



Issue No.97

December 2010

**A TRIBUTE
TO
COMRADE
ENVER HASSIM**

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Comrades Zulei Christopher and Enver Hassim

ON THE PASSING OF COMRADE ENVER HASSIM

Introduction

It is necessary that at a time when the history of our struggle is in grave danger of being falsified beyond recognition by the African National Congress/ SACP that we do what we can to leave for the future accounts of what really took place. Part of our duty is to preserve for posterity accounts of the contribution of individuals who have been brushed aside by the official historians and who are in danger of being effaced from memory.

One such individual is Enver Hassim of the Unity Movement, of the Progressive Forum, the Coloured People's Congress, Apdusa and the Society of Young Africa. Here was an individual with numerous outstanding qualities as a freedom fighter, an intellectual, an attorney without equal among the black legal fraternity. The man simply shone as a person and his qualities enriched the lives of many people who came into contact with him in the political struggle, in legal jousts and as a human being.

What appears below as a tribute is only part of the narration of this remarkable man. Another part is to be found in the tribute we paid to the Late Dr Zulei Christopher¹, the wife and comrade of Enver Hassim.

It may appear disrespectful to the memory of a comrade no longer with us to have a memorial 15 years after the person passed away. The fact of the matter is that a tribute was paid during December 1995 at a meeting of Apdusa members and friends held at the offices of Messrs V.S. Rajah and Siva Pillay of Durban. What was missing was a written record of that tribute. Today very few remember that meeting. Within a short time there may be nobody who was present and a record of that tribute will be lost for all time. This tribute, based on the one delivered in December 1995, seeks to prevent that unfortunate possibility by attempting to perpetuate the memory of Enver Hassim's participation in the liberatory struggle, the harsh reprisals he had endure from a fascist state and the tragic tribulations he had to face in exile.

TRIBUTE

This assembly of comrades and friends has been occasioned by the passing of Comrade Enver Hassim on the 28th November 1995. News of this sad, but not entirely unexpected event came to us on the same day.

Again not unexpectedly, expression of grief was accompanied by the statement: "It is merciful." Death was made welcome, not as a manifestation of callousness but out of deep love and compassion for the man. After you come to learn of the type of life he was enduring, you, too, will, perhaps, agree with that sentiment.

We are a group of people bound by decades of association. We have all followed the elusive vision and dream of a new life, a new society liberated from forces which brutalized people and which wages a mortal war against enlightenment and humanism. In the process of striving for these ideals, we have reformed ourselves. It is not possible to bring enlightenment through the medium of darkness. To achieve enlightenment, we had to strive for enlightenment and be enlightened ourselves.

An entire epoch has passed and though some of our ideals have been realised, the validity of the others remain as strong as before. Time however is not indulgent. It will not wait for us for the realization of all the remaining ideals. Through time we age and through time we fall ill and die. There is no escape from that. The time is approaching that we too will die. Already the roll of our dead of the Natal members has grown alarmingly. First there was Steve Moodley, then Jeevan Desai followed by Narain, Essop, Rowyn, Amdhi, Natasha and Raman, Zulei and now Enver.

Those of us who remain must do our duty, a duty laid down from the earliest of times. We show respect for the dead who were once part of us. One of the best known ways is to pay tribute by way of a memorial. A tribute is at once a public expression of our grief and respect for the dead. It is also a formal farewell. But most of all it is a recording of our judgement on the deceased as a person and a participant in our joint and common activities, focusing on the latter's contribution.

Background

Enver Hassim was born and brought up in the Transvaal. He was part of a large family – four sisters and two brothers. His father made a living as a middleman. He

¹ See Apdusa Views Tribute to Comrade Zulei Christopher date November 1992

was able to obtain good quality clothing directly from the factories and sold them to shops. This method of doing business depended entirely on the contacts one made with the factories. In this way he was able to raise his family. But poverty would demand sacrifice. Hence Enver's elder brother developed TB of the bones. So did his sister, the glamorous Dolly Hassim, who was a committed member of the Progressive Forum and for many years a popular columnist of "The Golden City Post". They contracted TB because they drank unpasteurised milk bought cheaply from some farmer.

