

IN VERWOERD'S SOUTH AFRICA .

A TALE OF PERSECUTION.

On the 24th February, the South African press made a blank statement to the effect that Mr. Leo Linda Sihlali, a businessman of Queenstown, and Mr. Louis Leo Mtsizana, a lawyer of East London, were arrested in Rustenburg, Transvaal.

Both men were under a five-year ban and, in addition, Mr. Sihlali was under house-arrest. They were taken back to their respective home-towns and charged with breaking the conditions of their banning orders and attempting to leave South Africa without valid passports. Both men were remanded in custody pending the trial of their cases. Mr. Mtshizana's bail of £500 was estreated.

This curt statement left readers mystified with unanswered queries in their minds : How did it come about that a business man and a lawyer were both under a ban and even house-arrest; what circumstances led them to attempt to flee from the land of their birth, uprooting themselves and leaving their dear ones - their wives and young children - behind ?

The refusal to give information about these men is part of a carefully planned campaign carried on over a period of years by both the English and Afrikaans press of South Africa against the Unity Movement, The All-African Convention and the affiliated organisations. The press is not unaware of the status of these men amongst the Non-White people of South Africa and the positions they hold in the liberatory struggle. It knows in detail the persecution these men have been subjected to over a long period. It knows in fine their political ideas and affiliations. It cannot give information about these men without at the same time lifting the blanket of silence it casts over these organisations and what they stand for.

BARE FACTS

Mr. Sihlali was President of the Unity Movement of South Africa until he was banned, put under house-arrest and prohibited from membership of any of the organisations affiliated to the Unity Movement. The five-ban imposed on him also prohibited him from receiving visitors, and compelled him to report to the police at regular intervals.

A graduate of the University of South Africa, Mr. Sihlali had been a teacher in several secondary schools in the Cape. During his teaching career he became President of the Cape African Teachers' Association, which was outlawed by the Verwoerd Government for opposing Bantu Education. He together with the entire executive of that association was dismissed from the teaching profession when the new system of education was implemented.

Subsequently the Association decided that he should sue the Verwoerd Government for damages for wrongful dismissal. This was in 1957. Several teachers affected by the judgment are still awaiting payment of their damages by the Government. But meanwhile the Government promptly amended the law to make it impossible in future for teachers similarly placed to claim damages.

PERSECUTION

We have given the bare facts. But these do not tell the fury of the persecution unleashed against him, and the unceasing tracking down of an individual for the sole purpose of breaking his courage and spirit of resistance.

From the day he was dismissed from his post, his was an unceasing struggle. It became the job of that Department of State, the Native Affairs Department, which controls and regiments the very lives of the African people, to deny him the right to obtain work, to find a roof over his head and keep his family together. At the time of his dismissal, he was teaching at a secondary school in Dutterworth where, incidently, he was born. On

/hic...

his discharge the local Native authority on instruction from above told him to leave the area because he had no rights of residence since he did not grow up there. On returning to his home in Queenstown, where he had been brought up and had previously taught for many years, he was warned that he could not live in an urban area, unless he was employed, since he was not born there. He took his young children to his old widowed mother one hundred miles away; his wife, likewise a qualified teacher, was also not permitted to teach, and had to find work as a domestic servant. For it is the practice of the Verwoerdian regime to visit the 'sins' of a man upon his wife, his children, and relatives. Mr. Sihlali himself got a job as a labourer with a building contractor in East London. He had no sooner started work than the Native Affairs Department caught up with him. The police visited the employers. He was summarily dismissed without any reasons given. The N.A.D. invoking one of the numerous clauses of the Urban Areas Act threw him out of East London as a 'redundant Native'.

Now his plight really became desperate. His children became very ill. He was unemployed. He was without a home. His wife was tied to the domestic chores of South Africa and eking out a truly miserable existence. At his mother's home in King-⁻williamstown he found one of his children, as he thought, dying. Against medical advice and his mother's objection, he decided to take the child away with him to Queenstown. But he was forbidden by law to live there. That night, like a criminal, he stealthily entered his home, his own house, there to sleep for the night. The next day he roamed the town, looking for work, dressed in rags to avoid identification by the police.

