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The Holocaust and Apartheid :Similarities and Differences
A Comparative Study

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COMPULSORY DECLARATION.

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Juliette Peires

Date 12 February 2004

THE HOLOCAUST AND APARTHEID: SIMILARITIES AND DIFFERENCES
A COMPARATIVE STUDY

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ABSTRACT

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THE HOLOCAUST AND APARTHEID: SIMILARITIES AND DIFFERENCES A COMPARATIVE STUDY

In recent years it has become fairly commonplace to make comparisons between the Holocaust and Apartheid. This dissertation explores similarities and differences. It acknowledges that both systems were rooted in ideas of race, but while the tools used by the Nazis in Germany and the apartheid government in South Africa are superficially similar, their very different objectives brought about radically different outcomes once their policies were enforced.

The dissertation opens with a discussion of the methods used by each of the different systems to define the victim races, and justify their inferior status. In Germany the reasons given were the desire to preserve the pure Aryan volk and protect the volkisch culture. In South Africa the stated premise was that each 'ethnic' group would best realise its full potential if it was encouraged to preserve its integrity and promote its own culture. In both countries separation was followed by deprivation of citizenship. Under German rule Jews were rendered stateless and expelled as far as possible from the Reich. In South Africa 'blacks' were made citizens of 'ethnic homelands'. Unlike the German Jews, South African 'blacks' had at least some kind of nominal right to equality in their designated 'homelands'.

Freedom of movement was restricted and residential segregation enforced in both countries. Jews, previously prominent in the cultural, academic and economic life of Germany, were impoverished and dehumanized. 'Blacks' in South Africa were locked into their role of unskilled, manual labourers, a position that they had occupied since the beginning of 'white' settlement in the Cape.

Initially Jews were confined to ghettos, eventually to labour and death camps. In South Africa people of colour were forcibly removed to rural 'homelands'. However the demand for cheap labour eventually necessitated their admission to the urban industrial areas, and although they were restricted to living in 'townships' their exclusion was never total and their physical destruction was never contemplated.

In both countries government controlled local authorities kept tight reign on the administration of the residential areas that were demarcated for the disadvantaged. In Nazi Germany the SS appointed *Judenräte* (Jewish Councils) to administer the ghettos. These councils were used to secure the peaceful acquiescence of Jews en route to the death camps. Eventually the councilors were killed together with the people they were supposed to govern. In South Africa town councils were established for local government in the townships, but these councils were unsuccessful because they were government controlled and illegitimate. Their purpose was to administer the separate development areas, not to pave the way for eventual extermination of their inhabitants.

In neither Germany nor South Africa did churches play an active role in preventing discrimination and injustice. In Germany this was simply a continuation of the traditional attitude of anti-Judaism nurtured by the refusal of Jews to convert to Christianity. In South Africa missionaries worked hard to convert 'blacks' to Christianity, but Dutch Reformed Church ministers believed that it was God's will that 'black' and 'white' should be kept separate, church services were strictly segregated, and this was in keeping with the apartheid ideal. With regard to the media, both Nazi Germany and the apartheid regime backed those sectors of the media that promoted negative images of Jews and 'blacks', while censoring those that were more liberally inclined.

The fundamental differences between the Holocaust and apartheid became most apparent in their terminal stages. Whereas Nazism led to genocide, the leitmotif of apartheid was cheap labour, not planned extermination. The Nazis created death camps and designed advanced technology especially for the purpose of speeding up mass murder and body disposal. Apartheid killings in South Africa were carried out by traditional means on an individual basis and not by large-scale extermination techniques. The killings in South Africa were directed only at opponents of the regime and not for the purpose of exterminating a specific ethnic group.

This dissertation presents two case studies of racist ideology which promoted discrimination and the elevation of a 'superior' race at the expense of the disadvantaged. In Germany this resulted in a programme of genocide whereas the apartheid system in South Africa, though intended to service the material interests of the ruling group, nevertheless proved dysfunctional and sowed the seeds of its own demise.

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Juliette Peires

February, 2004

THE HOLOCAUST AND APARTHEID: SIMILARITIES AND DIFFERENCES

A COMPARATIVE STUDY

CHAPTER 1

THE IDEA OF RACE: NAZI GERMANY AND SOUTH AFRICA

At the Annual General Meeting of the Cape Town Branch of the Union of Jewish Women on 25 May 2000 guest speaker Patricia de Lille, then a Pan African Congress (PAC) member of parliament, told the assembled gathering that "South Africans had been suffering for 300 years. We can compare the suffering of the people in South Africa to the Holocaust."¹ In South Africa politicians have frequently expressed similar analogies, often publicly. But this statement drew an angry response from some members of the audience who felt that the magnitude of the Holocaust which destroyed nearly six million European Jews is often not taken seriously enough. Nonetheless, writes Colin Tatz, Nazi Germany and South Africa were both the yardsticks and bogeymen of twentieth century racism and its consequences.² This study is an attempt to give perspective to the similarities and differences between the two phenomena.

In both Nazi Germany and apartheid South Africa race played a fundamental role in determining government policy. Both societies used the concept of race to define and exclude certain sections of the population from enjoying full human rights in the country of their domicile. But there the similarities essentially end. This is especially the case if one follows the trajectory of Nazi policies towards Jews during the war years.

¹Cape Times, 25.02.2000.

²Tatz, *With Intent To Destroy*, p.107.

Comparisons between apartheid and the Holocaust were already evident in the 1950s in the immediate wake of the destruction of European Jewry. As early as 1945, the Non-European Unity Movement drew up a document that informed the United Nations of the similarities between the South African race laws and Nazism. It pointed out that skin colour substituted for the 'yellow patch' and, like the Jews, the blacks³ in South Africa faced a whole lot of discriminatory legislation.⁴

It is arguable that the architects of apartheid were directly influenced and inspired by Nazi ideology. For instance Brian Bunting compared the Nuremberg Laws with South Africa's apartheid legislation, maintaining that the racial laws passed by the Nationalist government from 1948 that removed from sections of the population privileges previously enjoyed by them, were modeled on the Nazi precedent.⁵ On the other hand Hermann Giliomee notes that although H.F.Verwoerd, the prime minister who orchestrated 'grand apartheid', spent a year in Germany in 1926, he also spent the following year in the United States. It was in the latter country that he imbibed ideas that would later influence apartheid ideology. Quoting Millar, Giliomee points out that there was no evidence that Verwoerd was

infected by the racial ideology of the National Socialists in Germany. He was in fact more impressed by some strands of American sociology. His lecture notes and memoranda at Stellenbosch stressed that there were no biological differences between the big racial groups or for that matter between Europeans and Africans, and since there were no differences "this was not really a factor in the development of higher social civilization by the Caucasian race".⁶

³The word black is used to denote anyone who is not white. Unless included as part of a quotation, the word African refers to the indigenous people of South Africa. Other 'non-whites' were Indians/Asians, and 'Coloureds' (people of mixed racial origin). Conversely, the word white is used to denote everyone who is not black.

⁴See Shain, 'South Africa', in Wyman (ed) *The World Reacts to the Holocaust*, p. 680.

⁵See Bunting. In *The Rise of the South African Reich* Bunting traces laws passed between 1948 and 1968 which can be said to be based on the Nuremberg Laws. pp.158 -193.

⁶Millar reference cited in Giliomee, *The Afrikaners, Biography of a People*, p.350.

Writing in the wake of apartheid's collapse Jeremy Sarkin maintains that South Africa inherited a legacy from the German Nuremberg Laws of the 1930's that set in motion the institutionalization of apartheid,⁷ but no supporting evidence is provided. The most systematic comparison is provided by Kader and Louise Asmal and Ronald Suresh Roberts who maintain that the Nazi ideology did have a powerful influence over the early architects of apartheid.⁸ However Asmal and Roberts do separate the actual annihilation of the Jews from the earlier unfolding of Nazi policy.

We do not compare the evils of apartheid to the Holocaust, which we view as both unprecedented and unrepeated in its ghoulish blending of barbarism with high technology in pursuit of mass killings. But the Nazi Holocaust gathered momentum only in 1941, by which time the history of Nazi rule in Germany was already seven years old. It is from that period, the history of Nazism minus the Holocaust, that we draw most parallels.⁹

This is an important distinction that will certainly be evident in the study. What cannot be denied is that both apartheid and Nazism were in essence based on race ideology and both were manifestations of racial intolerance. As the introductory panel at the Cape Town Holocaust Centre explains:

Although we all derive from common origins, in modern times racial differences have played a fundamental part in group prejudice. In the eighteenth century anthropologists promoted the theory that external or physical differences were an indication of inherent qualities. For example fair people were considered superior to dark, and facial features were a sign of intelligence and morality...Race concepts served to justify colonialism with its belief in the superiority of European

⁷ Sarkin, *The Legacy of Nuremberg and the Truth and Reconciliation Commission in South Africa*, p.2.

⁸ Asmal K. & L. & Roberts, *Reconciliation Through Truth*, Afterword, p. VII.

⁹ *Ibid.*, p. VII; Refer also Lionel Abrahams, 'The Democratic Chorus, Individual Choice' pp.18, 158, and Hermann Giliomee, *Liberal and Populist Democracy in South Africa* pp.9, 10.

civilisation. Incorporated in the pseudo-science of eighteenth century race-thinking was the idea that Jews were 'Semites', an inherently and immutably different race.

In essence the Holocaust was the result of the Nazi's desire to rid Germany of Jews. Although Jews had previously been defined in religious terms, and although hatred of Jews had developed from a religious base, the defining of Jews in terms of a race was a product of the Enlightenment (*Haskalah*), incorporating the potential for Jews to 'contaminate' those with whom they came in contact. Herein lies an extra dimension to age-old Jew-hatred.

Antisemitism differs from other forms of group hatred in that it not only dehumanises the Jews, but demonises them. It also endows them with cosmic powers of evil.¹⁰

In addition to their being motivated by an overwhelming hatred of and distaste for Jews, the Nazi desire to remove Jews from society was reinforced by their need to accommodate and equip Germans who had been living in non-German territories. Hitler tried to entice all ethnic Germans who had previously left the Reich to return. In order to encourage this his regime promised them land, homes, and material compensation for everything they would have to abandon. The property and space occupied by the Jews were required in order to resettle the returning citizens. It was estimated that the property and space of two Jews was required to accommodate one repatriated Aryan. When the property and goods of the Jews had been allocated, the Nazis expropriated the property and space of two Poles for one returning German. The idea was to create a dominant country, populated with a superior race, uncontaminated by the unwanted and unworthy.

Apartheid had a different source to that of Nazism, being rooted in a legacy of slavery, colonialism and segregation. It was a continuum of discrimination against 'non-whites'. It ignored the culture of the indigenous people and gradually developed a system that eventually introduced the idea of 'separate but equal'. In essence apartheid was an exploitative system, rooted in the desire for cheap labour. This was well captured by the African National Congress (ANC) which wrote to the government in 1952 expressing the idea that apartheid had less to do with the preservation of white identity than "with the systematic exploitation of African people."¹¹ When the Nationalists came into power in 1948, a system of segregation allied to the concept of white superiority was already in place. What started as segregation evolved into the system of Apartheid.

Segregation became the organising ideology of white supremacy...It was elaborated in the context of South Africa's experience of rapid industrialisation and was intended to defend the prevailing social order from the threat posed by the growth of a potentially militant African proletariat.¹²

Jews had lived in 'Germany' for many centuries before Hitler rose to power. The attitude of the Germans to the Jews fluctuated between the virulent antisemitism that characterised the teachings of Martin Luther, and acceptance, which culminated in their emancipation in 1871. From then until Hitler's accession to power, Jews and non-Jews were accepted as equal members of German society. By 1933 Jews were playing an important role in the cultural and economic life of Germany. When the Nazis gradually introduced discrimination against them it was a great shock which should have elicited a greater response. Perhaps neither the Jewish nor the non-Jewish Germans anticipated the magnitude of the eventual persecution of Jews. The Holocaust developed step by

¹⁰Hellig, *The Holocaust and Antisemitism: A Short History*, p.2

¹¹Giliomee, *The Afrikaners: Biography of a People*, p. 498.

¹²Dubow, *Racial Segregation and the Origins of Apartheid in South Africa, 1919-1936*, p.1.

step, initially as a means of ridding Germany of Jews, and subsequently during the Second World War, of expunging the Jews from Germany and all German occupied territory. As discrimination took hold, the outcry and protests that may have been expected, first from the German people, and then from the rest of the world, failed to materialise. What began as social exclusion spawned further acts which culminated in a proposed 'Final Solution' to the Jewish Problem, the extermination of the Jews.

Unlike Nazi Germany's 'Final Solution', the goal of apartheid was not the extermination of 'blacks'. Rather it was the establishment of a rigidly separated society wherein 'white' supremacy was entrenched with 'blacks' providing cheap labour and doing work that 'whites' found unacceptable. In trying to achieve this the apartheid government passed several laws similar to those promulgated by the Nazis. However the apartheid government never considered killing their labour force. Herein lies a cardinal difference between the two systems. In order to make Germany '*Judenrein*' (Jew free), the Nazis perpetrated horrendous acts against Jews.

The Holocaust brought the attention of the world to the evils that man could commit against his fellow man. In the hope of protecting future generations against the sort of crimes that were committed by the Nazis, on 11 December 1946, the United Nations adopted a Convention entitled "the Prevention and Punishment of the Crime of Genocide". This was followed on 10 December 1948 by a Universal Declaration of Human Rights.¹³ Articles 1, 2 and 3 of this Declaration state

All human beings are born free and equal in dignity and rights.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion...

Everyone has the right to life, liberty and the security of person.¹⁴

¹³Yearbook of the United Nations, Special 50th Anniversary Edition, 1945-1995, pp.303-305.

¹⁴Ibid., p.304.

This dissertation seeks to explore the parallels and differences between Nazi actions against the Jews, and the apartheid government's treatment of 'blacks'. The modus operandi in both cases was based on racial discrimination. In South Africa the bias was based on colour; in Germany discrimination was rooted in old religious hostilities reinforced by Nazi racial categories. The 'Semite' was considered to be the enemy of the 'Aryan'. Hitler saw the killing of the Jews as a sacred obligation,¹⁵ analysing the struggle against the Jews in apocalyptic terms.

Two worlds face one another – the men of God and the men of Satan! 'The Jew is the anti-man, the creature of another god...I set the Aryan and the Jew over against one another...'¹⁶

The racial theories propounded by the Nazis and the advocates of apartheid led to the differential treatment of Jews and 'blacks' as regards citizenship, residence and economic opportunities. Similarities and differences can be traced through the race classifications and the determination to ensure racial purity.

* * * * *

In 1871 a new German constitution had given Jews full rights in Germany. This constitution eliminated restrictions on Jews as far as residence, marriage, choice of professions and acquisition of real estate, and confirmed their right to vote.¹⁷ Moses Mendelssohn (1729-1786) had already spearheaded the *Haskalah* and many German Jews became involved in the study of German culture and German philosophy. During the period of the Weimar Republic, between the end of the First World War and 1933

¹⁵Katz, *The Holocaust in Historical Context, Volume I: The Holocaust and Mass Death before the Modern Age*, p. 6.

¹⁶Rauschnig, Hermann, 'Hitler Speaks', quoted in Katz, *The Holocaust in Historical Context, Volume I*, p.8.

¹⁷Seltzer, *Jewish People, Jewish Thought: The Jewish Experience in History*, p.531.

when Hitler was appointed chancellor, German Jews enjoyed a golden age. There was little evidence of the substantial discrimination that had previously been practiced, and Jews became prominent in the professions, business and the arts.

On the contrary prior to the introduction of apartheid, 'black' South Africans had never been part of 'white' society. There were cultural differences between 'whites' and 'blacks', and even between 'blacks' of different ethnicity. We will see how the apartheid government tried to exploit these differences by setting up different 'homelands' for each of the nine ethnic groups. The areas thus demarcated were called 'Bantu Homelands' or 'Bantustans'. In this way they tried not only to separate 'blacks' from 'whites', but also the different ethnic groups from one another. Though people of colour were not formally excluded from general society, the absence of meaningful rights engendered marginality. 'Blacks' did not have the vote, but between 1936 and May 1959 when the government passed a law abolishing African parliamentary representation, three 'white' members designated to look after their interests represented the African population in Parliament. In the Cape Province, 'coloured' males did have the vote until 1958 when this right was removed by the Separate Representation of Voters Amendment Act, Number 30. Eventually even the representatives of the 'non-white' majority were removed.¹⁸

In both Nazi Germany and apartheid South Africa the desire to keep the culture of the 'superior' group pure was reinforced by residential segregation and restrictions on freedom of movement. The Nazis removed governmental responsibility for the education and social services of Non-Aryans, while the apartheid government provided separate, but minimal services in these fields. As the Nazi's power became entrenched in

¹⁸Bunting writes in *The Rise of the South African Reich*, "After 1971, South Africa's supreme law-making body, the House of Assembly, will represent only the White electorate of South Africa and South West Africa. The non-white majority of the population will be without representation of any kind, direct or indirect." p.145.

Germany and after the Nationalists won the elections in 1948, each retained control over their disadvantaged groups while creating some form of what was described as self-administration, particularly at local levels for Jews and 'blacks'. These systems of domination will be studied as will the role of business, the media and the churches within the political establishment. While it will be argued that similarities do exist between Nazi Germany in its initial years and apartheid South Africa, the actions of Nazis following the outbreak of the second world war in 1939 demonstrated fundamental differences between the goals and objectives of the two systems. For this reason substantial attention will be devoted in this study to the question of violence and death. How did those who died, die, and who was responsible for the deaths?

In order to set the scene for the comparisons, it is necessary to examine the situation of the excluded populations before the advent of Hitler in Germany and before the Nationalist Party came into power in South Africa in 1948. In Germany in 1933, the Jews were few in number, only about 500,000 out of the total population of about 50 million. Apart from religion, Jews by and large shared the same culture as the other Germans. They did not threaten the political supremacy of the Christian Germans, notwithstanding their disproportionately important economic and social role. In South Africa 'non-whites' were in the majority. In the population census of 1946 they comprised 79.2% of the people in the country. In a population of 11.5 million, the ratio of 'non-whites' to 'whites' was 9 to 2.3.¹⁹ In the rural areas African traditional leaders and traditional culture dominated, and urban Africans were influenced by their cultural heritage. The 'black' population was considered a potential threat to the political supremacy of the 'white' Afrikaner.

¹⁹In 1996 at the time of the first census in the 'new' South Africa, 'non-whites' constituted 89.1% of the population. Out of a total population of 40.5 million, the ratio of 'non-whites' to 'whites' was approximately 9 to 1. In 1996, the 'non-white' population consisted of 76.7% African, 8.9% 'coloured' and 2.6% Indian Asian. (Figures collated from SAIRR surveys).

In the German context, Adolf Hitler wrote in *Mein Kampf* that “the Jew destroys the racial foundations of our existence and thus destroys our people for all time.”²⁰ He continues “Once one realises the cause of the decline of the German people as the Jewish menace, the decline can be halted”.²¹ In order to eradicate the Jewish influence in Germany, schemes for removing Jews from society, ultimately ending in the ‘Final Solution’ were put in place. In South Africa the situation was very different. It was not a question of depriving Africans of what they had, it was a question of maintaining their inferior status. The aim was to preserve ‘white’ supremacy (baasskap)²², entrenching ‘blacks’ in a subservient position, easily available to provide the labour required for ‘white’ industry and agriculture.

On the other hand the Nazis embarked on a programme to rid Germany of the despised Jews. Initially they hoped that by making their lives in Germany intolerable, they would force them to emigrate. This policy was followed until the outbreak of war in 1939. While military matters occupied the attention of Germans and the outside world, the actions against the Jews were of secondary importance to the war effort. The escalation of the killing programme started in 1941 with the invasion of Russia. This step triggered off a mass killing of millions of people, including almost all the Jews in Nazi occupied territory. The murders continued until the end of the war.

In South Africa the government had no intention of removing their valuable ‘black’ labour force. Nonetheless deaths did occur, albeit not by deliberate murder, but mainly as a product of forced removals, lack of adequate health care, infant mortality and malnutrition. In addition to systemic deaths, numerous ‘black’ people were killed when ‘blacks’ took more pro-active steps in their protest against the restrictions to which they

²⁰Hitler. *Mein Kampf*, p. 515.

²¹*Ibid.*, p.299.

²²Baasskap. A word which implies the master/servant relationship which existed between ‘whites’ and ‘blacks’. In Afrikaans Baas was equivalent to Master.

were subjected. This was particularly evident from the 1980's when anti-apartheid activities became more forceful. The government instituted harsh action against its opponents, and most particularly, against the leaders. Measures taken included bannings, house arrests, detention without trial, and the 'removal from society' of individuals or groups considered a threat. But the numbers involved in individual incidents were relatively small, tens and (rarely) hundreds instead of thousands and tens and hundreds of thousands.

In both Nazi Germany and South Africa, among the victims of discrimination there were those who resisted the stringent measures taken against them, and the physical assaults to which they were exposed. In both countries the kinds of resistance undertaken ranged from passive to the use of force. The mind-set and attitudes of those engaged in clashing with the might of the oppressors varied considerably. The study of resistance to the perpetrators of the Holocaust, and to those who sought to entrench 'white' supremacy on behalf of the apartheid regime is a subject that needs further investigation. It is beyond the scope of this dissertation. In this work resistance will only be mentioned briefly in sections where the emphasis is on other aspects of the comparison.

CHAPTER 2

EXCLUDING POPULATIONS

DEFINING THE POPULATIONS TO BE EXCLUDED

Both the Nazi government in Germany and the apartheid government in South Africa used racial criteria to discriminate against certain sections of their populations. It will now be described how, in the two cases being studied, the motives for the discriminations were different, as were the peoples or groups that were to be discriminated against. The Nazis primarily pursued a policy of discrimination against Jews.¹ Their object was to render it impossible for them to continue to play the prominent role that they had played in German society. In fact, they set a process in motion that aimed not only at removing Jews from German society, but a process that was geared to de-humanizing them as well.

On the other hand the South African Nationalist government was determined to formalise and extend the segregation that had operated in the country during the rule of the colonial powers that preceded them. They aimed to ensure that 'white' supremacy became entrenched, and that management positions and skilled employment opportunities remained the prerogative of the 'white' section of the population. 'Black' labour was to be directed towards the unskilled and manual sector, and 'blacks' were expected to occupy an inferior status to that of 'whites'. In order to enforce the racial laws and to ensure that the different population groups were directed towards the roles that they were required to play, it became necessary to define and categorize them.

¹Other groups included gypsies, communists, Jehovah's witnesses and homosexuals.

During the Weimar period Jews in Germany enjoyed equal rights with non-Jewish Germans. These came to an end with the first official discrimination against Jews that was embedded in the Law for the Restoration of the Professional Civil Service.² Part of the supplementary decree of 11 April 1933 attached to this law was paragraph two, known as the 'Aryan Paragraph', which removed all non-Aryans from the Civil Service. It reads "A non-Aryan is defined as any person who descends from non-Aryan, and especially Jewish parents or grandparents. It suffices if one of the four grandparents is non-Aryan."³ This definition was used until 1935 when a formal decree was set out that determined exactly who was to be declared a Jew.

Not until 1935 did the German bureaucracy come up with a definition of the term Jew. The occasion was the issuance of the Reich Citizenship Law (one of the 'Nuremberg Laws') which declared that Jews could not be citizens.⁴

On 14 November 1935, the first supplementary decree to the Reich Citizenship Law defined Jews by examining their family trees as far back as the grandparents. Anyone with three Jewish grandparents was a full Jew. Partial Jews were called *Mischlings* if they did not practice the Jewish faith. A person could be a first or second degree *Mischling* depending on how many of his grandparents were Jewish. "A grandparent is considered a full-blooded Jew if he or she belonged to the Jewish religious community."⁵ It is interesting to note that a Jew was defined, not as belonging to a specific race, but as someone who was a member of the Jewish religious community. Biological or genetic characteristics were not included in the classification, yet Jews were regarded as belonging to a 'Semitic' race.

²Schleunes, *Legislating the Holocaust*, p. 153.

³*Ibid.*, p.154. Also Appendix A.

⁴Hilberg, *Documents of Destruction: Germany and Jewry 1933-1945*, p 18.

⁵Schleunes, *Legislating the Holocaust*, p.156.

It should be noted that the definition is in no sense based on racial criteria, such as blood type, curvature of the nose, or other physical characteristics. Nazi commentators called the decrees "racial laws"...but the sole criterion was...not the religion of the person involved...but the religion of his ancestors.⁶ [Converted Jews also became victims of the Nazis].

Great importance was attached to the *Mischling* classifications. Bernard Loesner, the 'Jewish expert' in the Nazi Interior Ministry [who] played an important role in creating anti-Jewish legislation saved them from some of the harshest decrees in subsequent laws, by gaining certain concessions for them.⁷ Germans became extremely anxious to trace their ancestry.

Once people learned of the laws they immediately besieged the church offices [where all births had been registered until 1875] with requests for legal documentation of their German (non-Jewish) ancestry. "Licensed family researchers" developed a new enterprise of researching the ancestry of their clientele.⁸

Whereas in Germany people were defined as being Jewish according to the religion of their ancestors, the Nationalist South African Government sought to promote its ideal of separate development by categorising the different racial groups essentially according to the colour of their skins. The Population Registration Act, Number 29 of 1950⁹ divided the population into racial groups. Each individual was either 'white', 'coloured', Indian, Asiatic or African. Although the main deciding factor in racial classification was skin colour, consideration was also given to features, the shape of the head and torso, and the texture of the hair.

⁶Hilberg. *The Destruction of the European Jews*, p.45.

⁷Schleunes. *Legislating the Holocaust*, p.1, Mischling Protection, pp. 13-14 and 65-68.

⁸Berenbaum. *Witness to the Holocaust*, p. 25.

⁹Appendix A.

Before the advent of the Population Register, South Africans did not realize the importance that would be attached to the racial classification of their children. Frequently the registering of a birth was left to the midwife who delivered the baby. Sometimes, if the delivery took place in a poorly lit room in the middle of the night, the midwife would register the baby as 'mixed'. One of the other siblings may have been registered as 'white'. These registrations became a source of great tragedy for many families, because they served to 'label' the individual according to his colour. Later, laws were passed that restricted the freedom of movement and use of facilities by those who were classified as 'non-white'. These laws will be discussed in the section on "Social Control", but here it can be pointed out that families were split because those registered as 'mixed' did not want to ruin the opportunities that were available to those registered as 'white'. Relations who looked 'coloured' would not visit a sick 'white' child in hospital. Some brothers and sisters were sent to different schools. It was possible to have a classification overturned, and it was common to 'try for white'. Many such applications were made. Individuals, and in some instances whole families, appealed to their doctors or to their Ministers of religion for certificates requesting confirmation that their registration was incorrect. They declared that they had always lived as 'whites' among 'white' people, but had been erroneously registered as 'mixed'.¹⁰ There were cases where registrations were reversed.

In a 1967 General Circular, the then Secretary for Bantu Administration, J.P. Dodds, explained that the Government did not regard all 'Bantu' as one single people, but as people of several nations, divided by language, culture and tradition. He went on to say that within the Republic of South Africa, there were large tracts of land that could be used as their homelands and that all 'non-productive Bantu' who were then residing in

¹⁰Dr A.H.Peires. Interview. Cape Town, May 2003. Dr Peires was called upon to give many certificates stating that families or individuals applying for re-registration had always been regarded as 'white'.

European areas should be resettled in these homelands. In the section on Citizenship, it will be seen how the 1970 Bantu Homelands Citizenship Act removed South African citizenship from Africans and made them citizens of one of the newly created 'Bantustan' homeland states instead.

In both Germany and South Africa, laws were passed defining the 'racial' groups whose opportunities and activities were to be restricted, but the motivation for the restrictions were very different. Antisemitism was a benchmark of Hitler's philosophy. Nazi party policy was characterised by extreme German nationalism combined with virulent antisemitism. The laws that were promulgated excluded 'non-Aryans' from the civil service, from practicing their professions and from participating in the arts. Many Germans were ready and eager to take over jobs that had previously been held by Jews.

The fact that Jews were officially defined, and singled out for exclusion from the Third Reich probably relieved ethnic Germans of any feelings of conscience they might have entertained. 'Whites' in South Africa had no desire to take over positions held by 'blacks'. They wanted to keep 'blacks' doing the work they did not wish to do themselves.

Jews had considered themselves part of German society and had played a prominent part in German cultural activities. At first those who had served Germany during the First World War were exempted from certain restrictions, but eventually even those with proven loyalty to Germany were targeted. They were dismayed and surprised by the steadily hardening attitude displayed by Germans who had been their neighbours, friends and business associates.

All three Leyens brothers served as volunteers on the front. They were wounded and were decorated for courageous action. Their father [Hermann] Leyens had been a volunteer in the fight against the Spartacists. His grandfather was wounded

at Katzbach during the war of liberation. With such a record of past national service, do we now have to be subjected to public humiliation?¹¹

In both South Africa and Germany laws were passed which defined different racial groups. However racial classification in Germany was rigid and German laws were a vehicle for depriving people of privileges that they had previously enjoyed. There was no possibility of an appeal to overturn classification as a Jew. On the other hand, South African law did allow evidence of a 'white' appearance, 'white' associates and a 'white' life-style to overturn a 'coloured' classification, or a 'coloured' appearance and lifestyle to overturn a classification of 'African'. The laws were aimed at preserving a status quo that disadvantaged the vast majority of the population, but were flexible in individual cases.

RACIAL PURITY

Having defined which members of the population were to be discriminated against, steps were taken to preserve the purity of the privileged races. In Germany legislation was enacted to ensure that there was no danger that future Aryans might become contaminated by Jewish genes. Among the Nuremberg Laws of 15 September 1935 was the "Law for the Protection of German Blood and German Honor".¹² Because the Nazis were "Convinced that the purity of German Blood is essential to the survival of the German people, and inspired by the uncompromising determination to safeguard the future of the German Nation,"¹³ they banished all marriages between Jews and Germans. Mixed marriages which had been contracted before the Law for the Protection of German Blood and Honour were not dissolved, and the possession of a non-Jewish spouse did shield the partner from the draconian laws to a certain extent.

¹¹Burleigh, *The Third Reich*, (p. 282), quotes a pamphlet handed out by Erich Leyens protesting about the boycott outside his family's department store.

¹²Appendix B.

In addition to prohibiting Germans from marrying Jews, extra-marital sex between Jews and Germans was also forbidden. So keen were the Nazis to protect pure Aryan women from Jewish contamination, that this law also included a clause prohibiting Jews from employing in their households German women under the age of 45. The type of Jewish household in which German women were not allowed to work was defined. Not only were the authorities afraid of 'Jewish genes' being handed down, in the same Act they sought to prevent Aryans suffering from mental illnesses or physical deformities from having children, by demanding marriage fitness certificates from German couples wishing to marry.

In South Africa legislation was enacted that was aimed at preventing the mixing of the races. Similar precautionary laws were put in place to guard against the contamination of the superior 'white' group by 'coloured' or 'black' blood. The Prohibition of Mixed Marriages Act No 55 of 1 July 1949¹⁴ and the Sexual Offences or Immorality Act No 21 of 1950 extended by Act 23 of 1957¹⁵ were the protective measures introduced. The Mixed Marriages Act prohibited marriages between Europeans and non-Europeans. Such marriages were declared void, and penalties were imposed on those who knowingly participated in forbidden ceremonies. Also nullified were marriages contracted overseas of persons domiciled in the Union of South Africa if these would not have been permitted in South African territory. Act 21 of 1968 extended this law to include South African citizens who lived outside the Republic. (Note that in 1949 the Union of South Africa still existed. South Africa was declared a Republic in on 31 May 1961). The object of these Acts was "To consolidate and amend the laws relating to brothels and unlawful carnal intercourse and other acts in relation thereto."¹⁶ Brothels

¹³Schleunes. *Legislating the Holocaust*, p. 173.

¹⁴Appendix B.

¹⁵*Ibid.*

¹⁶Appendix B.

were outlawed and it was an offence for unmarried sex to take place across the colour line. Not only those who committed the sexual acts were guilty, but also those who allowed such behaviour on their premises. In South Africa, extra-marital sex across the 'colour bar' was quite common. Several prominent families were reputed to have had 'dubious' ancestry from the coloured point of view. There were many prosecutions under the Immorality Act, and the innocent partners and the families of offenders suffered much from the shame and disgrace brought about by these cases.

At this point the German and South African cases were similar in that both defined their racial classifications and sought to maintain purity in their separate categories. The Germans were bent on safeguarding the Aryan race, although there were special circumstances that enabled a number of Poles and inhabitants of other conquered countries to be declared Aryan. However Jews were never able to escape from their Jewishness, nor Africans from their pigmentation.