Enver was what in those days was called "a Transvaler through and through"! He spoke Afrikaans fluently with acceptable pronunciation. He played cricket like the children of the Indian merchants did. He was a strong swimmer but as a river-swimmer swung his neck from side to side when swimming.

Enver studied for his B.A. and LLB at Wits University. In the 1940s Johannesburg was a cauldron of political activity. The Left were in their element. Soldiers who had left the country to fight against fascism in defence of democracy overseas returned with radical ideas which conflicted with the ruling class ideology. At the University the Progressive Forum was established. It was an organisation of Marxist intellectuals many of whom played a leading role politically in the years to come. Its leading members were Karrim Essack, Enver Hassim, Seymour Papert², Mike Davis, Jennifer Heyman, Errol Vawda, Ahmed Limbada, "Bis" Bismillah, Zulei Christopher, David Soggot, Norman Traub, Leo and Maybelle Katzen, Andrew Lukhele, Bernard and Jesse Berman, Victor Sondlo and Ivan Stoller. The Progressive Forum provided a training ground for theory and study. It was also a vehicle for testing those ideas in debate, discussion and ideological conflict with the liberals and Stalinists. Enver interacted with the ANC leaders like Walter Sisulu and leading trade unionists like Dan Koza and Max Gordon, both of whom were anti-Stalinist Marxists. Enver was particularly close to Max Gordon³ and spent much time with him at his trade union office and learnt a great deal from Gordon who was seasoned in the affairs of the workers. Thus Enver was our expert on the trade unions.

Coming to Natal

It was Enver's fortune to obtain article of clerkship with in a one-attorney firm. This meant being thrown into the deep-end. His principal had no time to train him. Enver had to fend for himself and survive in the jungle of Johannesburg's legal world. When he attended the 7th Conference of the Unity Movement in 1951 in Cape Town, he met Zulei there. The two were married in 1952.

A combination of events – his marriage to Zulei and a heart attack suffered by Advocate Christopher – brought Enver to Natal. He was offered a partnership in the well-known firm of A. Christopher and Company. He accepted the offer. That is how we in Natal got to know Enver Hassim.

How he interacted with people

We will always remember Enver as a highly cultivated person. He was widely read and very knowledgeable. He could speak impromptu on a variety of subjects. He was par excellence the rounded individual who took a keen interest in activities ranging from the stock exchange to the game of soccer.

² Seymour Papert left South Africa to become the world's foremost expert on how technology can provide new ways to learn.

³ According to Edward Roux in his "Time Longer Than Rope" page 335, Victor Gollanz 1948, "Gordon's contribution to African trade unions was considerable."

One of his many outstanding qualities was his ability of befriending and socializing with all types of people – from professors to members of the working class. The fact he did not tolerate fools gladly did not prevent him from developing warm and lasting relationships with persons who were not on par with him intellectually. One such person was our Essop Hashim.

I have a special and fond memory of our trip to Queenstown to attend the 1954 Conference of the All African Convention. We had arranged to go by a covered pick-up truck which came from Dundee. We met Enver at the Ladysmith station, he having traveled by train from Durban. The journey was a long and arduous one. We had to traverse the untarred and treacherous Van Reenen's Pass.

Cassim Kikia, Enver and I occupied the rear of the truck. Our journey became a fascinating one with Enver regaling us with story after story. He was an accomplished raconteur and had a fine repertoire of jokes. Not once did he show any uneasiness or discomfort at being at the rear of the truck. From time to time he would produce a covered container and put it to his mouth and take deep swigs. Then he would offer it to us. Liquor? No! It was rich, sweetened and delicious condensed milk! He had a craving for very rich and sweet things. He paid very dearly for this craving. It led to the virtual destruction of his pancreas. He developed pancreatitis and eventually died from it.

We returned from Conference in the same truck. We dropped Enver off at the railway station at Ladysmith where he boarded a train to Durban.