One of those freaks of circumstan^{ces} happened. He met an old acquaintance of his, a Jewish shopkeeper who was running a hand-to-mouth sort of business in one of the smaller lanes off the main street, and to him he unburdened himself. With abounding compassion and human feeling this white man offered him work in his shop. He could not afford to pay him a living wage, but he made it possible for him to remain in Queenstown and to live in /his....

his own house, for he was now employed.

The condition of his children deteriorated. His White friend advised him to call his wife back to look after the children. He would offer her nominal employment. On medical examination the doctor found that his children were suffering from malnutrition. They were starving, a common enough disease when half the babies born yearly die every year in the location. His job did not solve his problem. On hearing of his plight, his friends rallied to him and with their help he opened up a small general dealer's shop. This venture opened up the next chapter of disasters. He and his friends knew this would result in failure; but in order to get the right to remain in Queenstown he had to be 'gainfully employed'. He had no business training. His nature and upbringing were in revolt against this kind of life....the long hours from five in the morning to nine in the evening, the endless counting of pennies from the poor. This drab and mole-like existence was foreign to his mental equipment and outlook on life.

He soon sank into deep financial waters and his home, heavily mortgaged, was threatened with foreclosure. At this point the long-delayed payment of damages which the court had awarded him against the Government was made. All of it was swallowed up by his heavy debts. But this gave him a temporary respite and made it possible for him once more to engage in his political work.

He had fallen foul of the South African police. From 1955 onwards, he was continually harassed by Verwoerd's agents of terror. His home and his shop were constantly raided, books, private letters and even business papers confiscated. It was at this stage that his shop was subjected to frequent visitations by burglars who somehow were never apprehended by the police. Even when he and his family identified some of his merchandise in the possession of notorious characters, the police were reluctant to make arrests and, when they did, the cases for some reason would be indefinitely postponed and the suspects mysteriously released in the end without being brought to trial.

/During.....

During the general state of emergency in 1960, he narrowly escaped the police swoop and fled to Bechuanaland. After a few weeks he slipped back into South Africa to carry on his political work organising the people in Johannesburg (where he was in hiding, in danger of summary arrest, for he had no pass entitling him to be there) When the police got wind of this, he ran to Natal where he continued his political work until the storm blew over at his own home. In 1964, he was placed under house-arrest. Thus, he was politically and socially, completely isolated from his fellow-men.

By now the older of his children had passed the lower primary and had to be enrolled in the higher primary school. No principal in any of the schools would accept them. The agents of the Native Affairs Department, which now controlled Bantu Education, had got at them. He had to send his children to some remote schools in the Transkei where the school boards had not received instructions.

It was from this continual campaign of terror that Mr. Sihlali was trying to flee when he was arrested.

He is now released from the tortures of "freedom" reserved for people like him; saved from the Scylla of a Black man's life in the South African society of "free enterprise" he is plunged headlong into the Charybdis of the Verwoerdian dungeons from which there can be no escape. His children now in secondary boarding schools will be cast out for lack of school fees, to starve at home for lack of food, if indeed there will still be a home. Such is the life of a man who dares to oppose Verwoerdian schemes and who dares to claim the ordinary rights of a human being, especially if he is a Black in that wonderful and sunny land of ours.

THE SECOND VICTIM

Mr. Mtshizana is an ex-chairman of the East London branch of the Society of Young Africa (SOYA), an affiliate of the Unity Movement. A lawyer by profession, he figured prominently
/in

in the defence of hundreds of men and women charged under the Anti-Communism Act and the Sabotage Act. In the process he fell foul of the police and was himself arrested and charged with unlawful possession of a firearm.

Mr. L. Mloti who appeared for him, in applying for bail, vigorously rejected the prosecution's objection that Mr. Mtshizana would flee the country if granted bail. He declared that, on the contrary, his client was keen to stand his trial for he held this to be a trumped-up charge and that the revolver found in his rooms, in his absence, was a plant. He was anxious to expose the perpetrators. He was convicted by the local magistrate. On appeal, the Supreme Court set aside both the conviction and the

... .. on him.

It was during this period that Mr. Mtshizana was arrested in the streets and handcuffed for allegedly failing to produce a pass on demand by the police. He was kept in the police cells for five hours. When he appeared in court the magistrate dismissed the case. Subsequently Mr. Mtshizana sued the Government for damages for wrongful arrest, unlawful detention and malicious prosecution. He was awarded damages against the Government.