CITIZENSHIP

In both Germany and South Africa, the races that were targeted for discrimination were deprived of their citizenship. In Germany, among the Nuremberg Laws that were passed on 15 September 1935, was the Reich Citizenship Law, followed on the 14 November 1935 by the First Supplementary Decree to the Reich Citizenship Law. These decrees stated categorically that no Jew could become a citizen of the Reich. Thus Jewish Germans were summarily stripped of their citizenship and labeled instead 'state subjects' who "enjoyed the protection of the Reich" but were not citizens.¹⁷ Hitler had written in *Mein Kampf* that the volkish state divided its inhabitants into three classes:

¹⁷Appendix C.

citizens, subjects and foreigners,¹⁸ so that this step was in keeping with one of his early intentions. Jews were encouraged to leave Germany and seek admittance to other countries. A scheme to send them to Madagascar was mooted, but this proved impractical.¹⁹ From 1933 to 1937 about 130 000 Jews fled. In July 1938, President Roosevelt of the United States called a conference of thirty-two nations at Evian, France, to discuss the refugee problem. Both the United States and Britain refused to increase their immigration quotas in order to enable them to absorb more Jews. Palestine was ruled out as a destination for Jewish Immigration because the British government did not want to alienate the Arab world. Except for the Dominican Republic, the other countries represented at the conference were also reluctant to accept the refugees. "At Evian, the world had shown that it would not make room for these Jews."²⁰ This conference removed the last chance for Jews to find a 'home' if they had to quit Germany. It would appear that the extermination of the Jews was not planned at this stage but was put in place only after other methods of ridding the Reich of Jews failed.²¹ As will be seen, the degradation and dehumanising of the Jews proceeded until the 'Final Solution', the extermination of the Jews, was put in place. Although the laws depriving the Jews of their rights were publicly promulgated and available for all to see, the annihilation was only ever mentioned in euphemistic terms. It was code-named "The Final Solution of the Jewish Question".²²

In South Africa, the government sought to entrench 'white' minority rule. In 1950 at the time of the of the Population Registration Act, everyone born in South Africa was a

¹⁸Hitler. *Mein Kampf*, p.400.

¹⁹Yahill. 'Madagascar-Phantom of a Solution for the Jewish Question', in Vago and Mosse (ed), *Jews and Non-Jews in Eastern Europe 1918-1945*, pp.321-329; Also C. Browning, 'Madagascar Plan', *Encyclopedia of the Holocaust*, pp.933-937.

²⁰Wyman. 'Evian Conference', in *Encyclopedia of the Holocaust, Volume 2*, p. 456.

²¹Functionalist theoreticians believe that the Nazi plans for the extermination of the Jews developed only after other means of 'getting rid of them' failed. Intentionalist theoreticians believe that extermination was envisaged as a goal from the beginning. See also Kershaw, *The Nazi Dictatorship, Problems and Perspectives*, Fourth Edition, p.102.

South African citizen, although all did not have the right to vote. However an attempt was made to give them some sort of "political life" apart from the 'white' population. "The Bantu Authorities Act No. 68 of 1951 made provision for the establishment of Bantu tribal, regional, and territorial authorities, and for the gradual delegation to these authorities of certain executive and administrative powers in their areas of jurisdiction."²³ The head of the tribal authority would be a chief, and he and the tribal councilors were tasked with advising the Minister on matters affecting the interest of Africans in their tribal areas. Any by-laws they might make had to be submitted to the Governor General for approval.²⁴ The 1952 Black (Native) Laws Amendment Act No 54 served to severely restrict the number of Africans who were allowed to stay in urban areas. Most were moved out of the towns, and influx control kept them in the countryside where they came under the jurisdiction of the tribal authorities.

The Act said that every black (African) South African is a citizen of one of the bantustans. This applies to everyone, even to those who have always lived in the white areas and have no knowledge of any 'homeland' or know any relatives there. The Status acts conferring independence on the 'bantustans' say that every person who is a citizen of a 'bantustan' in terms of any law "shall cease to be a citizen of South Africa."²⁵

Between 1976 and 1981, Transkei, Bophuthatswana, Venda and the Ciskei all accepted independence. "On the day that the bantustans opted for independence, all Xhosa, Tswana and Venda speaking South Africans became foreigners in South Africa."²⁶ For any offence, however minor, they could be deported from South Africa to their bantustan

²²Dawidowicz. *The War Against the Jews, 1933-1945*. p.17.

²³Horrell. *Laws Affecting Race Relations in South Africa, 1948-1976*, p. 37.

²⁴Appendix C.

²⁵Platzky. *The Surplus People*. p.18.

²⁶*Ibid.*, p.18.

homeland.²⁷ The other African territories were considered homelands, but they were not independent. The original intention was to establish ten or eleven homelands, but this was never achieved.

The government hoped that all ten bantustans would opt for 'independence', and by so doing assume responsibility for millions of rightless blacks, who according to this new law 'shall cease to be citizen(s) of South Africa.'²⁸

In this way about eight million South Africans have been stripped of their South African citizenship since Transkei became the first bantustan to take independence on 26 October 1976. Although not yet foreigners, the remaining twelve million African South Africans have been tied to six self-governing bantustans.²⁹

The Bantu Homelands Citizenship Act (National States Citizenship) Act No 26 of 1970, "required all black persons to become citizens of a self-governing territorial authority".³⁰ This Act made Africans citizens of separate countries, the 'bantustans' or 'homelands' to which they were attached according to their ethnicity³¹. It proved impossible to establish homelands for Coloureds and Indians. They did not have territories that could be maneuvered into demarcated areas, so that their 'homelands' would have to be located inside the 'white' South African state. Thus the idea of complete segregation broke down. The Bantu Homelands Constitution Act No. 21 of 1971 empowered the government, when it deemed the time was ripe, to confer increased power of self-government on the various homeland governments.³² Dr Hendrik Verwoerd (Prime Minister 1958-1966)

²⁷ *Ibid.*, p.21.

²⁸ *Ibid.*, p.18.

²⁹ *Ibid.*, p. 22.

³⁰ Appendix C.

³¹ Note: While the Bantustans existed, no foreign government recognised these new states. Thus travel documents issued by the homeland governments were not valid anywhere except in South Africa. Any person with only such a document could not travel abroad.

³² Horrell. *Laws Affecting Race Relations in South Africa, 1948-1976*, p. 52.

maintained that "each ethnic community was to be regarded as a national unit, and identified with its own land, where it would have full opportunity for political and other forms of development, even to the point of eventual self-rule."³³

The Government's policy is, therefore, not a policy of discrimination on the ground of race or colour, but a policy of differentiation on the ground of nationhood of different nations, granting to each self-determination within the borders of their homelands - hence this policy of separate development.³⁴

A small portion of the 86.3% of the land allocated to the white group was set aside as 'Group Areas' for the approximately two million Asian and Coloured people. It did not prove practical for the 'coloured' population to form a separate state. The attempt to establish a 'coloured' homeland, Atlantis, near to Cape Town was not successful. Originally there was some thought of repatriating the Indians to India, but this proved not to be feasible. For these groups the attempt to introduce 'grand apartheid' failed.

The 'Bantustan' policy was designed to split the Africans into their separate ethnic groups. Separate territories were allocated to the Xhosa, Zulu, Tswana, Sotho, Venda, Pedi, Swazi, Tsonga and Ndebele, and each was encouraged to develop its own culture.

A common explanation [for dividing Africans into ethnic groups] is a political one.... The government is moving people out of what it has decided is white South Africa into different bantustans, as a way of dividing black people, controlling their political organisations and preventing them from trying to claim rights in a common South Africa.³⁵

³³ *Ibid.*, p.10.

³⁴ *Ibid.*, p.41.

See also Appendix C, Address by G.F. Froneman, Chairman of Bantu Affairs Commission.

³⁵ Platzky, *The Surplus People*, p.66.

The 'Bantustan' policy led to competition for scarce resources and faction fighting. While a united African population could have posed a threat to the 'white' government, it was hoped that it would be difficult for the smaller groups to take a stand against them.

In order to preserve a 'white' South Africa, the apartheid government removed South African citizenship from Africans and made them instead citizens of new 'states' housed in territories that were declared to be outside of South Africa. Each African was attached to one of these states. The apartheid government created a homeland solution, which, although it was neither just nor viable, included a future for the 'black' population of the country. Whereas the South African government planned a place for the 'black' population of the future, the Nazis planned a future without Jews.

KEEPING CULTURE PURE

When Hitler came into power, Jews played a prominent role in German cultural life. However he considered Jews a danger to German culture, believing that Jews were inherently different. He maintained that culturally the Jew

contaminates art, literature, the theatre, makes a mockery of natural feeling, overthrows all concepts of beauty and sublimity, of the noble and the good, and instead drags men down into the sphere of his own base nature.³⁶

To counteract the danger of Jewish influence on music, literature and the arts the Nazis embarked on a move to return to pure volkisch culture. A special Act of the Reich Chamber of Culture was passed on 29 September 1933. This Act excluded Jews from

³⁶Hitler, *Mein Kampf*. p.296.

the cultural life of the Third Reich by forbidding them to take professional roles in the fields of the arts, theatre, music and the press.

A “rush to de-Judaize the Arts” followed the passing of this Act.³⁷ Riotous theatergoers prevented Jewish conductors, actors, musicians, and singers from performing. Famous conductors such as Bruno Walter and Otto Klemperer, found themselves suddenly without their orchestras. Actors were booed off the stage. Literary critics and novelists fled. The ban was extended to the print media. No Jew or Aryan married to a Jew could be appointed an editor of a newspaper or magazine.

To the regime’s delight, private agencies and associations quickly adopted the Aryan paragraph to suit their own purposes and used it to eliminate Jews from their membership lists. The first was the German Boxing Association, which expelled Eric Seelig, Germany’s non-Aryan middleweight and light-heavyweight boxing champion. The German Davis cup dropped its tennis champion, Daniel Press...By the end of 1933 virtually every German sports club had expelled its Jewish members.³⁸ Local authorities banned or restricted their use of playing fields and swimming baths.³⁹

Jews were excluded from participating in sports at the national level. On 24 August 1935 when the Fuhrer received General Charles Sherrill, an American member of the International Olympic Committee, he told him that Jews were perfectly entitled to their separate life in Germany, but they could not be members of the national team.⁴⁰

The second Maccabi games in 1935 became known as the “Aliyah Maccabia” because most of the 1700 sportsmen from 27 countries and their escorts remained in

³⁷ Friedlander. *Nazi Germany and the Jews, Volume 1: The Years of Persecution, 1933-1939*, p. 10.

³⁸ Schleunes. *Legislating the Holocaust*, p.10

³⁹ Krausnick. *Anatomy of the SS State*, p. 46.

⁴⁰ Friedlander. *Nazi Germany and the Jews, Volume 1*, p. 181.

Palestine on account of the antisemitism that was sweeping Europe following the Nazi's access to power in Germany.⁴¹

The Nazis achieved one of their greatest propaganda victories at the Olympic Games of 1936. Visitors to the Olympics discovered a Reich that looked peaceful, orderly and content.... Signs forbidding access to Jews were removed from Olympic areas and from other sites likely to be visited by tourists, but only minor ideological concessions were made.⁴²

Until the ghettos were walled off and while there was some movement between them and the surrounding cities, Jews were able to participate in some sport. But from the time the ghettos were sealed, taking part in sporting activities became impossible. At first gifted musicians who were among the inmates formed orchestras and played music which diverted the minds of their fellow victims from the horror of their situation. Eventually the struggle for survival and the attempt to stay alive and find a piece of bread to eat, occupied all the attention of the prisoners.⁴³ Participating in cultural and sporting activities became a luxury in which it became impractical to indulge.

In South Africa the separation of the races for social, cultural and sporting activities was built upon a long history of separation/racial division, rooted in colonialism and a formal policy of segregation prior to apartheid. The apartheid government passed Act 49 of 1953, the Reservation of Separate Amenities Act⁴⁴ that made provision for the reservation of public premises and vehicles or portions thereof for the exclusive use of persons of a particular race or class. This act made 'mixed group' activities an offence. 'Non-whites' were prohibited from attending places of entertainment where 'whites' were present. Even private mixed parties were declared illegal. Separate facilities had to be

⁴¹*Encyclopedia Judaica, Volume 11*, p.663.

⁴²Friedlander, *Nazi Germany and the Jews, Volume 1*, pp.180, 181.

⁴³Miriam Lichterman, Survivor, Interview, Cape Town, August, 2003.

provided for each of the racial groups. Such facilities included not only building premises, but also hospital accommodation, public transport such as buses and trains, and even beaches and benches in public parks. Anyone could designate part or all of his property for the exclusive use of persons belonging to a particular race or class.

It was easy to observe the effects of this Act. Beaches were segregated. Railway stations had separate entrances for 'whites' and 'non-whites' to reach the same platforms, and the trains had different coaches for 'whites' and 'blacks'. For example, in Cape Town a roof to protect commuters from the weather covered the entry to the 'white' section; the 'coloured' approach was open to the elements. 'Coloured' people, traditionally great rugby fans, were separated from 'whites' when they wanted to watch matches. A special 'Malay' stand was erected for them. Petty segregation went so far that a 'white' taxi driver told a blind 'white' girl accompanied by a 'coloured' maid that he was not allowed to carry 'white' and 'coloured' passengers in the same car.⁴⁵ Nationals of foreign governments were not officially included in these restrictions. However, in 1970 an English National cricket team was scheduled to tour South Africa. A 'coloured' batsman, Basil d'Oliviera (an ex-South African), was selected as a member of the team. The then Prime Minister, John Vorster refused to allow the tour to take place unless the team came without d'Oliviera. It was cancelled when England refused to withdraw the batsman from the side.⁴⁶

Though 'blacks' were forbidden to play in sporting events with 'whites', where facilities were available to them, they were able to participate with members of their own population group.⁴⁷ Whereas the circumstances of their incarceration in ghettos made it

⁴⁴Appendix D.

⁴⁵Brookes, *Apartheid: A Documentary Study of Modern South Africa*, p. 90.

⁴⁶McDuling, *Heroes from our Past. Basil d'Oliviera, SA cricket's Forgotten Hero*, recounts the events that led to South Africa's exclusion from international sport.

⁴⁷Odendaal, *The Story of an African Game: A Tribute to Khaya Majola* traces the rugby and cricket fixtures of the apartheid years. He describes the "golden period" of township sport.

impossible for Jews to take part in sporting activities, those 'blacks' who wished to take part in such pursuits were not barred from doing so, as long as they operated only in groups of their own colour. Their ability to participate was not destroyed.

CHAPTER THREE

SOCIAL CONTROL

RESIDENTIAL SEGREGATION AND FREEDOM OF MOVEMENT

With the advent of the Hitler regime, Jews had been living among the Germans in most parts of the Reich. There were more Jews in the cities than in the country, and although they were free to live wherever they pleased, they tended to gravitate towards urban neighbourhoods where it was convenient for them to attend synagogues and visit friends. As Nazi power escalated, so did increasingly violent antisemitic incidents. Jews living in the country and in small towns became the subjects of vicious attacks by Nazi thugs. The continuing harassment made life in the villages intolerable for Jews. For example a popular Jewish doctor in a village near Munich moved to the city after he was badly beaten up,¹ and some families decided relocate after incidents such as Jewish schoolboys having their caps pulled off their heads and trampled into the mud.

The pressure to move to larger cities was ... informal but ... effective. The attacks on Jews in the rural areas and small towns were sufficient "encouragement" for them to seek refuge and anonymity in the larger cities. Here, where it was less likely they would run into someone they knew it was easier to lose themselves in the crowd. Not even the Nazis could identify them immediately. This made larger cities somewhat safer during the earlier years of the Third Reich.²

¹Jack Shopley, former resident of the village. Interview, Cape Town, March 2003.

²I am indebted to Professor Karl Schleunes for drawing my attention to the vulnerability of Jews in villages. (e-mail correspondence).

Voluntary moves to the cities were replaced by forced removals when written instructions issued on 21 September 1939 by Reinhard Heydrich, Chief of the Security Police, ordered that Jews be removed from rural society and quartered in certain big cities where there was access to railway lines.³ This directive had the effect of keeping large numbers of Jews concentrated in small areas. Jews who had a family tradition of farming no longer had security of tenure even if the property on which they farmed had belonged to their families for generations.

Under the Act of 29 September 1933 governing the entail of farms in the Reich only those farmers could inherit who could prove that there was no Jewish blood in their forebears as far back as 1800.⁴

The encroachment on personal liberties engendered by Germany's race laws were well illustrated by Victor Klemperer who was a Professor of Romance Languages at Dresden Technical University in 1933. His wife was not Jewish, so as anti-Jewish sentiment unfolded, he had more privileges than husbands married to Jewish wives. The couple lived in the small village of Dolzschen, west of Dresden. Klemperer kept a day to day record of his life from 1933 to 1945.⁵ His diary entries relate in detail the typical experiences of a Jew living in Germany at that time. Whereas he does not quote the specific laws and orders that spelt out the restrictions that were imposed, his diaries describe how Jews were gradually deprived of more and more of the simple things that had been taken for granted. They were subject to a curfew that prohibited them from leaving their homes between certain hours, and the times that they were allowed out were regularly decreased. Travel by public transport was restricted. First Jews were only allowed to use certain sections of buses. Eventually they were forbidden to use any

³Berenbaum, *Witness to the Holocaust*, p. 71.

⁴Krausnick, *Anatomy of the SS State*, p.45.

⁵Klemperer, *The Klemperer Diaries, 1933-1945, I Shall Bear Witness and To the Bitter End*.

public transport without first applying for special permission, and such permission was not readily granted. They were banned from using public libraries and cinemas. They were forbidden telephones, typewriters and radios. They were not allowed to keep pets. Favourite domestic animals had to be put down. Eventually they were no longer allowed to drive motor cars.

In May 1940, Klemperer and his wife were forced to leave their home and move into a 'Jews House' in Dresden, the first of a series of moves. He describes life in these designated houses where the privacy of the inhabitants was invaded, and they were continually harassed and threatened by the Gestapo. Many of their housemates were taken to prison. Prison authorities frequently reported that one or other of their acquaintances had committed suicide and the bodies were returned for burial. Some friends were presumed dead because they did not return after they were moved from the prisons to unknown destinations. Their relatives were unable to track them down and they were never heard from again. Jews no longer lived among the German people, but in separate designated dwellings, removed from German society. The unconfirmed stories of the fate of the missing meant that the fear of death was always present.

The concentration of German Jews in the cities contrasted with the South African situation where every effort was made to divide the 'black' population into separate groups. The 'blacks', that is Africans, 'Coloureds' and Asian/Indians, were each designated their own area. A system of influx control that will be described fully later, was designed to allow only employed Africans to remain in urban areas. Wives, children, old people, and those without jobs were declared 'surplus' in the cities, and 'endorsed out' to rural areas or 'homelands'. Each ethnic group was allocated its own homeland.

Those 'blacks' who were entitled to remain in the urban areas were no longer allowed to live where they liked. The Group Areas Act, No. 41 of 1950⁶ divided the cities into special sections for 'whites', 'coloureds', Asiatic/Indians and Africans. In introducing the Act on 14 June 1950, the Minister of the Interior, T.E. Donges, explained that the underlying principle of this Bill was to make provision for the establishment of Group Areas, that is separate areas for the different racial groups, by compulsion if necessary. He pointed out that the setting aside of areas for 'non-Europeans' was not novel in the history of South Africa.⁷ and that the method of dividing up the three main groups followed the pattern of the Population Registration Act. Europeans, Coloureds and Natives were each given their own space. In the cities South African 'non-whites' were not only removed from living among the 'whites', they themselves were separated. Coloureds, Asiatics and Africans, each had their own group area. In Cape Town the Coloureds were located in places like Mannenberg, Mitchells Plain and Atlantis. 'Malays' lived in Skotches Kloof and Africans in Langa, Guguletu and Khayelitsha. When Africans were 'endorsed out' of the cities, they were relocated into separate ethnic 'states', Xhosas in the Transkei, Zulus in Zululand, and so on.

The implementation of this law meant that people, who had lived without conflict in 'mixed areas' such as parts of Woodstock in Cape Town, were compulsorily resettled. In certain instances, the inhabitants of whole sections of cities were relocated⁸.

The Africans of Sophiatown in Johannesburg were moved to Meadowlands which later became the township of Soweto. The 'blacks' of Port Elizabeth were moved to Southend, and the 'coloureds' of District Six which was right next to the Cape Town central business district were moved to the Cape Flats far from the city centre to places

⁶Appendix E.

⁷Brookes, *Apartheid: A Documentary Study of Modern South Africa*, p. 137.

⁸Two of the districts from where the inhabitants were removed, were the subjects of musical plays that pinpointed the tragedy of those affected.

like Mitchells Plain and Bonteheuwel. The removals meant that families who had lived in the same place for generations were moved far from where the breadwinners worked.⁹

Transport was extremely time-consuming which meant people had to leave home while it was still dark and return late. The costs involved them in fares that they could ill afford. If anyone owned a property in an area in which he was not entitled to live, he could continue to own it for the rest of his lifetime, but could not occupy it. On his death it would have to be sold, and the proceeds distributed between his heirs.

One example to illustrate the many cases where the Group Areas Act was put into operation is that of the Jamey family who had lived in a 150-year old family home. Mr Jamey worked as an elevator operator in Cape Town. His children had married and set up their own establishments. The parents had a secure and happy existence among a group of good friends. They were ordered to leave their home and move to a 'coloured township'. Mr Jamey's health broke down and he had to give up his job. They were consigned to a lonely and frightened existence. They were not afraid of being killed by state authorities, but by the thieves and thugs who abounded in their new neighbourhood. There were many murders and it became difficult for them to go out in the day-time, and impossible to go out at night¹⁰

In both South Africa and Germany, the disadvantaged were told where they could live, and removed from their previous life-styles. The Gestapo continually harassed Jews. Once 'blacks' were removed to the 'townships' their problems were the poor facilities available, the rate of unemployment among township dwellers, and the gangs in their new neighbourhoods who terrorised and robbed them, and did not stop short of murder.

⁹The District Six Museum in Buitenkant Street, Cape Town graphically portrays some of their stories.

¹⁰Barrow, Brian. Article. *Cape Times* 26 November 1966, quoted by Brookes. *Apartheid: A Documentary Study of Modern South Africa*, pp. 174-178.

In both Germany and South Africa, the targeted groups were forced to carry distinguishing identification. In the case of Germany, it was difficult to identify Jews without them being 'branded'. On 1 September 1941 a German Police Decree was promulgated which said "all Jews over the age of six are forbidden to appear in public without displaying the Jewish star."¹¹ The stars had to have the name "Jude" inscribed on them. This made it easy to monitor Jews' movements and actions. Furthermore, no Jew was allowed to leave the area where he lived without the permission of the local police. The privilege of owning telephones was removed from Jews, but before the ban was put in place Jews were instructed to insert the name Sarah or Israel between the first and surname in the telephone directory, so that here too, they could be easily identified.¹²

In South Africa, because it was easy to identify 'non-whites' by the colour of their skins, it was not really necessary for them to carry specific identification documents, yet they were required first to carry 'passes', and later 'reference books', at all times. This system of 'influx control' that will be described more fully later, was designed specifically to regulate the flow of 'blacks' into 'white' areas. In 1952 the Black (Native) Laws Amendment Act Number 54, specified that "all black persons, men and women, over the age of sixteen were to carry passes. No black person was to be allowed to stay in an urban area for longer than seventy-two hours unless they had special permission to do so."¹³ This provision was extended by the Blacks (Abolition of Passes and Co-ordination of Documents) Act No.67 of 1952 which repealed the laws relating to the carrying of passes by 'blacks' which had differed from province to province, and provided instead for the issuing of reference books containing full personal details. Included in the

¹¹Schleunes, *Legislating the Holocaust*, p. 179.

¹²Klemperer, *The Klemperer Diaries, 1933-1945*, p. 306.

¹³Truth and Reconciliation Commission of South Africa Report, Volume 1, p 454. (Hereafter these reports will be called the *TRC reports*).

detail was the name and address of employers, with space for the employer's monthly signature. The fact that only Africans were restricted in their movements and forced to carry identifying documents was a source of great resentment and distress. At any time, a policeman could stop an African and demand to see his pass. If this could not be produced immediately, the offender could be carried off to gaol. The Sharpeville 'massacre' of 21 March 1960 when sixty-seven people were killed and 186 wounded, occurred during an anti-pass law demonstration.

For the Jews in Germany and the 'blacks' in South Africa the fact that they were ordered to bear distinguishing symbols stigmatized them and highlighted the fact that they were considered to be different and inferior. The treatment meted out to the two groups was very different. It was easy, on sighting Jews, for individual Germans, if they felt so inclined, to harass and denigrate them. There were cases where they were mocked, had their beards cut off, or were made to scrub the pavements. Usually those in authority either turned a blind eye or even encouraged these practices which illustrated the contempt with which they regarded the despised Jews.

As indicated above, there were only about 500,000 Jews in Germany when Hitler ascended to power, but the numbers accelerated when Austria was annexed in 1938, and even more later when the Jews of Poland, Holland, Denmark and France were added shortly after the outbreak of war. The numbers increased rapidly and reached unexpected heights when Hitler invaded Russia in 1941. Strong measures were necessary to remove so many unwanted individuals from the scene. Jews were no longer allowed to live in the towns where they had resided up to then. Instead they were transported to the East, and confined to ghettos, mainly in the Generalgouvernement section of Poland. Most were finally liquidated in the gas chambers. We will return to these developments below.

The South African situation was different. 'Blacks' were in the majority, and although they were easily distinguishable, individual 'whites' did not harass them as long as they played the subservient role that was expected of them and did not go into areas which were forbidden to them. 'Blacks' flocked to the cities where there was hope of employment in the manufacturing and building industries. In urban areas the pay was much better and there were more job opportunities than in the rural areas. The number of squatters increased steadily. In 1952 the government introduced the Native Laws Amendment Act, which promulgated 'influx control' measures in an attempt to reverse this procedure.¹⁴ The rights of 'blacks' to move to towns were severely curtailed. Those who were allowed to live in the towns were housed in locations specially designated for their habitation. Employed Africans were able to stay in urban areas, but their sojourn was limited to the duration of the contract that they had signed with their employers.

Jews could not break the cycle of hardship that had been imposed upon them. They were few in number, had no political status, and did not have the power to make a stand against the Nazi onslaught. Even though they posed no real threat to the regime, they were removed from German neighbourhoods that were reserved for Aryans, and subjected to measures that sought to dehumanise them. On the contrary where 'black' South Africans were in a position to unite and work together, their combined strength presented a threat to 'white' domination. Theoretically, dividing them into small ethnic groups and concentrating them as far as possible in their rural 'homelands' should have reduced the ability of 'black' South Africans to overturn 'white' minority rule. But in spite of these measures to control 'black' power, the threat remained. The anti-pass law demonstration at Sharpeville in 1960, the rise of the 'black' trade union movement in the 1970s, and the use of strikes as a tool to express grievances showed that the 'divide and rule' method of stifling 'black' aspirations was doomed to failure.

¹⁴Native Laws Amendment Act, No 54 of 1952, see Appendix F.

CHURCHES

While during the period of the Weimar Republic, Jews had the same constitutional rights as other Germans, even before Hitler's rise to power there was a long history of religious antisemitism in Germany. Hitler's hatred of Jews amounted to an obsession, and he believed that in eliminating them and their influence "he was executing the will of God".¹⁵ The Catholic Church actually assisted Hitler in his rise to power when they withdrew the powerful Catholic Center Party from politics in exchange for promised generous privileges for Catholic schools and clergy. In fact Hitler signed a Reich Concordat with the Vatican on 20 July 1933¹⁶ that gave the Catholics certain privileges on condition that before its dissolution, the Catholic Centre Party voted for the Enabling Act, the legislation that was to give him dictatorial powers.

The traditional antisemitism of the Christian churches probably contributed to the fact that they remained silent even though they were aware of the vicious prosecution being experienced by a whole group of their fellow human beings. Some pastors did try to save Jews who had converted to Christianity, but they proved no match for those determined to trace everyone suspected of being a Jew back to his ancestors for the purpose of eliminating them and plundering their possessions. The converts perished alongside those who still professed Judaism

The German Christian movement was a radical wing of German Lutheranism that supported Hitler's policies. Many Protestant pastors allied themselves to the antisemitic German National People's Party.¹⁷ After the Nazi's rise to power in 1933, and as their atrocities gathered momentum, it was expected that church leaders would express moral

¹⁵Shain. *Antisemitism*, p.86.

¹⁶*Encyclopedia of the Holocaust, Volume 1*, p.292.

¹⁷Goldhagen. *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*, p.106

outrage and take a stand to curb the violence and harassment. However their reaction was merely mild reproof or even silence. This encouraged Hitler to pursue his antisemitic excesses. Although certain dedicated Christians such as Martin Niemöller and Dietrich Bonhoeffer mounted protests against the actions of the Nazis, they and their 'Confessing Church' were unsuccessful in influencing the regime. They did, however, manage to save several thousand Jewish lives by assisting Jews to emigrate. The rising tide of Jewish deportations and deaths brought no serious protests from the Christian churches. Goldhagen talks of the 'moral bankruptcy' of both the Protestant and Catholic Christian churches. It is very difficult to understand how people who took the moral high ground could condone the slaughter and mayhem. Just as no foreign countries would accept Jewish refugees in any large numbers even when attention was drawn to their plight, so the citizens of the German Reich tacitly condoned the exclusion and murder of Jews by their silence and their reluctance to take any action to stop the deportations and killings.

The Afrikaners were a devout, religious people. In 1944 a professor of theology, presented a theological defence of separate development that was later to become apartheid. Giliomee quotes J.D. du Toit who wrote in the *Inspan* of December 1944 that

If God wanted people to be united, he would not have intervened to disperse the builders of the Tower of Babel who wished to create a single nation...Those whom God had separated had to remain apart, and there could be no social leveling or bastardisation.¹⁸

On the other hand, in the same way that many of the Christian churches in Germany remained silent in the wake of the increasing infringements on the rights of the

¹⁸*Ibid.*, p.462.

Jews, the Afrikaner religious bodies in South Africa were reluctant to halt the introduction of measures which were later described as gross violations of human rights.

One of the peculiar features of apartheid as an ideology was its attempt to reconcile the demands for white survival, and justice. Since no limits could be put on the development of blacks, there had to be complete segregation as a solution that combined the Christian demand for justice with the 'need to give our posterity a future as a European race'.¹⁹

The fact that the church endorsed apartheid gave the people a sense of mission. They felt that they were destined to teach the uncivilised the correct and moral way in which to follow their separate paths. While segregated congregations attended services in the Dutch Reformed Churches, the English clergy continued conducting services to 'mixed' congregations.

In December 1960 after the killings that took place at Sharpeville, the World Council of Churches convened a meeting at Cottesloe, Johannesburg at which resolutions were passed which criticised many features of apartheid. It condemned the prohibition of mixed marriages, the migrant labour system, and the denial of political rights to 'blacks'.

The Prime Minister, Dr Verwoerd, was horrified by the resolution. He prevailed upon the ministers of the Dutch Reformed Churches who had signed the declaration to retract, and as a result two of these churches withdrew from the World Council of Churches. However several theologians including the Reverend Beyers Naude, persisted with support for the declarations of Cottesloe. The Catholic, Presbyterian, Lutheran, and United Congregational churches, as well as the South African Council of

¹⁹Giliomee, *The Afrikaners: Biography of a People*, p.461.

Churches as a whole, issued statements denouncing apartheid as being in conflict with Christian principles.

Two clergymen, the Reverend Alan Boesak ('coloured') and Bishop Desmond Tutu (African) took the battle to the world church arena, and in 1982, apartheid was declared a sin. In 1985 sixteen theologians in the unofficial state church, the Nederduitse Gereformeerde Kerk signed a confession of guilt on their churches complicity with apartheid. The Western Cape Synod declared there was no Biblical justification for the system.²⁰ As apartheid started to crumble, the offending laws were gradually repealed. For example, the Prohibition of Mixed Marriages Act was repealed in 1985, the Reservation of Separate Amenities Act was repealed in 1990, and the Population Registration Act was repealed in 1991.

In South Africa, missionaries worked very hard to convert the 'black' population to Christianity. During the Apartheid Era because of the Group Areas Act, 'blacks' and 'whites' were not able to worship together. But even without this law, the Dutch Reformed churches believed that the different races should develop separately, because God had shown in the Bible that He did not intend the world to be populated by one unified people. The Churches did not declare war on the 'blacks', nor did they make any attempt to eliminate them. On the contrary they encouraged 'black' members. They hoped to teach them to pursue their separate identities in a correct and moral manner, according to Christian principles.

