

MEMORANDUM ON POLITICAL PRISONERS
SUBMITTED BY ALFRED KGOKONG ON BEHALF OF THE
AFRICAN NATIONAL CONGRESS OF SOUTH AFRICA
TO THE AD HOC WORKING GROUP OF EXPERTS,
OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS MEETING
IN LUSAKA, ZAMBIA ON AUGUST 23-29, 1968.

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Mr. Chairman,
Your Excellencies,

The African National Congress of South Africa (A.N.C.) which I represent takes this opportunity of presenting to you its views on the treatment of political prisoners in South Africa. The nature of this Memorandum which we submit for your attention will deal with this subject under the following headings:

- a) Prisoners of War,
- b) Political Prisoners in South Africa,
- c) Resettlement Camps.

a) Prisoners of War

A war situation exists in Rhodesia and South Africa. For the past year as from July 1967 a violent armed conflict has been going on in Rhodesia between the oppressed African majority (4 million people) and the oppressing White minority (250,000).

The armed confrontation between these two contending forces is waged by the Zimbabwe African People's Union (ZAPU) and the African National Congress of South Africa (ANC) on one side against the dictatorial, settler rebel regime of Ian Smith in league with the fascist Vorster regime on the other.

Lest the situation be misconstrued, we hasten to briefly outline the background to the current state of belligerency in Rhodesia. Soon after the Ian Smith regime seized sovereign power in Rhodesia by way of their Unilateral Declaration of Independence in November 1965, the South African Government took a number of steps to enable the Ian Smith rebel regime weather the storm of economic sanctions directed against it. The South African fascist regime did not end there but went further and sent White soldiers in the guise of being policemen to go and fight on the side of the Smith rebel army and police. The Zimbabwe African People's Union in a written memorandum submitted to the U.N. Special Committee of 24 on the Implementation of the Declaration on Granting Independence to Colonial Countries and Peoples in June 1967 at Kitwe, Zambia supplied the names and the number of White South African soldiers who had been drafted to Rhodesia. South African involvement in the Rhodesian situation has grown apace since that time.

To justify this act of brazen interference in the domestic affairs of Rhodesia, the S.A. regime now advocates the dangerous view that the S.A. Defence Force will fight side by side with the armed forces of the White-minority ruled countries of Southern Africa regardless of whether or not a formal treaty exists to enable them to do so in terms of international law.

Britain gives the impression that Rhodesia is still her responsibility but the reluctance of the British Government to enforce its legal authority over Rhodesia by force has not only made a mockery of such legal pretensions but has left the exercise of law in the hands of White rebels. The consequences of the British position in the Rhodesian crisis are well-known. The wicked Smith regime interprets every act of opposition to its existence by the African people as a violation of law. Many of our guerrilla units have been sentenced to death or heavy penal servitude in pursuance of rebel justice.

Britain not only adamantly rejects the inclusion of South Africa

2/.....

and Portugal in the United Nations sanctions campaign against Rhodesia but also tragically ignored the aggression which South Africa commits by her direct participation on the side of the rebels in the guerrilla war being fought in Rhodesia.

The Smith regime, however does not deny that there is a war going on in Rhodesia. It does not conceal the fact that the Rhodesian Territorial Army and Air Force have been called upon and plunged into battle against the ZAPU-ANC guerrilla units. Insofar as the Smith regime operates a strict Press, Radio and Television censorship very scant news filters through to international public opinion. There is also a State of Emergency in force in Rhodesia. But the fighting has now reached such proportions in Rhodesia that there are thinly-veiled threats from South Africa to invade countries which give asylum to Africans from Rhodesia and South Africa engaged in the battles.

Our concern in this memorandum is to draw the attention of the international community to the obligations which Britain fails to discharge in Rhodesia; it is to stress that South Africa is an aggressor in Rhodesia and should not be allowed to interfere in the domestic affairs of that country in flagrant violation of the provisions of the Charter of the United Nations. Above all, our main concern is to stress the legitimacy of our right to struggle for our national liberation from the domination of White racist minorities in our fatherland; it is to emphasise that the men who fight in Rhodesia are soldiers in battle and should be accorded the treatment specified for prisoners of war in terms of the Red Cross Geneva Convention of 1949.

We are encouraged in the demand for prisoner of war status for our captured militants by some of the decisions of the International Conference on Human Rights convened by the United Nations and held in Teheran (22nd April - 13th May, 1968). In one extremely important field, namely the need to recognise existency of, and to protect human rights in armed conflicts - the Conference made very far-reaching contributions.

The said International Conference adopted the following Resolution which in our view lays the basis for concrete action on the vital question of human rights in a war situation. The Resolution:

- "1. Requests the General Assembly to invite the Secretary-General to study
 - a) steps which could be taken to secure the better application of existing humanitarian international conventions and rules in all armed conflicts, and
 - b) the need for additional humanitarian international conventions or for possible revision of existing conventions to ensure the better protection of civilians, prisoners and combatants in all armed conflicts and the prohibition and limitation of the use of certain methods and means of warfare,
2. Requests the Secretary-General, after consultation with the International Committee of the Red Cross, to draw the attention of all States, Members of the United Nations system to the existing rules of international law on the subject and urge them, pending the adoption of new rules of international law relating to armed conflicts, to ensure that in all armed conflicts the inhabitants and belligerents are protected in accordance with the principles of 'the laws of nations derived from the usages established among civilised peoples, from the law of humanity and from the dictates of the public conscience'."