Most of us who have not seen Enver in his later years of exile, will remember him as a neat and meticulous person in dress and in work. We admired but also envied his unique style of writing. The neatness and attractiveness of his writing did not vary whether he wrote at his ordinary pace or when he had to write when taking notes of a person speaking. One is almost tempted to believe in graphology which claims a relationship between a person's style of writing and his or her character. Enver's writing was as neat and methodical as his thinking.

Enver made friends far and wide. His clients adored him and would do anything for him. Some even went so far as making available their properties for the holding of meetings which were illegal under the draconian laws. When Tabata came to Natal in 1963 after his illegal trip to Africa in 1962, a special meeting was held at a farm in the Newcastle area where Tabata gave his report. The Security Police came to hear of the meeting and the venue in 1971 and moved heaven, earth and hell to trace the owner but were never able to identify the farm or the owner. The venue was known only to Enver and the owner. By that time Enver was safe in Canada.

As a cultured person Enver knew a fair amount about western classical music. This knowledge he passed on to us. It was a standing joke with the owner of a record bar, Shirley Gilbert, that while Enver's first love was Beethoven, while Zulei preferred Mozart.

Because of his political training in the Progressive Forum and his love of knowledge, Enver did not hesitate to tilt swords with professors in their field. I recall a conference organised by the Student Representative Council of Natal University in 1956. The theme was "Towards a Common Society". At one session there were present Professors Leo Kuper and Gordon Alport. The latter was from the United States. They were sociologist and psychologist respectively. It was a session at which Karrim Essack and Enver Hassim were present. Karrim Essack dealt with the difference between the liberal concept of a common society and that of the Unity Movement. While the liberal concept envisioned a common society as a *multiracial* one

(acknowledging the existence of races) the Unity Movement advocated *a non racial* society where “race” had no place. Enver the lawyer lectured to the professors on psychology by focusing on the experiments and studies conducted by psychologist JG Taylor and Seymour Papert. The experiment involved the use of spectacles with inverted glasses (the person wearing the glasses saw the world as upside down). Within a short while the person wearing those glasses was able to ride a bicycle on the streets of Johannesburg. While Professor Kuper lost his customary cool by nastily remarking that the “big guns of the Unity Movement were present” Professor Alport was impressed at the knowledge of psychology Enver, the lawyer, had.

As a Lawyer

Enver’s stay in Natal was only for a period of thirteen years. During this period Enver made his biggest impact in the field of law. Durban, for that matter Natal, has not to this day come across a black lawyer of the Side Bar of Enver’s caliber and talent. Being a forceful speaker in English and Afrikaans, Enver made an immediate impact on the courts. During those days a black lawyer was generally proficient in one or two fields, amongst numerous fields of the law. You were either a good criminal lawyer or a civil lawyer. I know of one attorney who never set foot in court. Enver was the complete all rounder. He was a competent in both civil and criminal law whether it be in the magistrate’s court or Supreme Court. He excelled in quasi- judicial or administrative tribunals like the Road Transportation Board, the Licensing Tribunal and the Sugar Board. He even had occasion to appear before the Administrator of Natal. For years after Enver left the country the chairman of the Transportation Board would ask me if I was related to Enver Hassim.

His reputation as a lawyer amongst lawyers of all racial groups soared. The white attorneys, many of whom despised black attorneys, very quickly developed a healthy respect for Enver. Not only was he a formidable opponent in law, he was quite capable of giving them the rough edge of his tongue when occasion demanded it.

Although he was young and a stranger and spoke none of the Indian languages, established clients of A. Christopher and Company, like the Bus Owners Association and the Cane Growers Association retained him as their lawyer when Advocate Christopher was unable to practice.

Enver’s skills as a lawyer and to some extent his politics caught the attention of a prominent Senior Counsel, Henry John May Q.C. May’s original name was Schlosberg whose politics at some stage got him into the stream of Trotskyism. It was through Henry May’s recommendation that Enver became the attorney for the New India Insurance company. Hitherto all its attorneys had been white. He served this insurance company to the latter’s complete satisfaction.

