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The Black Sash Die Swart Serp

It is fifteen years this month since the Black Sash came into being. We look back over the struggles, achievements and discouragements of these years as we also contemplate the state of the Nation in the aftermath of the election.

There is not much for our comfort.

Since the Coloured voters were removed from the common roll by those ignoble means there has been a procession of restrictive and oppressive legislation denying Africans freedom of movement and the freedom to sell their labour; moving whole communities of people and thousands of individuals to different places where they do not want to be; denying all of us much of our right to express dissent; depriving all of us of the protection of the Courts should the Police choose to act arbitrarily against us. There are people detained incommunicado for indefinite periods in our gaols; there is poverty, starvation, fear, hatred and bitterness. There is frustration.

There are also the positive values of Justice, Love and Mercy which have not changed but which have become increasingly rare in South Africa and increasingly misunderstood.

The Black Sash believes that these values are worth striving for, that people matter more than ideologies, and that we have a duty to publicly state our beliefs and our dissent from what is happening in our country.

Many of our more sympathetic critics ask "What good does all this feeble standing around do?" "Protest is only valid if it has some chance of achieving change" they say.

In a political system where the means of influencing affairs is closed to the majority of the citizens of the country, where effective opposition to government policies is prevented by the banning of organisations and individuals,

where the most important communications medium is closed to the opposition point of view, where permits are required for any public demonstration of opinion, then it becomes essential to use such means as are left to lawfully state dissent.

Because traditional venues for public protest are closed to us in Johannesburg, by law, we have to hold our demonstrations away from the city centre. We have no illusions about the effectiveness of our protests. We *can* pride ourselves on a tremendous amount of public education and the dissemination of facts through our own publications and through the Press. We *do* feel we achieve something of value when we are able to help people coming to our Advice Offices. But we feel that we would not be doing enough were we to fail in constantly and publicly stating our opposition to legislation and government action which denies people their basic rights and opportunities. We cannot fail in this just because we are prevented by law from using effective and striking methods. It is because so many people have fallen into the trap of saying that they will not do anything because nothing has any immediate effect that opposition in South Africa seems so ineffective.

Everything any one of us does has influence and affects somebody somewhere. Silence and the failure to stand up and be counted affects the attitudes and actions of government. To dissent and to say so also has its hidden and cumulative effects.

We believe it to be important. We believe that the fifteen years work of the Black Sash which lies behind us has been of value, and we believe that the work we must do in the years to come will have its value. One day change will come and we have some part to play in the inevitable process of that change.

1970 Election Elation?

JOYCE HARRIS

Mrs. Harris is a National Vice-President of the Black Sash and a frequent contributor to this magazine.

So — once more the hurly-burly of the hustings is over. The General Election of 1970 has been a particularly ugly interlude in the political life of South Africa, with its tomato-slinging, egg-slinging, its insinuations, incriminations, threats and intimidations. The spectacle it provided for the voteless observers on the side-lines has been neither edifying nor encouraging. However the contest is now over, and the time has come for the counting of heads, the licking of wounds, the elation of victory, the misery of defeat, for an assessment of the meaning of the results and of their implications for the future.

Each party has its own interpretation. The Nationalists express delight at the ignominious defeat of the Herstigte Nasionale Party, and to this extent the Prime Minister's decision to call an early general election would appear to have been vindicated for this, after all, was the purpose of the exercise — to settle the hash of the H.N.P. once and for all. On the other hand, an unexpected by-product has been the loss of 8 seats to the United Party and a reduction of National Party majorities in 72 other constituencies. One man's poison being another man's bread, the United Party expressed its delight at its gains, while the Progressive Party in its turn is delighted with what it has won from the United Party, a delight tempered over its failure to win the Sea Point seat. The H.N.P., the initial irritant, is apparently in no way put out by its seeming repudiation, and expresses confidence in its future growth. It is certainly proven that after only six months of existence the H.N.P. was able to poll approximately 2,000 more votes than the Progressive Party could muster after 11 years of existence.

An objective analysis of the figures offers little comfort. The percentage of votes cast for the National Party has slid down from 58% to 54%, while that cast for the United Party has crept up from 37% to 37.2% and that for the Progressive Party from 3.1% to 3.4%. The H.N.P. succeeded in gaining 3.6% of the total votes cast. These figures can in no way be regarded as a swing to the left, not even by the most sanguine observer, and the elation being expressed on all sides must surely be post-election euphoria which will be dissipated by the cold winds of truth. The only reason for any jubilation, if reason there is, is that for the first time in 22 years of government the National Party's bandwagon has received a slight jolt which indicates some small

degree of fluidity in an erstwhile granite-like political structure. Whatever hope there may be for the future lies in this fluidity, but it is presently of such minute proportions that it is barely discernable in the political spectrum. Only the future will show whether it can flow sufficiently to cause a landslide. As of now there is very little change in the "status quo."

On the credit side the Progressive Party scored a resounding victory in Houghton, though it is difficult to assess in how far this is due to the unbounded respect and admiration which Mrs. Helen Suzman personally has undoubtedly earned and so well merits, and in how far it is a true reflection of support for the Progressive Party's policies. However the Progressive Party scored an impressive number of votes in a number of constituencies, and from this, as well as from the enthusiastic support it received from young people, it can take heart.

Optimism

The United Party, with its 8 extra seats and its increased majorities in 72 other constituencies, has been given a heartening injection of optimism which it has so sadly lacked since the Nationalists took power in 1948. Perhaps it will now be encouraged to oppose the Government more unequivocally and to diverge more emphatically from government policies.

The National Party has defeated the H.N.P., and that must be regarded as falling within the ambit, of the credit side, with the proviso that it will now press ahead with its so-called "verligte" policies and will stop its appeasement of the so-called "verkrampes" which was so apparent in its election campaign.

On the debit side the National Party is still very securely entrenched in power, despite its

losses, and there it will no doubt remain for at least the next five years. The majority of white South African citizens have given a clear indication that they support the National Party no matter what it may do; that they endorse the policy of Apartheid with all its cruel ramifications; that they have no objection to forced removals, to the endorsement of African people out of urban areas, to the breaking up of African family life, to the bulldozing of the homes of African people, to their resettlement in remote areas under appalling conditions, to job reservation in whole categories of employment where African people have established themselves without any threat to the security of the white man; that they were in no way upset by Mr. Vorster's intimidation of a citizen asking a legitimate question at an election meeting or by Dr. Koornhof's inhuman and confusing interference in the lives of countless African employees or by Dr. de Wet's threat to Mr. Harry Oppenheimer which carries within it the threat to any industrialist or entrepreneur who earns the dislike of the government by opposing its policies; that they do not mind the loss of their own rights and freedoms which is inherent in the circumvention of the courts of law, in detention without trial, in the loss of habeas corpus.

Go-ahead signal

The majority of the white people of South Africa have given the go-ahead signal to a way of life which the Nationalists are pleased to call traditional but which in no way resembles the Western European tradition of individual liberty and dignity from which it professes to stem. The white electorate has rejected the aspirations of the non-white South Africans, for whom it is responsible since it has divested them of all representation in the central government, and shown a frightening disregard for its own rights in order, presumably, to retain its material privileges.

The H.N.P., in its short life, has polled more votes than the Progressive Party, and although it was resoundingly defeated by the National Party it remains as a solid core with grass roots than can grow.

The post-election counting of heads gives a clear picture. The left and the right are more or less evenly balanced by the Progressive Party and the H.N.P. In the middle is the United Party, and to the right of it is the National Party. The balance of power is very much to the right, and even assuming that the

United Party will gain courage from its victories and veer slightly more towards the Progressive Party and that the National Party will gain courage from its victories and discount the H.N.P., the National Party will still be able to do very much as it pleases, which means that there has been no change and that this is what satisfies the majority of the electorate.

Ray of hope

Perhaps the election results have provided a tiny ray of hope for those who desire change, those who would like to see a return to the rule of law, the freedom of the individual, equal opportunity for all and respect for the dignity of man. The juggernaut has been ever so slightly dented, but it has not been in any way incapacitated, and if any further inroads are to be made into its unquestioned power the opposition groups will have to work very hard indeed to prove to the electorate that what they have to offer is right, just and civilised and merits support. This is no easy task in a society which is enjoying the flesh-pots of privilege and whose motivating force is self-interest with very little enlightenment to dilute it.



The 22

In May and June 1969 large numbers of people were arrested and detained without trial, specifically for interrogation. They were held in solitary confinement, incommunicado, i.e., without access to their families, friends, ministers of religion or lawyers.

22 of these people were formally charged in October 1969 and the trial proceeded in the Supreme Court until the 16th February, 1970. On that day the Attorney General appeared in Court and withdrew the charges.

The Judge formally acquitted all 22 accused. Normally in such cases, acquitted persons are free to leave the Court.

These 22 people were then and there immediately redetained under the Terrorism Act and whisked away from the court to disappear from public sight and knowledge. The Terrorism Act gives the Security Police the power to hold detained persons incommunicado, for an indefinite period, specifically for interrogation. They are entitled to see only their jailors and their interrogators.

“When circumstances permit they may see a magistrate once a month.”

During the brief trial of the 22, State witnesses testified that they had been subjected to torture during their interrogation.

WHAT HAPPENS TO PEOPLE IN DETENTION?

What has been happening to these 17 men and 5 women since their redetention?

There is no way of finding out, as no one has access to them.

HOW MANY OTHER PEOPLE ARE LOCKED AWAY WITHOUT TRIAL IN OUR PRISONS?

Figures are not available. It is “not in the interests of the State” to disclose this information.

During 1969, 9 people died in detention.

The laws of our country are circumventing the administration of justice. Some years ago the cry was “Charge or Release”. This year 22 people were charged and were found not guilty of the charges against them.

THEY WERE NOT RELEASED.

These 22 people must not be forgotten.

NOR MUST ALL THE OTHER PEOPLE LOCKED UP WITHOUT TRIAL IN OUR JAILS BE FORGOTTEN.

We stand here today to record our total condemnation of a system which can remove people from their homes, take them to far away places, keep them in solitary confinement, interrogate them continuously, and detain them indefinitely before it is decided whether to charge them or not.

Arbitrary Detention and Its Implications

JOEL CARLSON

Mr. Carlson is a Johannesburg attorney. He delivered this address at a meeting called by the Students' Representative Council at the University of the Witwatersrand on the 20th April 1970, immediately before the General Election.

WHEN I WAS A STUDENT HERE, about a quarter of a century ago, I was taught that a fundamental understanding of South African affairs could only be gained by studying Black/White relations. This, of course, was true and is still true today.

But as a student I spent most of my time out of classrooms, happily and leisurely mixing with all the people who were then allowed to come to this University and we relaxed as friends and talked and thought and acted together as equals.

Then I joined the Government Service and worked in those Courts concerned solely with applying the laws affecting Africans. We worked six days a week and for the first time the reality of Black/White relations shocked me into a realisation of the truth. I did not read books and listen to words. I saw people — grandfathers and grandmothers, husbands and wives, young men and women and some children, mothers carrying babies on their backs, feeding them and struggling to keep them clean in custody without nappies and with primitive toilet facilities. These were not superfluous appendages, or labour units, whether productive or unproductive, but human beings imprisoned, punished and suffering as the laws of the country, the Pass Laws, were enforced.

The Pass Laws are the greatest single cause of disruption of race relations in our society creating more hatred and fear, sewing more suspicion and causing more insecurity than any single cause of injustice in South Africa. The Pass Laws are a cancerous growth, causing the depersonalisation of human beings, and degrading not only the persons suffering under them, but also those enforcing them.

It is because of these laws that we are able to pass and enforce all the other unjust laws; laws which we would not pass in Parliament or apply in practice if we considered the voteless, voiceless persons to whom they apply as human beings. The laws do not apply "to us", they only apply "to them".

How false is the cry of complaint now heard from those politicians who in Parliament voted to give the Security Police the extraordinary powers they exercise. These people did not complain when these laws were applied to "others". Now that these arbitrary laws are applied to themselves, they squeal in dismay. These are stupid men who do not appreciate that laws conferring arbitrary powers on the executive are arbitrarily applied by those in power. They are ignorant of the age old concepts learnt and stated long ago. Aristotle said: "The Rule of Law is preferable to

that of any individual . . . He who bids the law rule may be deemed to bid God and reason alone rule, but he who bids a man rule adds an element of the beast; for desire is as a wild beast and passion perverts the minds of rulers, even when they are the best of men. The law is reason unaffected by desire."

