

# THE BLACK SASH



# DIE SWART SERP

Registered at the G.P.O. as a newspaper

Vol. III, No. 23

NOVEMBER 1959

Price 6d.

## HONESTY IS THE BEST POLITICS

SINCE the Nationalists came to power, white people with "progressive" views on the colour question have been in a serious dilemma. Should they openly propagate those views, or should they suppress them for reasons of political expediency? The former would appear to condemn them to political ineffectualness; the latter would involve a compromise on a matter of principle in the hope that, with the United Party's return to power, the way would be opened to saner government.

Some made an early decision in favour of the first alternative, and have been pleading, without much apparent success, for the abandonment of apartheid and the extension of effective political rights to non-white people. Others, while sympathetic towards this point of view, have deemed it expedient not to say so. They believe that it is foolish to make proposals that have no prospect of gaining wide acceptance, and they think that "progressive" views on the colour question fall into this category. Which is the wiser course to pursue?

The problem does not, of course, confront opponents of the government who accept the necessity for preserving political power in the hands of the present white electorate. There are many who support apartheid in principle but believe that it can be administered benignly.

## EERLIKHEID DIE BESTE POLITIEK

SEDERT die Nasionaliste aan die bewind gekom het, het Blankes met 'n „progressiewe" opvatting van die kleurvraagstuk voor 'n moeilike besluit gestaan. Behoort hulle dié sienswyse openlik te propageer, of dit om redes van politieke gerief weg te steek? Die eersgenoemde optrede sou hulle skynbaar op politieke gebied kragteloos maak; die tweede sou 'n kompromie op 'n saak van beginsel beteken, met die hoop dat die weg tot 'n meer besadigde regering oop sou wees wanneer die Verenigde Party weer aan die bewind kom.

Sommige mense het vroeg ten gunste van die eerste alternatief besluit en het verdoë gedoen, sonder veel sigbare sukses, vir die afskaffing van apartheid en die toestaan van doeltreffende politieke regte aan nie-Blankes. Ander, wat wel simpatiek gesind is teenoor hierdie sienswyse, het dit gerade geag om dit nie bekend te maak nie. Hulle glo dat dit dwaas is om voorstelle te doen as daar geen vooruitsig bestaan dat dit 'n wye aanhang sal kry nie, en hulle dink dat „progressiewe" menings oor die kleurvraagstuk onder dié kategorie tuishoort. Welke optrede is die verstandigste?

Hierdie probleem bestaan natuurlik nie vir teenstaanders van die regering wat aanneem dat dit noodsaaklik is om politieke mag in die hande van die huidige Blanke kiesers te behou

The fact remains, however, that many people are convinced that apartheid is evil in principle and will have catastrophic results if persisted in, and it is difficult to see how they can collaborate effectively with people who, while opposing the Nationalists, accept the basic principle on which Nationalism is founded.

Many believe that opponents of the government who hold liberal or progressive views should temporarily suppress those views in the interests of forming a united opposition to the extremism of Dr. Verwoerd, based on a conservative policy that is likely to appeal to the electorate at large. One often hears it said that a political party cannot move far ahead of the thinking of the mass of the electorate. People who make this comment imply that they themselves have an enlightened outlook but that it is impossible to persuade other people to share it. We must walk slowly with the United Party, so the argument runs, before we trot with the Progressives or race ahead with the Liberals.

The point to be decided, then, is: should one identify oneself with a policy or political outlook with which one does not agree, or should one say what one really thinks irrespective of the immediate chances of gaining widespread support?

**T**HE Black Sash believes that people who are convinced of the necessity for an extension of human rights are morally obliged to declare their convictions. (A similar obligation rests on Nationalist supporters to state clearly where they disagree with Government policy.) If a division of the forces working for the downfall of the present government is entailed, the division must be accepted.

Furthermore, we question the theory that an appeal to the electorate to change its views radically must necessarily have less success than an appeal for a slight modification of outlook. Many South Africans, including Nationalists, are deeply perturbed about the moral basis and practical implications of the course the present Government is pursuing. Some have already adopted a new outlook, and others may follow suit. It would seem to be a better strategy in the long run to attack the foundations on which the Nationalist fortress is built rather than to keep on peppering the superstructure.

nie. Daar is baie mense wat apartheid in beginsel aanvaar, maar glo dat dit goedaardig gehandhaaf kan word. Daar bly egter die feit dat menige mense daarvan oortuig is dat apartheid in beginsel kwaad is en noodlottige gevolge sal hê as daarmee volgehou word; en dit is moeilik om te begryp hoe hulle doelmatig kan saamwerk met mense wat, hoewel teen die Nasionaliste gekant is, tog die basiese beginsel aanvaar waarop die Nasionalisme gevestig staan.

Baie mense glo dat teenstaanders van die regering wat liberale of progressiewe uitsig het, hierdie sienswyse tydelik moet onderdruk ten einde 'n verenigde weerstand te bied teen die ekstremisme van dr. Verwoerd, gebaseer op 'n konserwatiewe beleid wat waarskynlik vir die meeste kiesers aantreklik sal wees. Daar word dikwels gesê dat 'n politieke party nie ver voor die denkwysse van die massa van die kiesers kan stoot nie. Diegene wat dit sê gee voor dat hulle self 'n ingeligte uitsig het maar dat dit onmoontlik is om ander mense daartoe oor te haal. Ons moet stadig loop saam met die Verenigde Party, lui die aanvoering, voordat dat ons met die Progressiewe saamdraf of met die Liberale voortjaag.

OVERHEARD AT A POLLING BOOTH IN  
SEA POINT ON THE DAY OF THE  
PROVINCIAL COUNCIL ELECTIONS

*(Dr. Jan Dommisse, United Party, opposed  
Mr. Patrick Duncan, Liberal Party)*

I wouldn't dream of voting for the U.P.  
They want mixed swimming!