Enver’s knowledge of the law was very good. From his wide reading of literature plus the experience he acquired from drafting political documents, he was an excellent draughtsman when it came to the drawing of pleadings and affidavits. I recall the famous, or is it the notorious case of a leading retailer which had its claim for compensation arising out of a fire rejected. The amount involved was enormous. Enver drafted voluminous affidavits which were checked by Henry May. The latter was highly impressed by Enver’s effort. He then wrote a very complimentary letter to Enver but in reality meant for the eyes of Enver’s clients. Those of us who worked under or with Enver will readily testify to his prodigious forensic skills. Not only did we learn from him but adopted him as our model in the field of law.

Enver fought and won a number of law-making cases.

There was the case of hunters who had their guns and motor car confiscated by a magistrate. They came to Enver who spotted a fatal defect in the case. The accused were not provided with an interpreter. Enver took the matter to the Supreme Court on review and got the conviction set aside.

He also made law in the case of the survivor of a suicide pact who was then charged with murder of the non-survivor. The accused was acquitted.

Koos Brandsma versus the State was a case of a soccer player who was charged for playing in a venue which was not declared a white area, Brandsma being a white. On appeal, Brandsma was acquitted.

When the leatherworkers of Pietermaritzburg went on strike they were all dismissed. Enver was appointed as their attorney. There were many unique features of this case. What would be a normal consultation turned out to be a mass meeting because the accused numbered about 1200 people. Consultations were held in the Leatherworkers' Hall. Since there was no prohibition on attendance, many who were not leatherworkers came to the meetings.. For some months these mass meetings became a regular feature in Pietermaritzburg. The subject matter went far beyond the narrow ambit of the charge sheet. Radical politics was the hallmark of these meetings. Soon, not only was there a mass of workers who were militant but they had also become politicised. When, therefore, a branch of the African Peoples Democratic Union of Southern Africa was launched in Pietermaritzburg, it was able to enrol the largest number of members in the country.

For years after this event the people of Pietermaritzburg talked about that clever and well spoken lawyer, Enver Hassim.

And so one could go on narrating instances of his legal skill and acumen. There is little doubt that had Enver remained in the country and survived the political change, he would have been among the first of the attorneys to be offered a position of judge. Then it would have been on merit alone!

As a political activist

Earlier reference was made to the Progressive Forum, a body originating from the Wits University. This body was the forge of the radical non Stalinist Left. Enver was part of a group of intellectuals who received intensive political training which enabled them to go into the field and do political work. It also enabled them to train young intellectuals and workers in the field of political education.

We as members the Durban branch of the Society of Young Africa received our training at the hands of former Progressive Forum members like Enver, Karrim and Zulei.

Enver's star in the Unity Movement rose rapidly. He became a member of the Head Unity Committee and of the executive of the All African Convention. Because of his commitment and maturity, he was elected as treasurer of the All African Convention. At the 1956 conference of the All African Convention, Enver delivered the paper on the Land Question. Point 7 of the Ten point Programme which stated the demand on the land question was a subject of hot debate at that time. That he was given such a delicate topic to deal with showed the confidence the leadership reposed in him.

Although Comrade Zulei was the popular speaker on public platforms, the Security Police knew that the ideologue was Enver. Thus when the State of Emergency was declared in 1960, it was Enver that the police arrested and detained. Those were days of great excitement. The pre-dawn police raids, the long wait at the gates of Durban

Central Prison, the speculation on the fate of the detainees (rumour had it that all the detainees were to be flown out of Durban and imprisoned on Robben Island), the application to the Supreme Court for the release of the detainees on the grounds of the failure of the government to produce the relevant Government Gazette. I recall Fathima Meer asking Zulei at the gates of the Central Prison whether she thought that the revolution had come. The atmosphere was one of joy and tension at the release of the detainees. We greeted them at the Prison Gates. There was a hurried meeting of our group in Greenwood Park. A few hours of uneasy sleep and once again the predawn raids and arrests.

Enver was the lone Unity Movement member amongst the detainees who were from the ANC and NIC. But he was sociable by nature and fitted in very well with them. They learnt to respect him and long after they were all released from detention, the ANC-NIC members maintained a warm and friendly attitude towards him. Enver's position as a Unity Movement member made him an ideal arbitrator of the inevitable disputes which broke out among the ANC/NIC detainees.

