

"Ungadinwa Nangomso - Don't Get Tired Tomorrow"

A History of the Black Sash Advice Office in Cape Town

1958 to 1980

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ABSTRACT

This thesis is a historical case study of the Athlone Advice Office of the Black Sash of South Africa between the years 1958 and 1980.

The organisation known as the Black Sash was established in Johannesburg in 1955 with the initial aim of protecting the Constitution of South Africa from amendments which were perceived as a threat to the democratic parliamentary process. In 1958, the Black Sash, which had a membership limited to white South African women voters, was challenged by a group of women from its Western Cape Region who wished to transform the aims and objectives of the organisation. Under the leadership of these women, the organisation initiated contact with Africans in Cape Town and supported the anti-pass law campaigns from 1957 to 1960. The new dynamic thus engendered led to the opening of the Athlone Advice Office, where Black Sash volunteers assisted Africans with the many problems and difficulties encountered by the implementation of apartheid ideology and legislation. This Advice Office was the model for Black Sash Advice Offices opened in eight urban centres in South Africa during the 1960's.

From 1958 to c.1988, the Black Sash was transformed into an organisation aimed at furthering a culture of human rights in South Africa. By 1990, it had become internationally regarded for the role it had played, and was continuing to play, in the upholding of democratic ideals in South Africa. One of the themes I examine in this thesis is the role which the Advice Offices had in the transformation of the Black Sash.

Until c.1990, very little was known about the Black Sash or its membership and the two published works which covered aspects of its development were out of print. Even less was known about the Advice Offices. Apart from monthly and annual reports sent to members and a small number of supporters, and occasional case histories published in the press, the history, substance and human dimensions of the Advice Offices remained obscure. The present work is designed to illuminate a small part of that history.

This thesis is intended as a case study of the pioneer Advice Office established in Cape Town in 1958. The study takes a chronological form, the chapters covering five year periods from c.1957 to c.1980. The history of the Advice Office has been placed within the context of the wider history of the Black Sash and South Africa. I attempt to assess the nature of the interaction between the Athlone Advice Office and its parent organisation ; the African population of Cape Town ; officials in local and state government agencies ; the law courts ; the general public ; employers, commerce and industry ; human and civil rights groups ; other womens' organisations ; the government ; and the international community.

I have examined the extent to which the ideology and methodology of the Athlone Advice Office reflected the changing liberal, philanthropic ethic and how the Advice Office responded to notions of charity and welfare. I have also examined its response to nationalist ideology, in the form of Afrikaner and African nationalism. This thesis was not intended as a study in gender relations, but I have included comment on the role played by the women who volunteered at the Advice Office.

Likewise, I have not written from the point of view of a political economist, but where there are clear references to the Advice Office's economic beliefs, I have included them. Above all, this history is intended as an account of a relationship which evolved between white and black members of the population of Cape Town, who, for the most part, came from very different class and cultural backgrounds.

The primary data used for this thesis consists of the hitherto unresearched papers of the Athlone Advice Office which have been deposited in the Manuscripts and Archives Division of the Jagger Library at the University of Cape Town. I have also used many documents from the Black Sash papers in the same collection. The secondary sources referred to are largely works which have appeared on South Africa since 1970, but which do not refer directly to the Archival material. In addition, I have referred to a number of recent unpublished theses and have made use of interviews recorded with members of the Advice Office staff and volunteers.

I declare that this work has been constructed entirely from my own research and that all references to secondary sources have been acknowledged in the prescribed manner.

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PREFACE

The organisation known as the Black Sash of South Africa has existed since 1955, but it is comparatively recently that it has become known nationally and internationally for its role in the furthering of human and civil rights in South Africa. ¹ Much acclaim has been awarded to it for its work in monitoring state repression during the Emergency imposed in 1985, and for its commitment to non-violent, peaceful change. ² The Advice Offices of the Black Sash, which have operated primarily to assist persons adversely affected by apartheid laws and regulations, have received similar international support, including foreign funding. ³

Yet, until these recent developments, very little was known nationally or internationally, about the Black Sash, (Sash). Its historiography was limited to two books, both long since out of print. Mirabelle Rogers, whose account of the establishment and first year of the organisation was published in 1956, wrote from the partisan view of a founding member, her narrative lacking analysis or depth, but providing

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1. During the 1980's, for example, the Black Sash established links with a range of organisations opposed to the policies of the South African government. These included the United Democratic Front, Women for Peace, Five Freedoms Forum, End Conscription Campaign, Transvaal Rural Action Group, Free the Children Campaign, Detainees' Parents Support Committee, Surplus People's Project, Society for the Abolition of the Death Penalty. In a report drawn up in 1977, the African National Congress, in exile, mentioned the Sash as one of 143 organisations playing a role in exposing "the wickedness of Nationalist rule." Refer Denise Ackerman, "Liberating Praxis and the Black Sash: A Feminist Theological Perspective", Doctorate of Theology, UNISA, 1990, pp.142, 162-64
 2. As examples: the organisation was nominated for the Nobel Peace Prize in 1987 ; on his release from prison in 1990, Mr Nelson Mandela paid tribute to the Black Sash in his speech from the City Hall, Cape Town, 11/2/90 - "I salute the Black Sash." Cape Times, 12/2/90
 3. From 1984, the Advice Offices received an annual donation from the Ford Foundation. After 1986, this was paid into the Advice Office Trust, established in order to safeguard foreign funding from state threats.

a useful and well-illustrated memoir. ⁴ Cherry Michelman's work, published in 1975, was the result of a post-graduate doctoral study which viewed the Black Sash in the context of South African liberalism and provided the first properly researched account of the organisation to date. ⁵ In 1991, following the publicity which the Sash had received in the international arena, an up-to-date study appeared, but proved a disappointment, in substance, style and methodology. ⁶ In 1990, Mrs Denise Ackerman completed a doctoral study which used Black Sash records, but her thesis had to do with theological issues and was not intended as an historical analysis. ⁷

The contemporary historiography of South Africa includes a number of seminal studies which concern issues that have become linked to the social policy of the Black Sash and its Advice Offices - the pass laws, influx control, forced removals, informal settlement, housing. Yet these works have made scant reference to the primary source material accumulated by the Sash and the Advice Offices since the late 1950's. Josette Cole's book on the squatter camp at Crossroads largely ignores the role of the Athlone Advice Office (AAO) during successive crises at the camp, listing merely an interview with the director of the AAO, and AAO Reports for 1979 and 1980 in the Bibliography. ⁸ Tom Lodge's account of black politics in South Africa since 1945 refers in a couple of sentences to the Black Sash, describing it as "a movement of white

