent role in Cape Town politics from the 1950s to the early 1990s.

The Malindis’ oral testimony has been supplemented by access to Mr Malindi’s Department of Justice files. They provide an interesting perspective into how the security apparatus meticulously documented and sought to control the lives of ordinary activists who were engaged in challenging the Apartheid state. This story serves to remind us of the grit, determination and personal sacrifice of the Malindis and thousands of others who put their lives on the line to bring democracy and freedom to South Africa.

Philip Hirschsohn and Theodore Combrinck
Cape Town
April 2006

FOREWORD

I want to thank the authors for capturing the story of Zollie Malindi's life. This short, powerful story is one that should be read and understood for it is the story of a life of principle and determination. The period during which Bungane was employed as a teacher was relatively short – but he lives as a lifelong teacher.

From him I learnt so much of what is good in the African National Congress and the struggle. The first lesson was discipline – in punctuality, persuasiveness, his bearing as a person and even in his diet, to hold the diabetes at bay. The second lesson I learnt from him was integrity – this is the best of the value system that defined his lifelong commitment – a life of service, and not in pursuit of positions or personal wealth. The third lesson was comradeship, understanding that in struggle your comrades had to entrust their lives into your hands, and you had to be equal to the task. The fourth lesson was that there was no task too menial – even as a grandfather, Tata Malindi was prepared to pamphleteer door-to-door and take his share of driving on the long road. The fifth lesson was the ability to be calm, to consider the options and, once a decision was taken, to resolutely support it – this attribute served us so well, especially during the long periods of detention. The sixth lesson I learnt, and one that Bungane relates as a caution is that non-racialism is a principle, not a disposable tactic.

Despite the huge age difference between Tata Malindi and those of my generation, he did not ever make us feel

inadequate. His approach was always to try and draw the best from us. His ‘teachings’ were by example rather than by lecturing.

I want to share the other side of a story he tells in the book. We were detained together in 1988 for the organisation of an anti-apartheid conference for the Mass Democratic Movement. After we had been in detention for about six months, we heard that Archbishop Tutu had started negotiating for the release of some long-term detainees and that the first releases were imminent. We discussed this matter as we walked around the courtyard at Pollsmoor Prison repeatedly. Zollie Malindi said, “If I had a choice in the matter, I would argue for the release of Comrade Trevor – he is younger, his son is still very young, but he is also stronger and can advance the work again on his release.” Later that day, we were indeed informed that I was to be released. I felt absolutely terrible about having to leave prison, leaving some of our older and highly respected cadres behind. But, Tata Malindi was ecstatic about my release.

This quality of selflessness confirmed for me then, as it still does now, what a very special person Zollie Malindi has been throughout his life. His is a story that must be told so that all should hear. Thank you, Theo and Philip for having done that.

Trevor Manuel
Pretoria
May 2006

1

FROM A VILLAGE NEAR TSOMO

**“my mother struggled to get me
an education”**

I was born in 1924 in Gqogqora, a village near Tsomo in the Transkei. My family belonged to the Fingo tribe which was headed by Chief Nkwenkwezi. I had two older brothers, Thozamile and Lizo, a younger brother Konana and the youngest was my sister Tandiwe. We lived 14 miles from the nearest town, so we seldom visited there. We were a close family and my parents were together until my father died in 1934 when I was only ten years old. From then my mother was responsible for my upbringing until she died in 1943.

By the time I was growing up my father wasn't working anymore because he was a sickly man and was on medication. He had been a labourer in the gold mining industry. I think he had TB, but at the time there was no cure for TB in the countryside. He was a peasant looking after his stock - cattle, and sheep - and tilling the land. My mother helped him. He was quite a kind man and he taught us how to till the land and look after the stock. He was not active in politics and never talked about his political beliefs, but was quite active in community affairs. He didn't really influence my own development in

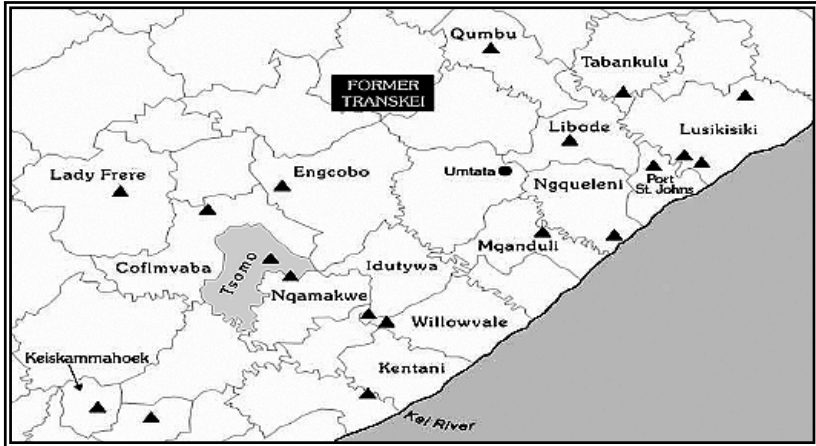
politics because I got involved in politics long after he had passed away.

When we were very young both my parents were quite religious and active in church. My father was an Elder of the Bantu Presbyterian Church to which my family belonged. My mother was also quite a religious person and my father always encouraged her in her church work. The church for our denomination was quite a distance from us so we only went to that church sometimes. Normally, we attended the Wesleyan Church near our home.

Our family struggled to make ends meet because my father wasn't working anymore. My mother was struggling to bring us up but we never went hungry, there was always food in my father's place. We didn't get help from the other people in our community but my father and mother gave help to the community if they asked for help. My parents were rural people, but when I grew up I became a worker. The other people where I grew up were from the peasant class who produced their own means of living. They cultivated their crops themselves and lived from the land.

My mother was a housewife who never went out to work. When I think about my mother, I am reminded of how she struggled to get me an education. This was an important way of remembering her. I started my schooling in Gqogqora and persisted even though it was difficult for me and other young boys to attend school. One day I herded the stock while my brother Lizo went to school and the next day I would go to school and he would herd the stock. When I finished primary school in our local school, which only went as far as standard five, my mother found accommodation for me at a mission school in Tsomo District where I attended standard six in 1939.

She got me the education I wanted, even though she had no means to do so.



Magisterial districts of the former Transkei

At the mission school I lived in a private home. The teachers in the Transkei and the protectorates spoke English, and were mostly missionaries, who came from abroad to teach. However most of our teachers were local. After standard six I chose to become a teacher because there were very few opportunities to do anything else at the time other than agriculture. I enrolled at a teacher's training college, St John's College in Umtata, where I completed the Native Primary Lower Teaching Diploma in 1943.

Segregation was always there, but it was only made legal when the National Party took over power in 1948 and formal Apartheid laws were passed. In education, there were subjects that were not taught. For instance we were not taught maths and science. Even in college, maths and science were done orally. In the schools where we grew up there were no laboratories where you could practice what you were taught.

I always had a keen interest in the Transkei political situation. Although many people at the college were sons of chiefs and became active in Transkei bantustan politics, the others did not become politically active in the struggle.

I first became aware of Apartheid when I finished school and had to leave the area where I grew up to look for work. I left school in December '43 after I had finished my Primary Teacher training. At that time, all schools were church schools but I couldn't get an appointment to teach. In the rural areas it was difficult for me to get a teaching post because I had no parents who had contacts in the church schools. That's why I left the Transkei.



**“Dig the hole here, plant the pole and put up the signboard.
Then I’ll have another job for you.”**

(David Marais, 1963, *Out of This World: A New Collection of Cartoons*)

2

MY STRUGGLE WITH EMPLOYMENT

**“as an African you couldn’t get a
decent job in Cape Town”**

During January 1944 I arrived in Cape Town by train to look for work. I had some friends in Cape Town and decided to look for Greenwood Ngotyana who was from the same area as me and had moved to Cape Town. I first tried to study privately in 1944 but gave up in order to find work. But I soon learned that this was almost impossible for black people in Cape Town.

When I first came to Cape Town I lived in the main barracks at Langa in a hostel for migrants. We were 20 or 30 people living in one room. I found it so terrible that I only stayed for one month. I contacted Greenwood, who was staying in Athlone, and went to stay with him in a private house.

Apartheid, when I became aware of it, was horrific, because you could hardly get employment. When the Nationalist Party came to power, and even when I started work, before Apartheid time, as an African you couldn’t get a decent job in Cape Town. When you went out to look for a job, you would have to go the Labour Department and they preferred to give work to a coloured person, as Cape Town was classed as a Coloured labour preference area. After you found a job you

had to go to the Native Administration office in Langa. They issued you a 'pink paper' which gave you permission to work.

I started my first job in 1944 as a cleaner in a bioscope in Rosebank called the Savoy Theatre. My friend, Greenwood, got me that job as he was already working there as a cleaner. When the session ended we would clean the theatre. I got paid three pounds a week. It was not a fair wage but there was little that I could do. We had a foreman who monitored us. We were not happy with our working conditions but there was nothing like a trade union at that point. We tried to challenge the employer on the salary, but to no effect. We would be expelled just like that because there was no representative to talk on our behalf.

I did not remain at the Savoy for more than a year because I found a better paying job at Baumann's Selected Products in the baking department through one of my friends who was working there. That was almost at the end of the second world war. At Baumans, the foreman, a Mr Gerber, instructed us to train a Mr Pope on the baking machine. Mr Pope had been transferred from the biscuit department to baking. So we taught him. We had no choice; there was no arguing with the foreman. Gerber was a religious man and you just did what he said. There was no alternative; we were not allowed to belong to trade unions then. The worker never challenged management about the working conditions as a group in a united form.

