

THE LIVING DEAD

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“It is not Mhlupeki that died but me, because what they have done to him they will do to me!” So wrote a lonely desperate man after years of hopeless banishment when he heard of the death of another exile. “You are like a person who has been buried alive”, wrote another.

In South Africa’s shameful history, one of the ugliest chapters is that of the stealthy, relentless persecution of the individual who opposes government policies. Only recently has the scandal of banishment been brought to light, the power that can and does pluck an African from the midst of his family and cast him into the most remote and abandoned parts of the country—there to live, perhaps to die, to suffer and starve or to stretch out his survival by poorly paid labour, if and when he can get it.

It is all quite legal, this banishment without trial, all neatly enshrined in an Act of Parliament passed many years ago. These powers are derived from Section 5(1)(b) of the Native Administration Act No. 39 of 1927 as amended:

5 (1) *The Governor-General may—*

- (b) *Whenever he deems it expedient in the general public interest, without prior notice to any person concerned, order that, subject to such conditions as he may determine, any tribe, portion of a tribe or native shall withdraw from any place to any other place or to any district or province within the Union and shall not at any time thereafter or during a period specified in the order return to the place from which the withdrawal is to be made or proceed to any place, district or province other than the place, district or province indicated in the order, except with the written permission of the Secretary for Native Affairs.*

In 1956 this Act was amended further—

Whenever any order issued under paragraph (b) of subsection (1) in respect of any native, cannot conveniently be brought to his notice, it shall be sufficient to leave a copy of the order with some inmate of his place of residence or to affix a copy thereof in a conspicuous place to his last known place of residence, and thereupon it shall, unless the contrary is proved, be deemed that the order has been brought to his notice.

Over thirty years ago, General Hertzog, as Minister of Native Affairs, in introducing the Native Administration Bill, said that the power to move a "Native" from one place to another was an "excellent provision". The Bill provided that the Governor-General had power to remove a whole tribe from one place to another—presumably to enable whites to occupy the tribe's land; the Mamatola tribe was removed under this section. General Hertzog said that the powers to remove a "Native" could be used against stock thieves, but there is reason to believe that he had in mind political leaders rather than stock thieves. The Bill went to a Select Committee which agreed that not only tribes, but also individual Africans, should be deported if the Minister deemed it advisable.

According to the present Minister of Bantu Administration and Development, no record of removals of Africans under this section was kept prior to 1952. But individuals are known against whom it was used. Six Africans were removed from Mabieskraal, Rustenburg, in 1935 to Steenbokgat, where there was no water and no accommodation. They contested their removal orders in Court, and their defence counsel argued that a man could not be "simply dumped in the veld" but must get compensation and be removed to a habitable spot. They lost the case. A certain Mpanza was another. Under pressure from the Johannesburg City Council, the Government issued a removal order exiling Mpanza to Coldplace, Ixopo. He defied the order and won his case in the Supreme Court on the grounds that he was "exempted" from Native Law. Subsequently his certificate of exemption was withdrawn. It was Mpanza who led hundreds of Africans in 1944 out of the overcrowded, intolerable conditions of the Johannesburg locations to camp on land near Orlando, thus founding the 'squatters' Movement,' which had a great influence on subsequent housing policy.

It remained for the Nationalist Government, however, to realise and exploit the full powers of this Act of Parliament. The opponents of Bantu Authorities—the puppet régimes established by the Government—have been the real victims, perhaps because the limelight of publicity is not so easily focussed on the Reserves, and indeed for nearly six years these banishments went on almost unnoticed.

Since 1959 interest in the plight of these persecuted people has awoken, but questions asked in the House of Assembly during the 1959 and 1960 sessions elicited sparse information.

When asked for a list of persons on whom removal orders had been served during the period January 1948 to December 1958 and for information as to where they came from and to where they had been removed, the Minister supplied a list of 98 names, together with two further lists—the twenty seven places from where they had come and the twenty eight places to which they had been removed. As, however, no details were given of who had come from where, or to where any particular person had been sent, or when, this information was of little value. The reasons for banishment again constituted a blanket reply:

“Their presence in the areas from which they were removed was inimical to the peace, order and good government of the Natives residing there.”