This year, 1970, marks a hundred years of the application of the Pass Laws. They were first applied in the Transvaal Republic in 1870. How false were the promises made when the laws were introduced. It was said they were "for the protection of the Natives" entitling Natives to the "full protection of the law" and guaranteeing travel freely throughout the Republic, and being no more than an identification certificate. (Article 12 — and quotation from the Hon. Justice F. E. T. Krause). In 1918 after 48 years of their application, Dr. D. F. Malan said: "I hope that more Natives become better educated . . . more civilised . . . so that it may be possible to remove the Pass Laws." He also promised to grant more and more exemptions. In 1942, Colonel Reitz, the Minister of Native Affairs, was suddenly appalled when he learnt that the previous year nearly 300,000 Africans had suffered under these laws. He said in Parliament: "I hope the conscience of the White man in South Africa will be awakened because

this is an appalling indictment of our handling of the Native problem". He told the Senate he would recommend their abolition. Every Commission sitting from 1905 to 1948, recommended in strongly worded language their abolition but what happened? Some years back, only 750 people were arrested every day seven days a week — then the figure doubled; and a few years back it was only 1,500 people a day. Today, we are not sure of the figure but it is at least 2,500 people arrested every day. A parliamentarian in Parliament last year commented on the number of Africans arrested for pass offences and said that it had reached an appalling level, causing grievous human suffering — a heavy price to pay in pursuit of the unrealistic aim of apartheid. He quoted alleged contraventions of pass laws in 1967/68 as being 1,777,662. (R.D.M. 20/4/69 — Mr. M. Mitchell). The average time for a case heard by a Court is 2 minutes and this has been demonstrated time and again.

Violent Laws

From Pass Laws to arbitrary arrest and detention without trial, to practising sensory deprivation on persons held indefinitely in solitary confinement is but a stone's throw. The stones were thrown at Sharpeville ten years ago. Instead of a ripple on the water, the reaction was dramatic and violent. In a society practising racial discrimination as a way of life and a philosophy, and enforcing it in its law, the fear that one race might overtake the other controls the actions of the men in power who feel perpetually threatened. After Sharpeville the reaction was to deal with a violence threatened, by enacting even more violent laws.

Learning of the General Law Amendment Act of 1963 the Johannesburg Bar Council protested "at those provisions which in its view have as their consequence the virtual abrogation of the Rule of Law in South Africa". Assault upon assault on the Rule of Law was then made culminating in the Terrorism Act of 1967 and the Boss Act of 1969 (now under investigation).

The Bar of the City of New York, representing professional men in the greatest metropolitan complex in the world, saw fit to pass a Resolution condemning the Terrorism Act and the first trial under it.

"RESOLVED, that The Association of the Bar of the City of New York hereby records its deep concern and its protest over

the actions of the Republic of South Africa in applying its own law and judicial process extraterritorially to inhabitants of South West Africa by prosecuting thirty-seven South West Africans under South Africa's Terrorism Act of 1967, in that:

1. The Terrorism Act of 1967 offends basic concepts of justice, due process, and the rule of law accepted by civilised nations and violates the Universal Declaration of Human Rights"

It then goes on to itemise specific reasons for its objections to the Act and its application and finally resolves to call upon South African jurists to join the New York Association and all others concerned with the Rule of Law to speak out and protest.

Abhorrent features of the laws passed by Parliament and eroding the Rule of Law in South Africa have justified jurists here and everywhere in the world in claiming that in South Africa there has been virtual abrogation of the Rule of Law. The significant parts of our law on which such a claim can be based are these:

1. Retrospective effect of legislation:

This means that crimes which were not crimes yesterday and acts which were lawful when they were committed and were therefore entitled to be committed, are made crimes today and for this crime you may be hanged — the Terrorism Act. Similar provisions exist in the Suppression of Communism Act and General Law Amendment Act (sec. 23, Act 62 of 1966).

2. The wide definition of offences:

(a) Certain statutes provide such wide definitions that they virtually enable the executive authority or the security police to act at their discretion and at their convenience. The Lord Chancellor of England, Lord Gardener, said of the definition of "Communism" in the Suppression of Communism Act No. 42 of 1950, as amended:

"If you were a Communist 40 years ago, you are a Communist today . . . Whether you are a Communist or not, you are a Communist if the State says so."

(b) *The Criminal Law Amendment Act* No. 8 of 1953, which provides for increased penalties for offences committed in certain circumstances, such as:

"Whenever any person is convicted of an offence proved to have been committed by way of protest or in support of any cam-

paign against any law or . . . for the repeal or modification of any law . . . sentence him to a fine not exceeding R600 or imprisonment for 3 years or a whipping not exceeding 10 strokes or both”

and furthermore provides that incitement to commit these offences carries heavier fines and imprisonment (R1,000 fine, 5 years imprisonment).

(c) *The “Sabotage” Act* No. 76 of 1962 (sec. 27 (1) and (2)) creates, inter alia, an offence, punishable by hanging, if in contravention of any law a person enters or is upon any land or building . . . to further or encourage the achievement of any political aim, including the bringing about of any social or economic change in the Republic.

(d) *The Terrorism Act* No. 83 of 1967, which provides definitions of terrorism so wide that they go far beyond what the Common Law considers as treason. It punishes by death an act which had or is likely to have had the result of embarrassing “the administration of the affairs of the State” or furthering or encouraging “the achievement of any political aim . . . by violence or forcible means or by the intervention of or in co-operation with or with the assistance of any foreign or international body or institution. The minimum punishment is five years imprisonment.

3. Shifting the burden of proof:

The Criminal Law Amendment Act No. 8 of 1953 says simply : :

“An offence is presumed to have been committed as alleged if an accused acted at the same time and place and in company with two or more persons similarly charged”.

Numerous acts (see 2 above) have shifted the burden of proof to make the accused guilty until he is proved innocent.

Arthur Suzman Q.C. a recognised South African jurist summarised the position by saying :

“The onus is virtually on the accused to prove his innocence beyond a reasonable doubt.”

(Arthur Suzman, *South Africa and the Rule of Law*, S.A.L.J. II, August, 1968.)

4. Double jeopardy:

After having been acquitted of the charges brought against you, sec. 5(h) of the Terrorism Act provides that you can be re-arrested and charged again. Also sec. 21(4)(g) of the General Law Amendment Act of 1962. Therefore, if an accused is found not guilty and is acquitted, that is not the end of the matter. This, of course, happened more re-

cently when 22 accused held in detention without trial for 5½ months were brought to trial and were acquitted on 16th February, 1970 and immediately rearrested in Court and detained under the Terrorism Act. Their future is not known and the Attorney-General admits to having no information about the matter. We do not know what will happen to them.

Having the privilege of a trial and being convicted and serving a sentence is not an end of the matter. You can still be arbitrarily further punished without any trial by being banned or banished, or house arrested or held in detention.

5. Place of trial:

Although it is normal to try accused persons at the place where the crime was committed, a number of our laws provide that you may be tried anywhere, even if it's 2,000 miles away from the place of the crime or the place from which you come, where your relatives and friends are and where your possible witnesses may be.

6. Detention and imprisonment for police interrogation:

Proclamation 400 in the Transkei was imposed in 1960 during the emergency. It has remained a permanent part of the law of the Transkei; it provides for indefinite detention without trial.

The 90-day clause provided for arrest and detention to question a detainee until he gives satisfactory answers to his police questioners. This was followed by the 180-day clause when the 90-day clause was suspended.

The Terrorism Act, sec. 6, provides for indefinite detention without trial. A man or woman may be detained indefinitely, held incommunicado, kept in solitary confinement and given no access to anyone but his interrogators. No court can question the validity of any action taken, no wife, no lawyer, no Minister of Religion has any access to a detainee, but “if circumstances permit, he may be visited by a Magistrate once a fortnight”.

“A person under this Act may thus simply vanish and no one be accorded any information as to his fate or whereabouts.” (A. Suzman.)

In the inquest proceedings held into the death of the detainee detained on 5th March, 1969 and who died on 10th March, 1969, the lawyers for the widow called the widow to give evidence in Court. This is how the Record reads :—

“Court: Is she the widow of the deceased?
Yes.

“Court: Is there anything special in her heart she wants to tell the Court — Yes. My husband was arrested. After his arrest I received a message that he was dead. He was arrested on the 5th March — in the middle of the night. We were already asleep. My husband slept with me in the same room on one bed. I heard a knock on the window as well as on the door. I woke my husband. My husband got up and went to the door of the room to open the door. I grabbed him and held him—I told him he must not open the door before he heard who was knocking on it. I then went to a window and drew the curtain — I saw a White man standing. A short thick set man. I asked ‘Who is it?’ He replied: ‘It’s the police’. My husband opened the door and I stood behind him and I heard the voice of the man outside the door — I saw two hands appear and they grabbed my husband and the hands pulled him outside. Then I screamed —”

The widow then described in detail what went on during that short time she and her husband got dressed. Then the Record reads:—

“Court: Did they then take her husband away? My husband went to put on his shoes in the bedroom and they went with him.

“Court: Is that all she wants to tell the Court? I am not finished yet. I again went to stand by the window and looked outside. I saw three motor vehicles. There were two private cars and a pick-up van. The pick-up van was in the front and the two motor cars behind it. My husband climbed into the middle car. They closed the door. All the vehicles rode off.—”

Then the widow told the Court how first some six or seven days later the police came to look for her husband’s pass and to ask her for her husband’s belt. She went on to say:—

“On Thursday I went to town. When I returned from town the neighbours told me that the police had been and that my husband was dead. As a result of this news, I was shocked and felt faint.”

(p. 287 onwards — Inquest James Lenkoe.)
Time does not permit me to tell you more of this tragic and significant matter.

Prof. Arthur Larson of Duke University, a man who was one of Eisenhower’s personal advisers, and who attended as observer at the terrorism trial in Pretoria for the Lutheran World Federation and the World Council of

Churches, told the American Bar Association at Philadelphia in 1968:—

“If you pass a statute which gives the police and the executive authorities free rein to do almost anything they please in the way of violation of human rights, and then excuse this by saying that you will of course rely on the discretion of the authorities not to abuse this power, you have for all practical purposes thrown away law and substituted unlimited personal tyranny.”

Another famous American jurist and Judge of the Supreme Court, Mr. Justice Frankfurter, observed in a famous American case (*McNabb v. United States* (318 U.S. 332 at 347 (1943):

“The history of liberty has largely been the history of observance of procedural safeguards.”

Hanged himself

What does our law provide as safeguards of personal liberty? Has law been discarded and have we substituted unlimited personal tyranny? Again, we can examine the record of the inquest proceedings of the first detainee “who hanged himself”. The record shows that he was arrested in Cape Town on 20th August, 1963. Evidence was given that he was found hanging in his prison cell in Pretoria on the night of September 4th/5th, 1963. According to the record, he was detained in solitary confinement in a cell 12’ x 12’ and in the cell there was a coco mat, about 1” thick, on which he slept on the cement floor (pages 94/5—103). There was no stool and no table in the cell. He was given nothing to read and no writing material and he spent 23 or 23½ hours a day alone in his cell doing nothing (Page 171/2). His food was mielie pap and meat (Page 175) (in this respect he was privileged as other prisoners did not receive meat (Page 172). Another detainee alleged in the same proceedings that he only received bread and water (Pages 180/2).

This detainee, “who hanged himself”, the police said, was a key figure, a leader. He had been questioned many times but refused to answer questions or give information. The evidence given by his interrogators was that suddenly on the afternoon of the 4th September he changed his mind and agreed to give a statement. The interrogators said: “Suddenly the man became a coward” (Page 75). The experience of these interrogators was, they said, that there was a sudden change and

a brave man would become a coward. (Page 75 of the Record).

What is the effect of this detention and interrogation on people? This question was put to the Major in charge of the detainees being interrogated at Pretoria (at Page 163 of the Record): "Q. Would you agree with this then? . . . all the evidence indicates that a person during his period of solitary confinement should not be considered to be normal". A. "I cannot deny it".

A study of the effects of solitary confinement was made, particularly by American psychologists and psychiatrists arising out of the treatment of American prisoners in Korea.

It was found, and this is still true today, that individuals who spend even a short time in solitary confinement, even a few days, can suffer various bizarre experiences, distortion of motivation and affect a change in intellectual ability, and distorted social relationships.

"Sufficiently prolonged isolation from society or deprivation of sensory stimuli can produce mental abnormalities in the form of hallucinations, anxiety states, depression and paranoid symptoms. Conditions likely to induce these phenomena occur . . . in prisoners kept in solitary confinement . . ." (Ziskind 1958).

Confinement alone without any form of physical assault or torture, is an extremely severe form of treatment. It can be expected to produce dramatic changes. The type of change has been examined carefully and can actually be scheduled.

12 weeks to final confession

Initially on arrest, there is fear and uncertainty. After one to three days in detention, there is bewilderment and discouragement followed by over-alertness, expectancy, rejection of food and attempts at fraternisation. From between three and ten days there is anxiety, sleeplessness, compliance, increasing loneliness, boredom, fatigue and weight loss. From ten days to three weeks, there is increasing dejection, repetitive acts, intense fatigue, constipation, craving for companionship, humiliation and loss of all self-respect. From three to six weeks, there is despair, inactivity, filth, soiling, mental dulling, loss of discrimination, muttering, weeping, need for companionship and the detainee is highly suggestible and easily grasps at any help. The American authors (Hinkle and Wolff, 1957) maintain that a typical subject would require twelve weeks (nearly 90 days) from time of first incarceration

to final "confession". The distinction between truth and fiction cannot be demarcated. They said that skilful interrogators utilise the prisoner's need to talk and craving for human association by discussing with him apparently innocent details of his past life. This cements a bond of companionship between the two that can be one of the most effective tools of the interrogator.

