

FROM HOPE TO ACTION

by Edgar Brookes

Professor Thomas Karis and Professor Gwendolen Carter have done us a great service in amassing the detailed information contained in their four volumes on Protest and Challenge. The first two volumes dealt with the era in which expression of hope was followed by constitutional and formal protest. In the two volumes now under review, in which Professor G. M. Gerhart has taken the place of Gwendolen Carter, protest has become intensified and has broken out into the recognition, and in some cases the encouragement, of violence as attaining the end of liberation.

These four volumes are extremely important to students of race relations in South Africa. They show how African feeling, at first respectful, kindly, almost good-humoured, has been fanned into a belief in violence. The other outstanding feature of these four volumes is that they leave the Africans to speak for themselves. White people are included among the contributors but the volumes are essentially an account of the brilliant and able case put up by the black leaders on their own initiative. The selection is not open to much criticism, although the exclusion of Jan H. Hofmeyr is regrettable and the exclusion of Donald Molteno is inexcusable, but as far as can be seen no black leader of any importance has been excluded. With these four volumes before one, no student of South African politics can plead ignorance of the movements of thought among the leaders of the black sections of the community.

In fact one is impressed, especially in the first two volumes, not only with the ability but with the patience and even courtesy of the defenders of the African cause, and it is a grave criticism of those in authority in South Africa, not only the Government, but those who form white opinion, that they did not realise in time the urgency of the slowly developing crisis and the sound and even friendly attitude of the African leaders. No wonder their claims have become more insistent as the years have gone by.

Coming now to the two volumes, 3 and 4, specially under review, Volume 3 contains a history of the development of African thought and action from 1953 to 1961. This

heavy volume is not one for bedside reading, nor have the authors shown much grace of literary style in their presentation of the facts. But the facts are there, they are reliable, the handling of them is reasonably impartial and they are adequately, indeed fully, documented. The authors begin with a study of the African National Congress in the 1950's. They go on to consider the Pan Africanist Congress. They also devote a special section to the Congress of the People with its Freedom Charter. All these bodies worked, each in its way, for the political liberation of the African people. But the documents reveal two deep lines of cleavage. One was the question of whether Africans should combine with the Coloured people and the Indians in a general attack on privilege, the other — and this is more difficult to assess — deals with the extent to which Communism should play a part in the liberation movement. We know that the Government is too ready to attack any movement towards African liberation as being "Communist". They do this very unfairly, even when the persons whom they are attacking are convinced Liberals and anti-Communist, but there is no doubt that Communism has played a great part in the liberation movement. We are left to speculate how far Communism represents the genuine upsurge of feeling among the Africans and how far it simply means that some Africans have given support to the Communists because they seem to have offered more and to have offered more unequivocally than anyone else. Some of the African leaders who have not associated themselves with the ill-fated Congress of Democrats have definitely stated that they are anti-Communist. Others have been silent on the subject. We shall refer to this question of Communism later.

As one reads Volume 3 one is impressed by the fact how little white South Africans have known and cared about the movements of thought among intelligent Africans. This is true not only of Government supporters or the apathetic majority, but also of those who have been interested in and have even worked for the improvement of race relations. It is perhaps the last survival of the paternalism of white friends of the Africans who thought they knew better how to put the African case than the Africans themselves. They have no excuse with these volumes before them. The Africans may be right or they might be wrong. They cannot all be right all the time because they have differed from one another, but what the differences are and why they have arisen should be known to intelligent moulders of white opinion.

Volume 3 does not only give the main facts about the struggle but also publishes in full a number of important supporting documents. This does perhaps not make for ease of reading but it does constitute an important fruit of research for all readers willing to be enlightened.

* The volumes here specially reviewed are Volume 3 "Challenge and Violence 1953-64" edited by Thomas Karis and G. M. Gerhart, and "Challenge and Violence Supplementary" edited by Thomas Karis and G. M. Gerhart (Hoover Institution Press, 1977).

From 1961 there has been a turn to violence and this period has seen the suppression of all important African political bodies, including the African National Congress which, after all, stands out from all the welter of opinions and personalities as the most important authentic voice of the African people. The Government's action is understandable from the point of view of security and the defence of the **status quo** but it means that instead of honest opinions being openly expressed the Congress has been driven into the position of an unlawful society expressing its views how and as it may. One realises when reading through Volume 3 the immense amount of suppression that has gone on so far as African political expressions of opinion are concerned.

Volume 4 contains a picture gallery of African and certain white leaders and alphabetical biographies of them covering 168 pages. The amount of research which has

taken place in compiling these biographies is remarkable and that there should have been very few mistakes made by people working from a distance from South Africa is a striking tribute to the energy and ability of the writers. As mentioned earlier in this review, it is surprising to find the extent to which Communists figure in a biography of this kind. There does not seem to be any special favouritism shown as regards the African leaders, Communist or non-Communist, but it does seem, if one may offer a hesitating criticism, that white Communists have been given a somewhat favoured place as against other whites. But this perhaps is because of the great energy and enthusiasm of their work and their close relations with the African leaders.

Taking it by and large this biographical section is of great value and importance and we ought to be thankful and must be thankful for having it. □

DETENTION AND EVIDENCE

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There have been a number of significant comments recently by judges in cases on deaths in detention, and the reliability of evidence obtained by police interrogation.

* In a judgement on the death while in detention of Mr Joseph Mdluli on March 19, 1976, Mr Justice Howard (Maritzburg) referred to injuries sustained by Mr Mdluli, saying, *inter alia*:

"We are satisfied that Mr Mdluli sustained injuries while he was in the custody of the security police . . . There is no evidence of how he suffered the injuries or in what circumstances . . . Having regard to the nature of the injuries, we are satisfied that they were not self-inflicted and that not more than a small percentage of them could have been caused accidentally . . . The possibility that the police inflicted the injuries during interrogation cannot be excluded . . ." (Cape Times, 26/7/77)

Said the "Cape Times": "As the authorities refuse to abolish detention without trial and decline to order a commission of inquiry into the spate of deaths in detention, there is only one course to follow. From now on, every single allegation that is made of maltreatment or of physical or mental torture by the security police should be investigated immediately by a judge of the Supreme Court . . ." (19/7/77).

In another case in Maritzburg the same judge, after hearing allegations of torture made by a state witness, instructed

the state prosecutor, "Please see that these allegations of assault are thoroughly investigated and the necessary steps towards justice taken." (Cape Times, 16/7/77).

In a case in Johannesburg Mr Justice Steyn remarked: "I have found the investigational systems used in this case very suspect and I have kept this in mind throughout my judgment." (Cape Times, 16/7/77).

At a terrorism trial in 1971 in Maritzburg the judge said of affidavits signed by 12 accused alleging torture, "I don't know if these allegations of torture are being investigated or not, but it seems clear to me that something should be investigated." (Cape Times, 16/7/77).

Mr Justice Howard, at a trial in Maritzburg, warned that it was necessary for the court to exercise caution before accepting the evidence of witnesses who had been kept in solitary confinement and subjected to long periods of interrogation. One witness, he said, had been in detention for more than a year and his statement had been read to him once a month since then . . . "it is clearly against the interests of justice for him to be coached in this fashion . . . We aren't prepared to accept the evidence of any witness unless we are satisfied he is telling the truth in spite of the coaching." (In this particular instance, however, "the man had been a good witness and the court was inclined to accept his evidence in spite of the fact that he was coached," said the judge. (Cape Times, 15/7/77). □