Other questions and answers on the same day drew the information that the removal orders remain in force as long as *“it is deemed necessary in the public interest”* and that each order is reviewed at least once every year; the Governor-General decides when a removal may be terminated.

In 1961 further questioning drew a list of those who had been released and who had died, and a further thirteen names appeared which had not been included in the lists given in any previous year, though these were not new exiles. Are there then more people, flung into the wilderness, about whom the Minister himself neither knows nor cares?

Asked what such persons do at the places to which they have been removed, the Deputy Minister of Bantu Administration and Development replied:

“They are not prisoners and are not required to furnish details of what they do. I am therefore unable to answer this question.”

Another question asked was on the opportunity such a person would have to present his case before a court of law, and the reply was:

“They have free access to the courts, and the question of being given an opportunity does not arise.”

This extraordinary reply merits comment. Under the 1956 Prohibition of Interdicts Act, the person to be removed is prevented from seeking an interdict and must leave immediately. He cannot appeal before he is removed; after his removal he may request reasons for his deportation, but the Minister is not obliged to disclose more than he deems may be disclosed *“without detriment to the public interest”*. Past experience

has shown that applications to court for the setting aside of deportation orders on various grounds, have led merely to the stopping of loopholes and the issuing of new orders or even amendments to the Act which close all escape routes. Only one deportee, J. Saliwa, has as yet been released as the result of any application to court. In 1956 he won his appeal on the ground that he was entitled to be heard before the order and warrant for removal could be issued. The Government reaction was a refusal to release other deportees on Saliwa's precedent, so that separate court actions had to be instituted. The Act was then amended, and no further releases followed.

In Driefontein in the Cape, Chief Mabe and his five counsellors also won their case in the Supreme Court in 1956, but fresh deportation orders were served on them the next day.

An application was made to court in 1960 by three deportees, Jackson Nkosiyané, Bangilizwe Joyi and Twalimfene Joyi, all from Tembuland, for an order compelling the Minister of Bantu Administration and Development to furnish them with the reasons which he had given to the Governor-General to have them banished from the Transkei, or, failing compliance, for their deportation order to be set aside. The applications were dismissed with costs, and the prospects of setting aside any of the other deportation orders accordingly seem bleak. "Free access to the courts", whatever that may mean, now appears to be confined to the privilege of appearing there as a direct result of having defied a deportation order.

In 1960, the Natives' Representatives in the House of Assembly returned to the attack with further questions on subsequent deportations and the means of existence.

Question: "Whether any removed persons have been in receipt of a subsistence allowance; if so, (a) how many, and (b) from what source of revenue are such allowances made;

Answer: "Each Bantu is paid an amount of £2 prior to his departure. Suitable employment is found for him at his new place of residence. If employment is not available an allowance is paid, the amount being determined by the circumstances of each case."

This reply also merits comment. The reports from the deportees themselves do not support the Minister's bland statement, nor did the Minister explain that the allowance is a maximum of £2 per month, and only obtainable after months

of delay. A. Gwentshe was deported from East London to Bushbuck Ridge in the Northern Transvaal. There he had no allowance whatsoever and would have starved but for eating wild pawpaw roots. The pattern appears to be that in the camps where no employment is available—and the camps are deliberately sited in semi-desert areas—the allowances are eventually paid after long delays and then only every two months. In other areas, where the deportees are set down singly, they are sometimes offered employment of a sort—usually a labourer's work, irrespective of age or physical fitness. There are many, however, who have neither work nor money; they exist on the meagre help they have been able to obtain through the charity of the African people around them. One fact emerges clearly—the deportees are usually dumped without ceremony and left to fend for themselves. Only after months does the lavish allowance of 1/4d. a day become available—1/4d. a day to feed and clothe a man and provide for his far-off family, hundreds of miles away.

Another attack was made in Parliament in March 1960, when the Minister was asked again for the names of the deportees and to which place each was confined, who was in employment and their wages, who received government allowances and how much. The Minister refused to give further information.

