

# Chapter Twelve

## BANNINGS

SINCE IT CAME into power in 1948, the Nationalist Government has made it clear that it will brook no opposition, least of all from Blacks, to its racially-defined plans for South Africa, even at the cost of all democratic principles. Thus it was that in the '60s representative Black organisations such as the Pan-African Congress and the African National Congress which enabled Black people to express legally their opposition to the ideology of apartheid were banned outright.

These blatant attacks on Black organisations and their leaders saw the Nationalists sinking further into unfavourable international disrepute. Since then it has resorted to less overt methods of attack. Instead of banning organisations outright it slowly 'bleeds them to death' by banning their leaders and individual members, with the obvious objective of seeing them fall gradually into ineffectiveness. An example of this can be seen in the systematic banning of SASO (South African Students' Organisation) personnel.

In March, four of SASO's key executive members were banned. Subsequently, the new executive elected at the July conference this year was ruthlessly mowed down with the bannings of the President, H.E. Isaacs (July) and the Administrative Assistant, Mervyn Josie (August).

These bannings were followed by those of the General Secretary, Ben Langa, the Literacy Director, J. Baqwa, and the Acting President, H. Qambela, in October. (For more details see Table).

Since it is individuals who are banned (these sporadically and apparently unconnected with each other), public protest and action is difficult to

arouse. It has become easier for the government to claim that it is not organisations and institutions that it is concerned with but with certain individuals who constitute 'a threat to internal security' of the state. Since banned people have no recourse to the courts of law it becomes difficult for them to refute this claim.

In 1973, fifty-four Blacks, as far as is known, were banned with the main thrust of the Government's attack directed at the protagonists of the young Black consciousness movement.

The group banned in March, and generally referred to as the 'SASO EIGHT' by the press, was in fact comprised of leaders and members of the three leading Black organisations representing this movement, viz.: South African Students' Organisation (SASO), the Black Peoples' Convention (BPC) and Black Community Programmes (BCP).

Not all the banned, however, are known to belong or to have belonged to any organisation. Indeed, there is little information on their political affiliations. It is ominous to note that since the 'howl of protest' over the March bannings almost seven times as many Blacks have been banned with hardly a note of dissent being expressed, except on those few occasions when the person/s banned happened to belong to some fairly well-known institution. This can only be taken as proof of the efficacy of the Government's new muzzling tactic.

Generally, banning orders have been imposed singly. Sometimes two or three people have been banned simultaneously. In May, 10 Blacks were banned at one fell swoop—an event barely covered by the press and hardly known by the public.

The banning orders served in terms of the Suppression of Communism Act vary from being relatively 'mild' Section 9 (1), to heavily severe, Section 10 (1A). (The exact restrictions imposed upon individuals in terms of these orders is outlined later). Banning orders this year have restricted the activities of the following Black individuals and their respective organisations:

**A. South African Students' Organisation (SASO)**

Name	Pen-portrait	Section of Suppression of Communism Act under which restricted	Date of Notice	Date of Expiry
Ben J. Langa (28)	Secretary-General of SASO. An ex-student of Fort Hare.	Section 9 (1)	8/10/73	8/10/78



Barney Nyameko Pityana (27)	Was expelled from school during stay at Lovedale and then was expelled from Fort Hare. A former President of SASO. Was Secretary-General of SASO at time of banning. Is married with one child. Restricted to Port Elizabeth.	Sections 9 (1) and 10 (1a)	2/3/73 28/2/78
Strinivasa Moodley (27)	Expelled from University for Indians—Durban. Was Administrative Assistant and Editor of SASO Newsletter when banned, executive member of Tecon—a Black drama group, and Director of SABTU, (South African Black Theatre Union). Married with one child. Restricted to Durban.	Sections 9 (1) and 10 (1A)	3/3/73 28/2/78
Harry Ranwedzi Nengwekhulu (27)	A B.A. graduate of Turfloop and former President of the SRC of University of the North (Turfloop). Was expelled from here. Was final year law student of UNISA and Permanent Organiser of SASO at time of banning. Restricted to Sibasa.	Sections 9 (1) and 10 (1A)	3/3/73 28/2/78
Jerome Leteane Modisane (24)	Ex-student of Fort Hare. Was President of SASO at time of banning. Restricted to Kimberley.	Sections 9 (1) and 10 (1A)	8/3/73 28/2/78
Henry E. Isaasc (23)	Final year law student at the University of Western Cape and President of 'illegal' SRC. Apparently one of the students who organised protests against the authorities at UWC this year. Took over as Acting-president of SASO in March, elected President in July. Forth SASO President to be banned. Restricted to Pietermaritzburg.	Sections 9 (1) and 10 (1A)	27/7/73 26/7/78