We hope that the study and legal formulation of an International Convention that specifically guarantees the human rights of combatants

fighting against racist and colonial regimes will be effected with the expeditions urgency. International law should prescribe that victims of colonial oppression captured in battle be treated as prisoners of war.

B) Political Prisoners in South Africa

The South African Ministry of Justice made some comments on the Report of the International Red Cross Society commonly known as the Hoffmann Report. They say on the "Basis of Law Governing Prisons":

"At the outset it should be noted that the principal Act governing the administration of prisons, the Prisons Act, 1959 (Act No. 8 of 1959), and the regulations formed under the Act, are based upon the International Standard Minimum Rules approved in 1955 by the First United Nations Congress for the Prevention of Crime and the Treatment of Offenders. The law is thus of recent vintage and conforms to accepted international standards."

What the legal experts of the South African Ministry of Justice with judicious sophistry omitted to state is the glaring fact that South Africa as a whole is now a vast prison for the opponents of the apartheid regime.

It is a criminal offence for any prisoner or ex-prisoner to disclose any information that might reveal the sordid state of affairs inside South African prisons. It is an equally criminal offence for any newspaper to publish such information or photographic pictures of jail. Harold Strachan who defied these stipulations of the Prisons Act was re-arrested after his discharge from prison and finally sentenced to another prison term for having contravened the Prisons Act by giving an expose to the Press. The publishers and newspapermen involved in the printing of the Strachan story were also arraigned and indicted. This could scarcely be called a practice in conformity with international norms of justice,

In the same commentary of the South African Ministry of Justice there is a section on Robben Island which simply replies to the Hoffmann Report as follows:

"As a result of the system of classification referred to in paragraph 1 above, prisoners at present detained on Robben Island and at Victor Verster prison are classified in Groups A, B, C, & D. Prisoners have the opportunity of progressing up the scale."

This comment is a cynical admission of the allegations made in the Hoffmann Report regarding conditions on Robben Island. The Hoffman Report states:

"Robben Island can, as a whole, be considered a hard labour prison, as the island situation provides the necessary security background for open air labour for prisoners who otherwise would be behind bars most of the time.

As to the moral of the prisoners, the outward expression appears to be rather grim; no one seems to smile.

The political category is not separated from the ordinary criminals. The prison authorities informed the Delegate that there are four gangs amongst the hard bitten prisoners, which tend to terrorise their fellow prisoners, and might even go so far as to "sentence" fellow prisoners to death."

These appalling conditions on Robben Island also obtain in the other South African jails. We now proceed to make available to this august Commission on Human Rights a Memorandum which one of the A.N.C. members who had been on Robben Island submitted to the South African prison authori-

ties during his term of imprisonment. We have made a few deletions pertaining to names, dates and sometimes places in the interests of our colleague who is still in South Africa. We suggest that his Memorandum on political prisoners still carries the pressing urgency which his plea convey.

MEMORANDUM by a former Robben Island Prisoner

(1)

I was on 24th April, 1964 sentenced to 4 years' imprisonment after I had been found guilty of being:

- (a) a member of the banned African National Congress and,
- (b) carrying out the activities of the said banned African National

I am ^{Congress.} presently being incarcerated at the above mentioned prison, having been admitted to this prison on being drafted from the Robben Island prison (.....)

(2)

(.....) I sought and was granted an interview with the resident chief warden whom I addressed on a variety of matters, pertaining to treatment of political prisoners in this gaol. In consequence of this representation, I made the said chief warden to allow me to reproduce in writing what I had placed before him in order that the same could be properly brought to the attention of the higher gaol officials for due consideration and reply; hence this Memorandum.

(3)

(3)

It is with a spirit of great respect and sincere humility that I make this representation, in doing so I hope that I will not be misinterpreted or misunderstood in my intentions, I am actuated by a sense of justice as between man and man that I would like to see prevailing even in our South African prisons. Since my arrest on the 10th May, 1963, I have been to a number of prisons (.....) which in varying degrees have shocked my sense of public good. The dictates of my own conscience - that inner voice in any man, have now compelled me to speak out and seek redress of those wrongs. I believe that all men are born equal and are subject to the same rights and duties regardless of the accident of colour. I believe that I am primarily a human being and only secondarily a prisoner, that an African is a human being with feelings, desires and aspirations in no way intrinsically different from those of any other human being, indeed it is the whole pillar of my prayer in this Memorandum, that I and my colleagues should be treated as human beings.

(4)

I am addressing myself to you because I am aware that the Prison's Act of 1959 and the various standing orders and regulations give very wide discretionary powers to officers occupying different ranks in the whole hierarchy of the Prisons Department. With the rapid increase of the incidence of delegated Legislation, Parliament enacted that my life as a prisoner should be left almost entirely in the hands of the prison officers. In thus addressing myself to you I ask that you so use your discretionary powers that I am enabled to feel that I am still a human being even if I am a prisoner.