\* \* \*

Of course I'm going to vote for Duncan.  
I've always voted U.P. and I always will!

\* \* \*

I'm very liberal — except for the colour  
question!

\* \* \*

I haven't a single prejudice in my whole  
body. It's just that I'm frightened of diseases!

\* \* \*

I might as well vote U.P. — They're all  
liberals anyway!

\* \* \*

Is there still time to register as a voter?

Die punt waaroor besluit moet word is gevolglik dit: moet 'n mens jou vereenselwig met 'n beleid of politieke sienswyse waarmee jy nie saamstem nie, of moet jy aankondig wat jy werklik dink afgesien van die onmiddellike vooruitsig om wye ondersteuning te verkry?

**DIE** Swart Serp glo dat mense wat oortuig is van die noodsaaklikheid van 'n uitbreiding van menslike regte, onder die morele verpligting staan om hul oortuiging aan te kondig. ('n Soortgelyke verpligting rus op ondersteuners van die Nasionaliste om duidelik te verklaar waar hulle nie met regeringsbeleid saamstem nie.) As dit 'n verdeling meebring van die kragte wat om die neerlaag van die huidige

regering werk, dan moet die verdeling aanvaar word.

Hierby betwyfel ons die teorie dat 'n beroep op die kiesers om hul sienswyse radikaal te verander noodwendig minder geslaagd moet wees as 'n beroep om 'n geringe wysiging daarvan. Baie Suid-Afrikaners, met inbegrip van Nasionaliste, is diep verontrus oor die morele basis en praktiese implikasies van die optrede wat die huidige regering volg. Party het reeds 'n nuwe sienswyse aanvaar, en ander mag dieselfde doen. Dit skyn 'n beter strategie oor die langtermyn te wees om die fondament aan te val waarop die Nasionaliste-fort gebou is, liever as om gedurig die bo-stel te peper.



"Oh, he's just a Ph.D. or a lawyer or some such square — but he can't vote because he isn't 18 or something."  
— Courtesy: *Contact*.



★  
FIRST  
IN THE  
UNION

Staff Nurse Ozma Mbombo, has passed first in the Union in the final midwifery examinations which are taken by nurses of all races. There were 321 candidates.

**FIFTY** years ago, Miss Cecilia Makawane set the standard for non-white nurses when she passed the Cape Colony Medical Council's examination for nurses—the same examination as was set for white nurses. Attempts in 1935 to lower the standard of training for non-white nurses failed, largely due to the efforts of Dr. Niel MacVicar of Lovedale, and today there are over 4,000 non-white nurses with the same qualifications as white nurses, or undergoing the same training.

If there are any doubts about the non-white nurse's abilities, let the opinion of Dr. V. T. Wilson, Senior Physician of Baragwanath Hospital, Transvaal, dispel them. He wrote in *Medical Proceedings* of May, 1948:

"I have also been very favourably impressed with the ability of the non-European nurse. For the past two years the medical wards have been administered and worked entirely by her. Her standard of work can be as good as any I have experienced in London hospitals. Not only can she excel in efficiency but also in all the sympathetic qualities the patient requires for physical and mental well-being."

# COLOUR before COMPETENCE

By  
NANCY DICK

In spite of this, the Nursing Act, 69 of 1957, was passed which lowers the status of the non-white nurse and secures white domination in the profession.

## The Nursing Act

The Nursing Act—

- (a) Provides for separate registers for White, Coloured and African nurses;
- (b) Prohibits non-white nurses from being elected to or electing non-Whites to the S.A. Nursing Council;
- (c) Prohibits non-white nurses from being elected to the Board of their own Association to which they are compelled by law to contribute financially the same as the Whites;
- (d) Prohibits even the most competent, qualified and experienced of non-white nurses from giving an instruction regarding a patient to a white nurse;
- (e) Empowers the S.A. Nursing Council to approve of separate training, separate examinations, qualifications for non-Whites;
- (f) Empowers the S.A. Nursing Council to require non-Whites to wear different uniforms, insignia, badges to indicate that they have a "non-European certificate" and may do only non-white work;
- (g) Enforces separate meetings of members of the S.A. Nursing Association and stipulates that any decision taken by the white members shall be the decision of the Association.

How did this Act come about?

In 1948 the S.A. Nursing Council asked for legislation to amend the Nursing Act in certain respects. To the Council's suggestions, the Minister added the following clause:

*that a person who is not a European South African citizen shall not be elected or appointed as a member of the S.A. Nursing Council,*

and similarly that only white nurses might be elected to the Board of the S.A. Nursing Association.

These proposals met with the approval of the leaders of the white nurses and of the majority of white nurses themselves, the exception being the Western Province Branch.

But the leaders went further and asked for the other discriminatory clauses that were included in the Bill as finally passed. Their explanation for doing so was that cultural and physical differences demand differentiation; but we must see this discrimination within its social setting as another means of implementing white supremacy. Only white persons are on the controlling bodies, and separate qualifications imply not equality, but inferiority.

## Salaries

Status is determined also by salary. There is a wide discrepancy between the pay of nurses of different races although they hold the same qualifications. A white staff nurse is paid £560 per annum, compared with an African staff nurse's £290. The S.A. Nursing Association, at its biennial conference in Grahamstown two years ago, rejected a resolution in favour of equal pay and conditions of service for equal work, irrespective of colour.

The non-white nurses are themselves partly to blame for this unhappy position in the nursing profession—as are we all. They did not make use of their rights of election to the governing bodies when they still had them; nor did they use their Association to fight for equal salary scales, opportunity for promotion, and post-graduate facilities such as are offered to white nurses.

There are reasons for their apparent apathy which cannot be expanded here. Nevertheless, in spite of intimidation, when they realised the full implications of the Nursing Bill, thousands of them demonstrated publicly against it in all the major centres in the Union. A conference was called in Johannesburg in November, 1957, to discuss what could be done and out of this came the Federation of South African Nurses and Midwives. This body has no colour bar and aims at equality of opportunity for all nurses irrespective of colour, and equality of nursing services for all patients regardless of race. It has been ignored by the Council and the Association.