²⁰O'Meara. *Forty Lost Years*, p.336.

EMPLOYMENT AND ECONOMIC OPPORTUNITIES

We have seen that during the period of the Weimar Republic, the Jews of Germany flourished. They became part of German society and embraced German culture. Many acclaimed musicians, artists and actors had Jewish roots. They also reached great economic heights, and by 1933 owned many of the large businesses, factories, banks and stores. The well-known Rothschild family is a case in point. Jews were prominent as academics and in professions such as medicine and law. The advent of the Nazis spelt the end of this 'golden age' of Jews in Germany. In South Africa the Nationalist victory in 1948 merely refined a long history of discrimination and exploitation built upon centuries of slavery, colonialism and segregation. 'Blacks' were still perceived as the 'sons of Ham', the 'hewers of wood' and the 'drawers of water'. When the Nazis came to power in Germany, they embarked on a programme which gradually changed the position of Jews in German society from acceptance as equals to dehumanised outcasts. When the Nationalists came to power in South Africa, the 'blacks' continued to occupy the same segregated social position that had been their lot under the former government. The apartheid system was a refinement of the discrimination that had previously been practised.

Hitler came to power in January 1933 and by April 7 of that year the process of removing Jews from their jobs had begun. Paragraph 3 of the "Law for the Restoration of the Professional Civil Service stated "Civil servants who are not of Aryan extraction are to be retired. Honorary civil servants are to have their titles rescinded"²¹. At this stage exceptions were made for civil servants who had been in the service since 1 August 1914, who had fought for the Reich at the front during the war, or who had a

father or son killed in action during the war. Civil servants who entered the service after 1 August 1914 were required to prove that they were of Aryan extraction or had been soldiers at the front. All Jews employed in the government sector lost their jobs. Paragraph 1 of the Second Supplementary Decree of the Reich Citizenship Law, December 21 1935 decreed that civil servants who were barred by the Law for the Restoration of the Professional Civil Service of 7 April 1933 would include teachers in public schools, honorary professors, university lecturers and private lecturers in institutions of higher learning. They would be retired, and their retirement included the revocation of their licenses to teach. Jewish students were denied scholarships because scholarship recipients were considered civil servants.²² Paragraph 6 extended the restrictions to include

Medical doctors holding leading positions in public hospitals and clinics as well as other hospitals and clinics open to the general public, and to those making disability recommendations to the state health insurance panels.²³

Their contracts were terminated and they were removed from their positions as of 31 March 1936. Jewish doctors were only allowed to treat Jewish patients from that date. Their licenses to practice were withdrawn by the Fourth Supplementary Decree to the Reich Citizenship Law of July 25, 1938. The fifth supplementary decree started by declaring

The law profession is closed to Jews... Jewish lawyers are upon orders from the Reich Minister of Justice to be stricken from the register of lawyers.²⁴

²¹Schleunes, *Legislating the Holocaust*, p. 154.

²²Hilberg, *Documents of Destruction*, p. 17.

²³Schleunes, *Legislating the Holocaust*, p.158.

Jewish lawyers were only to consult and represent other Jews²⁵. The exclusion of Jews from all professions was thorough and clearly spelt out. They were excluded from the profession of patent attorneys, and the licenses and diplomas of Jewish dentists, veterinarians and pharmacists were cancelled from 31 January 1939.²⁶ During the months that followed its promulgation, the Aryan Paragraph led to the dismissal of thousands of Jews in government service.

A separate law concerning admission to the legal profession resulted in the disbarment of fourteen hundred Jewish lawyers and 381 Jewish judges and state prosecutors....Expelled from medical organisations, Jewish doctors were also gradually prevented from working in public hospitals, in schools or for welfare agencies. By early 1934, twenty-six hundred Jewish physicians had been dismissed.²⁷

Thus Jews were banned from their places of employment, but when the war created a critical shortage of manpower, Jews were conscripted to work in factories, ports and on the railways. In his diary, Victor Klemperer, a university professor details the hours and type of work he was conscripted to do, first shoveling snow, and then packing goods.²⁸ After 1939, most Jews were relocated into ghettos, and from the ghettos some were sent to work in German enterprises, others were employed in ghetto industries. One of the benefits derived by those who worked was that they had access to increased rations. This was a major perk for people in danger of starvation. Those who were unfit for work were considered extraneous and were earmarked for extinction.²⁹

²⁴*Ibid.*, p.162.

²⁵*Ibid.*, p.162.

²⁶*Ibid.*, p.165.

²⁷Burleigh. *The Third Reich*, p 284.

²⁸Klemperer. *The Klemperer Diaries, 1933-1945, I Shall Bear Witness and To the Bitter End*, pp.462, 463.

²⁹Browning. *Nazi Policy, Jewish Workers, German Killers. A study of German exploitation and destruction of Jewish labourers in Poland*.

In the German use of Jewish labor in Poland, economic considerations were taken seriously by many Germans but only within and not as a challenge to the parameters set by political and ideological factors...Productive utilization of Jewish labor often faced sabotage from both local and higher authorities. In 1942-43, Himmler himself was the driving spirit behind the destruction of Jewish labor....[Polish Jews] were to work productively (and intensively) for the moment, though always with the clear expectation that they would be expelled or killed sometime later.³⁰

Hitler and his henchmen were so determined to exclude every Jew that even the critical need for their labour in wartime did not halt the steady flow of executions. Many Jews were skilled. Among them were professionals, doctors, lawyers, accountants and university professors. They were prevented from working in open society merely because they were Jews, although they were allowed to minister to their own kind.

In South Africa 'blacks' were barred from competing for positions that were reserved for 'whites'. Skills training was withheld from them unless they wished to use them in their own 'group areas'. Once again it was a question of the Nazis depriving people of privileges and positions that they had enjoyed, as opposed to the apartheid regime keeping them from acquiring skills that were regarded as the prerogative of 'whites'. The National Party that won the 1948 election, endorsed the 'Civilized Labour Policy', originally introduced into the Public Service in 1924.

In South Africa there were a number of 'white' people, mainly unskilled Afrikaners, who were part of what was known as a 'poor white' problem. They were unable to maintain a standard of living considered 'suitable for white people'. They were given employment, mainly on the railways and in the civil service, where they earned sufficient

³⁰Browning, *Nazi Policy, Jewish Workers, German Killers*, p.65.

money to enable them to enjoy a standard of living superior to that of most of their 'black' compatriots.

White workers were employed in various lower-skilled posts, and were paid at higher rates than those received by black employees doing similar work in private sectors of the economy.³¹

Employment and business opportunities in 'white' areas were reserved for 'whites'. Africans who were admitted to urban areas were relegated to doing manual and unskilled labour. Positions were not given on merit, but on the basis of colour.

The Black Building Workers Act No 27 of 1951 prohibited 'blacks' from performing skilled work in the building industry in 'white' urban areas, and the Industrial Conciliation Act (Labour Relations Act) No. 28 of 1956 provided further for job reservation³². On the mines, 'whites' performed the above ground and skilled jobs, while Africans did the hard digging. The all 'white' South African Mineworkers Union assiduously protected 'white' miners rights. African Trade Unions were not illegal, but they could not be registered under the Labour Relations Act. Apprenticeship and Training Legislation made no ostensible differentiation on grounds of race, but in fact did operate to the disadvantage of African youths. Few possessed the required educational qualifications to enter a trade. Originally a standard six certificate was needed, but later the entry requirement was raised to a standard eight certificate. More 'coloured' and Asian youths did have the school qualifications to be trained, but in the motor industry, for example, the (white) Motor Industry Union decided in 1967 that they would not train Coloured apprentices³³

³¹Horrell, *Laws Affecting Race Relations in South Africa, 1948-1976*, p.248.

³²Appendix F.

³³Horrell, *Laws Affecting Race Relations in South Africa 1948-1976*, p. 259.

In 1952, the Native Laws Amendment Act declared all urban areas proclaimed areas in which influx control was applied, that is Africans were not allowed into these areas except under certain conditions³⁴. All Africans wanting work were obliged to register at labour bureaus before they could look for jobs. Work seekers in rural areas were not permitted to go to towns unless suitable vacancies existed there. Unemployed men between the ages of 16 and 64 years could apply to their local district employment officer who would tell them about possible work. Service contracts would have to be obtained and registered. At first there was no such provision for women,³⁵ but after 1959, women were permitted to register at the labour bureaus though they were not obliged to do so. Africans who were found to be in 'white' areas illegally, were 'endorsed out' (a euphemism for removal). 'White' farmers had experienced great difficulty obtaining farm labour, because most Africans preferred the better-paid and lighter work in industry. Those who were 'endorsed out' of urban areas were offered placement on farms in lieu of imprisonment. Once their employment permit was stamped "agriculture", they could not apply for other types of jobs. Prisoners were also made available to work as farm labourers. These measures helped to alleviate the shortage of labour on 'white' farms.

As early as 1923, town local authorities were required to provide segregated areas for African residence. "They were empowered to establish machinery for the registration of service contracts, to control the influx of Africans, and to remove 'surplus' persons not employed in the area".³⁶ In 1927 three Native Bills had been passed. Compulsory segregation was proclaimed in 26 urban areas and 64 locations (residential areas for Africans) were established in terms of the 'Native Urban Areas' Act. In 1952 the Native Laws Amendment Act amended the earlier Urban Areas Act by limiting the

³⁴Appendix F.

³⁵Horrell, *Laws Affecting Race Relations in South Africa, 1948-1976*, p. 248.

³⁶*Ibid.*, p.3

number of 'blacks' allowed to stay permanently in 'white' areas and by stipulating the conditions which allowed them to live in the towns.³⁷

Cosmos Desmond quotes I.P. van Onselen, Secretary for Bantu Administration and Development who in 1967 sent the following General Circular Number 25

It is accepted Government policy that the Bantu are only temporarily resident in the European areas of the Republic, for as long as they offer their labour there. As soon as they become, for some reason or another, no longer fit for work or superfluous in the labour market, they are expected to return to the country of their origin or the territory of the national unit where they fit in ethnically if they were not born or bred in the homeland....It must be stressed here that no stone is to be left unturned to achieve the settlement in the homelands of non-productive Bantu at present residing in the European areas.³⁸

In 1970 the Bantu Homelands Citizenship Act required all 'black' persons to become citizens of a self-governing territorial authority,³⁹ and Platzky quotes I.P. van Onselen as saying in 1972 that

Bantu who left their homeland have not done so because they have a right to enter the white areas, but because they were admitted there under the laws governing influx control and admission enacted by the white government....

They are staying because the whites need their labour on the one hand, and because they need employment from the whites on the other.⁴⁰

Africans were not free to seek employment where work might be available. An employer could engage only registered Africans and he had to endorse his own name and address

³⁷ Appendix E, Act 54 of 1952.

³⁸ Desmond, *The Discarded People*, p.41.

³⁹ Appendix E, Native Laws Amendment Act, 54 of 1952.

in the prospective employee's reference book. Extension of contracts was not allowed, and if an employer wanted to retain an employee, his contract had to be renegotiated. When his contract expired the worker had to return 'home' until the new contract was signed. This caused great inconvenience, both to industry and to the workforce.

Africans who were in possession of work contracts were allowed into 'white' areas. The workman was allowed in, but his wife and children had to stay 'at home' in the townships or homelands. Thus husbands became migrant workers, living in single sex hostels, separated from their families.

The Western Cape was proclaimed a 'Coloured Labour Preference Area.' This meant that all jobs that were not taken by 'whites' had first to be offered to 'coloureds'. Only if it could be proved that no suitable applicants in the preferred groups were available, could the jobs be offered to Africans. Government policy allowed Africans to achieve artisan status in the homelands, but only for employment in such areas. Great efforts were made to give Africans skills provided that they exercised them in the homelands. By 1976 six technical high schools existed for Africans near 'white' urban areas. These provided theoretical and limited practical training in various trades. More advanced courses were introduced into the homelands, with a view to eventually making it possible for the homelands to provide their own skilled workers.⁴¹ Those who obtained professional qualifications were restricted to working among their own people. No 'black' doctor was allowed to examine a 'white' patient, either privately or in the wards of a hospital. The reverse did not apply, and 'white' doctors were entitled to examine 'black' patients.

Unlike South Africa where neither 'black' jobs nor 'black' businesses were sought after by 'whites', in Germany the Nazi hierarchy considered that Jews were too

⁴⁰Platzky, *The Surplus People*, p.107.

⁴¹Horrell, *Laws Affecting Race Relations in South Africa, 1948-1976*, pp. 258- 260.

prominent in activities and occupations that should have been reserved for the Aryan citizens of the third Reich. In keeping with their policy of promoting the superiority of pure Germans, Jews were not only removed from their employment and stopped from working in their professions, but also those involved in business enterprises had no option other than to close them down, or to sell them to Aryans at considerably less than their true value. On 1 April 1933, within three months of Hitler coming into power, the Nazi's instigated a boycott of Jewish businesses. Nazi party militias were stationed at the entrances to Jewish shops and the Star of David was painted in yellow and black across the doors and windows. Joseph Goebbels, Hitler's Propaganda Minister, urged Germans not to buy from Jews. The nineteenth century slogan, "The Jews are our Misfortune"⁴² was prominently displayed. The pretext for the boycott was retaliation to anti-German propaganda being spread by international Jewry.⁴³ Although scheduled to last five days, the boycott actually ended within twenty-four hours because it was not economically viable. The German man in the street was not yet ready for this sort of exercise. But by 1938 the restrictive Nuremberg Laws were already in place, and acts directed against Jews gathered momentum. Such acts were not prevented, but rather actively encouraged by the authorities. The climax to the rising anti-Jewish feeling was the pogrom known as Kristalnacht.

At 11.55 on the evening of November 9, 1938, Gestapo Chief Heinrich Mueller sent a telegram to all police units: "In shortest order, actions against Jews and especially their synagogues will take place in all Germany. These are not to be interfered with...". Bystanders to the violence, the police were to arrest its victims. Fire companies were instructed to stand by, not to protect the synagogues, but to ensure that the flames did not spread to adjacent Aryan property. Within forty-eight

⁴²Von Treitschke, 'A Word About Our Jewry' in Mendes Flohr and Reinhardt (ed.) *The Jew in the Modern World*, p.345.

⁴³Berenbaum, *Witness to the Holocaust*, p.1.

hours, 1,300 synagogues were burned, along with their Torah scrolls, Bibles and prayer books; 30 000 Jews were arrested and sent to concentration camps; 7,000 businesses were smashed and looted; and 236 Jews were killed. Jewish cemeteries, hospitals, schools and homes were destroyed.⁴⁴

Jews were ordered to clear up the results of the rampage, and pay a fine of one billion Reichsmarks although they were the victims. Insurance companies were instructed not to pay out for damage inflicted. After this event all Jewish businesses were targets for dissolution, and by more sophisticated and less visible methods, Jews were reduced to poverty. They were burdened with ever-increasing taxes. They were forced to sell 'voluntarily' their properties including their homes, at bargain prices. The longer they resisted, waiting in the hope that matters would improve, the less they ultimately received. Eventually the properties were expropriated.

The third supplementary decree to the Reich Citizenship Law (June 14, 1938) took a further step towards removing Jews from German economic life. Jewish business enterprises were listed in an official directory. The Minister of the Interior determined who was to maintain this directory. When it was decided that an enterprise was Jewish it was forced out of business, or taken over by Germans.

The process of transferring Jewish enterprises into non-Jewish hands was called "Aryanization." Until 1938 such transfers were done on the initiative of the buyers and sellers, and involved terms which reflected the increasingly difficult position of the Jewish businessman. Moreover each sale had to have an official approved contract, and approval was only given if the assets were sold for a fraction of their value. Late in 1938, Jewish firms were made subject to liquidation or compulsory transfer.⁴⁵

⁴⁴Berenbaum, *Witness to the Holocaust*, p.40.

⁴⁵Hilberg, *Documents of Destruction: Germany and Jewry 1933-1945*, p.25.

Even the largest and most powerful Jewish enterprises were not exempt. The Rothschild family, acting early, managed to transfer most of their assets out of the country, but they were forced to give up their interests in Germany altogether in order to obtain the release of Baron Louis Rothschild, who had been arrested and used as a 'hostage' in March 1938.⁴⁶ Jews were mercilessly taxed, rendered homeless and without property. They could not survive economically.

Whereas the Nazis set about expropriating Jewish wealth, ostracizing them from German society, and removing from them their ability to support themselves, the South African government's economic policy was based on separate development. The separation of the racial groups by means of the Group Areas Act was not confined to keeping residential areas apart, but it included the removal of traders and shopkeepers who had conducted their businesses in the places where they were no longer allowed to live. Many Indian families who lived and traded in 'white' areas were forced to move, and in a large number of cases they suffered substantial financial loss. After the proclamation of the Group Areas, permits had to be obtained if 'disqualified' persons wished to have their trading licenses renewed, and no new licenses were issued. A special 'Oriental Plaza' was opened in Johannesburg by the City Council in co-operation with the Department of Community Development to accommodate Indian traders who had been removed from areas that had been declared White.⁴⁷ Only in Boksburg and North Boksburg were Indians allowed to continue their trading unhindered. This was due to the fact that the government honoured a special dispensation granted by President Paul Kruger, the last president of the Transvaal Republic, which allowed Indian traders in Boksburg to conduct their businesses in perpetuo, unhindered.⁴⁸

⁴⁶Hilberg, *The Destruction of the European Jews*, p. 67.

⁴⁷Horrell, *Laws Affecting Race Relations in South Africa, 1948-1976*, p. 263.

⁴⁸Barbara Berman. Interview. Barbara lived in Boksburg as a child and remembers the situation, Cape Town, 2003.

Africans were not allowed to participate in commercial activities in 'white' areas, but were encouraged to engage in business enterprises in their own territories where it was hoped that they would establish a stable economy. The Tomlinson Commission was established in 1951 to investigate the Socio-Economic Development of the Native areas. Its report published in 1954 made recommendations on the best way to develop the Bantu Reserves in such a way that they could support the Bantu population, but the implementation of the plan was costly and the suggestions were not carried out. A series of Acts were passed culminating in the Promotion of Economic Development of Homelands Act No 46 of 1968⁴⁹. These Acts enabled corporate bodies to be established, whose mandate was to encourage industrial, commercial, financial and other undertakings, and to provide assistance and expert advice where it was needed.⁵⁰ A budget of government funds was made available to finance these projects, and additional revenue was earned in various ways in the homelands themselves. Existing 'white' farms in African areas were purchased so that they could be incorporated into the territory available for Africans, and 'white' and Indian traders were endorsed out of African areas. The establishment of industries on the borders of African territories was encouraged. It was hoped that these industries would provide employment for Africans who could commute to work while they lived at home. Unfortunately the territories had no viable infrastructure, few resources, and were too small in area to support the number of people expected to live there. Also the funds available to develop them were insufficient to make them economically viable.

It is evident that Jews had played a conspicuous role in the economic life of Germany, and this role was terminated by their removal from their employment and professions and by the Aryanization or bankrupting of their businesses. The Nazis set

⁴⁹ Appendix F.

⁵⁰ Horrell, *Laws Affecting Race Relations in South Africa, 1948-1976*, pp.209 – 212.

about destroying the Jews economically. On the contrary, the South African government expected the Africans to become self-sufficient in their homelands and at the same time to provide cheap labour for mining, agriculture and industry in the 'white' areas. The National Party government that was elected in 1948 chose not to adopt the recommendations of the Tomlinson Commission which could possibly have made the homeland economies viable. The apartheid government's expressed policy of 'separate development' envisaged a separate and self-sufficient economy for 'blacks' that would run parallel with the 'white' one. However they were not prepared to create the infrastructure which might have made it feasible.

EDUCATION and SOCIAL SERVICES

Education and the care of the disadvantaged played a prominent role in Jewish culture. When Hitler became chancellor of Germany, Jewish children were receiving a comprehensive education. Over the centuries the Jews had become learned, not only in Hebrew and Torah studies, but also in the broader fields of literacy, numeracy and the sciences. Jews became proficient in the skills that accompanied industrialisation and the technical age. The community did not neglect their disadvantaged, but tended to the sick, the elderly and the poor in a way that enabled them to live according to Jewish cultural traditions. Even though the Nazis separated the Jews from German society, they could not destroy the Jewish love of learning. Until their deportation and murder, in spite of their incarceration in desperate circumstances Jews, either openly or clandestinely, continued to seek education and upliftment. During the period of their confinement to the ghettos, study and pursuance of cultural activities gave them a measure of psychological and spiritual relief.

On the other hand in South Africa when the 'white' settlers arrived from Europe, they brought with them a culture that was completely alien to that which already existed in the country. Although the colonists brought with them knowledge and skills acquired in the lands from which they came, they made no attempt to educate the indigenous population, and equipped very few with the facilities necessary to enable them to achieve a European standard of living. There was no foundation in the local culture on which Western methods of learning could be based. The slave-type of labour expected of the local people, and their tribal experience was not conducive to cross-cultural activities, nor were such activities encouraged by the newcomers. With time, industrialisation led to increased mechanisation and substantial advances in technology. Although limited information was provided by mission schools, any desire that the 'black' population may have had to learn the skills necessary for productive living in the modern age was thwarted by the 'white bosses' who envisaged a vast 'black' labour pool, confined to manual and unskilled work. Initially segregation policies and eventually apartheid ideology aimed to keep 'blacks' in subservient positions and prevent them from competing for 'white' jobs. However the determination of the indigenous people to be able to live a full life in their own country, brought about the overthrow of the hated 'Bantu Education' system and led to the current position where policy is directed towards equality in education and opportunity for all.

The Nazis were determined to exclude Jews from every aspect of German life. They were not only removed from their places of residence and places of employment; they were also removed from all places of learning and from the benefits of social services such as state hospitals and old aged homes. Jews were allowed to provide these facilities for their own people, provided they did so entirely on their own initiative and at their own expense. While the authorities were still envisaging a situation where most if not all Jews would emigrate, they were encouraged to seek skills in fields that

would make them acceptable to new countries. However permission to emigrate was withdrawn in 1941, and restrictions on their movements culminated in their incarceration in ghettos. These factors coupled with the removal of their ability to be economically viable made normal educational pursuits increasingly difficult, and eventually impossible. On the other hand the apartheid government pursued a tightly controlled policy that focussed on 'mother-tongue' education, and kept the different population groups strictly separated with separate syllabuses and separate inspectorates. Whites, Coloureds, Indians and Africans were educated for the roles that they would be expected to play in apartheid South Africa. However the government's expectation that the disadvantaged sections of the population would accept without question the inferior status for which they were being groomed, was not realised. The despised 'Bantu Education' system was one of the factors that led to much of the unrest that erupted throughout the country in 1976. Pupils disrupted schooling in 'coloured' and 'Bantu' areas. They derailed the government's intentions as far as education was concerned. The slogan 'no education without liberation' gathered momentum in the 1980's as scholars and students voiced their displeasure and sought to bring about the changes they demanded as their right.

The law restricting the number of Jewish pupils in German schools and Jewish students in German universities almost immediately followed the ban on Jewish civil servants. On 25 April 1933, only 18 days after the promulgation of the Law for the restoration of the Professional Civil Service, the Law Against the Overcrowding of German Schools and Institutions of Higher Learning was passed.⁵¹ The Nazis declared that in order to ensure thorough training to meet professional needs, the number of pupils and students in schools and institutions of higher learning would be limited. The state would decide how many pupils each school could accept, and how many students would be allowed to enter each university. If more pupils applied for permission to enter

an educational institution than was permitted by the authorities, preference would be given to Aryan students. The number of non-Aryans to be admitted to any one school could not be more than the percentage of non-Aryans in the whole population of the Reich. Those applicants whose fathers had fought for Germany in the war were exempted from the limiting count. In the initial stages Jews were counted along with the other non-Aryans, but on 15 November 1938 all Jewish children still in German schools were expelled⁵²

On 4 July 1939 the Tenth Supplementary Decree to the Reich Citizenship Law ordered all Jews to become members of 'The Reich Association of Jews in Germany' with its headquarters in Berlin. The Nazis decreed that the first purpose of this Reich Association was the promotion of Jewish emigration. At the same time they handed over the responsibility for a Jewish school system and for Jewish welfare work to the Reich Association, making the management of these portfolios their second and third purposes.⁵³ From the mid-19th century and the time of the Enlightenment, Jews had become increasingly involved in the cultural life of Germany, and many Jewish children attended German schools. After the restrictions imposed in 1933 until their expulsion in 1938, a limited number of Jewish children still participated in the German school system. After they were excluded, the Association was expected to establish and maintain sufficient elementary schools to cope with compulsory education, as well as middle and high schools. Professional and occupational schools for Jews also fell under their orbit. In addition the Reich Association was made responsible for welfare services for Jews so that they did not become public charges. In order to do this they had to provide funding for all their own welfare institutions.

⁵¹Appendix G.

⁵²Friedlander. *Nazi Germany and the Jews*, p.284.

⁵³Schleunes. *Legislating the Holocaust*, p.167

The schools established and maintained by the Reich Association were declared private schools, that is, they had to be funded by the Jews themselves. Jewish schools remained under the supervision of the Reich Minister for Science, Education and Public Instruction. The Association was given the go-ahead to expropriate any Jewish property required for the schools, and if property owners were to be compensated, the compensation had to be paid by the Reich Association itself.⁵⁴

From 15 November 1938, no Jewish children were permitted in German schools, but Jewish schools with Jewish teachers were allowed to continue, as long as there was no cost to the state. However with the removal of Jews to the ghettos, the arrangements that could be made for the children's education became dependent on the Councils of the individual ghettos and the attitude of their Nazi masters. On 11 September 1940, Hans Frank, the governor general of the Generalgouvernement (the German occupied territories of Poland), authorised the *Judenräte* (Jewish Councils) to open public and vocational schools with the status of private schools, and to take care of proper professional preparation for teachers.⁵⁵ This was a general order, but actually in order to open a school each *Judenrat* had to ask permission from the local authority. Some authorities withheld their permission on the slightest pretext and often with no reason given. Others used delaying tactics. The schools operated under conditions of great difficulty. The overcrowded conditions of the ghettos, the destruction of the school buildings and the fact that teaching in the Polish language was forbidden and only Yiddish or Hebrew were allowed as mediums of instruction, caused major problems. Most teachers were not familiar with either Yiddish or Hebrew, and teaching aids such as text books and equipment were very rarely obtainable. Officially teaching was at the primary level only, but at great personal risk, teachers and pupils clandestinely engaged

⁵⁴*Ibid.*, pp.168-169.

⁵⁵Trunk. *Judenrat*, p. 197.

in secondary education. In Warsaw, an underground Yeshiva was opened.⁵⁶ In some areas where the authorities were more co-operative, constructive learning was easier. In Kaunas a vocational school was established that existed until the final liquidation of the concentration camp in July 1944. Each time German 'actions' (the deportation of victims to the gas chambers) took place, the remaining teachers and students renewed their classes with remarkable tenacity.⁵⁷ In Vilna on the third day after the Jews had been confined to the ghetto, a group of teachers opened a school.

Very often the children came to school an hour early. They eagerly waited for their teacher, who would tell them stories about an imaginary world where there were no ghettos and no "actions", and which was populated by heroic Jews.⁵⁸

Parents were eager for the children to be educated and the children were eager to learn. Lessons kept the children busy and that helped them to cope with the trauma of their situation and provided them with spiritual support and hope for a possible better future.

The situation in Germany contrasted with the situation in South Africa where the application of the policy of separating the population along strictly racial lines, meant that though separate schools had to be provided for 'whites', 'coloureds', Indians and Africans, the government took the responsibility of establishing these schools. Separate Departments of Education were established with different public examinations for each denomination. Prior to this time, African education was conducted mainly in mission schools. Now the net was spread more widely, so that schooling, especially primary schooling, became available to many more children. However the content of the syllabuses in 'black' schools differed from that offered in 'white' schools. The education of 'black' children was directed at preparing them for what was considered to be their

⁵⁶Eisenberg, *The Lost Generation: Children in the Holocaust*, p.63.

⁵⁷Trunk, *Judenrat*, p.207.

role in life. The report of the special Commission on Native Education (1945-1951), presided over by Dr W.W.M. Eiselen and presented in 1951 recommended that a special government Department of Bantu Education should be established to plan the development of Bantu Education. This Department should be divided into six regional units, each with its own Regional Director and Educational Advisory Council. Problems of curricula could be dealt with when "the educational authorities will have a clear picture of the types of individuals they will be called upon to produce."⁵⁹

Bantu education [was] a unique system – the only education system in the world designed to restrict the productivity of its pupils in the national economy to lowly and subservient tasks, to render them non-competitive in that world and to 'teach them' in Dr Verwoerd's phrase, 'that equality is not for them' ⁶⁰

The Bantu Education Act No 47. of 1953 formalised the segregation of African education and laid the foundations for Bantu Education.⁶¹ In moving the second reading of the Act, the Minister of Native Affairs, H.F. Verwoerd, said in Parliament that:

Education must train and teach people in accordance with their opportunities in life, according to the sphere in which they live. Certain of the Natives have to be trained to serve their own people in the higher professions...If my Department controls native education it will know for which type of higher profession the Native can be trained, where he will be able to make a living with his knowledge, instead of choosing his own path in a direction where he cannot find a sphere of activity, thus turning him into a frustrated and dissatisfied being...[Natives] should have training in accordance with their opportunities in life⁶²

⁵⁸Eisenberg, *The Lost Generation: Children in the Holocaust*, p. 61.

⁵⁹Brookes, *Apartheid, a Documentary Study of Modern South Africa*, p.43.

⁶⁰*Ibid.*, p.57.

⁶¹*TRC Report: Volume 1*, p.455; see also Appendix G.

From 1 January 1954, the control of Bantu education was transferred to the central government. It became illegal for anyone to establish, conduct or maintain a Bantu school unless this had been registered, or exempted from registration. The segregated 'non-white' schools operated on minimal budgets, with the smallest allocation per pupil given to Bantu Education. In 1962 expenditure per 'black' child per annum was about R12 while in Natal in 1960 the expenditure per 'white' child was R158.15.⁶³ There was a lack of properly trained teachers and inadequate facilities. Many teachers had left school two years before they had completed the high school course and had not reached standard eight (grade 10). There were few textbooks. School buildings were inadequate and often without such necessities as toilets.

The Commission instituted a school system consisting of a four year lower primary course, a four year higher primary course, secondary and technical schools with courses lasting four or five years, and post matriculation and university education. Since 75,2% of all pupils were in the first four classes of the primary school, mother-tongue instruction was to be given. The child was trained and socialised in 'Bantu' culture, because it was felt that after he left school he would continue living in the 'Bantu Community'. This expectation dictated to a large extent the contents and methods of his early education.⁶⁴ Those running mission schools could choose whether they wished to become state-aided institutions with a partial subsidy for the salaries of approved teachers, or to apply for registration as private unaided schools. Their registration depended on their agreeing to follow departmental syllabuses. All those operating in 'white' areas were closed down and in actual fact, the salary subsidy was gradually reduced from the original 100% to 25% in 1957. Very few schools managed to raise the funding that would be required to run them as private institutions.

⁶²See Brookes. *Apartheid, A Documentary Study of Modern South Africa*, p. 51.

⁶³*Ibid.*, p.57.

In 1956 there was an official decision that the mother-tongue would be used in junior and senior secondary schools for non-examination subjects, but that from Form 1, (ages 13/14) half the examination subjects should be taught through medium of English, and the other half through medium of Afrikaans. Due to a shortage of teachers able to teach through these media, most schools could not comply with these directives. However in 1976 an attempt to enforce them, resulted in serious riots.

The Apartheid government did organise training for those 'non-whites' whom they thought could be educated to provide special services for their own people in their own areas. While the Vocational Education Act, No 70 of 1955 provided for the State to take over technical and teacher training colleges, the Extension of University Education Act, No 45 of 1959, provided for the establishment of university colleges for 'non-white' persons. Separate colleges were built in specific areas, each intended to serve a designated group. Examples are the University of Zululand started for the Zulus, and the University College of the Western Cape, for 'coloureds', 'Malays' and Griquas. Provision was made for each college to have a 'white' council and senate, and a 'black' advisory council and senate, with the expectation that the advisory bodies would gradually be given executive powers.⁶⁵ In 1969, five acts were passed which conferred full university status on five of the university colleges.

