

THE PATTERN OF SOUTH AFRICA'S EMERGENCY

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ON the morning of March 30th, just over a week after the Sharpeville killings, a State of Emergency was declared in the Union of South Africa. During the preceding days, the initiative had been momentarily in the hands of the Africans. Pass laws had been temporarily relaxed, and there was a general feeling that their tyranny had now been broken forever. Urban Africans believed that the Government would at last be forced to lend a small ear to the people.

The Emergency cruelly shattered this feeling of hope. From 2 a.m. on the morning of March 30th, hundreds of people were arrested all over the country. Dozens of police cars darted about trim white suburbs and African townships alike. Detectives and armed policemen burst into sleeping households and made arrests. No warrants were produced.

If the hundreds of detainees had been counted on that first night, an outsider would understandably have believed that a vast plot against the State had been unearthed. The prisoners came from all walks of life, all income groups, all parts of the country, all political parties, both sexes. And the next day a Government Gazette Extraordinary officially declared a State of Emergency and announced that anyone could be arrested under it in the interests of public safety and order.

By April 11th, the Emergency regulations were enforced in 121 magisterial districts (of the 300 in the country) including all the large urban centres, where the African labour force had provided the organised opposition to the Government. There were gasps of astonishment in Parliament when Mr. Erasmus, Minister of Justice, announced that no less than 1,575 people (94 white, 24 Coloured, and 1,451 African) had been detained.

Still more arrests were to follow, however, and by May 16th the number had risen to 1,907. All these people were detained without trial, and could be jailed "for the duration of the Emergency or as long as the Minister pleases". As they were not charged, there could be no "official" reason for their detention; the State had detained them "for the maintenance of

public order". They were put in prison, not because they had committed any crime, nor because they had added fuel to the tense situation in the country after Sharpeville, but because they *might* seize the opportunity to oppose the Government politically.

It has been suggested that all the detainees were politically minded; but some of them had no political or trade union connections whatsoever, while others had been interested in politics in a purely incidental way. There were three main categories: the non-political detainees; those who had not been interested in politics for a number of years; and members of anti-Government political parties.

Among the non-political detainees were such people as Myrna MacKenzie, the Cape Town correspondent of the London *'Daily Herald'* and wife of a staffman on the *'Cape Times'*; and Mr. Norman Phillips, Ass. Managing Editor of the Canadian newspaper, *'Toronto Star'*.

Another non-political detainee was Miss Hannah Stanton, a British missionary and passionate Christian who has since written that she "never felt drawn to the political or 'public' aspects of the faith". Before she went to South Africa, she felt that Huddleston and others probably exaggerated the racial situation. Nevertheless, she incurred the displeasure of top-ranking police officers by making complaints about the cruel and bullying attitude of the South African police. The Rev. Douglas Thompson worked for the Peace Council. Mrs. Kalk, a Witwatersrand University lecturer, had never been active in politics. It is thought that Gertrude Cohn was arrested solely because her husband had sent letters to the papers expressing liberal views and had signed himself G. Cohn.

In the second group of "one-time-politically-active" detainees were a number of ex-Communists. Archie Lewitton had been an official of the Communist Party, but he had had nothing to do with politics for fifteen years. A. Israel had not been in the C.P. since before the war. A businessman, Monty Berman, had taken no active part in left-wing politics since the years immediately after the World War. Ex-Senator H. M. Basner, a former Native Representative, had resigned his seat in 1947 and had only attended one political meeting during the 12 years since then.

But there were some who were definitely active in everyday politics. Many members of the South African Liberal Party

were arrested. Mr. Peter Brown, National Chairman of the Liberal Party, Dr. Colin Lang, John Brink who had put up Chief Luthuli at his home during the Treason Trial, Dr. Hans Meidner, and the Africans Elliott Mngadi and Franklin Bhengu, were members of a party which is strongly anti-Communist and pledged to use non-violent means to counter apartheid.

Two Liberal lawyers, John Lang and Ernest Wentzel, had begun to collect evidence on the Sharpeville shootings and were still taking statements from the wounded at the time they were arrested. R. I. Arenstein was another lawyer, who had defended the accused after the Cato Manor disturbances when several policemen were killed. Other lawyers—not all of them members of the Liberal Party—were also detained. Mrs. S. Muller had defended Africans in the cases following upon the Sekhukhune-land riots. As practically all the lawyers who had defended Africans in political trials were arrested, it is difficult to escape the conclusion that they were identified with the Africans they defended, and were thus somehow guilty in the eyes of the Government and punished by a period in prison.