Prior to his detention Enver set up the "Prometheus Publishing Co. He also single-handedly arranged and organised the printing and publication of Tabata's "Education for Barbarism". He also organised its sales. He further helped to organise and purchase a printing press which printed the Unity Movement newspaper, "Ikhwezi Lomso". Livingstone Mqotsi was the manager. As both were detained during the 1960 State of Emergency, there was nobody else to manage the press. The rent fell in arrears and the landlord instituted legal proceedings which ended with the entire printing press being sold to pay for the arrear rental.

When the Unity Movement launched the "Illizwi Lesizwe", in 1961, the task of attending to the technical part of publishing the newspaper fell on Enver. It became his function to receive the articles and decide which to publish. He would hand the articles to the printers for printing. The latter would return the material "galley printed", i.e. long strips of printed material. It was Enver's function to cut and paste the galleys and make up the artwork, which was then handed to the printers for final printing. The finished product was then posted for distribution. Enver did all this virtually single-handedly. I still have not worked out where he learnt to do the artwork of cutting and pasting of the newspaper's layout. Whatever the position, the standard of the work was such that it was readily accepted by the printer and the finished product was professionally attractive. Enver was able to fit most of this work during office hours.

Both Enver and Zulei made what they had available to the cause of our struggle. Their home was always open and available for meetings and a place for members to stay overnight. Their car was used for organisational work. When conferences were held, their car provided transport for those who could not make their way to conference. There was no charge for petrol or whatever. The legal office of A. Christopher and Company, of which Enver was the senior partner or *de facto* owner, was made available to the Unity Movement for its work. Our meetings were held there. We used the office duplicating machine for all our propaganda work. The office secretaries, sisters and Apdusa members, Leila and Haidee, would do all our political typing in between their office work.

1963 witnessed fascism strike with its mailed fist. It began with the passing of the so-called 90 day law⁴. Apart from the indefinite solitary confinement, torture was for all practical purposes legalized.

1964 witnessed a spate of banning and house arrest orders on all sections of the liberatory movement.

- Enver and Zulei were both served with banning orders. In terms of these orders, it was an offence for Enver and Zulei to communicate with each other upon pain of very severe punishment. Permission had to be obtained from the authorities to enable them to communicate with each other.
- Zulei was detained under the 90 day law and was subjected to such cruelty that she was never again the person we knew her to be. She was traumatized beyond recognition.
- Both were charged for attending a meeting which was in contravention of their banning orders.
- Enver was detained in connection with activities around the forging of passports
- Time was imminent for both of them to be called as state witnesses against the internal faction led by Karrim Essack which was allegedly advocating the violent overthrow of the government by force of arms.
- This fear was confirmed by a letter (a copy of which was sent to me by Enver) which Enver received from a certain Benjamin Madikwa, an organiser under Karrim Essack. The letter in effect demanded money from Enver. If the money was not given to him, he intended making full disclosure to the security police about the activities of Apdusa in preparing for an armed struggle. Of course, Enver did not buckle under the blackmail. But if Madikwa did carry out his threat, the security police would know first-hand about the Unity Movement and the armed struggle.

It was under these circumstances that Enver and Zulei made the fateful decision to go into exile. It meant escaping from the Madikwas and their filth and it meant escaping from fascism and embracing the opportunity to make a new start of their lives.

I know for a fact that Enver was torn by the decision. Essop had arranged for a clandestine telephone conversation between Enver and me at a safe number. On not less than three occasions Essop telephoned to say that he could not get Enver to come to the telephone because he was weeping inconsolably.

Exile:

Exile turned out to be a deadly seductress. Initially all went well. Enver wrote and passed the Canadian law exam. Zulei went to work in a hospital.

Then ill-fortune struck. These ill-starred refugees and their son were given no respite. There was one disaster after another.

- Zulei was attacked by rheumatoid arthritis and lupus – both conditions were considered to be life-threatening
- Zulei was thus rendered unfit to work as a medical doctor
- Apart from the disfigurement caused by lupus there was the crippling effect of the arthritis.
- Enver started to pay for his wayward conduct in subjecting his pancreas to abuse by persisting in eating sweet things. His pancreas had to be operated on.