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4. Mirabelle Rogers, The Black Sash, (Johannesburg, Rotonews, 1956)
This book illuminates the supportive role played by the English-language press, as well as the hostile attitude of the Afrikaans-language papers through use of numerous extracts and cartoons from contemporary newspapers.
 5. C. Michelman, The Black Sash: a Case Study in Liberalism, (London, OUP, 1975)
 6. K. Spink, The Black Sash: the Beginning of a Bridge in South Africa, (London, Methuen, 1991)
See reviews by: Shauna Westcott, in Democracy in Action, Institute for Democratic Alternatives in South Africa (IDASA), Nov/Dec 1991, p.19 ; Jo MacRobert in South African Literary Review, vol. 2.2, June 1992, pp.18-19.
 7. Denise Ackerman, op. cit.
 8. Josette Cole, Crossroads : the Politics of Reform and Repression, (Johannesburg, Ravan, 1987)

women who concerned themselves with black civil rights and social welfare. 9 While devoting half a chapter to a day by day account of events during the strike and disturbances in Cape Town in March 1960, he does not mention the role of several Sash women at this time. 10 Philip Kgosana's recently published recollection of these days adds his personal view about the role of liberals during the demonstrations and refers specifically to one of the Sash members, but this is in the nature of a memoir rather than an analysis. 11

In her work on contemporary black political activity in South Africa, Gail Gerhart does not refer to the Black Sash in her chapter on the 1960 disturbances, nor does she indicate that she has used Sash or Advice Office material in her research for the book as a whole. 12 Likewise, in her 1982 work on women and resistance in Southern Africa, Cheryl Walker refers only to the founding of the Black Sash in 1955, to the crisis of identity it faced when its constitutional protests came to nought in 1956, and to the links that Sash members in Cape Town forged with African women over the pass law campaign. 13 As far as the debate about South African liberalism is concerned, the Black Sash is included for discussion in Janet Robertson's chapter on liberal organisations, but Paul Rich's more recent critique does not refer directly to the Sash or its Advice Offices. 14

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9. Tom Lodge, Black Politics in South Africa, (Johannesburg, Ravan, 1983)
 10. Ibid., pp. 210-224
 11. Philip Kgosana, Lest We Forget, (Johannesburg, Skotaville, 1988) See pp.34-35 below for his role as a leader of the Pan African Congress in Cape Town in 1960.
 12. Gail Gerhart, Black Power in South Africa : The Evolution of an Ideology, (Berkeley, University of California, 1978)
 13. Cheryl Walker, Women and Resistance in Southern Africa, (London, Onyx, 1982), pp. 174, 241-243
 14. Janet Robertson, Liberalism in South Africa, (Oxford, Clarendon, 1971), pp. 141-42
Paul Rich, White Power and the Liberal Conscience, (Johannesburg, Ravan, 1984)

This thesis is intended, therefore, both as a complementary study to the recent historiography of South Africa since 1960, and as a case study of an institution. For these reasons, I have deliberately based it on the large volume of hitherto unresearched primary material accumulated by the Black Sash and its Cape Town Advice Office.

Primary sources dealing with the Black Sash are abundant.¹⁵ They include minutes of branch and general meetings, minutes of regional and national conferences, volumes of correspondence, records of office administration and finance, documents related to the many projects of the Sash, and newsletters and circulars to members. In addition, the organisation has published its own magazine since 1956, as well as many leaflets, broadsheets and booklets related to its projects.¹⁶ The oral testimony of members also needs to be collected and put to research purposes. Regretfully many of the early founder members have passed away, as revealed in the spate of obituaries in editions of the magazine during the late 1970's. But many of those who were young mothers in 1955 remain members of the organisation, and have been joined, in smaller numbers, by a new generation of women in more recent years.¹⁷

The limited research which has been conducted into the Black Sash has only touched on the Advice Offices of the organisation in very broad detail. Michelman devoted a chapter of her work to the topic, Spink a few scattered pages. Professor Francis Wilson included a number of case

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15. Documents from Transvaal branches of the Sash and from its headquarters in Johannesburg have been deposited in the Manuscripts Division of the University of the Witwatersrand. The material relating to the Sash in the Western Cape has been deposited in the Manuscripts Division of the Jagger Library at the University of Cape Town.
 16. The Black Sash, later known as Sash and referred to here throughout as Sash. Distributed to members and several hundred subscribers, many of them ex-members living overseas.
 17. A study of this membership falls outside the scope of the present work. Evidence suggests that this would be a valuable field for further research.

histories drawn from two Advice Offices in his work on migrant labour, (1972).¹⁸ The lack of a detailed study of the Advice Offices provided much motivation for the present study.

At various times during the years 1959-1993, members of the Sash, sometimes in conjunction with other organisations, have operated Advice Offices in the main urban centres of South Africa, namely Cape Town, Johannesburg, Port Elizabeth, East London, Grahamstown, Durban, Pietermaritzburg and Pretoria. The pioneer of these was the Athlone Advice Office in Cape Town, which had its origins in a Bail Fund started in 1958.¹⁹ By 1962, this had developed into an advice bureau, visited annually by thousands of Africans seeking assistance with problems caused, in the main, by pass and influx control laws. However, such was the nature of the inter-locking network of apartheid legislation which governed the lives of Africans that the Advice Office dealt with a very wide range of issues. Over time, a body of material was amassed which today provides testimony to the lives of the African population of the city. It is this collection which provides a rich source of primary material for the researcher and which forms the basis of evidence for much of this thesis.

It was originally proposed that this study should encompass a comparison of all the Black Sash Advice Offices. However, the volume of material accumulated in one city alone, dictated that the thesis should focus on a single locality, namely Cape Town. Until 1992, the records of the Cape Town Advice Office of the Black Sash were filed at its premises. Between 1958, when records of the Bail Fund were first kept, and 1992, the Advice Office moved premises on three occasions.²⁰ Each time, boxes and boxes of documents were packed and transported by

18. F. Wilson, Migrant Labour in South Africa, South African Council of Churches, Johannesburg, 1972

19. Chapter One below.

volunteers, some never to be properly filed once the move was over.²¹ Moreover, a fire started by an arsonist at the Mowbray premises caused considerable smoke and water damage. Space also became an increasing problem - the filing cabinets were jammed to capacity and, for the researcher, it was extremely difficult to retrieve information under these conditions. In 1991-92, the Black Sash and AAO records dating from 1958 to 1980 were deposited in the Manuscripts Division of the University of Cape Town where they have been catalogued, although as yet there is no index for the thousands of individual case files.

The Athlone Advice Office records fall into two roughly identifiable categories. The primary documents are the individual case folders of applicants, filed according to the Black Sash volunteer who conducted the initial interview. No-one knows the precise number of these, but according to figures from the Annual Reports of the Advice Office, 32,127 persons were interviewed between 1958 and 1980.²² The rest of the material consists of records, in various forms, of Advice Office activities, notably monthly and annual reports, legal reports and opinions, minutes and correspondence, registers and surveys. I have used these records, as well as those of the Black Sash in the Western Cape, for this research. The records are deserving of further study, as is the period after 1980, which is not covered in this thesis.