On reading the record of the inquest where the interrogators were questioned on their method of interrogation, it is clear that these skills were effectively used by the interrogators on the detainees. The Chief Interrogation Officer for South Africa and South West



The Black Sash has been standing in Johannesburg every Monday from 7 a.m. to 6 p.m. in protest against the Terrorism Act and the re-detention of 22 people after they had been acquitted by a Court of Law. The Black Sash has been standing for 14 weeks since the 2nd March, and intends to maintain the protest until all these 22 people have been released. Jeanette Carlson, chairman of the Transvaal Region, and Delia Gardner, a vice-chairman, stand with posters at the protest.

Africa, said during an interview with the Star—1969, "In many ways our methods are the same as the Communists, psychologically speaking, but for a different reason". The detainee is left to suffer the effects of his isolation and then is questioned time and again (at Page 149 of the record). At the inquest the following question was put to the chief interrogating officer:

"What do you think he would have been brought up for on so many occasions?"

A. "For questioning".

Q. "To try and get him to talk?"

A. "Well, that's the reason why he was questioned . . ."

Q. "If a detainee, this man or any other, on being interrogated after he has been detained, says 'I am not under any circumstances prepared to give you any information whatsoever' do you leave him alone or do you take further steps?"

A. "Well, he's got to be asked again."

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "And again?"

A. "Yes".

Q. "I see. The idea being to wear him down I suppose?"

A. "I make no comment".

Q. "Well what is the idea, you give me your comment?"

A. "Well, he is there to give information, that's why he is detained".

Q. "But he's already told you two or three times he won't talk?"

A. "Then he'll eventually let go".

Q. "But the idea is to keep on questioning him to see whether he will change his mind?"

A. "Yes".

And at Page 152 of that record this was said:

"You see, we are concerned in these proceedings with finding out what motivated the deceased in committing suicide, if he did commit suicide, and that is why I'm asking you these questions".

At Page 154/5, the following is said:

"Well then supposing you had a case of a suspect who was detained because you, the Police, genuinely believed that he could give certain information, and if in fact your belief was wrong and this man could

not give information, would you keep on questioning him over and over again?"

A. "I would question him, yes".

Q. "You would, over and over again?"

A. "Yes".

Q. "That would be a dreadful thing to happen to a man wouldn't it, if in fact you were wrong?"

A. "Yes".

Q. "It would be. And all that that man would be able to see as far as his future is concerned would be an endless vista of imprisonment coupled with repeated questioning?"

A. "Yes".

Evidence of torture

It was submitted in that case that not only was there sensory deprivation but there was evidence that the detainees were tortured, that they were stripped, made to do unusual exercises, blindfolded, electrically shocked and otherwise assaulted. It was said that there were 20 such witnesses who could be brought to Court to testify to such tortures. One witness was called and his evidence was recorded. Objection was then taken as to whether such evidence was relevant in investigating the cause of death of the detainee. At Page 291 the learned presiding officer said:

"At the last hearing Counsel intimated that he intended calling a number of witnesses, 90-day detainees, to testify that they were, putting it mildly, ill-treated by the Police; he intends asking the Court to come to the conclusion, as an irresistible inference, from that evidence, that the deceased committed suicide as a result of such treatment . . .". He went on to say:

"The question of relevancy of this evidence arises. We are not sitting here as a tribunal, investigating the general circumstances of detention of 90-day detainees — that is common cause".

And concluded:

"In the circumstances the evidence it is intended to call is not considered relevant. Counsel's request cannot be granted".

It was said that the inquest was not a trial but an enquiry under a specific Act for a specific purpose. However, before the evidence was ruled irrelevant, not only did one detainee give evidence under oath about this torture, but Counsel advised the Court and read into the record a summary of the evidence that would have been given had the Court permitted the witnesses to be called. The wit-

nesses were ready and able to give such evidence and endure cross-examination.

That was the position in 1963. Has the position changed? On the 15th December 1969, a State witness was called to give evidence in the Supreme Court in Pretoria. She refused but said this to the Court under oath:

"I have been in solitary confinement for the past six months . . . I have slept on the floor . . . Although we should have half an hour's exercise every day, there were many times when we had no exercise at all . . ."

Q. "Could you tell his Lordship briefly under what circumstances you came to make the statement?"

A. "I was interrogated, I was forced to make certain admissions because I couldn't stand the strain of standing on my feet for hours and hours."

Q. "Can you estimate for His Lordship the approximate period that you were made to stand?"

A. "I lost track of time completely. It is difficult to say. My mind went completely blank at times . . . And as a result . . ."

Q. "Yes?"

A. "Also I was threatened with detention of my whole family".

Q. "Now, as a result of the prolonged period of standing, can you describe the particular events that took place and that affected you, to his Lordship?"

A. "My mind went completely blank and I went to sleep standing and I had a sort of dream in which I was actually speaking to the officers who were interrogating me, in my sleep, and afterwards when I had sort of regained my senses, I was interrogated on this dream I had which was complete nonsense. It had absolutely nothing to do with any . . ." (Court intervenes).

BY THE COURT:

"I am afraid I am not with you at the moment. You fell asleep standing and you had a dream?"

A. "My mind went blank, I had a sort of a dream."

Q. "You dreamt?"

A. "Yes, and in this dream I was speaking to the officer who was interrogating me".

Q. "Yes, and then?"

A. "And when I regained my senses I was interrogated on this dream".

Q. "Can you tell his Lordship if it is at all possible, by way of estimate or otherwise, how long this interrogation lasted?"

A. "The interrogation went on for five days without any sleep".

(Page 351 onwards of Record in State v. Ndou).

Abuse and tyranny

Where people simply vanish — where there is a virtual abrogation of the Rule of Law — inevitably, there is abuse and tyranny. In circumstances where the laws give such extraordinary powers to the police and the executive authorities and they can do almost anything, then indeed there is grave concern and good reason for alarm, when no less than 14 people have died while being detained without trial.

Seven of these, according to the findings of inquest Courts, were suicidal deaths. One detainee jumped from a 7th floor window of a room where he was being interrogated. Magistrates have on occasion expressed doubts on the cause of death. In some cases, the deaths are recorded as "due to natural causes" — these have included detainees who have died as a result of "falling in the shower", "falling down stairs", "slipping on a piece of soap". The records of all these deaths speak for themselves. Except in one case where the record merely reads:

"An unknown man died on an unknown date of cause unknown".

His death was disclosed without detail in Parliament.

Although solitary confinement is itself a punishment, again and again allegations have been made in Court that detainees have been tortured after their arrest and during their interrogation by the Security Police. Only a few cases are referred to here:

1. In the State v. Tuhadeleni, at Pages 599/600, such an allegation was made by Counsel but as it was not strictly relevant to the issues before the Court, no enquiry was made into the allegation.

2. A 68-year old grandfather, Gabriel Mbindi, was detained in May, 1967. In December 1967, it was alleged in Court proceedings by numerous of the detainees who had come from South West Africa, that they had been cruelly and brutally assaulted, suspended from a height and electrically shocked by members of the Security Police and they said that Gabriel had told them that he was assaulted in a

similar way. Two months after the proceedings were brought, Gabriel was released and filed an Affidavit concerning the allegations. Shortly before the case was to be heard in Court, the State paid R3,000.00 to avoid further costs of litigation but none of the allegations concerning assault were withdrawn and the State persisted in its denials of these allegations.

3. In 1966 Stephanie Kemp sued for alleged assault during interrogation. In an out-of-Court settlement, she was paid R1,000.00 by the State.

One cannot detail here all the information on the subject, but one must ask if procedural safeguards protecting liberty were wanted, why were they not written in the law? Perhaps one can only conclude with the principle of law that a man intends the natural and foreseeable consequences of his actions. Numerous requests to appoint a Commission of Enquiry into these alleged abuses of police power have been rejected although today Commissions of Enquiry have been appointed almost at the drop of a hat.

Unpeople

The lesson of the Pass Laws was that people become unpeople. Detainees are not looked upon as people, as human beings, but as threats to peace and security and it would seem that there is no great concern for their treatment. But what are these threats to peace? What do the facts disclose?

1. In April 1968, scores of people were arrested in Victoria West. The most serious allegations were made against them. After ten had been convicted by the Magistrate in November, an appeal was lodged. The Judge President in acquitting all these people, severely criticised the Magistrate for accepting State evidence which was anything but convincing and for wrongly rejecting defence evidence (Page 65 R.R. Survey 1969).

2. 24 other accused from the same place charged with sabotage, were acquitted in September 1969, as the State had insufficient evidence. The Judge in condemning a Security Police spy, X54, said: "It made a person shudder to think that someone like X54 could be placed in a position where he had an interest in the arrest of members of the public."

It did not compensate the accused for all the losses and suffering they had sustained for 17 months.

3. Tribesmen from Hebron near Pretoria were arrested and detained late in 1968. Of

the 11 arrested, two died (one slipped on soap and a doctor found the other to have "sjambok and other wounds of assault on him"). Three were released and six were charged under the Sabotage Act. The Judge in acquitting all of them commented on the poor material the State had to prove its case.

4. Also at the end of 1968, numerous tribesmen were arrested and when allegations of unlawful assaults were made implicating the police, the charges under them were withdrawn and they were detained under the Terrorism Act. In September 1969, ten were charged under the Terrorism Act but one died on the night before the trial (it was stated that his death was due to natural causes). Of the remaining nine, three were acquitted on all charges and six pleaded guilty to attempted murder, a simple common law crime for which they received an effective one year's imprisonment.

5. The most serious and important case brought under the Terrorism Act was the trial of the 37 South West Africans. They were arrested during 1966 and 1967. Ministers of the government disclosed that they were aware of certain violence planned (Rand Daily Mail 1/11/66) — they could well have been aware of this as a result of the very arrest and interrogation of these South West Africans. Nevertheless, on June 21st 1967, the Terrorism Act was promulgated. On June 22nd the Attorney-General announced that persons would be charged and five days later 37 South West Africans were charged. They were handed a foolscap typed book, 41 pages in length, listing offences going back as far as June, 1962. In view of the fact that they had already been arrested prior to the passing of the Act, one cannot understand why this Act was passed and needed to deal with the accused. Professor Larson pointed out:

"No one has attempted to deny the fact that this Act (the Terrorism Act) was specifically passed in order to prosecute these particular defendants — all of whose alleged offences were committed long before the bill was even introduced — the idea that an Act can be passed specifically in order to hang a man for his past conduct is so intensely repellant to elementary concepts of law, no amount of outside condemnation can add much to the self condemnation of the statute itself".

Could one have a stronger condemnation of a law? Can there have been any justification for such a law? Well, listen to the words of

the Judge who presided in that very case. In announcing sentence, he said, and I quote:

"But in my opinion, all the accused, except Nos. 21, 22 and 23, are guilty of *common law crimes* apart from any earlier legislation that has made such action punishable".

Previously, he had underlined the fact that he regarded their crimes as common law crimes and ignored the terrorism charge. He said:

"I will . . . take into account the Common Law offences which the accused have been proved to have committed in the assessment of the appropriate sentence, *although they were not so charged*".

An act of terror?

Concerning the extent of the threat of the actions of the accused, the Judge said they "were feeble and without the slightest hope of success". Therefore, when parliament considered and enacted the Terrorism Act in 1967, the Minister of Justice must have known he already had ample evidence to convict these defendants of Common Law Crimes under laws already in existence. If the Terrorism Act was not required in order to deal with precisely those defendants against whom the Act was passed and whom the Government most widely billed as Terrorists, why was the Act necessary and why was it passed?

May one not, with reason, ask: Is the Act itself not an act of terror?

The rights of White and Black people today are sacrificed to a secret police force enjoying ever widening immunity from judicial restraint and enquiry.

These powers are given to the police and executive authorities not as temporary powers to meet a temporary emergency. These acts are now part of the permanent law in South Africa. They can be enforced and acted upon at the discretion or the whim of the police or the executive authorities.

Mere suspicion

"Under a system which renders any citizen liable to interrogation on the mere suspicion of a police officer, abuse and tyranny are inevitable.

Where the jurisdiction of the Courts to enquire into the detention is completely ousted, the danger is extreme that a police officer will become a local tyrant, misusing his powers for political or personal ends, and that the way will be opened to blackmail and the evil of false informers".

(Johannesburg Bar Council, April 29th, 1963).

Detention without trial has been used time and again for persons convicted of common law crimes.

Today those political opponents on the right of the Government, who now fear that these arbitrary powers will be used against them, rightly express their fears. All of us have reason to fear the abrogation of the Rule of Law as this will result inevitably in totalitarianism.

