

JUVENILE DELINQUENCY AND THE COLOUR BAR

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NOT very long ago a report appeared in the local press of a number of European youths who were charged with desecrating tombstones somewhere on the Rand. What appalled me was not so much the offence itself—although it is a particularly disgusting one—but the excuse or reason given by these youths “in mitigation”. They told the Court that they were pretending to “hit Kaffirs”. Here again the appalling part of the case was not that these youths were breaking tombstones in order to pretend that they were “hitting Kaffirs”. I suppose that at some or other time most of us have vented our violent feelings on inanimate objects, either because we are too afraid, or too socially conscious, to do it on the human object of our anger. But here we have a picture of four youngsters—not so very young, after all, as they were all in their late teens—who think that it is a mitigating factor that they only wanted to “hit Kaffirs”, who think that they will rouse sympathy for themselves by giving this as their motive.

I realize that many people will be shocked by this ‘explanation’, even supporters of the policy of apartheid. Yet they should not be astonished. For the use of such an excuse is natural to a society in which “to hit a Kaffir” has become, both literally and figuratively, so much an accepted part of our way of life that it is having a considerable influence on the incidence of juvenile delinquency and crime generally in this country.

I am aware that most countries in the world to-day are faced with the problem of a disturbing increase in juvenile delinquency, even where colour as a problem does not exist. But there is no doubt that in South Africa, as a consequence of the colour bar, delinquency amongst both Europeans and non-Europeans is growing at a rate frightening by any standards. I am not quoting figures in support of this statement. I do not think our statistics give any indication of what the position really is. Statistics refer only to those cases which are found out. And I do not think there is any country in the world where so much crime takes place daily without any report or complaint being made about it. I refer here particularly to crime in the non-European areas. Through a variety of circumstances—some of

which I will deal with at a later stage—non-Europeans will very often not go to the police to report an offence. They hate the police at the best of times; often they feel it is a waste of time and often also they fear vengeance from the friends of the offender. But anyone living in a non-European area or with friends in such an area knows how dangerous life has become, largely as a result of the activities of the young 'tsotsis'—the juvenile delinquents.

I propose firstly to deal with the question of the effect of the colour bar on juvenile delinquency amongst non-Europeans. The link between the two is possibly clearer, more easily visible. After all, you do not need to be a psychologist to know that poverty must increase a tendency to steal, nor do you need to be a sociologist or economist to know that the non-Europeans as a whole live in conditions of unendurable poverty, mainly as a result of the workings of the colour bar or apartheid. No matter how poor a European is—and there are many who are—there is always a non-European who is poorer still. And because of this poverty, people turn to all sorts of ways in which to supplement their income, to make life a little less unendurable. Usually they resort to crime of some or other kind: illicit liquor selling, the cultivation and sale of dagga, the purchasing of stolen property. These are all offences which are daily being committed by people who are not at all criminals in the usual sense of the word; who usually do an ordinary job of work and use these methods to supplement their meagre incomes. Recently I heard of a non-European workers' organization which offered to try to negotiate with the employers to give the workers the goods produced by them at factory prices. The workers laughed at this and said it really wasn't necessary, as they could purchase the same goods in the locations at less than factory prices—obviously stolen property, back-door stuff. And yet 95 per cent. of these people are basically perfectly honest, people who would never dream of stealing themselves. But they do not look on this receiving or buying of stolen property as a crime. It is something to boast about if you can get goods cheaply.

And so we have a position where children grow up in daily and open contact with crime, with the breaking of the law. I have mentioned three typical and common offences. But the contempt for the law goes even deeper. The political oppression caused by the colour bar and enforced by the police has built

up an attitude that the breaking of the law is not in itself an immoral thing. People are breaking the law all the time; good, decent and honest people who are constantly in danger from the police. Sometimes they haven't got a pass, have not got permission to be in a particular area, have not paid their tax, are working without registration, are living in an area set aside for another racial group, and they are liable all the time to arrest, fines or gaol. Well, if they are liable to be arrested for breaking the law by action which is morally quite unobjectionable, why not break the law and get something out of it—material gain, adventure, something to brighten one's dreary miserable existence. And so we have growing up a great contempt for law and for the people who have to put it into effect, the police.