The renowned Adams College, founded by the American Board of Missions in 1853, which had such famous persons as Chief Albert Luthuli and Dr Z.K.Mathews among its teachers, and Sir Seretse Khama, Joshua Nkomo and Chief Gatsha Buthelezi as alumni, was closed down in 1956. The Universities of Cape Town and the Witwatersrand, traditionally open universities that prided themselves on their academic freedom, were unable to freely register 'black' students. Space was made available for a

⁶⁴*Ibid.*, p.45.

⁶⁵Horrell. *Laws Affecting Race Relations in South Africa, 1948-1976*, p.362.

few to study courses such as medicine and engineering that were not offered at 'non-white' universities, and each 'black' student had to apply for a special permit to be admitted to one of these courses.

The goal of 'Bantu Education' was not the same as the one the Nazis envisaged for the Jews, but resembled the one they set for the Poles. The aim was to develop a 'servant' people who would serve the regime, and not conflict with its ideology.⁶⁶ The Germans aimed to exclude Jews from German society, and to force them to emigrate. The government refused to take responsibility or to finance any Jewish educational activity. Any training that would facilitate their acceptance into other countries was encouraged, as long as Jews conducted such training at their own expense. Jewish access to the German education system was restricted, but their education system was the same as the German one. On the other hand, the system of education for Africans in South Africa was different from the 'white' one. They were educated with a view to keeping them within their own culture, pursuing their traditional activities and serving their own people, except where they were needed to feed the industrial and agricultural labour needs of the 'whites'. Care was taken to prevent them from being in a position to pose a threat to 'whites' by competing with them for jobs.

In Germany there were instances where non-Aryan, non-Jewish children whose ancestry was condoned as acceptable, could be admitted to German schools but those who gained acceptance were specially educated to equip them for the move. This special education included training them to be unquestioningly loyal to the Nazi State. All Jewish children were educated only in Jewish schools. During the ghetto period and in the concentration camps many dedicated teachers tried their best to shield the children from their traumatic situation.⁶⁷

⁶⁶ Appendix G.

⁶⁷ Art works produced by children in Theresienstadt which have survived and been exhibited worldwide.

The South African government did undertake responsibility for African education, and to finance it, even though very inadequately. The special education reserved for 'blacks' was designed to 'keep them in their place' both literally and figuratively, literally living in the areas demarcated for 'blacks', and figuratively on the lowest rungs of the employment ladder. Those 'blacks' who sought employment in 'white areas' were educated in a manner to equip them for unskilled work. For those who were willing to ply their trades and professions in their own homeland areas, training was available for a small number of candidates.

While the education of Jews was directed at a people with no future, education for 'blacks' directed them to a future which was envisaged, however unrealistically, as having them live self-sufficiently in their 'own areas'. Those allowed into the 'white' areas would only be admitted if they were required as a labour resource for the 'white' economy.

LOCAL GOVERNMENT

Before 1939 in Germany and the territories that Germany conquered during the 1939-1945 war, Jews had been housed among the general population. No special administrative structure was required for governing them. In many centres the Jewish population had established voluntary organisations that looked after the interests and welfare of their communities. When the Nazis came to power in 1933, the Jews, on their own initiative, established an umbrella organization, the *Reichsvertretung der Deutsche Juden* (Reich Representation of German Jews), a voluntary federation of Jewish communities, to look after Jewish interests. The first indication that the new German

dispensation was going to take advantage of these structures came in 1939 when the Nazis ordered that the name be changed to the *Reichs Vereinigung der Juden in Deutschland* and made membership compulsory for all Jews. The next step was an urgent circular letter from Heydrich, the chief of the Security Police that was sent to the chiefs of all the task forces in the occupied territories. Dated 21 September 1939, it set out measures which related to the 'Jewish Question in the Occupied Territories'. He commanded that 'Councils of Jewish Elders' be established. These Councils were to be responsible for the exact implementation of all German instructions. At first the instructions related to the removal of the Jews from where they had been domiciled to designated cities. Dates were set for these evacuations and the councils were ordered to ensure that they were carried out in a disciplined fashion. They also had to find the necessary transport and organise the housing of Jews evacuated from their homes to make space for Germans.

Jews who fail to comply with the order to move into the cities...are to be warned of the most severe penalties if they fail to move by the later set date.⁶⁸

The next step to concentrating Jews into more confined areas, was taken with the ordering of the Jews in the various cities, into ghettos.

The word "ghetto" originally referred to a city quarter or street where only Jews lived, confined and separated from the other parts of the city....The ghettos were introduced after the outbreak of war in the towns and cities of Eastern Europe, Poland, the Baltic States, and the occupied parts of Poland. The first ghetto in Poland was started as early as October 1939.⁶⁹

⁶⁸ Heydrich quoted in Berenbaum. *Witness to the Holocaust*, p.72.

⁶⁹ Gutman. *Encyclopedia of the Holocaust, Volume 2*, pp. 579-580.

Jews would not be allowed to enter certain parts of the cities, or to go out after certain hours. Hans Frank, the governor general of the Generalgouvernement section of Poland, where most of the Jews were housed, laid down further parameters for the Jewish Councils. The Councils were to be elected by the Jews themselves, who had to elect the chairman. However the town commissioners had to be informed of the results of the elections. If the commissioners wished, they could change the composition of the councils. He re-iterated that Jews had to obey every German order. Later, when the Jews were confined to ghettos, some form of local government became necessary, and each ghetto had to have its own council that became known as its *Judenrat*.

Jewish self-government in the ghettos had their role assigned by the occupation authorities. An image was created of "ghetto autonomy", but it was an image which concealed the satanic purpose of using the victim himself to assist the hangman in his work.⁷⁰

The *Judenräte* were the 'local governments' of the Jews in the ghettos. Their first duties were to obey implicitly all the instructions that they received from the Nazi authorities. After that they had to see to the administration and organisation of the daily living of the Jews. The efforts made by the local governors may have helped to ease the ever-increasing burdens inflicted on the ghetto inhabitants in the short term. In the long term very few Jews survived the Nazi years.

Since the purpose of the councils was to carry out Nazi orders regarding the Jewish population, certain tasks were stipulated. These included the conduct of a census of the Jewish population that had to include the age groups and vocations of the Jews. The councils were responsible for supplying forced labour, registering candidates for work camps, and attending to deportations. In addition to obeying Nazi commands,

there were routine tasks in social welfare, medical care, and in economic and cultural fields. These were largely a continuation of prewar communal activities, but there were also new essential tasks that came about because the Jews in the ghettos were excluded from government and municipal services. The councils had to organise the food supply, manage housing, education, industry, health, police, judicial and postal services.⁷¹ The *Judenräte* were empowered to levy taxes on the inmates of the ghetto in order to sustain these activities.

The composition and modus operandi of the *Judenräte* varied from ghetto to ghetto. Where possible the Germans appointed the head of the *Judenräte* from people who had played prominent parts in the Jewish communities before their removal to the ghettos. It was not always possible to find such people. The major leaders of Polish Jewry fled during the September 1939 war or shortly thereafter. The first term *Judenräte* were former local community workers and their leaders. After these were murdered, strangers from among the refugees were put in their place.⁷²

Some of the *Judenrat* leaders tried desperately to look after the welfare of their people, even though it may have been at the cost of their own lives. Dr Joseph Parnas of Lvov and the leaders of the Jewish Council of Bilgoraj were shot. Others made every effort to fulfill the demands of their Nazi masters. Mordechai Chaim Rumkowski chairman of the Lodz ghetto council, instructed families to give up their children and their old people for deportation, knowing full well that he was sending them to their deaths. He reasoned that "I must cut off the limbs to save the body itself. I must take the children because if not, others will be taken as well".⁷³

⁷⁰ Trunk, *Judenrat*, p.43

⁷¹ *Ibid.*, p.44

⁷² Bauer, *A History of the Holocaust*, p. 156.

⁷³ Berenbaum, *Witness to the Holocaust*, p. 79

The *Judenräte* did the 'dirty work,' delivering the unpalatable instructions to the ghetto dwellers, but the real bosses of the ghettos were the SS men. Behind the scenes they issued the orders and left the *Judenräte* to carry them out, so that the inmates of the ghettos only saw the results, the expulsions, the deportations, and the orders for forced labour. Ghetto police were assigned to assist the councils with the running of the ghettos. At the start young Jewish policemen were employed. Many hoped to assist their people by exercising control over criminals and disorderly elements among their co-religionists. However as the Nazi directives became increasingly harsh, and the tasks more and more distasteful, the well intentioned declined to continue serving in the police force. In their place the Nazis brought in 'outsiders' to do this work. Many of them were brutal and cruel, and some were ex-criminals. Sometimes these police grew in power and actually were able to control the *Judenrat*.⁷⁴

The Jews who were moved to the ghettos had not only lost their homes and possessions; they had also lost their means of making a livelihood. Most ghetto leaders believed that the only way to keep Jews alive was to keep them working, so that they could show the Germans how useful they were to the German economy. Many learnt new skills, and ghetto industries were set up. Some workers were employed outside the ghettos and this gave them an opportunity to try to obtain extra food and other necessities. Rumkowski told his people that "work protects us from annihilation"⁷⁵ However it needs to be noted that:

The Councils were conceived by the Nazis, not as an instrument for organizing life in the ghettos or for strengthening the structure of the ghetto, but the opposite: as an instrument which, in their hands, would help them to realize their plans concerning the Jewish population in the occupied territories, and in

⁷⁴Weiss. *Encyclopedia of the Holocaust Volume 2*, p.733

⁷⁵Berenbaum. *Witness to the Holocaust*, p.81.

particular, their extermination plan. The Councils were permitted, at most, to take care of distributing the meager supplies and maintaining a certain standard (only too low) of sanitation (for the continuous epidemics would also threaten the Nazis themselves).⁷⁶

Although the original aim of the Nazis may well not have been to exterminate the Jews, the unsavoury conditions and starvation rations in the ghettos resulted in a large number of deaths. The ghettos were a transitional phase in a process that was to lead to the 'Final Solution'. The German policy of annexation, resettlement of ethnic Germans, and the establishment of a new order, affected the plans for 'the solution of the Jewish question'.⁷⁷ Eichmann planned a series of Jewish deportations to "make room for Lithuanian Germans". Himmler brought some 500 000 ethnic Germans "home to the Reich". From the central resettlement office in Lodz, they planned population policies aimed at restructuring Europe in terms of demography and political control. They both presumed a German military victory.⁷⁸ Jews were either deported or ghettoized. However the logistics of the deportations proved difficult, and "when, beginning in the autumn of 1941, German authorities spoke of 'deportation', displacement', 'resettlement', or 'evacuation' of Jews", they in fact meant murder.⁷⁹ The Nazis never spoke openly about killing the Jews. They always expressed their intentions in euphemistic terms.

The Jewish Councils were powerless to stand up against the onslaught on their community by the Nazis. However hard they tried to co-operate, however much they tried to prove that they were useful to the regime, they were doomed to near extinction. The slogan "Arbeit macht Frei", or freedom through work raised the spirits of the people so that for a while they contemplated the prospect of a better future, however for most

⁷⁶Trunk, *Judenrat*, p.43

⁷⁷Aly, *Nazi Population Policy and the Murder of the European Jews*, p.4

⁷⁸*Ibid.*, p.5.

⁷⁹*Ibid.*, p.9.

there was no future. When sufficient Jewish leaders could not be found to run the *Judenräte*, Nazi gauleiters appointed persons from the outside community who could be relied on to carry out their demands. There was no way the community could rid themselves of these appointees, or side-step the horrendous demands of the Nazis for forced labourers and deportees to the gas chambers. Some tried to resist by not co-operating with the orders of their German masters. The Jews of the Warsaw ghetto rose up in revolt, but the result was the death of all and the destruction of the ghetto. Armed and unarmed rebellions occurred in Sachenhausen, Auschwitz, Sobibor, Treblinka, Kruszyzna, but all were doomed to failure and resulted in the death of the resisters.⁸⁰

Whereas in Germany the Nazis sought to remove the Jews from the country and concentrate them in the towns, the apartheid Government sought to drive as many 'blacks' as possible out of the town and into the rural 'homelands'. The Nazis wanted to concentrate the Jews in as small a space as possible so that it would be easier to control them with a view to freeing Germany of Jews. On the contrary, the Apartheid Government never wanted to 'get rid of' all 'black' people. They wanted them to be available as a handy work force. They needed them to be scattered about the countryside to work as labourers on the farms, and though they would have preferred to have no 'black' people in the 'white' cities, the demands of business and industry and the interests of the economy made this unfeasible. In spite of passes and influx control, 'black' workers flocked to the cities in search of employment, even though it resulted in them becoming migrant labourers. A system of local government was put in place in the urban areas that were allocated for separate 'coloured', Indian and African residences. In some areas in South Africa the population was 'mixed', especially in the Western Cape, where 'coloureds' and 'whites' had lived amicably in the same suburbs, e.g. Woodstock and Claremont. One municipality would legislate for everyone who lived in its

⁸⁰ Bauer. *A History of the Holocaust*, p.273.

area. However most 'blacks' did live separately from 'whites', even though, until apartheid was formalised, this was a 'traditional' rather than a mandatory arrangement.

In both countries laws were promulgated to separate the racial groups and bodies were specially created to administer and control the newly restricted areas. In the enactment of these laws, the differences between the supervising authorities and the resultant living conditions became very apparent. Urban Africans resided in townships separated from the 'white' living areas, and the Urban Blacks Council Act No 70 of 1971 provided them with 'self-government' in these townships. The Community Councils Act No 125 of 1977 provided for the establishment of community councils, and for civil and criminal judicial powers to be conferred in certain 'black' urban areas for 'section 10' residents. The Black Local Authorities Act of 1982 was the means through which the 'white-dominated' government sought to establish a stratum of privileged intermediaries between themselves and the Africans. It provided for the establishment of local communities, village councils and town councils for 'blacks' in urban areas. They were given a range of powers and responsibilities. However, the 'black' councils, when they came into being, were not representative of the people. Few respected 'black' leaders were prepared to stand as candidates in an election that most 'blacks' boycotted. The councils consisted mainly of people regarded as quislings. Also they were not autonomous. The Minister could remove members, appoint others, or dismiss the whole council and nominate a new one if he chose to do so. They had to implement government policy rather than be responsible to their own electorate. They had to do apartheid's dirty work, enforcing the new influx system, checking whether people had jobs and legitimate residency in the townships. They had to collect their own revenue, and though there were high levels of unemployment they tried to do this by means of

rent increases.⁸¹ The township governments were highly unpopular and frequently corrupt. Councilors built themselves posh houses and drove expensive cars. The Black Local authorities became such a focus for popular grievances that they virtually collapsed under the strain.⁸²

In order to protest and frustrate these new state initiatives two separate anti-apartheid national formations were launched in 1983, one being the United Democratic Front (UDF) comprising over 500 decentralised, local and regional civic youth, women's political and religious anti-apartheid organisations, student organisations and trade unions. The other was the smaller National Forum, a loose association of about 200 Black Consciousness-oriented organisations.⁸³ The UDF was a driving force behind resistance politics in the 1980s, challenging the government and its apartheid policies. With the passing of the Republic of South Africa Constitution Act No. 110 of 1983, the P.W. Botha government tacitly admitted that 'grand apartheid' - the territorial segregation of all racial groups - was unworkable. This Act made provision for the future governance of 'blacks'. The 1983 Republic of South Africa Constitution Act provided for the establishment of a tri-cameral Parliament, which consisted of separate legislative houses for 'whites', 'coloureds' and Indians. Matters before Parliament were to be divided into 'general affairs' to be discussed by all houses and applying to all South Africans, and 'own affairs' relevant to one particular race group.⁸⁴

Between the passing of the bill in 1983 and the elections for the new parliament in 1984, the United Democratic Front launched a massive campaign to resist the imposition of the tri-cameral constitution, and subsequently to boycott the elections for the Indian and Coloured chambers. After 1984 they became increasingly in favour of

⁸¹ Sparks, *The Mind of South Africa*, p. 332.

⁸² Saul and Gelb, *The Crisis in South Africa*, p.215.

⁸³ TRC Report: Volume 2, p.32.

⁸⁴ Republic of South Africa Constitution Act, No. 110 of 1983.

violence, targeting community councilors, 'black' policemen and those who attempted to break the boycotts they imposed.

The Committee of Ten (Soweto Civic Association) was founded in 1976 in the wake of the Soweto uprising. This Committee played an important role in sustaining above ground political opposition to the South African Government. In Cradock Mathew Goniwe helped to lead the Cradock Residents Association "to mount an impressive, broad-gauged program of political mobilization" which, among other things convinced local councilors to resign their posts and to re-integrate back into society.⁸⁵ In their place Goniwe pioneered new forms of grassroots civic structures, and street and area committees which provided some sort of control. These formed a rudimentary government network that effectively took over control of the townships. 'People's Courts' were set up to try transgressors and punish anyone who seemed to be assisting the 'white' administration.⁸⁶ The concept of 'people's power' grew out of responses to the schooling crisis. Among the steps taken by the government to thwart this type of initiative on the part of the affected people, leaders like Goniwe were murdered and much of the UDF leadership placed in detention.⁸⁷

The tri-cameral constitution came into being on 3 September 1984, and was only repealed by the Constitution of the Republic of South Africa Act No. 200 of 1993. The fact that it was introduced highlighted one of the major differences between the Holocaust and Apartheid. The Nazis were unbending in their determination to get rid of the Jews, to the extent that when they were not successful in their attempts to force them to emigrate they embarked on an alternative 'Final Solution', namely extermination. When the South African government was obliged to admit that apartheid was failing, they tried whatever compromise they could to bolster the system. In 1988

⁸⁵Harber quoted by Saul and Gelb, *The Crisis in South Africa*, p.222.

⁸⁶Sparks, *The Mind of South Africa: The Story of the Rise and Fall of Apartheid*, p.338.

Black Local Authorities were re-established under the protection of the South African Defence Force, However the October Municipal elections were again boycotted. Few 'black' people were prepared to co-operate with the hated regime.

In South Africa when a measure of co-operation or even passive resistance did not move the authorities to reconsider their stance on 'black' rights, the disadvantaged majority took positive steps to bring about equal rights for all. As early as June 1985 the Catholic Institute for International Relations recorded that

South African blacks are proving that they cannot be governed as a people colonized from a white enclave, either by black collaborators, or by the naked violence of the security forces and riot police. They reject the garrison state...Most significantly they have identified the new black local authorities, the community councilors, as the key to the states attempt to control the townships and co-opt blacks. Community councilors have been dealt with mercilessly, killed and their houses burnt. Almost 200 have resigned; only 3 out of 34 councils set up in 1983 still function. Black resistance has thus struck hard at the lynchpin of state strategy towards urban blacks.⁸⁸

Jews were singled out for restrictive legislation while they still lived among the general population in Germany. They were removed from the villages so that these could become *Judenrein*. In the towns they were subjected to restricted access to transport, barred from parks and sports fields, and eventually subjected to a curfew and moved into Jew's houses. But it only became necessary for them to acquire some form of their own local government when they were moved into the ghettos. This step was necessitated because they were made responsible for collecting taxes to pay for the schools, hospitals and welfare agencies that they were expected to establish and administer themselves. They also had to collect taxes to hand over to the Germans. When the

⁸⁸ Seekings, *The UDF: A History of the United Democratic Front in South Africa, 1983-1991*, p.169.

local authorities in the form of the *Judenräte* were established, they were not autonomous. Their first duty was to obey the instructions of their German masters, and these instructions included arranging deportations to the death camps, and selecting detachments for slave labour.

Local government in the South African situation implied administration of the areas set aside for 'non-white' residence. Initially government officials carried out this governance, but in 1961, Urban Bantu Councils were established. These councils included elected members of the communities being governed, but those elected had to be approved by the Minister of Bantu Affairs. These Councils had civil and criminal jurisdiction in urban areas, but they were not tasked with selecting people for slave labour or deportation to death camps.

As we have seen, the Nazis and the South African government both set up structures for local government. Although these structures operated under the pretext of acting on behalf of the communities they were designed to administer, they actually operated under tight control and on the orders of their oppressors.

MEDIA

The influence of the media on public opinion cannot be overestimated. At that time, as now, print media and radio reached many homes and movies were very popular. Public attitudes reflected what was read, heard or seen. Independence of the media could have resulted in discussion, debate and the formulation of reasoned opinions. When governments influence or even control the media, the result is a population that reflects the biases or prejudices of those who rule them.

⁸⁸Saul and Gelb quote from *Update No 3, (London: June 1985)* p.30

Nazi Germany was a totalitarian state in which no dissent at all was allowed. No reports on atrocities or stories relating to treatment of those restricted to ghettos or concentration camps were allowed to penetrate the newspapers or radio programmes. Newspapers, especially *Die Stürmer*, reported faithfully the speeches that Hitler and his Ministers made at rallies that were often attended by thousands of enthusiastic Germans. Hatred of Jews was prominent in their orations. Books depicting Jews as despicable and dangerous were widely read. Included among these was the *Protocols of the Elders of Zion*. In his book, Norman Cohn traces the roots of this infamous forgery that depicted a Jewish conspiracy to take over the world. He shows how it influenced antisemitic thinking in many parts of the world, and how, under the influence of the Nazis, it found very fertile ground in Germany.⁸⁹ In addition antisemitic cartoons and comic strips were widely distributed. The “Anti-semitism in the Protestant world was fuelled by the weekly Sunday newspapers”.⁹⁰ Patriotic fervour was aroused by German radio broadcasts of rousing martial music. War victory announcements commenced with a fanfare of trumpets. (When the war started going badly, the fanfares stopped).⁹¹

Josef Goebbels was a master of propaganda. He frequently used film both for building up the spirit of the German people, and for deriding those whom he wanted the people to despise. On the one hand he supervised the making of films showing joyous musicals with dancing girls or heroic deeds of loyal Germans, and on the other, films such as “Jew Suss” which depicted a deceitful Jew who perpetrated evil deeds. The latter was especially popular and was shown to pupils in schools and to soldiers in the army.⁹² German youth were taught Nazi principles in schools and in the Nazi Youth

⁸⁹See Cohn, *Warrant for Genocide: The myth of the Jewish world-conspiracy and the Protocols of the Elders of Zion*.

⁹⁰Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust*, p.107.

⁹¹Gombrich, E.H., *Ideals and Idols, Essays on Values in History and Art*, p. 93-94

⁹²Rees, Lawrence, Video, *Goebbels, Master of Propaganda*, from BBC Series, ‘We Have Ways of Making You Think’.

Leagues. Young people were told it was patriotic to bear Aryan babies for the advancement of the third Reich. Orders relating to forced labour and massacres were given in secret memoranda and in veiled language. Concentration camps were situated in isolated locations that were not easily visible to most Germans.

In South Africa until 1948 journalists were able to report matters as they saw fit, but with their accession to power, the Nationalists started passing laws which eroded the freedom of the press. "New laws and extension of old laws meant that by 1960, at least twelve statutes were in place that in one way or another denied or inhibited press freedoms."⁹³ As the anti-apartheid struggle gathered momentum, and violence started to escalate, various states of emergency were declared, and rigorous censorship curbs were put in place. Every attempt was made to conceal damaging evidence of the unrest in the country. Newspapers that did not adhere to the reporting restrictions were threatened with deregistration.

The press was shackled because of the prohibitions which were placed on what it was permitted to report. The public's 'right to know' was denied because, for example, the Official Secrets Act prevented reports on information affecting the security of the state or police matters being published. Banned persons could not be quoted, nor any photographs of them displayed. Nothing that related to any banned organisation could be reported, and since the persons or organisations that were banned were those that were most vociferous in their anti-apartheid stance, the public was largely unaware of the extent of the opposition to the government. Language deemed to encourage 'incitement' was strictly forbidden, and the Defence Act made it an offence to publish any information about military matters without permission. At the end of 1975 this law was

⁹³Pogrand, *War of Words: Memoir of a South African Journalist*, p.92.

used to conceal South Africa's illegal invasion of Angola,⁹⁴ although travellers returning from overseas brought news of the incursions.

On the whole the laws were not rigidly defined, so that there was a very thin line between what was allowed to be published and what was not. English language newspapers such as the *Rand Daily Mail* and the *Star* made use of lawyers who were particularly well informed about the restrictive laws to scrutinise all material that could be considered to be in violation of any of the many regulations. The threat that editors and reporters could be prosecuted, and even that the newspapers might be closed down, made caution absolutely necessary.⁹⁵ In fact the Afrikaans-language *Vrye Weekblad* was closed down and the African newspaper, *The World*, was banned.

In spite of the difficulties of remaining within the law, editors such as Laurence Gandar of the *Rand Daily Mail*, and Harvey Tyson of the *Star*, published political and factual material aimed at keeping their readers well informed. Laurence Gandar and Benjamin Pogrund, then deputy editor of the *Rand Daily Mail*, were actually prosecuted and found guilty for publishing a series of articles on the state of the prisons. Pogrund in fact served time at the Pretoria Central Prison as a result of some of his investigative reporting. Donald Woods editor of the *Daily Dispatch* was banned and eventually forced to flee South Africa, followed by his family.

Yet there were areas where the media were able to draw attention to the plight of the disadvantaged. The *Rand Daily Mail*, reported freely on events that reflected badly on the government's lack of concern for the rigours imposed on 'black' citizens by its policies. Reports such as that in the *Rand Daily Mail* on 31 January, 1969 regarding the findings of doctors at the Limehill⁹⁶ settlement, and that in the same newspaper on 25

⁹⁴*Ibid.*, p.238-39.

⁹⁵See *Ibid.*, and Phelan, *Apartheid Media: Disinformation and Dissent in South Africa*.

⁹⁶See Desmond, *The Discarded People*, describes Desmond's tours of resettlement areas to which the government removed people of colour. Limehill. Appendix 2, p. 243; Morsgat. Appendix 3, p. 147.

October 1969 regarding the circumstances prevailing at the Morsgat settlement, roused much indignation among the general public. Readers expressed their deep concern, and some tried to provide certain of the lacking necessities, including food. The *Rand Daily Mail* started social responsibility programs. These included 'Operation 'Snowball' which collected money, blankets and clothing for families suffering under winter conditions, and a bursary fund to help with the schooling of promising youngsters.

The government sought to promote its policies by establishing the pro-government *Citizen* newspaper. It was funded clandestinely by the Department of Information, from funds that had been allocated to the Department of Defence. In 1978 when the 'Information Scandal' broke, the extent of the government's financial involvement in the newspaper was revealed. But the fact that the newspaper was promoted in South Africa, and that the government attempted to improve its image by attempting to purchase a newspaper in America, proves the importance that they attached to the public relations disseminated by the media. The government controlled radio and television, and no independent stations were given licenses. After television was introduced into South Africa January 1976, President P.W.Botha and his wagging finger made frequent appearances, often to frighten people with the communist bogey.

Both the Nazi and the South African governments made full use of their control of the media in order to woo the approval of their voting public, and did not hesitate to hide from the public the true facts of their treatment of the disadvantaged.

CHAPTER FOUR

DESTRUCTION Vs EXPLOITATION

When discussing destruction as opposed to exploitation, we come to the parting of the ways of Nazi Germany from apartheid South Africa. Except for the fact that in both Nazi Germany and South Africa there was torture and murder, there the similarities ended. From 1941 Nazi Germany introduced a genocidal policy, a planned destruction of the Jewish people as opposed to an attempt by the South African apartheid government to stifle opposition to its policies. Jews were degraded, dehumanised and led towards a proposed 'Final Solution'. The journey towards the 'Final Solution' was halted because Germany lost the war. On the contrary the apartheid government intended entrenching white supremacy by exploiting 'black' labour and educating 'non-white' people for permanent servitude. This was averted because 'blacks' embarked on a 'struggle' from which they emerged victorious. The result was a democratic 'New South Africa.'

MEDICAL AND CHEMICAL EXPERIMENTS

In Germany, medical and chemical experiments that were carried out were one facet of the programme that was directed at the destruction of the Jews. Raul Hilberg writes that the medical experiments were a sinister utilization of doomed Jews. Heinrich Himmler, head of the SS and the second most powerful man in Germany, took a great interest in the experiments and followed their progress. Experiments were carried out on living humans.¹ In South Africa the given reason for the chemical and medical

¹Hilberg. *The Destruction of the European Jews*. (Volume III, Third Edition), pp.1002-1013.

experiments that were carried out was that they were intended to safeguard the state from danger of attacks from without or within. There is no record of any human subjects being involved in the research.

In Germany experiments were carried out on live human subjects where tests conducted varied from experiments to examine physical endurance ostensibly under war-time conditions, to those involving personal characteristics such as eye colour, physical deformity and twins. Most concentration camps including those at Auschwitz, Dachau, Buchenwald, Mauthausen and Ravensbruck had their own medical laboratories where teams of doctors experimented with a variety of techniques, trying out theories on their human 'guinea-pigs'. Nazi doctors in concentration camps, working in collaboration with universities and research institutions in Germany, used defenseless men, women and children for pseudo-scientific research. There was an inexhaustible supply of subjects on whom experiments could be carried out.² Hundreds of inmates died or were maimed as a result of the cruel and extensive experimentation. Medical experimentation fell into two categories: those sponsored by the regime for specific ideological or military purposes, or those conducted for the scientific interest of a particular doctor.³

Some experiments tested the effect of chemical warfare, and others the ability of humans to survive under extreme conditions of heat, cold and exposure. At Dachau in 1942, Dr Sigmund Rascher conducted experiments to investigate the limits of human endurance at extremely high altitudes for the benefit of the German Air Force. He also conducted freezing experiments relating to the treatment of severely chilled or frozen soldiers. Most victims died.⁴ In Buchenwald where Dr Erwin Ding-Schuler was in charge, the SS 'scientists' co-operated with the German armed services, and with

²Lifton and Hackett. 'Nazi Doctors' in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*. p.303.

³*Ibid.*, p.303

⁴Feig. *Hitler's Death Camps: The Sanity of Madness*. p.55

industries such as I.G.Farben and the Behring works, to conduct series of tests by infecting healthy subjects with diseases such as typhus, yellow fever, smallpox, diphtheria and cholera. These experiments too, killed most of the subjects.⁵

Appalling sterilization procedures were conducted on Jewish and Gypsy men and women. At Mauthausen organs were removed from living bodies, bottled, and stored in the dissection room shelves. One colleague used Jews' heads as paperweights on his desk. There is evidence that at Mauthausen doctors skinned bodies of prisoners with interesting tattoo marks and sent the skins to the Gusen pathology laboratory for processing into book covers, gloves, luggage and lampshades. Some of the worst excesses emerged from experiments to affirm Nazi racial theories. In conducting their experiments the Nazi doctors did not hesitate to kill or maim or blind their victims while they studied characteristics such as eye colour and congenital deformities.

Nazi medical behaviour at Auschwitz must be viewed as an end point of a gradual but steady process of attempts at eugenic purification through medicine.⁶

Dr Josef Mengele, chief physician of Auschwitz-Birkenau, was known as the Auschwitz 'Angel of Death'. He was particularly interested in genetics, which played a part in the Nazi ideology of the superiority of the German race. He investigated persons with physical abnormalities and experimented with twins, even stitching two of them together. He experimented with eyes and eye colour, collected blood and urine, and often overdid experimentation to the extent that victims became blind or died from blood loss. He had prisoners killed and then dissected their bodies. When ordered to stop an outbreak of typhoid, he simply got rid of all the patients by killing them and then sterilizing the wards

⁵*Ibid.*, p.101

⁶Lifton & Hackett, 'Nazi Doctors' in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, p.301

that had been affected but were now empty. Mengele met the transports, and selected his victims from the ramp. He did this without emotion, whereas two other SS doctors had to become drunk before they would go out to select victims.⁷

Late in 1946 in a trial which became known as the 'Nuremberg Medical Trial', twenty-three German defendants were indicted and arraigned before a war crimes tribunal. Twenty were physicians, and the other three occupied administrative posts. The prosecutors opening statement declared "The defendants in this case are charged with murders, tortures, and other atrocities committed in the name of medical science. The victims of these crimes are numbered in hundreds of thousands."⁸ At the trial overwhelming evidence was produced describing the experiments which were performed. The evidence showed that the doctors had applied to the Nazi hierarchy for permission to use human beings to test their medical experiments. In his application for permission Dr Rascher had even stated categorically that "the death of the test person was part and parcel of the experimental plan", yet permission was still granted.⁹ Seven of the doctors were sentenced to hang. Others receive lighter sentences, which included long terms of imprisonment.

In South Africa there were no experiments that we know of on people. Chemicals were manufactured ostensibly to ward off internal and external threats to South Africa. It was suggested that these threats could possibly take the form of chemical warfare attacks from outside the country, or revolutionary movements from within. It was postulated that inside South Africa, crowd control could be exercised by chemical means. Experiments were conducted that would make poisonous substances available if these should be required. During the period under consideration some special types of

⁷ Kubica. 'The Crimes of Josef Mengele', in Gutman & Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, p.325.