We didn't work on Saturdays but worked on Sundays for the bread that went out on Mondays. I left that job because I didn't agree with my foreman, the religious one. Mr Gerber asked me if I was a churchgoer and I told him, "Yes, I went to church, but I left before the service was over because a white man was preaching". He took exception to that and then asked

me, if I had owned the factory, who would I have appointed as foreman? I replied certainly not someone like Pope who we had to show the ropes of baking bread only to have him appointed over us because he was white.

I left towards the end of the year because one of my jobs was cleaning the oven and it was dangerous. As I would sometimes come into contact with live electrical wires, I was scared that I would get shocked. I thought to myself, one day I'll be shocked to death with this wire. As a result I gave notice and left that job.

I then worked in St James at The Breakers private hotel, managed by the owner and his wife. I started as a scullery boy, later becoming a houseboy/waiter. When the room was empty, we had to clean it and prepare it for the next guest. While I was cleaning Mrs Bosman came to oversee me. I was kneeling, polishing the floor, when she came in and said that I should use my hand and not the cloth. I was furious and went off to the servant's quarters up the mountain to pack my bags. The boss sent out a worker to call me. I went down to the office. The boss asked me to ignore his wife's "eccentricity", and said that I should not leave. I said, "Look my things are packed already, I'm going". When I came back he had everything ready with my reference book and I left the job.

My next job was at a garage near the Wynberg Magistrate's Court where Greenwood also worked. After working there for about three or four months I had an argument with the owner. The owner wanted me to cut some bush that was growing behind the garage and I did not like it. So I went from the bush with the cutter to his office. I told my employer, "look you do not employ me to cut bushes here. You employed me to serve petrol in the driveway". So with the panga in my hand I said, "give my money now. I'm going". He screamed.



Greenwood Ngotyana

(Ken Luckhart and Brenda Hall, *Organise or Starve*)

We were in the office and Greenwood¹ came to see why there was a commotion and spoke to me. The boss said I must go and think things over. I went around the corner and came back to fetch my money. Now I was sorry, because I was very cross when I had spoken to him and I even wanted to cut him with the panga. That was the end of that work experience! That was in 1945. While I was working there wasn't really a union in the garage sector. At that time, Africans were not allowed to join trade unions, although these were not prohibited.

¹ Ngotyana later became secretary of the railway and harbour workers' union, a member of the Western Cape ANC provincial executive, and an important organiser for the Congress of the People. Banned from 1955, he was endorsed out of Cape Town after his release from the Treason Trial in late 1957 and was eventually restricted to the Tsomo area of the Transkei. (<http://www.sahistory.org.za/pages/people/ngotyana,g.htm>)

Later I worked as a cleaner in Woodstock, in a hairdressing salon. After the hairdresser I got a better job at the Co-op, like a supermarket, in Pinelands. There were no shops as there are now and Pinelands was still semi – rural then. I did grocery deliveries on a horse cart but I wasn't allowed to collect monies, as customers would pay by account at the end of the month.

In the first few years I had changed jobs many times and often stayed only three or four months because I really didn't like unskilled work - it was just a waste of a person's brain because I was a qualified teacher. Then I settled down. For more than a decade I worked as a pump attendant at Webner's Garage in Klipfontein Road near where the bus terminus is. The conditions there were better than other places that I had worked at.

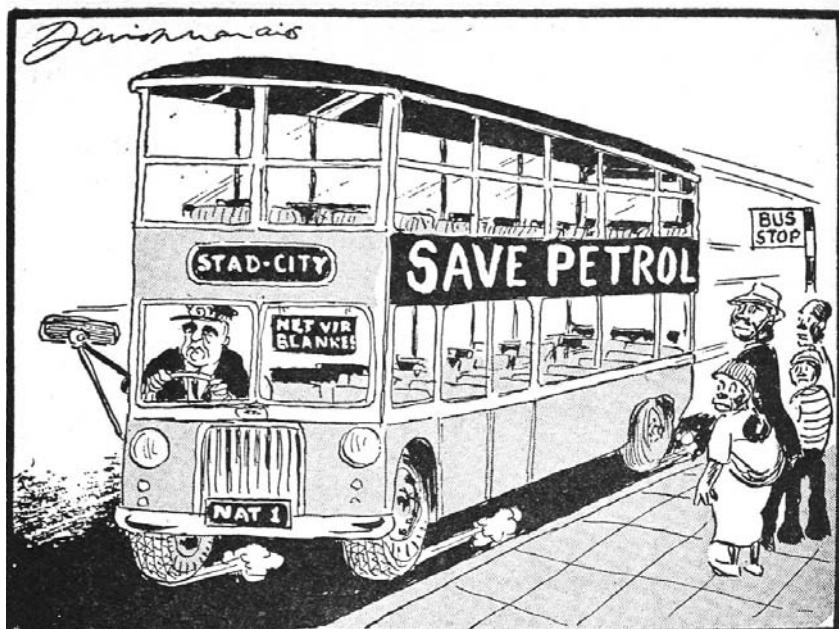
I got married by Christian rights to Lettie Mathebe in 1952. Her parents were originally from the Ciskei but she was born on a farm in Firgrove, near Stellenbosch. Our eldest Nonkululeko (Virginia) was born in 1952 while I was still at Webner's and then my son, Bonisile, was born in 1957 while we lived in Rylands. He is in business now. I was still working there when my late son Skumbuzo (Brian) was born. He became a teacher but passed away in 1999. Our youngest Thembeke (Zoë) was born in 1960.

Up until 1960 Africans were living all over the Cape Town area. But then everybody had to move, and if you owned property you had to sell.² We were living in Athlone with eleven other families in a big building in Thornton Road. When the building was sold we had to move to Rylands which was a

² Notes from Ineke Van Kessel's interview with Zollie Malindi, 21 October 1991.

rural area in those days. There was no water, no toilet and it was unhygienic for us so Lettie's uncle got us a place to move back to Athlone near to the Roman Catholic School. Later we settled in Guguletu, a township which was established in 1960 after the Group Areas Act was implemented.

I left Webner's after the garage moved and started a new job in Sea Point at Terminus Garage, which eventually changed names and was called Terminus Taxis. First I was a pump attendant but later I became a taxi driver. One of the strange ironies about those times was that buses were segregated but we drove passengers of all races despite the segregation laws.



(David Marais, 1974, *This is a Hi-jack*)

My employer was a Mr Berger. He knew about my political work all along and was sympathetic. In a way I knew he liked me. I never used my taxi for political work. I had to be careful because the taxi did not belong to me. It would inconvenience my political activity if ever I were caught out. So, my strategy was to keep my job and my political activities separate. My employer then never had a problem with my work.

When I left my work after hours my life's real work started. I was very busy and attended many mass meetings as well as committee meetings. As a result of my activist work I was banned and detained at work several times. I was forced to attend my various trials. I attended other people's trials but somehow Mr Berger always took me back. I think he knew that white people had money and always needed to get somewhere so he never worried about who was driving the taxi.

3

POLITICS IN CAPE TOWN

“I was the only one who got the Freedom Charter in Xhosa”

I first got involved in politics in the ANC and the Communist Party when I attended meetings at the Grand Parade from the mid 1940s. I particularly liked to listen to Joseph Morolong, a member of the Cape Town branch of the ANC. These were formal and regular meetings in the open air on the parade. One Sunday meeting was for the Communist Party and the next Sunday was an ANC meeting. They also held lunch hour meetings. The organisations operated separately but at times we were all in one place. Many Communist Party members were also members of the ANC, but not all ANC members were members of the Communist Party.

The police used to come and check out what was going on and the special branch would write down the speeches of the people. They did not interrupt the meetings but they intimidated people by their presence.

In 1946 I joined the Woodstock branch of the Communist Party and a few years later I joined the ANC. I helped to establish an SACP branch in Athlone and was elected secretary of the Athlone branches of both the ANC and the SACP. While we organised Africans in the ANC, the South African Coloured People's Congress was started by coloured

people in the 1950's to raise their awareness of the struggle on different terrains. After the Communist Party was banned in 1950 many of its white members got together and formed the Congress of Democrats. I regularly participated in the debates at the meetings of both organisations and sometimes I was used as a translator. I became more active within the ANC after the Communist Party was banned and all our energies were thrown into the ANC.

Before the Congress of the People at Kliptown in 1955, the ANC organised many meetings in Cape Town to collect the demands from the people to be included in the Freedom Charter. I spoke at many meetings to raise awareness of the Freedom Charter. We in the ANC wanted all the people of South Africa to join the struggle against oppression and exploitation. The drawing up of the Freedom Charter happened after work. We used to knock on people's doors and ask for ideas, "what do black people want?"

This led to the gathering at Kliptown. It was a huge gathering. We travelled to Kliptown by bus and there were many roadblocks along the way but we managed to avoid the police. There was a huge open space that is developed now. On the last day of the gathering the police surrounded the whole square which was a very big place. There were mounted police, foot police and the security police. It was spectacular, because we couldn't get out anywhere except at the point where they would let people get out. They made thousands of people take off their shoes. Everyone was searched.

The security police demanded that we hand over all the documents in our possession and they searched everyone. I managed to bend down and even though they were on horseback they could not see everybody. In the rush I managed to put a Xhosa version of the Freedom Charter into my sock. I

hid it under my foot but the police didn't find it because they only made me empty my pockets and take off my shoes. I was the only one who got the interpretation of the Freedom Charter in Xhosa³. I came back to Cape Town with the Freedom Charter. Then a request came from headquarters if anybody had an official Xhosa version of the Freedom Charter and I



ANC Newclare delegates to Congress of the People, Kliptown, demonstrate the demands of the Freedom Charter.