The true background to this savage system of banishment emerges from the stories of the banished people themselves. The appalling history of the Matlala deportation speaks less blandly than the Minister.

In 1953 and 1954, following opposition to the imposition of Bantu Authorities, altogether 20 men and 3 women were deported from the Matlala Reserve in the Northern Transvaal. They were and still are scattered all over the country. Of these 23 men and women, 5 men have already died in exile and 16 are still living in their place of banishment. Only two have ever been released, and both died soon after they returned home. At least 2 of the men who died in exile were receiving no government allowance and had no employment. They were old and sickly, and it seems clear that they died of starvation. Only a few of these banished people are known to be in employment, and up to now not one has received any government assistance.

The condition of the families they left behind them in the Matlala Reserve is pitiable. Children grow up in rags, unable to go to school; some drift away to the local town or to the farms

in order to earn £1 or £1 10s. od. a month. The wives are not allowed by the Chief to plough; for mere existence they depend on the food they can beg from neighbours. In some cases the huts of the deportees were burnt down and demolished by the Bantu Authorities' Chief immediately after the deportation, and all livestock was confiscated.

Wives were called to the Chief's office and told they could be taken to join their husbands, but that they would not be brought back again; if they refused, they were threatened with deportation. In two cases where the husbands have died, the wives were merely informed by the Chief; they have not received any of their husbands' clothes or belongings as proof of death. Only in one instance was the husband's body returned for burial, but no belongings were returned with the body.

This is the story told by the widow of Frans Ramare, who died—according to the report of other deportees in the area—alone and starving, in Zululand.

“One morning he was called to the Chief's place. This was the last time we saw him. He never came back to say goodbye to his two wives and children. We later learned from the people that our husband was banished. Since then we never heard anything, until one day we got a message from the Chief saying that Mr. Frans Ramare passed away in exile. That was all. We never received anything from the Government about our husband's death and we did not see anything like his clothes, which could be used to prove to us that our husband is really dead. Since the banishment of our husband, we never received any letter from him. We never knew of his sickness until his death was reported, and we don't even know the date he passed away.”

Wherever there is opposition to Government plans, to Bantu Authorities, particularly in the tribal areas, the Government pounces on one or two individuals, summarily arrests and then removes them as far as possible. In 1956 Chief Jeremiah Mabe and his counsellors were taken from Rustenburg in the Transvaal to Driefontein camp in the Cape for opposition to Bantu Authorities and the extension of passes to African women. Chief Mopedi served a prison sentence for refusing to cull cattle and to repair fences; and *after* serving his sentence for this defiance of authority and non-co-operation, he was deported in 1954 from Witzieshoek to Groblersdaal; his wife was deported too. After two years he was taken from Groblersdaal to Frenchdale; he is still there.

In Sekhukhuniland it was the same story. Like Chief Mopedi, there is Stephen Nkadameng, who first served a gaol sentence of 18 months for incitement and three days after his release was deported to Gollel, on the Swaziland border. William Sekhukhuni shared the same fate. The pattern continues all over the country, wherever there is resistance to the imposition of Bantu Authorities, the system so hated and resented by the tribesmen, so destructive of their deep-seated sacred traditions and whole way of life. It was Matlala, Zeerust, and Sekhukhuniland; then Tembuland and Zululand; and today it is Pondoland. The dreaded camps are filling up again, and it is not only the rural Africans who are exposed to the threat. Ben Baartman and Elizabeth Mafeking were urban Africans who actively opposed the Government; so was Alcott Gwentshe, formerly of East London, who suffered six years of banishment and even now has been released from Frenchdale Camp only to be confined to the Transkei area where he was born. Could it be said that he has been promoted to second-class banishment?

The Government record is an ugly one. 116 Africans have been arbitrarily removed from their homes since 1948. 116 human beings have been arrested, thrown into police cells, handcuffed and taken under police custody to desolate areas, flung into an empty shed or hut, with nothing but the clothes on their bodies and, of course, the generous allowance—sometimes—of £2 a month to spend. Only there isn't anywhere to spend the money, if you go to Driefontein or Frenchdale or to any other of the isolated camps, chosen with such care by the Government.

