
THE STORY OF THE BLACK SASH

The Women's Campaign for Justice and Good Government in South Africa.

THE BLACK SASH came into being in May 1955, at a time of great political unrest in South Africa. After four years of repeated crises, caused by Government attempts to remove the Cape Coloured voters from the common Voters' Roll by unconstitutional means, the country had once again been thrown into a turmoil by the proposal to "pack" the Senate, in order to circumvent the entrenched clauses of the Constitution as embodied in the South Africa Act of 1909.

The Background to the Senate Act.

The Nationalist Party, supported by a minority of the voters, had come to power in 1948 with a slender Parliamentary majority. The new Government lost no time in consolidating its position, and in implementing the policy of *apartheid* which had won the election. From the outset, much of the legislation passed curtailed the freedom of the individual, limited the protection of the Courts and conferred wide and arbitrary powers on Cabinet Ministers. Little regard was shown for the constitutional forms upon which our Parliamentary system was based. Public misgiving mounted, and was finally expressed in country-wide protests in 1951, when the Separate Representation of Voters Act, designed to remove the Coloured voters from the common roll, was passed with a bare majority.

The Cape Coloured people had enjoyed common roll franchise rights for nearly a hundred years. The preservation of these rights was regarded by the Cape delegates to the National Convention in 1909 as a moral obligation, and they insisted that they be entrenched in the new South African Constitution, together with the Dutch and English language rights and the voting rights of the Cape Africans. The entrenchment provided that these rights could be altered only by a two-thirds majority of both houses of Parliament in joint session.

The protests against the Separate Representation of Voters Act were therefore based on two issues, one legal, one moral — the violation of the legal provisions of the Constitution, and the breaking of a solemn pledge to the Coloured people. The Government maintained that the Statute of Westminster, in conferring sovereign status on the South African Parliament in 1931, had invalidated the entrenched clauses, and they pointed out that the Cape Africans had been removed

from the common roll in 1936. This removal had, however, been agreed to by a two-thirds majority of both houses of Parliament sitting together, as laid down in the Constitution.

In 1952, the Separate Representation of Voters Act was tested in the Supreme Court of Appeal. The Court ruled that the entrenched clauses were still binding upon Parliament and declared the Act invalid, to the great relief of many South Africans whose faith in the integrity of their courts of law was thus confirmed. The Government, however, refused to accept the ruling of the Court, and proceeded to re-establish the "sovereignty of Parliament" by passing the High Court of Parliament Act, which provided that all the members of Parliament, sitting together, should constitute a special High Court, with power to set aside judgments of the Appeal Court. In 1953, this Act, too, was declared invalid by the Supreme Court.

The Senate Bill

In the General Election of 1953, the Nationalists were again returned to power, with an increased majority, although still with a minority of the votes cast. The Prime Minister, Dr. Malan, made no further attempt to remove the Coloured voters from the common roll, but upon his retirement from active politics at the end of 1954, he was succeeded by the strong man of the Nationalist Party, Mr. J. G. Strijdom, "the Lion of the North". Early in 1955, Mr. Strijdom announced his party's intention of taking advantage of another provision of the Constitution and reconstituting the Senate or upper house, "packing" it with nominated Nationalist Senators, in order to give the Government the two-thirds majority it could not obtain by normal means. The intention was, of course, to use the spurious two-thirds majority to remove the Coloured voters from the common roll



Marching up the hill to the Union Buildings, Pretoria, to present the petition to the Prime Minister's Deputy.

The people of South Africa seethed with anger and resentment at the mockery that was being made of their Constitution. Mass protest meetings were held throughout the country. The Senate Bill was attacked in and out of Parliament, in the Press, in public halls, in private homes.

It was at this stage that six women met for tea one morning in mid-May at a house in the northern suburbs of Johannesburg. Like thousands of other South Africans, they were filled with indignation, and with a sense of frustration and personal helplessness. "What can we do?" they asked. And suddenly realizing that there were thousands of other South Africans, who were asking themselves the same question, they decided that there was something they could do — they could organize a women's protest march. They telephoned their friends, who in turn telephoned their friends, and a preliminary meeting was arranged. Pamphlets were printed and distributed, the co-operation of the Press was sought, banners were prepared, and on the afternoon of the 25th May, 2,500 women assembled at the Scottish War Memorial near Joubert Park, and then marched silently through the streets of Johannesburg, led by one drummer girl, to the City Hall steps. In response to public demand, the Mayor of Johannesburg had called a citizens' meeting there, and thousands of people had assembled to listen to several speakers, including Dr. Winifred Hoernle, whose inspiring speech moved many to tears.