And, generally speaking, the non-European child is so especially open to becoming delinquent; quite apart from his poverty. One does not need to be a psychologist to know that what a child needs most in life is security; security to know that at least the little that he has he can be sure of having from day to day, that the home he has, poor and miserable though it may be, *is* and will remain his home from day to day.

But what is the position to-day with the non-Europeans, and the Africans in particular. Is their family life ever secure? How often does it happen that the wage-earner suddenly vanishes, sometimes for long periods, sometimes for good? Sold to a farm, in gaol for technical contraventions of the law? Who knows when his father will be endorsed out of the urban area, ordered out of a location, sometimes unlawfully, sometimes lawfully, shunted from place to place? What effect can it have on a family which has lived in the same area for years to be suddenly ordered to remove itself, lock, stock and barrel? I know myself of hundreds of such cases. Very often the people do not get out. Very often they have nowhere else to go. So they stay on, not able to work legally, not able to live legally, not able to walk the very streets legally. When you think of the fear and insecurity that lurks over so many thousands of people throughout the country, is it so very surprising that particularly the youth, with their desperate need for security, should lose control of themselves and become delinquent.

And, of course, lack of control is itself an important contributory factor to non-European juvenile crime. All those who come into contact with the young delinquent will tell how they

cannot understand why such decent, obviously honest and hard-working people as his parents are should have such children. But when one realizes that the parents usually both work, leaving the distant townships and locations at the crack of dawn and returning home well after dark, that they have no telephone communication with their families, and that their children are usually left to the mercy of relations who are too old and exhausted to exercise proper control, it is surprising only that there are not more delinquent children. And add to this set of circumstances totally inadequate schooling and almost non-existent recreational facilities, and the recipe for the juvenile delinquent is almost complete.

Another factor—often overlooked—is that the attitude of so many Europeans towards the non-Europeans, an attitude of contempt, an attitude that it doesn't matter what happens as long as the victim is an African, is, in fact, conveyed to the non-European himself.

How many times does one see the accused in a case involving non-Europeans getting away with pretty serious crimes simply because the case has not been properly investigated; language difficulties often mean that wrong statements are provided to the public prosecutors, so that when a witness finally comes to give evidence the prosecutor says it contradicts the statement given to him, and the case is thrown out. What bigger incentive to crime can there be than a feeling that "you can get away with it"? And the attitude of contempt towards non-Europeans is often communicated to them. It is true that the non-European is becoming more and more aware of his rights and more insistent on his dignity as a person, but there are still so many thousands who also feel that if something is done to a non-European it doesn't really matter. The extent of crime, particularly by juveniles, in the locations is quite frightening, and the non-Europeans are themselves the heaviest sufferers.

Finally, there is the most heartbreaking cause of delinquency, particularly in the urban areas, the lack of opportunity. It is one of the tragedies of the whole problem that very often the non-European delinquent is a bright and capable youngster. And it is simply because he is bright and capable that he is turned into a delinquent. One of the worst places for juvenile crime, where I know the position personally, is Alexandra Township, outside Johannesburg. Alexandra Township is, in point of fact, Johannesburg, but by a quirk of local government, it does not

fall within the Johannesburg municipal area (although it is within the magisterial district). Alexandra is purely and simply a residential area, except for a few businesses and the head offices of the bus services, so that Johannesburg is the normal market for its labour. Most of the older residents in Alexandra work in Johannesburg and, through the efflux of time, have acquired the right to work there. But the youngster who is born in Alexandra and grows up there is faced with an insuperable problem when he leaves school in order to go to work. Because of the crazy influx control laws applicable to all urban areas, he is not allowed as of right to work in Johannesburg, or anywhere else in the urban area, except in Alexandra itself, where there is no work for him, or in the rural areas on a farm. In special circumstances he may be allowed into Johannesburg to take up a job allocated to him by the District Labour Bureau, usually as a domestic worker, gardener, golf caddie, etc. For the rest, even though he may be able to find work for himself, he is not allowed to take up work in town. His only choice is thus to leave his family and urban standards of living and go on to the farms to sweat out his life as a farm labourer for a mere pittance, or to remain unemployed, living by his wits. And the latter seems to be the obvious choice. After all, what has he to lose? If he is arrested and convicted, he will probably get cuts once or twice and then he may be sent to a reformatory, where he will at least be taught a trade and some effort will be made to place him in employment. On the farms the most he can hope to earn is £5 per month, which is considered a high wage. And so we have growing up thousands of youngsters who are not *allowed* to work, except as farm labourers, for which employment they are in no way suited by training or outlook. They are the frustrated and hopeless youths who make up the criminal gangs of Alexandra. For them, until the system changes, there is no hope, nor for their victims.

