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# SASH

The Black Sash magazine

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# The Black Sash Die Swart Serp

Over the dead of years Nationalist Party rule political observers have predicted that when the Party began to feel its own supporters falling away and its own position threatened it would react with growing ruthlessness. This prediction is being fulfilled.

During the past eighteen months the Government has been faced with criticism from within its ranks, from both the left and right. Election results have shown a slight swing away from Afrikaner nationalism for the first time in more than twenty years.

The electorate is complaining, big business is complaining, people who have been silent for years are voicing their grievances. More significantly, black leaders are using the platforms provided for them by separate development to dissent and to demand, to make the bitterness of their people known to all who have the will to listen.

Faced by pressures on all sides, rudderless and incapable of taking rational or even consistent action in any direction, the Government is reacting with all the arrogance and ruthlessness which was prophesied.

The Prime Minister, strongly attacked by the Opposition in Parliament during the no-confidence debate, did not make any attempt to answer the accusations but sought to distract attention from the sorry mess we are in by announcing the appointment of a select committee to investigate NUSAS, the Christian Institute, the University Christian Movement and the Institute of Race Relations.

Having appointed this select committee but before it began its work, the Government acted with vicious cruelty against Dr. Basil Moore of the Christian Institute and the University Christian Movement. He has been banned for five years, sentenced to a half life. If he has committed any conceivable crime there is legislation available to cover it. We can only suppose that this punishment is for legitimate opposition to the Government.

The Government continues to use the Terrorism Act to incarcerate people in prison and to detain them incommunicado for long periods. It apparently does not matter that many are eventually released without being charged and that others are charged with offences under other Acts—not with terrorism. People are released after months of imprisonment

without apology or compensation. Some of those detained last October were only released on 15th March. A few have not yet returned to their homes. One wonders when their status as Section 6 detainees changed to that of detainees under the 180-day clause. We have no way of knowing how many people are being held at any one time in terms of Section 6 because no information is given even in Parliament. The Minister says it is not in the public interest to disclose such information. What could be more in the public interest than to know how many people are being held in indefinite detention?

Caught unawares by the strike of Ovambo workers in December, the Government made a few minor concessions and then, at the beginning of February, clamped down hard with a Proclamation which successfully isolates Ovamboland, allows more indefinite detention without trial and outlaws political meetings. Remember the emergency Proclamation 400 of 1960 in the Transkei? It is still in force. No doubt in 1948 the public will have forgotten that Ovamboland remains hidden under a blanket of emergency regulations.

In March the Bishop of Damaraland was expelled from South West Africa together with the Reverend Stephen Hayes and Mr. David de Beer. This expulsion is one more addition to the long list of actions taken against churchmen. The Christian Institute has said that 80 clergymen have been penalised by the State in the last five years.

Arbitrary action taken against those who oppose this Government has become commonplace; a new manifestation of arrogance is the immediate, uncompromising and vicious action taken against dissidents within the Nationalist Party, illustrated recently by the van Blerk/Picnaar affair.

The uncontrolled exercise of power is a terrible thing. The electorate has been only too willing to hand over control, to shed responsibilities, to abrogate rights in the decision-making process. Is it now too late to recover these rights?

The Nationalist Party must inevitably grow weaker. It will inevitably continue to confuse the security of the State with its own security. It will inevitably continue to take and use wider and wider powers to control everyone who dissents. God help us all.

# Address

**The disillusionment of Blacks with the ideals of the West and the challenges this world has for white youth in South Africa.**

**CHIEF M. GATSHA BUTHELEZI**

*This is the text of Chief Buthelezi's address at the annual Speech Day at the Thomas More School, Kloof, Natal.*

I wish to thank your Principal for inviting me to come here and address you during this most auspicious occasion of your school year.

I am sure you are curious to know just what this black man is coming to say to you. First of all I must congratulate your Principal for giving me this opportunity of communicating with you as your fellow compatriot. The South African way of life does not allow this kind of communication between South Africa's people across the rigid colour line. I have enough confidence in human nature to know that some of your parents will appreciate the Principal's initiative in bringing us face to face. At the same time I know that some parents will wax indignant at the idea of me talking to their children and I can only pray that no storms will break over your Principal's head on this account.

**M**ost of you know the history of our country and her peoples. When your white forebears came to South Africa, apart from the clashes of the past, we blacks found ourselves face to face with your western culture which, technologically speaking, was superior to our own. What impressed blacks most was the Christian base of your culture which extolled certain virtues such as love, faith and hope. Today more than 60% of my people are Christians. The common fatherhood of God for all men regardless of their colour could not but impress blacks — thus a big Christian following.

However in the forty three years I have lived in South Africa, and, whereas segregation has always been the South African way of life. I have watched in the past twenty years or so the disappearance of even the few opportunities of social intercourse between the South Africans of various race groups that existed some years ago. The paradox in the whole process is that most of you here had black nannies and you will return home and find a delicious lunch awaiting your consumption — all prepared by your parents' black servants. Some of you have enjoyed that sleep on nanny's back but as you get older some of you are taught to regard blacks as something akin to lepers, who cannot travel in the same buses and trains with you. This despite the fact that the food that is eaten, the clothes you wear, your utensils have to be prepared and

washed by blacks. As you get older the rift between you and your maids and other servants gets more and more wide until you may acquire the "right" vocabulary of non-identification. "they" in reference to blacks and "us" in reference to whites. Some may find themselves adding more colourful South Africanisms to the glossary, such as "kaffirs", "coolies" and "coons."

As students at Adams College we were visited annually by students from Michaelhouse, and this was an arrangement made by that great South African patriot, Dr. Edgar Brookes, who was our Principal at Adams College. As students at Adams we were invited to the homes of white staff members and staff members, regardless of their colour, had tea together and socialised to the extent of visiting one another. There was no danger of miscegenation.

Later on as university students at Fort Hare University we saw the same pattern as existed at Adams and we went to Rhodes University for debates, and we were members of the National Union of South African Students.

There have been a lot of changes since those days and most of our black students have become disillusioned with the so-called ideals of western culture. They cannot reconcile racial discrimination with all the stories of Christian brotherhood they have learnt at Sunday schools. Today we find our young theologians groping for a black theol-

ogy which may be relevant to our particular black experience. Our young people cannot stand the idea that graduate teachers have a disparate wage scale based not on qualification. Our young people cannot understand that black children should have to buy their books and that children of whites who can afford so much have free books and free education. They cannot understand why doctors, nurses and other professional people with the same qualifications are paid less than their white colleagues on a salary scale not based on qualifications and merit but on the colour of their skins. They can understand the prevention of an influx of people into the urban areas but cannot understand how this comes to be applied to Africans only.

As there are two societies in South Africa, one privileged and the other underprivileged, the young blacks have decided to leave NUSAS, which they feel they cannot identify themselves with, despite all the good intentions, on the account of the above.

For some of us who grew up when racial discrimination was not so rigid, it has been and is an anguishing situation to watch our children getting so disillusioned and naturally so bitter. We perfectly understand the logic of their reasoning but this does not mean that we approve of any racist reaction to a racist situation. It is logical without being justifiable. We do not believe that two wrongs make a right.

For three hundred years Christianity has helped blacks to survive. They have over the years given the other cheek but there has now developed a situation which has produced the kind of black who will no longer turn the other cheek.

I find that a great number of young people in the white universities realise the injustices that have been and are increasingly being suffered by their black compatriots and are more and more identifying themselves with their black compatriot's cause. The tragedy is that their sincerity is now doubted by our young people who are now absolutely and completely disillusioned. They are reluctant to receive the white hand of sympathy. They doubt whether this could be sincere in view of the above.

These are the days when our people are doubting whether there is one heaven or hereafter. If we are so apart and treat one another as we do in this world, they say, it is impos-

sible that we can suddenly find ourselves in one heaven with whites. It is a brotherhood which has become, and which it has been said to be, impossible here and it seems to them to be illogical that it can only materialise on such a higher sphere as heaven is understood to be.

I am convinced that white and black are here for better or for worse. This is the case whether we like it or not. It is therefore important for our future survival that we should find a *modus vivendi*. We have to co-exist peacefully and the big question is how do we do this? I know that the natural reaction of most of you would be, if the black youth no longer want to have anything to do with us, then let them go to blazes.

This is a crucial time for all of us. I believe that God expects white youth to demonstrate that they can do what blacks have done over so many years, that is, turn the other cheek. That is the meaning of Christian faith, which whites taught us. We are slowly but surely moving towards doomsday and it will be doomsday for all of us unless we pray God to give us the strength to take our courage in both hands and say: "Forgive us our trespasses as we forgive them that trespass against us." This is the time when we should pray God to give us, in the words of the late Dr. Martin Luther King, "strength to love."

I wish to encourage the white youth whose concern has been increasing in the past few years to continue to be concerned in spite of the present black mood. This they must do, not only for our sake but for their own sake too, and for the sake of a future South Africa, in which the black man will not have just some little place under the South African sun, but an equal place with his white compatriot.

There is a tendency for some opponents of Government policy to place all the blame for all this to policies of the present Government. While I do not exonerate the Government from all blame it should not be forgotten that they merely carry out the wishes of the majority of the white electorate. There are many things that are not illegal as far as good race relations are concerned which many whites will not do because "it is not done in this country".

I see many opportunities even in the Church, where some companionship can be established between black and white parishes. It is no longer good enough to meet our white brethren once in a while at synods where pow-

erful resolutions full of "sound and fury" are passed and the whole thing ends there.

A practical way for a school like yours, for instance, is to adopt a black school at Umlazi or Kwa Mashu and help the black children to build up their libraries by helping with the books, or with school books which blacks have to purchase for themselves. I have no doubt that there are many other opportunities which can only generate goodwill amongst blacks and whites in our country. Some of these you can think out for yourselves.

However my duty today is to offer my felicitations to those of you who have been successful in your studies. This I wish to do now and I pray that God, in his divine wisdom, should help us to understand that when we go through schools like yours we are equipping ourselves mainly for the purpose of trying to establish His kingdom in this very earth.

Pardon me for appearing to speak out of turn and for overstaying my welcome. May God bless you. South Africa, and all her peoples.

Thank you.



*This cartoon is reproduced here by kind permission of the Sunday Times.*

# Stop Detention Without Trial!

*This is the text of a pamphlet which was handed out by the Citizens' Action Group in Durban during a four week protest stand held in December, 1971. At least 47 people were detained under the Terrorism Act during October and the following weeks. About 32 were released without charge, 8 have been charged, 1 died while in custody. 15 have been held in detention for periods of more than 100 days, 5 are now being held in terms of the 180-day clause.*

**DETENTION IS PUNISHMENT WITHOUT TRIAL.**

**SOLITARY CONFINEMENT** is psychological torture.

**10 SUICIDES** in solitary confinement — why? why? why?

**BUT PERHAPS THEY ARE GUILTY?**

Then bring them to trial. If the police have evidence that they are guilty, they should not fear bringing them to court.

**BUT DON'T THE POLICE NEED TIME TO INTERROGATE THEM?**

The question is how much time and how valid is evidence obtained under conditions of solitary confinement?