The Women's Defence of the Constitution League

So deep was the emotion aroused in that historic march, that a meeting was called for the following week to consider further action. Fifty women attended, and a committee of twelve was elected. It was decided to launch two petitions, one to the Governor-General, asking him not to sign the Bill, and the second, to be presented in the event of his refusal, to the Prime Minister, petitioning him to repeal the Act or to resign from office. The petitions were to be signed by women only.

The Senate Bill was then being debated in Parliament, and this newly-formed Women's Defence of the Constitution League had just two weeks in which to collect the signatures. The preamble to the petition to the Governor-General, a piece of fine prose and reasoned argument, was hurriedly printed, and petitions were sent out to 290 towns in the Union, to unknown people, in the faith and belief that the women of South Africa must feel as the women of Johannesburg did. That faith was not misplaced. In spite of postal delays, difficulties of communication, amateur organization and lack of money, 100,000 signatures were collected from women in ten days.

On June 16th, the Secretary of the League flew to Cape Town with the petition forms, which were presented to the Governor-General — in vain. The Bill was signed, the Act became law, and the Parliamentary session ended.

The Vigil at Union Buildings

The Prime Minister was then asked to meet a deputation in Pretoria, to receive the second petition. He refused, but appointed Mr. Ben Schoeman, Minister of Transport, his deputy.

On the 28th June, a bitterly cold day, women from the length and breadth of the Union gathered at the Zoo Lake in Johannesburg and drove in two motor convoys to Pretoria. Then, carrying banners which bore the name of every town and village where the petition had been signed, they marched silently up the steep hill to the Union Buildings. After a short service of dedication in the amphitheatre, a delegation of six women presented the petition to Mr. Schoeman in his office. He received them courteously, but made it quite clear that his Government had no intention of considering any request to alter the Senate Act.

The League's next move was to mount a two-day vigil in the grounds of Union Buildings, to demonstrate continued opposition to the Senate Act. More than sixty women slept in the open on that first bitter night; on the second night there were more than a hundred. The dramatic 48-hour vigil captured the imagination of the public, and when the women returned to Johannesburg on the 30th June, they received a tumultuous welcome from the thousands of people assembled outside the City Hall to meet them.

That might have been the end of the story — it was actually only the beginning. The Senate Act had been placed upon the Statute Book, the petitions had failed, the vigil was over; but the women who had come together from the four provinces of the Union to oppose the threat to their Constitution were determined to remain together to fight the Act to the bitter end.

The Black Sash

On the 18th July, four women, representing the four provinces, began a vigil at the Union Buildings, a vigil that was to be maintained on every working day until Parliament opened in Cape Town in January. They wore black sashes across their right shoulders, bearing the words "EER-BIEDIG ONS GRONDWET" (Honour our Constitution). The following day, a Cabinet Minister returning from Europe was met at the Airport by twenty-four silent women, again wearing black sashes as a symbol of mourning.

From then onwards, Cabinet Ministers were constantly "haunted" in their comings and goings about the country by groups of "Black Sash" women, silently reproaching them for their part in dishonouring the Covenant of Union. The idea caught on, and day by day more and more women came forward to join the League, which grew and spread to towns and villages throughout the



A cheering crowd at the Johannesburg City Hall welcomes the demonstrators after their 48-hour vigil at Union Buildings.



Union. The attentions of the ubiquitous sashers appeared to discomfit the Ministers, who went to considerable lengths to avoid them.

