

Though the chapters in this book constitute a mixed bag, there are a number of truly thought-provoking and perceptive papers which make it a useful addition to the literature. Considered overall there were two major disappointments: Firstly, there should have been an extended discussion of the acceptability in a democracy of granting to the courts the power to nullify legislation; and of the **extent** to which this power should be exercised

by a future judiciary. Secondly, while a number of contributors accused the courts of forsaking fundamental principles of adjudication in their judgements, nowhere are these principles justified and elaborated in a compelling way. There must be many judges who would willingly "enter the thicket" and protect fundamental rights if convinced that their intervention would accord with a defensible theory of the judicial role. □

by Randolph Vigne —

Programmes unfolding

Benjamin Pogrund *How can man die better. Sobukwe and Apartheid* Peter Halban, £14,95.

Robert Mangaliso Sobukwe (1924-78) transformed South Africa, and did it in a single day. The day was 21 March 1960, when he led the country's first "positive action campaign" of Africans against white authority. The nationally planned campaign, staged by the Pan Africanist Congress, of which Sobukwe had become the founding president 11 months before, gained world headlines through the shootings at Sharpeville. The members of the PAC had split away from the African National Congress partly because the ANC's many campaigns had all been directed at protest at the Africans' lot or persuasion towards its amelioration, never at direct action aimed at ending white rule. Sobukwe planned the PAC campaign, led it from the front and inspired Africans all over the country with the first glimmerings of belief that they could overcome the whites' conquest of their country by re-conquest – by non-violent action followed by negotiation.

After the campaign both the Pan Africanist Congress and the African National Congress were banned for the next 30 years, and the PAC, without its imprisoned leader, went into decline in exile. Also without its imprisoned leader, Nelson Mandela, and also in exile, the ANC flourished, not least through the contacts of its Communist party and Indian Congress allies (the latter merging their identity fully with the ANC). The "armed struggle" and the sanctions campaign replaced local non-violent confrontation, and the rest is history.

Sobukwe, son of poor Xhosa-speaking parents in the Karoo *dorp* of Graaf-Reinet, moved from student leader, Fort Hare University graduate, ANC Youth League activist, to secondary school teacher, Methodist lay preacher and family man. He was one of the first Africans to occupy a post at Witwatersrand University, albeit only as a "junior language assistant" in the Bantu languages department. On the eve of launching the campaign, he resigned his "Wits" post, sacrificing the sanctuary it gave him in a white preserve.

His beliefs are set here in full from a 1949 Fort Hare speech which is still impressive as a testament of African nationalism, were the basis of an "unfolding programme". Benjamin Pogrund, then of the *Rand Daily Mail* and a

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friend of Sobukwe's from 1957, takes us through it with great clarity. He was with Sobukwe in the days before the launching, and one of the handful of white pressmen in the unarmed, peaceful crowd when the police opened fire at Sharpeville. The programme ended with Sobukwe and his executive in gaol as planned, but without the country grinding to a halt and Sobukwe being brought from gaol to negotiate direct with Verwoerd. That part of it took another 30 years, with Mandela and De Klerk as the negotiators and the ANC justifiably taking most of the credit.

The author has a second story to tell, of wider human interest and significance. It is that of his own relationship with Sobukwe during the latter's 9 years of imprisonment (a three-year sentence in Pretoria, and the rest alone on Robben Island in accommodation equivalent to "that of a high-ranking officer in time of war", as the Justice Minister, B.J. Vorster, put it). A further 9 were spent under close surveillance in Kimberley, where he qualified and practised as a solicitor until his death from lung cancer (hastened, as the author shows, by official obstruction of an emergency operation in Johannesburg).

The author's matter-of-fact modesty does not conceal his role as Sobukwe's greatest friend, supporter and comforter throughout those 18 years. He cared for Sobukwe's family needs, health, reading, studies, religious life (the record of the prison chaplains was, with the two exceptions of a Catholic in Pretoria and a Methodist on the island, appalling), visits, clothing, innumerable small wants and endless appeals for his release as, every session, the Sobukwe Bill came before the South African parliament to keep him on the island for another year.

The book depicts a great leader of men who never lost the common touch, defeated and unfulfilled at his early death but somehow justified now as Mandela, the Tembu nobleman, leading the ANC which Sobukwe had left, completes the process begun on that March morning in 1960. Doubts that this process can accommodate both black and white may be dispelled by this book, showing, as it does, how a black nationalist Christian political prisoner and a white liberal Jewish journalist conducted a relationship with love and decency even in the stygian darkness of Verwoerd and Vorster's South Africa. □