On 8th December, 1963 sixty leading psychologists and medical specialists in the Cape and Natal appealed to the minister to abolish the system of detention in solitary confinement. They said that exposure to this suffering was no less abhorrent than physical torture; and that experimental studies in various countries of political prisoners subjected to periods of solitary confinement had shown that it resulted in intense distress, impaired certain mental functions and disturbed judgement to the point where the individual's testimony was no longer reliable.

**BUT SURELY WE CAN TRUST THE POLICE AND THE GOVERNMENT!**

People have been held up to a year under solitary confinement, then released without trial, presumably innocent.

**Peter Magubane spent a total of 586 days in detention, was brought to trial and acquitted.**

In 1968, 27 people were arrested in Victoria West, placed in solitary confinement and then brought before court. All were acquitted.

In 1969, 24 people were brought to trial after periods of detention, before the Supreme Court of Cape Town. All were acquitted.

Mrs. Winnie Mandela and 21 others were brought to trial, after detentions ranging from 107 to 371 days. The charge against them was withdrawn. They were rearrested, and subsequently the court acquitted them.

**Up to 29th January, 1965, 1 095 people had been detained under the 90 day clause. Of these 577 were charged of whom 272 were convicted.**

Even assuming the government and security police act in good faith, they are fallible individuals like the rest of us

The courts are there to protect the citizen against the fallibility of men and women.

**JOIN US IN PROTEST.**

Demand that the Government charge or release the detainees.

End the secrecy which discredits our Government and our legal system.

**JOIN US IN PROTEST BETWEEN 1 and 2 p.m. DAILY AND DEMAND THAT ALL DETAINEES BE CHARGED OR RELEASED.**

# Fragments of my Anguish

GEORGE MANGAKIS

*This article was published in the London Sunday Times on 5th September, 1971. We are grateful to the editor of that newspaper for allowing us to reproduce it here.*

*In a week in which Lady Fleming, the Greek-born widow of Sir Alexander Fleming, was arrested in Athens for allegedly trying to free a man who had attempted to kill Greek Prime Minister Papadopoulos in 1968, a remarkable manuscript smuggled from a Greek prison has reached The Sunday Times. It was written by Professor George Mangakis, formerly professor of penal law at Athens University. In April, 1970, he was sentenced to 18 years imprisonment by an extraordinary military court for anti-regime activities including placing bombs. His manuscript, which he labels "Letter to Europeans", conveys the mental horror that a long confinement can mean. Here are some extracts from the 7 000-word document.*

I am holding these old papers, crumpled and worn for having changed hiding-places so often, and I read them over again. They were written in secret, unknown to my jail-keepers, and as such, they express a kind of survival of my independence; that is why they are dear to me, if only as mere objects—the plain reality of paper. They were written at times when I was struggling, through writing, to overcome the anguish of being in prison. This explains why they are not clearly formulated thoughts — nor letters, of course. They are simply fragments of that anguish . . .

Self-defence. That is why I write. That is how I managed to keep my mind under control. If I let it loose, unsupported by the frame of written thought, it goes wild. It takes strange, sinister byways, and ends up by begetting monsters. Then it is no longer on my side, but on the jail-keeper's side. That is what prisons are for. They shut you up in a restricted space, three paces forward, three paces back. You walk these three paces for hours, for days, for months, unendingly. In this beginning your mind keeps you company. You converse with it, you confide in it, together you clarify meanings. You come upon ideas — they are your best friends. You discern evil with perfect accuracy. You know exactly what it is that humiliates man. You feel justified, and therefore you are strong. You think you can bear the ordeal of prison.....

But how can you go on walking three paces forward three paces backward in a time-void, just having a friendly chat with yourself? It can't be done. Those paces gradually weave the web of your own alienation. You cannot converse with your thoughts alone endlessly . . .

I must describe the space which has been assigned to me. Psychologically speaking, it is very important. One of the most fundamental elements of my life. You may gradually become accustomed to this space, and even grow to like it, since — in a way — it is like a lair in which you lie hidden, licking your wounds. But in reality, its object is to annihilate you. —

The dimensions of my cell are approximately 10 feet by 10 feet. On one side of it there is a heavy iron door, with a little round hole in the upper part. Prisoners hate this little hole; they call it the 'stool-pigeon'. It is through this hole that the jail-keeper's eye appears every now and then. All you see is an isolated eye, without a face. What you see is really an iron door with a cold, living eye in the middle of it. That door is a kind of Cyclops. There is also a peculiar lock, on the outside only; it locks with a dry, double sound.

That is one thing you never get used to, no matter how many years go by. It gives you the daily, tangible sensation of the violence that is being done to you. Before I came here, I didn't know that violence could be expressed so completely by the dry sound of a double lock.

On the other side of my cell there is a little window, with bars. From this window you can see part of the city. And yet a prisoner rarely looks out of the window. It is too painful. Life outside the prison becomes something very tangible; and that hurts. The prisoner, of course, has a picture of life outside the prison constantly in his mind. But it is dim, colourless, like an old photograph. It is in black and white — there are no colours,



no volumes; it is soft and shapeless. It is bearable. So you don't dare look out of the window. Its only use is to bring you some light.

That is something I have studied very carefully. I have learnt all the possible shades of light. I can distinguish the light that comes just before daybreak, and the light that lingers on after nightfall. This light, with its many variations, is one of the chief joys of the prisoner . . .

Apart from the door and window, my cell also has a temperature. That is another fundamental element of my life here. It is unbearably cold in winter and extremely hot in summer. I find this natural, even though it brings me great discomfort. It is a symptom of the denudation of being in prison.

I live in this space, then, for endless hours of the day and night. It is like a piece of thread on which my days are strung and fall away, lifeless. This space can also be compared to a wrestling-ring. Here a man struggles alone with the evil of the world . . .

I write these papers, and then I hide them. They let you write, but every so often they search your cell and take away your writings. They look them over, and after some time, they return to you the ones which are considered permissible. You take them back, and suddenly you loathe them. This system is a diabolical device for annihilating your own soul. They want to force you to censor them yourself, to censor your thoughts in such a way that they will be acceptable to the jail-keepers.

Against this method, which is meant to open up breaches in our defences and split up our personality, there are two means of defence. First, we allow our jailers to take away some of our writings — the ones that express our views unequivocally. It is a way of provoking them. We even derive a sort of childish satisfaction from thinking of the faces they'll make as they read our papers.

Then there are other papers which we prefer to hide — the ones we want to keep for ourselves. It is unbelievable how ingenious a prisoner can become at finding new hiding places. As a rule available hiding places are small; so the papers must not be bulky. The writing has to be economical; each word counts, each word is immensely valuable.

When your hiding-place has proved a success, you feel extraordinarily happy. You feel an odd sort of pride, as if you had helped to uphold human dignity. That is how important our writings seem to us . . .

When I was held at the police station jails — those places of utter human degradation — I remember a girl who was locked in a cell next to mine. She had been there for five months. She hadn't seen the light of day *once throughout that period*. She had been accused of helping her fiancé to do resistance work. At regular intervals, they summoned her for questioning, and they would try to make her disown him, using cunning persuasion or brutal intimidation, alternately. If she disowned her fiancé, she would be set free. She refused unflinchingly, to the very end, even though she knew that her fiancé was dying of cancer, and she would probably never see him again. He died on the day of her trial. And so she never saw him again. She was a pale, frail girl. Every evening, she used to sing in her cell in a soft, low voice. She would sing till dawn about her love, in her sad voice. This girl's attitude is my hope.

In the attitude of people like that girl, the dominant feeling is a spontaneous knowledge that the most important thing in life is to keep one's humanity . . .

I have experienced the fate of a victim. I have seen the torturer's face at close quarters. It was in a worse condition than my own bleeding, livid face. The torturer's face was distorted by a kind of twitching that had nothing human about it. He was in such a state of tension that he had an expression very similar to those we see on Chinese masks: I am not exaggerating. It is not an easy thing to torture people. It requires inner participation.

In this situation, I turned out to be the lucky one. I was humiliated. I did not humiliate others. I was simply bearing a profoundly unhappy humanity in my aching entrails. Whereas the men who humiliate you must first humiliate the notion of humanity within themselves. Never mind if they strut around in their uniforms, swollen with the knowledge that they can control the suffering, sleeplessness, hunger and despair of their fellow human beings, intoxicated with the power in their hands.

Their intoxication is nothing else but the degradation of humanity. The ultimate deg-

radation. They have had to pay very dearly for my torments. I wasn't the one in the worst position. I was simply a man who moaned because he was in great pain. I prefer that. At this moment I am deprived of the joy of seeing children going to school or playing in the parks. Whereas they have to look their own children in the face. It is their own humiliation which I cannot forgive the dictators . . .

Our position as prisoners has many distinguishing features. One of them is that we sing, quite frequently. It may sound strange to people who don't know about prisons. But that's the way it is, and come to think of it, it is very natural. Singing is part of the unwritten instructions passed on by veteran prisoners to newly-arrived ones: when the pain and anguish is too much for you, you sing. We begin to sing precisely when the anguish becomes unbearable. On days that are free of anguish, we don't sing. Singing seems to melt away that crushing burden we carry . . .

We feel a kind of relief. They know this, and that is why in some prisons, the harshest ones, singing is forbidden. I often sing in my cell, or I whistle. Sometimes I sing to my wife. If she could hear me, she would be pleased, even though I sing false. She knows about singing in prison, she's been through it. In this place singing is a real, immediate need of the spirit. It is the daily bread of those who are struggling not to go insane. It softens up a harsh world and opens up the saving grace of new, wider vistas.

As you sing, you feel you are travelling along these extended frontiers of the world. After all, we have our little trips too. I've got to say this: I'm grateful to song writers, especially those who have composed sad songs. I like singing Theodorakis, for instance. In his old songs, it's as if he had a kind of foreknowledge of the prisons he was fated to live in. So we sing: that is an essential detail which must be taken into consideration when describing us. I have never heard my jail-keepers singing. Most of their time they are busy digesting their food.

I should like to write about a friendship I formed the autumn before last. I think it has some significance. It shows the solidarity that can be forged between unhappy creatures. I had been kept in solitary confinement for 4 months. I hadn't seen a soul throughout that

period. Only uniforms — inquisitors and jail-keepers. One day, I noticed 3 mosquitoes in my cell. They were struggling hard to resist the cold that was just beginning. In the day time they slept on the wall. At night, they would come buzzing over me.

In the beginning they exasperated me. But fortunately I soon understood. I too was struggling hard to live through the cold spell. What were they asking from me? Something unimportant. A drop of blood — it would save them. I couldn't refuse. At nightfall, I would bare my arm and wait for them. After some days they got used to me and they were no longer afraid. They would come to me quite naturally, openly. This trust is something I owe them. Thanks to them the world was no longer merely an inquisition chamber.

Then one day I was transferred to another prison, I never saw my mosquitoes again.

This is how you are deprived of the presence of your friends in the arbitrary world of prisons. But you are thinking of them, often.

