

# No losers in Durban's battle of the

By PAUL GRAHAM

So, who won the battle of the Durban beaches?

Planned as part of the national defiance campaign, the protest against beach apartheid on September 3 centred on the Durban city beach known as South Beach. It is at the pedestrian mall end of West Street — Durban's main street — and is right in front of a number of hotels and holiday flats. Co-incidentally it is only a hundred yards from the scene of the successful protest against hospital apartheid held at Addington Hospital a few weeks before.

Organisers of the peaceful action had a very straightforward objective — to get to the beach and to swim in contravention of the by-laws segregating this beach, one of the few in Durban still reserved for whites only.

Press estimates put the crowd of participants in the action — both black and white — at 5 000. They spanned the beach, some swimming at the designated swimming areas, some

picnicking under umbrellas, some playing soccer and flying kites and others paddling — to the consternation of lifesavers — in non-swimming areas.

Shortly before lunch, organisers began the huge task of helping move people back to their buses and off the beaches, their objective achieved.

The estimated 800 police who had arrived at the beach area and begun patrols at breakfast time also had simple objectives — to ensure that there was no violence and to prevent any breach of emergency regulations.

To a large extent their objectives were also achieved.

The small group of people publicly insistent that the beaches should remain white provided most of the anxious moments for the huge crowd of participants, police and spectators. Insults, rough housing and at least one assault came on the heels of a number of "pamphlet bombs" the previous night. But tolerance by

organisers and participants — at one stage a group playing the childish game of "We walk straight and you'd better get out of the way" with slogans reading "Keep the beach white" were good-humouredly cheered and applauded by the crowd they were trying to annoy. And general, if occasionally, surly, discipline by the police prevailed.

In the end, it was clear that people won. They overcame their fears and distrust of one another sufficiently to be able to ensure that peaceful protest was possible and, with police discipline and impartial professionalism, non-violent. The Mass Democratic Movement showed that apartheid laws are crumbling and are indefensible. The police showed that they can behave in an independent and policing role. This was particularly typified by the action of a number of young constables in restraining right wing aggression.

Although not planned for this purpose, the beach protest showed also that the fears which

## Defiance: obstinate nation 'condemned' to relive the past

**In the weeks preceding the September 6 election, a civil disobedience campaign reminiscent of the 1952 Defiance Campaign started sweeping the country: thousands were arrested, hundreds detained and many died as police tried to halt the protest action. PATRICK LAURENCE looks at the similarities and differences between the two campaigns.**

The words have a contemporary ring, suggesting that history moves in cycles and that those who will not — or cannot — learn from the past are condemned to relive it.

"There is something degrading to humanity about these stories of Negroes being arrested — 30, 50, 100 at a time — fined, jailed and now flogged. Their crime is doing things like sitting where only whites should sit (and) getting in white men's queues.

"Outsiders are watching the whole proceedings with a growing sense of dread, as well as disgust."

The words, taken from the *New York Times*, are reminiscent of the civil rights campaigns of Martin Luther King in the United States in the late 1950s and early 1960s.

They relate, in fact, to the 1952 Defiance Campaign in South Africa: give or take a few differences in phraseology, however, they are apposite to the 1989 defiance campaign.

It is instructive to look at the present civil disobedience campaign through the prism of South African history and to note the similarities and the differences between the events of 1952 and those which are still unfolding today.

The overriding similarity is that both fall within the tradition of passive resistance or

satyagraha pioneered in South Africa between 1906 and 1914 by Mohandas Gandhi. The objective was — and is — to change the law by non-violent but direct action or, to use Gandhian terminology, by deploying "soul force".

The 1952 campaign, launched by the Congress Movement, embracing the then legal African National Congress and the South African Indian Congress, focused on six "unjust" laws; its aim was to secure the repeal of the six laws and, more generally, to win the right to the "fullest equality" and to "full democratic rights".

The six "unjust" laws were: the pass laws, the Group Areas Act, the law providing for the removal of coloured people from the common voters' roll, the Suppression of Communism Act — an omnibus act, like the present Internal Security Act, providing for repression of opponents of all ideological hues — the Bantu Authorities Act and the centrally-imposed policy of stock culling and land rehabilitation in the native reserves.

The overall strategy was for volunteers or resisters to court arrest by deliberately breaking unjust laws and, in that way, to clog the judicial and prison systems and force the government to change its apartheid policies.



Protesting in peace at last . . . victory

Three phases in the campaign were envisaged: a first stage, in which apartheid laws would be broken in the main cities by "selected and trained" volunteers; a second stage, in which the number of volunteers and the field of action would be expanded; and a third phase of "mass action".

The 1952 campaign failed to move into the third phase: it petered out within six months. But not before 8 326 volunteers were arrested to boost the prestige of the Congress Alliance.