It was not long before he was involved in one of those peculiar cases that have of late become a feature in the South African courts. Mr. Mtshizana had been briefed to defend a number of school boys charged under the Anti-Communism Act. In the course of his duties, he gave certain advice to his clients. The police held that this advice was tantamount to attempting to defeat the ends of justice as it was calculated to weaken the State case. He was charged accordingly. The local magistrate convicted him and sentenced him to two years imprisonment. While the appeal was pending he was allowed out on bail of £500 on condition that he reported to the police twice daily - in the morning and in the evening. This was in addition to the once-a-week report in terms of the five-year banning order. This meant that on Mondays he actually had to report three times - once to one police station and

/twice....

twice to another. This has been going on since November, 1963.

This case was regarded with great interest by international jurists. A member of this body who happened to be in South Africa at the time indicated his desires to send an observer on behalf of that body when the trial came on. Mr. Mqotsi who briefed an advocate to appear for Mr. Mtshizana subsequently forwarded a report to this representative. The case was widely publicised in the South African newspapers.

He was still awaiting the hearing of his appeal in the Appellate division of the Supreme Court of South Africa when he was arrested in Rustenburg together with Mr. Sihlali. When this happened his £500 bail was estreated and they were both kept in custody.

With regard to the school boys themselves Mr. Mtshizana never had the opportunity to defend them at the trial because on the eve of the case he was detained under the 90-day law and was kept in custody for three months. During interrogation by the police he was told, inter alia, that his crime was his continued defence of 'saboteurs' and his association with the Unity Movement which was the avowed enemy of the Government, and which the Government intended to strangle. If he agreed to mend his ways in these regards he would be permitted to continue his legal practice unmolested.

Mr. Mtshizana is the father of three children and has also to support his widowed mother.

THE THIRD MAN.

Who is this Mr. Mqotsi who appears for the defence in Mtshizana's case?

Mr. Mqotsi is the Secretary of the All-African Convention, a body that federates mainly African Organisations, political, professional, civic, trade unions and peasant committees. He is also, together with Mr. Ali Fataar, a joint-secretary of the Unity Movement which federates African, Coloured

/and...

and Indian organisations. The All-African Convention is federated to it. Mr. Mqotsi is also General Secretary of the African People's Democratic Union of Southern Africa (APDUSA).

A son of a poor peasant in a village in the Ciskei, who sacrificed much to educate his son, Mr. L. Mqotsi obtained his B.A. Honours Degree, University of South Africa, and M.A. University of Witwatersrand. He too, worked as a secondary school teacher and was an executive member of the Cape African Teachers' Association (CATA) until the Native Affairs Department took over African education and imposed a system of indoctrination known as Bantu Education. He was dismissed from the profession at the same time as all the other members of the executive of CATA. From this point on, he joined the ranks of the hounded outcasts. With his high qualifications it was not difficult for him to get posts. He soon found employment as a research psychologist in the South African Council of Scientific and Industrial Research (CSIR).

It was not a month however, after he started work, than the police sent a report to the head of the council demanding his dismissal as a political risk. He was given a month's notice to quit. Then the University of Grahamstown offered him a post as a senior research officer. When his impending appointment became known, the officials of the Native Affairs Department (N.A.D.) together with the Broederbond who held high positions in the scientific field made strong objections to his appointment declaring that this man had been dismissed from the teaching profession by a department of state for his political activities. As a result he never started work there.

Undaunted he applied for a post at the University College, Fort Hare. He was offered a senior educational fellowship. This entailed research work at the various schools. The N.A.D. stepped in. By this time it was in total control of "Bantu" education. It made it clear that it would not have a man with Mr. Mqotsi's political beliefs enter any of the schools under it. Let us

/explain...

explain here that Dr. Verwoerd, the architect of "Bantu" education in his capacity as Minister of Native Affairs had published a booklet in which he stated inter alia: "People who believe in equality are not desirable teachers for Natives.....when I have control of Native education, I will reform it so that Natives will be taught from childhood to realise that equality with Europeans is not for them"

Since Mr. Mqotsi is a confirmed believer in the equality of man, and as it was a matter of principle with him to fight for such equality, he was obviously an enemy of the State, and an avowed opponent of "Bantu" education. He could not be permitted to come within a mile of the precincts of such institutions. He never got the post.