In 1987, while I was interviewing Mrs Moira Henderson, a founder member of the Black Sash and of the Cape Town Advice Office, she commented

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20. From Athlone to the premises of the Christian Institute, (C.I), Mowbray, in January 1974. When the CI was banned in October 1977, the AAO moved to rooms at the Mowbray premises of the Institute of Race Relations, and after the fire, see p.viii above, to new rooms at the same premises.
 21. A Sash member who volunteered to help with one of these moves told me that, exhausted by the day's work, she had driven off with boxes of documents on the roof of her car.
 22. The Annual Reports indicate that there were 56,241 interviews during this period. (Many cases required multiple interviews.) Refer to Appendix Four.

that the "history of the Advice Office is the history of South Africa."²³ The truth of her succinct remark has revealed itself throughout the research for this thesis. For in order to explain the Advice Office, its existence, its aims, its methodology, its failures and successes and its change over time, it needs to be conceptualised in the framework of the apartheid state, of its laws and regulations and policies, of its ideology, and of opposition and resistance to that ideology. It is also the history of the Black Sash in the Western Cape, and particularly of a small number of women who volunteered for duty at the Advice Office. But above all, its history has to do with the history of the African population of the Cape Peninsula in the second half of the twentieth century. The Advice Office is the site of a complex interaction between persons of different race, class and cultural groups. It is a microcosm of a nation, society, city.

The present study has attempted to locate the Advice Office in this broad framework. Frustratingly, many questions which have been raised lie outside the scope of this thesis. In particular, I refer to the period after 1980, when the Advice Office branched out in new directions, while retaining roots put down over the first thirty years of its existence. I am also aware that this history has been written largely from the point of view of those who worked at the Office. The voices of the Africans who brought their problems to the AAO deserve to be heard. I have included extracts from their letters and from their testimonies, but have been bound by time and scope from tracing individual applicants whose oral testimony would have added to this study.

I wish to record my gratitude to those who have assisted me in the course of my research. The Black Sash National and Regional Executive

23. Moira Henderson, interview, Newlands, 17/8/87

bodies approved my request to use Sash and Advice Office records. Many members of the Black Sash have been generous with their answers to my persistent questions. In particular, I wish to thank Mrs Noel Robb whose comments on several chapters were most helpful. The staff in the Manuscripts Division of the Jagger Library have at all times done their utmost to assist me with access to the records. Members of the Department of History at the University of Cape Town have encouraged this research since its inception. Mr Richard Mendelsohn has provided patient and expert backup support with regard to computer formatting and technical problems encountered along the way. Professor Basil le Cordeur assisted me with the drafts of the first chapter. Dr Patrick Harries has supervised this thesis with care and understanding, a critical eye for detail and a grasp of the subject matter which he has shared with generosity. I am deeply indebted to him. Whatever errors are contained in the following pages are entirely mine and I own full responsibility for them.

INTRODUCTION

In February 1962, a document formalising the establishment of the Athlone Advice Office (AAO) was signed by regional representatives of the Black Sash of South Africa and the South African Institute of Race Relations (SAIRR) in Cape Town. Although this date marked a significant moment in the history of the AAO, it is not the date of its origin, as the Office had been operating under the name of the Bail Fund since 1958. ¹ As discussed in the preface, the origins of the AAO need to be seen in the context of the history of South Africa in the first half of the twentieth century and specifically from the time of the 1948 general election which brought the National Party to power. Several distinct, though inter-related, aspects of this earlier period are relevant to the history of the AAO. Brief accounts of these follow below as an introduction to the history of the Black Sash Bail Fund / Advice Office in Cape Town.

THE ORIGINS OF THE BLACK SASH OF SOUTH AFRICA

In May 1955, an organisation which named itself, somewhat heroically, the Women's Defence of the Constitution League (WDCL) was founded in Johannesburg by six English-speaking white women, whose social connections, education, and backgrounds of wealth and status placed them in the upper echelons of South Africa's white elite. ² They had met in a home in Johannesburg's northern suburbs to discuss their

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1. The establishment of the Bail Fund Office in 1958 and its history to 1962 is the topic of the first chapter.
 2. The six women were: Ruth Foley, Jean Sinclair, Helen Newton-Thompson, Jean Bosazza, Elizabeth McClaren, Tercia Pybus. For an account of this meeting, see M. Rogers, The Black Sash, (1956).

alarm about the Senate Bill which Prime Minister Strijdom had recently introduced before parliament. ³

The six women perceived the mood of rising Afrikaner nationalism with an apprehension which stemmed not so much from concern about the erosion of human rights and the removal of these rights from persons of colour, but which was linked rather to their inherited belief in fair play, good government, constitutionalism and the rule of law. They displayed unquestioning loyalty to a parliamentary system and a Constitution which they believed was a covenant of their forefathers. ⁴ In later years, members of the Women's League recalled their reasons for joining the organisation. Jean Sinclair told a Sash audience that : "We took our stand on moral principle. Our main concern and our main protest was directed against the rape of the South African Constitution and the erosion of parliamentary democracy. Many members were less concerned about Coloured voting rights than they were about the violation of the Constitution." ⁵ "It was the blatant dishonesty of the Nats that

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3. The Nationalist government was frustrated by years of constitutional and legal delays over the implementation of the Separate Representation of Voters Act which removed Coloured voters from the common voters' roll. Tremendous public protest had met the introduction of the Act in 1951. By 1955, the government, under the new leadership of J. Strijdom, was prepared to adopt desperate measures to get it through parliament. The Senate Bill was designed as enabling legislation to increase the number of senators in the Upper House. By filling these seats with supporters, the state would get the two-thirds majority in both houses needed to amend the entrenched clause in the 1910 Constitution which protected the Coloured vote.
Refer T.R.H. Davenport, South Africa and E.A. Walker A History of Southern Africa for brief accounts. For reaction to the Act, see W.Beinart, "The Political and Constitutional Crisis over the Separate Representation of Voters Act, 1951", (Hons. thesis, UCT, 1971) ; G. Carter, The Politics of Inequality, (1959) ; J. Robertson, Liberalism in South Africa 1949-1963, (1971)
 4. For the rhetoric which accompanied the founding of the organisation, see M. Rogers, The Black Sash, and volumes of Sash, 1956-57.
 5. J. Sinclair, "Twenty years on", Sash, vol. 18.1., May 1975, p.1. Compare this and the comments which follow with M. Legassick, "Ideology and Legislation of the post-1948 South African Governments", (Sussex, 1975), p.27 : "White opposition was not about policy but about unconstitutional means." ; also Paul Rich, White Power and the Liberal Conscience, (1984), who explains the protest of liberals to this legislation as emanating from their "Whiggish belief in the political potential of Westminster-style constitutional systems", p.129.