Two factors persuaded Congress to call a halt to the campaign: the outbreak of violence, in which 32 people died (26 blacks and six whites); and the passing of the Draconian Criminal Procedure Act, empowering the courts

# the beaches

have led to the virtual elimination of all forms of public political expression other than narrowly confined party election programmes are groundless. The practice of political activity, controlled only by acceptable standards of behaviour, leads to greater security and higher levels of trust and accommodation. There is no doubt that the two largest groups taking part in the beach action — the police and the Mass Democratic Movement — have learned lessons that can only improve the potential for peaceful protest in the future.

However, there were moments during the beach picnic when the festive atmosphere came close to descending into the pitched battle experienced in other parts of the country. Unnecessary arrests, including those of children, unnecessarily rough treatment during arrests, the presence with the uniformed police of unidentifiable and aggressive people in ordinary street dress, the police "game" of constantly identifying different officers as



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being in charge to the frustration of the organisers of the event, a number of apparently self-planned mini-actions and arrests on ridiculous grounds by junior police were amongst those observed.

On the other side, while organisers and marshalls had briefed people, the natural ways in which people have expressed themselves, both politically and by temperament, threatened to encourage police action. A banner waved, people dancing in procession, a living chain across the beach — all these threatened to allow police the opportunity to act in terms of

**Picnic protest . . . a section of the 5 000-strong crowd that gathered at Durban's South Beach.**

emergency regulations and therefore to disrupt the organisers' objective of challenging beach apartheid.

Perhaps the "battle for the beach" will have ensured that there is potential for a new political era in South Africa.

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ERIC MILLER, AFRAPIX

Capetonians march to the City Hall.

to order the flogging and/or jailing of resisters for up to five years.

The present defiance campaign shares the ultimate central aim of its 1952 precursor: abolition of apartheid and establishment of a racially open and fully democratic society. Its range of civil disobedience, however, is wider, stretching from direct action against segregated facilities (hospitals, buses and schools) through protest marches to worker stay-aways and industrial sit-ins.

Like their predecessors, the 1989 protesters face an apartheid state armed to the teeth, literally and metaphorically. Within six weeks of the start of their campaign more than 2 000 have been arrested — the bulk for short periods

## 'The murder of the unfortunate white bystanders was the tragic consequence of fear, frustration and anger . . .'

only — and more than 250 detained, including 17 of the 30 people identified as "ringleaders" by the state.

The final word must lie with future historians but the 1989 campaign seems to have been less well planned. There are good reasons why it may be less well co-ordinated and more ad hoc than the 1952 campaign.

The Mass Democratic Movement leaders of the 1989 campaign certainly have less legal space within which to organise than their 1952 predecessors had. They operate under a state of emergency: the emergency was declared, incidentally, under the Public Safety Act, which was put on the statute book after 1952 campaign to enable the government to deal with future civil disobedience.

Like the 1952 Defiance Campaign, the present one has led to violence despite the commitment to non-violence by its leaders.

Taking a broad view of events in the Western Cape — the epicentre so far of the present campaign in contrast to its virtual quiescence in 1952 — two circles of anti-apartheid opposition can be distinguished: an inner circle in Cape Town, where disciplined civil rights marchers, usually shepherded by Archbishop Desmond Tutu and Dr Allan Boesak, have protested peacefully; and an outer circle, in the surrounding black and coloured townships, where protest has often manifested itself violently in stone-throwing and petrol-bombing.

The question of who is responsible for the violence is, of course, central to any discussion. The adversaries, the police and the protesters, have blamed one another, each claiming that the violence from their side is reactive. What is

certain is that there has been violence from both parties with tragic results.

In trying to appraise the defiance campaign the problem is to determine where organised non-violent resistance ends and where spontaneous outbursts of the combustible anger of the township residents start.

Who is to blame when that omnipresent rage erupts, as it did on, say, August 31, when angry blacks stoned a car driven by Mr Wouter Theron in the Western Cape, injuring him fatally? The organisers of the civil disobedience campaign for not tutoring their constituents in Gandhi's satyagraha properly, the police for handling demonstrators roughly, even brutally, or the apartheid system for denying black people political rights and corralling them into ghettos where hatred festers?

Writing of the murder of two whites — one a Dominican nun, Sister Aidan — by a black crowd in East London during the 1952 Defiance Campaign, historian Tom Lodge recalls that the killings took place after a police bayonet charge had broken up an ANC meeting.

He concludes: "The murder of the unfortunate white bystanders was the tragic consequence of fear, frustration and anger . . ." His assessment seems pertinent in a more general sense.

In his study of the 1952 campaign, "Passive Resistance in South Africa", social scientist Leo Kuper writes: "In an attempt to place responsibility for the riots on the resistance movement, the government charged a number of African leaders with incitement to public violence. Their charges failed. The government was not able to produce evidence linking the Congresses with the riots."

So far the government has not attempted to press similar charges, although there have been oblique allegations that the organisers have fanned violence.

Law and Order Minister Adriaan Vlok, faced with the threat of legal proceedings, has, however, retracted allegations that the Congress of South African Trade Unions — a driving force in the MDM — distributed a document calling for petrol bomb attacks. That speaks volumes.