(5)

It is not possible that in a document such as this I could communicate to you exhaustively all. I should be granted an opportunity to elucidate the following matters orally:-

(6)

Handbook of prison regulations

It would greatly assist the administration of prisons if we would be supplied with copies of the prisons regulations with all up-to-date amend-

ments. Failure to adjust oneself to gaol discipline and routine is at times attributable to ignorance of what one may do as a prisoner. Since (.....more than a year in prison), I have been clamouring for these regulations in vain.

(7)

The status of a political prisoner.

I am a prisoner but a prisoner with qualification for I am a politician, my colleagues and I are all responsible members of our community, among us there are those who are the respected leaders, leaders in the various aspects of life of their people in the different parts of our land. Our only sin is that we have held certain political views opposed to the views of the rulers of this country. We believe that it is proper and just for us to fight for the emancipation of our oppressed people. We are not the first nor are we the last to be engaged in this mission, our own forefathers have done so, and it is with pride that we follow on their footsteps. There was a time when it was not illegal to be identified with an organisation as the African National Congress. Indeed during the period 1912 to April 1960, the African National Congress had remained the faithful shield and spear of the African people. By parliamentary enactment the African people were on the 8th April, 1960, deprived of the protective functions of the organisation.

What has been illegalised is the A.N.C. but not those things which the A.N.C. stood for. The struggle for liberation still goes on despite the ban on the A.N.C. therefore my conviction, and imprisonment is in a sense a highly technical affair whercin I am imprisoned not because society had disapproved of what I have done i.e. fighting for the liberation of my people, but because I have used the A.N.C. in so fighting for the liberation of my people.

This disapproval in my use of the A.N.C. as an instrument of liberation has for that matter been expressed by a small White minority. This has been done with contemptuous disregard of the feelings and aspirations of the millions of the rest of the people of South Africa and the rest of the world. There is therefore no moral stigma attached to my offence. It is for this reason that I plead that the political prisoner must have his status re-defined by a new set of regulations commensurate with the facts of the situation. It is unrealistic, indeed sheer vindictiveness, to treat a political prisoner as a criminal. (In the same way as having committed some moral wrong to society). The question of the treatment of political prisoners has in the recent years become the subject for debate and comment in the whole of the democratic world. In the process certain easily discernible conventional standards of treatment have emerged. These differ from state to state but the basic common factor seems to be the acceptance and recognition of the fact that the political prisoner has done no moral wrong, and therefore there can be nothing to reform or rehabilitate in him.

He is not likely to change his political views and beliefs despite assaults, torture, etc, that may be inflicted in an attempt to break him down. The foregoing requests and suggestions flow from this fundamental plea that a new sot of regulations be framed for political prisoners.

(8)

Board classifications:-

The present practice that a political prisoner serving a sentence of 2 years or more must be classed:

(a) on admission to prison and then graduate up the ladder to (c)

(b) and ultimately (a) is unrealistic. It is, I repeat based on the assumption that a political prisoner can reform.

On the contrary a political prisoner is strengthened in the correctness of his beliefs and political mission in spite of his imprisonment. My views therefore is that the classification of political prisoners as presently practised is purposeless.

*(Mr. Chairman, at this point allow me to interrupt the presentation of the "Memorandum by a former Robben Island prisoner" and to interpose a short comment giving the different categories of classification that apply in South African prisons and what a prisoner is entitled to expect under them.

All prisoners are classified into four groups A to D. At periods decided upon by the Prison Board, the prisoners are re-classified. The basis for this re-assessment of the prisoner is his adjustment, (and here I would stress that by adjustment is simply meant acceptance of the brutal prison conditions.) rehabilitation and progress, sentence, previous convictions etc.

Group A This is regarded as the highest security group. They can write and receive three (3) letters per month. They are also allowed to receive visits from two persons twice a month. The visitors are allowed to be in the company of the prisoners without any wire-mesh fences or other impediments separating them to make contact impossible.

Group B This is the medium security group. They can write and receive one letter per month. They are allowed to receive visits from two persons once a month. The visits take place in a specially-constructed room. The visitors are not allowed direct contact with the prisoners owing to the impediment of wire-mesh barriers which form a corridor separating the visitors from the prisoners. Ten visitors or more are allowed into the visitors' room on one side of the barrier, between them and the prisoners, a prison warden paces up and down the corridor whilst the conversation is shouted across through the wire-mesh barrier. The wire-mesh is so fine that visibility, let alone audibility, is grossly impaired. Such visits are purely and simply a nerve-wrecking bedlam in which a Babel of voices contend in a shriek, shrill and ever-rising crescendo.

Group C & D These are maximum security.

C. - They can write and receive one letter every three (3) months. They are allowed to receive a visit from one person once in three months. The same conditions for visiting described under Group B apply to Group C.

D. - They can write and receive one letter every six (6) months. They are allowed to receive a visit from one person once in six months. The same inhuman conditions for visiting that apply under Groups B & C operate for prisoners in Group D.