My function here today is to assist you as far as I am able to in the search for truth. I do believe that one must work hard to ascertain the facts and to find the truth. If in this talk I have made you aware of some facts, I have achieved my objective. Furthermore, if I also provoke you into investigating further for yourselves, I have achieved more success than I could have hoped for and if you investigate for yourself, I submit to you that you, too, will be very disturbed by what you find.

Lawful action

You must determine what you can do. You can show others the truth and tell them what you have learned. You and all of you can and must take all lawful action of every kind to spread the truth and express your whole-hearted condemnation of the evil that exists in South Africa. By your word and your action you must encourage others to join in unity with you to bring about whatever changes you lawfully can.

Should you fail to act or even refuse to act, your inaction and your silence is tantamount to condonation and approval and you make yourself a party to the wrongs perpetrated.

If you disapprove of the wrongs committed, then you must act. To vote against the Government takes but 5 minutes. To obtain and publish the truth takes longer. To organise protests, to join others and encourage all lawful protests using all the lawful means left to us, involves you and commits you to a hard and long struggle.

It is a struggle with which you may become impatient and it will require your dedication, a struggle in which you may not see results and you will require faith. Above all, you need courage and determination to go on.

But to know that such evil exists and to do nothing is soul destroying. Change will not come about by people wishing for it, but if we persist, with courage, we shall overcome.

THE WORD OF GOD IS NOT BOUND...

JOHN DAVIES

John Davies is the Anglican chaplain at the University of the Witwatersrand. He preached this sermon in St. Mary's Cathedral, Johannesburg on 13th April 1970. at a service of prayer for justice and peace in South Africa, and for those people detained in prison without trial.

I AM HEAR TONIGHT as a servant of the Word of God. I am not exercising a political role, because in the ordinary sense of the world, I have not political rights here: and I do not want political rights if they are offered to me and not to so many other people in the country. Insofar as I am an inhabitant of this country, indeed of this world, I am bound. Insofar as I am a servant (as we are all called to be) of God's word, I am not bound: here in this fellowship we discover and assert a freedom which we may not be able to find in many other places. The Church, for instance, has and uses a freedom to enable the two of us speaking here today to meet and be in relationship with each other. Just at that level, the word of God, the word spoken between those who are friends in the faith and who share a common humanity, that word is not bound.

The word of God comes to us as an alarm, a revolution. All through history, and not only in our own time and place, men have thought of God as the supporter of their own power: they have thought that he stands for the particular system of society which happens to have power: they have thought that he stands for the particular section of society which finds it convenient to acknowledge him: they have made him a tribal god, which is bound to support the status quo. But this brings God into bondage to human groups: it limits his word to what happens to fit the power bearers: and against this it is a wonderful word of freedom to hear Isaiah 5, 16: The holy God shows himself holy in righteousness.

It is not by power or glory or remoteness or any such thing, it is not by the things that separate man from man, and establish privilege and unprivilege but it is by righteousness and justice that God's holiness is known. All through the scriptures, the same warning-note of freedom is sounded, that God's chief kind of holiness is the holiness of righteousness, of fairness, of a setting-right of the wrongs of society. And his justice is not the Old Bailey kind of justice, of blind impartiality, weighing up questions which *man* chooses to bring forward. God's justice is his own act, breaking in on behalf of the enslaved and the oppressed. And so it often happened that God's spokesmen were chased and condemned by the political bearers, like Elijah; hounded, distrusted, and incarcerated by the will of the people, like Jeremiah; rejected by religion as disturbers, subversive of the traditional way of life, like Amos. And all this reaction of

man, political man, religious man, and man in the mass, against the God of righteousness focuses in on Jesus, dying between two bandits, what we in these days might call terrorists.

The curse of God

Now this is all God's curse: it is there in the prophets and in Jesus, and in the apostles. But notice this. The curse of God is not a curse of retaliation or bad temper: it is directed at people's behaviour, not at people in their innermost selves. God's curse doesn't come to deepen our gloom, or to minister to our desire for revenge, or to encourage hatred of ourselves or others. The curse of God is a blow for human freedom: it is directed at all that prevents us seeing people as they really are — it is directed against the fog of day to day habitual injustice, against the distorting lenses of prejudice, against the frosted glass of racialism which enables you to see a man's colour but not his individual features.

These are the targets of God's curse: and so his curse is a blessing and a hope.

Love, joy and peace

If we are controlled by the demons which God curses, our highest *joy* will be only the cautious suspicious smile of the man who is satisfied that he is not as other men are: our best *peace* will be the uneasy security of the man whose heart is in his private treasure and his burglar bars: our profoundest *love* will be a kind of commercial award which our heart can give to the person who qualifies for it, and can be taken back if the qualification turns out to be mistaken.

These are the love and joy and the peace of the devil: these are the love and the joy and the peace which are valued around us: they are in fetters: their adherents are in fetters, but the word of God is not bound. The worship of God is not bound: and that is what we are here for.

To celebrate a freedom

It is easy to come and mourn and reject and protest against a system which deprives people of freedom and upsets the image of justice in this extraordinary way that we are recalling at this gathering: it is easy to come and pray for those 22 in their pain and loneliness and uncertainties. The difficult thing is to worship: to rejoice: to celebrate our freedom: to proclaim and to bless the character of the God of righteousness. Yet somehow this is what we must do.

We are not celebrating our freedom as opposed to their incarceration. We are celebrating a freedom which, deep down, is theirs and ours, we are celebrating it in such a way that somehow it will seep through those walls of bricks and mortar and infest those who are inside, so that they will somehow feel a freedom and a confidence which may be denied by their environment and by ours — but yet is the truest thing about them. How this works, I don't know: but somehow it can work: I know a man who was a Prisoner of War: he was very deep indeed in gloom and depression and was conscious only of his complete inability to do anything or be anything: then one day he realised that this was not the only truth about himself, that he had a tiny area of freedom, to be in some sense a servant of other people, and he became an agent of encouragement and a resource for a number of others in his place of imprisonment. Years later he discovered that, just at that time, a group of Christians hundreds of miles away, had started praying for him by name.

This may not be too far away from the situation of these 22: we do not know what is happening to them: we do not know what has led them, in the first place, to being where they are. We do know that the State's machinery took about six months to get them on trial, from the time that they were first detained, and even after all that time, the State's charges were eventually withdrawn and they were formally declared innocent: they are innocent of the charges which have so far been brought against them. Now they are being held under conditions which are far more

severe than those they would be experiencing if they had been found guilty and imprisoned.

We mourn for this: we mourn for their families who have been deprived of their fellowship and support: we mourn for these people themselves who do not even have the prisoner's usual privileges of knowing why they are there and the date of their release. We mourn the lack of peace in South Africa which causes people to feel that a Terrorism Act is necessary. We mourn the lack of justice, which is inevitably damaged when the basic principles of the rule of law are bypassed.

A religious judgement

If the court's massive care and learning, exercised in accordance with its customary traditions, results in a verdict of not guilty, and then the effect of this verdict is immediately overruled and the acquitted are immediately incarcerated again, and eight weeks pass with no charges being brought against them, this surely is bringing the Court into contempt? Now this is a religious judgement: the wisdom and skill represented by the conventional process of justice are among the best things which man has devised in obedience to God's commandment to man to have dominion over the earth and to exercise power within it. Jesus himself stood out quite specifically for the ordinary principles of justice, in his own trial. More than once, he recalled the law's agents to the ordinary procedures of law: and his word stands as a guideline: he was treated as guilty before he was found guilty: he was struck and hit, before his words had been assessed; and he answered: "If I spoke amiss, state it in evidence: if not, why do you strike me?" In his obedience to the law of God, Jesus questioned and protested against man's misuse of the law of man. This is part of the Gospel. Jesus stood for the righteousness and truth of God: he was prepared to be powerless and even lifeless, rather than connive at a position which gave first place to the might of the power bearers rather than to the justice of God. This was his freedom: and it is our freedom also.

We may not have much power: we may have more than we realise. We may not have much freedom: we may have more than we realise.

The promise to Christ's followers was not that they would have great power, status and security, but that they would have freedom—the word of God is not bound. As a pastor said in Nazi Germany: "I must not keep

"But I deny the right of a State which styles itself Western, democratic and Christian to protect freedom by abolishing it, to protect law and order by eradicating from its fabric the very basis and spirit of the rule of law, to protect those rights which we in the West regard as worth protecting and cherishing, by denying them to those who need them most."

*Dr. Barend van Niekerk,
Johannesburg, 26th May 1970.*

quiet — and you must not keep quiet. And if you can no longer speak, then you must sing, and if you are not allowed to sing you must be a witness by your silence." Our freedom is, in all sorts of ways, limited; we are in an antipermissive society — you can tell that because you have to have so many permits. We may feel that we are living only in the gaps of the prohibitions. Yet the prohibitor is the bound man: the gaoler is the tied man. Paul had the freedom in prison to think, pray, write, sing and love: the gaoler had the freedom only to be a gaoler. Too often we use our lack of freedom as an excuse for not acting, instead of taking what there is. Another man with deep experience of modern tyrannies both Nazi and Communist, who had years of experience as a prisoner, wrote "The saying of Jesus that we must give account of every word we utter might be rephrased that we must give account of every freedom, even every minimum of freedom of action, that has been given to us." This of course includes a freedom, not only to live within the loopholes of the prohibitions but to treat them as Jesus did, to see where they are merely human barriers and where they are truly laws in God's sense.

Easter worship

Remember Jesus Christ risen from the dead; the word of God is not bound. We meet in Eastertide: this service is Easter worship, for it is Christian worship: if it is not Easter worship it isn't worship at all and it isn't Christian. We remember how freedom met all the forces of tyranny in religion and state and people, head on; it suffered and died and then proved its validity by rising from death and deadness. His kind of freedom does not put up another barrier, dividing man into free and unfree: his kind of righteousness does not divide men into righteousness and unrighteousness. He comes for both: he suffers for

both, he dies for both, he lives for both. His kind of freedom, therefore, his kind of justice, his kind of peace may well make us feel that our freedom, our justice, our peace are feeble and helplessly inadequate. Here we are offered freedom for the unfree, justice for the unjust, peace for the enemies of peace: and this includes all of us: but this is what we are seeking, what we believe for ourselves and our country: and for those 22.

A wonder and a joy

It is our duty to insist that this is so: it is our duty to protest that this is so, in the face of so much that is deceptive peace, partial justice, and curtailed freedom: it is our right to live according to God's righteousness and according to the kind of brotherhood that God in Christ has made for us. But it is more than just a duty and a right: it should somehow be a wonder and a joy to know that we can obey God rather than men, knowing that we live by the word of God which is not bound. We go up and down the streets of Johannesburg these days, and see grim and yet grimmer portraits of severely-dedicated-looking men who are trying to extract votes from the few who have votes to bother about. Dedication and commitment are fine. But there is something more that should be in us, not only for our own sake but for the sake of those 22 and of all others for whom we care. I don't know how to describe it: but maybe there was that extra something in the eyes of the man who could say, as he descended into the storm centre of history, where all law and all freedom, all peace and all justice, seemed to be abandoned — there was the extra light in the eyes of him who could say at such a time "Courage — the victory is mine. I have overcome the world."

APOLOGY

On Page 21 of the February issue of the Sash there is an error. "Schools in Soweto are instructed not to accept any money for the building of classrooms from philanthropic individuals and institutions."

This was a misunderstanding and the directive in question merely requested that such offers were channelled through the authorities so that they might be put to the most efficient use, and by the schools most in need.

We apologise for this misinformation.

Last year three men died in a police van while being transported from prison to Court for trial. On 3rd April, 1969 the Minister of Police announced that he would appoint an inter-departmental committee of inquiry to investigate all the circumstances related to, and giving rise to the incident.

On the 13th February, 1970 Mr. M. L. Mitchell asked the Minister in Parliament whether he would lay the report of the committee on the Table of the House. The Minister replied: "No, because it contains information which it is not in the public interest to disclose. It is, however, my intention to make a statement to the House during the second reading debate of the Part Appropriation Bill."

The Black Sash wrote the following letter to the Minister of Police on the 18th February, 1970.

Sir,

As citizens of South Africa we feel compelled to express our strong condemnation of your refusal to make public the findings of the Committee of Inquiry into the police van deaths.

We can only assume that this refusal was motivated by a desire to shield the authorities responsible and that this could only be considered necessary because the findings of the committee are so horrifying that the public would be outraged.

We fail to understand how the public interest could in any way be ill-served by the publication of the findings. Only those responsible might be ill-served, but as they are the servants of the public, paid for by public money, it is the right of the public to be kept informed of their activities.

Three men died while in the care of the Police. Transgressions by the South African Police are the concern of South African citizens. To deny them the information is to treat them with contempt, which ill becomes a Minister who is an elected representative.

We object to the manner in which Ministers shelter behind the so-called interests of State or Public when refusing to reply to legitimate questions put in Parliament. We ask that the findings of the Committee be published in order to set the minds of the public at rest.