Demonstrations were planned for all important political occasions, especially those connected with the implementation of the Senate Act. On August 10th, when Transvaal Nationalist Party Senators were nominated, Black Sash women surrounded the Raadzaal in Pretoria, where the nominations were taking place. On November 12th, after the dissolution of the old Senate, demonstrations were held in thirty-five South African cities and towns. In the larger centres, thousands of women marched through the city streets, carrying great books, symbolizing the Constitution, draped with a black sash. This symbol was later adopted by the Black Sash as its badge, designed by Bob Connolly, the *Rand Daily Mail* Cartoonist. On November 25th, the day of the election of the new Senate; demonstrations were held in four Provincial capitals, while smaller centres held silent vigils.

When Parliament was re-opened on January 13th, 1956, nation-wide demonstrations and vigils were again held. The regular vigils at the Union Buildings were discontinued, and resumed in Cape Town outside the House of Parliament, to provide a constant reminder to the Government and the public that the Constitution had been violated.

The Convoy to Cape Town

Soon after Parliament assembled, the Government introduced the South Africa Act Amendment Bill, which would enable them to remove the Coloured voters from the common roll. The Bill also took away the right of the Courts to test certain legislation. The newly constituted Senate assured the Government of the necessary two-thirds majority at a joint session of Parliament, which they had been unable to obtain through the ballot box.

To coincide with the joint sessions, the Black Sash organised a large-scale demonstration. On the evening of the 12th February, convoys of over 100 cars, carrying Black Sash women from all over the Union, converged on Stellenbosch. Some had travelled over 1,000 miles, from the Transvaal. Two days later, they were escorted by 50 cars from the Cape into Cape Town, where cheering crowds thronged the pavements as the procession of over 150 cars drove slowly up and down Adderley Street.

For the next 48 hours, relays of Black Sash women lined the railings outside Parliament in a continuous vigil, mounting guard over a large Book of the Constitution draped with a black sash. Simultaneously, demonstrations were held all over the country by members who had been unable to travel to Cape Town. During that week, mass protest meetings were organized in Cape Town, numerous Black Sash vigils were held, and the Convoy travelled throughout the Peninsula. Cape Town members of the Black Sash maintained the vigil outside Parliament until the joint session came to an end.

The Cape Town convoy was the largest and most spectacular demonstration ever staged by the Black Sash, and roused great enthusiasm throughout the country. Nothing could deflect the Government from its course, however, and the South Africa Act Amendment Act was passed at an all-night session on the 26th/27th February, with eight votes more than the necessary two-thirds majority. The devious objects of the Senate Act had been achieved, and there was nothing more to be done but await the results of the test case which the United Party proposed to bring.

Please turn to Page VIII



The Great Protest Trek.

„EERBIEDIG ONS GRONDWET”
THE BLACK SASH PROTESTS AGAINST THE PACKING OF
THE SENATE



House of Assembly, Cape Town.



Outside City Hall, East London.



City Hall Steps, Johannesburg.



Dick King's Statue, Durban.



Outside Natal Provincial Buildings, Pietermaritzburg.



Mayor's Garden, Port Elizabeth.



City Hall Gardens, Bloemfontein.

In all the large centres of the Union, the Black Sash protested against the Senate Act and its implementation at every stage. The pictures show: 1. Mass protest by Cape Town members to mark the passing of the S.A. Act Amendment Act with the aid of the packed Senate. 2. Demonstration in East London to mourn the dissolution of the old Senate. 3. Demonstration by Johannesburg members to coincide with the mass protests in Cape Town by the Convoy members. 4. Vigil by the "symbolic four" women in Durban, to mark the opening of Parliament. 5. Port Elizabeth members mourn the dissolution of the old Senate, with the symbolic Book of the Constitution. 6. Pietermaritzburg members demonstrate against the Senate elections. 7. A service of mourning and dedication is held in Bloemfontein.

Development of the Black Sash

All these demonstrations were only the outward symbol of the work of the Women's Defence of the Constitution League. All this time, the membership was steadily growing, and the organization had formed itself into a number of Regions and Branches. A National Conference had been held in Port Elizabeth in November and a Constitution drawn up, defining the aims and objects of the organization and laying down rules for the conduct of its affairs.

When the United Party lost its test case against the Senate Act, and the Courts declared the Act legal, it was expected in some quarters that the Black Sash, having served its purpose in opposing the violation of the Constitution, would be dissolved. But the organization had already embarked on a programme of action in line with its declared aims and objects, which were:

- (i) To conduct propaganda and enlist support and aid for the observance of
 - (a) Political morality and the principles of parliamentary democracy within the Union of South Africa;
 - (b) Civil rights and liberties.
- (ii) The political education and enlightenment of citizens of South Africa and other persons.