But what about those fortunate ones who do qualify to work in the cities? Apart from the one or two per cent. who go on to High Schools and possibly Universities and who qualify as professional people, what are their prospects? For the great majority, the highest they can aspire to is to be a driver of a lorry, a factory worker, or that most coveted of all jobs, a messenger in an office. And this is regardless of brains, ability, initiative, or any of the qualities which usually help a youth to

make good. Here again I refer in particular to the African. His prospects are a £5 a week job at the very most for the rest of his life (some, of course, do get more—sheer force of numbers is increasing the number of non-Europeans in semi-skilled work—but I am talking in general terms.) And further, his prospects are forever to be a 'boy', an unimportant cog in a wheel, without status and without dignity. What greater frustration can there be for an intelligent, ambitious youth than to be condemned to a life of this nature.

With this background of political and economic insecurity, the wonder is, of course, that there are any non-European juveniles still left who are not delinquent.

On the face of it, it would seem that for the European the colour bar has brought nothing but prosperity and the good things of life. And in a sense this is, of course, true. There is such a shortage of skilled labour that almost any European is snatched up. By virtue of his race the European is a superior being, no matter what his qualifications, his ability or his character. He is always the boss, the superior person, secure in his membership of the master race. Why should the European youngster take to crime?

Well, whereas the non-European has a surfeit of obligations and no rights, the Europeans have a surfeit of rights without obligations. Cheap labour eliminates hard physical work, which is looked on by most as 'Kaffir work'; high wages tempt youngsters to leave school before they have really acquired any learning or any desire for learning. The only important thing has become money, material possession: learning and culture are unnecessary luxuries. Twenty years ago, for example, Jewish and Afrikaans parents, both members of races which have been oppressed from time to time, considered knowledge and culture as very precious things of which they had been deprived and which they now wished their children to have. But now that their children can have the rewards without the effort, the desire for them has rapidly faded away. The urge for education and culture has now largely transferred itself to the non-European who is presently the oppressed race.

What are the consequences? We have these spoilt, pampered youths who never lift a finger to help themselves, who even in their adolescence can boss and bully non-European adults around. After all, it is not anti-social to "hit a Kaffir"; and gradually, after one gets used to hitting 'Kaffirs', it becomes very ordinary

to hit just anyone. It starts off by being funny to pilfer from a non-European (you would be surprised at how many juveniles are convicted for stealing from non-Europeans), and then gradually it becomes more exciting still to steal from Europeans.

These empty-headed, superior youths with the inflated wages which they squander on cinemas, drink and dances, soon get bored with these mild forms of entertainment and turn to something more exciting. It is not accidental that the most common form of crime amongst European delinquents is the stealing of motor cars—the type of crime which affords most excitement to the youngster.

And yet, deep down, the contempt for 'Kaffir work', the arrogance of the European juvenile delinquent, covers up for his fear and instability—fear that he cannot maintain his superiority and realization that it may not be forever that a man will be able to rely on the colour of his skin in order to obtain a cushy job.

What is the answer? It certainly does not lie in our Courts. Where the causes of delinquency lie so clearly in the sociological and economic background, it is futile to suggest that suitable punishment, or even corrective training, will in any way influence the growth of delinquency. What can the most understanding of magistrates do for the young delinquent from Alexandra Township? Send him along to the Labour Bureau to get a job? Surely the answer will be: 'If we must allow youngsters into Johannesburg from Alexandra, there are plenty of honest young fellows who should be given preference; why should we take a young criminal?' What is the point of giving them corporal punishment and then returning them to the same set of conditions from which they have come? Reformatories, prisons, care by social welfare officers—all these can only serve as palliatives so long as the cause survives in the background of these young people.

Give a child security, manifest love, responsibility and opportunity, and he will flourish. But whilst the colour bar remains in our society, our children, European and non-European alike, are deprived of these qualities of decent living. Surely, as long as the colour bar remains, so will juvenile delinquency remain and flourish in the soil that it provides.