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Here too, Mr. Speaker, we are dealing with the terrorist and nobody else, but it is foolish to try and catch him with a net which is full of gaping holes. Hon. members can therefore save themselves the trouble of trying to indicate to me everything and everybody who might be caught in the net of the offence — I am aware of that — but I assure you that if we draw the net closer and in the process happen to catch a little fish which does not belong there, then the Attorney General will immediately throw it back into the water . . .

The Hon. P. C. Pelsler, Minister of Justice, Second Reading of the Terrorism Bill Hansard No. 18, Column 7072, 1st June, 1967.

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*How soon is immediately? Mr. Mohamed Timol was released on 14th March, 1972, after 141 days in detention.*

# Victims of white apathy

JOHN DUGARD

*This is the text of a speech given by John Dugard, Professor of Law at the University of the Witwatersrand, at a protest meeting held at the University on 29th February, 1972.*

Since October of last year two of our fellow members of this academic community and some fourteen other fellow human beings have been incarcerated in unknown places for unknown reasons. They have been and still are, victims of the Terrorism Act, victims of the Security Police, and victims of white apathy.

**T**hey, and here we think particularly of Mohammed Essop and N. C. Naik, are victims of the Terrorism Act — that forensic monster sired by the 90-day detention law and mothered by the 180-day detention law; that legal aberration which allows a human being to be held in solitary confinement indefinitely for the purpose of interrogation; that barbaric decree which conceals a person from friends and his legal advisers.

The Terrorism Act is the first target of our protest today. It does not belong to any civilised system of law. It does not belong to our western legal traditions but is modelled on the codes of totalitarian regimes of the left and the right. It does not authorize physical torture, it is true, but it does authorize interrogation in solitary confinement. Accounts which have slipped through the iron curtain which divides the operation of the Terrorism Act from the outside world make it clear that detainees are subjected to long spells of interrogation by a team of interrogators. In one case (*S. v. Weinberg* 1966 (4) 660 (AD)) a middle-aged white woman gave uncontroverted evidence that she had been interrogated without break for three days and three nights by a team of six interrogators. Other cases suggest that this is not an unusual procedure. And, of course, there are still other cases from the past — and here I am not referring to cases before the courts at present — which strongly suggest that some form of physical coercion accompanies this interrogation.

Even if interrogation is never accompanied by physical violence, however, this practice of incommunicado interrogation over an unlimited period is torture.

This truth was realized by Charles Dickens in the last century. After observing the effects

of lengthy solitary confinement in American prisons he wrote:

“I hold this slow and daily tampering with the mysteries of the brain to be immeasurably worse than any torture of the body; and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh; because its wounds are not upon the surface, and it extorts few cries that human ears can hear; therefore I the more denounce it, as a secret punishment which slumbering humanity is not roused up to stay.” (*American Notes and Pictures from Italy.*)

This truth has also been realized in recent times by the United States Supreme Court. In 1966, commenting on the practice of persistent police interrogation of suspects in solitary confinement, it declared:

“To be sure, this is not physical intimidation, but it is equally destructive of human dignity.” (*Miranda v. Arizona* 384 US436 (1966).)

That indefinite solitary confinement accompanied by persistent interrogation amounts to torture is not a truth which has been revealed to writers and lawyers alone. Doctors and psychiatrists have reached the same conclusion.

Physical torture was abolished in Holland in 1798. 170 years later a different and more subtle form of interrogational coercion was introduced into our law by the Terrorism Act.

Mohammed Essop and N. C. Naik are victims of the security police, the custodians of the Terrorism Act. Today I do not intend saying much about the Special Branch or their

methods. Their activities are at present before our courts in several cases and it would be presumptuous of me, as well as contempt of court — to give my views on these matters. All that I would say is that the history of the past decade does not inspire confidence in them and that the suspicions about their methods surely justify a full scale enquiry by a judicial commission.

Essop and Naik are victims of the Terrorism Act, of the Security Police. But above all they are victims of white apathy. They are your victims, they are mine. All too often the security police are made the scapegoats of white South Africa. They did not enact the Terrorism Act. It was introduced by the National Party and supported by the United Party. Today it is still supported or acquiesced in by over 99% of the white South African electorate. In short the security police are only the instruments of white apathy. They are only as powerful and as brutal as public opinion permits.

### **A Bill of Rights**

There is a tendency in South Africa today to believe that all evils can be remedied by legal institutions, that a Bill of Rights along American lines would restore liberty.

Undoubtedly a Bill of Rights would help matters, but ultimately — and this I would stress — ultimately our only safeguard against tyranny is public opinion

And just how concerned is white opinion about the fate of our detained fellow men? And now I am not talking about Naboomspruit or Westdene. I am talking about Houghton and Sandton, about Hollard Street and Main Street, about the legal profession and the medical profession, about students and staff in this University. You don't have to go to Naboomspruit to hear the comment that "there is no smoke without fire" when persons are held without trial. You do not have

to go to Pofadder to hear that only guilty persons are held without trial.

South African white society has been largely unconcerned about the ever-widening power of the security police in the past ten years. For a brief moment some people reacted last year but the tenacity and patience of the security police has proved to be greater than the concern of the public — with the notable exception of the Black Sash.

We must revive public concern and get it back to the pitch it was last November. Here the press has a vital role to play and so do the legal profession and the universities.

But they are not the only bodies who are involved. The quality of justice in any society is not dependent only upon the courage of its press, its lawyers and its universities. It is dependent upon the courage and integrity of society at large. There are other powerful groups which we must mobilize in the cause of humanity: — the Churches, and here I do not mean a few isolated clergymen but all those people who troop off to church in their dark suits on Sunday; the Mining Houses and the Chambers of Commerce — why not a strong letter condemning detention without trial from their leaders — let us see them putting their beliefs in justice before the next government contract: the medical profession which profession Mohammed Essop has chosen to serve: the accountants: the engineers, the architects. These are the groups we want to see take action, as well as the man in the street. If we could mobilize these groups the Terrorism Act would soon be relegated to the dump heap of history where it belongs. The Government would soon produce a security programme modelled along western lines which preserves law and order without sacrificing individual liberty and human dignity.

### **The choice for white South Africa**

This is something that white South Africans should realize. The choice is not between anarchy and the tyranny of the Terrorism Act. The choice is between anarchy, tyranny and a decent legal system which has built in mechanisms for social change and which tolerates opposition but prohibits subversion. It would not be beyond the ingenuity of lawyers in this country to construct a security system which allowed the government to cope with a genuine emergency but which did not oust the powers of the courts completely, which did not

"Colonel Greyling said that this particular week was a bad one at John Vorster Square, what with people falling out of windows and so on . . ."

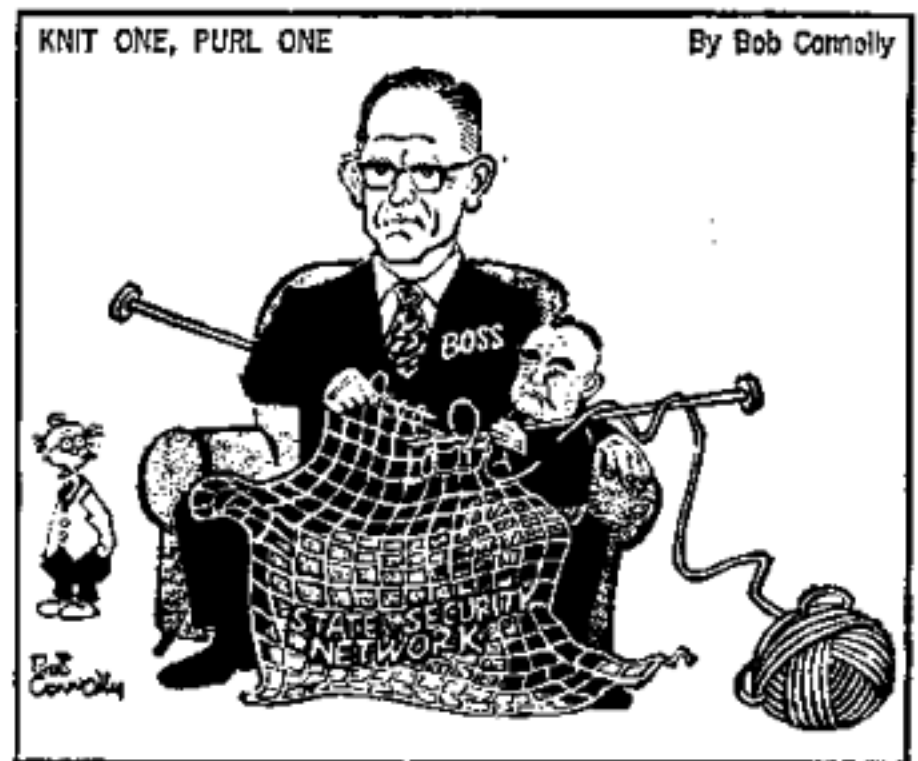
*Rand Daily Mail,  
25th February, 1972.*

hand over all responsibility to the security police. After all, other western countries have had no difficulty in constructing such systems.

Charles Dickens concluded his comment on solitary confinement by saying:

"I solemnly declare that, with no rewards or honours, could I walk a happy man beneath the open sky by day, or lay me down upon my bed at night with the consciousness that one human creature, for any length of time, no matter what, lay suffering this unknown punishment in his silent cell, and I the cause, or I consenting to it in the least degree."

To consent is to collaborate. That is the message of Nazi Germany and it must be brought home to white South Africans. We must protest, not merely here in the Great Hall, but in convocation, in the canteen, at home, at the dinner party, at the golf course,



until Mohammed Essop and N. C. Naik and their fellow detainees are charged or released. We must not consent in the least degree to their unknown punishment in their unknown cells.

## We wonder why?

JOYCE HARRIS

*The Black Sash in Johannesburg has been standing in silent protest every lunch hour while the October detainees were still being held. Mrs. Harris who is a National vice-president of the Black Sash, wrote this article to express some of the thoughts which came to her as she stood.*

**A**ngry faces, bitter faces, contemptuous faces, hate-filled faces, indifferent faces, occasionally diluted by a passing smile or a salute — mutterings, imprecations, insults — "Go home, you communists" — "You're all communists" — "Why do you help the communists?" — mud, water, tomatoes, eggs — and still we women of the Black Sash stand in silent protest as we have done for the past seventeen years. Why?

We have had ample time to ponder during the countless hours, watching the human kaleidoscope and wondering at the reaction or lack of reaction of passers-by. We wonder why there is so much fear. We wonder why there is so much hate. We wonder why there is so much indifference. We wonder why protest is almost always labelled 'Communistic'. We wonder why there is so little understanding of the democratic process.