What has happened to the 116 deportees during the years? 48 are still in exile; 10 are known to have escaped from South Africa; 41 have been released, some for only specific periods of probation; 11 have died in the camps, probably without medical attention of any sort, possibly for lack of it. 6 are missing and cannot be traced, unless the Minister will provide the information which until now he has refused to give. Perhaps they too have returned home; perhaps they too are rotting their lives away in some barren isolated corner of this country, hidden, forgotten.

The two main camps for the banished people are at Frenchdale and Driefontein. They are not large; provision is only made for 8 deportees in Frenchdale and 12 in Driefontein. But they are stark and bare, in semi-desert areas, many hot and isolated miles

from the nearest towns. The hyenas prowl around Frenchdale at night; the nearest store is 12 miles away and the nearest bus stop from Mafeking is 14 miles from the camp. True, the deportees may leave the camp freely and travel into Mafeking—if they walk the distance to the bus; but they must live in the camp. Gwentshe was charged for living in Mafeking Location; he protested that his hut at the camp was not fit for human habitation and he had been compelled to live with the other deportees who had no work and nothing to eat.

Driefontein is no better. Here there are 8 huts, and again there are no guards; but the deportees have been ordered to “stay there”, and since it is on the edge of the Kalahari desert, over 100 miles from Vryburg, the nearest town, there can be little incentive to roam. One exile, David Mabe, died here. Chief Jeremiah Mabe was re-deported to the camp.

During 1960 three men were banished from the Transkei to Driefontein. Their ages are 72, 63 and 60 years. There is no escaping the thought that they have been sent to this place of desolation to die. How should these old men survive? This is no less than premeditated murder.

In both these camps there exist no opportunities for employment, and the deportees in Driefontein depend upon government allowances of £2 a month. In Frenchdale the deportees from Witzieshoek refused to accept anything from the Government; they maintained that they would rather starve. There is no work, no occupation. The deportees say: “We are waiting to go home.” It is a long wait.

A third camp is at Southey in the Vryburg area, a ghost camp as yet uninhabited, but made ready for Elizabeth Mafeking, the mother of 12 children who fled with her baby at her breast, over the mountains to Basutoland, rather than endure the horror of unending desolation.

“*These are not prisons*”, says the spokesman of the Department of Bantu Administration and Development, Mr. C. W. Prinsloo. “*It is erroneous to believe that these people are sent to detention camps, with barbed wire, warders and an atmosphere of a prison; they are not detained in closely guarded groups. In fact they are not guarded at all!*” True, the gates are neither locked nor guarded; but Twalimfeni Joyi was fined £3 or 4 days for leaving the farm Wesselsvlei without permission or escort. McGregor Mgolumbane faced a charge because he left the farm one Saturday morning to go to the Native Commissioner to order food, because his

supplies were exhausted, to order food because he cannot leave the farm freely to purchase his own supplies. On the way to the Native Commissioner he enquired the time and found he was too late to reach the office before 1 p.m. He turned back, but having been seen on the road, was arrested after he had returned to the area of the trust farm. Not "an atmosphere of a prison"? No warders? But he faced a charge of leaving the farm—even to seek food. And he is imprisoned in utter isolation, away from his family, his friends, his home. This punishment without trial is indeterminate; it depends upon the whim of the Government. The smooth talk from the Minister—that all removal orders are reviewed at least once a year—is meaningless when people remain in exile for eight, nine, ten years.

The camps are not the end of the story. Other deportees are scattered over the Northern Transvaal, over Natal and Zululand—one here, one there, many miles from each other. Right up to the Rhodesian border, to the edge of Swaziland, in the heart of Zululand, in the Transkei, in the Cape, they can be found—if you know where to look for them.

With cruel ingenuity, the man from the Transkei is banished to the Northern Transvaal, so that he may be isolated from those around him, until he learns to speak the new language; the Sesuto-speaking men from Zeerust and Sekhukhuniland are sent to the borders of Swaziland, to the heart of Zululand, so that they too must struggle with an unknown tongue. Employment? They may work as labourers for a few pounds a month—these men who were leaders among their own people, who were trade unionists, chiefs, university students—or they may be put to herding cattle.