(Courtesy UWC Robben Island Museum, Mayibuye Collection)

³ Mr Malindi recounted this story at a commemoration of the 50th Anniversary of the Freedom Charter on Robben Island (“Leeders herdenk manifes op eiland” 25/06/2005 Die Burger).

submitted it. At the national office it was translated into other languages and distributed throughout the country.

The first time I attended a national conference of the ANC was the 43rd conference in Bloemfontein in December 1955. The next year I went to the annual ANC Conference in Queenstown as a representative of the Western Cape. It is here that the decision was taken to intensify the campaign against the pass system. Delegates were given a brief to build this campaign on the ground. When I addressed the conference, I explained that “You may cut the branches of a tree but the trunks will produce other branches.... When we fight passes we should first throw away our passes and then fight the passes of women.”⁴

We continued the campaign against the pass laws when we came back and I addressed a meeting in Athlone, stating that “the pass system is a curse in this country and the system stinks in the civilised world”⁵. At a meeting in Cape Town, I warned the government that they were playing with fire: “Fire is a good servant but a very bad master. The Freedom Charter says that all the people of this country should govern it. We want to be in parliament to make the laws for all the people in this country.”

The late fifties also saw the intensification of the struggle against the pass system. Women were very active in this campaign. They held many protests and drew in many organisations to spread the message throughout the Western

⁴ 15-17 December 1956. Quotation extracted from secret SA Police Memorandum dated 30 May 1961.

⁵ 6 March 1957. Quotation extracted from secret SA Police Memorandum dated 30 May 1961.

Cape. I participated in some of their protests⁶, addressed meetings of the ANC Women's League and sometimes acted as a translator for various speakers.

I was elected to the ANC's Regional Executive Committee at the conference held in Paarl in August of 1958 and in January the next year I was elected as President of the ANC in the Western Cape region. The executive included Bernard Huna, Simon Makgeta, Thomas Ngwenya and Joe Morolong. In the beginning of 1959 we launched the Cape Western Consultative Committee which organised protests across the province to urge government to drop the treason charges and end the treason trial against our leaders. This committee was made up of the ANC, the SACP, SACTU and the Congress of Democrats.

In February 1959 I went to prison for the first time. I was sentenced to one pound or seven days in jail by the magistrate of Wynberg for participating in an illegal gathering.⁷ I also attended informal political workshops that were organised by Brian Bunting, Reg September and Lionel Forman.

In April I led a delegation to Cape Town station to welcome Chief Albert Luthuli, President of the ANC, who had travelled to Cape Town from Durban. I was accompanied by Alex La Guma and many others, including Amy Rietstein (now Thornton), and Dennis Goldberg There was a party at Hymie

⁶ On 13 June 1957 security police records report that he participated in a protest in Cape Town with Liz Abrahams, K. Hess and N. Molowa (SA Police Memorandum dated 30 May 1961)

⁷ According to SA Police Memorandum dated 30 May 1961, those convicted included Annie Silinga, Girlie Qualinga, F. Mamfanya and E. Pharela.

⁸ Many of Cape Town's most prominent communists, including Ray Alexander, Sam Kahn, Fred Carneson and Amy Rietstein, were there. ©*pcit*



Zollie Malindi meets ANC President Chief Albert Luthuli on his arrival at Cape Town Station from Durban, April 1959.
(Courtesy UWC Robben Island Museum, Mayibuye Collection)



Alex La Guma of the South African Coloured People's Organisation, Chief Albert Luthuli and Zollie Malindi, Grand Parade, Cape Town, April 1959.
(Courtesy UWC Robben Island Museum, Mayibuye Collection)

Bernadt's home to welcome Chief Luthuli.⁸

A few days later I shared the platform with Chief Luthuli at a meeting of the Congress of Democrats, held in the Rondebosch Town Hall. I translated Chief Luthuli's speech into Xhosa so that everyone in the multi-racial audience, including the 'milkboys' who worked in the area, could understand. The police tried to disrupt the meeting with teargas but we threw the canisters out and went on with our business. We also had a private meeting where Chief Luthuli briefed the Cape Western Consultative Committee on the consumer boycott and the burning of passes. Just a few months after his visit Chief Luthuli was banned, and Mr Lee-Warden, the 'Native Representative' in parliament, and I were the main speakers at a protest meeting organised by the Congress of Democrats (see notice published in *Contact*, 2(12), 6 June 1959).



Annie Silinga, Alex La Guma, Oscar Mpetha, Chief Albert Luthuli and Zoli Malindi, Rondebosch Town Hall, April 1959.

(Courtesy UWC Robben Island Museum, Mayibuye Collection)

**PUBLIC
MEETING**
**Protest against ban on
Chief Lutuli**
also
Farm Labour Scandal
Guest Speakers:
MR. L. LEE-WARDEN,
M.P.
MR. Z. MALINDI
THURSDAY, JUNE 18
at 8.15 p.m.
In the Robing Room
CITY HALL
Cape Town
Issued by the Congress
of Democrats
Box 4552
Cape Town

The pass was the enemy of African people and the ANC declared war on passes in 1959. The decade ended with the intensification of the anti-pass campaign and I addressed many ANC meetings on this issue throughout Cape Town, in places like Kensington, Athlone, Langa, Windemere, and on the Grand Parade. We also held public meetings with our Congress allies, the ANC Womens' League, the Congress of Democrats, the

SA Coloured Peoples Congress, and the Cape Association to Abolish Passes for African Women.

In the late 1950s I was also involved in various civic organisations such as the Vigilants Organisation. Even though the leadership was drawn from the ANC the civics attracted people who didn't want to join a political organisation like the ANC.

These activities continued until I was detained for the first time when the government declared the first state of emergency in March 1960. I was one of many leaders detained when the Apartheid government banned the ANC and PAC and arrested many of our leaders. I was still the elected President of the ANC in the Western Cape when the ANC was banned in 1960 so I continued to hold the position for another thirty years until the ANC was unbanned in 1990.

4

INVOLVEMENT IN UNIONS

**“building unity between the
coloured and African working class”**

I became politically aware of trade unions through the Communist Party, a working class party, and through other leaders of the ANC and also leaders in the trade union movement. People like Lukas Phillips and Oscar Mpeta, a member of Food and Canning Worker’s Union, were organising trade unions.

When I first got involved in unions, I was working as a cleaner for a hairdresser in Woodstock. I was becoming more aware of the plight of workers and members of the ANC were encouraged to join unions. I joined the National Union of Distributive Workers, which was organised by Joe Morolong. It was a mixed union with Africans, coloureds and whites, although Africans were not officially recognised due to apartheid laws dividing people according to race. There were a number of shop stewards who were union members. For instance, there were normally four from the OK Bazaars and bigger shops that employed union members.

Most of the coloured and white members were quite aware of the importance of unions and how they could be used for fighting for rights, wages and conditions of work. I was interested because I was politically aware but seldom expressed

my views on any of these issues. At the time there was no direct link between the commercial worker's union and the political struggle against Apartheid, because the National Party broke up the unions into racial groups. It was not easy to organise strikes, except when it was politically linked to a nationalist protest.

At the time of the formation of the South African Congress of Trade Unions¹⁰ (SACTU) in 1955 I was very active in the ANC and the Communist Party. They played a part in bringing SACTU into being because most SACTU members were either members of the ANC or the SACP. Bringing SACTU into being contributed to making the workers know about their political rights. I was not involved in the formation of SACTU but I participated in some of their early meetings, acting as interpreter for a number of speakers including Elizabeth Mafekeng who was President of the African Food and Canning Workers' Union¹¹.

In much of my political involvement at the time I was interested in building unity between the coloured and African working class. As part of SACTU's 'pound a day' campaign there was an important strike when African and coloured workers stood together against management at the Spekenam meat factory. As secretary of the ANC in Cape Town, I led a delegation from across the Congress movement that put pressure on management to meet the workers' demands¹². When I chaired a meeting of the "pound a day" campaign I

¹⁰ SACTU was an ANC-aligned federation of non-racial unions that broke away from the Trades and Labour Council, which represented the majority of unions at the time.

¹¹ 4 March 1956

¹² "History Repeats Itself" Grassroots, 8(7), September 1987.

warned Verwoerd and Strijdom that “if they stand in the way of freedom they will be trampled by the Congress Movement”.¹³

We also mobilised awareness of labour rights across the Congress Alliance. At a meeting of the South African Coloured People’s Organisation on the Native Settlement of Disputes Act, I encouraged coloured workers to “join hands with the African workers, form trade unions, organise those workers who are not organised and form one strong trade union movement under this Congress of South African Trade Unions.”¹⁴

My first contact with the Garage Workers Union was late 1958, early 1959, when I was Secretary of the ANC and the Communist Party in Athlone. Communist Party members like Fred Carneson were very influential in my activities with trade unions and actively organising the workers. At the time I was helping Fred Carneson organise for the Communist Party. Bernard Huna also helped to organise the garage workers and was also active in the Communist Party. I was instrumental in forming the Garage Worker’s Union but then the first State of Emergency was declared in 1960. Most of our founding members were detained and after the emergency we never really came up to being what we were before the emergency.

Before organising the Garage Workers Union, we went around to the garages and held meetings with the pump

¹³ 16 March 1958. Quotation extracted from secret SA Police Memorandum dated 30 May 1961.

¹⁴ The interesting use of language highlights the common heritage of SACTU and COSATU. Meeting held on 27 October 1957. Quotation extracted from Secret Report dated 21 September 1961, attached to a letter dated 7 October 1961 from the Minister of Police to the Minister of Justice recommending that a banning order be imposed on Mr Malindi.

attendants and those who worked in the workshops. Most of the active union members in the garages were members of the Communist Party. The Garage Workers Union had no full-time officials and I became active as a Volunteer Organiser through the Communist Party.