We wondered what would happen, while they
were building the new National Road,
To the people who lived in the houses running
along the top
Of the old, original road
Which was being closed up. For how could
those people
Go about their daily lives, and their work, and
their shopping
And their going to Church
If the road was all closed up?

We forgot for the moment we lived in this
country,
For this country produced, as always, its unique
answer
To this worrying matter.
It pushed away the Coloured people who had
lived in those houses over the long, long years,
And pulled their houses all down.
Smart, hey?

Barbara Wilks.

From the Cape Western Report

Municipal Voters Roll:

The Cape Western Region was shocked at the Prime Minister's announcement in the House of Assembly to the effect that legislation would be proposed in the Provincial Council to alter voting qualifications in Municipal elections. These proposed changes would disenfranchise all Coloured persons and all ratepayers who are not on the Parliamentary electoral roll — i.e. all foreigners, many of whom are permanent residents. Members of the Regional Council attended the Cape Town City Council's discussion on this question and also the debate of the Congress of Cape Province Municipal Associations. The Black Sash was instrumental in obtaining signatures to a petition to the Mayor of Cape Town asking him to call a ratepayers' meeting to discuss these proposals. The petition was presented to the Mayor by Mrs. Joyce Newton-Thompson, Dr. J. P. Duminy and Dr. F. C. Robb, and it is hoped that a meeting will be called now that the election is over.

The Athlone Advice Office has dealt with 383 cases in the last six months involving 871 interviews. We have a steady stream of African women who wish to live with their qualified husbands but for some technical reason are refused permission to do so.

To Play or Not To Play

ELIZABETH CONN

Mrs. Conn was a South African until a few years ago. She now lives in Scotland. In this article she discusses the effects the Stop the Tour campaign has had on ordinary people in Britain who have not been involved actively in the protests but who now have been forced to consider the issues involved.

THAT WAS THE QUESTION facing every Rugby player in any British team scheduled to play against the Springboks during their recent tour here. And that is the question which now faces the MCC players placed in a similar position. Is it more noble to waive aside what many would term "Political propaganda", and show hospitality to teams from all nations, regardless of their country's politics, or to stand up and be counted, and refuse to play any one team for any specific reason? One cannot blame the majority of British players for choosing the former course; many would argue that by refusing to play the Springboks, you are making matters worse for South Africans as a whole, and driving the South African Government to become even more resolute in its grim determination to carry out its policies.

Profound influence

Be that as it may, the Springboks' tour had one profound influence on the British people; — it set us all thinking and discussing, and for that reason alone, we are grateful. For no matter what our opinions or beliefs on the subject of Race may have been, we have heard the other man's point of view; we have questioned our own attitudes, and indeed, we have realised that here in Britain we are by no means blameless in this sphere. We have a problem too, and discrimination in Clubs and at work is no more acceptable than discrimination in sport. The Springboks' tour has given us a chance to get matters straight, to throw light on misconceptions, and to start a snowball of education throughout the country. It may have come just in time; — we hope that it has not come too late, for as Lord MacLeod pointed out in a recent speech, our only hope for the future is in mass education. Unless we develop in our own children, a healthy attitude towards Race and Colour, our great grandchildren may ask pitifully, "Mummy, WHY was I born white?"

In a country such as this, where you seldom come in contact with a black face, unless

you live in a City, how do you start to develop in children, the correct attitude towards Colour? In the past, education as regards Race has been completely overlooked, and comments, such as those which follow, were all too common amongst the "educated" sector of the British public. "If 'the blacks' were allowed to compete in South African sport, none of them would be in a Rugby team anyway; I'm told that they have not the potential". *If White children were denied first-class coaching in all sports and had always to play on inferior pitches and courts etc. would they show much potential?*

"I have a friend who married a South African and went to live out there; she was all against 'this apartheid business', until they experienced pilfering on two occasions, by their own servants. Now she feels that the South African Government 'has got something'." *But Whites steal too.*

"I am told that 'the blacks' have smaller brains than ourselves, and that they are more-or-less ineducable."

A Don at Oxford was asked recently to name the three greatest classical scholars; "three Africans", was his reply.

Sportsmen argue that we play the Russian teams, but we deplore their country's invasion of Czechoslovakia. We play the Greeks, but we do not hold with the policies of their Government. We have always played all-white South African teams in the past, so why don't we continue to play them, and say no more about it?

A grave situation

The answer is straightforward; we have played all-white teams from South Africa unquestioningly in the past, because we didn't know any better. In a remote way, we knew of the policies of the Nationalist Government in South Africa, but we never considered the implications. Only recently has the gravity of the political situation in South Africa been brought to the attention of the whole world, and therefore we have no excuse to continue

to play South African teams unquestioningly. Here we have a unique situation in sport; a Rugby team sent from South Africa, but only representing less than one-fifth of the population of that country. By his policy of discrimination against the majority of South African citizens, and by refusing to let them compete freely with the white minority in sport, it is Mr. Vorster and his Government who have introduced politics into sport. We often hear that the South African Government objects to interference with her internal affairs, and yet this same Government imposes restrictions on visiting International teams, because of the colour of their players. The Springbok team which was sent to Britain, was an all-white, non-representative team, and that is why there were demonstrations; that is also why we question whether we should compete with any South African team in the future, and even carry the matter into the field of Business.

Freedom of expression

These are the thoughts with which the Springboks have left us. We now understand the plight of South Africa, and we now value all the more, the freedom of thought, of expression and of speech in this country. Our demonstrations may have little or no effect on either the Government of South Africa, or on its people, but can we honestly have dealings with a Government whose policies are so short-sighted and so narrow that they hold little hope for the future?

In conclusion, let us clarify one point; the demonstrators were not dominated by long-haired youths, glad to have something to shout

about. It is true to say that most demonstrations have a fringe element out to make trouble, regardless of the cause. But the demonstrators in Britain who had the greatest influence on the public, and who gained the most support, were the sincere, quiet people, who interfered neither with play nor with individuals, but who provided information, and appealed to each and every conscience. In this way, they sincerely believed that they could offer some support to the few remaining white people in South Africa who have the courage of their convictions, and who, despite their lack of freedom, refuse to be driven with the crowd by fear, into the Nationalist laager.



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HEALTH, WEALTH AND THE PURSUIT OF HAPPINESS?

DI DAVIS

Mrs. Davis is a prominent member of the Black Sash in Port Elizabeth.

THE PROTECTION OF A NATION'S HEALTH is, in the long run, cheaper, more effective and more humane (if less spectacular) than the provision of hospital services and costly forms of treatment for all those whose health we have failed to preserve. Probably not one of us is so lacking in common humanity that he would begrudge a starving child the proverbial crust of bread, but far too many of us fail to understand that a diet of bread or more usually — mieliepap, while it may stay the pangs of hunger, exposes both children and adults to direct attack by a sinister array of what are now known as deficiency diseases.

Malnutrition is not just being hungry (a natural state that many of the affluent might benefit from experiencing occasionally): it is a long standing deprivation of those food-stuffs essential for the maintenance and well-being of both mind and body. In an extreme form it causes the dreaded kwashiorkor and paves the way for pellegra, tuberculosis, anaemia, cirrhosis and cancer of the liver, and even some forms of mental diseases. It predisposes people to chronic ailments which may only manifest themselves in later years. It makes children unable to learn and adults unable to work efficiently. It undermines the spirit and morale of those who suffer from it.

The advanced countries of the Western world are successfully eliminating these avoidable evils. But here, in South Africa, despite our natural resources and technical know-how, many of these are on the increase. Take for example T.B. — in 1968 there were 70,000 reported cases — 59,000 of them Africans. A worse situation than existed ten years ago. 70,000 is the population of a big town. This is alarming.

There is no doubt that much is being done in this country to treat disease and to alleviate suffering once it has reached the stage of an incapacitating pathological condition. But isn't this putting the cart before the horse in a very reckless fashion? Why are we so unrealistic? The fact is that ideological considerations have blinded the Government to its responsibilities in the matter of preserving the physical and mental health of the non-Whites. Group areas, job reservation, re-settlement schemes (as at Morsgat) and all the other implementations of apartheid, however rational some of them may appear on paper, are actively promoting the spread of deficiency diseases, putting an unnecessary strain on our medical services and accelerating the vicious

cycle of poverty, ignorance, hunger, inefficiency and apathy which must ultimately undermine the whole structure of our society. One must give a thought to mental health which depends in large part on the stability of family life. Though family life may be said to be breaking down in many sectors of the white community, nothing is so dangerous as the deliberate disruption of the African family life which we see all about us in South Africa today.

When despairing mission doctors protest against the social conditions that fill their hospital beds with dying children, their statements are discredited and their motives impugned by well-fed Government spokesmen, who claim that malnutrition is merely a matter of wilful ignorance. Simple people are ignorant but even a dog given the choice be-



tween a bowl of porridge and a piece of meat has the good sense to help himself to the more nutritious food. Similarly if the protective foods are within their means people will eat them. It is callous to advise an ill and undernourished person to eat "more fruit, eggs and diary products" when he has no money with which to buy them.

A conscientious housewife sees to it that her family, her servants and her pet animals receive enough meat, milk and vitamins to keep them all healthy. It is not her duty, however, nor is it in her power to care for the whole nation. An enlightened Government, however, is a householder on a national scale. It recognises a duty and it has the power to ensure that every member of the community is adequately fed and protected from disease.

Puerto Rico experiment

We could learn from the Puerto Rico experiment — where a round table consultation of all Ministerial Departments resulted in priority given to first needs first — how to deal with poverty and bad health amongst the people. The situation here is above party politics and it might be suggested that in South Africa all departments should get together — Education, Bantu Affairs, Coloured Affairs, Economics and Labour, Health, So-

"Nobody knows what is happening to them or what will happen to them. Nobody even knows whether they are still alive.

Hermann Koch.

Johannesburg, 26th May 1970.

cial Welfare and Pensions, Land and Agriculture — in fact the lot. To try and promote intensive educational programmes for all — children and adults. But an undernourished person is apathetic as we have said before and therefore school feeding schemes should be reintroduced — minimum wage scales laid down, pensions raised, job reservation abolished to allow all people to be free to claim their birthright—a fair chance to grow strong and well in body and in mind — to be able to enjoy their leisure and their work, knowing that their labour was providing not only the daily bread but the good balanced diet all sections of the population need and deserve.

Below the P.D.L.

Statistics do not attract the reader's attention, but the fact that 80% of our total popu-

lation lives below the poverty datum lines is a shock. This means that millions of families of man, wife and three children do not even earn enough to buy the bare essentials of food during the month.

This problem of T.B. and malnutrition and all the other deficiency diseases, demands the immediate and urgent attention of the best brains of the country at all levels as indicated. As well as a real desire to improve matters, we should declare war on malnutrition and its causes; we all know and are amazed at what can be done during a war when emergencies are given top consideration — this time the money spent would be countless millions saved in the long run. This is something we simply cannot afford to be mean and short sighted about.



On 11th April, 1970 Mr. Eli Weinberg and Mr. Ivan Schermbrucker were released from jail after serving five year prison sentences on charges under the Suppression of Communism Act. They were immediately served with house arrest and banning orders which confine them to their homes from early evening to morning and during weekends, and prohibit them from attending any gatherings — defined as any gathering, social or otherwise of more than two people.

The Group Areas Tragedy

ROB ROBERTSON

Mr. Robertson is the Minister in charge of the Stirling and North End Presbyterian Churches in East London and is a concerned and tireless worker in the field of race relations in that city.

THE CITY OF EAST LONDON has been conscience-stricken over the zoning of beaches carried out under instructions from the Provincial Administration. For those classified as non-White it was a bitter Christmas shock. But for those classified as White it was worse — it was a moral disgrace. A score of letters to the Press together with the amazing response to the beach transport appeal indicated how deeply this was felt.

Little do we realise that something far more disgraceful is taking place without any protest from the White community. It is not as obvious as the exclusion of people from beaches, but while a man and his family can survive without beaches they cannot survive without a livelihood; and precisely this loss is threatening many Indian and Chinese families today.

Dreadful Christmas present

On December 15, 1967, the greater part of East London was declared a White group area, while existing Coloured townships were declared Coloured areas. For other "race groups" it was a Christmas present far more dreadful than the beach zoning proclamation.

Under this declaration, 347 Coloured families, 247 Indian families and nine Chinese families have to move. This means about 3,000 people. In contrast not a single White family has to move.

This is typical of the way the Group Areas Act, has, out of all proportion, struck hardest at the non-White communities. Group Areas proclamations in the Cape Peninsula up to August, 1968, made it necessary for 22,000 Coloured families, 900 Indian and 21 Chinese families to move. In contrast only 50 White families were affected.

It is those sections of the population which are economically weakest that are forced to start again, usually at greater distances from their places of employment, and their numbers are astronomical compared with the privileged Whites affected. Can such a system lay any claim to justice?