All visits do not exceed thirty (30) minutes. Each prisoner is allowed one visitor only and no more thereafter until the next visiting period comes. Lawyers where this is possible are allowed to see their clients or prisoners whose cases they might be handling in more amenable circumstances. As Africans, Indians and Coloureds are usually classified in Groups C & D. their life in prison is generally a severe strain on their mental and physical health. - ALFRED KGOKONG).

Remissions:

Prisoners other than political prisoners are all entitled to remissions of their sentences either as of right or as a privilege extended to them by the Board. This is denied a political prisoner. When it suits the Department of Prisons, the political prisoner is put within the ambit of the prison regulations applicable to all prisoners e.g. in the case of classification and when it does not suit the said Prison Department, a political prisoner is thrown outside the pale of the general prison regulations e.g. in the case of remission, what vindictiveness and discrimination! What inconsistency!

(10)

Correspondence:

Your regulations state that adequate attention shall be paid to the keeping of proper relations between the prisoner and his family. Now as already stated the general practice is that all political prisoners serving long sentences are classed (d) on admission to prison, prisoners in this category are permitted to write letters once after every six (6) months, this does not enable the prisoner concerned to maintain good relations between himself and his family. Among us there are family men with family responsibilities; a lot of anxiety is caused by this poor contact with families.

I suggest that political prisoners should not be subjected to this practice of classification and that instead a new set of regulations be framed in which it will be possible to provide at least monthly correspondence to all political prisoners with no reference to groups. In this regard there is a peculiar problem which confronts us in this prison, we are not allowed to write our letters in Vernacular languages. The reason given being that there is no African available who can read the common African languages of this country. The resulting hardships readily loom in the mind of anybody: people cannot have privacy in their letters because they have to ask other prisoners to write for them in English or Afrikaans, the recipients of these letters suffer the same humiliation.

It is common cause in this country that the majority of Africans, not for reasons of their own, are illiterate or semi-illiterate. I urge that something be done in order to correct this obvious wrong. I might mention that care should be taken to ensure that our letters are despatched for posting and delivery to us expeditiously.

(11)

Visits:

Flowing from my representation above, that political prisoners should receive preferential treatment, I request that we should be allowed visits every month and that such visits be contact visits.

In a situation where the people (prisoners) concerned are the responsible members of their families as there are lack of visits or visits too far apart, no doubt, mar family relationships. Surely members of my family must not be made to suffer unduly because of my political convictions or activities. Also in a situation where security prisoners are situated in the remotest parts of the country where it is not only difficult but in many instances become impossible for relatives to visit such prisoners, the State should be urged to subsidise the travelling expenses involved in each visit; a period of (30) thirty minutes is too short for a visit. We further urge that the minimum number of visitors at any given time should be three, and conversation allowed during such

visits should be in the Vernacular.

(12)

Hard Labour:

The deliberate practice of reserving the pick and shovel type of work for political prisoners is added punishment and sheer vindictiveness.

The non-political prisoners are able wherever possible to follow trades in which they were qualified before they were imprisoned, I have seen them in different prisons I have been to, being carpenters, builders, blacksmiths, electricians, plumbers and shoe makers, drivers and painters etc. I have not seen one political prisoner following his trade in gaol. The policy seems to be to herd all political prisoners into hard labour spans only. If there are exceptions they are so few as to be completely negligible, this is discrimination practised against a political prisoner. It cannot be justified, I want to make it quite clear that we are as capable as anybody else to do hard labour, we have proved ourselves in this regard at Leeuw Kop, Robben Island, and Kroonstad prisons. What I object to is the practice of being discriminated against simply because I am a politician.

(13)

Training in Trades:

Provision in your regulations for the training of prisoners in certain trades by way of the apprenticeship system, indeed, we have seen it happening to non-political prisoners to their obvious advantage. Here again it seems there is a decided policy of debarring political prisoners from using this opportunity of acquiring trades during their stay in gaol. Because of the national character of the liberatory movement to which we belong, the membership comprises of literate and illiterate. Instead of rotting in gaol it would be better to acquire a trade or trades. I urge that the policy of your Department be changed for the better in this regard.

(14)

Education:

At the time of my arrest (.....) I was a full-time student at the university (.....), where I was reading for the LL.B degree. I had ten courses to my credit and I was still to do the remaining seven. Prior to this I had qualified in a BA degree. (.....). During the six months I spent in solitary confinement in terms of Section 17 of Act 37 of 1963 in vain did I ask the police to allow me to continue with my studies. After I had been charged, convicted and sentenced, I renewed my endeavours to have permission and arrangements made for me to further my studies. In point of fact during my (.....) stay on Robben Island, I (.....), completed a form in which I was applying for registration as a part-time form student to the University of South Africa. The duly completed form (Registration) and the full school fees were handed to the Major in charge for transmission to the Registrar of the said university of South Africa. (.....) The said Major casually informed me, that I could not be registered for that year because it was late. Needless to say, I was discouraged and disheartened. (.....) I completed another registration form. I hope, I am not hoping against hope that ultimately I may be registered for my intended studies. I ask that unnecessary delay should not be caused in our application for studies. In the Handbook of Prison Regulations, it is stated that with due regard to his abilities etc "a prisoner shall be encouraged to study". The Department of Prisons had made special regulations dealing with studies in gaol.