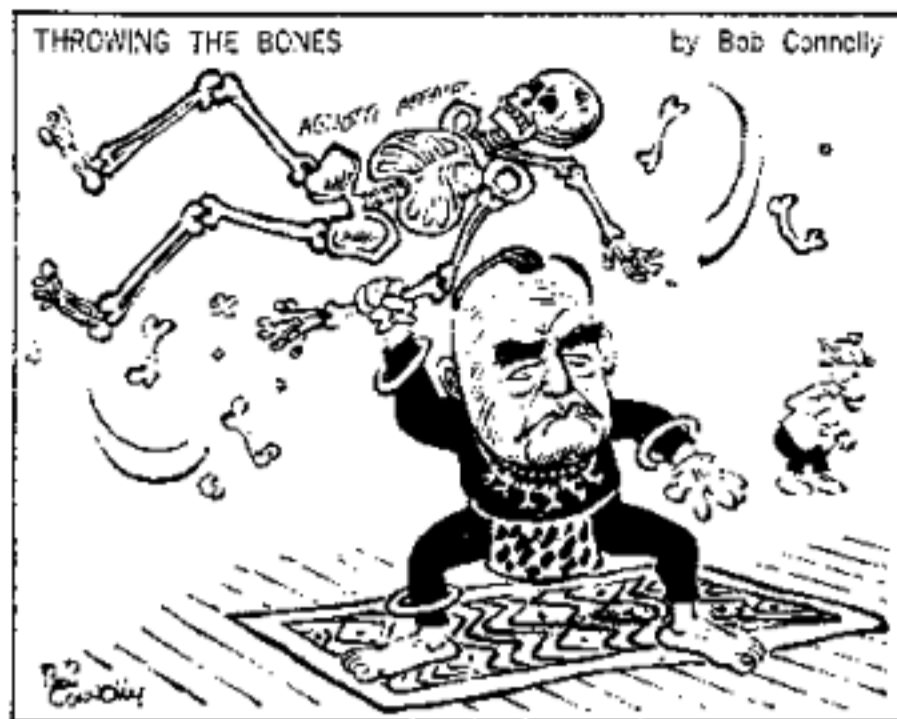
It must be that persistent Government propaganda over the past twenty-four years has successfully injected into the people of this country fear of their fellowmen and hatred of criticism, or hatred of their fellowmen and fear of criticism, but indisputably fear and hatred. As these emotions are not socially acceptable, their object must be given a socially acceptable label, and the all-embracing one is "Communism". "Communism" is the bogey stalking behind every protest, every disaster, every stand made on any issue. Those who dissent, those who protest, those who take a stand are automatically labelled "Communistic", and become the target of fear and hatred. Their point of view is disregarded; no attempt is made to evaluate logically; the protest is not recognized for what it is — the expression of the democratic right to dissent; it is simply condemned out of hand. People

have forgotten what it means to have an open mind, to listen to the other man's opinion, even to admit his right to have one.

Surely what it is that people fear and hate in Communism is its totalitarian concept — its utter subversion of the rights of the individual to the needs of society and the draconian measures it employs to ensure that everyone will conform. Yet in this country people are prepared to employ those same measures in order to stamp out what they choose to label as "Communism." What they are actually doing is stamping out the democratic process, but they have become so riddled with fear and hatred that they are unable to see the anachronism.

Poverty, hunger and frustration are widespread and are a fertile breeding ground for Communism, and yet this Government uses such Communist methods as detention without trial in order to silence those whose solution to the many difficult problems which beset South Africa is different from theirs. Instead of discussion there is detention, instead of progress there is poverty, instead of freedom there is force.

The Black Sash has registered its protest over these and other issues through the years, and is presently protesting against detention without trial. The animosity of public reaction sometimes makes us wonder whether protest is counter-reactive, but we believe that it is our duty as citizens of a country which pro-



fesses to be democratic to register our dissent, to stand up and be counted, and to present our point of view to the public for their consideration, whatever their reaction may be. That is why we continue to stand, even while we wonder about so many things, or perhaps because we wonder — and hope!

"No, Sir, fairness and justice are fine concepts and we have great appreciation for them, but they only have significance if they are in proportion."

The Hon. P. C. Pelser, Minister of Justice, Hansard No. 18, Column 7031, 1st June, 1967.

## SASH -- The Black Sash magazine

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# BANNED!

On Friday, 3rd March, two Special Branch men walked in silence into the office of Dr. Basil Moore — in silence they handed him his banning order — in silence they waited while he read it — in silence they left — and — **EVERYTHING STOPPED FOR DR. MOORE.**

The banning order was immediately operative — no time to get his affairs in order or to arrange for a replacement.

These orders mean that Dr. Moore —

- \* Can NOT be visited in his home by anyone except his doctor;
- \* Can NOT talk to a neighbour or passing friend over his fence because he is on his own property;
- \* Can NOT meet anyone by arrangement for any common purpose such as drinking a cup of tea or a glass of beer together;
- \* Can NOT go to Church — and he is a man of the Church;
- \* Can NOT take his 5-year-old child to Nursery School or fetch her;
- \* Can NOT take his four children, aged 6, 5, 4, and 2 years, to Sunday School;
- \* Can NOT take his children out with even one of their friends, because even children constitute a "gathering";
- \* Can NOT go out to dinner with friends or entertain them;
- \* Can NOT play the games of his choice;
- \* Can NOT take his family on holidays for the next 5 years;
- \* Can NOT visit the son he adopted from an orphanage at the age of 12 years who now, at the age of 21 years, has been committed to a home near Pretoria for drug rehabilitation, and who needs his adopted father;
- ! Can NOT be employed in or even enter any premises where any publishing, printing or duplicating is done, which means practically any office;
- \* Can NOT take employment with any firm where Government policy is discussed — which means practically all commercial and industrial concerns which have to contend with Government Policy.

## THESE ORDERS MEAN —

- \* That his wife can never be with him in the company of another person other than their children;
- \* That neither his wife nor his children can ever have their friends to stay;
- \* That she and her children can only entertain their friends if he is in another room;
- \* That if there is a ring on the doorbell he must disappear quickly, even if he is in the middle of a meal;
- \* That the front and back doors of their home must be kept permanently locked in case unexpected guests walk in!
- \* That their neighbours spy on them for possible infringements of the banning order;
- \* That their neighbours' children persecute their children.

Dr. Moore is 36 years old. He is a science teacher, with a B.Sc. degree — but he cannot teach. He is a theologian with a Ph.D. degree, but he cannot preach, or print or lecture. He has no job, no prospects, no salary, no social contacts.

**HIS LIFE HAS BEEN BROUGHT TO A STANDSTILL. HE MUST LIVE IN A VACUUM.**

He will be 41 years old when the ban is lifted — IF it is lifted.

He has not been charged. He has not been tried. BUT he has been sentenced. And he has to be his own jailer.

**THERE ARE ± 300 PEOPLE PRESENTLY UNDER BANNING ORDERS.**

*Prepared by the Transvaal Region of the Black Sash.*

# In defence of foreign investment

*This article was prepared by the council of the Cape Western Region of the Black Sash.*

Mr. Joel Carlson's article in Sash of December 1971 entitled "The Dilemma of Foreign Investment in South Africa" cannot be left unchallenged.

Mr. Carlson's object was to discourage foreign investment in the development of South Africa, and he is of course entitled to his view that such disengagement will be to the advantage of the Republic's blacks.

Leaving aside for the moment the dubiousness — from the standpoints of economics, history and observable fact — of much of the argument he offers in support of this view, we look back over the years of our conferences, statements, resolutions and such expressions of attitudes, and fail to find a single authority that could allow the tame acceptance of such a view by the Black Sash. On the contrary we find that we are committed to opposing it, to avoiding the least advocacy of any association with boycotts or sanctions, stemming from what is commonly — and properly — known as "outside interference".

South African public policies, like those of many other countries, are and will be subjected to external as well as internal pressures, but is the Black Sash not committed exclusively to the exercise of the latter? Does our usefulness not depend to a large extent on keeping clear of the former?

But let us look a little at the merits of Mr. Carlson's argument — especially as we can do so in the impeccable light of one of our main tenets: the total rejection of race-discrimination as basis for public policy. Is South Africa not just at the beginning of what "conditional" foreign investment can do, for instance in the area of equal-pay-for-equal-work? Very possibly what such enterprises as Polaroid, a couple of international Banks and Shell are doing about this, and about the education and training needed to qualify for equal work, is as noisily rejected by militant American and other blacks as by white verkrampies, but has Mr. Carlson asked the opinion of black South African beneficiaries, present or potential? Or has he heard Chief Gatsha Buthelezi of the Zulus and the Transkei Opposition leader, Mr. K. M. N. Guzana, on why enormously increased capital investment is vital to their people? Or does he know of any country where the slowing-down of the wheels of

industry and a vast increase in unemployment, caused by the withdrawal or stagnation of investment, has improved the worker's lot? It can certainly lead to violent revolution, but the Black Sash need not even interest itself in the historically-supported unlikelihood that this would produce a benign and just regime: we are unequivocally committed to oppose violence as an instrument of political change.

Some of Mr. Carlson's sweeping statements, if they went unchallenged, indicate a singularly ill-informed audience. "All figures" (over what period?) do not show "the whites getting richer, the blacks poorer." Ask the Johannesburg Stock Exchange what's been happening in the last couple of years of considerable disinvestment: thanks be, if the effects on black poverty and unemployment, of local "cold feet", were to some extent offset by increased investment from abroad. (Poor old Karl Marx — it just never comes right for his prediction: for about a century the rich did get richer, but so did the poor: later, anyway here, currently, both appear to be somewhat in reverse).

It might seem astonishing that we could feel it necessary at this point to reiterate that the Sash is opposed to white supremacist rule: but hear Mr. Carlson: "the whole electorate (our emphasis) wish the status quo maintained but differ in details of the application of white rule." As for the preceding sentence: "3.5% voted for a few moderate changes within the framework": does Mr. Carlson really think that equal political rights for all races can be accounted "within the framework" of White supremacist rule?

But back to Mr. Carlson's economics: "Every investor has a stake in keeping the structure white. In order to make his profit he must support the structure . . ." flies wildly in the face of facts, in the South Africa of 1972. Surely by now every economist from



the most diehard Classicist — if any such survive — to the most irritating post-Keynesian will tell you what any unindoctrinated child would accept as self-evident: that the only reliable stimulus to production, to growth, to development, to prosperity — to profits — is home-market demand. (Exports are fine, but it's dicey to depend on them in a world whirling with trade wars and ideological wars and shooting wars.) And can a buoyant home market in South Africa be a *white* one, while the vast majority of the population remain unskilled and getting ever poorer? Read any Company Report of the last 18 months or so . . . and see what lack of skills, and mounting unemployment and under-employment among South Africa's blacks has been doing to profits . . .

Surely investors who want profits (is there any other sort?) are becoming one of the strongest pressure groups opposing race discrimination on the labour market? And from

the South African black's viewpoint, isn't his bargaining position in that market most likely to be improved by a pace of investment-growth that can transform redundancy into scarcity-value? Not to mention the part industrial strength has to play in political bargaining.

However, we must not allow Mr. Carlson to lead us too far outside our "pure" Black Sash brief, tempted though we may be by statements, typical of sincere but unscientific protagonists who so oddly believe that even a strong case is strengthened by overstating. These are just technical inaccuracies, as for instance those concerning the "dispersal" of kwashiorkor deaths: the fact remains that African children, in very large numbers, are hideously malnourished, unto death. But what is vital to us is that an argument aimed at discouraging foreign investment in South Africa should be answered and the Black Sash attitude made very clear.