We had not come to that stage of having shop stewards but workers had a good idea of our goals as we spoke to them in the driveways of the garages. During the day we did this, issuing leaflets and inviting them to meetings. Management was unaware that we were recruiting and organising. We met in the Anglican Church or in the cathedral hall. I mainly organised workers in the centre of Cape Town – Farber’s Garage in Dock Road and many other small garages in town. When it really started going, before the state of emergency, there were about 200 or so members, though we never went on strike ourselves.

Together with the recognised union in the motor industry we managed to organise meetings with the garage employers. At that time service stations didn’t have rooms where workers could sit at work; they just sat against pumps and we thought that there should be shelters for the service station workers. From then on garages were built with shelters for the Service Station staff, as you see today. Almost all garages have got shelters for their workers, which was not the case then.

5

UNDERGROUND POLITICS

“we worked according to the Mandela plan”

After the State of Emergency was declared on the 30th of March 1960 things changed very much. The Emergency and the political developments that took place hardened my feelings towards Apartheid. During that period after the Emergency I remained an active card carrying member of the Communist Party and still am a member of the SACP and the ANC today. I was a group secretary of the SACP at the time. Detention and being banned hardened my feelings about Apartheid.

After the banning of the ANC most activists as well as meetings were banned. It was then left up to the ANC Women's League to organise all the protests for the ANC. My wife Lettie was also involved as an executive member of the Athlone branch of the ANC Women's League. I was detained with ten or eleven others on the 30th March 1960, the day the State of Emergency was declared.

In fact, my wife and I were both detained in 1960. We knew the police were looking for ANC people so my children went to her mother and she closed our house. In a few days everybody who was associated with the ANC was arrested. Those who remained were not so strong. My wife went into

hiding because the security police were after her. She had to hide because she had been arrested before. She was very strong and had no time for the 'boere'.

She was working for the Black Sash (see box)¹⁵ and had to see to it that the families of those who were arrested kept their spirits up. If they had no food and were outside on the streets they would sell us out to the police. So she went to their houses in the darkest of night and had to sleep during the day. Welfare knows no organisation so she supported the families of all detainees, including those who were from PAC, from as far away as Ashton, Worcester, Paarl and Stellenbosch.

Mrs. Malindi

No account of the Advice Office can be given without paying a tribute to Mrs. Malindi, the Black Sash paid interpreter, who has worked there since its inception. Blessed with an invigorating command of English, indomitable courage, a deep and possibly unique knowledge of the Bantu Urban Areas Act, an active and serpentine brain, and an unconquerable sense of humour, Mrs. Malindi has guided, advised and helped every one of the workers of the office.

I was detained for more than three months. Those detained with me included Thomas Ngwenya and Johnson Ngwevela. We were first held in Wynberg, then taken to Roeland Street Prison in central Cape Town. We were later taken to Worcester Prison because there were too many prisoners at Roeland Street. My wife was detained on the 4th of June when she visited me at Worcester Prison. She was held at

¹⁵ Barbara Wilks (1963) "The land my land: the work of the Athlone Advice Office" Black Sash, 6(2)

the Bindon prison farm in Simondium near Franschhoek. We were both released on the same day and the policemen took us home with their vans.

Although the ANC was banned some of the other alliance organisations like the Coloured Peoples Congress (CPC) and the Congress of Democrats (COD) continued to hold meetings. I did not stop my political work and addressed a very large meeting of the Liberal Party on the Grand Parade where I stated that the Africans believed that freedom could still be won by peaceful means. But I also defended the right of our people to defend themselves and fight their way to freedom if the government kept people back by force.¹⁶



“I’ll compromise. I’ll offer you One Man, One Goat”
(David Marais, 1963, *Out of This World: A New Collection of Cartoons*)

¹⁶ 16 April 1961. Secret Security Police Report dated 21 September 1961.

In March 1961 the All-in-Convention was held in Pietermaritzburg where the delegates called on the Government to convene another convention, this time representing all the people of South Africa. When I addressed meetings of the Liberal Party and the South African Coloured People's Organisation soon afterwards, I stressed that the convention really marked a turning point in the struggle for freedom in South Africa in that it demanded a sovereign national convention representative of all race groups to decide on the future of our common mother-country. The coloured people were just as oppressed as the African people and the Maritzburg conference resolved that white people could not decide on the future of this country alone. What we really wanted in South Africa was a people's republic. There was much to do other than speaking. The time for speaking was past. The time had come for action. I called on audiences not to relax but to get up and fight for freedom because the whole world was on our side. Only then could freedom be in our hands.¹⁷

After the banning of the ANC we had to organise the Regional Executive Committee in the Western Cape underground. The members included the late Njamela and many trade union organisers: Archie Sibeko of the Railway & Harbour Workers Union, Bernard Huna also from the Garage and Motor Industry Workers Union, Simon Makgeta who organised dockworkers, and Solwandle Looksmart Ngudle, an organiser of commercial and distributive workers, who was killed in detention.¹⁸

¹⁷ 11 June 1961 Quotation from address to SACPO extracted from secret Security Police Report dated 21 September 1961,

¹⁸ According to Archie Sibeko's autobiography (Freedom in Our Lifetime) the committee operated under great security and its composition was kept

While we were operating underground at different places and at different times we worked according to the Mandela plan. We would receive a message that you had to be at a particular checkpoint at a particular time. At five o' clock we would meet at the checkpoint. If you were not there at the appointed time, then you were out, because you would not then know the venue of the meeting. Then if you were arrested by the security police, because you did not know where the meeting was held, the others who were on time would not be arrested at the venue of the meeting. Only the high command knew where meetings would be held, so if you got there at five past five, everybody was gone and you could then go home and sleep.

Umkonto We Sizwe (MK) was formed in 1961. Mandela was already banned by then. The security police were looking for him. I was one of the people that formed MK in the Western Cape. Mandela came down here and made contact in 1961 and convened a secret meeting in Athlone attended by representatives from the ANC, CPC and the COD about the establishment of MK which would be the military wing of the ANC. I was not deeply involved with Umkonto activities but just with the initial decision making as I was regional ANC president responsible for the Western Cape. We were not to know the members and functions of MK. Dennis Goldberg¹⁹

secret. Other members included Chris (then known as Martin) Hani, Bernard Huna, Elijah Loza, Looksmart Ngudle and Sidney (Zola) Skweyiya.

¹⁹ In "Impressions and Memories of Communism in South Africa" (African Communist, No 157 2nd quarter 2001), Denis Goldberg highlights working with comrades like Archie Sibeko, Looksmart Ngudle, Zollie Malindi and Bernard Huna in the Western Cape.

did the training as well as the choice of districts and how they were going to work.

These were exciting as well as scary times; times during which my anger at the regime drove my political work even harder. I saw the desperation of my people and knew that the only way out was to get them organised. This organisation I knew had to be driven by the ANC.



(Sunday Times, 3 June 2001)

6

BANNED, TORTURED, JAILED

**“Pretoria is not like the Cape Colony;
here we would have to make statements”**

When the ANC was banned in 1960, I was still the Regional President of the ANC and even though it was thought that I was politically inactive I functioned effectively within this position. After the State of Emergency I was detained and banned several times, not directly in connection with my union work but because we continued with our political activities.

The most difficult time in my life was obeying orders that were imposed on me from 1961 when I was banned for the first time. At the time my daughter Nonkululeko was nine years old, my sons, Bonisile and Skumbuzo, were only seven and five, and the baby Thembeke (who we called “Maymay”) was not yet two. Altogether I was banned for 12 years of my life. Every time I was served with a banning order the restrictions on my life got worse. During this time the policemen came to my place at any time, saying that they had to come to check if I was still alive. But somehow this made me stronger. I wanted to organise my exploited and divided brothers and sisters even more.

The first of three five-year banning orders was imposed when I was working at Terminus Motors in Sea Point as a petrol attendant. At first I was not allowed to attend meetings

but my movements were not restricted²⁰. Less than two years later the banning order was changed and extended for another five years to 1968. I was restricted to the four magisterial districts in and around Cape Town - Bellville, Cape Town, Simonstown and Wynberg - which meant I could still work as a taxi driver. The third banning order confined me to the magisterial district of Wynberg so I could not move around Cape Town, Simonstown and Bellville anymore. Since I was working in Cape Town I could not continue with my job driving taxis and had to find another job.

The second banning order in 1963 was so severe that I was under house arrest from 7pm at night to 7am in the morning seven days a week²¹. I had to report to the Sea Point police station every Monday. I was allowed to go to work Mondays to Fridays and on Saturday mornings, but I could not go to schools, meetings or to church. I was not even allowed to receive any visitors in my own home. I was in prison in my own home, in my own town and in my own country.

²⁰ Zollie Malindi's first banning order prohibited him from attending any gathering at any place within South Africa for a period of five years from 19 October 1961 in terms of section 9(1) of the Suppression of Communism Act, 1950. The order, dated 7 October, was signed by Balthazar Johannes (BJ) Vorster in his capacity as Minister of Justice. The Commissioner of Police also recommended to the Department of Justice that Zollie Malindi be restricted to the Wynberg and Cape Town magisterial districts only because he was a threat to the security of the state. This recommendation was not immediately implemented by the Justice Ministry.

²¹ Zollie Malindi's second banning order was enforced for 5 years from 11 February 1963. It not only prohibited him from attending any gathering or social intercourse under section 9(1) of the Suppression of Communism Act, 1950, but placed him under house arrest under section 10(1)(a), except during working hours. The orders, dated 29 January, were signed by Minister of Justice, BJ Vorster.