The Government, apparently recognising the efficiency of African nurses and conscious of the shortage of white nurses, has agreed to train African nurses for mental institutions. At the same time, the S.A. Nursing Council, which originally asked for separate registers for white and non-white nurses, has de-registered 3,000 nurses—for what? Not for inefficiency, or unethical behaviour, but because they failed to state their race! One wonders what has happened to the needs of their patients, as it is illegal for them to practise once struck off the roll.

What good has the new Act and the introduction of apartheid measures done to the South African nursing profession? Is the standard of nursing higher than before? Are the patients better served? Is there more unity between black and white nurses?

Certainly the non-white nurses have been antagonised, humiliated and embarrassed. If their co-operation is to be won, there will have to be a change of policy on the part of the Council and the Association. The non-white nurses have rejected the white "leadership" of the past: one positive step forward would be to recognise the Federation of South African Nurses and Midwives and work with it on a common platform of equality within the nursing profession.

## AS OTHERS SEE US

THE truth is that the race front in South Africa . . . is quieter than any other race front in the world. There is really worse trouble between the United Party on the one hand, and organisations like the Black Sash and the Natal Federalists on the other, than between White and non-White in this country.

—*Die Transvaler.*

\* \* \*

FOR some time a number of us who are members of the Queensland Women's Electoral League, a non-party political association of women, have been most interested in the work your organisation is carrying out in South Africa.

We are full of admiration for the courageous struggle you are maintaining against great odds. We are fully in accord with the principles for which you are working.

I do wish you every success. Our knowledge of the details of the situation are of necessity limited but broadly all those who love liberty and constitutional order must applaud you. . . .

I would like to become a regular subscriber to your magazine so that your fellow-women here may be kept aware of your activities.

—*Letter from Mrs. T. Groom,  
Mayoress of Brisbane, Australia.*

# East London Parents Register their Protest

SASHERS  
IN  
ACTION

**A**T a meeting of 250 people, sponsored by the Border region of the Black Sash, East London parents decided to send a protest to the Prime Minister, Dr. H. F. Verwoerd, recording their "repugnance and opposition" to the principles and practice of Christian National Education.

They took this decision after a talk by Mr. J. W. MacQuarrie, senior lecturer in education at Natal University, on the meaning of Christian National Education.

Copies of the protest will also be addressed to the Minister of Education, Arts and Science, Mr. J. J. Serfontein, and to the Minister for Bantu Education, Mr. W. A. Maree. Another copy will go to the Administrator of the Cape.

## Deprived of Rights

The resolution, which was moved by Mr. Jack Bruce, said that while East London parents fully appreciated and endorsed the view that it was the duty of parents to bring up their children according to the teaching of their religious faiths and foster in them a true sense of pride in their homeland, they recorded their repugnance and opposition to the principles and practice of so-called Christian National Education.

They deplored, in particular:

- The deprivation of the parents' right to select the medium through which their children should be educated in public schools.
- The imposition of religious tests upon teachers in public schools.
- The bans placed on teachers of the Jewish, Catholic and other non-Calvanist faiths.
- The grave inroads made and proposed upon the autonomy and academic freedom of universities.
- The method of administration, the language policy and the financing of African education.

Mrs. D. Curry, chairman of the Border Region of the Black Sash, said to fight the scheme all

parents should read their children's history books and then teach their children at home what was meant by Christian education. They should also take an active interest in their children's education.

Dr. D. L. Smit, M.P. for East London City, in moving a vote of thanks to Mr. MacQuarrie, said: "What Mr. MacQuarrie has told us should serve as a grave warning to everyone of the danger that lies ahead and the need to demonstrate our resistance to this vicious policy in no uncertain voice."

## THE RIOTS AT DURBAN

**D**R. E. BROOKES, well-known writer, one-time Principal of Adams College, a Senator for fifteen years in the days when this was a matter for pride; now Professor in the Department of History and Philosophy at the Natal University, addressed a Sash meeting at Durban on "The Riots and After".

Dr. Brookes suggested that the rioting stemmed from the inadequate wages earned by the average African, these being from £9 to £11 per month, while the basic requirements for a family of five cost £21. The gap has to be bridged somehow, which means that the wife has to work. She can do daily domestic work, but that means transport expenses and being away from home most of the day. Children are therefore neglected and juvenile delinquency frequently results, so that it is better for the mother to work in her own home.

Brewing of beer is the simplest and most lucrative occupation, and when the police raided the illicit liquor stills the women reacted violently to their loss of livelihood.

In rural areas influx control is bitterly resented, and although this seems necessary to prevent swarming unemployment in the towns, it causes great hardship and bewilderment to the Africans, who are handled with little or no sympathy.

The destruction of dipping tanks seems inexplicable when it is considered these are provided for the dipping of cattle belonging to Africans, but the

**Continued on page 9**

# A Tribute to Country Branches



The peaceful village of Salem, near Grahamstown, home of a Country Branch.

—*Natal Mercury.*

**I** WONDER how many people, in and out of the Sash, realise what an astounding thing it is that our organisation has actually survived for four years. Although we may have said bravely in 1955: "We can go on for ever," did we really believe we could?

Let us think of our members who never receive praise to revive them — no encouragement, no glimmer of limelight from any direction. These are the staunch members from the small branches scattered throughout our rural areas. Their only satisfaction comes from devotion to a cause. When I say "rural" I mean it; branches of nine women here, fifteen there, with their town 20 miles away, and their neighbour equally far. Some of them have to

bring their young children to meetings, or not come at all. Some have husbands who cannot face the fact that their wives are independent thinking creatures.

These women sometimes despair, when there is nothing directly to rouse them or their neighbours from apathy.