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## Black is beautiful

PROFESSOR EDGAR BROOKES

**T**he Black Sash is not given to paying itself compliments, but perhaps one might be allowed, on behalf of many of its admirers, to introduce a new note into the austere selfless columns of Sash.

For the Black Sash *has* made black beautiful. Its integrity, its stand for principle, its perseverance, above all its dauntless courage have been an inspiration to thousands, and black has, in its hands the capacity of

"Bursting into glossy purples which out-redden

All voluptuous garden roses."

But perhaps the original black is the most beautiful colour after all. It was originally adopted . . . a great inspiration . . . to signify our mourning for the destruction of the Constitution. And there has been much to mourn over since then.

We mourn the death of thousands of children, year after year, from deficiency diseases. These are preventable deaths. Individual white South Africans do much to fight starvation by organising school feeding schemes

and by helping mothers and children. Prominent members of the Black Sash take their part in this, and they are right in doing so, for it is not sound to fail to save any of the children because we cannot save all of them. But quite rightly the Black Sash holds that the ultimate remedy is political. Higher wages are better than subsidized feeding schemes.

We should be in mourning, too, for the broken homes which result from influx control regulations. It should be a principle of law that any wife is entitled to live with her husband in any place where he may lawfully be. As a women's organisation, Black Sash should face this and all the disabilities of African women. But the great mass of white people seem untroubled by this and many other South African tragedies.

Perhaps it is for white South Africa itself that we should wear the black sash of mourning. For here are people of good stock, many of them professing a good religion, whose soul has died within them. Who, to retain their own comfortable ways of living, are prepared

to be part of the exploitation of the poor. We comfort ourselves with clichés, save ourselves from conviction by fallacies. We come in the end to cherish the "lie in the soul" and to live comfortably with our scared consciences. Thank God that there are those who are prepared to go into mourning for this spiritual death. Black worn with that purpose is beautiful indeed.

During the wars of 1914-18 and 1939-45 many South African mothers wore black. What of the undeclared war of 1948-72? How many of its ablest and best sons have been lost to South Africa! Our exiles are all over the world and they can never come back. The banned, the intimidated, the exiled are all dead to their country. The Government is glad to lose them. Conformity is a virtue more prized by them than independent thought and courage. Most of the white population does not care. Some homes mourn for their own. But the Black Sash wears black for them all, and as it does so it makes black beautiful.

Face to face with the facts of South African life, one is forced to the conclusion that black is the only possible colour. The "garish day" is not for those who face reality.

"But the slow watches of the night  
Alike to God belong,  
And for the everlasting right  
The silent stars are strong."

During these years of trial, when evil forces have increased in power, the Black Sash has stood strong and unconquerable. Many have failed but not they. Truly black is beautiful.

"We reject this ethnic grouping as an ulcer to Soweto. People of Soweto are for ever complaining to us about these schools. We find that at times a school is almost empty but children living nearby cannot attend it . . . Pretoria must know that we in Soweto have no need for this grouping. We have been living for years as a community. At work I am with a person labelled under a certain group but we go together as brothers, at Churches we all mix, in the beer halls and even in the shebeens we in Soweto share without thinking anything about this grouping . . ."

Mr. David Thebehali.

Rand Daily Mail, 26th Feb., 1972.

## THE MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT:

I should like to deal with a few very fundamental statements. Actually, there are six fundamental principles which the hon. members must bear in mind before they can understand our policy in respect of the Bantu in the White areas.

I shall first enumerate these six principles for the hon. members and I shall subsequently deal with them one by one if time permits. The first and most fundamental point of policy is — and the hon. member for Pinelands can heap scorn on this until his hair turns grey, but it will remain a fact — that every Bantu person in South Africa, wherever he may find himself, is a member of his specific nation and not of the nation of which the hon. member and I are members. —

That is the first policy point and I shall return to it later. The second is also of the utmost importance. The Bantu in the White area, whether they were born here or whether they were allowed to come here under our control laws, are here for the labour they are being allowed to perform. The third principle I want to put to the hon. members is that the fundamental citizenship rights may only be enjoyed by a Bantu person within his own ethnic context, attached to his own homeland and not to mine.

The fourth policy point I want to mention to the hon. member is that the maximum number of people must be present in their own homeland and the minimum number in another's. This is a very fundamental principle which is found throughout the world; it forms the basis of our policy as well.

The fifth point I want to mention is that the Bantu persons who are in White South Africa, are treated here by us as homogeneous communities. The last principle is that in so far as the Bantu are secondarily present in White areas, we see to it in every possible respect that the necessary liaison exists between them and their peoples in their own homelands. Those are the six fundamental principles.

Hansard No. 1. Col. 295.  
3rd February, 1972.

# Correspondence

The Black Sash,  
37, Harvard Buildings,  
Johannesburg.  
23rd July, 1971.

Dr. the Hon. P. G. J. Koornhof, M.P.,  
Deputy Minister of Bantu Administration and Education,  
Pretoria.

Sir,

We wish to bring the following cases to your attention. They all concern people who have come to our office within the last few weeks.

1. Mrs. Nosibusisa Bella Lata.

Present address: 1459 Dhlamini.

Mrs. Lata is married to Mr. Fanyana Samuel Dabula who qualifies to remain in the prescribed area of Johannesburg in terms of Section 10 (1) (B) of Act No. 25 of 1945, as amended.

The marriage took place in Johannesburg on 23rd February, 1968.

There are three children of the marriage aged eight years, three years and nine months respectively.

Mrs. Lata was born on a farm at Kaalpadfontein near Vanderbijlpark in 1944. She was registered in employment in Vanderbijlpark from 1st June 1962. She first came to Johannesburg on a visitor's permit in February, 1968. She applied for permission to remain in Johannesburg with her husband but, after investigation of her case by the Johannesburg municipal authorities, permission was refused. During the investigation she obtained a letter from the farmer on whose farm she was born in Kaalpadfontein that she may not return to live there. The Vanderbijlpark authorities told her verbally that she may not return to live there. She was endorsed out of the prescribed area of Johannesburg on 14th January, 1971.

She is a displaced person having no home place. She and her husband have made every effort over the past three years to legalise her position. Her husband has accommodation for her in his sister's house at 1459 Dhlamini.

2. Mrs. Seipati Magdeline Motloug.

Present address: 2174B Zola II.

Mrs. Motloug is married to Mr. Paulus Tshabalala who qualifies to remain in the prescribed area of Johannesburg in terms of Section 10 (1) (B) of the Act. The marriage took place in Heidelberg on 22nd March, 1967. There are three children of the marriage, two sons aged three years and two years respectively and one daughter aged six months.

Mrs. Motloug was born in Heidelberg on 12th June, 1945. She first came to Johannesburg on a visitor's permit in June, 1967. Her husband applied for permission for his wife to live with him in Johannesburg.

After investigation permission was refused in July 1969. Mrs. Motloug's latest visitor's permit expired on 26th February, 1971 and she was told that she must leave Johannesburg but could apply every year for a visitor's permit to come to see her husband for a maximum of three months annually. Her husband has accommodation for her in his parents' house at 2147B Zola II where his name appears on his father's residential permit.

Mrs. Motloug is a member of the Ned. Gereformde Kerk in Afrika.

3. Mrs. Lungile Rosemary Mshibe,

Present address: 3404 Zone 10 Meadowlands.

Mrs. Mshibe is married to Mr. T. S. Twala who qualifies to remain in the prescribed area of Johannesburg in terms of Section 10 (1) (B) of the Act.

The marriage took place in Johannesburg on 5th August, 1969.

There are three children of the marriage; two sons aged three years and two months respectively and one daughter aged two years.

Mrs. Mshibe was born in the Newcastle district on 27th January, 1948. She came to Johannesburg for the first time in October, 1968 when she was granted a visitor's permit to remain in Johannesburg until 23rd December, 1968. After this permit expired she remained in Johannesburg. She was refused permission to stay with her husband and on the 8th December, 1970 she was warned to leave the prescribed area of Johannesburg within 72 hours.

All three of these families have young children. In all three cases the husband is living and working lawfully in Johannesburg and the wife has lived continuously with her husband since the time of the marriage. All three families are desperately anxious to be allowed to live together and have tried to get permission to do so.

We do not believe that it is the intention or the desire of your department to break stable family units. Therefore we ask you to investigate these cases and to intervene on their behalf so that these husbands and wives may live permanently together in Johannesburg where the men are working, to rear their children in stable family conditions.

Yours faithfully,

Jean Sinclair,  
National President.

The National President,  
The Black Sash,  
Johannesburg.

Ministry of Bantu Administration and Development,  
and of Bantu Education,  
Pretoria.

9th November, 1971.

Dear Miss Sinclair,

re: ACCOMMODATION FOR BANTU WOMEN IN SOWETO; Mrs. NOSIBUSISA BELLA LATA; Mrs. SEIPATI MAGLELINE MOTLOUNG AND Mrs. LUNGILE ROSEMARY MSHIBE.

With further reference to your letter dated 23rd July, 1971, addressed to the Honourable the Deputy Minister, Dr. P. G. J. Koornhof, I have been directed to inform you that the matter regarding the accommodation in Soweto of the Bantu women concerned has been investigated.

It has been ascertained that the applications for accommodation have been refused for good and sound reasons based on legal and policy grounds. It should be emphasized that applications of this nature are gone into thoroughly by officials of the Department of Bantu Administration and Development and of local authorities and that they are sympathetically considered on merit.

Where applications do not succeed at the administrative level, the applicants still have recourse by way of appeal to the Chief Bantu Affairs Commissioner. Here again, these appeals are gone into thoroughly and sympathetically.

You will appreciate that the indiscriminate entry of Bantu into our towns and cities in the White areas of the Republic would not only result in chaos as far as accommodation and employment are concerned, but would also be to the detriment of the Bantu themselves, causing overcrowding in houses which are already occupied to capacity. The position to provide accommodation for Bantu who qualify to be in Soweto is critical enough.

In terms of departmental policy the women and children concerned should be accommodated in their respective homelands where they can be regularly visited by their husbands and fathers. They should, therefore, be advised to consult the local Bantu Affairs Commissioner in regard to settlement in the homelands.

It will be appreciated if you will advise all aggrieved Bantu who may approach you, to consult the Bantu Affairs Commissioner in Johannesburg for advice and assistance as may be possible under the circumstances.

Yours faithfully,

Administrative Secretary  
Ministry.

The Black Sash,  
37, Harvard Buildings,  
Johannesburg.  
22nd November, 1971.

Dr. The Honourable P. G. J. Koornhof, M.P.,  
Deputy Minister of Bantu Administration and Education,  
Pretoria.  
Sir,

It was with a sense of great shock and disappointment that we read your letter of 9th November, 1971.

We approached you in good faith on behalf of Mrs. Lata, Mrs. Motlounge and Mrs. Mshibe, believing that you would be concerned about the break up of their family life. We were aware that their applications to remain in Johannesburg with their husbands had been refused for reasons based on legal and policy grounds but we believed that the most pressing reasons based on moral, just and Christian grounds would persuade you that their applications should be granted, particularly if their cases were "sympathetically considered on merit."