Mervyn Josie (25)	1st year B.A. student of UNISA. Was Administrative Assistant at time of banning. Restricted to Durban.	Sections 9 (1) and 10 (1A)	22/8/73 23/8/78
Johnny Issel (24)	Graduate of the UWC. Founder of Western Cape Youth Organisation (WCYO). Was SASO Regional Officer for Western Cape.	Section 9 (1)	22/8/73 23/8/78
Jeff D. Baqwa (24)	A graduate of Fort Hare. Was Literacy and Projects Director of SASO and SASM respectively at the time of banning. Restricted to Umzimkulu.	Sections 9 (1) and 10 (1A)	12/10/73 12/10/78
Hamilton L. Qambela (35)	A theology student at the Federal Seminary, Alice. Chairman of SRC and organiser of community development projects in Transkei and Ciskei. Was acting-President at time of banning.	Section 9 (1)	18/10/73 19/10/78
Rubin Phillip (25)	A former vice-President of SASO. Studied at the Federal Seminary, Alice. Represented South African Anglicans under 28 at a meeting of the Consultative Council in Dublin this year.	Section 9 (1)	27/10/73 27/10/78
Welile Nhlapo (25)	Field worker for SASO's Black Workers' Project. Was doing Social Science at Ngoye before student boycotts.	Section 9 (1)	30/10/73 30/10/78
Soma Reddi (22)	Former secretary-bookkeeper for SASO. Was elected Administrative Assistant in March. A B.Commerce student at UNISA.	Section 9 (1)	14/12/73 31/9/78

**B. Black Community Programmes (BCP)**

Steven Bantu Biko (28)	An ex-medical student at Natal University Medical Faculty and SRC President. Founder of SASO after its breakaway from NUSAS. Ex-President of SASO. Was research officer for BCP at time of banning. Married with one child. Restricted to King Williams Town.	Sections 9 (1) and 10 (1A)	3/3/73 28/2/78
Bokwe Mafuna (34)	Was a student at the Catholic Seminary at Hammanskraal. Worked for trade unions and then as reporter for <i>Rand Daily Mail</i> . Organiser for BCP and together with SASO of the Black Workers' Project. Married with one child. Restricted to Johannesburg.	Sections 9 (1) and 10 (1A)	3/3/73 28/2/78
Sumboornam Moodley (25)	Wife of SASO executive member, Strini Moodley. Services as high school teacher 'axed' by Department of Indian Affairs. Was employed as research assistant by BCP at time of banning. Restricted to Durban.	Sections 9 (1) and 10 (1A)	31/8/73 31/7/78
Ben Khoapa (36)	Qualified social worker. Was National Secretary of African YMCA. Was on staff of Spro-cas and has been Director of BCP since its inception. Married with three children. Restricted to Umlazi.	Sections 9 (1) and 10 (1A)	15/10/73 15/10/78
Malusi Mpumlwana (22)	Assistant field-worker for B.C.P.	Section 9 (1)	31/10/73 31/10/78
<b>C. Black Peoples' Convention (BPC)</b>			
Herman Sipho Buthelezi (27)	Was Secretary-General of BPC at time of banning. Confined to Newcastle.	Sections 9 (1) and 10 (1A)	2/9/73 31/7/78