Weekends, especially Sunday, was difficult as I could not go to church. My wife insisted that I write to Pretoria and tell them that I want to go to church. So I wrote letter after letter until they said I could go to church. Under my second banning order I was only allowed to go to church for one hour on Sundays. I was not allowed to take part in the service or to address the congregation. With the third banning order I was told that could attend for two hours even though the church service was for three hours. If the sermon was not over by then I had to leave or else I would have faced being arrested. The security police also attended the church service. They were checking to see if I was in attendance. I first attended the Roman Catholic church but afterwards I attended an Anglican Church in Guguletu, which was nearer to my home. I found out afterwards that the security policeman chosen also had to be Anglican.

With the third banning order, in 1968, I was restricted to the Wynberg magisterial district so it became impossible to work as a taxi driver because no driver could operate in one magisterial district only. I appealed to the Minister of Justice to continue working as a taxi driver in all four Cape Town magisterial districts but the appeal was turned down.

The restrictions were extremely severe. The banning order prohibited me from entering any location other than Guguletu where I lived so I even had to apply for permission from the Magistrate to sort out my passbook. They gave me permission to go to Langa for just two hours. When my mother-in-law died they allowed me to go to the funeral but refused to let me go to Cape Town help my wife make the arrangements.

Every time I had to visit the hospital for routine treatment for my diabetes I had to apply to the Magistrate well



“You don’t want to have to state your case in open court like a common criminal, do you?”

in advance and they made me report to the Guguletu police station before and afterwards (see letter outlining the conditions). When I was hospitalised in Somerset Hospital my lawyers had to apply to the Chief Magistrate of Cape Town so that they wouldn’t arrest me for not reporting to the police station. My applications must have kept them busy.

In Jail, Tortured, On Trial

I spent more than two years in jail between 1963 and 1965 without being convicted. I was detained in June 1963 under the ninety-day detention law and held in solitary confinement in Ceres. They always came to interrogate me but I refused to make a statement. Mildred Lesia was there as well as Elijah

11/5/2-53.

WYNBERG, Cape.

12th September, 1972.

Mr. Zollie Malindi,
11, N.Y.11,
GUGULETU, Cape.

Sir,

PERMISSION TO VISIT SOMERSET HOSPITAL.

I refer to your letter dated 6th September, 1972, and have to inform you that permission is granted you to visit the Somerset Hospital, Green Point, at 8 a.m. on Wednesday, 13th September, 1972 for medical treatment.

This permission is granted subject to the following conditions :

- (a) You must report your departure from, and your return to Guguletu at the Guguletu Police Station;
- (b) Immediately you return to Guguletu you must report your return at the Guguletu Police Station;
- (c) You must take the shortest direct route from Guguletu to the Somerset Hospital, and from the Somerset Hospital to Guguletu, and you must not linger along the way;
- (d) You must confine yourself to matters connected with your visit to the Somerset Hospital for medical treatment and tests, and you must return to Guguletu

/2

Letter from Wynberg Magistrate to Zollie Malindi instructing him 'how' to visit Somerset Hospital (Department of Justice file).

2.

immediately thereafter;

- (e) You must not contact any listed or restricted person;
- (f) You must abide strictly by all other conditions of your banning orders.

Yours faithfully,

MAGISTRATE : WYNBERG, Cape.

S E C R E T.

The Officer in Charge,
Security Police,
Private Bag 9004,
CAPE TOWN.

Copy for your information.

W/O Marais' telephonic conversation with
Miss Philip of my staff on 12th September, 1972, refers.

Your file number is K.4/827.

MAGISTRATE : WYNBERG, Cape.

/ERP

Loza, who died in those same cells many years later.²² Looksmart Ngudle was also determined not to talk. Then they moved me to Worcester. Before the end of September I was taken to Milneron overnight and then they moved me by plane to Pretoria police station.

When we arrived we were told that if anyone was not feeling well he must come and Elijah Loza reported. When he came back he had blood in his mouth. A black policeman told us that Pretoria was not like the Cape Colony; here we would have to make statements. After a few days we were moved to Pretoria Central where I was badly tortured. I heard others screaming and then I was taken. Like other detainees I was subjected to the helicopter torture method (see box). My hands were tied together and they put a stick behind my knees and a plastic bag over my head to suffocate me. I realised that electric wire was shocking my body so I agreed to make a statement. There were about six Special Branch policemen there, including the notorious Sergeant Greeff who took me back to my cell and then accompanied me when they took me back to Cape Town where they detained me at the Maitland Police Station.

In October I was charged with 44 others ('Mbolompo and 44 others') for being a member of an unlawful organisation and furthering the aims of the ANC. I wasn't allowed bail and they took me back to Maitland. By that time my mind was not working well, I even played with flies. I wasn't in a position to see my wife but she was allowed to come and see me. Due to my mental state I was not able to deny anything the police said

²² Elijah Loza died in hospital on 2 August 1977 after going into a coma while in detention. At the time he was chairperson of SACTU's Western Cape Local Committee (Luckhart and Wall, *Organise or Starve*).

but agreed to whatever they said. I was then taken to Roeland Street Prison, and then to Polsmoor where the others were.

‘Helicopter’ torture

Evidence before the Truth and Reconciliation Commission described many forms of torture, including forced postures or body positions which inflicted psychological and physical stress. The ‘helicopter’ technique was described in a number of ways. It “involved manacled detainees’ hands above their heads or hanging them upside down for lengthy periods”. Alternately, it entailed “being handcuffed and suspended between two tables with a broomstick inserted below the knees and above the forearms”. While suspended in this helpless position, detainees were often physically assaulted. From the torturer’s side, Frank Bennetts described ‘the helicopter’, ‘boeing’ or ‘aeroplane’ method:

“They would handcuff his feet together round the ankles and handcuff his hands behind his back and then place him on his stomach with his feet in the air and put a broom stick or quite a strong plank of wood between his ankles and then through his legs coming out the top here and pick him up and hang him between two desks like that. The result was similar to crucifixion. It pulled all your muscles. It closed up your chest. You couldn’t breathe. Leave the guy there long enough, he’s going to talk.” (Truth and Reconciliation Commission Report, Volume 2, Chapter 3)

They separated me from the others and moved me to Pretoria to give evidence in Madiba’s trial but I decided not to give evidence. Before I gave evidence the prosecutor, Percy Yutar, said I must sign the statement. I told him that the statement was not made voluntarily but because they were electrocuting me. He told me that I was a big liar and the worst communist and should be taken back to Pollsmoor. When I returned I told the others that I’d been kidnapped by policemen to be a witness at

Madiba's trial. We appeared at the Goodwood Magistrate's Court but were acquitted because the evidence of the state's witness was discredited. He said he saw me at the Lubatsi ANC meeting but he was lying because I wasn't there. In fact, Bernhard Huna had been at Lubatsi in Botswana and I provided proof that I was at work at the time so I was finally released on 16 June 1964.

Then in December 1965 I was held under the 180-day law. After they held me for six months I was released and immediately arrested again. I was charged with six comrades²³ under the Suppression of Communism Act and again we were all acquitted because the state witness was supposed to be George Ngqunge but of course he refused to testify. He was convicted for refusing to testify and got a four months sentence.

Throughout this period the ANC Regional Executive Committee continued to function but the membership was continually changing because members were being detained. The people involved at various time included Bernard Huna, George Ngqunge, Dwashu Mqikela, Jack Mapundu, Welsh September, John Yongapi and Moffat Putego. At the time the organisation was quite weak because we only had ANC branches in Langa and Nyanga East as Nyanga West (Guguletu) was inactive. We also managed to establish contact with the National Headquarters in Johannesburg through Rev Tetiwe who was the brother of Albertina Sisulu. Occasionally we also met other underground ANC comrades like Oscar Mpetha and Christmas Tinto to discuss strategy.

²³ Zollie Malindi was charged with Mkotlani Yangaphi, Felinyaniso Njamela, Bernard Huna, Zweligabile John Caciso, Dwashu Nqikela, and Ntlokwebomvu Ngcwangushe, (Contact 9(5), 1966).

On Trial with Fred Carneson

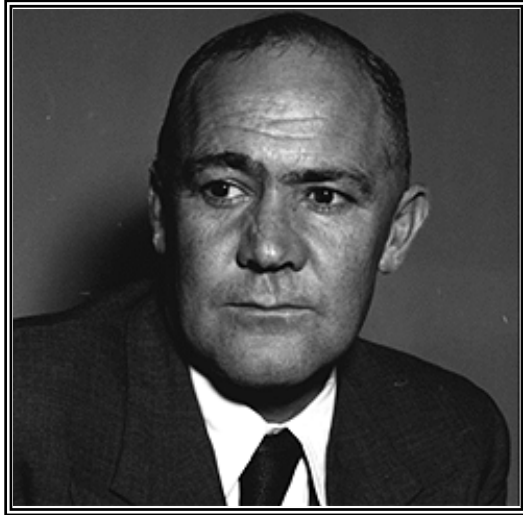
They eventually convicted me. I was found guilty and sentenced to three months for breaking my banning order by meeting another banned person, Fred Carneson. The magistrate ignored my plea in mitigation that I had already spent two years in jail ‘for nothing’.

I had known Fred Carneson from the mid 50s when we both used to attend meetings of SACTU, the CPC and the Congress of Democrats, of which Carneson was a member. All of the bannings and restrictions, also departures from the country and the lapsing of membership changed the cadre of the Communist Party activists. After I was released from 90-days detention in 1963 Fred Carneson made contact with me. He was interested in reviving the small Communist group we had in the location. Bernhard Huna was also involved in our group which met every two weeks or so.

I met with Fred Carneson on many occasions to discuss Communist Party policy and organisation work. I usually met him in the mountains on the way to Camps Bay and sometimes on the beach in Camps Bay. When Fred received documents he usually discussed them with me. We also discussed the problems of banned people and the trade union movement and how to reorganise them. I passed information between Carneson and the small cell that I organised and also told him about news I received about our comrades who were in prison on Robben Island.