a)...../9

- a) The intending students are required to pay the full school fees en bloc to the prison authorities before they can be registered for studies, organisations, even recognised charitable organisations, are not permitted to render any financial assistance in this regard. It is common knowledge that Colleges provide for instalment payment of fees as an alternative to payment en bloc. The greater majority of the South African population invariably uses the instalment method of paying fees. Reasons for this practice are obviously economic. Mine is the worst paid section of the people of this country: This regulation to my mind is unreasonable. Further it seems to me that the Prisons Department should not influence adversely a contract I enter into with a Correspondence College.
- b) Only books from recognised bookshops can be accepted in prison for study purposes. Now, I have some of the books at home; my friends and relatives too could be willing to lend me their own books or purchase for me second-class books from bookshops of their choice. All these are lost to me. It seems to me this is also unreasonable.
- c) I, my choice of Correspondence College from which I may receive tuition I am confined to four colleges only, viz: University of South Africa, Transafrika Correspondence College, Volks Correspondence College, and Rapid Results College only. It seems there is some bias in favour of "some home-made Education" the choice of colleges should be left entirely at the discretion of the intending student. The sum total effect of these 3 regulations governing studies in gaol is that instead of encouraging prisoners to study, they are discouraging and ever forbidding in certain instances. I should of course state the University of South Africa had reduced its fees by more than half for those prisoners who are serving long sentences.

(15)

Library Facilities:

The need for a reasonably good library in prison cannot be overstressed. It is true that we have already been promised about 500 books. The point is that we have not yet received these books or facilities for studying purposes.

(16)

Food:

- a) I request that the following improvements be made on the presently supplied food:-
 - 1) The Puzamandla served to us is too weak, it should be made stronger and sweeter,
 - 2) Stronger coffee should be served,
 - 3) For those of us who do not take pork an adequate substitute or alternative must be provided, e.g. beef. The same should apply to those who do not take fish,
 - 4) Extra mugs should be provided for soup in the morning; at the moment we are not getting the full ration of soup because it is poured over the porridge in place of a mug and thus spills away. The alternative to that would be to serve us with soup in the afternoon only, when the quantity should be doubled, i.e. full mug.

b)...../10

- a) I request that there must be a change of attitude on the part of the Prison Department on the question of our diet. The dietary scale meant for a non-White prisoner is completely inadequate. Once upon a time it must have been felt that an African can live on mealies and porridge as his staple food. Whatever the reasons were for this, it is today completely unjustified. (.....). Even the poorest African family does not have porridge for supper. Here are my suggestions for changes in this regard:-
- 1) Breakfast: A slice of bread with jam or butter or peanut-butter must supplement the morning meal; milk should be added to the coffee which should be made stronger than it is presently when it is served to us.
 - 2) Lunch: Whenever mealies are served should be mixed with beans, samp and (.....). An addition of fat will make the meal more sweeter than it is presently served to us.
 - 3) Supper: About $\frac{1}{4}$ loaf of bread (brown) with thick soup should be served on meat days. Stiff porridge (phutu) to which fat should be added and thick soup should be served on meatless days. In addition fruits must be served on such meatless days. A sufficient quantity of soup must always be a full mug during supper.

(17)

Clothing and Bedding:

The regulations stipulate that we should be provided with such clothing and bedding as will be conducive to health, and conform to the rules of Hygiene. It cannot be gain-said that short trousers are meant not only to insult but also to degrade us; apart they make the life of a prisoner miserable during the cold season of the year. May I hasten to state how grateful we are to the Department for the warm curduroy coats they have supplied us with. Here are my suggestions in this regard:-

- a) Long trousers in keeping with our dignity and for reasons of health,
- b) A pair or pairs of underwears for reasons of hygiene and health,
- c) Proper hats according to size of each prisoner,
- d) Shoes and socks according to the size of each prisoner, sleeping on mats on the cold cement floor is unhealthy and oppressive; so is sleeping naked equally degrading and humiliating. Pyjamas must be supplied to us. We are accustomed to sleeping on beds at our homes and for health reasons we request that we be supplied with beds.

(18)

Hospitalisation:

There is a great deal of negligence on occasion culminating in deliberate refusal to treat prisoners. (.....).

- a) On reception in this prison we were not taken before a medical officer for purposes of medical examination,
- b) My own mother died of T.B. Sometime back the family doctor recommended that members of my family be X-rayed yearly. (.....)

1 1/.....

I have not been X-rayed this year. Not very long after my arrival in this place I experienced coughing at night occasionally accompanied by blood saliva when I spat in the morning.

I reported this to the medical officer who examined me. I was, however, not told anything thereafter; neither was I given any treatment. The coughing has now stopped but occasionally I spit blood saliva, and my mucous is usually stained with blood whenever I blow my nostrils.

- c) I understand that there are about two prisoners who suspect that they have T.B.; one of them was in the T.B. Hospital at the Robben Island prison before he was brought to this prison. These people are not isolated from the rest of the prisoners. It is possible of course that these are not acute cases of illness, but what is important to note is that they do not seem to be receiving proper medical attention.
- d) It is strange to realise that in a prison such as ours there are no medical facilities even for extraction of teeth; this concerns lives of human beings. Experience has taught me that medical negligence and carelessness can be very costly.