In East London, the city with a tender conscience, this is being done on an even more

discriminatory basis. Another Group Areas proclamation followed on August 8, 1969, making a further portion of the North End exclusively White. The Department of Community Development has not yet made a survey of the numbers affected, but it is estimated that a further 500 non-White families are involved. Again, not a single White family is disqualified.

The Department of Community Development is, of course, also re-developing the North End and has expropriated White properties as well as those of Coloureds and Indians. But this is not the same thing as Group Areas.

These expropriations and the subsequent high rentals, uncontrolled by the Rent Board, have impelled many to move. But when a White family moves out of a Community Development house in the North End another White family can move in. In the case of a non-White moving out his place can only be taken by a White, because of the Group Areas proclamation. Thus the housing problem is made all the more acute for non-Whites while it is eased for Whites.

Squeezing them out?

The position is made desperate for Chinese and Indians because no Group Area has yet been proclaimed for them, yet their properties are being expropriated. Where do they go? They have no appeal against the level of rental they must pay. Is this an attempt to squeeze them out of the Cape Province?

In the 28 months ending December, 1969, the number of Asiatic families on the waiting list for municipal housing rose from 67 to 90, an increase of 34 per cent in just over two years. At the beginning of this year there were more than 500 Coloured families on the waiting list. The corresponding figure for Whites is 268. This may sound a comparable figure, but it represents only two per cent of the White community while the figures for Coloureds and Asiatics represent a least 20 per cent of each of these communities. One out of every five families is "living-in" with some

other family, and this has been the situation for many years. It is the fruit of the Group Areas Act.

Effect on business

How will Group Areas affect non-White businesses? This is where even more harm is done to the Chinese and Indian communities. If one's residence is removed far away one can always travel to work. But if one's business is removed far away few patrons are likely to follow it.

The Group Areas Board has proposed a small mixed-trading area in the North End, much of which is already occupied by Wilson-Rowntree. Of the 45 Chinese businesses in the city only seven are in this area and therefore not disqualified by the two above-mentioned Group Areas proclamations. Of the 55 Indian-owned businesses only five are in this mixed trading area.

Thus 88 of the 100 Indian and Chinese businesses in East London will have to move or close down.

But, since this mixed trading area has not yet been proclaimed, only the boldest businessman who finds himself disqualified will venture to move there at this stage. The uncertainty of whether they will have to move has hung over these owners since the Group Areas Act was passed in 1950. Now they know that they must move, but the uncertainty of where to go has already lasted another two years. Who would like to do business under those circumstances?

Heirs may not inherit

These disqualified Indian and Chinese are not forced to sell their businesses, but there apparently comes a time when they are no longer able to occupy the premises and they have to let the property to a White person. When an Indian or Chinese owner dies his heirs may not inherit the property.

If the owner has not sold within five years of the date of the proclamation that disqualifies him, then he is compelled to become a partner with the Community Development

Board which thereafter receives a proportion of whatever price the business may fetch above a basic value established at the time of the Group Areas proclamation.

The Community Development Board also guarantees a depreciation contribution if the property is sold for less than the basic value, but with constantly appreciating values there is not much comfort in this provision.

Ruin

It is obvious that the 88 businesses that must move cannot all survive in the small mixed trading area — if it is so proclaimed. Families must face the end of a business that has been theirs perhaps for generations and must learn new occupations. It looks like ruin for many of them and a great set-back to their communities.

Whites will no doubt move in to take over these business opportunities in the suburbs of East London. Patrons will find, however, that they do not get the same service that Asiatics have given nor the same genial credit facilities.

The reaction to beach zoning indicated that many Whites in East London want to help those who are harassed by racial legislation. What can they do for the Indian and Chinese trader?

Our answer is to continue their patronage even if it means travelling across the city to do so.

We need to look deeper and to realise that the system of treating people according to race, and not according to their common humanity and their natural abilities, is the root cause of this injustice and hardship. The injustice and hardship will not end, and it will be on our conscience, until the system of racial discrimination is abandoned.

*Reprinted from the
Daily Dispatch, East London.*

Copies of a booklet on "Preliminary information for those affected by Group Areas proclamations" can be obtained from the Rev. Robertson at 10 Park Avenue, East London.

"How safe is a State in which law abiding people, judged and pronounced to be law-abiding by a competent court, can be spirited away and not only denied any access to friends and relatives but also denied any redress or hope of it?"

Hermann Koch, Johannesburg, 26th May 1970.

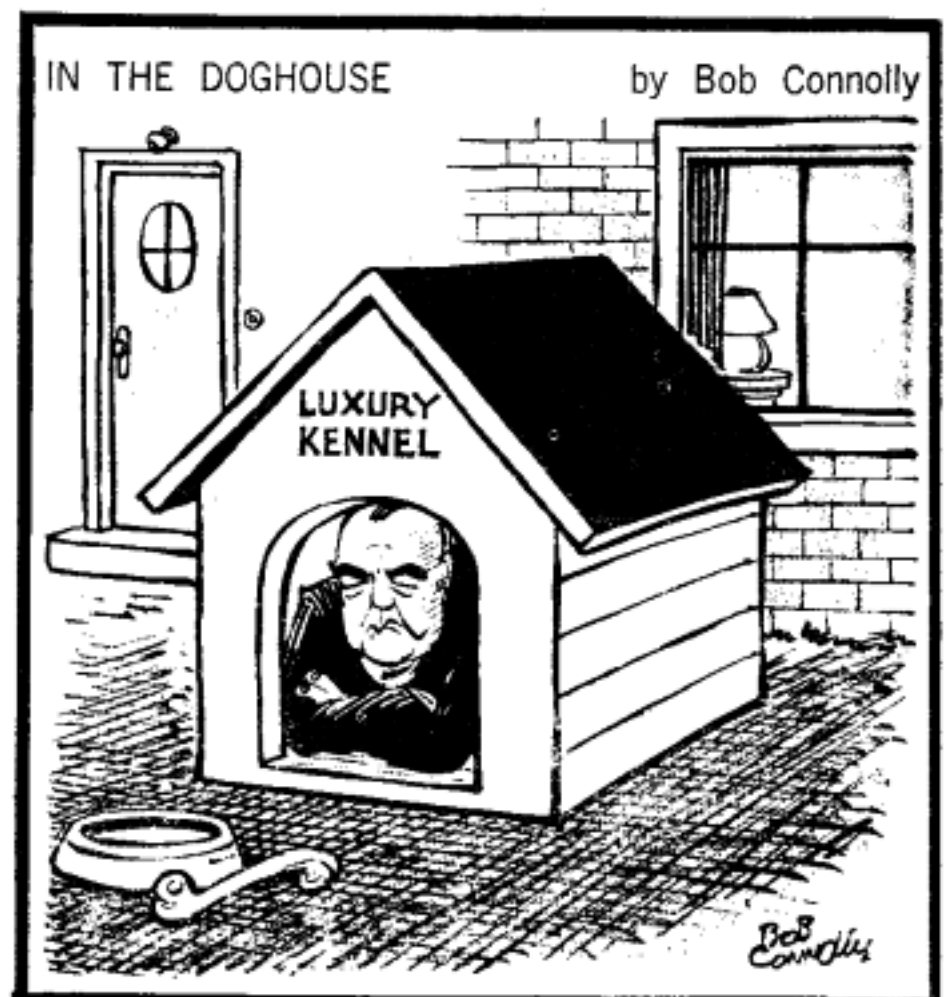
Apartheid Alphabet

- A** is for Apartheid, a dream of despair,
pretending that most of our folk are not
there.
- B** is for Bantustans crowded and bare
"Homelands" to those who have never
been there.
- C** is for Current Affairs and its views
as slanted and filtered as SAB News.
- D** is for Democracy in whose noble name
the rights of our people are lost, to our
shame.
- E** for Education, schools closed at nights.
Costly for Blacks but free for the Whites.
- F** is for Family the group based on love
destroyed for Black millions by laws from
"above".
- G** for Group Areas, drab townships on sand
uprooting a million throughout the land.
- H** is the Horror, outrage and frustration
when whole lives are changed by race
classification.
- I** is the irony of White Immigration
while refusing opportunity to our own
population.
- J** is for jobs, "reserved", and the will
to prevent eager workers from learning a
skill.
- K** is for Kleurling, who voted for Labour
but found that Tom Swartz was really in
favour.
- L** is for Labour, the migratory system
as units or people, how shall we list 'em?
- M** for the Mines where all colours unite
work for the Black, and gold for the
White.
- N** for Non-Whites whose skin colours imply
exclusion from most things but pie in the
sky.
- O** for Old Age hedged with love and with
care
but on pensions for Africans the cupboard
is bare.
- P** is for Pass Laws "abolished" by law
but the people arrested increase all the
more.
- Q** is the sign that the Blacks know so well
for permits, for buses; when they buy or
they sell.

- R** is for Race, of our laws it's the basis
condemning the bulk for the hue of their
faces.
- S** is for Senate so disgracefully packed
Till the rights of the people were lost in
the Act.
- T** for Trade Unions, restricted to Whites
leaving the Africans no protection of
rights.
- U** for Universities, fed with mock tribal fare,
lose standards and knowledge when there's
none to compare.
- V** for the Vagrants, created by law
to live anywhere they've no right any-
more.
- W** is for Wages, too low for survival
Regulations ensure that the Black shall
not rival.
- X** is the sign that voters can use
to alter all this. So what will you choose?
- Y** is for you.
What will you do?
- Z** is the Zeal with which we campaign
against all Apartheid again and again.

Mary Birt.

Reprinted from the Cape Argus.



Separate to Recreate

A study of Recreational facilities available to Coloured People in Cape Town

*This paper was prepared by the Claremont Branch of the Cape Western Region
of the Black Sash.*

When the idea for this Fact Paper originated in Claremont Branch, a complete survey of the Cape Peninsula was intended, taking in the African as well as the Coloured citizens of Cape Town. But, depending as we do, on time given by already busy people, we have found it impossible to cover all the ground, even though restricting ourselves to the Coloured People.

However, from the information we have obtained and investigated, a pretty representative picture has emerged of how much Cape Town's Coloured citizens did in organising their own recreations before apartheid; and how far the Government policy of separation has affected their organisation.

We have grouped these facilities under various headings and investigated the clubs and societies which are representative of a particular field.

Music

Here we have the Eoan Group under the direction of Mr. Sydow, probably the largest and best known of non-White cultural organisations. The Group is deservedly famed for the high standard of its opera and ballet and has undertaken two tours of South Africa, staging productions in other large centres.

The Eoan Group was started in 1933 by Mrs. Helen Southern-Holt, as a cultural expansion of the physical and mental well-being of the Coloured people.

The first classes, held in a small room in District Six, were given to teachers, who had lessons in speech training and remedial exercises. This small beginning has by now developed into a great undertaking, with its own constitution, buildings and a permanent membership of between 1,700 and 2,000. It is thought that over 50,000 children have benefited over the years.

Today there are 10 branches, and from the first activities of dancing, speech training, public speaking, and play reading, they proceeded to include ballet, and quite a number have entered the Royal Academy of Dancing examination. Today there are two permanently paid teachers employed from the Cape Town University Ballet.

Other activities run by the Group include a Nursery Play Centre, and a Boy's Club where boys have won prizes in physical culture displays.

Under Dr. Manca, who became musical

director in 1943, the Group has expanded tremendously and it is now well known for its regular presentation of Italian Opera, produced in conjunction with Cape Town Municipal Orchestra. The list of works done in the ballet, drama and musical sections makes impressive reading.

In 1963 serious fund-raising was commenced. With the help of generous donors and a grant of R70,000 from the Coloured Affairs Department, a new cultural centre will soon become a reality.

Bursaries

The Group offers bursaries for study at the University of Cape Town or overseas. One of the students, Gordon Jephthas is being groomed to take over from Dr. Manca.

Administration is entirely in the hands of Coloured people. At present an annual grant of R2,000 is received from the Cape Town Municipality.

The Eoan Group is not as popular with the majority of Coloured people as formerly; for there is a strong feeling that it should refuse to play to segregated audiences. Its co-operation with Government policy has of course improved its financial position, but has resulted in the withdrawal of support by certain sections who believe that the Group is being used as a shop window for apartheid policy. **The Spes Bona Orchestral & Choral Society**

More generally known as the Spes Bona Cultural Society has been in existence since 1915.

In most cases societies like Spes Bona were started through the combining interests of White and non-White people. Today the Spes Bona Cultural Society, under the direction of Mr. Dan Ulster, is run entirely by a Coloured committee and financed by the proceeds from their productions.

At one time the orchestra had several white instrumentalists and their contribution was regarded as most valuable, not only from the orchestral point of view but also because of their experience in organizational and other spheres which their white background provided. Under the present legislation, this is no longer permitted and the scope of the orchestra has been greatly curtailed as a result of losing players of the less usual instruments. Such instrumentalists are not available among the older Coloured people, and the young people find no inducement to study the purely orchestral instruments.

Although in the past, the Group has presented a number of fullscale musical and operatic performances, they have not been working on any major productions recently, chiefly owing to the difficulty of obtaining a suitable venue.