⁸ Mitscherligh. *Doctors of Infamy: The Story of Nazi Medical Crimes*, p.xvii

⁹ *Ibid.*, p.5.

explosives were manufactured. There were cases where these were used in the form of letter bombs that were dispatched to some of the most influential opponents of apartheid. Poisonous substances were used to 'eliminate' or attempt to 'eliminate' those opposed to the regime.

It was alleged during the Truth and Reconciliation (TRC) process that there were experiments conducted under the aegis of a Chemical and Biological Warfare Programme known as Project Coast. Instead of the programme being conducted at several independent venues, there was only one project. It had nothing in common with the Nazi medical programme. There are no reports of experiments being carried out on live human beings. No persons were killed or maimed in the execution of the work of Operation Coast. The only thing that was similar was the fact that both were clandestine operations that were conducted with the consent and encouragement of the governments of the day.

When evidence of the project [Coast] was laid before the Truth and Reconciliation Commission, the hearings focussed on the apparently offensive (as opposed to defensive) aspects of the programme. [There] was evidence of science being used to cause disease and undermine the health of communities. Cholera, botulism, anthrax, chemical poisoning and the large-scale manufacture of drugs of abuse, allegedly for the purpose of crowd control, were amongst the projects of the programme. Moreover chemicals, poisons and lethal micro-organisms were produced for use against individuals...¹⁰

The Chemical and Biological Warfare Programme (CBW programme), was under the nominal control of the surgeon-general of the South African armed forces, and there was a special budget approval committee which included among its members the chief of the Defence Force. The actual leader of the project was Dr Wouter Basson. Evidence was

laid before the TRC that some of the work of the CBW programme was carried out by two front companies, one known as the Roodepoort Research Laboratory, and the other as Delta G. Scientific. There was an indication that there was intention to poison individuals and that Roodepoort Research Laboratories was involved in the development of toxins for this purpose. An investigation by the TRC Research Department found that it would appear that the CBW was involved in the suspected poisoning of anti-apartheid activists, and the attempted poisoning of the Reverend Frank Chikane in 1989.

A list drawn up by Dr Andre Immelman, head researcher on South African Defence Force Projects at Roodepoort Research Laboratories showed that Dr Basson had requested that he provide a group of individuals with toxins. These included anthrax in cigarettes, and botulism in milk. It seems as though these items may have found their way into the hands of the Civil Co-operation Bureau, which was one of the organisations tasked with "eliminating" troublesome activists.

Delta G. Scientific was involved in the manufacture of significant quantities of Methaqualane [mandrax] and ecstasy. It was said that the drugs were required for crowd control.¹¹

It is suspected that the front companies were established to do the work of the programme with the South African Defence Force as the main client. They were provided with covert funding from the South African Medical Services budget.

The analysis by the Truth and Reconciliation Commission concluded that the Chemical and Biological Warfare Programme in the 1980s and early 1990s was ostensibly established to provide the country with a defensive capability, to enable it to react to chemical and biological threats posed from outside the country's borders. The

¹⁰*TRC Report, Volume 2, p.510.*

¹¹*Ibid., p.515.-519*

military also intended to use the findings of the programme to develop crowd control agents.¹²

It is interesting to note that reports from authoritative sources show that neither the Nazi medical experiments, nor the South African chemical experiments, had any significant value as far as medical or chemical research was concerned. In their opening statement at the Nuremberg Medical Trial the prosecution maintained that:

The Nazi methods of investigation were inefficient and unscientific, and their techniques of research were unsystematic.

These experiments revealed nothing that civilized medicine could use.¹³

The South African Truth and Reconciliation Commission reported that:

The CBW programme achieved little of value or of common good.... Tens, even millions of rand were squandered on ideas that had no scientific validity.¹⁴

In Germany doctors and scientists worked on human bodies, without the consent of the victims, completely ignoring medical ethics and the Hippocratic Oath. There was an unlimited supply of live bodies at their disposal, and the deaths resulting from their experiments did not restrain their activities. The declared objectives were the improvement and maintenance of the superior Aryan race, and the conditions for survival of troops in wartime disasters. In South Africa the programme which handled official, scientific experiments was directed at safeguarding the apartheid South African government against what it believed to be threats to its existence from within and outside the country. The devices manufactured in the laboratories were used to destroy

¹²TRC Report, Volume 2, p.519.

¹³Mitscherlich & Mielke, *Doctors of Infamy: The Story of the Nazi Medical Crimes* p. xx.

¹⁴TRC Report, Volume 2, p. 521, Item 49.

apartheid's opponents. Although in South Africa there were allegations of medical mismanagement, it was never intended to conduct experiments that would deliberately lead to deaths in a designated section of the population. There were no similarities in either the motivation or the work done in the two sets of laboratories or in the nature of the work itself.

BUSINESS

In comparing business conditions in the two cases being considered, the situation must be examined from two points of view, that of the employers, and that of the employees.

In 1933 many Jews in Germany were owners and directors of successful businesses. Mention has already been made of how, between 1933 and 1939, boycotts and vandalism destroyed many Jewish shops, and erstwhile thriving Jewish interests were Aryanized. In addition to pursuing their ideological hatred of Jews, there was an "economic interest in eliminating Jewish competition and expropriating Jewish capital."¹⁵ Between 1939 and 1941 German entrepreneurs took advantage of the removal of their Jewish competitors. The continuing war meant an increasing demand for arms, soldier's uniforms and military equipment, as well as a reliance on German and German occupied territories to supply the needs of the economy. The war economy meant that there was an increased demand for goods, and there was a shortage of labour because the German armed forces needed troops. In 1941 after the commencement of Operation Barbarossa (the Russian Campaign), an additional workforce was recruited. Slave labour, Jewish, and non-Jewish, was solicited from the ghettos and the concentration camps. Though business was willing to take advantage of this source of labour the Nazis

still pursued ideologically motivated ideas. The extermination of the Jews took precedence over the interests of business.

The Ministry for the occupied Eastern Territories already expressly stated in autumn 1941, that 'economic considerations are regarded as fundamentally irrelevant in the settlement of the [Jewish] problem'¹⁶

As an example to illustrate this statement, Kershaw quotes Tim Mason who observed that "among the first Polish Jews who were gassed in the extermination camps were thousands of skilled metal workers from Polish armament factories".

Germany's major industrial concerns were more than willing to take advantage of Jewish labour in the Polish ghettos. Whatever 'wastage' took place was bearable in the period of expansion, when abundant slave labour to satisfy the needs of the German economy seemed close at hand. [When the tide of war changed] and wholesale extermination of the Jews which had gradually crystallized as the solution to the Jewish problem – this superceded the needs of industry for labour.¹⁷

The Jews had no recourse to any sort of protection to prevent them from being exploited and their labour abused. They had no voice in choosing where they wished to work. They could not bargain for wages, as in fact their wages were paid in to the camp commanders. Their labour was the equivalent to slave labour, and no such things as workers committees or trade unions were permitted. In fact complaints would be met with harsher conditions, or might even result in the death of the complainant.

¹⁵ Kershaw, *The Nazi Dictatorship: Problems and Perspectives of Interpretation* (Fourth Edition), p.111

¹⁶ *Ibid.*, p.64.

¹⁷ *Ibid.*, p.65

The original Höss plans for Auschwitz included the establishment of an agricultural farm, and SS owned firms in the camp, but after 1941 he and Himmler arranged for the camp to be expanded. The inmates were to be used as a labour force, one of whose main projects would be the construction of a chemical works for I.G.Farben Industrie. In fact, giant industrial conglomerate, I.G.Farben Industrie established a subsidiary on the camp grounds for their synthetic rubber and fuel plant in which they employed prison labour

Rather than invest in new facilities that were expensive and unprofitable, the Nazis built labour camps adjacent to industrial sites because it was cheaper and organizationally simpler. Numerous industries benefited from the substantial profits that accrued to them because of the use of slave labour.¹⁸ The German firm of Spiesshafen and Braun in Heubach, specialists in ladies corsets, paid Jewish workers from the Lodz Ghetto from 5 to 12 marks a week, barely enough to pay for the meagre rations allowed them.¹⁹

Ravensbruck, [the women's camp] not only furnished cheap labour for nearby factories, it also sent prisoner workers throughout Germany. Once a price was agreed on, the businessman or industrialist received 500 to 1000 women, along with wardwomen equipped with dogs and clubs....

By 1942 the internal camp had also become an industrial centre. Articles could be manufactured cheaply because the labour was free. Dressmaking, shoes, furs were produced for use by, for example, the German wives and mistresses of the SS men.²⁰

¹⁸ Berenbaum quotes Piper, 'Preface', Gutman and Berenbaum, *Anatomy of the Auschwitz Death Camp*, p.2.

¹⁹ Zenebend Collection, Yivo Institute New York, quoted in Trunk, *Judenrat*, p.77.

²⁰ Feig, *Hitler's Death Camps. The Sanity of Madness*, p.142.

Polish workers were sent to the Reich to replace Germans who had gone to the war front. This led to an acute shortage of labour in Poland, and Polish employers looked to Jewish labour to fill the gap. However severe restrictions were imposed on Jewish workers. They were transferred to SS work camps. A drive to liquidate the 'work ghettos' and reduce the number of Jewish workers left alive was traced to Himmler. There was one such work camp at Lublin. On two days, 3 and 4 November 1943, about 41 000 Jews, almost the entire Jewish labour force in Lublin, was massacred in what was known as Operation Erntefest (Harvest Festival).²¹

Some German industries assisted directly with the extermination of the Jews because they located their factories near the concentration camps in order to use slave labour from the camps knowing that many of the slaves were dying due to the harsh conditions engendered by the work. Some firms actually manufactured the death machines.

Civilian industrial concerns often created through their cynical demands for cheap labour, the conditions by which thousands of human beings were worked to death in surroundings far harsher than those that existed in the major extermination camps.²²

Preparation of the ground for the construction of Auschwitz II, the Birkenau camp, included the draining of swamps. Workers laboured under inhuman conditions and suffered cruel treatment. The new camp was constructed at a high cost of human lives.²³ After 1938 prison labour was exploited to make profits for German companies. Money paid by private enterprises for prison labour was paid to state coffers.²⁴ At the end of

²¹Browning, *Nazi Policy, Jewish Workers, German Killers*, pp.78-87.

²²Feig, *Hitler's Death Camps, The Sanity of Madness*, p.116

²³Gutman, 'Auschwitz-An Overview' in Gutman and Berenbaum, (ed.) *Anatomy of the Auschwitz Death Camps*, p.16.

²⁴Piper, Francizek, 'The System of Prisoner Exploitation' in Gutman and Berenbaum, *Anatomy of the Auschwitz Death Camp*, p.37.

1943, the state's monthly earnings from the hire of Auschwitz prisoners reached two million Reichsmarks, and there is some evidence that estimates the earnings from 1940 to 1945 reached 60 million Reichsmarks.²⁵

For Auschwitz alone, in addition to the main camp, some forty satellite camps were constructed near mines, foundries and other industrial complexes.²⁶ In Matthausen sixty sub-camps were set up to provide labour for a full range of industrial, military and public works activities: iron ore mining, hydropower construction, road and tunnel construction. At Ebensee 1800 inmates tunneled into the mountain to build underground armament plants. In 1943, Messerschmidt located a factory in the Wienergraten quarry.²⁷ In January 1944 the number of available Jewish workers decreased and the shortages affected production. Rather than saving Jews to do the work, the Fuhrer supported a suggested but impractical plan to deport a million workers from France to help war production.

German industry's direct implication and collaboration in the Nazi plunder, exploitation, destruction, and mass murder in the occupied territories continued to the end.²⁸

While the Nazis pursued their goal of destroying the Jews even at the risk of jeopardizing their war effort, in the end most of the Afrikaners favoured, in the words of Dan O'Meara, "Mammon over Mission."²⁹ The exploitation of 'black' workers in South Africa was not caused by hatred of 'blacks'. As in all countries that operated under the capitalist system, it was due to the desire of businessmen for maximum profit. In South Africa employers were assisted in obtaining maximum work for minimum wages by the

²⁵ *Ibid.*, p.46.

²⁶ Gutman, 'An Overview' in *Anatomy of the Auschwitz Death Camps*, p.17.

²⁷ Feig, *Hitler's Death Camps, The Sanity of Madness*, p.120.

²⁸ Kershaw, *The Nazi Dictatorship, Problems and Perspectives of Interpretation*, p. 66

apartheid system of governance. Employers took advantage of the available opportunities to subsidise industry's labour costs, but capitalist exploitation seemed aligned to racial oppression.

Before 1948, 'white' Afrikaners had been occupied mainly in agriculture. 'Black' farm workers lived on the farms. 'White' commercial farmers had a bad reputation for the way in which they treated their workers. Corporal punishment was common. In Bethal in 1950, such brutal treatment was reported that some 'white' farmers and their farm managers were taken to court, charged and given jail sentences. Many 'blacks' were 'tenant farmers', living with their families on 'white' farms. They provided the farmers with labour, but they were allowed to keep small herds and grow crops. With the growth of capital intensive agriculture and increasing mechanisation, many workers were made redundant. It is estimated that between 1960 and 1971, 500 000 African 'full-time' farm workers left to seek employment in towns.³⁰ Farmers were continually short of labour and they used women and children to work on farms. Child labour was exploited. Children educated in farm schools were called to help, sometimes before or after school, and sometimes during school hours. There was widespread use of prison labour. Technical and pass law offenders were placed as prison labourers on farms. Prisoners released on parole were sent to work on farms for 9d a day.³¹

'Blacks' living in tribal areas had been engaged in subsistence farming. However the homelands were overcrowded, and increasing industrialisation meant that jobs were available in urban areas. Many able-bodied men went to towns to seek employment and there was a steady deterioration in subsistence farming. The system of migrant labour destroyed any hope of the 'black' population of the homelands being able to fend for

²⁹O'Meara, *Forty Lost Years*, p. 181.

³⁰African Communist: Journal, 4th Quarter 1997. *Harvesting Apartheid: The Complicity of Business in Racial Oppression*, (Document submitted to T.R.C. hearings), p.48.

³¹*Ibid.*, *Harvesting Apartheid, The Complicity of Business in Racial Oppression*, p.50

themselves. In 1985 subsistence agriculture was only ¼ of what it was in 1948, and migrant labour transmittances were the chief source of income of families.³²

The mines were the largest employers of 'black' migrant labour. Job reservation kept these workers restricted to unskilled jobs. Cheap labour and the migrant labour system with its restrictions boosted the economy, making the mines and farms more profitable than they would otherwise have been³³. "Avoiding permanency became a salient feature of the government's urban black policy."³⁴

In addition to the private sector, there was a vast increase in the number of parastatals. Iscor (steel), Escom (electricity), Armscor (weapons), Sasol (oil from coal), Foskor (phosphorous) and SAPPI (pulp and paper). All were government sponsored. Government orders boosted the production facilities of these companies. Most of the private sector companies benefited enormously from growing militarisation. Armscor and the armaments industry flourished. Armscor subcontracted to private contractors and subcontractors; e.g. Barlow Rand supplied electronic parts.³⁵

The government, with the support of the Broederbond,³⁶ encouraged and assisted Afrikaners to join the ranks of major business entrepreneurs and industrialists, and to enter professions such as medicine, law and banking. Afrikaner capital moved into industry, mining and finance. Big Afrikaner controlled companies such as Sanlam, Santam and Volkskas flourished. There was a great economic boom in the 1960s, and business profits soared, but these could not be maintained. As the technical advances used in manufacturing and other industries became more sophisticated, trained workmen were needed to operate them. Job reservation, influx control and lack of

³²Giliomee. 'The Challenge Facing Business in South Africa' in Leape, Baskin and Underhill (ed.) *Business in the Shadow of Apartheid*. Chapter 10, p.146.

³³Saul and Gelb. *The Crisis in South Africa*, p.63.

³⁴Sparks. *The Mind of South Africa A History of the Rise and Fall of Apartheid*, p.199.

³⁵African Communist: Journal, 4th Quarter 1997 as above, p.54.

training facilities for 'blacks', meant that great numbers of the potential work force were not available to fill the positions created by the introduction of modern technology.

In time apartheid was found to be dysfunctional, and not in the best interests of business and the economy. In general 'whites' were not productive, nor were they sufficient in number to make the workforce economically viable. 'Blacks' were not allowed to be trained or to apply for skilled jobs, and when they may have been permitted to try for such employment, the relevant information was not available in places where they could find it. 'Blacks' were not allowed to advance to managerial positions, and there were not sufficient 'whites' to fill vacant posts. Industrialists had to import their technical equipment, but exports were mainly minerals and metals. All these factors combined to make the prices for manufactured goods non-competitive on the global market. This had an adverse effect on the supply of foreign exchange. Foreign debt mounted, and in the end South Africa was not able to meet its repayment commitments. The South African consumer market was too small. The low wages of 'blacks' did not allow them the spending power necessary for them to enter the market as purchasers of available goods.³⁷

The wage gap between 'blacks' and 'whites' increased in the business boom of the 1960s. The research finding of Francis Wilson showed that African real wages in gold mines were no higher in 1966 than they had been in 1911. He estimated that the white-to-black wage ratio which was roughly 12:1 in 1911, had widened to around 18:1 in 1966.³⁸ 'Whites' were not allowed to trade in the townships, but 'blacks' were frustrated in their attempts to develop their business skills.

³⁶Broederbond, an influential elite Afrikaner society founded in 1918, which sought to promote Afrikaans cultural values, language and the Dutch Reformed Church. It promoted Afrikaans business interests and numbered among its members many National Party cabinet members.

³⁷Giliomee, *The Afrikaners. Biography of a People*, p.628.

³⁸African Communist: Journal: 4th Quarter, 1997, *Harvesting Apartheid: The Complicity in Business in Racial Oppression*, p.52.

Whites had not been allowed to trade in the townships. Regulations limited the number of trading licenses issued to a few blacks to deal in essential domestic necessities. There could be no banks, supermarkets or clothing stores to give the place a look of permanency and the trading licenses had to be renewed every year. Township administrators had to see that no black business grew too large. If a business got too big, it had to be moved to a black area.³⁹

Harry Oppenheimer, head of one of the largest South African conglomerates, De Beers/Anglo American, spelt out the dangers to capital of the restraints on 'blacks' in the labour force. Although business houses were prepared to benefit from racial capitalism, they could see the writing on the wall. In the 1970s a recession set in, and business, which earlier had taken advantage of the exploitation of cheap labour, started to find fault with the apartheid system of labour control.⁴⁰

In 1977, corporate leaders motivated by self-interest created the Urban Foundation that began seeking ways to create a 'black' middle-class that they hoped would improve the situation. Until then all 'blacks' had been lumped together as a single disadvantaged group. Now there was an attempt to divide the working class into two factions, a better off group who were permanently settled in urban areas, and 'the rest'. The Foundation developed housing schemes and training facilities for urban 'blacks'. In November 1980, in order to encourage 'blacks' to start their own businesses, a parastatal Small Business Development Corporation was established which guaranteed low interest loans to would-be entrepreneurs and assisted with management training. Most of the initial capital was provided by the private sector. 'White' firms were allowed to operate in the townships if they were minority shareholders of 'black' businessmen,

³⁹ Sparks, *The Mind of South Africa, A History of the Rise and Fall of Apartheid*, p.199.

⁴⁰ Saul and Gelb, *The Crisis in South Africa*, p. 86 and p.225.

and during the years from 1984 to 1990 the employment pattern of both 'blacks' and 'whites' underwent major changes.

Businessmen realised that it was essential for 'blacks' to have a political voice. Several representatives of South African big business (Gavin Reilly of Anglos, Mike Rusholt of Barlow Rand and Tony Bloom of Premier Milling) held exploratory meetings with the ANC in Lusaka in 1986.⁴¹ A year later in Dakar, Senegal a large group of Afrikaner academics, under the leadership of Frederick van Zyl Slabbert met publicly with leaders of the ANC in exile.⁴²

In Germany, Aryans took over Jewish businesses. The Jews had been relieved of their wealth, and enterprises were able to flourish without Jewish customers who had, in any case, only been a small proportion of the population. In South Africa, 'blacks' were by far the majority, and even though their individual spending power was limited, they provided a large market for essential commodities and a potential market for all goods. By restricting their entry into the entrepreneurial class, 'white' enterprises flourished.

The lack of mobility of the 'black' workforce and their inability to negotiate conditions of labour aggravated the problems arising from the decline in the economy. In response to the crisis, the State appointed two investigative commissions to suggest solutions. In 1977 the Riekert Commission studied the position of those 'blacks' who qualified to live in the townships under 'section ten' with a view to making adjustments to influx control. It recommended that urban 'blacks' bring their families to live with them if housing was available. It also recommended that 'blacks' be allowed to purchase houses on a 99-year lease. It was realised that:

The governments tough influx control measures failed in their goal of stemming the tide of black urbanization. Secondary industry preferred docile and cheap

⁴¹*Ibid.*, p. 226.

migrant labourers to the settled urban blacks whom they regarded as choosy, ill disciplined and too expensive. Employers generally called the tune and the urban black population grew from 2.4 million in 1951 to 3.5 million in 1960.⁴³

Unlike Germany where Jewish labour had no bargaining power, 'blacks' realised the advantages of collective bargaining, and although originally illegal, they embarked on establishing trade unions. In 1977, in addition to the Riekert Commission, the Wiehahn Commission was also set up to study and recommend skills training for 'black' workers and examine the position of Black Trade Unions.⁴⁴

Although a growing African trade union movement had begun during a strike in 1973, it had not been officially recognized and it was decided to incorporate 'black' trade unions into the system, as long as they were conducted along racial lines and did not become involved in politics.⁴⁵ Many unions refused to register because they were not prepared to abide by these restrictions. O'Meara captures the importance of these developments when he explains how the attempt to incorporate 'black' trade unions into a controlled industrial bargaining system actually backfired. Instead of being subservient to the attempts to shackle them, the 'black' trade unions radically strengthened the force of 'black' resistance to neo-apartheid. They took an anti-capitalistic stance, and the banner of the banned S.A. Communist Party was raised at huge rallies. In November 1985, a new political trade union federation, the Congress of South African Trade Unions, COSATU, was formed. The government introduced new labour laws aimed at curbing the unions and outlawing strikes and boycotts. In February 1988, restrictions were placed on thirty-four organisations in an attempt to halt all forms of extra-

⁴²Sparks. *The Mind of South Africa*. p.384.

⁴³Giliomee. 'The Challenge Facing Business in South Africa'. Chapter 10 in *Business in the Shadow of Apartheid*. p.511.

⁴⁴Lipton. *Capitalism and Apartheid*, pp.60-61 and 340+

⁴⁵Saul and Gelb. *The Crisis in South Africa*. p.126.

parliamentary opposition. As a result COSATU became a leading force in 'black' resistance.⁴⁶

In the trade union movement, 'black' labour in South Africa discovered its power to work towards elevating the status of the workers, most of whom were unskilled. They used the platform they had discovered to bargain for better conditions in the workplace. This was in sharp contrast to the situation in which the Jews found themselves in Germany where skilled labourers were barred from engaging in their crafts and Jewish workers had no status and no voice. Their condition and work environment deteriorated steadily. The threat of punishment and even death made it impossible to mount any group protest. When the Sonderkommandos (the group that was forced to remove the bodies from the gas chambers and burn them) revolted, they were instantly all killed. Whereas in South Africa, the position of 'black' labour was moving upward, in Germany the condition of Jewish labour descended to rock bottom.

In the Truth and Reconciliation Commission's report on the "Business and Labour" hearings, they categorised the extent to which business played a role in helping to design and implement apartheid policies. The amount of complicity of employers in promulgating apartheid was classified into three dimensions: First, Second and Third Order involvement. This classification can also be used to grade German involvement in the Holocaust.

First Order Involvement related to businesses that played a central role. In South Africa those who helped to form oppressive policies or practices that resulted in low labour costs and increased profits, for example the mines, are deemed to have been involved in the first order. In Germany, First Order Involvement was more definite and lethal. German firms responded to the Nazi call to find a rapid acting gas that could kill

⁴⁶ O'Meara, *Forty Lost Years*, pp.323-362.

thousands of people in a short space of time. For this reason they designed and built the gas chambers and crematoria knowing that they would be used for rapid extermination of a whole race. Thus they were actively involved in 'hands on' involvement in the Holocaust. So were those who designed and built the gas chambers in the death camps. Special boxes were manufactured in which several corpses could be placed for incineration at the same time. Details of this involvement will be given in the section on "Pattern of Death".

Second Order Involvement related to those who made their money knowing that their products would be used to contribute to the repression of the disadvantaged. In South Africa, products such as weapons, armoured cars, and the issuing by banks of covert credit cards that could be used for the servants of the apartheid government to carry out their repressive missions, are among those cited. In Germany, those firms who used slave labour were all guilty of Second Order Involvement. They knew the conditions under which the slave labourers existed, and the fact that many died and were quickly replaced by others, yet they used these labourers knowing that they were assisting directly with the repression. They even aided and abetted the authorities by paying wages into State coffers or the SS, instead of giving them to the workers themselves. These practices are detailed in the sections titled, 'Patterns of Torture' and 'Beyond the Borders'. But even prior to the advent of slave labour, all those Germans who took over Jewish businesses, either for premiums which were far below their worth, or even for nothing, were guilty of Second Order Involvement. They knew perfectly well the circumstances under which Jewish business enterprises were removed from their original owners, yet they moved in and made them their own. The same can be said for those who moved into and/or plundered homes that had previously been owned or occupied by Jews.

Third Order Involvement concerned “ordinary business activities that benefited indirectly by virtue of operating within the racially structured context of an apartheid society.”⁴⁷ In South Africa this applied to all ‘white’ businesses that took advantage of a situation where ‘black’s’ wages were depressed, and expenses were kept low. In Germany it applied to Aryan businesses that flourished once competition from Jews was removed.⁴⁸

The changes that occurred to the apartheid system of government and brought it down were largely economically driven. As a result of the changes, the ‘black’ population moved gradually up the social and economic ladder. Verwoerd had warned that when you start making concessions, one thing leads to another, and this is in fact what happened. South Africa did not stay “poor and white” as Verwoerd had suggested, it tried to become rich and powerful.⁴⁹ In order to achieve this aim, job reservation had to be scrapped, and ‘blacks’ had to be allowed to upgrade their education even if in order to do this they had to attend previously ‘whites’ only universities and technicons. In 1960 almost all African workers were unskilled. By 1980 in the Johannesburg area less than one half were unskilled.⁵⁰ The demand for labour enforced the change of status of the ‘black’ population because

For all its military might it is a peculiar weakness of white South Africa, that it is entirely dependent on the people it represses.⁵¹

⁴⁷ *TRC Report, Volume 4*, p. 26.

⁴⁸ Reparations have now been paid to the victims of the Holocaust by the German government. At present an American attorney, Edward Fagan, is engaged in pursuing court cases against those whom he claims acted against his clients human rights by supporting the Apartheid government. Those being targeted include several major banks, and many of South Africa’s largest conglomerates.

⁴⁹ Sparks. *The Mind of South Africa. A History of the Rise and Fall of Apartheid*, p.315.

⁵⁰ Seekings. *Workshop on Comparing Experiences of Democratisation in Nigeria and South Africa*, p.5.

⁵¹ Sparks. *The Mind of South Africa: A History of the Rise and Fall of Apartheid*, p. 369.

In Germany the position of the Jews declined steadily. They were not essential for the German economy, and in fact their removal was used to elevate the position of ethnic Germans, those who were already living in Germany at the time of Hitler's ascent to power and those who were brought back from other parts to their Reich 'homeland'.

Business in both apartheid South Africa and Nazi Germany was enmeshed in the racial practices of the governments. However the driving forces that kept them involved and the nature of their involvement were poles apart. In Germany the key words motivating business were hatred and jealousy; in South Africa they were exploitation and greed.

BEYOND THE BORDERS-MURDER

Before 1941 the Nazis tried to remove the Jews from the Third Reich by encouraging them to emigrate. Those who remained were confined to ghettos, Jew's houses, or deported to the Generalgouvernement. Deaths resulted from assaults, starvation, illnesses and deprivation. After 1941 when the decision was taken to embark on the 'Final Solution,' the increasingly efficient schemes for the mass murder of all the Jews were put in place. The apartheid government never planned mass murder or the permanent elimination of an entire people. The war on which Germany embarked in 1939, proved the turning point. From this time the atrocities and human rights violations perpetrated by the Nazis were more horrific than any actions taken by the apartheid government. There were borders which apartheid did not cross. These related to the deliberate murder of men and women of all ages, and an entire generation of children. In apartheid South Africa the disadvantaged were never subjected to the treatment meted out to those relocated to German concentration camps.

The Nazis set about eliminating every Jewish man, woman and child. They aimed to remove the entire people whom they called the 'Jewish Race'. The apartheid state sought to remove those whom they considered a threat to 'white' supremacy, those who aimed to establish a South Africa where all its citizens could enjoy equal rights and privileges, equal education, hospital and welfare services, and job opportunities. 'Black' leaders 'disappeared' or were locked up for indefinite periods. Many of those detained were tortured, many died in detention and many were killed. Those who were killed included innocents who happened to be at the wrong place at the wrong time. But no attempt was made to wipe out the whole 'non-white' race. As long as the disadvantaged knew their place, provided their labour, and did not jeopardise 'white' supremacy and control, they were left to cope as best they could in the areas to which they were assigned.

In the two national cases being considered, the assigned areas for residence differed widely. Jews removed to ghettos lived in unspeakably overcrowded conditions. They starved on their meagre rations, and died from the diseases that spread rapidly due to lack of sanitation. When their numbers did not diminish at a pace fast enough to satisfy the Nazis who wanted to create space in a *Judenrein* Reich for returning Germans; the Nazis tried to hasten their demise. To remedy the need for 'Lebensraum', Jews were deported from the ghettos to camps. Those who were not sent to death camps for immediate extermination were transferred to concentration camps. There, on arrival a selection process took place. Those who were declared fit to provide labour for the benefit of the German economy were registered and admitted to the camps. Their names were replaced by camp serial numbers so that their identities as individuals became compromised. Those considered unfit for labour, the elderly, the ill, some women and almost all children were sent to the gas chambers as explained by Gutman:

Concentration camps were turned into pools for slave labour. Along with productive labour, there was a planned “Destruction through Work”. Destruction through work assumed two main forms, punishment...involving brutal treatment and physical abuse, or backbreaking labour without even the simplest tools performed by prisoners living in conditions below subsistence level. The attitude was that the racially inferior prisoners were a hostile element who should be eliminated. They were expendable from the labour point of view, because those that died could always be replaced with others.⁵²

Auschwitz was the largest and most lethal of the Nazi death camps. Actually it was three camps in one: a killing centre, a concentration camp, and a slave-labour camp⁵³

Of the three Auschwitz camps, Auschwitz I was the main camp, Auschwitz II (re-named Birkenau) became the killing centre, and Auschwitz III, Monowitz, the Industrial camp. Those fit for work were admitted to a life of living hell.

Killing is killing by any definition...[but] it was better to be shot or gassed than to be crushed or suffocated in the quarries, underground factories, or the mountain tunnels of the Mauthausen complex...⁵⁴

Gutman describes the life of Jews in Auschwitz. They were inadequately dressed and Jewish prisoners wore the Star of David so that they could be easily identified. They were treated worse than any of the other prisoners. The punishing daily routine started at 4.30a.m. with roll call, a 12-hour working day in summer and a slightly shorter one in winter. Inadequate starvation rations were provided and their issue was not always reliable. These were supposed to consist of 1700 calories per day for light work and

⁵²Gutman, ‘Auschwitz – An Overview’, in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, p.8

⁵³Gutman, ‘Preface’ in Gutman and Berenbaum (ed) *Anatomy of the Auschwitz Death Camps*, p. vii.

⁵⁴Feig, *Hitler's Death Camps, The Sanity of Madness*, p.116.

2150 for heavy work, but in effect when food was issued it was more like 1300 and 1700. Thirst was a major problem.⁵⁵

Vivid descriptions of the living conditions in the concentration camps have been recorded, many from the diaries of non-Jewish survivors of the camps. In Birkenau, for example,

Horse-stalls had been remodeled so that eighteen to thirty women slept in a place designed for one horse, six to ten women occupying each bunk. Lice and other vermin were rife, and rats ran about and nibbled at the women..⁵⁶

Epidemics of lice, typhus, dysentery and common phlegmon resulted in extremely high mortality rates. Victims in concentration camps were robbed of their clothes, jewelry, money, household goods, medicines or the food that they had brought with them. Those that were gassed had their gold teeth and hair removed for recycling by the Germans. The administration of the SS was responsible for confiscating the property of exterminated victims. The looted goods were stored in special sheds that in Auschwitz became known as 'Canada'. The SS and the Third Reich who sometimes shared their profits with the local administration enjoyed any benefit derived from the expropriation of such property.⁵⁷ Even the money paid by employers for the labour of the prisoners was not given to the workers themselves, but was paid directly to the SS.