<p><b>Drake Kgalushe Koka (43)</b></p>	<p>Founder member of BPC, and first secretary-general. Was Secretary of Black Allied Workers' Union (BAWU). A lay preacher, married with five children. Restricted to Johannesburg.</p>	<p>Sections 9 (1) and 10 (1A)</p>	<p>3/3/73 28/2/78</p>
<p><b>Sathasivan Cooper (22)</b></p>	<p>Expelled from University for Indians, Durban. Was Director of SABTU, Associate Editor of Black Gold Publications, organiser for Black Arts Studios, and member of TECON, and Public Relations Officer for BPC at time of banning. Married. Restricted to Durban.</p>	<p>Sections 9 (1) and 10 (1A)</p>	<p>3/3/73 28/2/78</p>
<p><b>Madibeng Chris Mokoditsoa (34)</b></p>	<p>Secretary-General of now defunct University Christain Movement and was vice-president of BCP when banned. Restricted to Johannesburg.</p>	<p>Sections 9 (1) and 10 (1A)</p>	<p>2/9/73 31/7/78</p>
<p><b>Lindelwe Mabandla (29)</b></p>	<p>Former vice-president of SASO. Active BPC member. Was teacher when banned. Married. Wife expecting their first child.</p>	<p>Section 9 (1)</p>	<p>13/11/73 31/10/78</p>
<p><b>Aubrey Mokoape (29)</b></p>	<p>Final year medical student at Natal University (Black section). Founder member of both BPC and SASO.</p>	<p>Section 9 (1)</p>	<p>13/11/73 31/10/78</p>

**D. National Youth Organisation (NAYO)**

<p><b>Mathe Diseko (21)</b></p>	<p>Poet and President of NAYO, TRAYO, SAD and Secretary-General of South African Students Movement.</p>	<p>Section 9 (1)</p>	<p>15/9/73 31/7/78</p>
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**E. Coloured Labour Party**

Achmat Dangor	Chairman of Labour Youth. Employed by Institute of Race Relations.	Section 9 (1)	29/10/73 31/10/78
Donald Francisco Mattera (37)	Former PRO for Labour Party. Was reported for <i>Star</i> and organiser of (UBJ—Union of Black Journalists). Banning viewed as 'ominous step' by Press, in view of the government's current threats against it.	Section 9 (1)	20/11/73 31/10/78

**F. Natal Indian Congress (NIC)**

Ela Ramgobin	A qualified Social worker. One of vice-presidents of NIC—which was revived by her husband, Mewa Ramgobin—also banned and restricted to Inanda. They have 5 children.	Sections 9 (1)	13/8/73 31/7/78
G. Sewpersadh (38)	An attorney—graduated from Natal University. Was President since last year and is 3rd president of the 78 year old Congress to have been banned.	Section 9 (1)	29/10/73 31/10/78
S. Chetty (58)	Active member of NIC since his youth. Was Chairman of local Pietermaritzburg branch.	Section 9 (1)	21/11/73 31/10/78

**G. South African Amateur Swimming Federation**

Morgan Naidoo (38)	Keen promoter of swimming amongst Blacks (See chapter on Sport). Was sports editor of the weekly newspaper—the <i>Leader</i> . Second black sports administrator since Dennis Brutus of SANROC to be banned. Was President of the Federation when banned. Married with 3 children.	Section 9 (1)	20/11/73 31/10/78
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**H. Christian Institute (C.I.)**

Manas Buthelezi

Section 9 (1)

6/12/73 31/10/78

Was Natal Regional Director for C.I. Holds a Doctorate of Divinity from Drew University in the U.S. Studied in Heidelberg University in West Germany in 1972. Member of Interim Committee of Black Theology Agency.

(Withdrawn May 1974).

There is very little information on the following individuals, also banned and restricted.

Virtually nothing is known about the political views they hold or about any organisation they may have worked for. As far as is known, most of them have been restricted in terms of Section 9 (1) of the Suppression of Communism Act.

