

THE PRISONS OF APARTHEID

SONIA BUNTING

One of the 91 still on trial for High Treason. Now—with her husband, Brian Bunting—in indeterminate detention under the Emergency Regulations.

Last year's outbreak of typhoid at the Fort in Johannesburg suddenly flash-lit to the public gaze an aspect of apartheid till then carefully concealed—the scandalous over-crowding and primitive sanitary system typical of most of our older jails. Open latrine buckets stand next to drinking water buckets in cells crowded with as many as 100 men. And three hundred prisoners pass through the Fort every day.

One of the reasons why the typhoid epidemic became serious enough to explode into newspaper headlines was that the Fort does not seem to fall under any public health authority, but is a small empire of its own under the Department of Prisons. Johannesburg's municipal public health authorities have no access to the Fort unless by formal invitation. Even Union Health Department officials cannot enter the Fort as of right. The prison is the sole property of the Department of Prisons—and there is little doubt that the Department of Prisons treated the outbreak of typhoid with criminal neglect. The Fort was notified by hospital authorities as early as April 20th that there was typhoid in the jail, but the prisons continued to hide the fact for three full weeks and dismissed the cases as the usual gastro-enteritis—until the epidemic overwhelmed them, and the danger to the health of South Africa's largest city at last stripped the prison bureaucracy of its long-enjoyed immunity to public criticism.

Prisons have a procedure whereby a prisoner may complain about ill-treatment in jail. Theoretically he may complain to the prison authorities themselves, or to the visiting magistrate. In fact, however, he is nearly always too afraid. He fears victimization at the hands of the warders when the visiting magistrate is gone. He fears reprisals from his fellow-prisoners, for by no means all the prison assaults are perpetrated by warders. In fact, he fears the cell gangs even more than he fears the warders, for official supervision in grossly overcrowded jails is seldom adequate.

This was confirmed quite horribly in September 1958, when members of two rival gangs from Alexandra Township, just outside Johannesburg, the Spoilers and the Msomis, were arrested

and all incarcerated in the same cell. The next morning four Africans were found dead and two seriously injured. What, one wonders, were the warders doing while this vendetta was bathing itself in blood?

Only the man with a burning grievance, or with an unbreakable consciousness of his rights, will have the courage to speak up. And significantly it was during the Defiance Campaign of 1952 and in the years since then, when more and more political fighters were sent to jail, that we began to hear the truth about what happens "inside".

Miss Betty du Toit and Miss Freda Troup (now Secretary of the Treason Trials Defence Fund), both jailed in 1952 for participation in the Campaign, were shocked at the conditions in prison, especially for African women prisoners. "I saw a wardress whip a pregnant African woman," Miss Troup stated. Miss du Toit said similar incidents were frequent. She also saw a wardress hit a woman in an advanced state of pregnancy and with a baby of about sixteen months on her back.

Miss Troup said she would never forget the continual stream of filthy abuse used by the prison officials. "They habitually screamed," she said. "There was something hysterical in their attitude, especially to non-Europeans." When she and Miss du Toit left, one of the wardresses said she hoped they now realized that "Kaffirs are nothing better than animals".

Mr. Manilal Gandhi, son of the Mahatma, wrote an article at the time which appeared in *'Drum'* alleging harsh treatment of non-European resisters in the Germiston jail. A visiting magistrate said: "I have never seen signs of the prisoners being assaulted. In all the time I have been there, I have had only two complaints, but they were not directed against the warders."

Yet, Mr. Walter Sisulu, then Secretary-General of the African National Congress, had a different tale to tell. "The first day we were arrested, four members of my team were assaulted in the reception office. When I went to the Superintendent to lodge a complaint about these assaults, he said I had no right to complain about other people . . . I was punished by being 'isolated' for 15 days. The four who had been assaulted were also isolated, and statements were taken from them. They all identified the man who had assaulted them, but up to the time we left no action was taken. Other people were assaulted in our presence. But according to the prisoners, our presence led to a change in the prison; assaults were less frequent than usual.

“It is difficult for a prisoner to lay a complaint in jail, because victimization invariably follows. That is why the visiting magistrate heard no complaints. Any complaints would have to be made in front of the prison officers, and the prisoners are afraid. . . . The dishes were very dirty and the food, especially for Africans, was unfit for human consumption.”

As a result of all these allegations and many more, there was a public outcry at the time. The National Council of Women passed a resolution viewing with “horror and alarm reports of brutal and savage treatment employed by some members of our police towards the least articulate section of our population”.

“It is clear,” said the *Rand Daily Mail* in a scathing editorial, “that when the authorities are about, such as a magistrate or a Director of Prisons, the warders do not go around beating up prisoners. On the contrary, that would be the last moment they would choose for such conduct.”