Many 'blacks' who worked in South Africa were employed as migrant labourers. They were separated from their families, underpaid, and lived in compounds where the conditions varied considerably according to the social consciences of their employers.

⁵⁵Gutman, 'Auschwitz- An Overview', in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, pp. 20-24.

⁵⁶Feig, *Hitler's Death Camps, The Sanity of Madness*, p. 173.

⁵⁷Strzelecki, 'Plunder of Victims and Their Corpses', in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, p.248.

But they were never *deliberately* worked to death or housed in quarters that were liable to cause fatal illnesses. They were paid for their labour though their salaries were inadequate. The dignity of blacks and their age-old culture was ignored. They were exploited and family life was compromised, but workers were not deliberately and systematically tortured, robbed and murdered.

There were many systemic deaths as a result of forced removals to areas that were inadequately sourced as far as water, arable agricultural land and shelter were concerned. But the deaths were due to the insensitivity of the authorities to the hardships that followed the removal of families who had been settled in familiar surroundings to strange destinations that were unsuitable and not prepared for their reception. The Nationalist government was motivated by the ideology of separate development and not by a deliberate attempt to reduce the number of 'non-whites' by starving and deprivation.

PATTERNS OF TORTURE

Torture can take many forms. It may be mental or physical. The severity of the torture can range from relatively minor, to torture so severe that it can result in death. An extra dimension is added when the victim has no choices. When the subject knows why he is being harassed and elects to submit rather than give in to his tormentors, he has a measure of dignity and the feeling of being in the right to comfort him. He has the satisfaction of knowing that if he resists the torture, his motives are noble. He is defending his principles and protecting his colleagues. In South Africa most of those who were tortured were enemies of the apartheid regime. Some could have saved themselves by renouncing the struggle, or informing on their fellows. Those who chose

to suffer were heroes. In Nazi Germany Jews were tortured, simply because they were Jews. They were the victims of those who chose to degrade them. The best they could hope for was that their tormentors would get tired of the sport of tormenting them, and eventually desist of their own accord.

In both South Africa and Germany, the authorities took no steps to chastise or punish those who perpetrated torture. In Germany, for example, on *Kristalnacht* (as reported earlier) the police stood by and watched the destruction and mayhem. They were instructed not to intervene unless German property seemed threatened. The South African Government, in 1961, passed Indemnity Act No. 61 which indemnified the government, its officers and all other persons acting under their authority in respect of acts done or orders given [ostensibly] for the prevention or suppression of internal disorder.⁵⁸ This indemnity was extended by an additional Indemnity Act No 2 of 1977. By taking no action against the perpetrators in the German instance, and by granting them indemnity in the South African case, the governments appeared to condone the actions of those involved in gross human rights violations.

Jews were easily distinguishable by the Star of David that they were forced to wear on their outer garments, and were targets for mockery and often brutal treatment in the streets. Worse torture occurred in the concentration and labour camps. Victims had to line up for hours while roll call was taken, and any who fell down were liable to be beaten or even shot. Often, while they were struggling along the roads to get to the sites of their forced labour, they were whipped or assaulted. Even while they were actually working they were subjected to sadistic treatment. The treatment at the Mauthausen camp was especially bad. In 1945, 1700 prisoners were transferred there from Sachsenhausen. The SS grouped together the sick prisoners and sent them outside nude. That night the temperature dropped below freezing. The prisoners stood in the

square for four hours while they were sprayed alternately with hot and cold water. The groans of the dying rang through the camp as icicles formed all over their bodies.

In the Mauthausen quarry where many of the prisoners from the camp worked it "was the Jewish job to carry the full toilet buckets on poles and dump them away from the quarry. As the Jews stumbled up the slopes, the bucket contents slopped over them and covered them with excrement."⁵⁹

Steep cliffs, known as the 'Parachute Jump' surrounded the quarry. There were 186 steps from the top to the bottom. In 1941 a large group of Dutch Jews were sent to the camp where, for two days, the SS drove the Jews, fully laden, up and down the 186 steps. On the third day, driven by despair, the remaining Jews joined hands and leapt over the precipice to their deaths in the quarry below.⁶⁰

The Jews were no threat to the Nazi state but they were considered to be cosmic enemies of the German people. They were dehumanised, and made to endure ill treatment and even torture. Many of the SS guards harassed and brutalised their victims mercilessly. When the Jews were moved to the camps, not only were they relieved of all their belongings, those that survived the gas chambers were subjected to inhuman living conditions,

In South Africa those who were tortured were suspected of being enemies or potential enemies of the Regime that ruled the country. Anyone who was considered a threat could be arrested and held in detention, often in solitary confinement, by the security police. While incarcerated they were liable to be tortured, either in an attempt to get them to divulge information about the activities and plans of anti-apartheid activists, or because they were anti-apartheid activists themselves. Torture was not randomly

⁵⁸Indemnity Act No 61 of 1961.

⁵⁹Feig, *Hitler's Death Camps; The Sanity of Madness*, p.121

⁶⁰Feig, *Hitler's Death Camps; The Sanity of Madness*, p.121.

perpetrated, nor was it directed against a whole people who were racially defined. The numbers of prisoners who were subjected to torture was limited to those arrested for political reasons, or for those held either because they were suspected of being involved in the struggle against apartheid or because they were suspected of having information regarding struggle activists.

Bram Fischer, the celebrated Afrikaner anti-apartheid activist who led the defence of Nelson Mandela in the 1966 Rivonia Treason Trial, went into hiding when he was threatened by the security police for his political activities against the policies of apartheid. He was eventually captured because someone who had been interrogated non-stop for seventy hours divulged the required information about his hiding place. The Special Branch had worked on her in relays, as many as three at a time. They told her that she would end up in Weskoppies Mental Hospital, and they threatened her daughter and her deaf son.⁶¹ The TRC found that "the use of torture in the form of infliction of severe physical and/or mental pain and suffering for the purposes of punishment, intimidation and the extraction of information and/or confessions, was practiced systematically, particularly, but not exclusively, by the Security Branch of the South African police".⁶²

Detainees had no privacy, and that included privacy for washing or going to the toilet. In some cases, including that of Steve Biko, the prisoners were humiliated by being kept naked. In addition to physical assault, there were instances where electric shocks were administered, including shocks to the genitals. Detainees reported having bags put over their heads while the shocks were being given. Victims were kept standing for hours on end while being continuously interrogated, and many were held for long periods in solitary confinement.

⁶¹Clingam, *Bram Fischer: Afrikaner Revolutionary* excerpts of details on p. 391.

⁶²TRC Report, Volume 2, p.220

The poet Breyten Breytenbach, who was convicted of terrorism in 1975 and released in December 1982, said that torture in South Africa involved the criminal and security police, and the defence force. He claimed that 'no ethics, no moral or religious code restrained the police in their absolute power to do with and to the detainees what they want to.' In his book *The True Confessions of an Albino Terrorist*, he described the methods and extent of torture used in South Africa.⁶³

Whereas Jews in Germany had no redress to any source that could examine or query their plight, in South Africa detainees and/or their families were able to report ill-treatment and request that formal commissions of inquiry be instituted to investigate complaints. In 1977 a *Detained Parents Support Group* was formed which monitored, as far as possible, the treatment of political prisoners by the security police. In addition a magistrate and a district surgeon were scheduled to examine detainees. Dr Wendy Orr, one of the district surgeons whose job it was to examine political prisoners, actually submitted an urgent application to restrain police from assaulting detainees held under the emergency regulations at the St Alban's and North End Prisons in Port Elizabeth.

Some victims were abducted from neighbouring states so that they could be interrogated. Mr Sydwell Phiri was abducted from Lesotho and taken to Bloemfontein in the boot of a car. He was then moved to Barberton where he was so severely tortured that he suffered permanent brain damage, and was left semi-paralysed.⁶⁴ If witnesses who were brought to court by the police to give evidence for the prosecution claimed that their signed statements had been made under duress and that the evidence contained therein was false, the judge or magistrate often ruled that the statements be disallowed. However many of those who were involved in torturing prisoners, even when the torture resulted in death, were promoted to higher ranks. Legislation was enacted preventing

⁶³ *Race Relations Survey 1984*, "A note about torture in South African Cells and Interrogation Rooms" p.768.

intervention by the judiciary, and removing any public accountability on the part of the security forces for their treatment of detainees.

The TRC therefore concluded that the South African Government, as official practice, condoned the use of torture. They found further that the Ministers of Police, Law and Order, the Commissioner of Police and the officers commanding the Security Branch at national and local levels, were accountable for the use of torture against detainees, and indirectly for all unnatural deaths of detainees in police custody. They found that the Cabinet was indirectly responsible.⁶⁵

In Nazi Germany and apartheid South Africa, victims of the systems were subjected to torture. In both cases the governments knew of the torture and not only sanctioned it, but made it legally acceptable. However in South Africa the torture was directed at individuals, mainly those connected to opposition of the government. The torturers were the police and the security establishment. On the contrary, in Germany much of the torture was collective. Groups of people in labour detachments and in concentration camps were tortured on the slightest pretext, and often with no pretext at all. Jews were singled out and suffered the most although other prisoners were not always spared. Frequently the torturers were either the SS personnel or the camp officials whose duties included supervising the camps and the labour detachments. However many ordinary civilians as well as police, and the Gestapo also engaged in tormenting Jews. In Germany the horror of the torment was aggravated by the knowledge that erstwhile friends and colleagues either participated in its implementation, or stood by and did nothing to help or protect the victims. In South Africa the victims knew they had the support, not only of their relatives and friends, but also of all people

⁶⁴*TRC Report, Volume 2, p.123, Item 339.*

⁶⁵*Ibid.*, p.220.

who valued the ideal of a country with equal rights for all, regardless of race, colour and creed.

PATTERNS OF DEATH

The Universal Declaration of Human Rights includes the statement that: "Everyone has the right to life, liberty and the security of person."⁶⁶ This dictum was ignored by those who sought to entrench Nazi ideology and those who sought to protect the apartheid state. However the patterns of death under the two regimes took different shapes. There were no similarities between the numbers of victims, the nature of their 'offences' and the method of murder.

Many studies and investigations have been made in an attempt to arrive at the number of Jews killed in the Holocaust. It is difficult to see how accurate numerical data can have been collected. For example, a difficulty would have arisen because Jews were sorted on arriving at the railway stations of camps such as Auschwitz into those who were fit for work, and those who were not. Those who were fit were registered, but the others were sent to the gas chambers and not registered at all. However the estimated number is between five and a half and six million. Peter Witte and Stephen Tyas undertook one of the recent studies.⁶⁷ Another earlier study estimates the numbers who perished as 5,933,900 out of a population of 8,861,800, or 67%.⁶⁸

Those who were killed during the rule of the apartheid government were mostly 'blacks', although many 'white' activists (for example Ruth First and Rick Taylor) were killed as well, and these deaths are included in those recorded. The number of persons

⁶⁶Special 50th Anniversary Edition of the United Nations Yearbook, 1945-1998, p. 304.

⁶⁷Witte and Tyas, 'A New Document on the Deportation and Murder of Jews during "Einsatz Reinhardt" 1942, published in *Holocaust and Genocide Studies*, p. 468 and following.

⁶⁸Dawidowicz, *The War Against the Jews 1933-1945*, p.480.

who died between September 1984 and December 1994 as a result of political violence is given as 22791.⁶⁹ There were about a further 4024 who died in detention and from other individual killings plus a rough estimate of about a further 10000 from systemic deaths, making approximately 36815.⁷⁰ This constitutes about 0.144% of the population of over 25.5 million. However the enormity of the differences in the actions perpetrated by the Nazi and South African Regimes should not be measured in terms of the numbers who died, but rather by the nature of the victims and the manner of their decease.

Under the Nazi's an attempt was made to murder all Jews, regardless of their status or affiliation. Most were killed en masse. For example, in Auschwitz prisoners of war and numerous transports of Jews were killed in their entirety, including whole families who were gassed.⁷¹ Under the apartheid regime, those who were murdered were mainly political activists, persons opposed to the ruling party. Some were murdered as individuals, some in small groups, and some in larger numbers. Some were murdered because they happened to be in the right place at the wrong time. Violent death was the fate of many of the most able and motivated 'black' activists who were opposed to the subjugation of the 'non-white' people, and who were determined that there should be equal rights for all, regardless of race, colour or creed.

In Germany Hitler and his inner circle aimed to exterminate every Jew, man, woman and child because Hitler saw the struggle against the Jews as a vital conflict between the forces of good and the forces of evil.⁷² Steven Katz notes that for the Germans, eliminating the Jews became a sacred obligation because "The Jew", the collective singular, was the generic, supernatural enemy.⁷³

⁶⁹ SAIRR Survey 1994/95 pp. 27 and 438.

⁷⁰ Calculated from SAIRR Surveys between 1960 and 1995.

⁷¹ Piper, 'Gas Chambers and Crematoria' in Gutman and Berenbaum (ed.) *Anatomy of the Auschwitz Death Camp*, p.160.

⁷² Feig, *Hitler's Death Camps: The Sanity of Madness*, p.16.

⁷³ Katz, *The Holocaust in Historical Context*, p.6.

The Nazis wanted Germany, German occupied territories, and if possible the world, to become 'Judenrein' (free of Jews). They set about ruthlessly destroying the 'race' that they despised and considered subhuman. Annihilation through labour was discussed in a previous section. It is now time to address the issue of actual murder.

In South Africa in 1961, when peaceful protest had proved unsuccessful, the African National Congress and the South African Communist Party supported the establishment of an underground guerilla army, *Umkhonto we Sizwe* (known as MK), which formally declared war on the Republic of South Africa on 16 December 1961.⁷⁴ That same day MK fired its first salvo against the government when its saboteurs blew up electricity installations and government offices in Johannesburg and Port Elizabeth.⁷⁵ The apartheid government felt threatened by the 'black' struggle for justice, and took stringent measures to render anti-apartheid activists impotent.

After Hitler's accession to power in Germany, the first large-scale physical violence against Jews that resulted in death was recorded on the occasion of the pogrom known as Kristalnacht on 9 November 1938. A total of 236 Jews were reported killed and 30 000 arrested and sent to concentration camps.⁷⁶

While verbal assaults, legal restrictions and ghettos were the central institutions of the anti-Jewish policy until 1941; they were now superceded in importance by the execution squad, concentration and "work" camps, and the gas chambers.⁷⁷

Some Jews who were not evacuated to ghettos or camps were murdered. Kovno was the site of incredible butchery of Jews, open for all, Jews and Lithuanians alike, to see.⁷⁸

⁷⁴TRC Report, Volume 2, p.10.

⁷⁵Sparks. *The Mind of South Africa*, p.244.

⁷⁶Berenbaum. *Witness to the Holocaust*, p.40.

⁷⁷Goldhagen. *Hitler's Willing Executioners*, p.145.

⁷⁸*Ibid.*, p.191.

5000 Jews who were being deported, were unloaded at Kaunas (Kovno) and shot there.⁷⁹

Until the start of the war, when the pressure to emigrate failed to achieve its objective and foreign governments increasingly turned away refugees, especially those without means, Reinhardt Heydrich, chief of the Reich Main Security Office, gave priority to deporting them to the utmost reaches of the German sphere of influence. As early as 21 September 1939 he issued guidelines which included the planned formation of a 'Jewish Reservation' where Jews could be resettled apart from the Aryan population.⁸⁰ But the plan for the establishment of such a reservation at Lublin failed, and the Jews were settled in the Lodz ghetto which was sealed off on 30 April 1940.⁸¹ The plan to deport the Jews to Mauritius was also unsuccessful and in the summer of 1940 German population politicians, pursuing their promise to reduce the number of inhabitants of the Generalgouvernement which was becoming overpopulated, incarcerated the Jews in a ghetto in Warsaw which they sealed off on 15 November 1940.⁸² As Germany conquered more and more territory and the number of Jews under their jurisdiction increased, plans for their deportation went ahead. These plans took for granted the deaths of tens of thousands (and later hundreds of thousands) of people. It was anticipated that many deportees would die because of the wretched conditions involved in their resettlement. They would die from hunger, from cold, from complete physical exposure, from slave labour and from insufficient medical care. Travelling in winter on foot or in unheated, overcrowded freight cars and finally abandonment in uncultivated, unfertile regions, were calculated to ensure many deaths. Aly captures the mood when he notes that "The exterminations of these sub-humans lies in the interests of the whole

⁷⁹Hilberg, 'Dimensions of Genocide', in Gutman and Berenbaum (ed) *Anatomy of the Auschwitz Death Camp*, p. 81.

⁸⁰Aly, *Final Solution, Nazi Population Policy and the Murder of the European Jews*, p.14.

⁸¹*Ibid.*, p.79.

world, but this extermination is one of the most difficult problems."⁸³ At that stage there was still a reluctance to shoot women and children.

The attempt to resettle the expelled Jews in the Generalgouvernement territory of Eastern Poland proved impractical. There were too many displaced persons and eventually Hans Frank, the Governor of the region, not only refused to accept any more Jews, but also insisted that the stay of those already there, together with any new arrivals, be considered temporary. He demanded that the 'excess population' be deported as soon as possible. The 'intentionalist' school of Holocaust historiography holds that this was merely a stage in a predetermined road leading towards the extermination of the Jews. On the other hand the 'functionalist' school maintains that this was one of the factors that later led to the decision to exterminate the Jews, and prompted the next step towards this resolve.

In the spring of 1941 it became apparent that there was no alternative place to which surviving Jews could be moved and the only viable solution to the 'Jewish Question' became their permanent elimination by killing them. Early in January 1941 Heydrich received orders to prepare the 'final evacuation' of the Jews, and in the spring of 1941, Heydrich, Eichmann and others began planning their 'biological extermination.' Those unfit for work were to die of hunger and deprivation in reservations. Others, fit for work were to be deported to unspecified destinations.⁸⁴ At this stage the 'functionalist' school of Holocaust historiography holds that the decision was made that because there was nowhere to send them, the only way to get rid of them was to remove them bodily, every man, woman and child. Therefore the Nazis derived a 'Final Solution' to the Jewish Problem. To rid Germany and all its occupied territories of Jews, they would be sent to death camps. There the perfected machinery for killing and body disposal would

⁸² Aly, *Final Solution. Nazi Population Policy and the Murder of the European Jews*, p. 81.

⁸³ *Ibid.*, pp.79, 81.

solve the problem. The extermination of the Jews would mean their removal, once and for all. Irrespective of what the original intentions were regarding the method of eliminating the Jews from Germany, and the methods by which this elimination was to be achieved, the end result was the same. They were destined to die.

The practice of actually killing the unwanted did not begin with the removal of the racially undesirable. Hitler considered patients in psychiatric hospitals a menace to the purity of the Aryan race. From October 1939 to the spring of 1940 a beginning was made to systematically murder mentally ill patients with the help of gas vans. Although it was supposed to be kept a secret, the truth about the killings of the psychiatric patients was widely known.

No one hindered the progress of events; no one demanded justification, though many knew about it. Thus a model was created for the future murder of the Jews.⁸⁵

In the psychiatric hospitals space was made for returning Germans by killing off the patients, largely by means of gas vans. Many aged and infirm were also killed. On 26, 27 and 30 October 1940, three groups of sick aged Jews, 290 persons altogether, were told by the German police that they would be taken to a sanatorium to be 'cured'. In fact they were taken from Kalisa to a nearby forest and shot.⁸⁶ On 31 July 1941, Goering ordered Heydrich, Chief of the Security Police, "to draw up comprehensive plans to implement the desired total solution of the Jewish question." It is thought that this letter was the crucial point at which the extermination of the Jews by murder was

⁸⁴ *Ibid.*, p.3.

⁸⁵ *Ibid.*, p.76.

⁸⁶ Aly, *Final Solution, Nazi Population Policy and the Murder of the European Jews*, pp. 120, 124.

mooted.⁸⁷ In fact on 20 January 1942, at a specially convened conference at Wannsee, near Berlin, Heydrich reported the decision to 'evacuate' the Jews. Hiding the killing operation from outsiders was a continuous problem. A standard concealment measure was verbal camouflage.⁸⁸ The instructions to kill were couched in euphemistic terms, but there was no doubt about the intended "Final Solution of the Jewish Question."

The killing actually started in earnest after Hitler embarked on Operation Barbarossa, the invasion of Russia on Sunday, 22 June 1941. In March 1941, Heydrich had created the Einsatzgruppen in occupied territories. Four mobile Einsatzgruppen were set up to spearhead the wholesale slaughter in Russia. They started their killings on the third day of Operation Barbarossa. They became involved in mass slaughter, mostly of Jews. Especially in Lithuania and the Ukraine, the local population helped them to perpetrate their atrocities. In the first eight weeks as the German army invaded Russia, the Einsatzgruppen killed about fifty thousand Jews, and in the next four months, another five hundred thousand. In addition to the mass killings, the Einsatzgruppen embarked on a search and destroy tactic to kill Jews. At first the killing was restricted to males, but later it was expanded to include women and children.⁸⁹ In Siauliac, a few days after the Third Company arrived, posters appeared which declared that "This city is Jew-free". They had killed all the Jews.⁹⁰ At Babi Yar near Kiev 33 771 Jews were lined up next to a trench and shot so that their bodies fell into the trench, one on top of the other.⁹¹ The 'Final Solution' to the Jewish question, namely death by firing squad and gas chambers, had begun.

⁸⁷ Aly quotes a Goering letter in *Final Solution, Nazi Population Policy and the Murder of the European Jews*, p. 172.

⁸⁸ Hilberg, *The Destruction of the European Jews*, Volume III.(Third Edition), pp. 1027/28.

⁸⁹ Goldhagen, *Hitler's Willing Executioners*, pp.150,153

⁹⁰ *Ibid.*, p.192.

⁹¹ Kershaw, *The Nazi Dictatorship: Problems and Perspectives of Interpretation*, p.119.

Once again it can be debated whether this was the next step along a pre-determined path, or the logical extension of the methods being employed to get rid of the Jews. In the concentration camps, hundreds and thousands died of starvation and disease. Many were shot and others were killed by means of phenol injections. The camps had gas vans, gas chambers, crematoria and mass graves. But here people had a chance of survival. In 1941 Hitler and Himmler created Operation Reinhard, the secret killing programme that was to implement the 'Final Solution' of the Jewish problem. It issued in a new phase of mass murder. Himmler replaced the mobile killing units with stationary death factories. These killing centres were designed exclusively as places of secret and instant death. There were four, all in isolated parts of Poland. They were Chelmo, Belzec, Sobibor and Treblinka. These killing centres had no other function but killing, and any prisoner arriving in a killing centre had no chance of survival. The only ones who remained alive were those few who were saved in order to help burn the bodies, and to organise and ship the property of the victims. This group of men was known as the Sonderkommandos. In 1941 Himmler ordered his gassing specialist, Christian Wirth, to design and implement an extermination programme with Chelmo as the pilot project. The staff turned to the euthanasia programme known as T-4, for ideas and trained personnel.⁹²

The first killing centre was Chelmo. This was relatively crude. People were killed in gas vans and were buried in mass graves in the woods. Belzec was next. Here there were inefficient diesel-run gas chambers, and bodies were burned in open pits. Sobibor was more efficient with gas chambers and mass graves. Then came Treblinka. By this time previous experience had improved the Nazi's killing techniques. They constructed an efficient destruction instrument that managed to destroy one million human beings in only 12 months. To achieve this, technicians had risen to new heights of efficiency in

⁹²Feig. *Hitler's Death Camps*. pp. 28,29.

mass slaughter. The gas used previously, carbon monoxide in cylinders, was replaced by Zyklon B (prussic acid). This was introduced into the chamber through a space provided in the ceiling.

Not only the killing centres were used to exterminate Jews. Murder took place in the concentration camps as well. "The gruesome history and enduring horror of Auschwitz can be attributed primarily to the machinery for mass extermination of human beings at the nearby Birkenau camp, a unit of Auschwitz"⁹³ Birkenau was constructed as a part of Auschwitz especially to accommodate the large number of Russian prisoners of war. On 3 September 1941 a trial gassing was successfully completed on 600 Soviet Prisoners of War. After this sample, gassings continued unabated. Thousands of Prisoners of War whom the Nazis dubbed 'political activists' were gassed.

Numerous transports of Jews arrived at Auschwitz. Whole families were among those that came. Transport had proved a problem because as the war progressed the Wehrmacht commandeered more and more trains. Jews were transported in cattle trucks, jam-packed together with not enough room for them to sit or lie down, no food, water, air or sanitary facilities. Many died. Their bodies were thrown out of the trains, and they remained littering the sides of the railway tracks. As the transports arrived in Auschwitz, the victims were tumbled out onto the railway platform. Then there was instant selection. Those fit for work were registered and taken into the camp. After their arms were stamped with their camp registration numbers, they were identified by these numbers instead of by name. As reported earlier, some were selected for medical experiments. Those unfit for work, the elderly and ill, and women with children, were taken immediately to the gas chambers. They were gassed and incinerated, and no trace of them remained. Victims went peacefully because they were told they were

⁹³Gutman. 'Auschwitz, an Overview', in Gutman and Berenbaum.(ed.) *Anatomy of the Auschwitz Death Camp* pp.6.7

going to be deloused. There were various signs in German saying things like “to the baths” and “to disinfection”. The SS men who escorted the victims sometimes engaged them in innocent conversation to put them off their guard. A car with the emblem of the Red Cross sometimes accompanied the marching column.

The victims were told that before taking up residence in the camp they had to go to the bath to undergo delousing. They were also told to remember the spot where they had left their effects. They were told to undress either in the barracks or outside behind the hedges. From there, under a rain of blows and attack dogs they were chased into the gas chamber. Those who did not fit in were shot, or held naked in the barracks until the gas chamber emptied... The shouts of victims trying to escape the locked chambers lasted several minutes⁹⁴

The Sonderkommandos were given the task of removing the dead bodies from the gas chambers, loading them onto trolleys and transporting them, originally to deep pits where the bodies were placed in layers and covered with chlorinated lime and soil, to be cremated later. New enlarged crematoria were designed and built. In 1941 the five crematoria together could incinerate 4765 each day. Later, by putting 3 bodies in a burning chamber instead of two, the capacity could be increased to about 8000 bodies in 24 hours.⁹⁵ But even these were not sufficient for the disposal of the bodies. The surplus had to be incinerated in special outdoor pyres. Early in September 1942, the bodies in the mass graves at Birkenau were unearthed and cremated. Bodies of newly gassed victims were burned on tinder pyres with 2000 bodies in each. Some were burned in pits together with bodies that had been buried earlier.⁹⁶ All Sonderkommandos were scheduled to be killed to avoid them being able to supply information about the activities

⁹⁴Piper, ‘Gas Chambers and Crematoria’, in Gutman and Berenbaum (ed.), *Anatomy of the Auschwitz Death Camp*, pp. 157, 163

⁹⁵*Ibid.*, pp. 163, 164.

⁹⁶*Ibid.*, p 163.

in the camps, but some managed to hide written pieces of information which were discovered after the war, and which are now being used as evidence.

In addition to the calculated killing, thousands of Jews died during the infamous 'death marches'. There were three phases of such marches. In the first two phases, when Jews were marched towards the ghettos or the concentration camps, some died due to the difficulties encountered in marching, without proper food and often in the freezing cold of winter without suitable clothing or footwear. Some were simply shot according to the whim of those supervising the marchers. In the third phase the Germans were losing the war, and the death camps were being shut down. The prisoners were marched through Germany ahead of the advancing Allied Forces. Auschwitz, Gross-Rosen and the other large camps were emptied of their surviving prisoners. When they could not walk any more and fell from exhaustion, they were shot.⁹⁷

Although policy decisions were taken by the leaders 'at the top', large numbers of people were actively involved in the destruction of the Jews. The members of the Einsatzgruppen and the SS personnel who manned the concentration and death camps were only some of those who assisted with the nefarious project of murder. And these were ordinary working Germans. The general population condoned, actively and passively, the anti-Jewish attitudes and actions.

Mauthausen was no secret in the region...When prisoners arrived at the small railroad station the village children waited to throw stones at them as they began their march to the camp. The villagers also taunted them as they got off the train; "You'll soon be up the chimney in Totenberg."⁹⁸

⁹⁷ Goldhagen. *Hitler's Willing Executioners*, p.333

⁹⁸ Feig, *Hitler's Death Camps*, p. 119/120, quote from Le Cheyne: *Mauthausen*, p. 59.

Whole books have been written on the subject, of the attitude of the German people towards the destruction of the Jews.⁹⁹

Whereas the deaths in Germany were due to the Nazi regime's desire to rid Germany of Jews, the deaths due to apartheid were a side-effect of the imposition of 'white' supremacy on a diverse, multi-cultural society, and the refusal of the regime to relinquish power. In both situations the victims attempted to protect themselves from the murders. Jewish resistance had no impact on the progress of the Nazi plan to destroy them, but resulted in instant death to those who rose up against the Regime. On the contrary in South Africa the hardening resistance of anti-apartheid activists resulted in the formation of *Umkhonto we Sizwe*, the military arm of the African National Congress. Those championing the cause of equality eventually triumphed and the result was the demise of apartheid.

Resistance also met diverse conclusions. Jews who had been deprived of their homes and possessions by the Nazis were trapped in ghettos. They drew inspiration from the stories that they heard of the first urban uprising in German occupied Europe. This uprising was the revolt of the Warsaw ghetto. Led by Mordechai Anielewicz, on 19 April 1943 the incarcerated Jews rose up against the German oppressors, and kept the might of the Germans at bay until 16 May, a space of four weeks. After encountering unexpectedly fierce resistance to a proposed mass deportation of Jews from the ghetto, the Nazi troops set the ghetto on fire. The buildings were razed to the ground and the inmates were either burnt to death or deliberately killed. However the uprising became a

⁹⁹These include those by Goldhagen, *Hitler's Willing Executioners* and Browning, *Ordinary People*. It would be interesting to consider how successful the Nazi project for the removal of the Jews would have been if they had not had the active co-operation of a great many of the German people, and the passive 'bystander' attitude of most of the rest. Only a few 'righteous gentiles' made a courageous attempt to save Jews at great risk to themselves. Many of those who did have been honoured in Israel at *Yad Vashem*, the memorial to the Holocaust. If the Nazis had won the war, and continued on their path of world domination, they might well have succeeded in making Europe *Judenrein*.

“universal symbol of the indominableness of the human spirit.”¹⁰⁰ Other ghettos including those at Treblinka, Bialistok and Tuczyn followed suit and revolted, also with fatal results. Jews who escaped from ghettos brought disaster to those left behind. The ones who were re-captured were killed, and for every Jew who escaped, the lives of several of those remaining were forfeit.

In South Africa there was no genocidal intent, but acts of resistance to the system resulted in harsh legal measures being introduced in an attempt to stem the tide of revolt. The Suppression of Communism Act No. 50 of 1951, the Public Safety Act No. 3 of 1953 which provided for States of Emergency to be declared, the Riotous Assemblies Act No. 15 of 1954, and Suppression of Communist Amendment Act, were among those passed. A Terrorism Act was introduced, as well as several additional acts which made provision for specific organisations to be declared illegal. Individuals became the victims of detention without trial. They were often held in solitary confinement. But in spite of these restrictions, resistance increased rather than diminished, and although the harsh measures and continual ‘States of Emergency’ did act as a brake for short spaces of time, the struggle gathered momentum with each sign of potential success.