sparked ordinary white women. We were totally unpoliticized." ← "The dirty tricks of the Nats sickened people who had fought in the War." → "Particularly in the Transvaal, members were concerned about language rights. If the Nats could alter the entrenched clause dealing with the franchise, the fear was that they would tamper with the English language clause next." =

News of the Women's League was spread by word of mouth and through contacts the women had with friends throughout the country. Several of the Johannesburg leaders were members of the United Party (U.P.) and were able to drum up support for the League through party connections.⁹ They also relied on support from their husbands, a large number of whom had been members of the Torch Commando.¹⁰ The Womens' League, having been formally constituted on 30 May 1955, launched a series of protests, the nature of which became characteristic of future activities. A march was held through the streets of central Johannesburg. Placards and pamphlets called for the withdrawal of the Senate Bill. A nationally-circulated petition received 100,000 signatures within ten days and was delivered to the Prime Minister at the Union Buildings by a sombre procession of women led by a

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6. Moira Henderson, interview, Cape Town, 17/8/87
 7. Dot Cleminshaw, interview, 10/6/87
 8. Eulalie Stott, interview, 30/8/87
 9. Ruth Foley, who became the first National President of the League/Sash was a member of the U.P. Provincial Head Committee ; Jean Sinclair was a U.P. City Councillor ; Dora Rankin and E. Fouche were on Johannesburg U.P. committees.
 10. The War Veterans' Torch Commando (1951) was led by ex-servicemen who had fought on the side of the Allies in World War II. Dismayed by the elements of totalitarianism in the Nationalist government, they aimed at ridding their country of a scourge which they had fought in the field so recently. Although incensed by the 1951 franchise Act, their concern was not as much about the Coloured vote, (they had not even allowed Coloured veterans to march in their parades), as about the Nationalist violation of parliamentary procedures. They defended constitutional democracy, the rule of law and individual rights and in this respect their aims were very close to those of the League. In a sense, the League picked up where the Torch Commando left off, the Commando having disbanded after the 1953 general election in which the Nationalists gained an increased majority. See W.Beinart, op.cit.

solitary drummer dressed in Scottish tartan. ¹¹ In symbolic mourning for the Constitution, the women wore black sashes over their shoulders and adopted as an emblem, the Book of the Constitution draped with a black ribbon. These symbols led to the League women being termed "the Black Sashers" by the press. At its first National Conference in 1956, the League formally changed its name to the Black Sash of South Africa. ¹²

The initial impact of the League on white women throughout the country was electrifying. By the time of its first Conference, the Black Sash had a membership of about 10,000. Branches had been formed in all the major centres as well as in dozens of rural areas. ¹³ The branches were organized into regions, the Western Cape being one of the 12 regions, with a membership in 1956 of 1,957. ¹⁴ By restricting membership to women who had the vote, the awkward question of black membership was avoided, at least temporarily.

Enthusiasm for the Sash began to wane after 1957/8. The Senate Bill had been enacted and the battle against the franchise bill was lost. Moreover, the general election in April 1958 occasioned a great deal of tension within the Sash, as many United Party supporters believed that Sash activities were embarrassing the Opposition and undermining its chances of regaining a parliamentary majority. Moira Henderson, a founder member, recalled that the Sash "nearly came unstuck over the election. Sir de Villiers Graaff, (leader of the U.P.), tried very hard to break us. He wanted us to disband. He had us to lunch - there was

11. The wearing of the tartan symbolised the "Englishness" of the women, whose backgrounds, class and culture were moulded in the British tradition. See Appendix One, Profiles of Founder Leaders of the Sash.

12. Bloemfontein, February 1956.

13. Refer to Appendix Three.

14. Ibid.

masses of crayfish - he wanted us to keep quiet during the election."¹⁵ But largely at the insistence of Sash leaders from the Western Cape, the organisation did not disband. At an emergency Sash conference called after the election, in which the Nationalists had dashed the U.P.'s hopes of ever regaining power, it was left to the Cape leaders to encourage the organisation to continue. Although national membership had fallen from 10,893 in 1956 to approximately 4,500 in 1958,¹⁶ the Cape delegation put forward an inspired programme of action for the Sash and its remaining members:

- " The intention is to send forth into all spheres of South Africa's community life, members who are active, interested and enquiring with the following aims in view :
- a) To find out just where and how some of our unjust laws are being implemented
 - b) To see if by patient work and exploration some of the hardships, implicit in the carrying out of these laws, can be avoided
 - c) To give constructive help, after careful consideration, to people who have suffered as a result of such unjust legislation " ¹⁷

It was from the basis of this manifesto that the Athlone Advice Office of the Black Sash emerged in Cape Town between 1958 and 1962, to be followed by the establishment of the Johannesburg Advice Office in 1963-4, as well as smaller bureaux in several other urban centres.

WOMEN AND PHILANTHROPY

The Athlone Advice Office was not a mainstream Sash activity in the Western Cape. It flowed rather out of a small constituent element in the membership.¹⁸ The women who volunteered for service at the office

15. Moira Henderson, interview, Cape Town, 17/8/87

The U.P. member of parliament for Constantia, Mrs Catherine Taylor, and many other Sash members, resigned from the Sash in protest at the refusal of the organisation to cease activities during the election.

16. See Appendix Three.

17. Sash, vol. 3.10., June/July 1958, p.10

18. See p.31 below for the ratio of AAO volunteers to Regional membership.

were a minority group who adopted a "hands-on", pragmatic approach to the social problems created by the effect of apartheid legislation on Africans. Motivated by moral and ethical considerations which stemmed, for the most part, from notions of philanthropy which they had inherited along with their British origins,¹⁹ or from an association with the Liberal Party of South Africa, their work at the Advice Office was a curious blend of charity, colonial "friends of the native" ideology, humanitarianism, paternalism and a repulsion of totalitarian controls over the freedom of the individual.²⁰ As women, they were particularly concerned about the break-up of family life caused by the policies of male migrant labour, and the clampdown on the entry of African women into the urban areas.