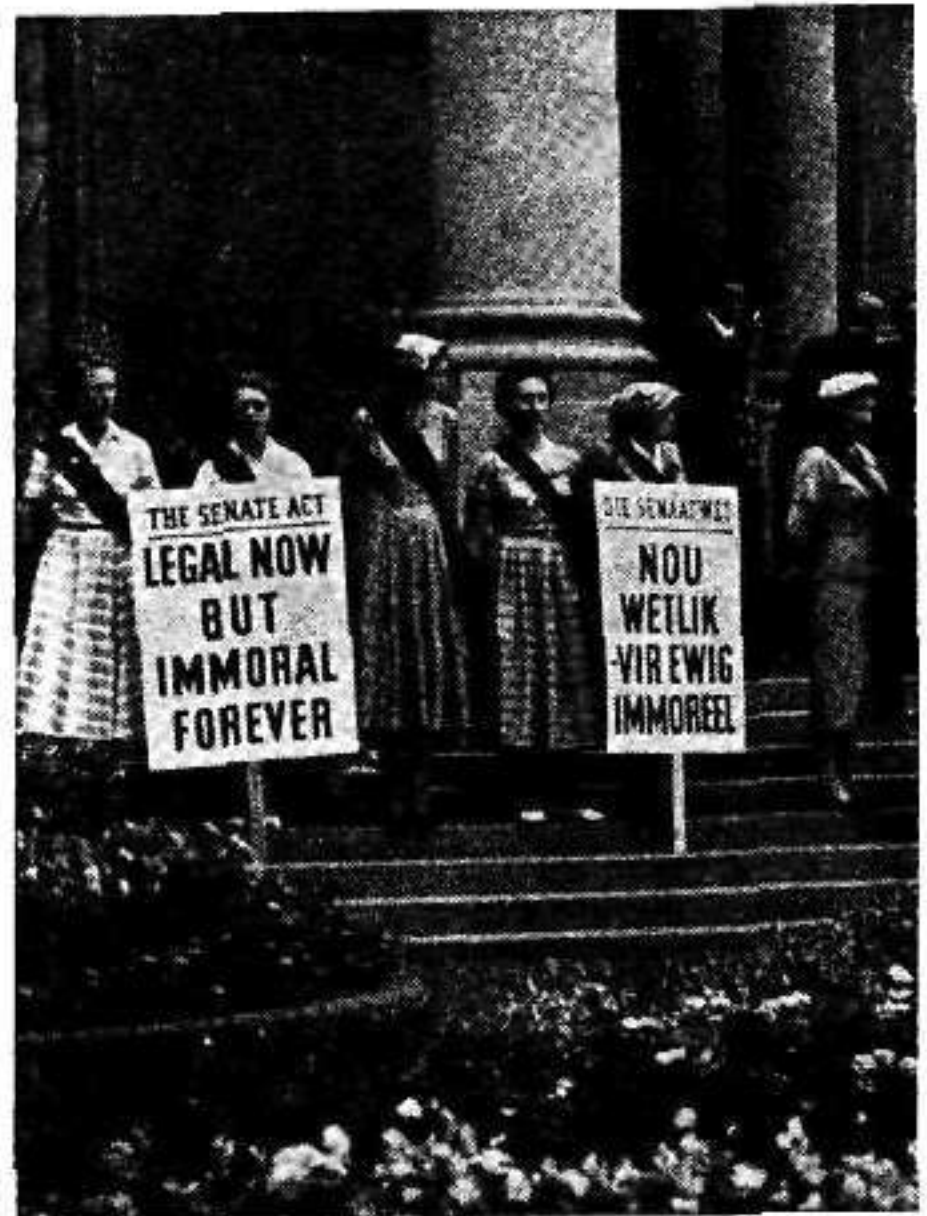
This was obviously a long-term policy, a programme of action directed against the undemocratic trends in Government legislation of which the Senate Act had been an extreme example. Country-wide demonstrations were held when the result of the test case was known, and in every large town and in many of the smaller centres groups of Black Sash women displayed posters which read: "THE SENATE ACT — LEGAL NOW BUT IMMORAL FOREVER."