In Germany the rule of law did not apply as far as the treatment of Jews was concerned. No commissions of enquiry were established to investigate the murders and massacres. There were no protests against the murders and the increasingly streamlined methods of mass killings in the gas chambers went unremarked. There was no halt to the expropriation of goods, non-payment of wages and inhuman use of labour. This contrasted sharply with the turn of events in South Africa where the rule of law and the independence of the judiciary was never in question even though in the sentencing, the punishment did not always fit the crime. Between 1960 and 1995, 36 Commissions

¹⁰⁰Mark. Ber. ‘The Warsaw Ghetto Uprising’ in Yuri Suhl (ed) *They Fought Back*, p.92.

of Enquiry were appointed.¹⁰¹ After Sharpeville, Soweto and in the cases of many of the deaths in detention, commissions of enquiry were set up or inquests held. One example was the Commission that was set up to investigate the case of the 'Gugulethu seven' who were shot dead in the township of Gugulethu near Cape Town. The deaths were the subject of an inquest in 1986, a trial in 1987 and a re-opened inquest in 1989. A forensic pathologist, Dr David Klatzow, seriously challenged the evidence of the police, and although the magistrate acquitted those who were presumed responsible, the event was exposed to the public, and the truth emerged at a hearing of the Truth and Reconciliation Commission.¹⁰²

In Germany and Nazi occupied territory many massacres of Jews took place. Everywhere that the Einsatzgruppen operated, as well as in concentration and extermination camps, ghettos and many villages in Lithuania, there were horrific incidences of mass killings. A wide variety of persons, SS personnel, police and even members of the public perpetrated the deeds. In South Africa special units were established to 'remove from society' those whom the state considered a danger. 'Black' on 'black' violence between factions was encouraged. The security police and their allies targeted 'black' and 'white' proponents of the struggle against apartheid. Systems like the Vlakplaas counter-insurgency unit that was established in the late 1970's were developed with the special purpose of protecting the regime against the rise of 'black' power.

The Truth and Reconciliation Commission classified deaths that occurred under apartheid into three categories: systemic deaths, massacres and extra-judicial killings. We can also classify the deaths that occurred during the Holocaust in the same way. Systemic deaths and massacres were widespread. Wherever Jews did not die of

¹⁰¹TRC Report Volume 1, pp. 498-507.

¹⁰²TRC Report Volume 3, p.451.

natural causes, all their deaths can be designated extra-judicial. The Jews did not die as a result of legal decision that they were guilty of specific crimes. They were condemned to death outside of the courts because they were Jews.

In South Africa the deaths classified in the category 'systemic deaths', were deaths that were mainly the result of malnourishment and disease. This type of death frequently occurred as a result of forced removals where people were dumped on land where there was no infrastructure, and where their ability to sustain themselves by growing their own food was impossible due to the poor quality of the land. The South African Council of Churches relief workers claimed in an unconfirmed report that between May 1979 and December 1985, 4000 people died from these causes at Botshabelo, one of the resettlement areas,¹⁰³

In the German case, starvation and disease have already been discussed when life in the ghettos and the labour camps were studied. In the South African case, these deaths were due mainly to the resettlement of large sections of the population into areas where it was unrealistic to expect them to maintain themselves. The overcrowding of 'black' people into 'ethnic homelands' which could not cope agriculturally and economically to sustain the large number of people that they were expected to support, caused considerable hardship, and even the death of many, mainly children. Non-violent systemic deaths often occurred as a result of forced removals. Those who were resettled were forced to leave behind the livestock and gardens on which they were dependent for subsistence. Many women, children and the elderly died from malnutrition even starvation, disease and lack of the provision of basic living facilities such as clean water and hygienic sanitary conditions. Very little or no work was available in most of the resettled areas, so fewer men were lost as a result of these deprivations. They had left or been forced to leave their families, to go to places where they hoped to find some sort

of employment. The government lacked interest in and did not care about the welfare of those whose lives they had disrupted. The authorities reneged on the provision of the facilities that they had undertaken to supply in the areas earmarked for resettlement. Having made decisions in keeping with their own political aims, they were callous and insensitive regarding the fate of the people whose settled existence they had overturned. They did not deliberately set out to kill them.

The second category was "massacres", where large numbers of victims were targeted and murdered. The mass slaughter of European Jews carried out by the Einsatzgruppen in Russia, and by the Lithuanian peasants in Kovno has already been discussed. Those who were killed were not trying to destabilize the Nazi government. In South Africa where multiple killings occurred the victims were protesters who tried to draw the attention of the government to conditions they found intolerable and degrading. The government condoned the massacres by placing those who committed them beyond prosecution. This point is illustrated by two massacres followed by two laws that were made retrospective to protect those involved in the shootings.

On 21 March 1960 a group of several thousand 'blacks' marched to the police station at Sharpeville to protest against the carrying of passes. The march was peaceful, the protesters aiming to defy the authorities by not carrying the passes which they were supposed to have on them at all times. They asked to be arrested. The South African Police, inadequately trained in crowd control, panicked when they saw the large numbers confronting them and opened fire. Sixty-nine were killed and 186 wounded. In Cape Town, two people were killed and 47 wounded in Langa when police opened fire on a crowd of anti-pass protestors.¹⁰⁴ After Sharpeville a Commission of Enquiry was set up to take evidence regarding the event. However the Indemnity Act of 1961 granted

¹⁰³SAIRR Survey 1986, p.341.

¹⁰⁴TRC Report, Volume 3, p.14

indemnity to police officers for acts committed 'in good faith'. It was made retrospective to 21 March 1960, the date of the Sharpeville and Langa killings. This began the process of placing police above and beyond public scrutiny.¹⁰⁵

June 16, 1976, saw the outbreak of race riots on a larger scale than had ever been previously experienced in South Africa. There had been several earlier incidents of unrest such as stay-aways and school strikes. The flashpoint that triggered off the violence was the enforcement of Afrikaans as a medium for fifty percent of instruction in 'black' schools. On the critical day, the pupils of Noledi and Thomas Moloto High Schools in Soweto initiated a protest march. The pupils marched to the Orlando Stadium to hold a mass meeting in order to protest their grievances. About 10 000 marchers converged on the Orlando West High School where they were confronted by police. The police fired canisters of tear gas into the crowd, and the children retaliated by throwing stones. After firing some warning shots, the police opened fire on the crowd of advancing children, killing a great many. By 24 June the official death toll was given as 140, although it was estimated that many more had died. The picture of a bigger boy carrying the body of dead thirteen-year old, Hector Petersen, was flashed around the world.¹⁰⁶ After the initial shootings, riots broke out and spread, first through Soweto, and then through the rest of the country. Violence escalated. Pupils boycotted schools and many schools were vandalised. Resistance spread nationwide and continued for several months. There were 575 official deaths, including 390 in the Transvaal and 137 in the Western Cape. Over 2 000 people were injured. Arrests, deaths in detention and trials followed the revolt.¹⁰⁷ Mr Jimmy Kruger, the Minister of Police, ordered that the schools remain closed until such time as the 'agitation' in Soweto and other townships ceased. By 16 August, at least sixty 'black' leaders were held in police custody following

¹⁰⁵ *Ibid.*, p.11

¹⁰⁶ Star Newspaper, 16 June, and Rand Daily Mail, 17 and 18 June 1976.

a nation-wide security crackdown. Police were reported to have arrested dozens of children.¹⁰⁸

But those who died did not die in vain. They had proved their point and the episode had the desired result. The Afrikaans 'programme' was drastically curtailed and amended. Another Indemnity Act, No 13 of 1977 provided indemnity against civil or criminal proceeding to the State or its officials in respect of any statements or actions ordered or done by them "in good faith to prevent or terminate internal disorder." The act was made retrospective to 16 June 1976. The question of proving what constituted 'good faith' came under severe criticism.¹⁰⁹

In addition to 'black' people being killed by 'white' people, there was also 'black on black' violence. The Vlakplaas unit was established with the stated intention of rehabilitating 'turned terrorists' who became known as askaris. These askaris operated as a counter-insurgency unit, supervised by 'white' security police. They were deployed to infiltrate and inform on the guerilla fighters of the African National Congress, and they did not stop short of murder.¹¹⁰ There were reports of Inkhata Freedom Party (IFP) youth being given paramilitary training. The Truth and Reconciliation Commission received evidence from thousands of people about attacks and massacres perpetrated by IFP supporters over a twelve-year period commencing from April 1983. This was the date of the killing of Mr Mzizi Dube by a hired IFP hit-man. It lasted until the 1994 pre-election killing by an IFP headman of seven members of the Independent Electoral Commission who were handing out pamphlets on how to vote.¹¹¹ Early in 1986 another covert paramilitary unit, known as the Caprivi trainees, armed and paid by Military Intelligence, was established and deployed throughout Kwa-Zulu Natal, and until September 1990

¹⁰⁷TRC Report, Volume 3, p.18.

¹⁰⁸SAIRR Survey, 1975, pp. 60-79.

¹⁰⁹SAIRR Survey, 1977, p.107

¹¹⁰TRC Report, Volume 2, p.317.

they fomented 'black-on-black' violence.¹¹² In Ashton in the Western Cape, a group of vigilantes, the Amasolomzi, allegedly supported by the police, terrorized residents they believed to be engaged in anti-government protest or other political activity. It was suspected that they were responsible for numerous beatings, shootings and deaths. They accompanied the police on some of their raids.¹¹³

The collapse of Black Local Authorities and the climate of 'ungovernability' from 1985 saw an expansion of police capacity by the introduction of auxiliary forces, municipal police and special constables into 'black' townships¹¹⁴. Special constables, known colloquially as 'kits konstabels' (instant constables) were recruited from urban and rural areas. They were usually unemployed African men with few educational qualifications. Many were illiterate. Some had criminal convictions. The training given by senior Security Branch officers presented the ANC and the UDF as the enemy to be suppressed.¹¹⁵ A group in the Western Cape known as 'witdoeke' launched attacks on anti-apartheid factions. These attacks resulted in the deaths of over sixty people and the destruction of the homes of over 60 000 in May and June 1986.¹¹⁶ The chief witdoek leader, Sam Ndima testified to the TRC that he had twice met with "men from Pretoria" who, in his understanding, gave permission for the witdoeke to take action.¹¹⁷ In Cape Town from October 1986, most of these kitskonstabels came from Crossroads and Khayelitsha and were recruited from the pro-government 'witdoeke'.¹¹⁸ The Truth and Reconciliation Commission found that they were a poorly trained and ill-disciplined sector of the security force, and their deployment was soon followed by killings, severe ill-treatment and torture as well as criminal acts. Their commanding officer in the police

¹¹¹ TRC Report, Volume 5, p.230, Item 115.

¹¹² *Ibid.*, p.231 Item 116e.

¹¹³ *Ibid.*, p.399.

¹¹⁴ TRC, Volume 2, p.182, Item 68.

¹¹⁵ *Ibid.*, p.183, Item 71.

¹¹⁶ *Ibid.*, p.306, Item 587.

made no visible effort to control them in spite of public allegations and court interdicts regarding their behaviour.¹¹⁹

The third category was extra-judicial killings. The Truth and Reconciliation Commission Report sub-divided these into four types.

1. Targeted killings

(In this category I will include two types of targeted killings, deliberate murder, and deaths in detention that were invariably the result of torture or the threat of torture.)

2. Killings following abduction and interrogation.

3. Ambushes

4. Entrapment¹²⁰

1. Targeted killings.

In Germany all Jews were targeted as potential victims. Search and destroy were the tactics employed to seek out Jews who were hiding. Those who tried to save Jewish lives were in great danger. They risked their own lives and safety by their courageous acts. The killers of Jews showed no mercy and seemed to have no moral qualms when they committed their murderous acts.

In South Africa as the levels of conflict intensified, the security forces felt that they could no longer rely on the due process of law to protect the regime from those opposed to it. It was decided that it was preferable to kill people extra-judicially rather than hope that they would be charged and prosecuted in the law courts.

¹¹⁷ *Ibid.*, p.307. Item 592.

¹¹⁸ *Ibid.*, p.184. Item 78.

¹¹⁹ *Ibid.*, p.184. Item 78

¹²⁰ *Ibid.*, p.222.

During the period 1982 to 1994, persons who were perceived to be leaders, members or supporters of the United Democratic Front (UDF), African National Congress (ANC), South African Communist Party (SACP) and the Congress of South African Trade Unions (COSATU), were identified as posing a threat to the government and were targeted.

The TRC Report concluded that certain members of the State Security Council, that included the State President, Minister of Defence, Minister of Law and Order, and heads of security forces, foresaw that the use of words such as 'take out', 'wipe out', 'eliminate', would result in killing political opponents. It concluded that they were therefore responsible for the deliberate planning of gross human rights violations.¹²¹ They couched their instructions to kill euphemistically, avoiding the words kill, murder or slaughter, just as the Nazi leaders in Germany had avoided using them. The Nazis gave instructions for Jews to be deported, displaced or resettled when the only alternative place of settlement was the concentration camp or the gas chamber. The TRC found that the systematic targeting of certain categories of political activists, only commenced in earnest after to the accession of P.W.Botha to power in 1978.¹²²

The South African State in the period from the late 1970s to the early 1990s became involved in activities of a criminal nature when, amongst other things, it knowingly planned, undertook, condoned and covered up the commission of unlawful acts, including the extra-judicial killing of political opponents and others, inside and outside South Africa.¹²³

The United Democratic Front, launched in August 1983, was a loose federation that brought together a large number of social, civic and political organisations. This was

¹²¹ *TRC Report, Volume 5*, p.218.

¹²² *Ibid.*, p.212. Item 79

intended as an umbrella organisation for the various political opponents of race-based government reforms which sought to achieve a non-racial, democratised and unitary South Africa.¹²⁴ It was the driving force behind resistance politics in the 1980s, challenging the government and its apartheid policies. While they never formally adopted a strategy of violence, after 1984 their campaigns were increasingly associated with violence at the local level. Targets included community councilors, 'black' policemen, and those who broke boycotts.¹²⁵ From the government side, UDF leaders and supporters were among those targeted for 'elimination'.

There was a sharp rise of deaths in detention during 1976/77. The Truth and Reconciliation Commission found that a considerable number of such deaths occurred, either as a direct result of torture, or as a consequence of a situation in which the circumstances were such that detainees were induced to commit suicide.¹²⁶

In each annual survey, the Institute of Race Relations meticulously presented a detailed list of persons who died in detention. It gave their names and the manner of their deaths. Some were said to have committed suicide by hanging, jumping out of windows or falling down stairs, others to have been killed while trying to escape.

In May 1975, the Minister of Police stated in the Assembly that 92 people had died in detention. Causes of death given were:

Natural Causes.....	25	Heart Failure.....	1
Injured during or prior to arrest....	8	Suicide/self-inflicted injuries.	28
Injured during attempt to escape.	9	Assaulted by fellow prisoners.	1
Suffocation.....	1	Alcoholic Poisoning.....	1

¹²³ *Ibid.*, p.212.

¹²⁴ *TRC Report, Volume 5*, p.245. Item 141

¹²⁵ *TRC Report, Volume 2*, p.24 Item 132.

¹²⁶ *Ibid.*, Volume 2, p.220.

Unknown Causes (Inquest not complete).7	Abdominal hemorrhage.....	1
Internal Injuries.....	1	Motor Accident1 ¹²⁷

In evidence given at inquests or recorded in post mortems, signs of assault and torture were perceived and recorded.

Security Police in Durban detained Mr Joseph Mdluli (50) under the Criminal Procedure Act on 18 March 1976 as part of a police crackdown on a recruiting network with alleged ANC links. He was reported by the police to have been found dead in his cell the following night. Colonel Steenkamp, head of the Durban Security Police refused to inform either the Press or Mrs Mdluli, his wife, about the cause of his death. Mrs Mdluli and close friends claimed that he had been in perfect health at the time of his arrest. On 20 March Mrs Mdluli, her son and Mr Mlungifi Mxenge, attorney and close friend of Mr Mdluli, saw his body in the government mortuary. Mrs Mdluli claimed afterwards that a severe swelling stretched right across his forehead, that his lower left lip was bruised and cut and that his stomach was dilated to twice its normal size.¹²⁸

The post mortem report was declared secret until the time of the inquest that was delayed. After much public outcry both in South Africa and London, four policemen were charged with culpable homicide, but they were acquitted. Mr Mxenge was detained on 27 March, but released. Mr Skweyiya, an advocate engaged by Mrs Mdluli, had his passport withdrawn.

On 20 November 1981 Mr Mlungifi Mxenge was murdered. At the Truth and Reconciliation hearing, Vlakplaas operative, Dirk Coetzee told the Commission that Brigadier van Hoven, then Divisional Commander of the Durban Security Branch told him to "make a plan with Mxenge because the security police had been unable to

¹²⁷ *Hansard*, 19 Columns 1177 of 11 June 1975 as quoted in *SAIRR Survey*, 1976, p.122

¹²⁸ *SAIRR Survey*, 1976, pp122-124.

bring charges against him and he had become a 'thorn in their flesh' ".¹²⁹ Mxenge's wife, Victoria Mxenge a Human Rights Lawyer and United Democratic Front activist was also murdered in the presence of her two children

There was a large contingent of police and soldiers outside the Umlazi Cinema on 8 August 1985, where a memorial service was being held for Mrs Mxenge when hundreds of men armed with assegais (spears) and knobkerries (clubs) burst into the cinema and began stabbing and shooting randomly. Seventeen people died in the incident but the soldiers and police took no action to prevent the attack.¹³⁰

From March 1976 to November 1977, 19 persons were known to have died while in detention in terms of the Security Legislation. The Survey of Race Relations in South Africa, 1977, names and gives details of the deaths. Prominent among those who died was Dr Hoosen Haffejee, a 26-year-old dentist, and Mr Steve Bantu Biko.¹³¹ Steve Bantu Biko was the founder of the Black Consciousness Movement. He was 31 when he was detained in Grahamstown on 18 August 1977 in terms of the Terrorism Act. The evidence at the autopsy and the evidence given at the inquest showed that Mr Biko had been interrogated and assaulted before his death.¹³² It was reported that Mr Jimmy Kruger, Minister of Police, said, on hearing of the event, that the death of Steve Biko "left him cold".

The TRC heard details of the killings (including cross-border killings), abductions, tortures and assassinations, which were carried out between 1978 and 1989.¹³³ There was no shortage of special units who were prepared to undertake

¹²⁹ *TRC Report, Volume 3*, p.184.

¹³⁰ *Ibid.*, p.232,233

¹³¹ *SAIRR Survey*, 1977, pp.150-164.

¹³² *Ibid.*, pp. 159-164

¹³³ *TRC Report, Volume 3*, p.104-106.

killing operations. In addition to the Vlakplaas hit squads, there were other units who were also prepared to seize and 'remove from society' recalcitrant individuals or groups.

In 1976 the Security Branch began operations under the codename "K" which in June 1979 was developed into a special police counter-insurgency unit known as Koevoet. This unit had a high killing ratio. The Truth and Reconciliation Commission heard reports that Koevoet was responsible for gross human rights violations in South West Africa and Angola. These violations amounted to a systematic pattern of abuse that entailed deliberate planning by the leadership of the South African Police. The Commission found the South African Government, the South African Police and the Minister of Law and Order were accountable for the actions of Koevoet.¹³⁴ In addition, the Bureau of State Security (BOSS) also organised killings. Appearing before the Erasmus Commission of Inquiry in the late 1970s, the head of BOSS, General Hendrik van den Bergh, hinted that murder was not beyond its line of duty. He said "I am here to tell you, not for your records, but I think I can tell you, I have enough men to commit murder if I tell them to kill...".¹³⁵

The members of the Civil Co-operation Bureau (CCB), a creation of the South African Defence Force and another integral part of South Africa's counter-insurgency system, were also prepared to kill. Primarily an externally oriented organisation that operated mainly outside the country's borders, the CCB tried to eliminate ANC leaders and people who substantially contributed to the struggle. They also tried to destroy ANC facilities and support services. In the course of its operations, the Truth and

¹³⁴TRC Report, Volume 2, p.72.

¹³⁵Ibid., p.18.

Reconciliation Commission found that the CCB perpetrated gross violations of human rights, including killings against both South African and non-South African citizens.¹³⁶

Apartheid's opponents who lived outside the country were also targeted for assassination by devices such as letter bombs. Letter bombs were sent to MK founder John Dube, Ruth First and Jeanette and Katryn Schoon. Craig Williamson who was a member of the security forces 'g' section (foreign intelligence) at the time, applied for amnesty for killing Ruth First and the two Schoons. The bombs are thought to have been prepared in South Africa, carried to Lusaka, and posted there. It is also suspected that when tenders were called for the sorting of overseas mail, South African Airways made an especially low bid to ensure that its bid would be successful. This gave the Security Police easy access to the millions of pieces of mail, including diplomatic traffic that flowed through the sorting office in Germiston annually. In 1989 the Secretary General of the South African Council of Churches, the Reverend Frank Chikane became seriously ill when on a visit to the United States. In hospital it was discovered that he had been poisoned by a chemical substance that had been sprayed onto his underwear. The TRC heard from Eugene de Kock that members of the South African Defence Force had gained access to Reverend Chikane's suitcase at the airport, and had applied the substance.¹³⁷ (See below).

Targeted killings outside the boundaries of South Africa included the attack in March/April 1989 of a joint Vlakplaas, South African Defence Force group on an ANC transport facility ten kilometres inside Botswana. The house was blown up and three ANC members and one security guard were killed. Failed assassination attempts were also made on Mr Albie Sachs and Joan and Jeremy Brickhill in Harare.

¹³⁶ *TRC Report, Volume 2*, p. 144.

¹³⁷ *Ibid.*, p. 123 Item 325.

A 'third force' which involved co-operation between ex-security force operatives, right wing elements, and possibly sections of the Inkhata Freedom Party, also initiated, facilitated and executed murders.

2. Killings following abduction and interrogation.

Not only were people in South Africa abducted and interrogated, but also a great many anti-apartheid activists and ANC supporters were abducted from neighbouring territories. After Siphiwe Mthinkulu was released from a period in detention where he had been tortured, an attempt was made to poison him with thallium. He began to recover, but when he went to Livingstone Hospital for a check up, he disappeared and was not seen again. On 30 April 1990, Captain Dirk Coetzee alleged before the TRC, that after the poison had failed to kill Siphiwe, Brigadier Jan du Preez and Colonel Nick van Rensburg murdered him.¹³⁸

The TRC found that members of the Security Police were responsible for the abductions and deaths of apartheid's opponents.¹³⁹ Security police shot, killed or maimed many. One of the many examples given of this procedure is that of MK member Kehla Nkuba who was abducted from Swaziland on 28 February 1978. He died soon after his forcible return to South Africa.¹⁴⁰

3. Ambushes.

Examples of ambush and destroy abound.

The Cradock Four, Matthew Goniwe, Sparrow Mkonto, Fort Calata and Sicelo Mhali, were abducted and assassinated outside Port Elizabeth on 27 June 1985. They were on their way home from a U.D.F. meeting and their bodies were later discovered near their

¹³⁸ *Ibid.*, p.180

¹³⁹ *Ibid.*, p.222

burnt out car. Before their deaths all four had been frequently detained, tortured and harassed by the security police.¹⁴¹ Matthew Goniwe had been the principal of a school in Cradock, and, together with Fort Calata and Mbulelo Goniwe in 1983 had formed the Cradock resident's association to take up rent and other issues. This was the calibre and leadership quality of the people whom the security police had determined to eliminate. On 3 March 1986, seven youths between the ages of sixteen and twenty-three were ambushed and shot in Gugulethu in the Western Cape. The perpetrators were Vlakplaas helpers who had driven to Cape Town especially to carry out this type of activity.

4. Entrapment

Sometimes an impression was deliberately created that someone was in the employ of the Security Branch and the 'comrades' subsequently killed the person. In Natal, United Democratic Front supporters were deliberately dropped off in known Inkhatha strongholds or no-go areas where they had little chance of surviving. This conveyed the impression to 'white' South Africa and the international community that the problem South Africa was experiencing was 'black-on-black violence'.¹⁴²

The notorious Vlakplaas hit squads would abduct persons who were returning to South Africa after training in ANC camps abroad, and 'persuade' them, often by means of torture, to become askaris in the Vlakplaas operation. These askaris would be sent to infiltrate open structures of the mass movements, posing as operatives from Umkhonto we Sizwe. They would then inform on them and they would be 'handled' by Vlakplaas. One of the most well-known and dangerous askaris was Joe Mamesela.¹⁴³

¹⁴⁰ *Ibid.*, p.58 Item 219

¹⁴¹ *TRC Report, Volume 3*, p.116 items 295 and 296.

¹⁴² *TRC Report, Volume 2*, p.222.

¹⁴³ *Ibid.*, p.256.

On 8 May 1985, three members of the Port Elizabeth Black Civic Organization (they became known as the PEBCO three), were lured to the airport with a false telephone message. They were abducted by the Port Elizabeth security police and taken to the remote disused Post Chalmers police station outside Cradock where they were killed and their bodies were thrown into the Fish River. It was only when the Commission received amnesty applications in connection with these killings that the actual fate of the victims was confirmed.¹⁴⁴ In at least two cases killings were perpetrated either on or just outside the South African border at places to which their assailants had lured the individuals.¹⁴⁵ In the 'Trojan Horse' incident, members of the security police entered Gugulethu township, concealed in a lorry. When they were in the middle of a group, they started shooting.

Political activists who sought equal rights for all, regardless of race, colour or creed, were ruthlessly pursued and eliminated. Leaders who campaigned against unjust laws were banned, detained or killed. Groups of individuals who belonged to organisations opposed to government policy were prime targets. Those who took part in demonstrations were in danger of being shot down by jittery police who were insufficiently trained in crowd control. The authorities were determined to combat the 'black menace' that threatened their rule, and they determined on a 'Kragdadig' policy, that is a showing of power and brute strength. They thought that this would entrench 'white' supremacy and rule. To enforce their stance the government proclaimed a 'State of Emergency' on 21 July 1985 that entitled every member of the police, the railway police, prison official or member of the army, the right to detain people. It became a crime to disclose the identity of any detained person without the permission of the Minister of Law and Order.

¹⁴⁴*Ibid.*, p.117 Items 299 and 300.

¹⁴⁵*Ibid.*, p.132

The apartheid government attempted to make the 'black' majority leaderless. They did, however, require a permanent supply of 'black' labour to meet the country's economic needs, so the 'elimination' of 'blacks' on a large scale was not on their agenda. Their attempts to keep strict control of the labour force, even to the extent of removing their leaders did not succeed. In the long term the aspirations of the people for a political voice, and the demands of business and industry for an unfettered work force, brought about the downfall of the Apartheid government.

The bulk of the victims of torture and murder during the government of the Nationalist Party in South Africa were 'Freedom Fighters'. They were anti-apartheid activists determined to institute a government which would honour equal rights for all South Africans, irrespective of race, colour or creed. They sought to re-incorporate the 'homelands' and restore citizenship rights to all South Africans. Those who suffered and died were recognised by name and honoured as heroes by those who fought for justice. Their families looked for them when they were detained or went missing, and instituted procedures to bring attention to their plight. As far as possible they provided support and care. If their loved ones died, they drew attention to the event. They tried to determine the true causes of death and to institute court procedures to incriminate the perpetrators of the torture and murder. In the South African scenario it was a question of war, a war between those determined to keep 'white' supremacy in power, and those who sought to overturn it and demanded political rights. The apartheid government had no intention of eliminating all 'blacks' from South Africa. Innocent men, women and children were never targeted for destruction. Those who were murdered were those whom the regime considered a danger to the state.

The aim of the Nazis was to permanently eliminate the Jews. The number of Jews killed in the Holocaust has been estimated at close to six million. Authentic documentation relating to the Holocaust is available at Yad Vashem in Jerusalem, Israel,

as well as other places where the subject has been thoroughly researched by scholars. Yet no Commissions of Inquiry were appointed to investigate the atrocities or to condemn those who perpetrated the horrendous crimes. In South Africa, Commissions of Inquiry were established where evidence was taken regarding most of the serious assaults on human life. One of the many examples of such an inquiry occurred after of the 'Gugulethu Seven' were shot. In 1986 an inquest was held, and in 1987 those responsible for the shooting were put on trial. Although they were not convicted, the inquest was re-opened in 1989. As noted earlier a forensic pathologist seriously challenged the evidence of the police, but the magistrate declared that the killings had been the result of an anti-terrorist operation. Journalists who gave evidence to the contrary were chastised, but the truth came out before the Truth and Reconciliation Commission.

In Germany the victims of torture and murder were Jews who had no intention of upsetting the status quo. They were stripped of their possessions and their identities. They were reduced into a racial mass that was meant to be swept away, with no trace remaining of a people who were considered a danger to the future and purity of the glorious Aryan people. In South Africa torture and murder were directed against those who posed a distinct threat to 'white' supremacy and minority rule. They were killed as potential and possible leaders and supporters of a future state where an equal, multicultural and multi-racial electorate would establish majority rule and the 'white supremacy' government would rule no more. In Germany the war against the Jews was not a two-sided conflict, but a war in which the victors sought to annihilate the vanquished. In South Africa the majority sought to triumph against minority rule which had relegated them to inferior status in the land of their birth.

In Germany what occurred was genocide. This was not the case in South Africa, especially if genocide is defined as:

A denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings.

or

Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, such as:

- a) Killing members of the group;
- b) Causing serious bodily harm or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the group
- e) Forcibly transferring children of the group to another group.¹⁴⁶

Given this definition then the atrocities that the Nazis inflicted on the Jews meet all the criteria of genocide except one. A Jewish child remained a Jew, even though his family had renounced Judaism through three generations. All Jews and their descendents were meant to be exterminated.

On the contrary the apartheid government did not act exclusively to eliminate people of colour. They did not set out to destroy "in whole or in part, a national, ethnical, racial or religious group". Nor did they "Impose measures to prevent births within the group". Their victims, although predominantly 'black' were not exclusively so. Dr Rick Turner and Ruth First are two examples of 'white' activists who were killed, as was Neil Aggett who died in detention.

Thus although many people were killed and many of the genocide criteria were met, the murders and deaths that resulted from apartheid cannot be labeled a 'genocide'. 'Black' South Africans were not targeted for extermination. Those who were

¹⁴⁶*Special Anniversary Edition of the United Nations Yearbook, 1945-1995*, p.289, 293.

killed were murdered in an attempt to prevent them from organising a successful campaign to end the rule of the country by the 'white' minority. Colin Tatz concurs with this evaluation: He writes

The charge of genocide against white South African governments does not stand up to critical evaluation. Only one of the Genocide Convention's five criteria comes close to being met, but even then there was never any *intent to destroy*—even at the height of apartheid's most infamous excesses.¹⁴⁷

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¹⁴⁷Tatz. *With Intent to Destroy*, p.121.

CHAPTER FIVE

CONCLUSION

During the periods under consideration, similarities and differences between the Holocaust and apartheid are clearly identifiable. There were similarities, mainly as far as the idea of targeting a particular group were concerned, and the methods used to manipulate the rights of the individuals in the group, but even here differences were evident. The attitudes of the Nazis towards the Jews were completely different from that of 'white' South Africans to 'blacks'. So were the aims of the two governments, and the degree of harshness and severity with which those who were discriminated against were treated. Even though the methods directed at achieving their objectives ran in parallel directions, in the two instances the aims of the segregation were quite different. They could be summarized as Nazi destruction as opposed to apartheid exploitation and subjugation,

Both governments passed oppressive laws followed by supplementary additions in order to legitimize their discriminatory measures. In both Germany and South Africa the unfortunate 'races' were defined and laws were put in place that impinged on every facet of the lives of the targeted groups. They were visibly distinguishable from the privileged; in the case of the Jews because they were ordered to wear 'Jude' badges and in the case of the 'blacks' by the colour of their skins. In addition Africans were obliged to carry identification documents which related to a panoply of discriminatory laws. Regulations were put in place to preserve biological and cultural racial purity. Laws such as the Law for Protection of German Blood and Honour, and the apartheid Mixed Marriages and Immorality Acts protected genetic purity. Cultural purity was tackled in Germany by a 1933 Act of the Reich Chamber of Culture which aimed at

restoring a pure volkish culture, free of the Jewish taint. The South African Reservation of Separate Amenities Act of 1953 kept the races apart for all social and cultural activities so that there was no opportunity for cross-cultural mingling.

Both regimes deprived the disadvantaged of their citizenship, but whereas the Germans made no attempt to provide Jews with an alternative to their lost citizenship, in the South African case substitute citizenship was offered. Africans were made citizens of 'homelands'. One of the reasons why 'grand apartheid' broke down was because the only alternative that could be found for Coloureds and Asiatics was to create 'a state within a state'. Coloured and Asiatic 'states' had to be situated within the borders of 'white' territory and this solution did not prove viable. The government made no attempt to deliberately destroy the 'surplus people' even though forced removals did result in many deaths.

In both cases, separate residential areas were set aside and freedom of movement was severely curtailed. However Jews were herded together in specific areas so that it was easier for them to be 'removed' en masse. First they were sent to the towns, then to ghettos and then to concentration and death camps. The system of influx control made every attempt to disperse the African urban population into different ethnic 'homelands' so that it would be difficult for them to create a united front to overthrow the government. A limited number of Africans were allowed to stay in townships in the cities, but most were removed to rural 'tribal' areas. As far as employment was concerned, Jews were removed from their jobs, edged out of their businesses and deprived of their property and possessions. 'Black' South Africans had very limited work opportunities because 'white' interests were protected at all times. Wherever possible 'blacks' were confined to their own areas, and were expected to work and create business enterprises in the places where they were allowed to live.