Yet from its very early days, the Advice Office was clear about one thing - its business was not to do with traditional welfare work. It would not feed, clothe, wash, house or materially care for the poor, sick or dispossessed.²¹ During the state of emergency in 1960, the Advice Office, however, did provide material assistance to the families of detainees, explaining this as a response to victims of a political upheaval.²²

But in all other cases of need, the Sash volunteers referred applicants to agencies which performed such services. The refusal to become a welfare organisation and apply for a fund-raising number infuriated the state which applied persistent pressure on the Black Sash to adopt a more traditional approach.²³ Even many years after

19. Several of the women who volunteered at the AAO at its inception either had British parents or had married into British families, notably Mrs Noel Robb, Mrs Peggy Roberts, Mrs Mary Stoy. See Appendix One. Refer p. 18 below to membership of the Liberal Party.
 20. See Paul Rich, *op.cit.*, pp.123,135 ; M. Legassick, "The Rise of Modern South African Liberalism, its Assumptions and its Social Base", (1975).
 21. See p.49 below.
 22. See pp.35-36 below.
 23. See p.57 below.

its formation, a cabinet minister was still trying to persuade the Sash that welfare work was what the organisation was called to perform - in 1980, Dr P. Koornhof, who had met a Sash delegation in connection with the threatened removal of Africans from their tribal lands in the Northern Transvaal, evaded the womens' concerns about the removals, but told them he believed they were "women of compassion." He said that when he had visited the area in question, he had thought of the Sash, as the children he saw along the roadside "were shivering and were not properly clothed. This is where you of the Black Sash can do a job - find some blankets for those children." ²⁴

There is no evidence to suggest that the Advice Office volunteers, despite their opposition to the government, saw themselves as challenging the power structures of the South African state. Neither did their notions of political reform include a critique of economic and class structures. ²⁵ Like their nineteenth century sisters, they failed to question whether there was any linkage between social problems and a capitalist economy. Nor does their discourse suggest a criticism of capitalism; on the contrary, there is much evidence to indicate that they were adherents of the liberal belief in the reforming power of capitalism to break down racial segregation. ²⁶ This was hardly surprising given their socio-economic class, which was characterised by descent from well-to-do families, high levels of education, and their husbands' high income brackets. ²⁷

24. Black Sash, Minute of Meeting with Dr P. Koornhof, Cape Town, 22/2/80

25. Compare Frochaska, Women and Philanthropy in Nineteenth Century England, (1980), p. 219 on nineteenth century women social reformers.

26. See for example, their contacts with political economists such as Ralph Horwitz, p.59 below. Horwitz was a firm believer in the market economy.

27. Compare with studies of liberal organisations in England and America which found a correlation between membership of voluntary projects and committees, and levels of education, income, and occupation. See, for example, J. Caditz, White Liberals In Transition, (1976) and M.J. Hill, et al., Community Action and Race Relations, (1971)

In a recent research paper, Anne Digby suggested that middle class Victorian women ventured into philanthropic enterprises as they were excluded by men from activities in the public domain.²⁸ In doing this, they were able to use their "female client skills", their ladylike clothes and language, to move a frontier which existed between the public and private spheres of male and female activity. I would argue that the women of the Advice Office operated on very much the same premise, using their femininity to negotiate with male officials in administrative and legal capacities on behalf of an ideologically marginalised constituency. It is also arguable that their femininity protected them and their clients, and prevented the state from outlawing the Black Sash, and particularly its Advice Offices, while it acted against other organisations which promoted relationships across the colour line.²⁹

AFRICANS IN CAPE TOWN - AN OVERVIEW

The client-base of the Athlone Advice Office was almost wholly drawn from members of the African population in Cape Town. The problems which this community experienced were, as we shall see later, numerous and often insuperable. Many of these adversities were not new to the era of Verwoerdian apartheid, their roots reaching back into the beginnings of social segregation in previous centuries, and in the entrenchment of racial stereotyping towards the end of the nineteenth century.

Research in recent decades has revealed that Africans have been living in the vicinity of Table Bay for several hundred years.³⁰ Towards the

28. Anne Digby, "Victorian Values and Women in Public and Private", (1992)

29. Contrast, for example, the banning of the Christian Institute in October 1977.

30. "There have been black Africans in Cape Town since the time of Jan van Riebeeck." These were brought as slaves from other parts of the continent. Bantu-speaking Africans from within the borders of the colonial state only arrived in Cape Town in the 1830's. They

end of the nineteenth century, Africans had become a marginalised group, living in distinct geographic areas, such as Papendorp, which were assumed by the white elite to "breed crime, disease, drunkenness, profanity and immorality".³¹ The spread of Social Darwinist ideology and the notion of the "Sanitation Syndrome" gave additional impetus to the belief that Africans should be removed to separate living areas. The outbreak of bubonic plague in Cape Town in 1901 sealed their fate. Africans were rounded up and taken to a government farm at Uitvlugt/Nbabeni, where the first African location in the history of the city was established.³² Under the administration of a resident Superintendent appointed by the Native Affairs Department of the Cape government, a high fence was erected around Nbabeni and it was guarded day and night. No liquor was allowed in the location, no strangers could remain for more than 24 hours and no women visitors could remain overnight. These regulations formed the embryo of the policies under which black townships in Cape Town were to be administered later in the century.³³

comprised a group of Mfengu, the first of many who were brought to the city during the nineteenth century in order to supplement the local supply of labour. Yet the African population in Cape Town remained small. The 1875 census enumerated "19 Fingos and 221 Kaffirs and Bechuanas". See C. Saunders, "The Creation of Ndabeni: Urban Segregation and African Resistance in Cape Town", Studies in the History of Cape Town, (Vol. 1, 1979), p. 132; V. Bickford-Smith, "Commerce, Class and Ethnicity in Cape Town 1875 - 1902", (Ph.D.thesis, Cambridge, 1988)

31. V. Bickford-Smith, op.cit., p.168. See too E. Bradlow, "Emancipation and Race Relations at the Cape", SAHJ, 15, 1983; M. Swanson, "The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape Colony", 1900-9, JAH, XVIII, 3, 1977. Compare the demolition of the squatter camps in Cape Town in the late 1970's, p.142 below.
32. See C. Saunders, op. cit., and V. Bickford-Smith, op. cit. See also the documentary film, "Ndabeni, the First Forced Removal", Department of History, UCT, 1987. Africans protested vigourously against the removal to Ndabeni. They disputed the legality of declaring Ndabeni a location, as the Native Location Act had no application in Cape Town. African leaders, helped by white lawyers of liberal persuasion, took their cases to court. The legal battles to prevent the forced removal of the Crossroads squatters in 1976, p. 142 ff. below, have a resonance with these early protests.
33. See p.77 below.

The African population in Cape Town grew from c. 9,500 in 1900 to 17,000 in 1930.³⁴ In the mid-1920's, the Cape Town municipality had built a new township at Langa to house 5000 "bachelors" and 700 families, but even at the time of building it was able to accommodate only five-eighths of the African population.³⁵ Swelled by an influx after the Second World War, numbers reached 38,000 in 1945.³⁶ The desperate housing shortage led to the establishment of shanty towns in several places, notably at Windermere and at Cook's Bush in Retreat.³⁷ These squatter camps were the harbingers of the large areas of informal settlement which arose in the 1970's and with which the history of the Athlone Advice Office was later to become enmeshed.³⁸

In 1946, the Divisional Council of the Cape established an emergency camp at Nyanga East, where it intended to house homeless Africans who were squatting on land owned by the Council in Elsie's River and other outlying areas. This marked the beginning of the split in the administration of Cape Town's proclaimed black townships between two local authorities, a split which was to have severe implications for their residents, as the AAO itself was later to find.³⁹ Cape Town's black townships were administered in this manner until September 1973, when the Peninsula Administration Board took over control from the local authorities.⁴⁰

34. Figures cited in C. Saunders, op. cit., pp.167-204.

35. C. Swart, "Windermere : from Peri-Urban Area to Suburb", Honours thesis, UCT, 1976, p.9. See pp.37-38 below.

36. C. Saunders, op. cit., 1945 census figure.

The process of black urbanisation was repeated all over S. Africa as Africans left the so-called Native Reserves in the rural areas and moved to the towns. The census figures revealed this clearly: 1921 - 587,000 Africans in urban areas ; 1946 - 1,719,312.

