

AN EASTERN CAPE POSTSCRIPT

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BETHAL in the Eastern Transvaal has collected an unenviable reputation for the maltreatment of its African farm workers. Nor do persistently recurring convictions for assault, unlawful detention and successful *habeas corpus* applications by relatives of shanghaied Africans allow the district to redeem its name. Possibly only its lower density of population and rather less adequate publicity facilities have enabled the Eastern Cape to avoid being tagged with a reputation at least as mean, if not quite so blatantly brutal.

The recent history of this social deformity began two years ago, when Mlonge Tembeni was sentenced to nine months imprisonment and a compensatory fine of £20 15s. 6d. (or two months) for stealing three sheep from his employer. Stock theft is rife in the Eastern Cape, as elsewhere. Recently White policemen and farmers have received prison sentences for it, as well as other non-Whites. In confirming Tembeni's sentence, the appeal judge emphasized that "the legislature had seen fit to visit very severe penalties on stock theft, out of all proportion to the sanctions conveyed in the protection of other classes of property." (Shades of England in 1800 and the death penalty!) In this case the magistrate could have imposed a sentence of four and a half years. The main factor in mitigation, said the judge, was the fact that Tembeni received only £1 a month for his services and a four-gallon tin of mealies per week as a ration. He had a wife and six children, two of whom were babies. "Comment on the inadequacy of the appellant's remuneration and rations is superfluous. That they were hungry (they ate the sheep at the rate of one a week) is a claim fully justified," said Judge Jennett.

He was wrong. A large number of people thought comment anything but superfluous. Individual farmers and the Border Farmers' League filled the correspondence columns of the newspapers with vociferous protests against a fund started to look after his wife and family while Tembeni was in jail. That some correspondents spoke up for decency is true and surely to be expected from a "White Christian civilization." But the bulk of the outcry came from the Farmers' Lobby. There were references to "ridiculous, snivelling, city sympathy,"

“sickly sentiment,” “subsidized theft”; and various specious attempts were made to show that certain free amenities given by farmers to their farm hands brought the value of their real wages up to something like £10 a month. The fact that Tembeni had even had 10s. of his £1 docked by his English-speaking employer for taking Mrs. Tembeni by car to hospital was lost sight of completely in the furor.

A very similar case, with a still more tragic conclusion, occurred a year later. Jim Meantsi, aged 54, with a wife and five children, was also employed by an English-speaking farmer. His wages were 25s. a month, plus 18 pints of mealies and a little salt each week. The evidence was that Jim twice came to the farmhouse to ask for more food and on the second occasion also complained that his wife had run away. His employer eventually became enraged, said he was “sick and tired of his nonsense” and told him to “voetsek” (clear out). Jim drew a knife and killed the farmer. Sentencing him to death, the judge admitted that his conditions of employment were “thoroughly shameful.” Again a fund was opened for the family. Again the protests flooded in. Again farmers drew up fancy budgets “proving” that their labourers earned “the equivalent” of £10-£12 a month.

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One point repeatedly made on behalf of the farmers in both cases was that there is a shortage of farm labour. Africans, it was said, are therefore free to choose which employers they will work for. This, though once true, is certainly true no longer. A series of bad harvests and near-famine conditions in the large Ciskei and Transkei Native Reserves (1954-56) together with the tightening net of influx control regulations preventing the flow of hungry men to the higher wages available in the towns—this is, in a form intensified by recent legislation and its more drastic enforcement, the classical dilemma of those rural slums, the Native Reserves. The only freely available labour outlets are the mines and the farms. Neither has ever had labour so good as in the last year or two. And the compulsion extends to women, too, seeking work as domestic servants.

Hence the case of Dina Gqwabalala, a girl of 20, employed in the little rural town of Cookhouse on the princely salary of £1 a month plus keep. She was not even given a room of her own, but graciously permitted to sleep in her employer’s kitchen.

Then stark tragedy occurred. She had an illegitimate child. Her employer refused to allow her to keep the baby with her, so she found an African woman in the location prepared to try and look after it for 10s. a month (half Dina's wages). But, not surprizingly, the foster-mother found herself out of pocket on the deal and brought the child back to Dina, who sought other asylum for it in vain. Her parents lived far away, and Dina lacked the means to take the child to them. Eventually, in desperation, she drowned it. Judgment—guilty of murder with extenuating circumstances. Sentence—ten years in jail. If ever a case cried out for clemency, here is surely one.

But Dina is in the hands of our Minister of Justice, Mr. C. R. Swart, who boasted to the September, 1956 Free State Congress of the Nationalist Party that "not a single Native convicted of raping White women has escaped the gallows." Yet I cannot think of a single White man convicted of raping non-White women who has been hanged. And several cases of great leniency spring to mind "because of the poor upbringing or unfortunate circumstances of the (White) accused." Tembeni, Meantsi, Dina—were their circumstances and upbringing not poor enough? Perhaps, since Dina's murdered baby was only African, Mr. Swart will yet relent. After all, he recently released two White policemen who had been convicted of singularly brutal "third degree" methods against an African suspect, culminating in his death and the hiding of the body, when they had served only 18 months of their eight and five year sentences for culpable homicide.

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Further information about the *mores* of the Eastern Cape farmers came to light in a social survey. As the inquirer went from farm to farm, he heard of a certain farmer known as a "kafferboetie" (literally, "friend of the African"—a derogatory pseudonym for negrophilist). Eventually he discovered how the title had been acquired. A farmer had lost some fowls and called the police, who thereupon arrested two of his African employees. But since they could establish no evidence against the suspects, they strung them up by their ankles from a bridge over a dry, stony spruit in the presence of a group of local farmers. (This seems to be a fashionable means of interrogation hereabouts. A White police sergeant recently got

nine months and four strokes for a similar offence and his accomplices were also sentenced, an African constable—two months and four strokes—and a White farmer—fined £150.) No confession being forthcoming after a prolonged period of suspension, however, the police proposed cutting the victims down and letting them drop head first onto the stones below. At this, our “kafferboetie” friend demurred, saying he thought matters had now gone far enough. And ever since he has been tagged with the derisory title, which others have also earned merely by engaging lawyers to defend employees accused of petty crimes by neighbouring farmers.

Perhaps the Bathurst district of the Eastern Cape will now at last take its rightful place alongside Bethal of the Eastern Transvaal in the rural hierarchy of brutality and starvation wages.



Paul Hogarth