Most of the aggrieved people who approach us for assistance do so because they do not believe that their cases have been investigated either thoroughly or sympathetically. It is indeed difficult to see how officials administering this legislation could find room within the law for being sympathetic or time in which to be thorough. Any *sympathetic* consideration of these particular three cases on merit by the officials of the local authority and of the Department of Bantu Administration would surely have resulted in permission being given to them to remain.

As you have chosen to tell us that the indiscriminate entry of Africans into the towns and cities would be to the detriment of the Africans themselves causing overcrowding in houses which are already occupied to capacity we take this opportunity of reminding you that the overcrowding that exists at present is entirely due to the policy of your department in refusing to allow the local authority to build houses for Africans at a greatly accelerated rate.

Your suggestion that these three women and their children should seek settlement in their homelands where their husbands may visit them regularly in no way answers their problems. Few African men in South Africa are able to afford the money or the time to pay regular visits to remote homelands and even those who are fortunate enough to work in areas within visiting distance of their homelands are denied that measure of "mutual society, help and comfort, that one ought to have of the other" for which marriage was ordained, and which we white people claim for ourselves as a right. It does not seem to us consonant with Christian principles to speak of husbands "visiting" their wives regularly.

As you have instructed we will advise Mrs. Lata, Mrs. Motlounge and Mrs. Mshibe to consult the Bantu Affairs Commissioner in regard to settlement in the homelands but we state our dissent from and total condemnation of a system which has taken these three women and their little children away from their husbands and fathers and sentences them to a separate existence.

Yours faithfully,

Jean Sinclair.

#### Note

At the end of January, Dr. Koornhof announced that men who were reasonably permanently living in the prescribed areas would be allowed to bring their wives from the platteland or the homelands to live with them, if accommodation is available. This will not help Mrs. Lata, Mrs. Motlounge or Mrs. Mshibe because the Minister said that it would only apply to those men whose marriage took place after 10th December, 1971.

# A welcome move or a tiny concession

NOEL ROBB

*Mrs. Robb is the director of the Athlone Advice office and is at the moment acting chairman of the Cape Western Region of the Black Sash.*

On February 3rd it was reported in the Cape Times that "Dr. Koornhof had stated in the House of Assembly on February 2nd that 'young Africans', under 'certain conditions' would be allowed to bring their brides from the homelands and the platteland to the white cities". (He also said that married African teachers in white areas will in future be allowed to take their families with them and would receive top priority for housing). This was hailed by the HNP and UP as a reversal of government policy regarding influx control and migrant labour.

**B**ut, for the first time, I agreed with Dr. Koornhof that it is no reversal of policy. Dr. Koornhof said (Argus, 4th Feb.) that the measure would not be retrospective — would only operate from December onwards and "that only a very few Africans were involved", "for instance one large city has let us know that it only has to deal with 15-20 of such cases each year". All this concession means is that after December, 1972, a young man, who already qualifies to live in a white area, who has married a bride who lives in a homeland or in a rural area may bring her to live with him if there is housing available. If the men are "young" and yet "qualify" they must have been born in the white area and I feel sure that this concession will only apply to such men. Imagine the feelings of a man who was born in Cape Town and lived here all his life but whose wife is no longer a bride and who has lived for years up country, when he hears that his wife can't join him but the bride of a newly married youth can do so. What about the hundreds of Africans who have lived apart all their married lives? What about those wives who have lived with their husbands in urban areas for years but are endorsed out on the grounds that one or other is not qualified or that their residence together is not legal because the husband pays rent in the zones? Don't be hoodwinked — this is a tiny concession and a very clever one because white South Africans will now sit back happy in the knowledge (false) that in future large numbers of Africans will be allowed to bring their wives into white areas in which they work. Previously a man born in an urban area could obtain permission to

bring his wife into Cape Town if she was born in another prescribed area — another white town — now this is to be extended to wives who live in the homelands or in rural areas provided that there is available housing. But in Cape Town today houses are being given to men born in Cape Town, not to those who qualify after long service, so it looks as if only young men born in Cape Town who get married after December, 1972, will be allowed to bring their wives here if there is available housing.

Dr. Koornhof said "most marriages in the urban areas involve Africans from prescribed areas". He said "it was an exception when an African wanted to marry a woman from outside one of these areas" (Argus, 4th Feb.). This is an amazing statement which I do not think is true. Our experience in the Athlone Advice Office has taught us that wives of qualified men are very often from a homeland.

In Bonnievale today men and women who both qualify and who have lived together legally for many years are being separated as a result of a decision to declare the village where they lived a Coloured village and not build any married quarters for Africans thus unhoused. Men may be housed under bachelor conditions by their employers — the wives and children must return to their homeland or if they have none, be resettled in one of the Resettlement Villages in the Ciskei. One such family has been told that they may continue to live together if the man leaves his good job in a Bonnievale factory and takes a labourer's job on a nearby farm. He doesn't wish to leave his job, his employer doesn't

want to lose him. The same sort of thing is happening in Stellenbosch where it has been decided to build no more houses for African families and to demolish the temporary shacks in which such families have lived for years — of which families the members are all qualified — many born in Stellenbosch. The same thing happened in Elgin a few years ago when the African village, Newtown, was demolished and it was decided not to provide alternative housing for the Africans who lived there — many of whom were qualified having been born there or lived there for well over 15 years.

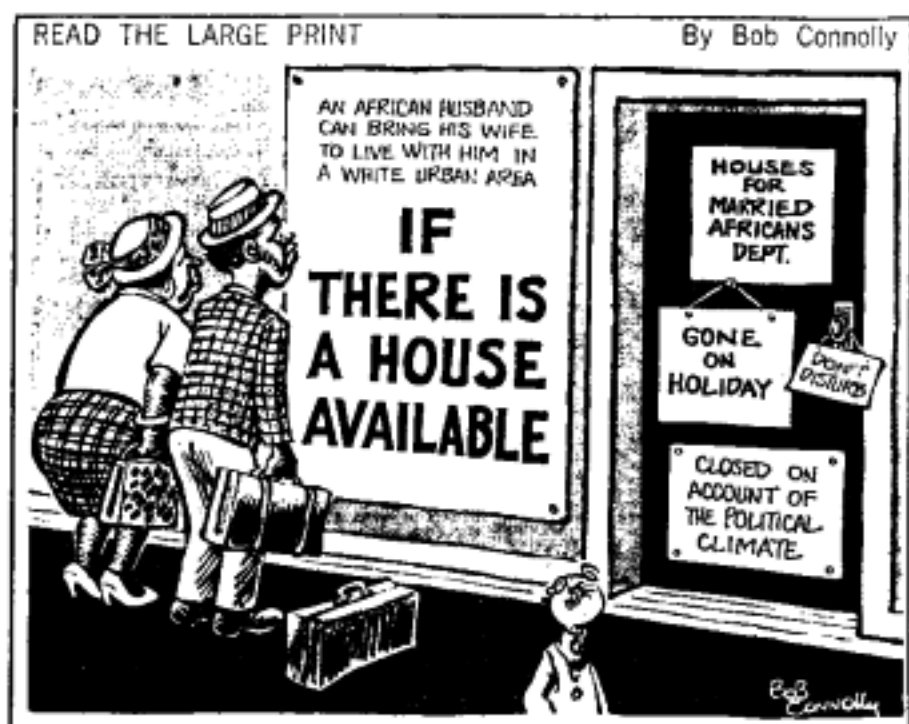
We would be delighted if all Africans who qualify were allowed to bring their wives to live with them but I am quite sure the Minister does not intend this and even if he did the housing situation makes it quite impossible of achievement. I think the position was most ably summed up in a leader in the Cape Times of February 4th, entitled "The eye of a needle" in which a statement by the Black Sash Advice Office in Johannesburg was quoted that "it seemed more difficult for a wife to get permission to live with her husband than for a camel to get through the eye of a needle". I feel that Dr. Nkomo is over-optimistic when he says "all Africans would welcome the concession. It would diminish the evil of the migratory labour system." I'm afraid it has nothing to do with the migratory labour system at all. All newcomers to white cities come as contract migrant labourers — they can never qualify to be resident in the white area and their wives will never be allowed to join them permanently. I feel that everybody has fallen into the Minister's very clever trap — 15-20 young Africans per year, per

big city may be allowed to bring their wives into a city to live with them if there is available housing. Thousands will continue to live as bachelors all their working lives while their wives and children remain in the homelands. How gullible can we be? As the leader of February 3rd, Cape Times, said "It is of course ironic in the extreme to have to compliment a government for allowing man and wife to live together". How devastating to discover that so very few African men and their wives are to be allowed to do so.

#### MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT:

Mr. Speaker, the second point I mentioned is that the Bantu are present here for the sake of their labour. That labour is regulated by statute; they cannot simply accept work at random and at will; no, it is regulated properly according to statute, in the interests of the Whites as well as the Bantu. Therefore they are not here to come and take what is offered to them here in the social, economic and all kinds of other spheres. That is why I have on many previous occasions said that the Bantu are here in a loose capacity, exclusively on the basis of their labour. They are not here in a permanent capacity to acquire what you and I can acquire in the sphere of labour, and the other spheres. This is not discrimination, as is so frequently said. If non-equals do not receive the same, this is differentiation between people, but if peoples are offered equality, as under United Party policy, while they are told that can have only limited work opportunities and a limited number of White representatives, then that is definitely discrimination. They are being offered equality, but at the same time they are being cheated so that they do not receive every item of that equality. That is deceit and discrimination.

*Hansard No. 1, Col. 298.  
3rd February, 1972.*



# Albany Report

This last year the Grahamstown Branch of the Black Sash has been given status as a full fledged region. The Albany Region includes Port Alfred, Alexandria and inland towns like Bedford or any other towns in that area which could conceivably start branches. We have grown up, and our paid-up membership for last year totalled 51.

This last year was, I feel, a good year for Black Sash in Grahamstown. This sounds a ridiculous statement in view of the terrible things that happened during that period and in fact, in that sense, this year as with previous years, for Black Sash — as well as other organisations and individuals — was progressively gloomier as more liberties were curtailed, human dignity violated and the rule of law more and more supplanted by the rule of force.

## Fingo Village

Nevertheless as a body of people who care about the present and future of South Africa we have shown that we will work for what we believe, in spite of intimidation. I want to thank my committee first for the unfailing support they gave me during the year. In fact they led the way and kept me up to Black Sash standards. When I was busy with a play production, it was they who decided on and organised a stand on the Resettlement camps which remain a burning issue in South Africa and are especially important to us in Grahamstown because of the planned removal of our citizens who live in Fingo Village. I have been pushed also by individual members who wanted to know what we were doing about some of the more frightening events of last year and I never felt in all that time that you as a branch needed a leader, we were all in it together. I want to thank you for this.

Last year seemed an extremely busy year, especially as most of our members are working and many of us also engaged with other organisations in town. We held six general meetings last year. Two of those were reports back from conference. Mrs. St. Leger spoke at our A.G.M. on the conference in Cape Town and in December, I reported on the Chairman's Conference held in East London. Both Molly and I gained so much from meeting with other members and talking with other regions. We came back equally impressed with the personalities in Black Sash and full of

new ideas for our own region, as well as with a sense of belonging which inspired us to greater effort. I have suggested to Mrs. Streek, of Border Region, that our two regions could meet with Port Elizabeth (i.e. Cape Eastern) at least once a year in Grahamstown — the halfway house — but have so far not heard anything from her.