By 1945 only 40% of the black population lived in the Reserves.

See E. Walker, A History of Southern Africa, (1968), p.753 ;

C. Bundy, The Rise and Fall of the South African Peasantry, (1979).

37. For works on these early squatter areas , refer to Footnote 3, p. 136 below.

38. See Chapter 5 below.

39. See p.80 below.

40. See pp.126-27 below.

Housing for families removed from Windermere and Retreat was a problem. There was no accommodation in the Divisional Council's location at Nyanga, nor in the municipality's Langa township. The City Council was forced into establishing an emergency camp on land to the west of Nyanga, in an area later to be declared the location of Guguletu. Some 552 prefabricated hutments were erected there, which by December 1959 housed 5726 persons.⁴¹ Between 1960 and 1961, 834 brick houses were completed and handed over to the Council. In keeping with state policy to limit the number of Africans in the urban areas to single males, 172 "bungalows", each sleeping sixteen men, were also erected. By the end of 1961, the population of Guguletu had reached a total of 14,558 and a year later, after additional housing had been built, there were 21,655 people in the location. This increased to 27,978 by September 1963, to 48,828 by 1967, and to 73,480 by 1980.⁴²

LEGISLATION PERTAINING TO AFRICAN URBANISATION 1900 - 1952

The hardships caused by residential segregation and the inadequacy of all forms of housing for Africans whether in proclaimed townships or in squatter camps, were compounded by a system of controls over the movement and employment of Africans in an urban area. The controls had a double, but often contradictory, purpose - to secure a supply of labour, whilst ensuring that the minority class of privileged white citizens was not outnumbered by a mass of black working class proletarians.⁴³ The detailed history of the early years of pass and

41. "Development of Guguletu Bantu Township", Cape Town City Council Memorandum, in AAO Archives, n.d.: See also S.V. Makosana, "Aspects of the Historical Development of Guguletu, 1958-1987", (Honours thesis, UCT, 1988) ; C. Swart, op. cit. ; Cape Times, 15/12/62.

42. S.V. Makosana, op. cit., p.36

43. The 1921 census revealed that African urbanisation was increasing, which raised fears amongst whites that they would be swamped in the towns. A substantial number of Africans had migrated to the towns after the 1913 Natives Land Act had deprived them of their livelihoods in the rural areas. Refer to C. Bundy, The Rise and Fall of the South African Peasantry, (1988).

influx control has been recorded elsewhere.⁴⁴ A synopsis of the regulations enacted between 1923 and 1952 is given here, as an analysis of the AAO requires an understanding of the pass and influx control laws.

The basis of much of this legislation was the Report of Colonel Stallard's Transvaal Local Government Commission (1922) which assessed the impact of increasing black urbanisation and its effects on public health in the cities. In order to regulate the administration of African urban residential areas, the Native Urban Areas Act was passed in 1923. Described as "a portmanteau law covering a great many issues",⁴⁵ it firmly established the concept of segregated housing and administration of Africans by stipulating that Africans were to be accommodated in townships/locations controlled by local authorities. Africans in employment were issued with work permits by the local authority, which had the power to remove those deemed to be vagrants, idle or disorderly. The small number of Africans who were exempted from the provisions of the Act - chiefs and headmen, clergymen, certain teachers, court interpreters, owners of land and, in the Cape Province, registered voters - created an elite class of Africans in the urban areas.⁴⁶ Although the Act denied the permanence of Africans in the cities, viewed as "the white man's creation" by Stallard, Davenport argues that control over African influx was not emphasised at this stage.⁴⁷

44. See, for example: T.R.H. Davenport, The Beginnings of Urban Segregation in South Africa, (Grahamstown, 1971) and South Africa (1991) ; D. Hindson, Pass Controls and the Urban Proletariat, (Johannesburg, 1987) ; M. Legassick, " The Making of South African "Native Policy", 1902-1923: The Origins of "Segregation" ", (Sussex, 1972).

45. T.R.H. Davenport, South Africa, pp. 235-236, pp. 524-530

46. The family of the interpreter employed by the Athlone Advice Office in 1958, Mrs Lettie Malindi, p. 27 below, were members of this elite. They were land-owners in Athlone, until forced to move in the 1950's.

47. T.R.H. Davenport, South Africa, p. 532. Compare D. Hindson, op.cit., who lays emphasis on the influx control mechanism, pp.37-42

In 1930, however, the Urban Areas Act was amended to introduce restrictions on the influx of African women. Despite widespread protest, for the first time in the history of the pass laws, women were refused entry to the urban areas unless accommodation was available and unless their husbands or fathers had worked there for more than two years. This prevented them from entering the area in their own right - they could only enter as dependants. From 1930 onwards, the yoke of Urban Areas legislation was to fall heavily upon African women, with each subsequent change in legislation creating an even heavier burden.⁴⁸

Detailed regulations for the administration of influx control were introduced for the first time in 1937. Local authorities were obliged to submit regular estimates of labour requirements and to account for the number of Africans employed in the area. They were required to remove from their area of jurisdiction any "surplus" Africans, including those who had entered the town on fourteen day work-seekers' permits if employment had not been found.⁴⁹ The aim was to maintain a small, manageable number of African labourers in the towns, preferably those who had been born there, and to exclude all others. Influx control, linked in this way to the availability of work, became synonymous with the supply and control of labour in the urban areas.

After the Second World War, the massive increase in African migration to the cities once more raised the alarm of the white public. The Smuts government, realizing that the situation demanded new solutions, appointed the Fagan Commission to investigate all aspects of the urban question. However, before Smuts could act on the Commission's

48. In 1937, the Hertzog government decreed that they had to obtain certificates in their rural places of origin **before** leaving for the urban areas. Verwoerd's major 1952 revisions extended pass laws and influx control to **all** African women in South Africa.