<b>Name</b>	<b>Date of Notice</b>	<b>Date of Expiry</b>
G.S. Nyembe	9/3/73	9/3/78
Fizile Shadreck	9/3/73	9/3/75
Stanford Hlekani	9/3/73	9/3/75
Charlie January	9/3/73	9/3/73
Mbuyiselo Vikilahle	9/3/73	9/3/75
Joseph Booii	25/5/73	30/5/75
Tom Dingane	25/5/73	30/5/75
J.F. Dlevu	25/5/73	30/5/75
Titi Kleya Hobo	25/5/73	30/5/75
C.J. Mbekela	25/5/73	30/5/75
Veli Rogers Ngwema	25/5/73	30/5/75
Elliot Sota Stadi	25/5/73	30/5/75
Robert Diko	25/5/73	30/5/75
W.J. Ngqondela	25/5/73	30/5/75
Gile Gilbert Yinke	25/5/73	30/5/75
M.L. Mohlangu	16/7/73	31/7/75
Magapi S. Moetsi	11/7/73	31/7/75
Samson J. Nene	20/7/73	31/7/78



Severe banning and house-arrest orders were also served on three former Black political prisoners in May this year, shortly after their release from serving ten year sentences on Robben Island. They are:

<b>Name</b>	<b>Date of Notice</b>	<b>Date of Expiry</b>
Indress Naidoo (36)	12/5/73	31/5/78
Reggie Vandeyar (42)	12/5/73	31/5/78
Shirish Nanabhai (37)	15/5/73	31/5/78

These men were all associated with the old non-racial Congress Alliance Movement<sup>1</sup> and were served with their sentences ten years ago in one of the first trials held under the heavily criticised General Law Amendment Act<sup>2</sup>. They were found guilty of blowing up a railway tool-shed between Crown and New Canada stations and of attempting to blow up a signal relay case. SASO and BPC are especially mentioned in their banning orders, as organisations they are to have no contact with.

Ironically, Naidoo and Nanabhai who were 'inseparable' childhood friends and together on Robben Island are now prohibited from communicating with each other by virtue of their bans which state explicitly that they cannot communicate with any other banned person.

### *Why 'SASO Eight' Were Banned*

(And we may take it for granted that the 'reasons' given for their bannings apply to all the other forty-six Blacks subjected to a similar fate).

The Minister of Justice, Mr Pelsler, admitted in Parliament during a snap half-hour debate over the bannings, that the eight 'SASO' leaders had been banned because court proceedings would have given them a 'platform'<sup>3</sup>.

According to him, the 'students' had spoken of fighting the whiteman and achieving their aims only by revolution. The Government, he stated, could not fight everything using court actions.

He later clarified that his interjection was a reference to the 'misuse' the 'leftists and communists' made of courts in terms of the law as it stood, quoting the example of Nelson Mandela in the 'Rivonia trial', who chose to make a statement in court, which was clearly political.

Blacks have expressed strongly their opposing views to this despotic attitude which circumvents a basic right of access to the courts of law to banned people.

A statement from Chief Gatsha Buthelezi reads:

'This country is almost totalitarian. The bannings emphasise that there are no options. This is what happens when one steps out of the system'<sup>4</sup>

'Bannings mean that no South African is free from the depredations of

the Government', stated Mr Sonny Leon, leader of the Coloured Labour Party. 'It has become a law unto itself'<sup>5</sup>.

### **Public Reactions to Bannings**

Amongst Blacks it has become patent that the onslaught of bannings is nothing short of a subtly-devised form of insidious intimidation designed to keep the Nationalist regime in power at the cost of 'the Black man's aspirations'.

A statement from the NIC reads:

'The bannings can only be interpreted as a further manifestation of the Government's hideous intention to always keep the Black man in subjection.

It obviously feels that by flaunting its power and thereby instituting a reign of fear, it will be able to cow the oppressed people into accepting its monstrous policies'<sup>6</sup>.

Coupled with this realisation however, is a strong determination to go on 'defending our human dignity and freedom' despite the 'harsh and inhuman methods of oppression'<sup>7</sup>. The SRC of the Federal Theological Seminary went as far as to say that the 'abhorred bannings' were 'a feather in the cap of the Black man's struggle'<sup>8</sup>.

Bannings, arrests or any kind of victimisation for political convictions were the highest award the Government could bestow'.

It is this temper which is generally interpreted by whites as the 'bitterness and unrest' apparently existent among Blacks already, which the bannings could aggravate into 'acts of political desperation'.

A statement from a *Rand Daily Mail* editorial reads:

'The Government should not underestimate the deep long-term bitterness its actions must be fostering among the rising Black generation—the people with whom we shall have to deal with tomorrow'<sup>9</sup>.