Thereafter, however, the organization, now known officially as the Black Sash, returned to its now acknowledged role as a political pressure group.

Pressure Group

At the time of the initial two-day vigil at the Union Buildings, the members of the Women's Defence of the Constitution League were South African women from all walks of life. Although some of them were lawyers, politicians, historians and social workers, the majority had up to then taken little interest in politics as such, and had little knowledge of the historical and political background to their Constitution. Forty-eight hours of close association, however, had roused in them the desire and determination to learn more about the political affairs of their country. The immediate result was the organization of a series of public lectures on constitutional matters, for the information of themselves and others.

Soon they began to realize that the constitutional issue in South Africa was only a part of the pattern — that the real problem which the country had to face and resolve was its attitude to race relations. Apartheid legislation began to be



The Senate Act is declared legal, November, 1956.

seen for what it was — restriction on the freedoms of a section of the population which would sooner or later recoil upon all sections.

From then on, the Black Sash kept a close watch upon the policies of the Government, and legislation or its implementation which had the effect of limiting the rights of any section was vigorously opposed at every stage. For the past seven years innumerable protests and demonstrations have been launched against the Group Areas Act, the Pass Laws, Race Classification, banishment without trial, University Apartheid and the Government's Education policy, etc. Since the apartheid legislation of the Nationalist Government has borne more heavily on the non-Whites than on the Whites, a great many of these protests appear to have been made on behalf of Africans, Coloureds and Indians, but, in fact, the Black Sash early perceived that "the greatest tyranny has the smallest beginning", and its protests were based on the principle that freedom is indivisible.

Growth of Interest and Knowledge

In pursuit of their aim of enlightening themselves and others on political matters, Black Sash groups in all parts of the country have organized lectures, forums, brains trusts and public meetings.

They have made investigations into such matters as induced farm labour, group areas, political banishment, the pass laws, the operation of the Native Commissioners' Courts, and in many cases made representations to responsible bodies. They have consulted and worked with other organizations on education, the Pass Laws, the Group Areas Act, Malnutrition, and publicized their findings.

During the Emergency after the incidents at Sharpeville and Langa, when numerous people all over the country were arrested and detained under the Emergency Regulations, Black Sash women in every centre performed an outstanding job in providing emergency aid and caring for the dependants of those arrested. In some cases, they actually initiated and administered emergency funds; in others they worked with other organizations. In all cases, the bulk of the work done behind the scenes was performed by Black Sash women, who have won a well-deserved reputation throughout the country for hard work, integrity and dependability.

The Pass Laws

These laws, which have been called "the greatest single cause of African unrest", are the mainstay of the apartheid system. They apply only to Africans, and under their provisions an African male over the age of 16 must carry a Pass, or Reference Book, at all times. From the 1st February, 1963, African women, too, will be obliged to carry passes. Failure to produce a pass on demand by any policeman or official may result in summary arrest, followed by imprisonment and/or fines. In reply to a question from Mrs. Helen Suzman, M.P., the Minister of Justice said recently in Parliament that more than 3,500,000 Africans had been convicted of pass law offences between 1951 and 1960. These are merely statutory offences, but the offenders are treated as criminals. The influx control regulations which control the entry of Africans into certain prescribed urban areas depend upon the Pass laws, and restrict the free movement of the African and his right to seek work and reside where he chooses.

"The overall result of the system," says a report issued some time ago by the S.A. Institute of Race Relations, "is that the vast majority of Union Africans have no right to be anywhere where they can earn a living. The Reserve Africans are nearly all dependent on outside employment. Yet they have no right to seek it. The farm Africans have no right to remain where they are nor to go elsewhere. They can be expelled by the White landowner yet prevented from settling in an urban area or a Reserve. The urban Africans are likewise liable to be expelled from their homes by the local authority, yet prevented from settling in another town or in a Reserve."