Father Kernan, who works in Dimbasa, showed us slides of Dimbasa and spoke movingly about the poverty and hardship suffered by people who have to live there. On the same evening Ruan Maud took the discussion further by pointing out the economic and military significance of the resettlement policy. At other meetings we have continued with the plan worked out by the committee, on instruction from members, that we should study apartheid legislation and we have spent evenings discussing the Bantu Urban Areas Act, and the Housing and Slums Act.

We also arranged a fund-raising coffee morning in aid of bursaries for African school children who are all so severely handicapped because unlike our children, they must pay for expensive school books.

As we are not a charitable organisation, these candidates were chosen by GADRA Educational Committee and the money administered by them.

## Women's charter

We have had stands on the resettlement camp policy and on detention without trial, and helped St. Paul's College to circulate a petition against the house-arrest order on Cosmas Desmond. We hope this year to give greater local publicity to the Women's Charter, drawn up by the Johannesburg branch of the Black Sash, by distributing it and the pamphlet "Who Cares?" as widely as possible. Members sent out copies of the cheque (on African old age pensions) with their Christmas Cards this year.

As I pointed out in my report to the Chairman's conference in October, Grahamstown is a small town where it is still possible for different groups and societies to work together on local issues. We have therefore felt it important to work with people rather than on our own, and this is especially true of the Fingo Village issue. This last year it became necessary for the public of Grahamstown to form some kind of watchdog group interested in Fingo Village, so that those affected would not suddenly be moved to inadequate accom-



modation or forced to move, while in ignorance of their rights.

We were instrumental in the formation of such a group, which submitted a memorandum to Dr. Koornhof pointing out the difficulties inherent in the establishment of a township at Committee's and asking how the people who were to be moved would be compensated for the loss of the facilities which Grahamstown offers them. The Urban Bantu Council submitted a memorandum on, as far as we could see from press reports, very much the same lines. As Dr. Koornhof has stated there will be no removals for 3 to 4 years, we have time to study the proposed township in some detail and when the necessity for an Advice Office arises, I hope that it will be established as a joint venture of Black Sash, Race Relations, N.U.S.A.S., the Urban Bantu Council and all other interested bodies in town. In fact

I hope that the city of Grahamstown will respond as a community to the uprooting of 6 000 of their fellow citizens.

Ann Oosthuizen.

If the Almighty spares me I shall come back to this House next year and report on what the Police has done. I hope that I shall not have to be ashamed of what the Police has done but that we will all be proud of that. South Africa must be saved from this diabolical thing which is threatening it.

Deputy Minister of Police, The Hon. S. L. Muller, M.P., Committee Stage Section 6, Hansard No. 18, 2/6/67, Column 7102.

## Liberal opposition

*The following extract is taken from a paper entitled 'Organisations available for change' by M. G. Whisson, Senior Lecturer in the School of African Studies, University of Cape Town. This paper has been published in the report of the Spro-cas social commission 'Towards social change.' We have chosen this particular extract because it discusses that part of the political spectrum to which the Black Sash belongs. The Spro-cas reports are essential reading for members of any organisation which hopes and works for change towards a just society in South Africa. They may be ordered from Spro-cas, P.O. Box 31134, Braamfontein, Johannesburg, or from leading booksellers.*

Liberal readers of the English language press, members and friends of the Churches of the S.A. Council of Churches, those involved in the English universities or in the social science faculties of some Afrikaans universities and members of other liberal and/or Christian groups are inclined to seek for and to find signs of hope for their future in South Africa and for the eventual triumph of their cause. Their hopes, and their belief in the good that they can achieve by working from within South Africa are not shared by many of their old friends who have, for various reasons, become exiles. Cynics have shrugged off their efforts. 'They talk progressive, vote U.P. and thank God for the Nats' as one National Party candidate asserted during the 1970 elections. Others have observed the comfortable circumstances under which the majority of articulate white 'liberals' appear to live and the fact that the only

constituency to return a Progressive to parliament has probably the highest per capita income in the country.

Within the broad category of 'liberal opposition' among the whites, there falls a range of political views which would cover just about the entire spectrum in some countries — from the free-booting capitalist democrat who sees the South African system as one in which opportunities for all can only lead to greater wealth for the already secure, through to the leftist totalitarian who sees all events as leading to the ultimate dictatorship of the proletariat. The unity, such as it is, within the group is a unity of opposition to the status quo rather than an organic unity, a unity of interests rather than a unity of spirit or values.

Their numbers are small, and their influence correspondingly small politically, only their concentration in little groups might en-

courage them to imagine that they are more significant than they really are, a view maintained by the thoroughness with which their activities are observed by the security services.

Their role in the promotion of change would appear to lie in three main areas, the ideological, the human contacts, and the informational. By the articulate delineation of the goals of a just society, and by the suggestion of means, however currently unacceptable, for attaining those goals, the liberal academics and politicians can provide alternative policies which are carefully considered and which might become practically relevant in a time of crisis when panic might otherwise be the dominant motivating force. Further, by maintaining an intelligent and well informed critique of the status quo from clearly defined ideological positions, the liberals provide stable benchmarks against which the policies of the state can be evaluated by any who wish to draw conclusions from their observations. In any society there is a tendency for people to imagine that the middle of the road, the practical norm, is what is current today, even if by more international standards, or in comparison with previous situations, the current position is far to the right, or far to the left of that norm or average. If the totalitarian benchmarks are provided by comparison with Nazi Germany, Haiti or Russian control over its satellites, it is equally necessary to indicate the liberal benchmarks with their ideological principles and their institutional means of expressing those principles. Just as the emergence of the *Herstigte Nasionale Party*, suggested that the National Party might be more moderate than some might have imagined previously, so the disappearance of the *Liberal Party* has put the *Progressive Party* in the (internationally) ludicrous position of the 'extreme left'.

The maintenance of human contacts is also a vital activity of the liberal opposition, although it is one liable to provide fewer gratifications to the paternalistic spirit in the future. One of the consequences of apartheid has been the reduction of informal personal contact across the barriers of racial classification. Fear, ignorance and inconvenience have bolstered the legal and residential barriers. Under such circumstances stereotypes based upon increasingly misleading evidence have tended to develop. For the whites the stereotypes are based upon the visible non-voters, i.e. domestic employees, open-air labourers and others who cannot afford to travel

in private vehicles. For the non-voters the stereotypes are based largely upon the structured employment situation, upon the programmes conceived and carried out by the state and upon their experience with the state bureaucracy including the police force. Liberals will have to learn to listen rather than to lead, to develop the same sympathy with the aspirations and fears of the non-voters as they have developed with the aspirations and fears of the whites, to recognise that they have little more in common with the goals of black power than they have with the reality of white power, and that agreeing with people in a patronising attempt to ingratiate oneself is swiftly seen for what it really is. The effort may be painful, but it will be necessary if the beleaguered bridges of hope are to survive the process of change and not be abandoned to a battle of totalitarian ideologies.

Finally there is the informational role. Apartheid has flourished in a climate of ignorance and self-deception. The defence of those charged with the prosecution of gross injustice in the past has always been either that they were obeying higher authority or that they did not know what was going on. But the systematic collection and publication of factual material on South Africa is of more importance than the mere compilation of the case for the prosecution after some hypothetical armageddon. Government servants who prepare policy plans, and electorates who support the various political parties are caught up in the vortex of self-deception. Whilst it will be argued by some that any sound research is likely to be used by the state to pursue its own programmes more efficiently, it is also an article of faith that truth is to be preferred to falsehood, and even from the viewpoint of liberal *real politik* it may be easier to predict the rational activities of an opponent than to predict and counter the irrational. And an understanding of events as they unfold in the present period will be of value in the future re-organisation of South Africa which will in time take place.

"I want to confine myself now to the so-called urban Bantu. I want to say at once that "urban Bantu" is not really a correct concept; it should actually be "the Bantu in the White Area."

*Dr. the Hon. P. G. J. Koornhof.*  
*Hansard No. 1. Col. 273.*

# Aid Centres

NOEL ROBB

In 1964 legislation was passed (Act 67/1964) providing for the establishment of Aid Centres all over the country so that "any Bantu who is arrested or convicted on a charge of having contravened or failed to comply with such of the provisions of this Act or the Urban Areas Act... may be admitted to an Aid Centre... and dealt with in the manner prescribed. This legislation was greeted with great enthusiasm and high hopes. Now eight years later very similar legislation is before the House and this has been hailed with even more pleasure and excitement — as if it were something quite new. The only amendments of any importance to clause 25 of the 1964 Act concerning Aid Centres are the following:—

a) Africans are to be *referred* to aid centres not *admitted*. Section 25 (1).

b) Notwithstanding the provisions of Section 27 of the Criminal Procedure Act (Act No. 56 of 1955), any Bantu who is arrested without warrant for an offence referred to in subsection (1) may be referred to an aid centre instead of *immediately* being taken to a police station —(Section 25 (4)).

c) As in the 1964 legislation, the Bantu Affairs Commissioner, an officer managing the Aid Centre, may hold a court in the aid centre and, whether or not the Bantu referred to the Aid Centre has been convicted of an offence against Influx Control laws, "may make representations that no criminal proceedings be taken against such Bantu," may place him in employment or issue him with the requisite documents or the granting to him of the requisite permission or repatriate him and his dependents to his home or last place of residence or any other place indicated by the said Bantu Affairs Commissioner." He may no longer send him to "a settlement or rehabilitation scheme" — this is a great relief to all of us.

## Two in eight years

Apart from these 3 small amendments the Act is similar to that of 1964. One wonders why only 2 Aid Centres have been established in 8 years. Surely the need for these small

amendments could not really have held up the implementation of the Act for so many years?

For about 2 years there has been an Aid Centre at Langa consisting of one small room with one official administering the centre. To my knowledge no Africans have been found employment as a result of being referred to this Aid Centre but very many have been unable to obtain permission to remain in the jobs which they had found for themselves. They were offered rail warrants for themselves and their families and arrangements were made to rail their furniture at government expense to the place to which they were directed. In some cases they went — and have been without employment ever since. In some cases they have returned and are now working illegally in Cape Town. Once more the official, with the best will in the world, has been unable to give employment to Africans who are not permitted to work in Cape Town. Only those born in Cape Town who have lived here ever since, or those who have worked here legally and continuously for 15 years, or for one employer for 10 years, are permitted to accept employment offered. All others are refused permission to work or live in Cape Town and are "repatriated". No where in this new Bill do I see that the official managing the Aid Centre will be allowed to disregard the Law. Even if the Aid Centre were to be managed by the Archangel Gabriel assisted by all the lesser angels, he would not be able to place Africans in employment unless they qualify to live and work in Cape Town— *until the law is changed*. Unless the law is changed these Aid Centres may hide the effect of the rigid Influx Control legislation — sweep them under the carpet — but they will not be able to solve the problems of the Africans who are referred to them.