### **Conclusion**

Banning and house arrest have been described as 'two of the tangible weapons'<sup>10</sup> in South Africa's arsenal of security legislation. Not only do they circumscribe political and social freedom' but they also 'conspire with other factors such as a banned man's environment and the need to make a living to turn him into one of 'South Africa's living dead'.

This is certainly true of Joseph Duncan Kesimolotse Morolong<sup>11</sup>, forty-six years old and a father of five children. Morolong, an ANC member, was among the 157 people arrested for treason during a country-wide police-swoop in 1956. During the state of emergency of 1960 he was detained for five months. In March, 1963, he was banned and restricted to an area five kms wide in a dry, desolate and sparsely populated stretch of land in



Ditshiping Reserve—an area of semi-desert conditions.

Social contact for him is reduced to virtually nil since his nearest neighbours live a distance away. By virtue of his banning orders he cannot receive visitors save his medical practitioner. Morolong who completed ten years under banning in March this year had his ban renewed once more to end in March, 1978. His mother made the following statement:

‘There is nothing much for him to do here. He just sits around all day watching the sun rise and set. At night he sleeps’.

Mr Docrat, 58 years old and banned since 1964, is another victim of stringent house-arrest and banning orders, which ‘straitjacket the body and mind, allowing prescribed hours of freedom during daylight hours but incarcerate their victims at home every night’<sup>12</sup>. When Mr Docrat’s order was renewed in 1969 a 22-hour a day house arrest was imposed on him. His daily hours of freedom have subsequently been extended to four.

Making a living is almost impossible for Mr Docrat whose situation is made even more ironical by the fact that he is surrounded by the teeming city-life of Durban. Long-weekends for him are akin to solitary confinement.

Social contact for him too, is reduced to a minimum. Few people are unafraid to talk to him, making David Russel’s contention that ‘banning orders convert a person into a social leper’<sup>13</sup> true. People do not know how to interpret ban regulations and some even get the impression that it is illegal to enter the home of a banned person or to invite him home. Moreover, there is the sickening tendency to conclude that a victim is somehow guilty and that an association with such a person might implicate a person in the eyes of the State.



the ban to enable them to continue the business have been refused.

In the case of the Moodleys, it was Mrs Moodley who provided the family income after her husband Strini was banned in March this year. In August Mrs Moodley was also banned, her order stating explicitly that the precincts of BCP where she worked as research assistant, were barred to her.

(c) 'violence to persons' ...

Mary Moodley a 58 year old housewife was first banned in 1963. On April 1st, this year she began her third five year term of restrictions<sup>15</sup>.

Mary Moodley was a garment worker and organiser of the South African Congress of Trade Unions. She is now confined and restricted to Benoni, a situation which makes it difficult for her to go to the hospital outside the magisterial area of Benoni, for medical treatment. She, and her husband are very sickly and a visit to the hospital for her means the requirement of a permit from the local authorities to do so.

The Morolongs, Docrats, Ramgobins and Moodleys represent only an infinitesimal number of Blacks to whom violence has been done this year, and this through only one avenue—bannings. That this is one of the vicious forms of state-controlled intimidation is irrefutable. To argue otherwise would be to testify to the effectiveness of a relentless power structure.

REFERENCES:

- (a) Government Gazettes—January-September.
- (b) Spro-cas Bulletin *Fear or Freedom*, March 1973.
- 1. *Star*, 29/10/73.
- 2. *Rand Daily Mail*, 14/5/73.
- 3. *Star*, 9/3/73.
- 4. *Natal Mercury*, 7/3/73.
- 5. *Rand Daily Mail*, 7/3/73.
- 6. NIC Press Statement, 7/9/73.
- 7. SASM Press Statement, 7/3/73.
- 8. Federal Seminary SRC Press Release, 6/3/73.
- 9. *Rand Daily Mail*, Editorial, 24/8/73.
- 10. *Natal Mercury*, 27/6/73.
- 11. *Rand Daily Mail*, 12/9/73.
- 12. *Natal Mercury*, 17/6/73.
- 13. *Cape Times*, 13/9/73.
- 14. *Cape Times*, 13/9/73.
- 15. *Rand Daily Mail*, 11/4/73.