But they are the very fabric of the Sash. Let us beg them to carry on, to stick by their principles, never to give in to ridicule and criticism. By their membership alone they light a small flame that flickers in the consciences of their detractors. We in the towns and cities think we know the difficulties and the setbacks. I say have a good look at our country branches and their members, and think again.

**DIANA DAVIS.**

# THE FARM LABOUR SCHEME

**B**ETWEEN April and September of this year, several cases brought before the Supreme Court (Transvaal Provincial Division) served to focus attention on what has come to be known as "the farm labour scheme". These cases were all *habeus corpus* actions brought by relatives or friends of men who had been arrested for petty pass or tax offences and sent to farms without having been tried by a court. It was found that the men had, in fact, been illegally detained. The result was that not only the particular farmers named but many others in the Transvaal returned all labour so obtained and finally the Government ordered that the scheme should be temporarily suspended.

## Dramatic Cases

Great difficulty was experienced in bringing cases, as relatives and friends of the men concerned had been unable to obtain information of their whereabouts when they disappeared, and had only succeeded in tracing them, sometimes months later, through others who had returned from farms. The dramatic nature of the cases and the evidence produced in court aroused great interest and indignation and so provoked enquiry into the basis of the scheme.

It was found that Circular No. 23 of 1954 from the Native Affairs Department was the document that gave form and recognition to the scheme, although it had been in operation for some time before that. The circular is headed "Scheme for the employment of petty offenders in non-prescribed areas" and

### THE RIGHT TO LAND

The equal right of all men to the use of land is as clear as their equal right to breathe the air—it is a right proclaimed by the fact of their existence. For we cannot suppose that some men have a right to be in this world, and others no right.

—Henry George.

opens with the sentence: "It is common knowledge that large numbers of Natives are daily being arrested and prosecuted for contraventions of a purely technical nature. These arrests cost the State large sums of money and serve no useful purpose."

Normally, anyone arrested for an offence must be charged as soon as possible, so that he may know what he is accused of and have the opportunity to defend himself before a properly constituted court. But this circular states that "Natives arrested between 2 p.m. on Sunday and 2 p.m. on Friday" (which means, in effect, most of those arrested for petty offences) "are not charged immediately after arrest but merely detained by the police. Natives so detained are removed under escort to the district labour bureau and handed over to the Employment Officer. . . . Natives must be offered such employment as is available in non-prescribed (rural) areas. Priority should be given to farm labour in this connection." The circular was issued with the concurrence of the Secretary for Justice and the Commissioner of the South African Police.

Mr. Justice de Wet, when hearing a case in May, expressed the opinion that the legality of the scheme was questionable. Counsel representing the Native Commissioner, Wynberg, told the judge that there was, in fact, no statutory provision giving the Native Affairs Department power to operate the scheme. In none of the cases brought before the courts was any successful attempt made by any Native Commissioner to justify its legality. In the Mahloane vs. Feldt case, counsel for the respondent admitted that it had no legal basis.

## No Explanation

From a study of the cases brought to court it is obvious that the point made in paragraph 4 of the circular, namely, that the scheme was designed to clear the streets of vagrants and "won't works" had been disregarded. In the case of Langa vs. Hirchowitz the petitioner was actually in the uniform of the Johannesburg Municipality and carrying his cleaners' equipment when he was arrested by the police, who refused to communicate with the superintendent of the municipal hostel where he lived.

Sworn affidavits presented in other cases alleged that people had been arrested in their homes, and not in the streets; that their relatives had been told



untruths, or refused information, when enquiring at police stations and labour bureaux; that the terms and conditions of their contracts had not been explained to them; and that either they had not been told what the normal penalties for the alleged offences would be if they were tried and found guilty, or they had been given inaccurate information. (The minimum penalty for the offences listed in the circular is £1 or seven days, and the maximum £25 or three months. Unlike a gaol sentence, a nominal term of three months farm labour means, in fact, a much longer period, as only days actually worked are calculated. Sundays and days missed because of rain, illness or any other reason are added to the period.) Worse still, it was alleged in many cases that arrested men did not know and were not at any time told by the police or employment officers that they had a choice between farm labour and appearance in court.

### Foreign Africans

Evidence was led to show that foreign Africans, whose documents were alleged to be out of order, were not allowed to return to their country of origin, even when they were willing and had the means to do so. Children under 16, the age at which reference books must be carried, had been arrested and sent to farms, with no attempt made to inform their families. These minors had been forced to enter into contracts to serve with farmers, despite the fact that they were too young to enter unassisted into any legal contract.

Although circular 23 gives the complete procedure to be followed from the time of a man's arrest to his arrival at a labour bureau (in two foolscap pages ending with detailed filing instructions) it says nothing about what is to be done with him after that. Apparently neither the Native Affairs Department, nor the Secretary for Justice, nor the Commissioner of the South African Police, all of whom accept responsibility for the scheme in the circular, are concerned with the welfare of arrested men after they leave the bureaux. In answer to a question asked in Parliament, it was stated that there was one inspector to supervise all farms in the Transvaal employing labour under this scheme.

Sworn affidavits and evidence in court told of guarded transport to take arrested Africans from labour bureaux to farms; of these labourers being locked up at night and at week-ends; and of their working under guard; of inadequate food, medical attention, housing, sanitation and hygiene; and of assaults. To quote from Jackson Mtembu's affidavit in the case of *Htembu vs. Botha*: "I say that assaults were the most usual things and were committed by the bossboys and the foreman regularly and there

was never one day which passed when an assault was not committed on someone. I am sure that many of the labourers still carry the scars of the wounds received as a result of these assaults."