They want to be allowed to accept work offered — they cannot legally be allowed to do so. They want to be allowed to live with their husbands or their parents — they cannot legally be allowed to do so.

At present Africans arrested for contravening Influx Control laws are charged and appear in court — usually within 24 hours. They may be defended by the attorney of

their choice, the public may attend the trial. Under the new Act it would appear that such Africans need not be taken to police stations or charged, but instead will be referred to an Aid Centre. Will their families know where they are? Will they be allowed to be represented in the Court which may be established in an Aid Centre? Will the public, particularly their relatives, be allowed to attend the hearing? After the hearing will they be released when it is found that they are without permission to be in the urban area or will they be repatriated and held in police cells until this has been arranged? I don't wish to condemn Aid Centres, I want to give them a fair trial, but I do think we must watch them

very closely and not be lulled to sleep by a false belief that all will be well in future.

What is needed is a change in the law itself, not attempts to camouflage the effects of the law.

According to a report in the Rand Daily Mail the Johannesburg municipality is not breaking the law by allowing a black man and a white man to work together painting stop signs on the streets. A municipal spokesman told the Mail that this is a lawful activity because the white man paints the letters and the black man only paints the straight lines.

## Athlone Advice Office

The normal unfolding of Government policy should give us an interesting year, one way and another. May there be no canker in the bud! Everyone is happy to know that more married African couples are going to be able to set up homes together in urban areas in the Republic. What conditions these couples will have to meet we do not yet know. The term "los hoedanigheid" ("loose capacity"), applied as it is by Dr. Koornhof to all urban African residents, with the apparent implication that none are more than temporary sojourners in non-homeland areas, suggests rather ominously that more manipulation of people as if they were inanimate objects may be ahead. Are they forever liable to be moved about according to policy as interpreted by a hierarchy of officials?

Against possibly hopeful signs, our records show a sad tally of encounters with dead ends. Many human problems have to be written off as hopeless because of rigid technicalities.

The arrangement for women breadwinners is said by D.B.A. to be operating smoothly. This scheme realistically allows a lucky few women, although not qualified as residents in their own right, to remain in the Cape Peninsula in living-in domestic jobs which are registered on a temporary basis, at D.B.A., for 6 or 12 months at a time. All children are to be sent and kept away, in rural foster homes or with relatives. A mother can almost always be relied on to remember her children. Under this scheme they are provided for from her earnings, which will probably have to be

spread over the foster-mother's whole household. Such regular income is bound to be welcomed in the Eastern Cape. But a woman's permit to be in this area must be in order, or she cannot avail herself of the arrangements. In terms of Section 11 of Act 25, 1945, as amended, it is an offence to assist any African illegally in a prescribed area to remain there. So Bantu Affairs officials cannot and will not rectify a permit which has lapsed, no matter how excellent may be the personal credentials of the individual concerned. Will Aid Centres be able to get round Section 11? Most women who need to continue working in the area for the support of their dependants know nothing about this arrangement until too late, and when they intercede for renewal of permits which have expired they are told to leave the area.

### Mrs. E. G.

Born in the Transkei in 1916, came to Cape Town in 1948 and registered in 1955. Her presence in the area had been acknowledged and accepted for 14 years when in August 1969 she took leave to go and see her children, the father having disappeared. She left another woman in her place and stayed away longer than arranged — five months. By the time she returned the employer had settled down happily with the replacement and, feeling let down, rubbed in the salt by signing her book off retrospectively to August 1969. Mrs. E. G. hoped that someone wanting her in a permanent capacity would be able to straight-

en things but the gap in her record book remained and she was endorsed out at Langa. Two successive would-be employers took her to D.B.A., only to be told categorically that this woman is now illegally in the area and cannot work here again. She must rejoin her children, and their future does not concern this area.

Another road-block confronts a young girl, **M.Z.**, who was born here in 1955 and lived here with her parents until 1967 when she and her mother were sent to the resettlement township Ilinge in the Ciskei. Her father at that time had been "only" 13 years registered in the area (although 19 years in fact) and only 8 years with one employer — so he was not qualified in terms of Section 10 (1) (b) of the Act and they could not be rehoused in Guguletu when temporary shacks in the Divisional Council area were demolished — hence the resettlement. At Ilinge, the mother allegedly became irresponsible and deserted **M.Z.**, who says that she lived from 1968 until recently with a neighbour. This friendly neighbour in time found hunger pressing and slipped off to an urban area recently. **M.Z.** then made her way, somehow, to her father who is still in the same job and now well and truly established as a resident under Section 10(1)(b) of the Act — but living in single quarters. **M.Z.**'s trouble is firstly that she re-entered this area without a permit. She and her father have been told that only if she fetches a letter from the magistrate at Ilinge, verifying the total lack of a guardian for her there and asking for her to be re-admitted to the Cape Peninsula, can D.B.A. consider giving her permission to remain in terms of Section 10 (1) (c) of the Act, while she remains unmarried at least. Her father must moreover take steps to relinquish the house allocated to the family in the resettlement township, and must re-

claim his belongings from there. It can only be hoped that all this can be achieved. It is most unsuitable that young girls such as **M.Z.** should travel back and forth among strangers without guidance and protection.

In conclusion, certain employers deserve to come in for a share of gunning.

**Mr. S.G.** was employed by a well-known bakery for 14 years. He is a qualified resident, but an unskilled labourer aged about 60 cannot easily get re-employed. Through his Industrial Council and the Labour Department he has tried to apply for Unemployment Fund benefits, but as his weekly wage was R9.90 and contributions are only deducted for payment into the Fund from R10.50 per week upwards, he has no claim on the Fund. No form of benefit is available for this man after all his years' service. What sort of old age does he face? And his wife, how will he care for her? The relatives are elderly too.

Firms should not get away with paying out such meagre wages, more especially to men with long records of service. Where there are Industrial Councils concerned, in this instance the Industrial Council for the Baking Industry, they would do well to press for better pay packets, covering at the very least unemployment benefits for all.

B. VERSFELD  
R. N. ROBB

"We are always on the move. We never seem to get enough sleep or enough food. Even when we are sitting we feel as if we are on the move." That is part of the truth of travelling from Soweto to Johannesburg to earn your daily bread.

*The Star, 1st March, 1972.*

## Johannesburg Advice Office

The following cases illustrate various difficulties which occur in the struggle to qualify in terms of Section 10(1)(a) or (b) of the Urban Areas Act.

**Mr. M. W.** was endorsed out of Sandton and told that he must register in his new employment as a contract worker. He had a new reference book so his work record was

not immediately obvious. He had worked for one man for 11 years but the employer had died and his son not only refused to give **Mr. N.** a letter but threatened to "spoil his book". **Mr. N.** appealed against his endorsement out and after his record had been checked his appeal was allowed and he was registered in the new employment. His right to remain in the

area in terms of Section 10(1)(b) had not been reflected in his reference book and he will have to apply again for this.

**Mr. N. J.** went to apply for a house for himself and his wife but was told he must qualify as 10(1)(b) first. He has been registered in employment in Johannesburg since 1955 — more than 15 years — and 11 of those years have been served with one employer. Unfortunately he was discharged in error when he was hospitalised at the end of the ninth of the eleven years and re-engaged three months later. This is therefore not regarded as ten years continuous employment. However he still claimed he was entitled to 10(1)(b) in view of his being 15 years continuously resident in the area. His 10(1)(b) was refused four times and only because of his persistence was his right eventually recognised.

**Mrs. L. S.** was ordered to leave Johannesburg on two occasions. Her name has never been on a house permit nor has she ever been registered in employment but she first came to the area many years ago before women had to have permits or reference books. She appealed against her endorsement out and claimed that because her entry had been lawful her subsequent continuous residence for more than 15 years was also lawful. Her appeal was allowed after a two year struggle and she has now been given permission to remain in Johannesburg in terms of Section 10(1)(b) of the Act.

**Mr. M. H.** came to Johannesburg at the age of 15 in 1955. His name was enumerated on his uncle's house permit from that date and he has lived lawfully in that house ever since. He applied for a house of his own but his application was refused on the grounds that he was registered in terms of 10(1)(d). He went to ask for his 10(1)(b) right to be recognised and reflected in his reference book. He was told at the Superintendent's office that the family file is "missing". The authorities have refused his 10(1)(b) because of this missing file which is in no way his responsibility.

**Mr. M. Q.** has been unable to qualify as 10(1)(a) or (b). He was born in Alexandra Township but lived with his mother in the prescribed area of Johannesburg throughout his childhood. He then began work and again lived in Alexandra. He has a permit to live there but cannot claim 10(1)(a) because he

did not remain continuously in *one* prescribed area since the time of his birth, nor has he been living for 15 years in Alexandra since the date of his return. Many people are in the same position. Alexandra is so much part of Johannesburg that they never realised that to move from one to the other meant that they were moving out of one prescribed area into another, thus losing "permanent" rights.

**Mr. M. J. N.** was refused his 10(1)(b). He has worked for eleven years for one employer but the original firm was bought out by another half way through this period. At this time all the African employees were officially discharged by the original firm and immediately registered under the firm's new name. Mr. N. was told that this constitutes a break in his employment and that he cannot, therefore, qualify.

This same thing frequently happens to men who have been working as cleaners in blocks of flats. They are engaged by an estate agent but every time they are moved from one building to another they are technically discharged and employed in the name of the new building. Many of those who had not yet achieved 15 years in the area but had been 10 years with one agent have now found themselves registered on yearly contracts in terms of the 1968 labour regulations and may never be permitted to qualify because the fact that they have to return to a tribal labour bureau every year to have a new contract attested is held to constitute a break in their continuous residence in a prescribed area.

All power exercised over a nation, must have some beginning. It must either be delegated or assumed.

There are no other sources.

All delegated power is on trust, and all assumed power is usurpation.

Thomas Paine,  
Rights of Man — 1738-1809.

# BLACK SASH OFFICE BEARERS

## HEADQUARTERS

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This Magazine, as the official organ of the Black Sash, carries authoritative articles on the activities of the Black Sash. The leading articles adhere broadly to the policies of the organization, which does not, however, necessarily endorse the opinions expressed by the contributors.

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## Dedication . . .

**I**N pride and humbleness we declare our devotion to the land of South Africa, we dedicate ourselves to the service of our country. We pledge ourselves to uphold the ideals of mutual trust and forbearance, of sanctity of word, of courage for the future, and of peace and justice for all persons and peoples. We pledge ourselves to resist any diminishment of these, confident that this duty is required of us, and that history and our children will defend us.

So help us God, in Whose strength we trust.

## Toewydingsrede . . .

**M**ET trots en nederigheid verklaar ons ons gehegtheid aan die land van Suid-Afrika, ons wy ons aan die diens van ons land. Ons belowe plegtig die ideale te handhaaf van onderlinge vertroue en verdraagsaamheid, van die onskendbaarheid van beloftes, van moed vir die toekoms, van vrede en regverdigheid teenoor alle persone en rasse. Ons beloof plegtig om ons te verset teen enige vermindering hiervan, oortuig dat hierdie plig ons opgelê is en dat die geskiedenis en ons kinders ons sal regverdig.

Mag God ons help, op Wie se krag ons ons verlaat.