I was convicted for meeting with Fred in the bushes near a stream in Camps Bay. A security policeman²⁴ observed me talking and handing over something to him. I was found

²⁴ Detective Sergeant P Du Guid from Cape Town gave evidence in the trial.



Fred Carneson, former Cape secretary of the SA Communist Party and an African representative in Cape Provincial Council

(Courtesy UWC Robben Island Museum, Mayibuye Collection)

guilty on three counts and sentenced to three months in Pollsmoor Prison because we both broke our banning orders. They never established what we were talking about or what I gave to Carneson. Fred was found not guilty because he had previously pleaded guilty in another trial and was sentenced to five years for a similar offence. I decided to lodge an appeal because I wanted to take my daughter to Engcobo All Saints boarding school. After I returned I served my sentence.

I was not really active in the Party after that because the party structure collapsed when most of the leadership went into exile. Despite that I was listed as a member or active supporter of the Communist Party in April 1967 under section 4(10) of the Suppression of Communism Act. They wrote to me to warn me that I was going to be listed and could appeal but I just ignored their correspondence.

7

EMPLOYMENT AT WOOLWORTHS

“The Malindis were an impressive example of the quiet strength and determination shown by otherwise ordinary citizens in the face of the National Party's oppression”

The last banning order in 1968 had a bad effect on my family, and because of the restrictions I had to change my employment. I couldn't find proper work because the banning order prevented me from working in factories and schools, even in garages. This had a big impact on my life because now I had to find a job. I was stuck at home and I was unemployed. I had to earn money. Initially I couldn't find a proper job so a friend found a job for me. To make a living I had to sell patent medicine, and collected and dropped off laundry to earn a commission. A friend would take the loads to the factory and collect the commission for me. I sold patent medicines door-to-door in Guguletu because I was restricted to that area. I could not even cross Klipfontein Road. Being a hawker was very frustrating but I had no choice to earn a living for my family.

After a long search I was then forced to take on a job as a labourer on a building site pushing a wheelbarrow and

mixing cement and sand. There were no machines in those days. Whilst I was grateful this was hard work and I was very frustrated. At that time my wife was still working for the Black Sash. Mrs Lily Herbstein, a member of the organisation and a sympathiser, helped to doctor my hands, which were broken and sore, as a result of the strenuous work. One day in May of 1968 the police arrived at the building site and spoke to the foreman. It turned out that many of the workers there belonged to trade unions. I was told by the foreman that I could not work there any more as the police had told him that soon I would join the union and start organising the workers and there would be trouble. I was dismissed, so I had to stay at home and look after the children.

When Eulalie Stott, who was also active in the Black Sash, heard about this she said to my wife that she will find a job for her black brother. This is how she felt about me. This kind of support made us strong in those dark days. She was a Councillor and sat on the housing committee at the City Council for many years. She went to Woolworths and told them that she wanted to get a job for her brother. She told them that I needed to find work in order to feed my children. Woolworths then employed me as a packer in Claremont. I also pushed the ‘madam’s’ trollies to their cars. I also worked the early shift before the shop was open as part of the team that cleaned the store.

I could hardly do any organising work because of the banning order but my political work continued. Management knew because Mrs Stott had arranged my job through Mr David Susman, who was the top manager at Woolworths²⁵. He

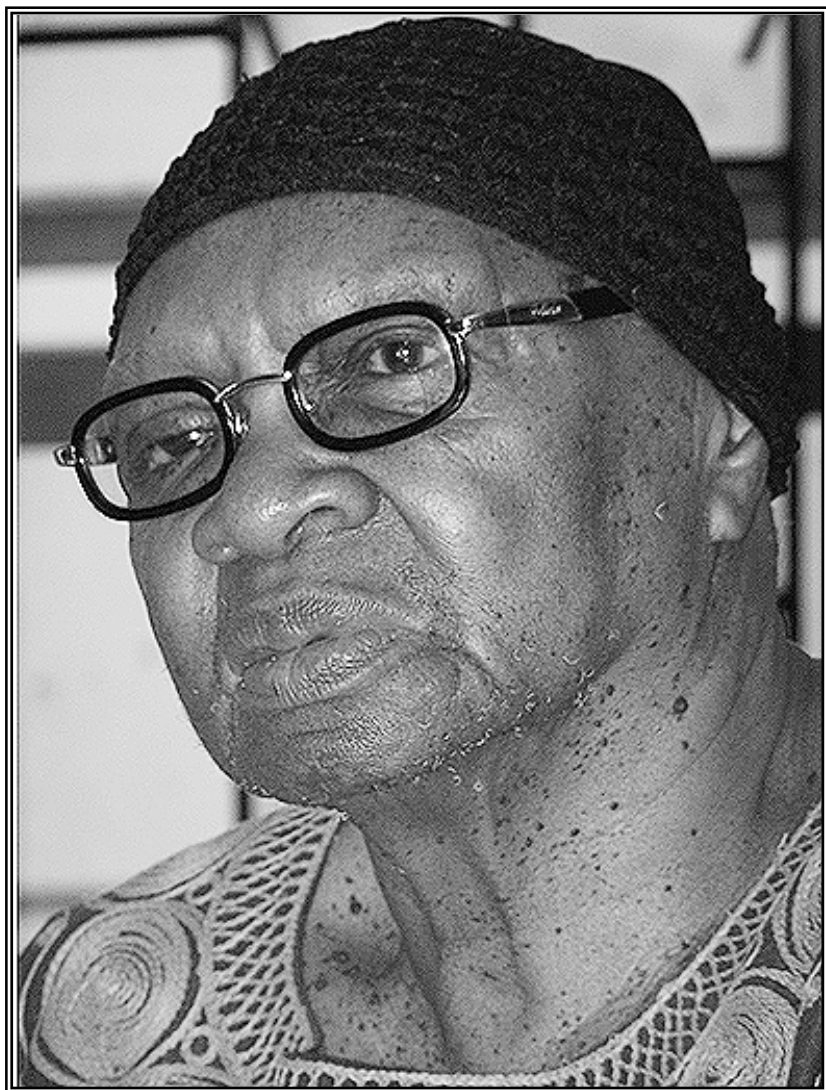
²⁵ Geof Sonnenberg of Woolworths recounts that “Zollie got his job with Woolworths originally via David Susman. David had told me of his past

had some sympathy for political detainees (see box). Management at Woolworths were afraid to cause trouble for the company but as long as I did my work I was okay. When my banning order expired in 1973 it was not renewed because I was not so active in politics any more. I worked at Woolworths for thirteen and a half years. I retired early in 1981 when I was boarded due to my illness and was put on pension which I receive right up to this day with annual increases. Every year since then my wife and I have been invited to the end of the year parties for pensioners, usually at one of the wine farms.

David Susman, former Managing Director of Woolworths, one of the country's leading retailers, recounts:

“In the 1960's and 70's I was called upon by my many personal friends in the Black Sash and the Progressive Party to find employment in Woolworths, mainly for newly-released political prisoners, who were confined to a single magisterial district under draconian Special Branch supervisions. Mr. Malindi was introduced to me by Eulalie Stott, a founder member of the old Liberal Party and an outspoken activist in the Black Sash. I also remember Mrs. Malindi as a feisty and courageous leader in the ANC... The Malindis were an impressive example of the quiet strength and determination shown by otherwise ordinary citizens in the face of the National Party's oppression” (Personal correspondence).

activities politically and I had been discreet about the matter as regards telling his Branch Managers...He was quite aware that I knew of his ANC association and was equally sure that I was a "liberal" and would not in any way prejudice him because of it. There was no doubt that he was held in respect by the other black staff. He used to come to work on a Vespa scooter and that, in itself was quite extraordinary... He was liked and a respected man with a wonderful sense of humour (personal correspondence).



**Through more than fifty years of marriage Lettie Malindi has
been Zollie's partner in life and in struggle.
(Theodore Combrinck)**

8

POLITICAL REVIVAL IN THE 1980s

**“The UDF was launched to keep the spirit
of the people and the ANC alive”**

Nobody really knew that I was still functioning underground because as far as they were concerned I was politically dead because I had a banning order. After my banning order expired I did not get publicly involved in political activities again until the early 1980s. I did however make a number of trips to Lesotho where the provincial Executive was based. I used to go there throughout the 1970s and 1980s, even when I was still banned. There I met Archie Sibeko who was active in SACTU and on the Provincial Executive²⁶.

It was amusing in that I was using a Transkei Passport and had no problem in getting across the borders. I went there about five times and it was not a problem. I used to fetch material and I was never caught. Once I took an old Chev and

²⁶ Sibeko made several visits to Lesotho after 1982 to meet trade unionists from South Africa and the SACTU committee which was established there. Tony Yengeni and Khaya Myoli were part of that committee. Others who travelled to Lesotho were Zoli Malindi, Thozamile Botha, Denis Nyeli and Mildred Lesia (see *Freedom in Our Lifetime*, Chapter 18).

when I got to Beaufort-West I realised that I'd left my Transkeian passport at home. When I got home it was 11 o'clock my wife was surprised. She wanted to know where the four women were who travelled with me. She asked if I had left them in a restaurant and I said "No, they were waiting outside in the car". We left immediately and drove off to Lesotho.

I was not operating openly until we organised a meeting in Athlone to commemorate the 15th anniversary of the death of Chief Luthuli in August 1982. After that I became more publicly active again, addressing meetings of organisations like UWO (United Women's Organisation), CAYCO (Cape Youth Congress) and the many civic structures that were advancing the struggle against Apartheid.