### Committee of Enquiry

A committee of enquiry into farm labour consisting of Mr. Papenfus, M.P. for Harrismith, in the chair, Mr. Van Heerden, Chief Bantu Commissioner, Ciskei, Mr. Toerien, Deputy Director of Native Agriculture, Lt.-Col. Roets, S.A. Police, Mr. De la Harpe de Villiers, Vice-Chairman of the Agricultural Union, and Mr. Buhrman, S.A. Agricultural Union, has been sitting in Pretoria. It is regrettable that requests for a Judicial Commission of Enquiry were not acceded to, for without prejudging the report these gentlemen will make to the Minister, it is difficult to see how a committee made up of officials of the Police, the Native Affairs Department and representatives of the farming community (all interested parties in the scheme) can be completely impartial.

It must be remembered, too, that after the sensational disclosures made by "Drum" in 1952 of conditions on Bethal farms, Dr. Verwoerd was forced to appoint a small committee to visit the area and report to him on farm labour conditions there. As with the Papenfus committee, they were instructed to report direct to the Minister. Their findings were never published.

— Dora Hill and Mary Walker.

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### THE RIOTS AT DURBAN

(Continued from page 7)

women have to carry the water to fill the tanks; they get no remuneration for their labour, and the attitude of the white men in control is often harsh and contemptuous, causing deep resentment. Good statesmanship and foresight could have prevented the recent outbreaks of rioting, however, said Dr. Brookes.

Bantu Affairs has become a state within a state, and it is shattering to dwell on the power wielded by the few men in control. "Pretoria knows best" is the attitude adopted towards the pleas and complaints from the Provinces.

Dr. Brookes suggested that higher rates could be levied on the Whites, who enjoy a high standard of living, in order to provide housing and amenities for the Africans; he considered it imperative that attempts be made for points of contact and better understanding. Church groups could meet African women of similar denomination, and even if one seemed to be getting nowhere, *any* meeting ground would be better than none.

I. T. SCHWARTZ.

# "Why I Didn't Join the Sash"

*Five Women Give their Reasons*

## The Communist Label

**W**HY have I not joined the Black Sash, and given active support to its admirable endeavours?

Originally I did not join because I felt the support of an ex-Communist could do the organisation harm, which would outweigh any contribution I could make by membership. A political label sticks. A long-winded explanation of disillusionment and change of mind butters no parsnips and silences no mud-slingers.

What point was there in my saying that I had at last come out of an idealistic dream? I have woken up to the fact that not only is every dictatorship an evil thing but also there are at least two fundamental flaws to the very philosophy of Communism, of Marxism, which claims that the end justifies the means (and I'm quite sure good ends are not reached by bad means!) and denies the importance of the individual human being.

At its inception, the Black Sash had to struggle to win recruits and recognition. It would have been idiotic if it had added to its difficulties by running the risk of being called Communist-influenced. There is little danger of that today, partly because the Black Sash has established itself sturdily as an organisation of women who are prepared to work and make sacrifices in defence of democratic principles without allowing themselves to become the tool of party politicians; partly because the past political affiliations of an individual member are of little importance to a sane, established organisation with a big national membership.

But today other factors come into play as far as I am concerned. We are all some years older and I, from having been a "joiner", have grown extremely averse to committees and organisational activities. It is not anything of which I am proud. In fact, it is quite indefensible. Now, my committees are reduced to two, and I look forward eagerly to the blissful day when they are eliminated from my life.

What a confession!



And another thing — how do you expect me to get on with a wife running around like that?

So I admire your activities from afar, and wish you many recruits to the ranks of the noble women who make up your membership.

**BETTY SACKS**

## For Whites Only

**W**HEN finally forced by conscience to find a medium for my small personal fight for freedom, I hesitated between the Black Sash and the Liberal Party. Finally I decided on the latter. My main reason for so doing lay in my hesitancy to devote myself to an organisation which did not extend a welcome to African women.

Not only do African women deserve our support and fellowship in the heartbreak and courage of their isolated fight but, for purely practical reasons, an organisation which rejects eight-tenths of the women of the country can exert no real influence in the inevitable transition to the new South Africa.

Because I personally believe the Liberal Party to be the only South African party prepared to fight for a real non-racial democracy, I feel that it deserves my undivided effort.

No doubt the Black Sash has many valid reasons for restricting its membership. For its immediate objectives this may be the best policy. While I wish it well, and admire the persistence of its undaunted stand on matters of principle, I do not believe that, in the final analysis, the Black Sash will provide any important solutions to our country's problems.

**ALL THE WAY**

## Useless Without Men

**M**EMBERS of the Sash may want to stone me for this, but that would be unjust, for at heart I have always been a fighting feminist.

I feel the development and expansion of the Black Sash (dramatic as it has been) is limited in its future growth because it is purely a women's movement. Much as we may shy from, and abhor the fact, women's organisations — particularly if they be militant rather than charitable — appear as faintly ridiculous to most men. Without men, this movement can never be countrywide in its broadest sense.

The aims and objects of the Black Sash are superb, and affect *every* South African. How can you reasonably expect to flourish if you truncate from it every South African man and youth?

**FEMINIST**

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## I Laid my Pistol Down

**D**IFFERENT women have different reasons for not joining the Sash. A number of my friends "don't believe in silent demonstrations for causes" and "personally would feel a fool standing like that." Most of these add: "Very noble and idealistic, the Sash, but just a waste of time."

Then there's the husband angle — some flatly refuse to allow their wives to lend open support, for fear of antagonising business connections or customers.

Yesterday I spoke to a woman whose family found political and religious asylum in this country some years ago. She said that although she was fully behind the Sash in theory, she felt that people like herself from other countries who had benefited from advantages received here, which had elsewhere been denied them, should be too grateful to play an active part in stirring up any kind of trouble here at all.

## Take Your Choice

**W**HAT is the cause of ducktailism? The sociologist would blame home conditions; the psychologist, maladjustment. The biologist would blame environment; the medical practitioner, physical deficiency. The educationist would blame defective schooling. The clergyman would blame the Devil, and the Nationalist would blame the United Party.

— A. T. George.

What is more, she feared that such participation might eventually threaten her hard-won security and bring retribution upon the heads of her co-religionists.