In the past, they were able to use the centrally situated and well equipped Claremont Civic Centre, but now have access only to Wynberg and Woodstock town halls, under permit, and the civic centres of the outlying Coloured townships. Apart from transportation costs and difficulties for both performers and audience, these civic centres are not equipped for performances on any scale, having inadequate dressing rooms and no stage lighting facilities at all.

Choirs

The Coloured people of Cape Town have always been noted for their love of singing, particularly in its choirs. Many of us are familiar with the choirs which used to come round the suburbs on Christmas Eve — often in the small hours of Christmas morning! They have become fewer and fewer, partly due to the sophistication of our age, but much more due to the scattering of communities by Group Areas Removals and the distances to be travelled under often unsafe conditions — late at night.

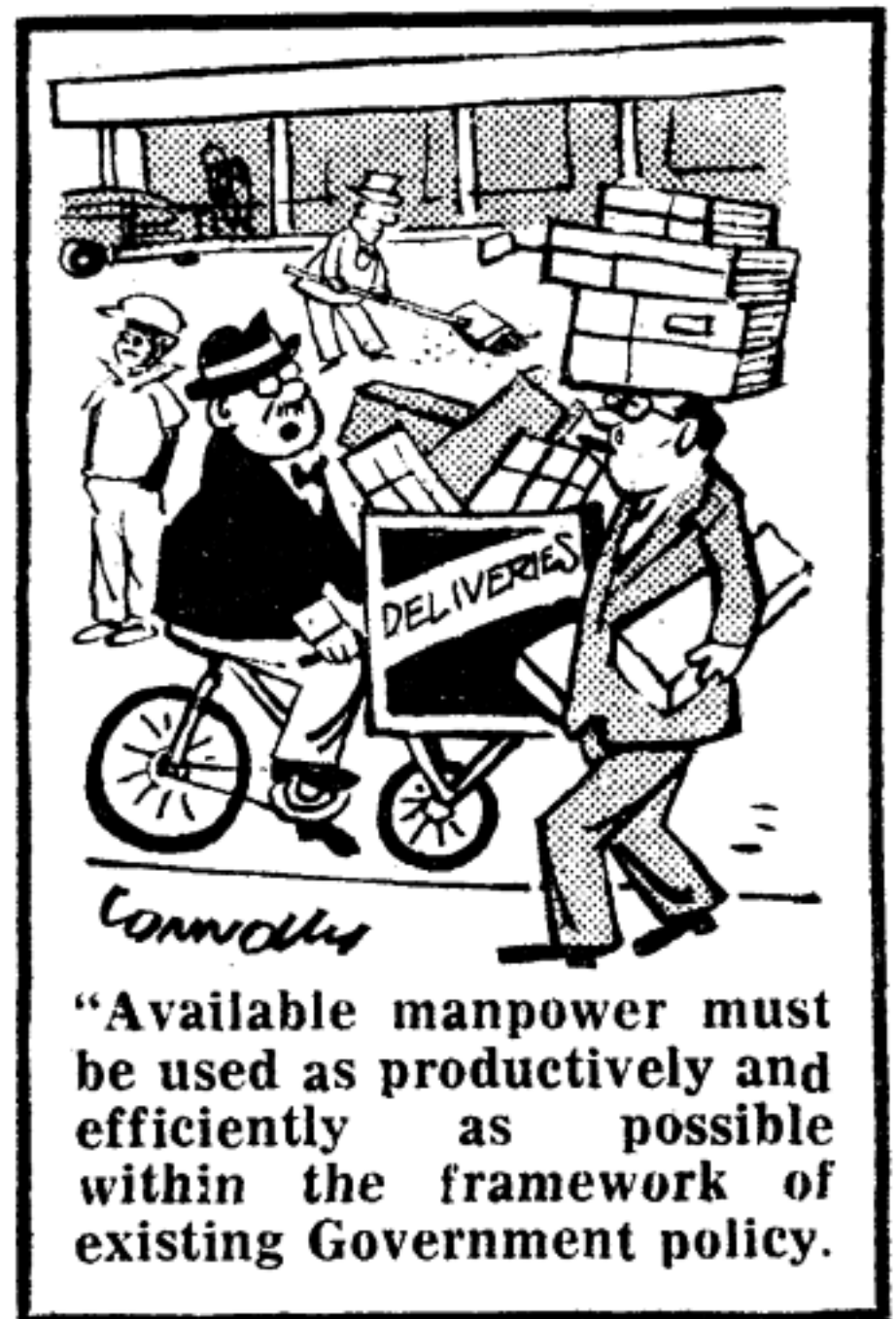
There are, however, many Church choirs of mixed voices which practise very regularly, besides male voice choirs. One of the best known of the latter is the Peninsula Choristers under the direction of Mr. Ron Thebus of Wynberg. They are a joy to listen to.

The Cape Choral Federated Union

This comprises four separate choral unions under the presidency of Mr. J. J. Stuurman. The fifth union has had to disband because its choirs and personnel have become so scattered through Group Areas Removals. All choirs in the Federation consist of men and women and may not have less than 45 members. They sing 4 part music of the great composers — for instance, Haydn's Creation and have a competition every two years. This used to be held sometimes in Paarl or Stellenbosch, but the halls available there are no longer big enough to accommodate all the choirs and audience — so for the last 10 years the competition has been held in the City Hall, Cape Town. The first one was in June 1969, and there was no restriction on Europeans attending in the audience.

It is interesting to note that Mr. Stuurman was emphatic that the choral unions had nothing whatever to do with the Christmas choirs and the Coons — a spontaneous and colourful feature of New Year in Cape Town. Capetonians are saddened by their commercialisation.

Group Areas removals have dispersed many



of the bands. Besides this the educated Coloured people of today tend to look down on their performance as being undignified while the word "Coon" has come to have an almost derogatory meaning.

Drama

This sphere seems to be limited to schools, with the exception of the Nova Players in Wynberg. This dramatic group was started by Mr. Ivan Fredericks as a fund raising organisation for local charities. The Nova Players usually produce one three-act play and a programme of sketches or one-act plays per year. This year they are putting on "Letter from a General" at the Woodstock Town Hall. At present the Society numbers about 50 members, who pay a subscription of 50c. Rehearsals are held in a church hall, but they are finding themselves handicapped by the lack of suitable venues for their productions — as is the Spes Bona Society.

At the Athlone High School, Miss Rose Erlich, helps with the teaching of speech and drama, and Mr. Roussouw, of Livingstone High School, encourages his pupils in dramatic art, and has had several successful productions.

Community Centres and welfare organisations, such as Shawco, also run small drama groups.

There is a Gilbert and Sullivan Society in Athlone.

The Art Communication Centre

A group to co-ordinate the arts was started entirely by Coloured people in Athlone, in early 1967. The original membership of 10 has increased to 60. It is for adults, the object being to promote communication between the various art forms, the critics and the public.

The Society is accommodated at present in a building owned by them, which is very inadequate. They have plans for renovations, for which funds are being collected.

One drama class is held per week, in the evening, graphic art on Sunday mornings. The group is quite independent of local authorities.

The Arts Club

Is a small informal group under the chairmanship of Mr. Samson, who meet regularly to hear talks and hold discussions on art forms.

The Children's Art Centre

Situated at 17 Victoria Walk, Woodstock, is the Coloured people's counterpart of the Frank Joubert Art Centre in Rondebosch. It

was started in 1945 in a Chapel Street hall, by Miss Strydom and Mr. Veldsman in an attempt to keep children off the street, as there had been talk of reformatories needed for the Woodstock area. Mr. McKie was the first principal. They were helped by Rotary, who gave them £100. On the day they opened they enrolled 300 children. Until 1964 the Children's Art Centre was registered under the Cape Department of Education. Since then it has been under Coloured Affairs. Today, with Mr. Hopley as Principal, they have 818 pupils. These are drawn from schools in the area who send regular classes in the morning. There are also extramural classes in the afternoons and classes for adults in the evenings.

A small charge is made to those who can afford it. A wide range of artistic work is on display. Some examples were on exhibition at the Trade Fair in Bulawayo, at the request of the Department of Information. There are also items on display in Mexico and the Centre has this year been invited to send work to the first International Biennial for Child Art in Buenos Aires.

Pupils from this centre have done well on several occasions, notably the SANTAM competition when they shared the Group prize with the Frank Joubert Art Centre. Besides winning ten prizes out of 13,000 entries, one of which was judged outstanding, they also took first prize in the Kirstenbosch poster competition. One past pupil is overseas doing fabric design and two are at Michaelis, one in his 4th year, who hopes to win a bursary to Hamburg next year.

There is universal concern in Cape Town, among artists, and all who care about children and art, that this flourishing centre must close on December 31st to make way for expansion of the Woodstock Hospital. This instruction has come from the Coloured Affairs Department. No other accommodation is being considered for its continuance except that by the end of 1973 an art centre is envisaged at the Hewat Training College in Athlone. "This does not remove the urgent need for the immediate continuation in other premises of the services provided by the Woodstock Art Centre" — to quote Prof. Lippy Lipshitz of the Michaelis Art School. Not only children, but adults too will suffer by the removal of this Art Centre.

The Athlone Art Association

This has been running for about six years and is supported mainly by Primary School teachers in art. They have meetings with speak-

ers, organise exhibitions and art classes for children on Saturday mornings. They are hoping to expand their activities.

The Peninsula Eisteddfodd

A group of 5 people under the chairmanship of Mr. S. W. Samson were responsible for the formation of the Peninsula Eisteddfodd in 1966 (as the result of spontaneous demand from schools and other sources who found themselves excluded from the Cape Town Eisteddfodd through apartheid policy).

The first Peninsula Eisteddfodd took place in 1967 and the sections provided were Arts and Crafts, Dancing, Music, Speech and Drama.

The total number of entries for 1967 was 691, while this year, 1969, over 4000 children are taking part.

Preliminaries take place in some schools though boycotted by others who feel there should be only one, multi-racial Eisteddfodd.

Highly qualified adjudicators assist, trophies are awarded in all sections and the organisers are able to offer eight bursaries a year. Their finances seem very healthy.

The Eisteddfodd concludes each year with two Prize-Winners concerts which are under the patronage of His Worship the Mayor and are held in the Cape Town City Hall. The Mayor is the only white person who may attend these concerts, even adjudicators who have helped with the preliminary contests, being excluded.

Horticulture

To pass now to another form of recreation — Horticulture. The Coloured people have always loved gardening. Horticultural societies exist in most of the townships. In Glee-moor, one of the older and nearer Coloured suburbs on the Cape Flats area, there are many keen gardeners. It is surprising what they produce considering the complete exposure to the South Easter and the very sandy soil.

In 1934 a Horticultural Society was formed, and the competition between dahlia and chrysanthemum growers was very keen. For years Coloured people exhibited at the City Hall flower shows and won many prizes — one year the champion dahlia award. Eventually apartheid put a stop to this.

Mr. Hammond was the keenest of the growers during the war. When imported tubers were unobtainable, he started growing dahlia seedlings and was responsible for many beautiful new varieties.

With Mr. Hammond as the prime mover, the various societies have federated. This

year the Dahlia Society of Great Britain presented him with the gold "award of honour" — the first time it has gone to anyone outside the British Isles. One of our members, herself a keen gardener, was invited to be present at this function and spent a most enjoyable and stimulating evening.

Community Centres

This is one aspect of Cape Town in which the Coloured people are better served than the Whites.

The Community Centres in Athlone and other townships form a focal point for a variety of local activities — sports, film shows, sewing clubs, lectures and so on, as well as housing creches, nursery schools and play centres — ballet and drama groups.

Bonteheuvel, a large new township of 45,000 people, illustrates the importance of such centres, where virtually no other facilities exist. In Bonteheuvel it seems that most recreational activities were originally started by the Municipality, but the Coloured people are actually doing the work of maintaining them.

More is being done than one would imagine, but most of the activities are physical ones. There is very little that might be called cultural.

A big problem is the lack of personnel qualified to lead such projects.

At one of the Community Centres visited (there are 4 in Bonteheuvel) the ballet club copes with 100 children in an afternoon — there is one teacher.

There is a magnificent library which distributes approximately 15,000 books per month, at present patronised mainly by children.

It is in the Community Centre that most recreational activities seem to take place and they are filled with people doing different things morning, noon and night. For the facilities offered children pay 1c per session and adults 2½c. Each Community Centre has its club leader, employed by the Municipality and responsible for the various activities, and a voluntary fund-raising committee which meets regularly. Dances and variety concerts are held, but so far there have been no dramatic or musical performances.

There being no cinema in Bonteheuvel, films are shown here once or twice a week.

There appear to be no choral groups other than church choirs. The Anglican Church choir, incidentally, is affiliated to the Royal Schools of Church Music.

Sporting facilities are good, there being 5 soccer fields, 2 netball and 2 hockey fields. It is hoped that provision will be made for rugby and cricket next year.