Despite the fact that the ANC was banned I remained a card-carrying member. I was also the unknown president of the ANC in the Western Cape so I was involved with the decision to launch the United Democratic Front (UDF). This message came from the ANC in exile and on Robben Island. I travelled to Lesotho to receive the plans from the ANC's external executive when the decision was taken to launch the UDF as an above ground organisation. This intensified our struggle against apartheid.

The UDF was launched to keep the spirit of the people and the ANC alive. It operated differently to the ANC in that there was no individual membership. Each organisation organised their own members and these were almost like the branches of the ANC of before. The UDF operated with an executive. It organised demonstrations around a whole lot of issues. These included demands for better housing, civic issues, education, trade union rights on the shop-floor and women's rights, amongst others.

At the time that the UDF was launched in 1983 I was an executive member of the Western Cape Civic Association (WCCA), which became one of the pillars of the UDF. There was no initial hesitation among the African people about the UDF because everybody recognized it as an ANC project. Even the PAC did, which is why they objected. Civics are organisations belonging to all the people in the township, but the civics also toed the ANC line. The UDF was broader than the ANC, not all the affiliates would subscribe to the Freedom Charter. But we were preparing the ground for the ANC²⁷.

In April 1983 Zollie Malindi's name was added to the consolidated list of supporters of the Communist Party under section 16(2)(a) of the Internal Security Act of 1982.

The reasons given by the Security Branch of the SA Police:

“Hy doen opheffingswerk in die Swart gemeenskap en is a geharde ondersteuner van die ANC. Hy woon politieke vergaderings by en skakel met plaaslike linksgesindes. Hy is nog steeds kommunisties georiënteerd en is die regering uiters vyandiggesind. Hy sal nie van sienswyse verander nie.” (He does upliftment work in the black community and is a committed supporter of the ANC. He attends political gatherings and networks with local leftists. He remains a communist and is extremely antagonistic towards the government. He will not change his point of view.) - Secret document from Directorate of Security Legislation signed 14 April 1983.

²⁷ Interview notes from Ineke Van Kessel conducted with Zollie Malaindi, 21 October 1991.

WCCA was a unitary structure with branches in the townships. It covered a wider area than the peninsula, including Worcester and Paarl. A WCCA branch was established when there were at least 50 signed up members. Civics were subdivided into zones, and these again into street committees. The zones were called units. In Khayelithsa we had 15 units, in Guguletu four. Langa was too small too be subdivided. Initially, we also had branches in the squatter areas and Johnson Nxongbongwana of Crossroads was the first WCCA president. But they broke away, the system bought them and the squatter leaders formed their own organisation.²⁸

In coloured areas most civics did not have a strong registered membership, maybe just twenty or thirty people who turned up at meetings. The state of civic organisations in the townships was better because they had a mass registered membership of people paying an annual fee. Because of the pass laws, people in the townships were more politicised. Coloureds had fewer problems because the government always differentiated between coloureds and Africans. It was also more difficult to organize coloureds because some were petty bourgeois, they aspired to be like white people. However, coloureds became more progressive thanks to the UDF and COSATU.²⁹

Two years after the UDF was launched I was elected as the regional president in the Western Cape and onto the National General Council. For me, the aim of the UDF was the involvement and the building of community based organisations. The UDF was just an extension of the ANC. It was a broad front, which allowed for any organisation to join

²⁸ *Ibid.*

²⁹ *Ibid.*

On 23 November 1984 Zollie Malindi spoke at a UDF press conference about a two-day bus boycott the following week to protest a 12.5% fare increase. He was quoted by the Cape Times, which had not realised he was a listed Communist and could not be quoted. "Checking lists before publication was a hit-and-miss affair. South African editors would keep special tickler boxes in their offices containing ... the names of people banned or listed and who were therefore unquotable. The boxes were kept up to date by a law firm, and the government regularly published updated lists in the Government Gazette. But it was easy to lose or miss a card, to misfile on, or even misspell a name..." Reporter Anthony Johnson attributed the statements to Zollie Malindini (*sic*) whom he did not know. Four months later he and the editor Tony Heard were charged with quoting a banned person. The case was remanded, and finally no one was convicted. (Karen Martin *Chronology of Some Pointers to the History of the Media in South Africa* Freedom of Expression Institute submission to the Truth and Reconciliation Commission May 1997).

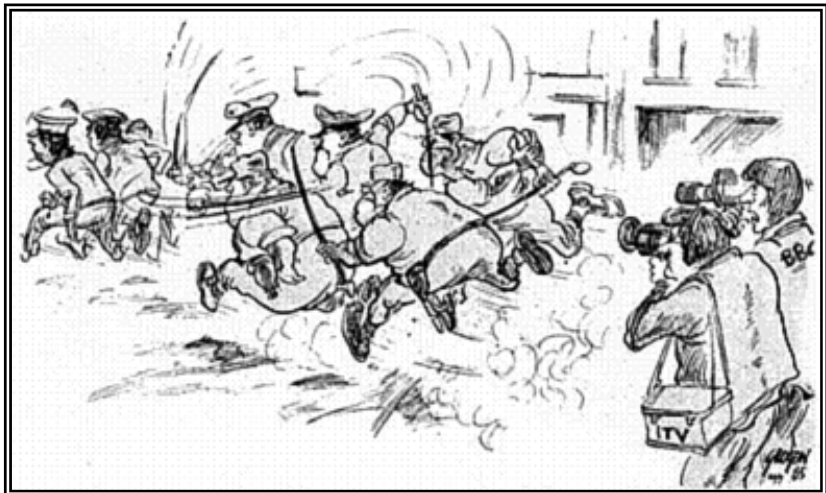
as long as they were against the apartheid government.

After Mandela, hundreds of 'little Mandelas' came forward to take up the leadership in the struggle against Apartheid. It was important to remind this new generation of activists about the importance of unity because the tricameral parliament was just being used to divide South Africans by excluding blacks. Even though it was illegal to do so, I often reminded them about those inspiring words from the Freedom Charter:

“South Africa belongs to all who live in it, Black and White, and that no Government can justly claim authority unless it is based on the will of the people;

that our people have been robbed of their birthright to land, liberty and peace by a form of Government founded on injustice and inequality; that our country will never be prosperous and free until our people live in brotherhood, enjoying equal rights and opportunities.”³⁰

In August 1985 I addressed the funeral of Victoria Mxenge in King Williams Town. She had been murdered by the Apartheid regime in Durban. We used events like this to rally support for the UDF and the ANC’s struggle for the rights of all South Africans. Black, coloured, Indians and white South Africans had lost a hero in our struggle when she was killed. I stated that the deceased had saved many people from predicament and she was a role model for black women who



“Must be the South African version of the bobbies on the beat”

(Tony Grogan's 100 Best Cartoons, 2003)

³⁰ 23 May 1985. Quotation from address to mass meeting at the University of Cape Town, extracted from undated 1985 Secret Police Report.

should to do everything in their power to follow in her footsteps to achieve freedom for all.

A few weeks later at the end of August I was detained with many other leaders of the UDF under the Internal Security Act. It was around the time when the UDF organised to march to Pollsmoor prison to demand the release of Nelson Mandela. I was detained at Pollsmoor and a few days later I was transferred to Pretoria Central where they kept me for a month. By that time I was already a pensioner and suffering from diabetes so they put me on a special diet. After a few weeks I requested that they charge or release me because they still had not even bothered to interrogate me.

I was released in early October after six weeks in detention but the harassment did not stop. Three weeks later I was detained again at 4.30 in the morning under the State of Emergency and taken to Victor Verster prison. I had to stand for days and nights until I made a statement. I was finally released before Christmas in December 1985 without being charged but then I was subject to restrictive conditions under the Internal Security Act (see box). I was required to report every morning to the Guguletu police station, and once again restricted to the Wynberg magisterial district and forbidden from attending any gathering, except for church services. It was like being banned all over again. However, this did not stop my political activities.

Early in the morning of Thursday 12 June 1986 the police detained over a thousand activists across the country. A new State of Emergency had been declared secretly but I was able to avoid arrest for more than six months. Under the State of Emergency the police prohibited the UDF and most of its affiliates in the Western Cape from holding meetings, issuing pamphlets or publications, and making press statements. With

Lt-Col J C Van der Merwe of the Security Branch summed up the reasons why the Nationalist government perceived Mr Malindi as a threat to the security of the state or law and order, and should be restricted:

“He is a member of both the UDF national leadership and President of the Western Cape and from this elevated position he travels to many centres where he delivers inflammatory (‘opruiede’) speeches on UDF platforms and incites (‘opsweep’) the people against the current system. Through his inflammatory speeches and organising inside the UDF he is responsible for school and consumer boycotts, from which unrest erupts.”
(Editor’s translation)

Mildred Lesia, Moffat Putego and Melford Stuurman we used to hold meetings and managed to keep the regional executive functioning, but operating underground was stressful and I was unable to stay at home.

Eventually I was caught by the police in January 1987 when I was on my way home to get food and the medicine for my diabetes. I was detained at Victor Verster with my old comrade the late Christmas Tinto, who was the Vice-President of the UDF in the Western Cape, as well as the late Dullah Omar and Trevor Manuel, who were Western Cape leaders of the UDF³¹. While I was in detention my wife finally retired after 29 years dedicated service as an advisor and interpreter at the Black Sash’s Advice Office in the Western Cape. They commended her on the invaluable contribution that she made by freely sharing her knowledge and experience³².

³¹ Others detained at the same time included Nomaindia Mfeketo (former mayor of Cape Town), Ebrahim Rasool (now premier of the Western Cape), Mzonke Jacobs, Roseberry Sonto and Mathews Kapa.

³² Sash, 29(4), 2 February 1987.