The only avenue left to Mr. Mqotsi to keep body and soul together was to join the ranks of the unskilled labourers. He posted his wife and children to her parents in the Transkei and smuggled himself into East London and tried for a labourers pass. At this point the Unity Movement started a printing press in East London and published a paper "Ikhwezi Lomso" (Morning Star). He was put in charge of the press. With this his right of residence in the urban areas was established. The municipality, however, refused to lease him a house at the location. He moved in with friends. The police invoked the Urban Areas Act against the press itself. They threatened prosecution because under the law "No Native or Native Company has the right to lease property without permission within an urban area" The organisation then got two "Non-Natives" to acquire nominal ownership of the press. Meanwhile, Mr. Mqotsi started a subsidiary paper "Indaba Zasi Monti" (East London News, a Xhosa-English weekly) in which he lashed out at injustices against people of colour. The police instituted numerous prosecutions for libel. He was acquitted in every case but this was an unbearable financial drain, which was what the police reckoned on. The Movement came to his assistance, supplying lawyers and financial aid. During the 1960 emergency, Mr. Mqotsi was locked up for two months without trial. Meanwhile, the

/police...

police had been intimidating the lessor of the premises of the press, alleging that the lease was unlawful since the Company was, in fact, Native.

When Mr. Mqotsi came out of jail, he found that the lease had been terminated. The Movement lost all its machinery since no other place could be found to accommodate it. This raised a very acute personal problem for him, for he could not remain in the urban areas without being "gainfully employed". The police demanded his eviction as a "redundant Native". To save him Mr. Mtshizana, a member of the Unity Movement, gave him articles in his legal office. He hated the legal profession but had no choice in the matter.

After two years he began to conduct cases on behalf of the office, joining Mr. Mtshizana in what had become a centre for the defence of the persecuted Africans, particularly those concerned with prosecutions under the Anti-Communism and the Sabotage Acts. This is how he came to be defending Mr. Mtshizana when the latter was persecuted, and he was himself charged with attempting to defeat the ends of justice. On acquitting him the judge commented "There is something unsavoury about this whole case". Thereupon the police served him with a five-year ban confining him to the magisterial area of East London. This meant curtailing his legal practice. For by then, they had built up a practice that extended beyond the town into the surrounding rural areas. A peculiar situation arose. Both he and his principal were now banned and therefore prohibited from communicating with each other. This is how the gross irrationality of the Verwoerdian laws have reduced even the legal processes into an absurdity, the depths of which are revealed in the above-mentioned case of Mr. Mtshizana. Those who still believe that there is still a rule of law in South Africa need only read a record of this case to disabuse themselves of this myth, once and for all.

So vicious is the herrenvolk in South Africa that in its vendetta against the individual that it will pay

/attention....

attention to the minutest details of his life in order to degrade and humiliate him. Even though these two men were running a very big legal practice and had earned the respect of the population for their courage and concern for the welfare of their fellow-men, they were not allowed to lease houses to live in. Mr. Mqotsi had to occupy a room in the worst slum in the location. A family of six lived cramped in this room where they had to cook, wash, eat, sleep and study. This was not due to shortage of houses. He was not apportioned ground on which he could build a house for himself. Such priveleges were reserved only for those professional and private entrepreneurs who were willing to co-operate and toady to the authorities in carrying out the Apartheid laws. It was then, because of close police surveillance over Mr. Mqotsi's movements, day and night, that the Organisation decided that, because he could no longer make his contribution to the Movement, he should flee the country. He is now a refugee in Zambia. His wife and children, unable to obtain travel permits to join him, had to acquire exit permits.

THE ANIMOSITY OF THE SOUTH AFRICAN PRESS.

What is the source of the animosity of the herrenvolk press to the Unity Movement and all its affiliates, an enmity that forces it to distort news by reporting half-truths or outright suppression of news and thus presenting to the world a completely perverted picture of the situation in South Africa?

The All-African Convention founded in 1936 was the first organisation that united all the existing organisations among the African people, including the African National Congress, into one federal body.

It was the first organisation amongst the oppressed people of South Africa to formulate a clear programme, the 10-point programme, demanding full democratic rights for all the inhabitants of the country. It formulated the policy of Non-Collaboration with the oppressors and instituted a boycott of all political institutions created for an inferior race.