Mr. C. R. Swart, the present Governor-General of South Africa and Minister of Justice at the time, hastened to deny the charges. “It is rarely that we get a complaint,” he said. “It is strange that all these complaints come from Defiance Campaign volunteers”—as though that automatically implied they were all untrue. But surely it is not at all surprising that it should be the most advanced and courageous section of the community—those who participated in the campaign—who should refuse to be intimidated into silence about jail conditions.

More recently, when Capetown African National Congress men John Motloheloa and Jack Mosiane were sent to jail pending their deportation to Basutoland, more hair-raising stories were brought to light.

In Roeland Street jail, Capetown, a criminal court, with its own judges, prosecutors and lawyers, is conducted by prisoners in the remand cells. The bewildered new prisoner is asked for food or money. If he has neither, the ‘judge’s’ sentence is, “Take him away and beat him.” He is then set upon by the ‘court orderlies’ and beaten unmercifully, sometimes being subjected to the most gruesome tortures.

On one occasion a prisoner was ordered to drink four tins of water. Then, with distended stomach, he was attacked and beaten by the others so violently that he vomited all over the cell. (A more violent end to this water torture occurred on a previous occasion when, after being given the water to drink, the prisoner was given an ‘injection’ with a bicycle spoke and died from his

injuries after leaving jail.)

When it was Jack Mosiane's turn to come before the 'court', he refused to accept its jurisdiction. "I am a member of the African National Congress," he said. "You can't do these things with me." Jack Mosiane is not only brave, but also powerfully built. One of the 'defence counsel' said: "I propose that we leave this man alone. He is a Congressman and he fights for us."

One night, as Mosiane lay sleeping, he heard terrible screams coming from the next cell. After a while the screaming ceased. The next morning he heard that a few men had tried to make an indecent assault on a prisoner only 15 years old. All this took place during just one week-end in jail; for, on the Monday morning, he was released on bail.

Perhaps one of the most graphic and horrifying descriptions of what life can be like in jail (in this case also Roeland Street) is given by 'New Age' reporter Alex La Guma in the issue of the paper dated 4th October, 1956. He deals with the colour bar in jail—how non-Europeans get different types of work under different conditions from Europeans, different food, and different sleeping facilities, all of them inferior of course. According to his informant, the cells are packed tight with 40 to 50 convicts—where the weak are condemned to an existence of terror and depravity.

"Shut off for years from normal life, men become slaving beasts preying upon their own sex. The young and defenceless men are forced to submit to abnormal relations and are threatened with death or torture if they refuse".

Mr. Swart, when Minister of Justice, maintained that prisons are meant to reform and rehabilitate those who have fallen foul of the law, but I doubt whether he had the African population in mind when making this assertion. The Leeukop Farm Colony is one of the proud establishments of the Department of Prisons, where the African prisoners learn farming methods and contour ploughing (not by oxen, but with themselves inspanned). Mr. Lot Motsoenyane was a prisoner who served his term at Leeukop—he was one of the Lichtenburg schoolboys who were sentenced for public violence in 1954.

"Prisoners here never get a hot breakfast. Their food (unsweetened black coffee and mieliepap) is put outside their cells at 3 a.m.; and the prisoners don't get let out until 6 a.m., by which time the food is ice-cold. But many do not get even

this wretched breakfast, for the warders, either for punishment or through sheer callous neglect, do not hand out meal tickets, without which no one can get food.

“While people are still eating their breakfast, warders hit them over the heads with batons to make them stop eating and line up in the work ‘spans’. Some are sick and want to go to hospital. This is not allowed. I have seen men, unable to walk, carried to their work places and forced to work.

“I was in a special ‘punishment span’. In the hot summer where we worked there was no shade, no water to drink. The men got so thirsty they drank the warm dirty stagnant water lying in puddles where people had actually been standing and working. The punishment span lunch-hour was cut down by half. After work we used to fall in, scarcely given time to snatch our food, and were thrashed naked into the cells. In their haste and confusion, constantly being beaten, some lose their spoons, some their tickets; both ‘offences’ for which they are punished by being deprived of food.

“Throughout the period I was in, we were never given soap. It is impossible to complain to prison visitors. I have seen warders chase people from the complaint line. Leeukop prisoners are always hungry, often famished. Yet food is left over and thrown by the warders to the pigs in front of the prisoners’ eyes.

“There is incessant beating of prisoners by the white warders. There is incessant swearing; all African prisoners are called ‘Kaffer se hond’ and other ugly names. The prisoners are in a state of intimidation and seething resentment. I am sure that many young men who go in for petty offences come out as hardened criminals with a grudge against society.”