In his affidavit to the court, Adriaan Trollip, the Captain in the Security Branch responsible for Mr Malindi's arrest stated that this was necessary to ensure public order, public safety and to end the State of Emergency:

“Zollie Malindi and Christmas Tinto were the leading stalwarts (‘voorbokke’) of the Western Cape Civic Association which was establishing an alternate system of government (“regeringsstelsel”) by establishing area committees in black townships. The area committees were established to stop the government-sanctioned Town Councils from operating and aimed to overthrow of the South African government, using rent and consumer boycotts, violence and intimidation. It was clear that they should be removed from the community but should not be charged because it was not possible to call his informers to give evidence as witnesses. (Editor's translation)

Not surprisingly, no specific details of any of these alleged activities were provided in Trollip's affidavit.

In July our lawyers launched a Supreme Court Application for our detention to be declared unlawful. I had already been in detention for eleven months when the case was finally heard in December³³ (see box). The application was unsuccessful but I was finally released after eighteen months in detention at Victor Verster prison in Paarl. During this time we were not charged with any offence.

³³ Case 6702/87 was heard by a full bench of Judge President GGA Munnik, Justice A P Burger and Justice S Selikowitz (“Held UDF men seek freedom”, *The Star Metro* 2 December 1987)



Zollie Malindi addresses a meeting to defy his banning order.
(Fruits of Defiance, B. Tilley & O. Schmitz 1990)



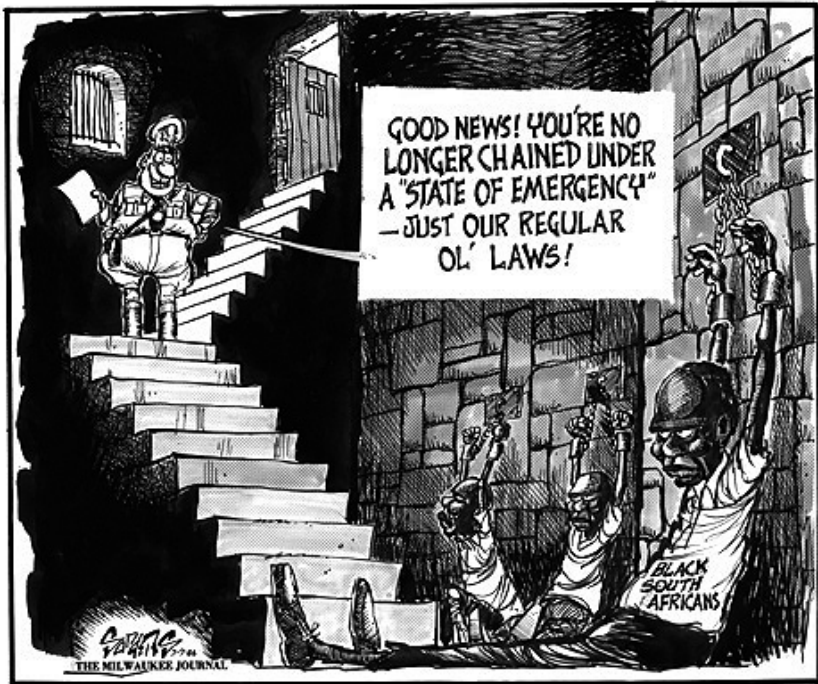
UDF leaders Christmas Tinto, Mama Dorothy Zihlangu, Zollie Malindi and Roseberry Sonto after their release from detention
(Grassroots, March 1988)

When I was released we started to define this moment by defying our restrictions. I remember how Trevor Manuel broke his restrictions and hit the police in Athlone and how the police ignored us when we broke our restrictions. When this happened we knew that something was going to happen. I continued with my political work in the UDF and the civics until I was detained once again in July 1988 under the emergency regulations. At the time I was still President of the UDF in the Western Cape although the State of Emergency had restricted our activities.³⁴ This period of detention was around the time of our preparations to celebrate Mandela's 70th birthday.

The security police did not want to leave me alone even though I was already an old man and I was detained with ten other activists from the Western Cape, including Trevor Manuel, in September just before we were to participate in an anti-apartheid conference organised by Cosatu.³⁵ The conference was banned before it could be held. In February 1989 when I came home one night at about 8pm there were policemen at my home. They said they were going to investigate a case against me because I had defied. I refused to make a statement and that was the last time they came into my place.

³⁴ Some of the others detained at the same time were the cartoonist Jonathan Shapiro (aka Zapiro), Omar Badsha, Saleem Mowzer, Bulelani Ngcuka and Nconde Balfour (Joe Thloloe "Money down the drain", Sowetan 22 July 1988).

³⁵ "11 detained before talks on democracy" Natal Mercury 22 September 1988.



After the state of emergency, imposed in July 1985, was lifted in March 1986 (Bill Sanders, The Milwaukee Journal, March 7, 1986) (http://www.wku.edu/Library/onlinexh/sanders/pages/world/south_african_prison.html).

9

RETIREMENT AND REFLECTIONS

**“today they don’t want to make
the same kind of sacrifices”**

During 1989 we were not aware that the South African government was preparing to release political prisoners, allow exiles to return to the country and ultimately negotiate a settlement, but we were fighting on all fronts to make this happen. Finally the ANC was unbanned and I was very excited.

Despite being old and tired I started immediately to organise an ANC branch in our area where we lived. We used to hold meetings in the school nearby. I was elected chairperson of the Section 1 branch. I was also involved in an interim working group to re-establish the Communist Party in the Western Cape along with a number of old comrades such as Reggie September, Ray Alexander, Jack Simons and Liz Abrahams and younger members such as Cheryl Carolus, NomaIndia Mfeketo and Roseberry Sonto.

Soon afterwards in 1990 I retired from active politics, although I am still involved in the ANC Veterans Association, which helps to guide the current leadership. They consult us and still come to visit regularly. The present leaders are trying their best to carry out what we fought for although there are hitches here and there.



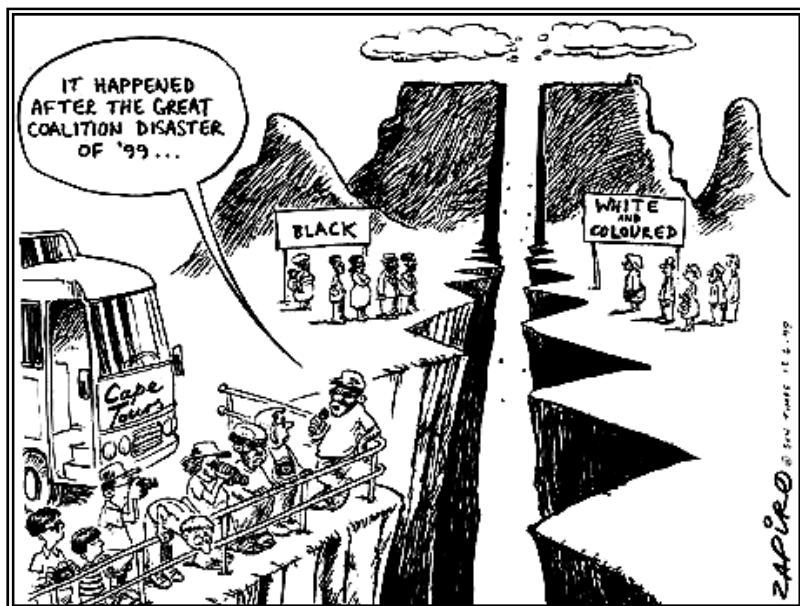
In retirement, Zollie Malindi keeps up to date with developments by reading a number of daily newspapers.

We used to struggle knowing that we were going to suffer. Now, there is no fight for liberation; we are all liberated now. Those who were dormant during the struggle are starting to run the country and are taking the most active role because when we were struggling they were studying to be able to run the country. They haven't got the same spirit that we had to fight for freedom; they're now free of the struggle that we had.

Some people who have not been through the struggle and are in the cabinet and executive committees of provinces are often more interested in what they can get out of being in government than in fighting for the delivery of services that we fought for. We worked very hard and made many sacrifices to bring about democracy but today they don't want to make the

same kind of sacrifices. This concerns me. Of course there are many honest people, like most of the Western Cape and national leaders who have been through the struggle and were in and out of prison with me. They are not motivated by financial gain but for the freedom of the people.

The current division between coloureds and Africans in the ANC in the province also disturbs me. The ANC has lost a lot of coloured members and supporters to the Independent Democrats and the Democratic Alliance in the Western Cape. In the 1950s we always fought for multi-racialism, which we now call non-racialism. We must find a way to rebuild this non-racialism in the Western Cape so that we achieve the kind of liberation from racism for which we suffered and sacrificed.



(Sunday Times, 13 June 1999)

BIBLIOGRAPHY

Goldberg, Denis, 2001, "Impressions and Memories of Communism in South Africa", *African Communist*, 157, 2nd quarter.

Grogan, Tony, 2003, *Tony Grogan's 100 Best Cartoons*, Double Storey.

Luckhart, Ken and Brenda Wall, 1980, *Organise or Starve: The History of the South African Congress of Trade Unions*. Lawrence and Wishart, London.

Lynd, Alice and Staughton (eds.), 1988, *Rank-and-File: Personal Histories by Working-Class Organizers*. Monthly Review Press.

Marais, David, 1963, *Out of This World: A New Collection of Cartoons*. Books of Africa, Cape Town.

Marais, David, 1974, *This is a Hi-jack*. Alkmaer, Hartemink.

Ntantala, Phyllis, 1992, *A Life's Mosaic: The Autobiography of Phyllis Ntantala*. University of California Press, Berkeley.

Sibeko, Archie. 1996. *Freedom in our Lifetime*. Indicator Press, Durban and Mayibuye Books, University of the Western Cape, History and Literature Series No. 73.

Van Kessel, Ineke. 2000. *The United Democratic Front and the Transformation of South Africa*. University of Virginia Press.