Jews were made responsible for providing their own education and welfare facilities, but without any financial support from the German authorities. In South Africa, limited and hopelessly inadequate financial support was provided for 'black' educational and welfare facilities, and school syllabuses were prescribed. Though these aimed to teach 'blacks' to be content with the inferior role they were expected to play in an apartheid South Africa, at least the government did assume responsibility for education and welfare, even though what was supplied fell massively short of what was needed.

Antisemitism influenced the attitude of the Germans towards the Jews. Hatred of Jews was not new in Germany, and was exacerbated when Hitler came to power. He blamed the Jews for Germany's defeat in the First World War, and accused them of fomenting Germany's post-war economic crisis. His frequent speeches included many of the sentiments that he had expressed in his autobiography, *Mein Kampf*. "International Jewish world finance [had a] long-desired plan for destroying the Germany which thus far did not submit to its widespread superstate control of finance and economics."¹⁴⁸ He spoke of the Jews betraying the German working class, and the "Jewified universities".¹⁴⁹ He portrayed Jews as parasites in the body of other nation states.¹⁵⁰ He wanted Jews to be rooted out of Germany because of the dangerous contamination with which they threatened the German people and the German state. The fear that the Jews were trying to take over Germany and the world was reinforced by the re-publication of the notorious *Protocols of the Elders of Zion*. Norman Cohn has traced the history of this influential forgery, and shown how, with the advent of Hitler and his rise to power, the poison of the libel was spread. It was translated into many languages and dispersed widely throughout the world. Cohn suggests that the *Protocols* became a "warrant for

¹⁴⁸Hitler, *Mein Kampf*, p.136.

¹⁴⁹*Ibid.*, p.154.

¹⁵⁰*Ibid.*, p.277.

genocide” and was used to justify Nazi actions against the Jews.¹⁵¹ Germans were ready to get rid of the Jews and to take over their positions and properties. Eventually, in seeking to remove Jews, the Nazis resorted to the ‘Final Solution’ the attempted murder of the entire Jewish ‘race’.

Hitler carried out his war against the Jews in Nazi occupied and Nazi controlled territories by three means, mass executions handled by the Einsatzgruppen, (roving death squads), annihilation by labour, disease and starvation in the camps and ghettos, and death by gas or shooting in the extermination camps.¹⁵²

The attitude of ‘white’ people to ‘blacks’ did not incorporate the same levels of fantasy, but race stereotyping and racist notions were deeply embedded. When ‘white’ settlers came to South Africa, it was a developing country. The indigenous people had a distinctive culture of their own, but it was not one that the settlers wished to emulate. They wanted to continue living in the atmosphere of European civilization to which they were accustomed. Saul Dubow points out that despite the extensive intellectual tradition justifying pseudo-scientific racism, the actual architects of apartheid - especially Werner Eiselen who was appointed Secretary of Native Affairs in 1948 - “remained reluctant to prescribe or proscribe racial abilities.”¹⁵³ He argued that:

scientific evidence for the inferiority of the Africans was inconclusive. He preferred to base colour policy on a recognition of cultural differences without the claim that culture was a function of race...Eiselen was fully prepared to recognise racial and cultural differences, while at the same time refusing to commit himself to any statement supporting innate biological superiority.¹⁵⁴

¹⁵¹ Cohn, *Warrant for Genocide*

¹⁵² Feig, *Hitler's Death Camps. The Sanity of Madness*, p.16.

¹⁵³ Dubow, *Illicit Union. Scientific Racism in Modern South Africa*, p.278.

¹⁵⁴ *Ibid.*, p.278.

The ideology on which the apartheid government was based did not claim either the innate inferiority or the evil influence of 'black' people.

The Nazis were adherents of racial theories whereas the Nationalists were not. In South Africa "Unashamed support for the principle of white supremacy was mitigated by the injunction that the European race must look upon the natives as a sacred trust."¹⁵⁵ Often savage repression accompanies colonial domination, and apartheid constituted a form of internal colonialism.¹⁵⁶ An African National Congress Strategy Document maintained that the apartheid system was one whereby there was "domination by an alien people, a system of discrimination and exploitation based on race [and] techniques of indirect rule."¹⁵⁷ 'Whites' who lived in the same country as they did, but who ruled from without the 'black' community, governed the 'blacks'. 'Blacks' were treated like minors who needed to be controlled and given instructions. This was very evident in the language of domination. When they were employed as domestic workers or farm labourers, 'blacks' were referred to as 'boys' (come here, boy) or 'girls' (the girl who works for me), even if they were adults and grandparents.

Thus while the Germans tried to get rid of the Jews and to usurp their positions, the apartheid government allowed 'blacks' to stay in 'white' areas when they were needed for positions of servitude. Essentially the system was built on the exploitation of 'black' labour. 'Blacks' were expected to develop as best they might in the homelands. The policy of the apartheid Government was directed towards maintaining 'white' supremacy and 'white' minority rule. The complete removal of the people who were the original inhabitants of South Africa was

¹⁵⁵ See *Ibid.*, pp. 23,241,251.

¹⁵⁶ Asmal, Asmal and Roberts, *Reconciliation Through Truth*, p. 183.

¹⁵⁷ African National Congress 'Strategy and Tactics Document' quoted in Asmal, Asmal and Roberts, *Reconciliation Through Truth*, p.183.

never envisaged. Asmal and Roberts in many ways capture the comparison when they say:

It is as wrong to assert that every defining aspect of Nazidom was unique as it is wrong to assert that apartheid amounted to a duplication of Nazi policies. There was substantial overlap; but the one was not the carbon copy of the other.¹⁵⁸

In earlier times, antisemitism had been a religious issue, but towards the latter half of the nineteenth century, it became associated with the Jewish 'race'. To the Nazis, the Jews were abominable and dangerous. Integration with them threatened the purity of Aryans. As Nazi power increased, so did their determination to rid Germany of Jews. Initially an attempt was made to force all Jews to emigrate by removing them from German society and from their positions and possessions. When this failed a project was launched to arrange for their deportation to Madagascar. When this too proved impractical, the Jews were crowded into small, specially allocated ghettos. As more and more people were sent to these restricted areas, not only was there not enough living space for the extra people, but also the already meagre food rations were not increased. What supplies there were, had to be stretched to cover the needs of the newcomers as well as of those already in residence. Many Jews died of starvation, disease and as a result of the conditions to which they were subjected when they performed their 'slave labour' duties. But the number of deaths only reached the level necessary for the successful 'Final Solution' of the 'Jewish Problem' when special technology was introduced to enhance the efficiency of mass murder and body disposal.

There was no hope of the Jews extricating themselves from the intolerable position in which they found themselves. At the time of the Holocaust, Jews lived with

the menace of death hanging over their heads like the sword of Damocles. Death could result from starvation in the ghettos, from the terrible conditions of forced labour with or without starvation, or in the perfected killing machines, the gas chambers. Those who were not sent immediately to the extermination camps felt that they had a chance of survival, because while there was life there was hope, but the amount of hope was miniscule. Many of those who did survive lived with a feeling of guilt. They could not accept the fact that they had been saved while so many others died. Some survivors recorded the dreadful events they had experienced. Having written their stories, Primo Levi and Charlotte Delbo were among those that committed suicide, unable to live with their memories. About six million Jews died in the genocide.

Whereas the German need for labour, especially in war-time, did not stand in the way of destroying the valuable Jewish work-force in order to satisfy their ideologically driven goal of a *Judenrein* Germany, South African employer's demands for a stable and skilled work force coupled with a recognition that apartheid was dysfunctional and not in the state's best interests, led to the demise of apartheid. Problems with the implementation of apartheid caused the Nationalists to abandon their ideal of a permanent 'white-ruled' state where Afrikaners would dictate policy. Their long-standing anti-English stance was replaced by co-operation between Afrikaners and English speakers in the interests of 'white' solidarity. For economic reasons the sense of a divine mission to fashion 'separate freedoms' gave way to a scramble to shore up 'white' privilege and power. A fierce conflict arose between the Afrikaners who were interested in promoting the *volk* at all costs and those who favoured economic advancement, the ones they called capitalists.¹⁵⁹

¹⁵⁸Asmal, Asmal and Roberts, *Reconciliation Through Truth*, p. 133.

¹⁵⁹O'Meara, *Forty Lost Years*, p.121.

The tri-cameral constitution came into being on 3 September 1984, and was only repealed by the Constitution of the Republic of South Africa Act No. 200 of 1993. The fact that it was introduced highlighted one of the major differences between the Holocaust and Apartheid. The Nazis were unbending in their determination to destroy the Jews, to the extent that when they were not successful in their attempts to force them to emigrate they embarked on an alternative 'Final Solution'. When the South African government was obliged to admit that apartheid was failing, they tried whatever compromise they could think of to bolster the system. Resistance by the victims of the 'Final Solution' proved ineffectual, but resistance by those discriminated against by the apartheid system of government brought about a new constitution and a new democratic South Africa. A study of the psychology and methodology of resistance should prove most enlightening.

We can only speculate on what might have happened had Hitler won the war and spread his increasingly efficient murder machine across not only the countries that he already occupied but over the rest of the world as well. The Jews are a small minority wherever they live. If the Nazis had been successful, would the Jewish people have become extinct, like the dinosaur? The 'black' people of South Africa were not meant to die. Within the scheme of 'grand apartheid' they were destined to become a labouring class, catering for the needs and the whims of the superior 'whites'. They were not given equal opportunities to learn the skills required to reach their full potential in a world where advances in technology meant radical changes in life-style. However the ability to cope with the exigencies of modern living were always there, and as the people created opportunities to meet the challenges of post-industrialized living, they burst the artificial bonds that bound them.

We have examined the situation in two countries that spurned human rights. They were located far apart and their demographic compositions and cultures were very

different. The governments concerned endured for very short life spans. The Nazi regime remained in power from 1933 to 1945, a mere 12 years. During that time the Jews had no hope of improving their situation. Their misery only ceased with the defeat of Germany in World War II. The apartheid government in South Africa lasted for 46 years. It fell because of the endurance of the disadvantaged population, and their determination to rise above the lowly status that the governing minority intended should be their lot. They enlisted support from bodies outside of South Africa such as the United Nations and the World Council of Churches. They took advantage of the value of their labour and the consumer power that they wielded to bring about the downfall of the apartheid government.

Any comparison between the Holocaust and apartheid would be incomplete without drawing attention to another glaring difference between them. That is the life expectancy of a Jew during the Holocaust, and a 'black' during the years of apartheid. During the Holocaust every single Jew, man, woman and child, old or young was a potential victim, and in fact almost the whole Jewish population of Europe, around six million people, were eradicated. The life expectancy of the Jew was almost nil. During the apartheid years, the lives of those 'blacks' who carried their passes, went passively to a 'black' school or 'black' university, and in general complied with apartheid regulations, were not in jeopardy. Raymond Tucker, a well-known human rights lawyer, succinctly captured this concept when he wrote:

There is no defence for apartheid, its perpetrators and its ruthless application... There was truly appalling political repression, detention without trial, torture, the murder of detainees and other political opponents... [but] where, in

apartheid South Africa, were the extermination camps, the gas chambers, the purges? Where was there a system of deliberate and active genocide?¹⁶⁰

By comparing the records of life in Nazi Germany and apartheid South Africa, it is possible to see the similar steps that were taken in both places, but also to see the vastly different forms that those steps took. There can be no denial that apartheid was a crime against humanity, as was the Holocaust, but the latter engendered a dynamic of its own leading to an unprecedented if not unique form of genocide.

Sadly, the lessons of racism have not yet been learned. Prejudice is still rampant all over the world. In spite of the fact that all people are born equal, there are those who seek to discriminate against one another because of race, ethnicity and religion. There are those who consider themselves superior, and who are determined to cling to privilege, regardless of the cost to their fellow human beings.

Jocelyn Hellig has dedicated her book, *The Holocaust and Antisemitism: A Short History*, to

South Africa's "Rainbow Nation", whose realism and capacity for compromise enabled it to overcome the evils of racism, and allow it both to witness and participate in a miracle in the making.

It will indeed be a miracle if the scourge of prejudice and racism could be eradicated from the nations of the world, and if we could all learn to live together in peace and harmony in what is becoming the equivalent of a global village.

¹⁶⁰Tucker. 'No need to exaggerate the evils of apartheid.' Article: Mail and Guardian 1 August 2003.

APPENDIX A

Race Classification

Germany: First Supplementary Decree to the Reich Citizenship Law.

14 November 1935.

- 1) Paragraph 5 stated that a Jew was anyone who was descended from at least three grandparents who were racially full Jews.¹
- 2) The parent or grandparent was presumed to be Jewish if he (or she) belonged to the Jewish religion.²
- 3) The definition was extended to include the vexing question of the part-Jew who was given the title "Mischling". A Jewish Mischling was defined as anyone who was descended from one or two grandparents who were racially full Jews. A grandparent was considered to be a full-blooded Jew if he or she belonged to the Jewish religious community.³
- 4) Also deemed to be a Jew was a Jewish Mischling subject who was descended from two Jewish grandparents if he/she
 - a) belonged to the Jewish religious community at the time when this law was issued or who joined the community at a later date,
 - b) was married to a Jew when the law was issued or married one subsequently
 - c) was the offspring of a marriage to a Jew
 - d) was the illegitimate offspring of a Jew.⁴

¹ Schleunes, *Legislating the Holocaust*, p. 156.

² Hilberg, *The Destruction of the European Jews*, p. 45.

³ Schleunes, *Legislating the Holocaust*, p. 156.

⁴ *Ibid.*, p.156.

The category of partial-Jews, Mischlinge (mongrels) was further divided into two classes.⁵ First-degree Mischlinge were those descended from two Jewish grandparents, but who did not practice the Jewish religion, and who were not married to Jews.

Second-degree Mischlinge were one quarter Jews, that is they had one Jewish grandparent. did not practice the Jewish religion, and were not married to Jews.

South Africa: The Population Registration Act No. 30 of 1950.

This Act made provision for the compilation of a Register of the Population of the Union and for the issue of Identity Cards to persons whose names were included in the Register.

- 1) Every person had to be identified and registered from birth as belonging to a distinct racial group.
- 2) Section 5 said that every person whose name was included in the register was classified by the Director (of the Population Register) as a 'white' person, a 'coloured' person or a 'native', and every 'coloured' person and every 'native' whose name was included was classified by the Director according to the ethnic or other group to which he belonged.
- 3) Section 6 said that the Director had to assign an identity number to every person whose name was included in the register.
- 4) If the classification was considered incorrect, it could be altered after the person or his guardian was given an opportunity to oppose the alteration.
- 5) In the case of a 'native', the register included in addition, the district in which he was "ordinarily" resident, his citizenship or nationality, as well as the ethnic or other group and the tribe to which he belonged.

⁵ David Bankier. Article in *Encyclopaedia of the Holocaust*, pp. 981-983.

APPENDIX B

Racial Purity

Germany: Law for the Protection of German Blood and German Honor.

15 September 1935.⁶

- 1) Marriages between Jews and nationals of German or related blood were prohibited.
- 2) Marriages concluded in violation of this law were void, even if, for the purpose of evading this law, they were concluded abroad.
- 3) Proceedings for annulment could only be initiated by the Public Prosecutor.
- 4) Extramarital relations between Jews and nationals of German or related blood were prohibited.
- 5) Jews were not permitted to employ in their households female nationals who were of German or related blood and who were under the age of 45.
- 6) Paragraph 5 went on to detail the punishments and penalties to be imposed on anyone disobeying the laws just detailed.

First Supplementary Decree to the Law for the Protection of German Blood and German Honor, 14 November 1935.⁷

- 1) Marriages between Jews and subjects of the state, who were Mischlinge with one fully Jewish grandparent, were prohibited.
- 2) If no Jew was involved, subjects of the state who were Mischlinge with two fully Jewish grandparents might marry someone of German or related blood or a subject of the state who was a Mischling with one fully Jewish grandparent, subject to permission being granted by the Reich Minister of the Interior or his designated representative. This permission might be given if the physical, psychological and

⁶ Schleunes, *Legislating the Holocaust*, pp173-174.

⁷ *Ibid.*, pp. 175-177.

character qualities of the petitioner were suitable, his family had long been resident in Germany, and he or his father had played a worthy role in the World War. Paragraph 4 disallowed marriages between state subjects when each was a Mischling with one fully Jewish grandparent.

- 3) Paragraph 6 of this Supplementary Decree did not relate to Jews, but stated that no marriage could be concluded if it was feared that its offspring would endanger the purity of German blood.

South Africa: Prohibition of Mixed Marriages Act, No.55 of 1949.

- 1) A marriage between a European and a non-European⁸ could not be solemnized and any such marriage solemnized in contravention would be void provided that
 - a) the marriage could be valid if
 - (i) it was solemnized in good faith by a marriage officer and neither of the parties concerned or any other person in collusion with one or other of them had made a false statement and
 - (ii) if the people appeared to be European and habitually consorted with Europeans as a European (or alternatively appeared non-European and consorted with non-Europeans).
 - b) Children born or conceived where such a marriage had been solemnized by a marriage officer in good faith before the marriage had been declared invalid by a competent court would be legitimate.
- 2) If a male domiciled in the Union married outside the Union someone he could not have married in the Union, such a marriage was void in the Union.
- 3) A marriage officer who knowingly performed a marriage between a European and a

⁸ Europeans were those classified as 'whites' and conversely non-Europeans those classified as 'non-whites'.

Non-European was guilty of an offence and liable to a fine not exceeding fifty pounds.

- 4) Any person who appeared European or non-European as the case might be, would be deemed to be such unless and until the contrary was proved.
- 5) If a person made a false statement to a marriage officer, he was guilty of perjury and liable to the penalties prescribed by the law.
- 6) There followed sections which dealt with what constituted a brothel and prostitution, and the penalties for anyone caught keeping a brothel, soliciting, or forcing anyone under age into prostitution or living off the proceeds of prostitution.

The Immorality Act, No. 23 of 1957.

Motivation: "To consolidate and amend laws relating to brothels and unlawful carnal intercourse and other acts in relation thereto."

- 1) The Act defined a "coloured person" as any person other than a 'white' person.
[I find this definition odd, because everywhere else distinction is made between whites, blacks, coloureds, Indians and Asiatics!]
- 2) Thirteen sections of the Act dealt with what constituted a brothel and prostitution,
- 3) Penalties were prescribed for anyone caught keeping a brothel, soliciting, or forcing anyone under age into prostitution or living off the proceeds of prostitution.
- 4) All sections reiterated that it was an offence for any persons to have sex across the colour bar, or to permit such sex to take place on their premises.

APPENDIX C

Citizenship

This section deals with some of the provisions of the German Citizenship Law and a supplementary law thereto, and the statement of the Bantu Homelands Citizenship Act, together with its motivation. These laws deprived the afflicted of their citizenship.

Germany: Citizenship Law: 15 September 1935.¹

Hitler divided the inhabitants of Germany into citizens, state subjects and foreigners. Jews were labeled “state subjects”²

- 1) A “subject of the state” was defined as “anyone who enjoys the protection of the German Reich and who, in return, has particular obligations to the Reich.”
- 2) A “citizen of the Reich” was only that subject who was of German or related blood and who, by his conduct, demonstrated that he was both willing and suited to serve faithfully the German people and the Reich.
- 3) Reich citizenship was acquired through the granting of a certificate of Reich citizenship.
- 4) The Reich citizen was the sole bearer of full political rights.

First Supplementary Decree to the Reich Citizenship Law, 14 November 1935.³

Paragraph 4 stated that a Jew could not be a citizen of the Reich. He had no right to vote on political matters and could not hold public office.

(While the Reich citizenship papers were being issued, there was a temporary reprieve for “subjects of German or kindred blood who possessed the right to vote in the Reichstag elections”).

¹ Schleunes. *Legislating the Holocaust*, pp. 154-156.

² Hitler. *Mein Kampf*, p. 400.

³ Schleunes. *Legislating the Holocaust*, p.156.

South Africa: Bantu Homelands Citizenship Act (National States Citizenship Act)**No 26 of 1970.**

This Act required all 'black' persons to become citizens of a self-governing territorial authority. The motivation for the Act is clearly expressed below.

Address to the Institute of Citizenship, Cape Town, 30 May 1968, by Mr. G.F. van L. Froneman M.P., Chairman of the Bantu Affairs Commission.⁴

The Government does not view all Bantu as one single people, but the Bantu are in fact divided by language, culture and tradition into several peoples or nations, namely the Xhosas of the Transkei and the Ciskei, Zulus of Zululand and Natal, the Swazis of Swaziland and Bantu areas contiguous or near to Swaziland, the Bapedi of Sekhukhuneland and neighbourhood, the Venda of the Zoutpansberg, the Shangaans of the Transvaal lowveld, the Tswanas of Botswana and Bantu areas of the Republic contiguous or near thereto occupied by the Republican Tswana tribes, the South Sotho of Lesotho and Witzieshoek. Fortunately for each of these peoples or nations, history left for them within the borders of the present Republic large tracts of land which serve as their homelands....

The Government's policy is, therefore, not a racial policy based on the colour of the skin of the inhabitants of the Republic, but on a policy based on the reality and the fact that within the borders of the republic there are found the White nation and several Bantu nations. These nine nations, which numbered about twelve million people at the last census, are to develop separately on 13.7% of the country. The Whites who number about 3.5 million are regarded as one group, despite their differences of language and culture, and have the remaining 86.3% of the Republic.

⁴ Desmond, *The Discarded People*, p.41.

APPENDIX D

Keeping Culture Pure

An Act of the Reich Chamber of Culture sought to exclude Jews from cultural activities, while the South African Reservation of Separate Amenities Act sought to separate the race groups from one another.

Germany: Act of the Reich Chamber of Culture: 29 September 1933.

The aim of this Act was to exclude Jews from the cultural life of the third Reich. It prohibited Jewish professionals from actively participating in public in the fields of literature, the arts, the press, theatre and music.

South Africa: Reservation of Separate Amenities Act, No. 49 of 1953.

Motivation: To provide for the reservation of public premises and vehicles or portions thereof for the exclusive use of persons of a particular race or class, for the interpretation of laws which provide for such reservation, and for matters incidental thereto.

- 1) Any person who was in charge of or had control of any public premises or any public vehicle, could set aside a part or all of his property for the exclusive use of persons belonging to a particular race or class.
- 2) Any person who tried to go to a place not for people of his own race, could be fined (not exceeding 50 pounds), or imprisoned for a period not exceeding three months.
- 3) The Act further instructed that correct notices in both official languages (Afrikaans and English) had to be placed on any premises or any public vehicle. No African language notices were required.
- 4) Though only persons of one race were allowed to come together, nationals of foreign governments were not restricted.

APPENDIX E

Racial Segregation and Freedom of Movement

In Germany Jews were moved out of their homes to live separately from Germans, more by directives and instructions from an authority rather than by actual laws. In South Africa laws were passed separating the residential areas of the different race groups.

Germany

1. Jews were moved from the countryside to the towns. Property could only be inherited if the heirs could prove their Aryan ancestry back for three generations.
2. Many village councils were proud to put up banners saying, "This village is Judenrein."
3. In the towns and cities some Jews were moved into Jew Houses as a prelude to moving them into restricted living areas called ghettos.

South Africa

Group Areas Act No. 41 of 1950.

This Act aimed to provide for the establishment of group areas, for the control and acquisition of immovable property, and the occupation of land and premises.

1. For the purposes of this Act, the following groups were defined
 - a) A 'white' group, which included any person who in appearance was generally accepted as a 'white' person, other than a person who although in appearance was a 'white' person, was generally accepted as a 'coloured' person.
 - b) A 'native' group which included:
 - (i) any person who in fact was, or was generally accepted as a member of an aboriginal race or tribe of Africa other than a member of the 'coloured' group.

- (ii) any woman to whichever race, tribe or class she might belong, who was either married to a 'native' or cohabited with a 'native'.
 - c) A 'coloured' group, which included:
 - (i) any person who was not a member of the 'white' group or of the 'native' group.
 - (ii) any woman, to whatever race, tribe or class she belonged, who was either married to or co-habited with a 'coloured'.
 - d) Any group of persons which, under a designated subsection, was declared to be a group. [This left the path open for the declaring of the Indian and Asian groups.]
2. The Governor General could, by proclamation in the Gazette
- a) Define any ethical, linguistic, cultural or other group of persons who were members either of the 'native' group or of the 'coloured' group: and
 - b) Declare a group so defined to be a group for the purposes of this Act.
- 3 Only persons who had been registered as members of a group should be members thereof.
4. A member of a 'native' or 'coloured' group who was or who became a member of a defined group (for example a member of the 'white' group] would be deemed not to be a member of the 'native' or of the 'coloured' group.
5. Section 35 of the Act re-iterated differences as presumptions thus,
- (i) 35 (i) A person who in appearance obviously was a 'white' person should for the purposes of this Act be presumed to be a member of the 'white' group until the contrary was proved.
 - (ii) A person who in fact was generally accepted as a member of an aboriginal race or tribe of Africa should be presumed 'native'.
 - (iii) A person who in fact was not in appearance obviously a 'white' person, and who was not accepted as a member of an aboriginal race or tribe of Africa should be presumed 'coloured'.

6. The establishment of group areas.
 - a) No one was permitted to buy a property in an area on behalf of anyone who, because of his colour, would not be permitted to purchase the property for himself.
 - b) If anyone inherited an immovable property and did not have a permit to occupy it, unless the Minister allowed an extension of the time, it had to be sold within a year of the death of the owner, the proceeds of the sale going to the inheritor.
7. The Minister could establish a governing body for the group area, consisting of persons of the group. This governing body was subject to supervision by the local authority of the area. Its existence did not lessen the responsibility of the local authority for the area.
8. No disqualified person could occupy, and no person could allow any disqualified person to occupy any land or premises in the controlled area, except under the authority of a permit.
9. Section 20(l) dealt with the disposal of property illegally held.
10. Section 23 (l) prohibited the granting of trading licenses to people who operated in a group area where they are not supposed to be, unless the person could prove that he could lawfully operate in the area.
11. Section 24 allowed for the establishment of a Land Tenure Board. This Board's duty was to advise the Minister on whether a proclaimed area should be changed, or a new one instituted.

Native Laws Amendment Act, No 54 of 1952 (aimed at influx control)

Section 10 of the amended Urban Areas Act specified four conditions, which allowed 'blacks' to stay permanently in a 'white' area. "People who met these conditions did not qualify for residence in any urban area. Their qualification was for a specific area only and no other."

- 1) People who were born in the area and had lived there continuously ever since.
- 2) People who had worked continuously for 10 years for one employer in the same urban area, or who had lived lawfully and continuously in the urban area for at least 15 years.
- 3) The wives, unmarried daughters and the sons under 18 years of age of anyone who qualified in terms of (1) or (2).
- 4) Those who had been given permission to be in the urban area by the authorities, generally because they were migrant workers on contract to work there.
- 5) Those people who qualified in terms of (1) or (2) would be able to live permanently in the urban area, unless they were found to be 'idle and undesirable', in which case they could be endorsed out. Those who qualified in terms of (3) could stay only as long as their status did not change. If, for example, a wife became widowed or a daughter got married or a son became of age, then they would have to leave the area, unless they already qualified in their own right in terms of (1) or (2). Those who qualified in terms of (4) would be able to stay only as long as their permission was valid. As soon as the time stipulated on their pass ended, then they would have to leave.

APPENDIX F

Labour and Economic Opportunities

The laws in this category were designed to remove the Jews from the economic life of Germany. On the other hand, in South Africa the laws served to reserve most skilled and sought-after jobs for 'whites', although 'blacks' continued to play a vital role in the 'white' economy.

Germany: Law for the Restoration of the Professional Civil Service, 1933.⁵

This law removed Jews from the civil service. Those removed included all persons employed by the state, teachers, doctors, judges, etc.

Fourth Supplementary Decree to the Reich Citizenship Law, 1938.

This decree stated "The licenses of Jewish doctors to practice medicine will expire on 30 September, 1938

Fifth Supplementary Decree to Reich Citizenship Law, 1938

This decree closed the law profession to Jews. Admission of Jews to the legal profession was revoked effective 30 November 1938. Similar laws expelled Jews from the profession of veterinary surgeons and patent attorneys.

South Africa: Black (Native) Laws Amendment Act No. 54 of 1952.

This Act provided for job reservation. The motivation for the Act included the amending of the law relating to the registration and regulation of trade unions, and provided safeguards against inter-racial competition.

- 1) Section 6 stated that no trade union should be registered
 - a) in respect of both 'white' and 'coloured' persons or

⁵ Schleunes, *Legislating the Holocaust*, pp.154,157,158-166.

- b) If membership was open to both 'white' and 'coloured' persons unless the Minister (of Labour) was satisfied that the combined numbers were insufficient to establish two separate unions.
- 6) The statutes of the Union of South Africa, 1956, part 1 page 741 paragraph 77 was entitled "Safeguards against inter-racial competition" and dealt with investigations into violations of the law, and stated that offenders could be prosecuted.

APPENDIX G

Education and Social Services

In this section the laws in both countries were designed to separate the undesirable from the desirable for educational purposes. In the case of South Africa, education was geared to fit 'blacks' for the role they were intended to play, which was similar to the one the Nazis envisaged for the Poles.

Germany: Law Against the Overcrowding of German Schools and Institutions of Higher Learning, 25 April 1933⁶

1. In all schools except schools providing compulsory education and in institutions of higher learning, the number of pupils and students was to be limited so as to ensure thorough training and to meet professional needs.
2. State governments would determine at the beginning of each school year how many pupils each school could accept and how many students each university faculty could accept.
3. In those kinds of schools and faculties whose figures were particularly out of proportion to professional needs, the number of pupils and students already admitted were to be reduced during the 1933 school year as far as this could be done without excessive rigor, in order to establish a more acceptable proportion.
4. Care was to be taken that the proportion of new admissions of Reich Germans who, according to the Law for the Restoration of the Professional Civil Service of April 7, 1933 were of non-Aryan descent, did not exceed the proportion of non-Aryans within the Reich German population.

⁶ Berenbaum. *Witness to the Holocaust*, p.15.

5. The law went on to exempt those whose fathers fought at the front during the war, or to the offspring of marriages concluded before this law took place, if one parent or two grandparents are of Aryan origin.
6. Eventually Jews were barred from schools.

Nazi Education Policy towards the Poles⁷

In a secret memorandum handed to Hitler by Himmler dated 25 May 1940, Himmler talks of schooling and the importance of sifting and selecting the young to be educated. He stipulates that for the non-German population of the East there must be no higher school than the four-grade elementary school. He details the very limited education to be given to the children, but adds that it must include “the doctrine that it is a divine law to obey the Germans and to be honest and industrious, and good”.

Parents who wished to give their children better schooling had to make an application to the Higher SS and police leaders. If the child was racially perfect, conformed to their conditions and they acknowledged such a child to be as of their blood, the child would be sent to a school in Germany where it would remain permanently. The parents of such children of good blood could then either give away their child or undertake to go to Germany and become loyal citizens there.

In addition there would be an annual sifting of all children of the General Government between the ages of six to ten years in order to separate the racially valuable and non-valuable ones. The ones considered racially valuable will be treated in the same way as the children who are admitted on the basis of the approved application of their parents.⁸

⁷ *Ibid.*, pp.75-76.

⁸ Berenbaum, *Witness to the Holocaust*. Quotes secret letter written by Himmler to Hitler. pp. 75-76.

South Africa: Black Education Act, No 47 of 1953

This Act provided for the transfer of the administration and control of 'native' education from the several provincial administrations to the government of the Union, and for matters incidental thereto.

- 1) The Act defined (i) "Bantu" as being synonymous with "native"
 - (ii) "native" as meaning any person who was generally accepted as a member of any aboriginal race or tribe of Africa.
- 2) Sections before section 5 dealt with the transferring of staff from the provinces to the central government
- 3) Section 6 dealt with finance. It said that the Minister (of Native Affairs) could, in consultation with the Minister of Finance, use money appropriated or set aside by parliament for 'native' education, subsidize any 'Bantu' school or assist in its maintenance
- 4) Section 7 entitled the Minister to establish and maintain
 - (i) 'Bantu' schools to be known as Government Bantu Schools.
 - (ii) Any hostel, teacher's quarters, school clinic, etc.
- 5) Section 8 entitled the Minister to give grants in aid.
- 6) This section allowed only registered 'Bantu' schools to operate.

Application for registration could be refused.
- 7) This section dealt with conditions of appointment and retirement benefits of teachers.

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