The case of (.....) my cell mate at the Robben Island prison, comes sharply to memory. He suffered from cold .. (on.....) and died on within a period of one month.....) At the prison hospital, twice I tried to get him admitted to hospital on the (.....) this was without success. When he was ultimately admitted on the (.....) he was already mentally deranged. By the time I left the Robben Island prison, I had not yet confirmed whether or not he ever received proper medical treatment. If a postmortem examination could have been performed on his body the result of such an examination could be anybody's guess.

I appeal for better and more humane medical attention in this prison. Alternatively we should be allowed to consult our private medical practitioners where we are not satisfied with the State medical men.

(19)

The R1-00 kept for prisoners

Political prisoners are not subjected to remissions. They and their relatives know the exact dates of their releases, relatives and/or friends will send money when the prisoner is about to leave gaol, more over it is bad economics to keep money in a Safe where it cannot gain any interest and in meantime the owner require toilets etc, to buy.

The majority of political prisoners are serving long terms of imprisonment. To take R1-00 from a political prisoner's pocket money and keep it for him in an uneconomical manner for that matter is wholly unjust. I urge that either this money be not taken at all or if it should be taken it should be banked in the prisoner's own name, so that some interest may accrue to him.

(20)

Newspapers, Radio Sets, and Tobacco etc.

The privilege of enjoying the use of newspapers, radio-sets, musical instruments, tobacco, bioscope, films, etc is extended to prisoners who are in the (A) Group only. It is common cause that very few political prisoners ever reach this level of classification. This is partly due to prejudices against them and also because they must all start from (D)

those who serve sentences of less than 2 years are never able to receive this privilege, because these are not classifiable in terms of prison regulations. The fact that prisoners of a particular class enjoy the above mentioned privileges is suggestive of the fact that the granting or withholding of these privileges is not based on any principle. In the circumstances I urge that the classification of political prisoners be done away with to enable you to consider granting us these privileges on the basis of our integrity and status.

(22)

Sports and Games:

Sporting activities and games are very much desired. I can only urge that sporting facilities be provided for us. The remaining matters fall squarely within the purview of prison authorities.

- a) Toilets: I request that we be supplied with toilet soap instead of the blue as presently given to us and should be reserved for laundry purposes. It is greatly appreciated that we have now been supplied with tooth-brushes and washing towels. Is there any practical objection in our being allowed to use our own handkerchiefs?
- b) Mirrors: It would facilitate our cleanliness if big mirrors could be hanged on the walls of each cell for the use of all prisoners.
- c) Indecent Searches: The present method of searching us is both degrading and humiliating. This is because it is indecent, we are made to undress completely when we go to and from work, as we move naked from one shed to the other we are in full view of the general public. It must be surely a shocking experience or sight to whosoever is unfortunate to look toward s us during that time. I suggest that this exposure be eliminated as soon as possible because it constitutes a silent adverse comment on the administration of this part of this prison let alone to mention the fact that the search whereby we have to strip naked is no other purpose but an insult and humiliation, we are certainly not the type of people who could smuggle anything into the prison.
- d) Exercise: It should be possible for prison officials to allow us to have exercises on those days on which we have not gone to work.

The weather permitting, the present practice whereby we are made to sit on the blazing heat of the sun or to face the menacing cold should be discontinued. On such occasions we cannot even whisper to each other and if we are found out we are risking the automatic deprivation of three meals or that is a foregone conclusion.

- e) Obscene and abusive language: There is a lot of truth in the statement that the cultural background and homebringing of both reflected in his character. The use of obscene and abusive language or words is frowned upon in my cultural society, yet in your department one gets the impression that at least some of your men are licensed to abuse their authority over prisoners by indulging in the use of words which are abusive and obscene. I consider it repulsive to my sense of decency to repeat here in writing the examples of such obscene and abusive words used. I should of course state that our chief warden had continued to show a marked change in this regard since he spoke to some weeks ago. There is however still room for improvement on

his part. This cannot be said of some of his junior officers who seem to misrepresent the so-called White civilization and culture with distinction in this regard. This is one of the most general and disturbing features in your department; if it is not curbed it will worsen good relations between prisoners and prison officials.

- f) Food Parcels: As prisoners we are not entitled to receive or buy any food parcels from outside except on Xmas day which even then has to be a maximum of 3 lbs. I urge the department in this regard to allow us to buy and receive food parcels from outside at least once a month on a scale to be decided by the department. In addition to the presently allowed food items I recommend that we be allowed to buy and receive canned foods and bread on Xmas day.

Conclusion:

In conclusion I want to state that I have raised all the above matters because it is my firm conviction that political prisoners fall in a completely different category from that of an ordinary prisoner. My contention is that the imprisonment of a political prisoner is a consequence of his holding or fighting for political beliefs, out of favour with the government of the day. People have a right to hold them, a politician is a man of some status in his community. This status is with him wherever he is - in prison or out of prison. It seems to me that if we were all to accept this fact we would then be more realistic in our approach to prison reforms in this country. I am of course aware of the fact that, possibly in other quarters the view might be held that since a political prisoner, is a prisoner his treatment should not have regard to his political status and that if reforms are envisaged this should be applicable to all prisoners. With respect I disagree with this view. The modern approach is the rehabilitation of a prisoner. The central thesis of my argument is that a political prisoner is not involved in any common law or moral crime, he cannot be the subject of any schemes of reformation and rehabilitation.