For years, the Black Sash has waged constant war on these laws, mounting innumerable demonstrations to draw attention to the hardships caused to Africans, the break-up of African family life, the constant harassment by the police, the drain

on the African's pitiful economic resources caused by fines and imprisonment, with consequent loss of earnings. "MONEY FOR FOOD BECOMES MONEY FOR FINES" was one of the slogans used. We have written articles, issued numerous pamphlets and leaflets, held meetings and symposiums, in an effort to awaken the public to the evil effects of these laws, and their cost in human suffering as well as their cost to the country in cash and manpower.

The Farm Labour Scheme

One of the by-products of the Pass Laws was the "voluntary" farm labour scheme, which occupied the attention of our Transvaal Region for many months some years ago.

The attention of the Black Sash was drawn to this scheme by one of our members, whose African gardener's young son "disappeared". Our member made extensive inquiries, and the boy was eventually traced to a farm in the Eastern Transvaal, where he was serving a "sentence" of farm labour for non-production of a Reference Book. He was not yet of pass-bearing age. A writ of "habeas corpus" was obtained through a lawyer, and Moses was brought back to Johannesburg, when the whole iniquitous business was brought to light.

It appeared that a semi-official arrangement existed between certain farmers on the one hand and the police and Bantu Affairs Department officials on the other, whereby Africans on the Witwatersrand arrested for pass offences were given the option of appearing in court or serving a "sentence" of several months' farm labour. It was one way of easing the congestion in the prisons and at the same time providing the farmers with much-needed labour, at a very low cost. The conditions under which these prisoners laboured on the farms was found upon investigation to be deplorable in many cases, and in some cases they were treated with the utmost cruelty.



The system seemed to have been in operation for some time, as the Africans knew of it, and referred to the process as being "sold" to the farmers. Although they were supposed to be given the option of "volunteering" for this labour in lieu of an appearance in court, most of them obviously did not understand this, and there is reason to believe that it was not always explained to them.

The Black Sash investigated the position thoroughly and publicized its findings. The Press co-operated and full publicity was given to the case of the boy Moses and to the whole system, stress being placed on the by-passing of the courts, the arbitrary nature of the "sentences", the lack of official supervision on the farms and the inhumanity of the whole scheme, whereby men could be whisked away at a moment's notice, to disappear for months, without being given the opportunity of notifying their families.

As a result of the publicity, the Minister of Bantu Administration and Development ordered the immediate suspension of the scheme, and instituted a departmental inquiry. The Black Sash, among other organizations, was invited to make representations. A comprehensive memorandum was drawn up and submitted to the Commission of Inquiry, and our organization was subsequently invited to send a delegation to appear before the Commission.

The findings of the Commission were never made public, and the Black Sash was unable to obtain a report, but the Farm Labour Scheme was abandoned.

The Athlone Advice Office

The Abolition of Passes and Consolidation of Documents Act, far from abolishing the Pass system, actually extended it to African women, in spite of long-continued protests by the Africans themselves and by many White people who understood how strongly and fiercely the Africans feared and resented any interference with their womenfolk. As a slight concession to these protests, the Government agreed to suspend the compulsory carrying of passes by women until such time as the Whites, Coloureds and Indians were compelled to carry Identity Cards. (This date has now been set for the 1st February, 1963).

In spite of this concession, however, officials in the Western Cape demanded the Reference Books, or permits to be in the area, and used the system to carry out the Government's Eiselen Line policy, under which all Africans are ultimately to be removed from the Western Cape. African women whose reference books or permits were not in order were arrested and summarily imprisoned, often leaving small children uncared for. The Athlone Advice Office was originally established in Cape Town by the Black Sash in order to provide bail for some of these women and assist them to return to their homes and children.

The removal of Africans from the area has now been speeded up, and hundreds of men and women are being summarily "endorsed out" of the area, i.e., ordered to leave and return to their "homelands," regardless of the fact that most of them



South Africa leaves the Commonwealth, 15th March, 1961.



Demonstration in Cape Town:

"The General Law Amendment Bill — Further Infringement of Personal Freedom"

have been living and working in the Cape for many years, and have lost all touch with their place of origin. Many, indeed, were born in the Cape.