There were other unusual detainees who do not readily fall into any category. Lionel Morrison, an ex-Witwatersrand University student, was just planning to go to Holland to resume his studies. Alf Every, an accountant, had been an organiser of the conservative United Party and was editor of a businessman's intelligence service—'Africa X-Ray Report'—at the time of his arrest. An African of some 90 years of age was also detained.

All the accused in South Africa's three-year-old Treason Trial and all the first batch of Treason Trialists were re-arrested. These were the easily identifiable, traditional enemies of the Government, and were detained together with remaining African National Congress officials and the leaders of the Pan African Congress under Mangaliso Sobukwe, Potlako Leballo and Matthew Nkonana. The latter were arrested at the time they gave themselves up to the police for not carrying pass-books and were quickly charged for passbook offences or more serious charges under the Emergency regulations.

The African political leaders received formidable sentences: Sobukwe and many of his followers a £300 fine or 3 years imprisonment for incitement; Matthew Nkonana and 142 others, £300 or three years for not carrying reference books; Peter Tema, £100 or 12 months for destroying another man's reference book; Dr. Menie Bernard Zondi, £200 or 12 months

for destroying his own passbook; others, £150 or 18 months for urging men to stop work on the national strike days. P.A.C. members refused to pay their fines and took imprisonment on principle. Almost all the other Africans were unable to meet their fines and were therefore imprisoned.

The State of Emergency Relief Fund estimated that 400 families in the Western Province alone were left without any means of support as their menfolk were detained. They had to live on a diet of maize meal, dried milk, beans, sugar and flour. One mother and father were taken from their house in the middle of the night, leaving an eighteen months old baby alone in the arms of a ten year old boy. African mothers were deprived of their husbands' wages. Indian mothers depended on their close-knit family groups to keep them going. Numbers of children lost both their parents; and both parents had to sign a letter asking the prison authorities every time they wanted to see their children. The majority of them only saw their children once during the average three months of detention.

Visits to prisoners used to take place in tiny rooms, where six detainees and up to 12 visitors were all introduced at once. The two groups found themselves fenced off, and had to stand at opposite sides of the room and shout at one another. It was almost impossible for any coherent messages to be conveyed at all.

Most of the white detainees in the Cape area and in Pretoria found that their physical conditions of detention were not too bad; but at the Johannesburg Fort prison, they were appalling. On the night of their arrest, prisoners there were given filthy blankets and mattresses in the last stages of disintegration. They were held four to a cell (10 ft. by 9 ft.) and shared one lavatory bucket, inside the cell, which was only emptied once every 24 hours despite the cases of diarrhoea which were prevalent.

Food was the principal topic of conversation among them. The male detainees in the Transvaal area collected and preserved a representative selection of weevils, bugs and other impurities found in the prison food. Mr. Justice Rumpff, inspecting the lunch one day, found that detainees were being given nothing but cold, congealed beans to eat. His lordship made a complaint that the beans should, at least, have been served hot.

The discussion of food intensified during the hunger strike, which was started by the white women detainees at Pretoria to bring the attention of the outside world to their plight. The

men joined in sympathy and kept the strike going for ten days, though some of them were elderly and others were suffering from stomach ulcers. The prison authorities were greatly disturbed by the strike, which was finally broken when the women were divided into different groups, unable to communicate with each other, and when the doctors reported that some of them were in serious danger of death if the strike continued. Especially demoralising was an announcement in Parliament that the strikers were being fed on secret supplies smuggled in from outside.

While conditions for whites became at least tolerable when they were moved from the Johannesburg Fort to Pretoria, they were worse for Indians, and worse still for Africans. The white detainees ended up by sleeping on beds and mattresses, the Indians on thin palliasses and the Africans on hard mats. A similar colour bar distinguished the quality of the food.

Under the special prison rules "made in terms of the Emergency regulations", detainees were not allowed to "sing, whistle or make unnecessary noises, or cause unnecessary trouble or nuisance", or "cause discontent or excitement or insubordination among fellow detainees", or "be disrespectful to a person employed in the place of detention or to a member of the South African police force". Four people were kept in solitary confinement for three weeks because the Prison Commissioner had misinterpreted the Emergency rules which stated that detainees should be kept apart from other prisoners. Others were given solitary confinement as a punishment for breaking rules.