Any pretext to do so will forever remain an act of deliberate injustice to him. Of course I am the first to urge for general reforms in the South African prison regulations. Reforms which will benefit all prisoners but also urge that such general reforms must take cognisance of the factual situation in order to be more realistic. I am engaged in a struggle for democracy in this country, my belief in this rightness of my cause is unshakeable, I am a believer in the equality of man. I make these representations with the sincere hope that they will receive the consideration they deserve from the department of prisons.

C) Resettlement Camps:

We have already stated that South Africa is a vast prison for the oppressed people as well as all people who oppose the fascist regime in power. Laws have been enacted which give the police power to detain people in jail for consecutive periods of 180 days without recourse to law. Apart from this barbaric detention in jail, there are brutal forms of coercion practised by the police on detainees to extract information from them. We believe that these cruel and wicked forms of torture and persecution are well-known to the international community.

It is therefore with resolute and unflinching determination that we call upon all progressive mankind to intensify action to smash the fascist monster of apartheid. Those opponents of apartheid who suffer imprisonment remain political prisoners for the rest of their lives. There is state machinery in operation in South African which ensures that the political prisoners upon release from jail will continue to be persecuted; will suffer even more refined punishment under the Resettlement Camp schemes now in force in South Africa.

Side by side with the Vorster regime efforts to gain friends among the African States there is a worsening of the situation of the indigenous people of South Africa. Let us for a moment look at a law that applies to Coloured youth to see how the martial spirit of mobilisation is used by the Vorster Government to regiment the Coloured people.

The Coloured Cadets Act, No.46 of 1967:

1. It empowers the Minister of Coloured Affairs in consultation with the Minister of Finance to establish training centres for Coloured Youths.
2. REGISTRATION: There is a compulsory provision in the Act which forces Coloured males between the ages of 18 and 24 years to register for training. Registration certificates are then issued which have to be produced within seven (7) days of demand. Failure to register, or produce a registration certificate or to any act that might be construed by officials of the Coloured Affairs Department as tantamount to obstruction in the implementation of the Coloured Cadets Act is punishable by a fine not exceeding £1000 or imprisonment up to six (6) months or both. The offenders can be arrested without a warrant and their names registered without their consent. The registered Coloured youth are then referred to as recruits.
3. RECRUITS: Those recruited are at different periods sent for training. Failure to report for such training is punishable by a fine not exceeding £250 or 3 years' imprisonment or both.
4. TRAINING: The recruits who actually proceed to the training centres are then called CADETS. The period of training is twelve months spread over three years upon the advice and decision of a Selection Board. This period may be extended by the Minister of Coloured Affairs to a further twelve months. The training is described in the Act as being for "any kind of employment." Physical exercises, sports, drilling exercises, are all part of the curriculum at these training centres for Cadets.
5. LEGAL STATUS: The Cadets system for training Coloured youth is based on the principle of military conscription. The remuneration which Cadets receive is determined by the Minister of Coloured Affairs and

the pay itself cannot be given by the Cadet to anyone else unless the Principal of the Training Centre where he is stationed gives his approval. While the Cadets are receiving their training, they have no legal status under the various laws that govern labour relations such as the Wage Act Apprenticeship Act, Workmen's Compensation Act, Industrial Conciliation Act, etc.

6. PENALTIES: Contravention of any of the regulations that operate at the training centres is treated as a criminal offence that may be disposed of in a court of law should the Principal of the centre so decide. Apart from what the courts may impose as punishment, the Minister still retains the right to add any other punishment he deems necessary. The sentences prescribed are a fine of up to £100, or six (6) months' imprisonment, or confinement at the centre. Cadets who attempt to abscond or do in fact disappear without permission face a penalty of £250 or three (3) years' imprisonment or both.
7. UNIFORMS: The Cadets are supplied with uniforms and equipment by the Government.

SUMMARY:

As the African population is gradually being removed from the Western Cape Province where there is a great concentration of the Coloured people, the Coloured Cadets scheme is the Government's answer to the resultant labour shortage that follows in the wake of the forcible exclusion of the Africans from the area.

But this is not the main purpose of the Coloured Cadets Training Act. Recent surveys on population movement trends clearly establish the fact that there are more Africans living in the urban areas today than twenty years ago when the present apartheid regime came to power in 1948.

The Coloured Cadets Training law is a surreptitious attempt to integrate the Coloured people on the side of the Whites whenever states of emergency or martial law is proclaimed. The Coloured Cadets Act will be used to mobilise and train Coloured youth on a compulsory basis either to man the essential services in a non-military capacity should a national emergency erupt or even to serve in a direct military capacity. It should be recalled from the experience of the Second World War that South Africa did not hesitate to ignore the conditions for which African, Coloured and Indian servicemen were recruited for and used them to bear arms in North Africa.