A great many women are heavily involved in charitable work. What with cerebral palsy, heart clinic, Cafda, feeding schemes, and a dozen others, their forks are full of hay. They say they can't do everything. Work of that nature gives them a more constructive glow: no effort is wasted, and the rewards are immediate. So they have made their choice: they cut out politics and attempts to reform the political scene, and simply devote their free time and energies to improving health and social conditions as and where the need arises, and under whatever system.

And my reason?

The indignant twenties and battling thirties are behind me. In my tired, cynical forties I look back on three lost elections, and all the hopes and dreams that collapsed with the Torch Commando. And oh, the hard, hard, wasted work!

Women like myself who were once young fighters and who have vainly battered their brains out against the political wall for all these years, have lost their girlish laughter in the process. We have outlived our usefulness to movements that to achieve their goal require endless faith and enthusiasm as well as endless work. Confidence of success has been knocked out of us the hard way, and now our disillusionment can only damage a cause that we would wish to aid. It is better to keep our distance from the ardent, confident young, lest we inject into them the poison of our bitter defeatism.

May the knife-edge on their blade long remain keen, and may they use it freely in uninhibited fight. This pistol-packin' momma has laid her pistol down.

**SYMPATHISER**

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## Nobody Asked Me

**N**OBODY has ever asked me to join the Black Sash and it has never occurred to me to do so. I am, however, a member of a political party that opposes racial discrimination in principle — which is at the root of our immoral legislation. Thus I am, in fact, registering my protest.

But send me some literature and a membership form — and maybe I'll join!

**PARTY WORKER**

Readers are invited to send in articles on "Why I joined the Sash". Five will be chosen for publication. — Ed.

# Essence of Democracy

## THE RIGHTS OF THE CITIZEN

**I**N a democratic state the rights of the individual citizen are of the greatest importance. Anti-democratic or totalitarian states generally proceed on a basis of complete subordination of the individual to the rulers; and even though those rulers may concede a few or all human rights, these rights will always be subject to the over-riding will of the ruler. Only in a democratic country will citizen rights truly exist.

What are to be classed under individual rights? One view is that the individual is entitled to do what he likes, subject only to the like right of others. A person is thus free to live, to trade, to think and to speak without interference from other members of society or the government. John Stuart Mill was of the opinion that as long as the individual's actions affect only himself, society is not entitled to interfere.

### Another Approach

Another approach is that only the more important individual rights should be protected. This standpoint has developed in fairly recent times with the introduction of written constitutions. It received specific formulation in the Declaration of the Rights of Man on the threshold of the French revolution. This contained 17 articles of which the following are basic:

- (1) Men are born free and equal;
- (2) They have the right of unrestrained communication of thought and opinions.

In more recent times both these answers have been criticised on the score of their negativeness, that they imply freedom from restriction and do not confer positive privileges. It is claimed that the individual is entitled to certain positive rights and benefits, such as the right to education, health, employment and a minimum wage. It is now claimed that it is the duty of society to provide these amenities.

Before trying to give one's own answer, another question must be faced: How are these rights implemented?

— By —

**B. BEINART**

*Professor of  
Roman Law,  
University of  
Cape Town*



The British legal system and our own adopts a method in line with the first approach—that the individual is free to do as he pleases, unless the law imposes restrictions. The question then is not what particular rights a person has, but the nature of the restrictions—the limits to freedom of speech and the press, to freedom of association, etc. A few traditional restrictions were imposed, such as the laws of libel, blasphemy, treason, sedition and obscenity, but in these situations our law generally favoured liberty as against restriction.

### Police State

Our courts have also developed effective remedies to prevent encroachment of the individual rights that exist, especially of freedom of the person. No person may be arrested or imprisoned or molested or have his house entered or searched except according to the strict letter of the Law. Remedies such as *habeas corpus*, and damages for false imprisonment, false arrest and malicious prosecution are available to the citizen. If the detentor cannot show legal authority for the detention, the Court will order release of the prisoner. These remedies are available against every one though he be the most exalted person or official.

**Non-observance by the authorities of these legal limits is what is meant by a police state. Such non-observance may come about by increasing the legal powers of the executive, or even by allowing the authorities to ignore the legal restrictions.**

Our courts have done and do a great deal to protect the rights and liberties of the citizen. But our law offers no guarantee of freedom. It makes

liberty possible only in so far as there are no restrictions. Restrictions may be piled on to such an extent that they may eat away the original liberty, however much the courts may endeavour to guard it.

In the second place, because our legal system maintains a negative approach, there is little chance of positive rights developing except in so far as they may be conferred by modern statute.

By contrast, the Continental and American approach is founded on the Declaration of the Rights of Man. The American Constitution has a Bill of Rights. It selects and sets out the most essential rights such as equal protection of the laws, freedom of speech and association, freedom of conscience, and the right to vote. These being constitutional rights, they cannot be taken away or invaded by the executive or by the legislatures without an amendment of the constitution, which is a difficult process. The rights are therefore guaranteed, or entrenched; they are not only protected by the courts but are fairly immune from encroachment by the legislature. The only argument that can be raised against that method is the difficulty in selecting the rights to be protected.

But the difficulties in selecting fundamental rights are usually exaggerated. Citizen rights derive from the concept of political democracy, and in terms of that system it should not be too difficult to decide the more fundamental rights.

**As democracy is in essence a system that attempts to express the will of the people through representative government, the franchise is probably the first basic right for all people who are capable of participating in it.**

Further, in order to maintain democracy, the rights of opposition and free criticism are essential. Freedom of speech, of the press, of association and assembly and similar liberties are obvious democratic

### BASIC HUMAN RIGHTS

Everyone has a right to —

- Life and bodily integrity;
- The necessities of life and a decent living;
- Worship;
- The normal development of his faculties;
- Private property and ownership;
- Sojourn and movement;
- Marriage and family life;
- Give his children the education of his choice;
- Associate with his fellow men.