49. For usage of this terminology by government planners in the 1960's, see p.115 below.

recommendations, his government was ousted by the Nationalists in the shock election result of 1948. ⁵⁰

The Nationalists, led by Dr D.F.Malan, had gone to the polls on an "apartheid" platform, the contemporary policy of which had been worked out in the 1940's. The Report of the Sauer Committee, appointed by the National Party while still in opposition, contained proposals for the future of the African population. In keeping with the notion that the urban areas should be cleared of a permanent black population, the Report proposed a complete ban on the entry of Africans to the cities, except as contract workers. It also accepted the notion that Africans should be removed to the Reserves and governed there under a separate political system. In 1950, the replacement of the Minister of Native Affairs, Dr E.G. Jansen, whose views were conciliatory and paternalistic, by the hard-line ideologue, Dr Hendrik Verwoerd, signalled the beginning of major changes.

The attack came on several fronts. In 1952, the Urban Areas Act was thoroughly overhauled, the revisions forming the basis of influx control regulations for the next thirty-four years. The most far-reaching amendment was that to Section 10 of the Act. ⁵¹ As the Athlone Advice Office was later to find, the provisions of Section 10 affected the life of every African in South Africa - male or female, young or old, whether single, married, deserted, divorced or widowed, employed or unemployed, whether born in an urban area, rural district, designated Reserve or even outside the borders of the country. Failure

50. The Fagan Report accepted in principle the existence of an urban black population. Davenport argues that, given a chance, its positive qualities might have changed the direction of South African race policy. South Africa, p. 312

51. See Appendix Two, Section B, for the clauses of Section 10, which removed the existing rights of Africans to be in the urban areas. Exemptions applied only to those who **qualified** in terms of Section (10)(1)(a) ie. birth ; or (10)(1)(b) ie. 10/15 years' continuous residence/employment ; (10)(1)(c) ie. dependant of qualified person ; (10)(1)(d) ie. annual contract worker.

to meet the requirements of Section 10 led to a flat refusal to Africans who applied to enter the urban areas, and to the removal of those whose existing presence no longer satisfied the officials who administered the system.

The grand plan of influx control could not succeed without a complex system of administration. In the past the lack of uniform identity documents had hampered effective control over the movement of Africans. To overcome this obstacle, Verwoerd introduced the misleadingly termed Natives (Abolition of Passes and Co-ordination of Documents) Act. While it abolished all existing passes carried by blacks throughout the Union, it replaced them with a uniform pass book to be known as a reference book, colloquially referred to as a "dompas", to be issued to all Africans over the age of sixteen. A reference book served several purposes - it was an identity document containing a photograph of the holder, (for which he/she paid 3/6d), it was a record of employment and of poll tax. Above all, it was a permit stamped by influx control officials. ⁵² The most valued stamp of all was a Section 10 exemption - the most dreaded, an endorsement to leave the area. ⁵³ Pass raids in which Africans were expected to produce their books on demand were frequent. Failure to comply met with summary arrest, as did any infringement of the influx control regulations. ⁵⁴

The extension of the pass laws and influx control system between 1952-1960 met with tremendous resistance from Africans, the anti-pass

52. See p.29 below.

53. Section 10 of the Urban Areas Act was printed at the back of the book.

54. Figures quoted in Sash, vol.4.4, Aug. 1960, pp.14-16 for the cost of these books, (in pounds sterling) : 380,000 to print the first issue, 1952 ; 33,500 for plastic wallets ; 40,000 for photographic equipment ; 328,935 for the maintenance of the Central Reference Bureau in one year, 1959. In 1979, twenty-seven years later, it was estimated that 10,000,000 reference books had been issued at a cost of R10.00 each, that it cost R24 million per annum to update the books, and that R112 million was spent per annum to administer the pass system. Imperialism, Black South Africa, p.6 (1978)

campaigns forming a chapter of their own in the history of South Africa.⁵⁵ African women, who had previously been exempted from carrying passes organised their own protests through the Women's League of the African National Congress (ANC) and the Federation of South African Women. (FSAW) A highlight of their campaign, was the protest march of 20,000 women to the Union Buildings on 9 August 1956 in which they demanded the abolition of passes for African women.⁵⁶

The women had good reason to protest. They had experienced the effects of the pass laws on their menfolk, and well understood the suffering and indignity caused by this system : " the pick-up vans prowling through the streets, the shouting, the abuse, the rough handling, the handcuffing, ... cells with cold concrete floors, lice-ridden blankets, ... the crowded courts, rows of prisoners in the basement cells... " ⁵⁷

It is one of the many ironies of history that at the very time of the black women's protests against the entrenchment of the pass and influx control system for Africans, thousands of white women had joined the Defence of the Constitution League to protest against the Nationalist government. The irony is compounded by the fact that the concerns of the white women were about the erosion of civil rights, and about the growing abuse of state power. However, there was very little common ground between the protesting groups of black and white women in the mid-1950's. Neither the white women nor the black women of the ANC/FSAW

55. See A. Luthuli, Let My People Go, (1963) ; L. Kuper, Passive Resistance in South Africa, (1957) ; G. Gerhardt, Black Power in South Africa, (1978) ; C. Walker, Women and Resistance in Southern Africa, (1982) ; T. Lodge, Black Politics in South Africa, (1983).

56. The march is a commemorated event in the history of the campaign for the rights of black women in South Africa, the song of the women on that day, " Wathint' Abafazi, Wathint' Imbokotho " (You have struck the women, you have struck a rock !), remains a slogan of their ongoing struggle.

57. 232,420 men had been **convicted** for pass offences in 1951 alone. Federation of South African Women, " Women in Chains ", booklet, Johannesburg, 1956. See also Appendix Six.

alliance were attracted towards each other's organisations. ⁵⁸

No-one envisaged in 1956 that within a year, members of these groups would be working together in Cape Town in the early phases of a liaison which developed into the proto-type of the first Black Sash Advice Office in 1958. The events which led to this unique bond between white and black women in South Africa are examined in the first chapter which covers the years from 1957 to 1961.

58. But see T. Lodge, *op. cit.*, p. 143, and C. Walker, *op. cit.*, pp. 142-43 for references to the inspiration which the black women had gained from the Sash march/vigils in Pretoria 1955-6, and how they had hoped that the Sash women would join them.