The Unity Movement was the first organisation that called for the unity of all the different racial groups of the oppressed, and actually united them. Postulating that oppression is indivisible, it adopted the programme and policy of the All-African Convention, and thus declared war on the rulers' policy of "Divide and Rule". This was seen as a threat to white domination by the whole of the South African herrenvolk, the Verwoerdian, the Smuts and the Liberal wings alike.

This is the reason why those brave men and women who fall in the battle for liberty are either not mentioned in the South African press, or reported simply as businessmen, lawyers, teachers or as individuals who are being tried for such and such an offence. The press cannot afford to give their political affiliations, for to do so would be at the same time give publicity to the organisations to which they belong.

The whole world knows of Dr. Neville Alexander, but no-one ever mentioned the following facts well-known to the South African press, namely:

(a) that Alexander, as a student at the University of Cape Town, belonged to the Cape Peninsular Students' Union (CPSU) which is affiliated to the Unity Movement.

(b) that, before he got a scholarship to Germany, he was a member of the Society of Young Africa (SOYA), a youth organisation affiliated to the Unity Movement.

(c) that, on his return from Germany, he joined a new political organisation formed in his absence, the African People's Democratic Union of Southern Africa (APDUSA), a national political organisation affiliated to the Unity Movement.

(d) that the people who appeared with him during the trial are members of APDUSA.

(e) that all the women in that group were members of the Fund Raising Committee of APDUSA.

In fact, when they were arrested, it was the officials of the Unity Movement who started the fund-raising effort for their defence and /support....

support of their dependants, long before the generous support came from the outside world.

We are certain that Dr Neville Alexander, when he leaves jail, will be the first to raise his voice of protest against the attempts of the South African press to dissociate him from the Unity Movement and thus denying him his political home. Whatever he did or said, in all his adult life, was in the hope of advancing the policy and principles of the Unity Movement to which he was wholly devoted.

There are others of our leadership who are awaiting trial at this very moment. They are Mr. Enver Hassim, treasurer of the All-African Convention, and his wife Dr. Zuleigha Christopher, Chairman of the Durban Branch of APDUSA, and also Karim Essack. They were all executive members of the UNITY MOVEMENT, and were all detained under the 90-day detention Act.

In this short article we have not dealt with the heroism of the landless peasantry whose plight is much worse than the people here mentioned. We have not mentioned the hundreds rotting in jails in the reserves without trial. There is not a 90-day detention but indefinite detention, depending on the whim of the police. Little is known about the law of the country that gives such unlimited power to the police. We have said nothing about the thousands who were convicted for unpardonable crime of protesting and resisting the evil juggernaut that seeks to crush them. For them there is no press to tell the world about their sufferings. Only occasionally, when a chief, a government instrument of oppression, dies at the hands of the people, does the press bruit it abroad shrieking "Murderers! Savages!" ..etc..

But there is never a word to tell how many of the long-suffering peasantry lost their lives at the hands of the chiefs.

Yes, the world learnt about the army occupation of Pondoland in 1960, to subdue a peasant revolt, but not a /word...

word about the number of peasants who died there, or the women who were raped; nothing about the crops destroyed, the stock and chickens slaughtered and eaten by these gallant representatives of 'law and order'. More recently the army has moved once again into Pondoland. This time to stamp out APDUSA which they claim has captured the imagination of the population there and has become the new rallying point for the struggle of the landless peasantry. Once again the press is conveniently silent.

There is material enough in the reserves to fill any daily newspaper for years on end, but the world will never learn of it for as long as there is a conspiracy between the Verwoerd regime and the so-called free press of South Africa, a press that seems to be free only to distort the news.

In conclusion we want to express our appreciation and thanks to all those men and women outside our country who generously assisted in many ways and have unstintingly given to our fund-raising efforts.

We appeal for more funds not only to defend those who are facing trial and maintaining their dependants, but to put an end to the intolerable life of a whole people whose crime amongst others is that they were born Black and they refuse to live as inferiors.

Issue by:

The Head Office Abroad
of
The All-African Convention
and
Unity Movement of South Africa

8th March, 1965.

P.O. Box 1890 Lusaka, Zambia.