*(Joint pastoral letter on race relations  
by Catholic Bishops of Northern  
Rhodesia.)*

rights. And, as a democratic society cannot be built on slavery, freedom of the person and of religion should be on the same footing.

### Access to Courts

It is only undemocratic states that are not able to guarantee civil rights, for those rights are not compatible with the position of the rulers. These states may be prepared to confer such rights in the most glowing language, but they will not be willing to see to their implementation. It is true, for instance, that the present Russian constitution declares political rights such as freedom of speech, freedom of association, and more, to be indefeasible rights, but all these indefeasible rights are subject to other provisions (e.g. of the Soviet Criminal Code) which make any act against the Soviet Social and State system and any other socially dangerous act a criminal offence.

**Indeed, there is an urge in all systems where democracy is in decline to give greater powers to the government, and to its ministers, to increase the powers and authority of the police, to curb freedom of expression (and thus criticism), and freedom of the person, by statutory restriction.**

And because the courts and the common law are the traditional guardians of those rights, there is a tendency to curtail access to the courts. One then hears the argument that the courts should not be allowed to thwart the legislature. That argument obviously derives from the view that society wishes the legislature to be uncontrolled, a contention that seems strange in an era when all but a few countries have sovereign legislatures.

It must be admitted that it would be wiser for the courts to be free from having to make decisions of policy, but if the constitution gives sufficient guidance on the problem, the question should not be too difficult, and if the judiciary is independent and impartial, it is likely to discharge its duties with a complete sense of responsibility. I doubt, for instance, if any American citizen would be willing to trade his constitutional rights, as interpreted by the Supreme Court, for a progressive uncontrolled legislature.

**The answer, therefore, is that it is not enough to leave citizen rights to the ordinary law. Those rights should be entrenched in the constitution.**

To preserve democracy, citizen rights are all-important. In the U.S.A. the courts have managed well in guarding those rights and, given a free, independent and competent judiciary in any country, the matter may safely be left to them. It is only those who are opposed to citizen rights who claim the right to diminish the powers of the courts and who deny the need for constitutional guarantees.

# NEWS FROM REGIONS AND BRANCHES

## SOUTHERN TRANSVAAL

IT was with regret that we bade farewell to Miss Tertia Pybus, who was one of the six women present at the memorable tea party in May 1955 when the Sash was born. She is now going to live in Swaziland. For the last four years she has worked unceasingly in various capacities. She has shouldered innumerable burdens with unfailing kindness and good humour. The Sash will miss her very much.

Hundreds of Africans in Sophiatown were homeless as their homes had been demolished, according to newspaper reports. A Black Sash sub-committee has approached various authorities for further information.

**Farm Labour.** Recently an article appeared in "The Transvaler" referring to the Papenfus Committee of Enquiry (see report from Southern Transvaal on page 9) and making light of the disclosures made in connection with the scheme. A letter was written to the Prime Minister asking for a report to be made available to us. A reply was received that our request would be passed on to the Minister of Bantu Administration and Development, as the matter came under his jurisdiction. It is hoped that Mr. de Wet Nel will not in turn refer us back to the Prime Minister!

A Brains Trust on Education is being planned.

A Morning Market is being planned by all branches.

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## OBITUARY

### MRS. G. E. M. RAFFERTY

MEMBERS who took part in the Western Transvaal Sash convoy in 1956 will remember Mrs. G. E. M. Rafferty, a gallant old lady, for her unaffected friendliness and her forthright opinions. As a fully bilingual member she was much in demand for bearding the platteland Nationalists in their dens, and no one enjoyed these battles more than she.

She will also be remembered by us all for her courage and tenacity, her loyalty, simplicity and her undaunted spirit.

Mrs. Rafferty was a hard-working foundation member of the Hillbrow branch.

The Sash offers deep sympathy to her family, and particularly to her sister, who nursed her devotedly through a long and painful illness.

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## SELL YOUR MAGAZINE

THE special Magazine Sub-Committee appointed by Cape Western to advertise and sell the magazine is to be congratulated on obtaining a permit to sell magazines in Adderley Street. A table was set up opposite the railway station and copies of the pass issue were sold. The number sold and the interest of passers-by was most encouraging.

In the past magazines were left by branches on the tables of their local libraries, and we hope they will start this again.

We thank members of Southern Transvaal who intend in future to set up tables at selected points so that the magazine may be sold "in comfort and with dignity".

### *Bryanston Branch*

DR. A. K. FRYER addressed a meeting attended by members of other branches on "Education and the Christian and National State". A tape-recording is being arranged.

### *Waverley Branch*

THE "Young People's Quiz Evening" referred to last month was such a success that another is being arranged. The guests showed a lively interest in various political questions, and they have requested that future meetings include speakers from all political parties. There were also requests for non-European speakers. "Quiz Evenings" are recommended to other branches.

Members of this branch are also to be congratulated on raising £39 at a jumble sale.

## CAPE WESTERN

OUR efforts this month have been spent mostly in preparing for work ahead. We were in the throes of "making" and "doing" for our annual fundraising fête, which is a combined effort of all our branches, and preparing for our Regional Conference.

We held a Brains Trust on "Poverty — What price to South Africa" and considering the large number of people who condemn the poor for wasting their money, it is surprising how difficult it was to find speakers to defend this point of view. Nevertheless the hall was crowded and it was a most successful evening.

A letter from this Region was published in the local press on Christian National Education.

Our Bail Fund office has been exceptionally busy and, due to our efforts, several cases against Africans have been withdrawn. This is a triumph for our workers but is attracting more cases than they are able to handle.

We appeal to Sashers for suggestions for the commemoration of Union Day, 1960.

Members of Wellington Branch have set an example by sitting in the local police court. Hermanus and Somerset West Branches are doing the same. Elgin intends to follow suit, since in this way many matters of interest to the Sash are drawn to our attention.