One of the deportees, banished to the Zululand border, received £2 when he was deported in 1958; he has received nothing since, and there is still no employment for him. "I am living with friends I made after my arrival here. The only assistance I got is from my wife. There are no post office facilities, and the nearest phone is in Swaziland, over the mountains. The nearest hospital and doctor are 39 miles from where I am. . . . Life out here is not worth living."

Ben Baartman wrote: "My experience of banishment is that you are just taken to an empty town and nobody seems to care for you. You are given neither food nor any sort of job through which you can support yourself. In other words you are like a person who has been buried alive."

Chief Miya, now exiled already for six years in Pietersburg, was not allowed to return to Bergville to bury his daughter or his mother. Others write of death in their families, but of no permission to return for the funeral or to settle family affairs. Ben Baartman was granted permission to return from Zululand to Worcester for one week when his wife died, and this only after a storm of public protest over his orphaned children. Banishment is absolute, total and inflexible; there is no room in it for compassion, for any concession to human needs and anxieties.

In Parliament in 1959 the Minister gave this reply to questions about the family of one deportee.

“His family is allowed to join him if they so desire. . . .”

The family is therefore permitted to trek into the desert and establish itself in a camp on the edge of the Kalahari or in a hut in some isolated part of the Transvaal or Zululand, out of reach of any amenities, such as schools or hospitals, and with no means of subsistence other than £2 a month, which the deportees may or may not get, or employment at £4 or £5 a month, which the deportee may or may not be able to obtain. Some have done it. Mrs. Moilwa travelled with her children 500 miles and more to Eshowe and made her way to her husband, to find him herding cattle and living in an empty hut. She stayed some months and then returned to put their child into school again. And she battled on in poorly paid domestic service until at last she died. Her husband was brought from Zululand, only to arrive two hours after the death of his wife. He has now returned to his banishment, alone. Chief Miya's wife followed him into exile to Pietersburg, and is ready to join him again after coming to Johannesburg for the birth of their child. But the rest of the children are still far away in Bergville. Chief Mopeli's wife was exiled with him; she is still there in the desolation of Frenchdale.

The other families are large, however; they cannot find means either to visit their husbands or to stay with them. The separation is complete, and the families struggle on, abandoned to sickness and death. Friends and relatives save the forsaken families from starvation; but it is not, cannot be much more than that. Wives are left to till the fields and raise small crops to feed themselves and their children, or they may have to leave the children and go to the towns to seek work; children at school must leave because there is no longer money for school fees. From every

exile's family is a moving report of hardships and poverty.

One lonely wife writes: "My husband was taken away by the Magistrate on the orders of the Government. The Government does not provide—when I go to the office of the Magistrate, I do not see him. I do not work and I don't earn money. I was helped by my husband when he was here, because we sold our crop. There has been a famine. Rain is scarce, the ploughing has not been successful. We are starving and the people suffer many hardships."

Visits to some of these families in the Transkei have revealed their stark existence. Most of them have had to remain, because at least in their home area they would not starve altogether.

The future of the banished offers no hope. Their prospect of release and return to their families and their homes is remote, and in many cases the conditions attached make the release totally unacceptable. Former chiefs are offered release only on condition that they accept the new régime and undertake not to cause unrest. In the areas to which they are deported there is no prospect of earning an adequate living for themselves and their families, even when they *can* obtain employment. Chief Miya started at £2 a month, and after 6 years he earns £4. The highest wage of any deportee at present is £6 5s. od. Most are earning less than £6 a month.

These absolute powers of deportation are vested in the Governor-General—after 31st May, the President of the Republic—for the persecution and victimisation of people who have committed *no* crime, who have *not* broken the laws of the country, harsh as they are, who have *not* been brought before any court of law.

Yet Bangiliswe Joyi could write, after years of exile, after losing his application to have his deportation set aside: "We are not discouraged by losing our case, and what has pleased us most is that our being taken away has not frightened those from whom we have been taken, but made them bolder than they had been."