The pernicious propaganda that the Coloured Cadets training scheme will rob African workers of opportunities of labour should be strenuously resisted. The African workers in the urban areas especially in the Western Cape are being reported in view of the Government's declared policy of creating that area as a place for Coloureds and Whites. Any loss of employment opportunities could therefore only be marginal in comparison with the Government drive to prevent Africans from remaining in the area.

JOB RESERVATION: The structure of the South African economy and its manpower demands very energetically erode the basis for the fallacious policy of "separate development", "Bantustans" or the creation of industries on the borders of the African Reserves. Clause 77 of the Industrial Conciliation Act which empowers the reservation of jobs on a racial basis has become impracticable. At the end of 1966 there were approximately 19 Determinations (i.e. Job reservations) in force. But at the end of 1967 there were no new job reservation Determinations. Instead an opposite trend has appeared insofar as many exemptions have been allowed from the existing Determinations thus permitting a steady influx of non-White labour into employment fields specially reserved for Whites. The Minister of Labour on the 9th June, 1967 announced in the House of

Assembly that there had been 817 exemptions from Determinations gazetted. Hansard 19 cols. 7482-4).

To establish the fact that there is a preponderance of African workers over White workers in industries in the "White" areas, one simply has to refer to the following statistical data:

Woodwork9.5%	Whites
Textiles	11.2%	"
Leather	11.7%	"
Clothing	11.9%	"
Footwear	11.8%	"
Food	16.3%	"
Metal Products ..	27.6%	"

Only in the printing industry do the White workers exceed the Africans - 55.7% Whites. The hectic campaigns overseas to recruit White immigrants to South Africa reflect the dire skilled manpower shortage caused by the shortsighted Government policy of disallowing the Africans to legally perform skilled work and to train in different skills under the Apprenticeship Laws.

The African people are regimented differently. To them is vigorously applied the policy of removal from urban areas to the Resettlement Camps which are situated in and near the African Reserves. Most of the political prisoners upon release are banned and deported to these Resettlement Camps.

The Department of Bantu Administration and Development has established townships in various African Reserves to house families or individuals who, for one reason or another, are endorsed out of the White areas although they have no tribal homeland. Most of these people are old age pensioners who are no longer required for the economic development of the urban areas where the Whites live even though these people may have been born or spent a lifetime in those urban areas. The other category of people who are resettled in this way are the political prisoners upon release.

On February 17, 1967, the Deputy Minister of Bantu Administration said in Parliament that there were at that time 28,181 displaced Africans in the Stutterheim area, 81 of them in employment. Men were recruited from there for work as contract labourers, he stressed (see Hansard 4 Col. 1449). Again in Hansard 2 col. 589 it is reported that on February 3, 1967, the Minister of Bantu Administration and Development said townships were being established in the "homelands" to house families or individuals who were unable to obtain a livelihood in the White areas, including pensioners and the families of men working in the towns. By people "unable to obtain a livelihood" is really meant the victims of the Pass Laws who are endorsed out of town, have no ties with the tribal African Reserves, or who have been evicted from the Boer-farms.

By "families of men working in the towns" is simply meant the wives and children separated from their husbands owing to the provisions of various Pass Laws such as the Urban Areas Act etc.

It is reported that there are 24 Resettlement Camps in South Africa, namely:-

1. Bøekenhoutfontein, Pretoria district,
2. Temba, Hammanskraal district,
3. Ncotshane, Piet Retief district
4. Thulamahashe, Pilgrims Rest district

5. London, Pilgrims Rest district,
6. Arthur's Seat, Prilgrims Rest district,
7. Elandsdoorn, Grobblersdal "
8. Sebayeng, Pietersburg "
9. Shayadima, Sibasa "
10. Senwamakgope, Soekmekaar "
11. Morathong, Tzaneen "
12. Lorraine, " "
13. Moetladimo, " "
14. De Hoop, Lichtenburg "
15. Shiloh (sada), Whittlesea "
16. Ilinge (Welcome Valley), Glen Grey "
17. Papierstad, Taung "
18. Magogong, " "
19. Mpungamhlope near Vryheid
20. Mountainview, Newcastle "
21. Mondlo, near Ngutu
22. Ntuzuma, Inanda "
23. Selosesha, Thaba 'Nohu "
24. Witzieshoek, Harrismith "

The South African Government arbitrarily uproots settled communities, families and individuals in order to re-settle them in these Camps. This Government action shows its methods of enforcing apartheid laws on the African people and of its wicked resolve to ruin its opponents. This is yet another demonstration of the callous disregard for human life and welfare which is the policy of the Government. It is but another manifestation of the genocidal social practices that grow with the intensification of apartheid in South Africa.

We urge the United Nations to see that its resolutions on South Africa are enforced. We call upon the world body to renew its efforts to secure the expeditious release of all political prisoners in pursuance of the U.N. General Assembly Resolution adopted in October 1963 demanding such release and abandonment of political trials.

We hope that our testimony will be viewed in the light of the grave problems obtaining in South Africa and throughout Southern Africa that require urgent international action.

LUSAKA, Zambia.
August, 1968.

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