## FUND RAISING

**T**HE Cape Western Region would like to hear from other Regions what the best "money-raisers" are. We hand on these ideas to those who may wish to try them:

*Picnic Lunch and Tea Party.* This was the Elgin branch's special effort. They provided a delicious tea for visitors among the apple orchards of Elgin, and sold delicacies as well. Highly successful!

*Bridge.* One group of regular players simply snow-balled their donation to a special fund by each paying 1/- into the "kitty," and then donating all winnings. Keep this going for a year and then see the surprise total!

*Little by Little.* Cape Western has a "Bring and Buy" for the half hour preceding the monthly All Branches meeting.

*Combined Cake and Second-hand Hat Sale.* Southern Transvaal raised £60 and had a great deal of fun in this novel venture.

*Chinese Dinner.* This function raised £160 for Southern Transvaal and everyone thoroughly enjoyed the evening.

*Jumble Sales.* Record sums have been raised by Southern Transvaal branches.

## EXHIBITION

**Y**OU are invited to attend Fainia Pocock's exhibition of paintings, pottery, bronzes, wood carvings, Christmas gifts and cards (also pottery replicas of ancient Egyptian models from the Cairo Museum) at Kintyre, Montrose Avenue, Clovelly, C.P. Opening by Mrs. Newton-Thompson at 5 p.m. on Monday, 23rd November; days following from 11 a.m. Five per cent. of all sales will be donated to the Black Sash.

## BORDER

### *Stutterheim and Kei Road Branches*

**A** PUBLIC MEETING on Christian National Education sponsored by the Stutterheim and Kei Road Branches of the Black Sash was held in Stutterheim on September 24th. The meeting was addressed by Mr. J. W. MacQuarrie, Senior Lecturer in Education at Natal University. Mrs. S. Johnston (Kei Road) took the chair.

Between 60 and 70 people were present, at least a quarter of them men, from as far afield as Alice, St. Matthews and Cathcart.

Mr. MacQuarrie was asked to explain ways in which C.N.E. might affect private schools. He replied that nothing definite had been said about private schools, but that African Mission schools had been taken out of the hands of the Churches. An inference could be drawn that the same might happen to "white" Church schools; or that Church schools could be so controlled and modified that the Churches would no longer have any control themselves.

Another question asked was what we could do about counteracting the advancement of C.N.E. The application of C.N.E. would lead to two ways of life in antipathy towards each other. Mr. MacQuarrie said that C.N.E. should be fought by every legal means of persuasion.

Answering a question as to whether the original conception of C.N.E. took into consideration the conscience clause, Mr. MacQuarrie said that the trend was that teachers should subscribe to the doctrines of these particular Churches (the three Dutch Reformed Churches). Potchefstroom University has removed the conscience clause from its statute.

A teacher of a private school in the audience said that facts only should be taught, and subjects such as history should be made as unbiassed as possible.

The chairman reminded the audience that the home influence could play a very important part in countering the effects of racial indoctrination.

A resolution was passed: "That this meeting, representing the joint communities of Stutterheim, Kei Road and districts, associates itself completely with the resolution adopted at a similar meeting in East London (reported on page 7), and with the protests to be addressed to the Prime Minister, the Minister of Education, Arts and Science, the Minister of Bantu Education, and to the Administrator of the Cape Province."

It is almost possible to regard the period when Dr. Malan was at the head of Government as the "good old days".

—Imvo Zabantsundu.

## Fill in this Form

And send it to one of the addresses in the panel below.

- I wish to join the Black Sash at an annual subscription of **2s. 6d.**
- I wish to subscribe to the Black Sash magazine at an annual subscription of **6s.**

Tick either square or both.

Name.....

Address.....

.....

.....

## THE AIMS OF THE SASH

The Organisation shall be non-party political and undenominational and its objects shall be:—

- (i) To conduct propaganda, enlist support and aid for the observance of:—
- (a) Political morality and the principles of Parliamentary democracy within the Union of South Africa.
- (b) Civil rights and liberties.
- (ii) The political education and enlightenment of citizens of South Africa, and other persons.
- (iii) The doing of all such things and the carrying out of all such activities as may further the objects of the Organisation.

### REGIONAL CHAIRS AND SECRETARIES

#### Border.

- C. Mrs. D. Curry, 3 Carisbrooke Road, Stirling, East London.
- S. Mrs. C. James, 39 Roslin Road, East London.

#### Cape Eastern.

- C. Mrs. A. Pirie, 68 Westview Drive, Port Elizabeth.
- S. Mrs. D. Davis, 196 Main Road, Walmer, Port Elizabeth.

#### Cape Western.

- C. Mrs. M. Roberts, Ruallen, Moselle Road, St. James.
- S. Mrs. M. Henderson, 1 Kildare Road, Claremont.

#### Lowveld.

- C. Mrs. B. Tracey, P.O. Box 17, White River, E. Transvaal.
- S. Mrs. L. McHattie, P.O. Box 234, White River, E. Transvaal.

#### Natal Coastal Region.

- C. Mrs. A. D. Powell, 60 The Crescent, Hillary.
- S. Mrs. D. E. Brummer, 6 Glynwood Grove, Bellair.

#### Natal Midlands.

- C. Mrs. S. Johnson, Miller Street, Howick.
- S. Mrs. M. Dyer, 8 Christie Road, Pietermaritzburg.

#### Northern Transvaal.

- C. Mrs. A. Findlay, 296 Mears Street, Pretoria.
- S. Mrs. M. Brink, 1082 Pretorius Street, Hatfield, Pretoria.

#### Southern Transvaal.

- C. Mrs. J. Sinclair, 203 Santa Margherita, Eighth Street, Killarney, Johannesburg.
- S. Mrs. D. Grant, 55 Pembroke Street, Sydenham, Johannesburg.

#### Orange Free State.

- Mrs. H. O'Connor, P.O. Box 245, Bloemfontein.