The prisoners were unable to discuss matters concerning detention with their advocates. At first there was some ambiguity about this rule. Finally one detainee decided to challenge it in court; but two days before the case was due to be heard, a regulation was published specifically barring detainees from speaking to their advocates about detention.

Michael Mpeluza, who had been ill in bed for 18 months with heart trouble when he was detained, died soon after his arrest. George Z. Siwiza died on May 31st, and his family were not informed of his death immediately. When they finally managed to have his body exhumed on June 28th, the relatives were advised that it would be "difficult" to establish the cause of death. John Kamanga became ill in prison and died on June 17th.

The first major batch of detainees to be released consisted of 154 people; it was May 30th, almost exactly two months after they had been arrested. A few further releases were made; and then, on June 28th, the Government announced that 1,200 out of the 1,600 remaining in detention would be rapidly set free. It was officially announced that investigations had not been completed against the remaining 400.

From this Government statement it can be inferred that investigations were completed against at least 1,200 others, most of whom had not been charged in court and had been found innocent even by police armed with arbitrary powers. Under the Emergency, these people had had their lives disrupted, their families subjected to great strain, and their livelihood impaired. One man who had played no active part in politics for 15 years had had his business completely ruined. Naturally the Government proposed no compensation for him or any of the others. But legal actions against the Minister of Justice are now likely to take place.

The Emergency in South Africa is still not over, though Dr. Verwoerd recently stated that it would be withdrawn before the republican referendum on October 6th. Many Emergency laws are still in force throughout the main urban centres of the country. People can still be detained for the maintenance of public order. And a new type of "half-free" man has been created—in the shape of detainees who have been released under restrictions on their movement, curfews, and a total ban on political activity.

It was not until the Emergency had been in force for at least two months that people became aware of an entirely new type of arrest under Emergency regulations. A new class of detainee was rapidly taking shape, to give the Government an additional reason for not wanting to end the Emergency in too great a hurry.

Africans were being picked up under Article 4B of the Emergency regulations, which stated that 'any native that was detained, who did not have a reference book, a job, a place to stay or a right to be in an urban area could be jailed for the duration of the Emergency or as long as the Minister pleases'. Mr. Erasmus informed Parliament that 18,000 had been arrested under Article 4B, and later this figure increased to the fantastic total of 21,000. Of these at least 8,600 were detained.

These men were all claimed to be tsotsis, idlers or loafers. The procedure was—and apparently still is—that the men are arrested and taken to secret courts, where the press and public are denied any entry. Magistrates are then summoned to decide whether or not the Africans—most of them picked off the streets—have passbooks, regular employment and a place to live. If any fail on any of these qualifications, they are detained. Magistrates have said that only loafers and “gangsters of the worst type” have been detained in this way, but many families have reported the disappearance of law-abiding relatives and bread-winners.

The authorities refused to disclose where these detainees were being taken, but they were finally traced to a disused mine called Modder B near Benoni. The newspaper ‘*Contact*’ outlined the case of Cush Moloji who was picked up in this way and later released. He said that he had been taken to a mine near Benoni (Modder B) where 8,000 men were held. He was tried before a magistrate in a court inside the prison, where the only people present were a magistrate, a prosecutor and the policeman who arrested him.

Meshak Nkosi, an African schoolteacher who spends most of his week-ends playing tennis, was another victim. He was interned for a week before he was brought before a magistrate sitting in the camp. Though he was given no chance to consult an attorney and had to argue his case as best he could, the magistrate had no alternative but to find this non-political schoolteacher innocent. How he ever got arrested as an “idler” in the first place remains a mystery, unless one considers that he was one of the Africans frequently interviewed and filmed for overseas radio and television by correspondents visiting South Africa at the time of Sharpeville.

The conditions at Modder B, according to reports from the few who have been liberated, are very similar to the Kenya detention camps at their worst. Both Meshak Nkosi and Cush Moloji reported continual beatings while they were in the camp. The newspaper ‘*Contact*’ went further and reported that several Africans were shot dead and many more injured trying to escape. The Deputy Commissioner of Prisons, Brigadier J. C. Steyn, confirmed on July 31st that 18 African prisoners had died of “pneumonia” in Modder B during the previous fortnight. “Whatever can be done is being done,” he added. Of this there can surely be no doubt.