As a result of many complaints, a commission inspected the place in 1955 and found that all was well. Henry Kolisang, who endured two and a half years there, was serving his sentence at the time of the investigation.

“We were ordered to clean up the cells,” says Kolisang. “Normally 60 to 75 prisoners sleep in each cell, but they were told to remove most of the blankets and leave only 30 bundles. The prison itself was painted. When the ‘spans’ (work teams) went out, the armed guards who usually escorted them were withdrawn and janitors (who are also prisoners) were put in charge. *Prisoners were warned that those who gave unfavourable reports would get another five years!* The visiting party came and

went and saw nothing wrong—or so it seemed to the prisoners. As soon as they left, the old order was restored.”

On one occasion during his term of imprisonment, an escaping prisoner was shot. All the prisoners were paraded to see his dead body. They were told by the warders: “Look what happens to a wise kaffir.” For several days afterwards his blood-stained shirt was hung up to serve as a reminder to all.

Henry Kolisang told this story in 1957, after serving his two and a half years in Leeukop. When he came out, he said simply, “Leeukop is Hell.” Even today its viciousness remains notorious, and prison warders everywhere use it as a threat to terrorize prisoners. “I’ll have you sent to Leeukop!” they shout.

Kolisang himself was badly assaulted on the head with an iron bar by one of the warders, but he was not allowed to see the doctor. Some prisoners who were certified sick by the doctors or placed on light work, were sent out with the spans and made to work all the same.

Mr. S. P. Waterson, member of the Penal Reform Commission, wrote in a pamphlet entitled ‘Crime and the Community’ brought out by the Institute of Race Relations in 1945, that “our prison system is antiquated, obsolete, brutal, barbaric and unprogressive.”

True, our prison system is antiquated, brutal, barbaric and all that Mr. Waterson alleges it to be. But it is not only our prison system which is responsible. It is the whole disease of white supremacy which fosters inhumanity and makes for the mistreatment of African prisoners by white warders. And this is reflected also in their bad treatment by African warders and at the hands of the prisoners themselves. The prevailing official attitude is that the African prisoner is “expendable”, and this attitude is reflected from top to bottom of the prison hierarchy—in matters of diet, clothing, treatment. In the list of brutalities I have detailed above, it is almost invariably the African who is beaten and humiliated. I am not saying that life for whites in prison is free from its horrors—but I am quite sure that whites are not subject to the same savageries as are the Africans.

I myself witnessed the constant shouting and abuse heaped on the African women prisoners during the time we were in the Fort awaiting trial after the treason arrests in 1956. And this was at a time when the 156 treason accused, by their discipline and purposeful action, had already made an impression on the Fort. Other prisoners told us that beatings were not nearly so prevalent

during the time we were there. We were completely cut off from the African women prisoners most of the time, but whenever contact was made, the wardresses were occupied in screaming and using their short batons on them. I can't say that I ever saw any reason for this. It just seemed the habitual way of treating African women prisoners, who were regarded as people to be shouted at and pushed and beaten. Nothing of the sort ever happened to those of us who are white.

The Director of Prisons, Mr. Verster, spoke of the "shocking daily average" of 51,000 prisoners in South Africa during the earlier part of 1959—an increase of nearly 9,000 over the figure for 1957. In that year there were altogether 286,372 convicted prisoners serving sentences in our jails, of whom 147,212 or 51.4 per cent were petty offenders serving sentences of one month or less, many of them with the option of a fine which they couldn't afford to pay. In the words of the United Party's Dr. D. T. Smit during the debate on the Justice Vote in Parliament last year: "Many of these people should never have seen the inside of a jail. This is how many young Natives are linked with criminal gangs and become hardened criminals." These are the victims of the pass laws, men and women who, for lack of a piece of paper, are deprived of their liberty and subjected to torture and punishment quite out of proportion to the nature of their offence.

In the same Race Relations pamphlet on 'Crime and the Community', Julius Lewin, now Senior Lecturer in Native Law and Administration at the University of the Witwatersrand, wrote: "We are brought back to the inescapable fact that the major half of the problem of crime, namely petty offences, is essentially a problem of Native policy. The legislation that creates these innumerable petty offences is the legal reflection of a political attempt to reverse the operation of powerful economic and social forces. . . .

"Unless we take early steps to revise our Native policy, we will have brought into being a large army of lawless and embittered Africans on whose co-operation it will be impossible to count even under a revised system of law and administration."

Such an army, produced by force, cannot be defeated by force. It can only be disbanded when its members are enlisted as free men in the task of building a united, common and equal citizenship for all South Africans.