A beautiful swimming pool caters for 2,000 Bonteheuvelites on Sundays.

In 1943 some enthusiastic medical students organised the "Kensington Clinic" in the African Methodist Episcopal Church. In 1952 Rag Funds financed the building of the centre in 12th Avenue.

SHAWCO., as it is known today, has expanded into the Community Centre of Windermere, offering very much the same range of activities as are found in other townships. They are more fortunate in having the advice and guidance of students from Cape Town University, but student participation in adult clubs is clearly defined. They act merely as advisers in the recreational clubs and as coaches in the sports ones. There is no domination by students. Club members take full responsibility, all organisation being done by the Committees. Experience has enabled them to gain confidence and success.

Sport was one of the first organised recreations participated in by Coloured people. Games tended to be arranged among friends in their particular areas and in this way clubs such as for rugby and cricket were formed. There are also tennis, hockey and softball clubs.

One of the best known sports clubs was started by Mr. William Herbert, in Wynberg. It offers good amenities and is well patronised.

Princess Vlei Yacht Club

Yachting is a new sporting enterprise among the non-White Community. The laws of the land, which keep Whites and non-Whites apart, have resulted in the formation of the Princess Vlei Yacht Club by Coloured sailing enthusiasts — on the only piece of water available to them. This piece of water had many natural features which rendered it basically unsuitable, hence its complete neglect by the White yachting community. Apart from its shallowness, its surface area is so small that it will prove a real challenge to lay out anything like a reasonable racing course on Princess Vlei.

Despite these material handicaps, the long suffering nature of these people and their very real interest in sailing led to the formation of the Club, with its headquarters at the old "Jolly Carp". They share these premises with a restaurant now being reinstated there by an enterprising section of the Coloured Commu-

ity. There the Sailing Club have a shed where they are able to store their dinghys under cover and, with the help of interested sailing men across the race barrier, they are assembling hulls, sails, masts and a variety of craft which are being prepared for the opening of their first season.

Boys' Clubs. Various clubs such as the Boys Brigade and the Silvercrest Boys' Club offer a variety of activities to occupy boys and keep them off the streets — often their only playground.

Cinemas. Athlone has four cinemas with a total seating capacity of about 3,000. The present population of Athlone is 150- to 200 thousand. The programme usually changes twice a week.

Of the other areas Wynberg has one cinema, Lansdowne 1, Retreat 1, Diep River 1 and Elsie's River 1. In areas such as District Six which are zoned as White for the future, existing non-White cinemas will automatically fall away. For the declared non-White areas mentioned above there is a total of 8 cinemas at present, and these have to serve the new areas of Bonteheuvel and Heidefeldt and others.

In the course of our investigations we discovered that the Department of Coloured Affairs had plans for Recreational Facilities for the Coloured people.

The Council for Culture and Recreation, set up by the Department of Coloured Affairs under Mr. D. J. Liebenburg, former Superintendent General of Education, came into existence about two years ago and is apparently still in the planning stage. It is controlled by Whites, advised by Committees for the different arts and sports. Each of these Committees is conducting a survey into the activities in their own particular field, throughout South Africa.

Dealings with the Council are optional. Organisations and Societies are invited to report on their activities and to list their requirements, whether financial or organisational. The Committee concerned studies these reports, examines requests for assistance and recommends them for consideration by the Council. Providing such requests can be supported and withstand the close scrutiny of the Committee concerned, financial aid is seldom refused. Suitable venues are high on the list of priorities and the Council, in consultation with local authorities, is setting itself out to alleviate the acute shortage of halls and theatres.

They are considering the establishment of

a Coloured counterpart to CAPAB, starting with the formation of a group of players to visit schools and perform set works. "How sweet the word 'apartheid' sounds in a believer's ear."

The CAPAB idea is a leaning towards professionalism which is not welcome as there is a feeling that this implies acceptance of apartheid — an impression that certain sections of the Community wish to avoid at all costs. For this reason some organisations prefer to work on their own, without binding themselves to the Council in any way.

Nevertheless, the Council's future plans for increasing its staff suggest that it intends to widen its scope tremendously. The field staff is already being extended to gather information for assessing and planning future developments in all spheres.

The proposed decentralisation into zones covering each of the Coloured regions, gives some idea of the broad control which the Council — alias Department of Coloured Affairs — intends to maintain in the field of recreational facilities.

The Council complains that one of its chief difficulties lies in getting the Coloured people to work together and accept majority decisions; the formation of splinter groups often results, causing administrative troubles.

This, of course, is a characteristic of a suppressed subject group.

Conclusion

From this survey we feel that one of the most important points to emerge is that the Coloured citizens of Cape Town have done a tremendous amount towards enriching their leisure hours, despite the disadvantages under which they labour.

Under apartheid, they may have gained some measure by being pushed into organising themselves to a great extent; but they themselves feel that they are losing through lack of contact with wider fields of competition and stimulation, through loss of facilities which they previously enjoyed and through the breaking up of old-established associations.

This segregation of their recreational facilities is basically to them, just another facet of enforced acceptance of apartheid with all the disabilities and humiliations it entails, and although the Council for Culture and Recreation has great plans for the future, one cannot escape the feeling that the paternal attitude of guidance will cramp rather than expand the natural and individual development of the Coloured people in this field.



JOHANNESBURG ADVICE OFFICE

The upward trend in the number of cases visiting the Advice Office continues although the number of new cases has decreased slightly — this is misleading. The number of interviews only have increased substantially. Many of them with people for whom we could do nothing.

With every month that passes the plight of African women and their children becomes ever more distressing. Women of every status, single, married, widowed, divorced or deserted are living in fear and insecurity. Only those single women who qualify in their own right to be in Johannesburg, and married women whose husbands are firstly alive, and secondly still living with them have a minimum of a sense of security.

Because of the total embargo on the entry of country-born women into the urban area virtually no woman can enter these areas lawfully. This means in practice that men who qualify to have their wives or families living with them by virtue of birth and/or long residence in the area cannot bring their wives to live with them because they cannot enter the area lawfully. Hundreds of married men must be living in "bachelor" hostels and their wives, separated from them, live in the country and see their husbands only when they return for their annual leave.

A year or two ago a policy was adopted prohibiting women from being tenants of houses

cause of the already overcrowded conditions in Soweto.

MISS R. is an orphan. Her parents died when she was very young, and she was brought up by friends of their mother. This couple too, have died and R. is now staying with one of the sons of her adopted parents. She has no birth certificate, and no reference book, and her name is not listed on any housing permit. She cannot get a reference book because she has no birth certificate. She cannot get her name on to a housing permit because she

has no reference book. She was born here and belongs here, but she cannot live lawfully here or anywhere else. In fact she appears to be stateless.

There were

56 New Cases involving	80 Interviews
48 Old Cases involving	50 Interviews
75 Interviews only	75 Interviews
<hr/> 179 TOTAL	<hr/> 208 TOTAL

SHE NEEDS YOU — YOU NEED HER

This is the title of a helpful pamphlet produced by a group of Christians who are concerned by the financial plight of the majority of people in our society. Copies may be ordered from Mrs. Jean Sinclair, 33 Irma Street, Robertsham, Johannesburg.

The following is an excerpt from the pamphlet:—

WAGES

The cost of living for one female domestic receiving board and lodging, cleaning materials, fuel and light and working overalls free, calculated on the basis of minimum expenditure is estimated annually to be:—

<i>Clothing</i>	R32.33
Chemist	11.75
Travelling	24.16
Other (including entertainment, insurances, Blankets, etc.)	76.37
<i>Total Annual Personal Expenses</i>	R144.51

MONTHLY: R 12.00

Our survey reveals that on an average each maid has four dependents viz. mother, 2 children of school-going age and 1 child of pre-school age. On an average 76% of the minimum expenses for food, clothing and schooling are paid by the maid, leaving the remaining household expenses of R38.15 to be paid by her husband or other breadwinner.

The following monthly expenses for the above four dependents are taken from research statistics of the Non-European Affairs Department of the Johannesburg City Council published in June, 1969.

Food	22.45
Clothing	6.01
Schooling	2.17
	<hr/> R30.63

76% of R30.63	23.00
Personal Expenses	12.00

<i>Recommended Monthly Wage</i>	<hr/> R35.00
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NOTES

- (a) The compilers of this document are a group of Christians in Johannesburg who wish to promote the thrust of the "Message to the People of South Africa" issued in the name of the South African Council of Churches in September 1968.
- (b) We have compiled this pamphlet from:
 - A degree thesis on the subject by Miss M. Walther, until recently lecturer in the social anthropology department of the University of the Witwatersrand.
 - "Minimum Family Budget — Soweto, June, 1969" by Johannesburg City Council Non-European Affairs Dept.
 - "Your Bantu Servant and you" by Johannesburg City Council Non-European Affairs Dept.
 - "The African you work with" by the Bantu Wage and Productivity Association.
 - "Cost of Living in Soweto, 1966" (an Institute of Race Relations booklet) by Mrs. Sheila Suttner.
 The dependents statistics were obtained from a survey undertaken among a cross-section of Johannesburg households.

in the townships. This means that women who are unfortunate enough to lose their husbands through death, desertion or divorce, are evicted from their homes, with their children and sometimes with aged female dependents. Those of them who do not qualify to remain in Johannesburg are endorsed out. Their children who were probably born in the area and so have rights have to leave with their mothers and so lose their rights of domicile. Those qualified to remain cannot find shelter for themselves or their families.

It will be realised that the law, rules and regulations and the policy with regard to women in the urban areas is creating extreme hardship and misery and increasing poverty and malnutrition.

The insecurity and harrassment can only aggravate the incidence of crime.

P.M. is a trained nurse and working legally in Johannesburg. She is unmarried and has three young children and an old mother whom she supports. She has been living legally with her brother who has recently married. The new wife refuses to have P.M., her mother and the children in the house and she has turned them all out. P.M. has a cousin who would like to help them, but has six children of his own, so he cannot take her and her family into his house. The Superintendent said he would give P.M. a lodger's permit, but he said the old mother should go to a homeland and take her grandchildren with her. They quite rightly cannot accept this as they all are urban born and have a right to remain in Johannesburg.

THE S FAMILY of four sisters and two brothers, and three children belonging to one of the sisters were living lawfully with their father in his house. The father has just died. One of the brothers is under 21 years of age and cannot have the house transferred to his name. The other brother is mentally deficient and the Superintendent will not accept him as the tenant. As no woman can be the tenant the whole family has been ordered to leave their house. It is going to be virtually impossible to be accepted as lodgers in someone else's house because most houses already have two families living in them.

MISS M. who has no family in Johannesburg has been living at her place of employment in a block of flats in Hillbrow. A recent directive demanded that living in domestic servants in blocks of flats in certain areas be housed in the African townships. Miss M. has been unable to find anywhere to live be-



there is a symbol that stands stark,
 known simply as the question mark.
 a lone dissenter in a sea
 of decay and complacency.
 clichés, decay, replaced by doubts,
 questioned society outraged shouts,
 "your father and his father too,
 did things exactly as we do,
 and look at the world", they triumphantly cry.
 but the poet looks with a discerning eye.
 observes the masses who daily die
 for lack of food, while holy cows thrive.
 children eat grass while rats grow fat,
 what can the world reply to that?
 the millions who daily bow down to a town,
 and pay a fat squanderer for wearing a crown,
 the nation that helps poor countries with gold,
 gives them its money, takes back their souls,
 the nation that shoots a man for his black face,
 and considers itself a remarkable race.

Johnny Howes.

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This Magazine, as the official organ of the Black Sash, carries authoritative articles on the activities of the Black Sash. The leading articles adhere broadly to the policies of the organization, which does not, however, necessarily endorse the opinions expressed by the contributors.

All political comment in this issue, except when otherwise stated, by S. Duncan, of 37 Harvard Buildings, Joubert Street, Johannesburg.

Cartoons by courtesy of Bob Connolly and the Rand Daily Mail.

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Dedication . . .

IN pride and humbleness we declare our devotion to the land of South Africa, we dedicate ourselves to the service of our country. We pledge ourselves to uphold the ideals of mutual trust and forbearance, of sanctity of word, of courage for the future, and of peace and justice for all persons and peoples. We pledge ourselves to resist any diminishment of these, confident that this duty is required of us, and that history and our children will defend us.

So help us God, in Whose strength we trust.

Toewydingsrede . . .

MET trots en nederigheid verklaar ons ons gehegtheid aan die land van Suid-Afrika, ons wy ons aan die diens van ons land. Ons belowe plegtig die ideale te handhaaf van onderlinge vertroue en verdraagsaamheid, van die onskendbaarheid van beloftes, van moed vir die toekoms, van vrede en regverdigheid teenoor alle persone en rasse. Ons beloof plegtig om ons te verset teen enige vermindering hiervan, oortuig dat hierdie plig ons opgelê is en dat die geskiedenis en ons kinders ons sal regverdig.

Mag God ons help, op Wie se krag ons ons verlaat.