The Athlone Advice Office is now being run jointly by the Black Sash and the S.A. Institute of Race Relations, and has widened its scope to provide advice for men and women who have been "endorsed out" or are in any other difficulties with the Influx Control regulations. Voluntary workers check up on their legal position, advise them of their rights, assist them to obtain permits to remain, or help them to obtain financial assistance to return to their places of birth. The Office is of inestimable help to a great many poor unfortunates who are ignorant of their rights, harried by regulations that they do not understand, deprived by unjust and inhuman laws of the basic right to sell their labour in the best market and to live peaceably with their families in the land of their birth.

Magazine

Since January 1956, the organization has published a printed Magazine, "The Black Sash", which has been widely read in our own country and also overseas. Originally registered as a newspaper and published monthly, the magazine is now issued quarterly, and contains articles on a variety of political subjects of general interest or of special interest to the Black Sash, articles on topical and controversial matters and reports on Black Sash activities.

Special issues have been published from time to time: one devoted entirely to articles on educational matters reached a wide public, and an outstanding special issue on the implementation and effects of the Pass Laws provided a valuable aid to our campaign to draw attention to the inhumanities of these laws and the hardships that result from them.

The "Sabotage" Act

After the first wide and enthusiastic publicity given to the Black Sash demonstrations against the Senate Act, interest in the organization here and overseas waned somewhat, but revived from time to time, when anything of particular interest occurred. For instance, the march in protest against South Africa's withdrawal from the Commonwealth, when the Black Sash was the only organization in South Africa to protest openly, received much publicity, especially in overseas newspapers. The slogan used on that occasion was, "THE CRIME — APARTHEID; THE PENALTY — ISOLATION".

In May this year, however, almost exactly seven years after the formation of the Black Sash, the protests against the General Law Amendment Bill — the "Sabotage" Bill — again focussed worldwide attention on the organization and on the Bill itself, declared by the Government to be directed against Communists and saboteurs.

As usual, the Government ignored the protests of thousands of South African citizens, including the Black Sash, and the "Sabotage Act," which drastically restricts the freedom of the individual and by-passes the Courts of Law, placing far-reaching and arbitrary powers in the hands of the Minister of Justice, was passed. The powers conferred by the Act have already been used with drastic effect. Citizens have been banned or sentenced to house arrest and organizations have been outlawed, all without being given any opportunity to prove their innocence or defend themselves in any way. At the same time, a sustained campaign by Cabinet Ministers, the Nationalist Press and the S.A.B.C. to equate liberalism with Communism augurs ill for the Black Sash and similar law-abiding organizations.



**"Sabotage" Bill Protest: Our poster is destroyed
by hooligans.**

The Black Sash has continued to protest against the General Law Amendment Act by means of constant demonstrations directing public attention to the inhumanity of house arrest and the by-passing of the courts. Some of the posters used on these occasions read: "INNOCENT OR GUILTY? THE COURTS, NOT THE CABINET, MUST DECIDE", "DETENTION WITHOUT TRIAL IS NOT JUSTICE", and "HOUSE ARREST IS INHUMAN".

Achievement

After nearly eight years, what has the Black Sash achieved?

It is true that we can claim no spectacular success, and much of our hard work over the years seems to have come to nothing. However, we can and do claim material gain in at least two instances: our protests against the iniquitous "induced" farm labour system a few years ago resulted in the abandonment of the scheme; and the remarkable success of the Athlone Advice Office is a feather in the cap of our Cape Western Region.

If the Black Sash has achieved nothing else, this help to the helpless, little though it may be when measured against the appalling defencelessness of the Africans in general, more than justifies its existence.

But something else has been achieved. It is a remarkable fact that many of the women who started out with the Black Sash more than seven years ago are still active and still as enthusiastic and determined as ever. They may be fewer in numbers, but they are stronger in resolve and principle; they have grown in stature, and their thinking has changed with the march of events in Africa.

The Black Sash has trained these women to think objectively and honestly about the problems of their country, to try to cast aside prejudice and intolerance, to protest against injustice and to uphold their principles firmly yet without violence. They have influenced thinking in this country to an extent as yet unknown, and can consider themselves responsible for much of the liberal opinion that is now being openly expressed in our country.

And this will never be lost — no legislation can control the minds of men.

"All the darkness in the world cannot put out the light of one small candle."