⁴ “so-called” because in truth it was indefinite. The 90 day detention could be repeated endlessly.

The operation was so complex and delicate that there was no one to be trusted to do it in Canada. Enver had to go to the US to have it done.

- A failed business venture landed Enver in financial trouble.
- Notwithstanding his tribulations, Enver had time and compassion to take care of Zulei and their son Shaheen who had demons of own to combat.

Notwithstanding his personal and family problems, he was conscious of his duty to us who remained in South Africa were charged under the Terrorism Act in 1971. When the Apdusa legal defence team considered calling Enver to come to South Africa and give evidence for his fellow Apdusa members, Enver was willing and ready to do so. As it happened, the defence team in the end decided that his evidence was no longer required.

Time was running out for Enver and his family. On the 16th March 1992, Enver performed his routine labour of love. Before setting out to work, Enver made Zulei her morning coffee which together with the morning newspaper he left at her bedside. When he returned, Zulei was no more. She had died peacefully. Being a doctor Zulei must have been aware that her end was close by. However, even in her illness she was very protective of Enver. She would not have told him. She saved him the alarm and distress of her imminent death.

Then in June 1995, Shaheen died. Enver was laid low by this latest blow. He lingered for a few months and then he too passed away. It was just as well that he died the way he did. He who hated all that death stood for avoided its trauma by slipping into a diabetic coma from which he did not wake.

Gratitude:

Once Enver and Zulei left the shores of South Africa, contact with most of us was broken. Communication was limited to inquiries about health and work. Nothing further was done. This is not a criticism but a simple statement of fact. It is mentioned to highlight the care and generosity shown to him by the Dorrie Pillay family. Dorrie Pillay had married Haidee, the youngest of the Christopher daughters. He was initially Enver's client, then his articled clerk and then the proprietor of A. Christopher and Company when Enver went into exile. Nirrie, daughter of Dorrie and Haidee, was a little child when Enver and Zulei left South Africa. They had doted on her. Nirrie would not have remembered much of that. She would have been told about it by her parents. When Nirrie emigrated to Canada, she maintained contact with Enver and Zulei and went out of her way to make their lives easier.

Haidee and Dorrie made many trips to Canada at great expense to keep in touch with Enver and Zulei.. They stood by Enver in his time of need, especially after Zulei's death. Their generosity flowed from the love they bore for the man and never from pity.

There was a time when Dorrie made Enver a serious offer – inviting him to return to South Africa; to work in his old legal office and to live with them. But Enver did not have the will and energy to make such a huge change in his life.

In Canada, Enver had the support of his sisters who had previously emigrated there. After Zulei's death, the sisters and their families did what they could to assist him. When Enver died, it was the families of his sisters who conveyed him to his grave.

Those of us who were close to Zulei and Enver record our thanks and gratitude to these kind, generous and special persons who had developed a social conscience from their student days and acted on it. . Though they were on the threshold of their careers and had they so chosen, they could have led a life of affluence and leisure. They

would have been short of no material object. They could have spent the rest of their lives around their professions, their families, their social circles and touring the world. They would have had nothing to fear from the fascists ruling the country. Indefinite detention, banning orders, imprisonment and exile would have been far removed from their lives. But they had a social conscience. They were not prepared to wallow in comfort and away from danger and watch other people sunk in grinding poverty and merciless repression. They wanted a new society. The vision of a new society is not confined to programmes and charters. The vision actually enables one to visualize what society will look like in reality. It is a dream of the real thing.. It was the ideal or dream of a better world that set them on the path of radical and revolutionary politics. It was the dream of a society free of racialism, oppression and exploitation which sustained their belief in the struggle when the ruling class hurled its vicious blows against them. It was this dream and the ideals which they transferred on to us so that we, too, were inspired by that dream and vision into political activity and sacrifice.

So age succeeds age, and dream succeeds dream,
And of the joy of the dreamer
No man knoweth but he who dreameth.
Without dreams and phantoms
Man cannot exist.⁵

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⁵ Based on a paragraph from Oliver Schreiner's "The Story of an African Farm."