CHAPTER ONE :

WOMEN AND THE PASS LAWS : THE BLACK SASH BAIL FUND, 1958 TO 1961

The Women's League/Black Sash founded in Johannesburg in May 1955 initially attracted a substantial following in Cape Town and its environs. The Cape Western Region (CWR) of the Sash became a formally constituted body led by a Regional Executive that was elected by members of the sixteen branches in the area. From the start, the CWR had a strong and capable leadership which shared much of the upper middle class base as the national leaders in Johannesburg, but which differed from them in aspects which were to give the region a distinct character and which, in turn, enabled it to develop local responses to national issues. The contrast in the Cape leadership had much to do with affiliation to political parties. United Party influence was marked amongst the Transvaal leaders, the National President herself believing that the principles of the U.P. were "very fine. They could not be better."¹ In Cape Town, where there were undoubtedly many U.P. supporters amongst the Sash membership, a significant number of the regional leaders were members of the Liberal Party, while Mrs Margaret Roberts, a particularly gifted speaker, was a member of the socialist Labour Party.² Membership of these racially-mixed political parties had offered such women contact across the colour line and they were able to transfer the insights they had gained into local Sash structures and activities.³

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1. Mrs Ruth Foley, Black Sash National President, Minutes of National Council meeting, 22/5/57
 2. Mrs Moira Henderson, Mrs Desiree Burman, Mrs Eulalie Stott, Mrs Barbara Willis, early Sash leaders in Cape Town, were members of the Liberal Party. Mrs Stott was a founder member of the Party (1953) and its first Honorary Secretary in the Cape.
 3. For example, on 13/9/1956, the CWR Sash had held a public meeting in the Drill Hall against Group Areas. (The issue of Group Areas, to which a great deal of Sash energy was devoted in the 1960's and 1970's lies outside the scope of this thesis.)

By the time that the highly contentious Native Laws Amendment Bill was introduced before parliament in the 1957 session, Sash contact with anti-apartheid groups in Cape Town was such that the organisation was invited to participate in mass popular demonstrations against the Bill.

4 A clause in the Bill that particularly incensed the CWR Sash was that which empowered the state to ban multi-racial meetings. This threat had been debated by the CWR leaders, who had taken a decision to ignore it "as it would be affecting our work and we (are) morally bound to act in this way, otherwise we (will) never be trusted again." 5

CWR involvement in the demonstrations over the Native Laws Bill coincided with a request from the local leadership of the Federation of South African Women (FSAW) for support in circulating a petition calling for the abolition of passes for African women. 6 Elsewhere in the country, relations between the Sash and FSAW had been strained by a suspicion amongst Sash members that the Federation was influenced by communists. 7 In Cape Town, however, links had been maintained largely due to the personalities of the local leaders of both organisations and to the more progressive outlook which the CWR Sash had adopted. Help with the petition was granted, albeit that many Sash members gave the forms to their servants to get them signed in the townships, rather

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4. The Bill contained the infamous "church clause" which prevented Africans from attending churches outside the townships in an urban area. For church reaction to the Bill, see A. Paton, Apartheid and the Archbishop: the Life and Times of Geoffrey Clayton, (1973). On 18/5/57, Mrs Molly Petersen, CWR Sash Chair, led a procession with church and civil rights leaders through the centre of Cape Town in protest against the Bill. The Sash had co-hosted a conference on the Bill on 4/5/57. Regional Council Minutes, April/May 1957
 5. Ibid., 19/8/57. The CWR stand caused a furore at the national Sash level and led to a number of resignations. See J. MacRobert, "The Emergence of the Black Sash Advice Office in Cape Town: a Regional Study of the Black Sash, 1956 - 1963", (Honours thesis, UCT, 1988,) pp.41-44
 6. Regional Council Minutes, 20/5/1957
 7. For an account of the early relationship between the FSAW and the Black Sash, see C. Walker, Women and Resistance in South Africa, (1982), p.174

than canvass signatures from the white constituency themselves.⁸ Then in July 1957, the CWR Sash was asked by FSAW and ANC Women's League members to join them in a commemoration of the Women's March of August 1956, and to send representatives to an umbrella group which was to lead the anti-pass law campaign in Cape Town. After some debate within the Sash, it was agreed that two Regional leaders, Mrs Eulalie Stott and Mrs Barbara Willis, would serve on the committee of the new body, known best by its acronym, CATAPAW.⁹ The short and long-term effects of Sash participation in the CATAPAW campaigns were momentous. Even Eulalie Stott, who had been nick-named "the blackest of the Black Sash" because of her outspoken views and political affiliations, found the meetings with high-ranking African leaders "a window on another world. Here, for the first time, we met Africans as equals."¹⁰ In this way, a handful of Sash members in Cape Town were drawn into a working alliance with black women on the issue of the pass laws.

These moves were met with mixed feelings by the majority of Sash members. Mrs Stott recalls that "the mainstream of the Sash in Cape Town supported us ...they felt that it was **morally** the right thing to do, but they didn't want to get involved."¹¹ The reaction from the rest of the Sash was less favourable. CATAPAW received no mention in the national magazine, at that time published monthly, until June 1959, by which date the editorship had transferred to Cape Town. Evidence suggests that apart from general apathy and despondency about the 1958 election results, the direction in which the CWR Sash was moving had

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8. Regional Council Minutes, 10/6/57 - "Mrs Petersen said her Native (deleted) African girl had taken petition forms to Langa."
 9. Cape Association to Abolish Passes for African Women. Other organisations represented, apart from those named above, were the National Council of Women and the Anglican Church Mothers' Union. The Sash served on CATAPAW until it was disbanded in 1961.
 10. Both quotations from Eulalie Stott, interview, Cape Town, 30/8/87
 11. Ibid.

swelled the number of resignations from the organisation.¹² On the other hand, the new departure fired the CWR leadership with a great deal of energy and enthusiasm which enabled it to take over the national leadership of the Sash in 1958.¹³ The time was right for a bold initiative and a new identity. This presented itself in the form of the growing crisis of the pass laws and influx control in Cape Town.

The pass laws and influx control had been enforced more stringently in the Western Cape than anywhere else in South Africa from the mid-1950's. Verwoerd had made it clear as early as 1953 that this was the state's intention.¹⁴ In 1955, his Secretary for Native Affairs had announced the implementation of the the so-called Eiselen Line policy, in terms of which the Western Cape was declared a Coloured Labour Preference Area where jobs for persons classified "Coloured" would be protected by excluding Africans from the local labour supply.¹⁵

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12. See reports tabled at the National Conference in Cape Town, October 1958. For eg., "There is a feeling of too great a liberal slant in the direction of the Sash." (Natal Coastal Regional Report) See also the letter of resignation from the Chair of the Cape Midlands Region, 8/6/57 : " I cannot agree that the measures ... initiated by the CWR are in the best interest of the Movement...It is tragic that the Movement has departed from its original great simplicity (and) quiet protest at injustice."
13. The move of Headquarters to Cape Town was seen by the newly elected national leaders as crucial to the survival of the organisation. "There is no doubt that if the Transvaal had retained control, the Sash would have ceased to exist." Mrs E.Stott, interview, 30/8/87
14. Survey of Race Relations, SAIRR, Johannesburg, 1953-4, pp.40-41
15. Speech to the South African Bureau of Race Relations (SABRA), 14/1/1955. Dr Werner Eiselen had been a member of a "think-tank" at Stellenbosch University in the 1940's, (members included Colonel Stallard and at least three future Nationalist cabinet ministers), that had conducted research into racial problems and had formulated a special policy for the Coloured population in the Western Cape. In terms of the "Eiselen Line Policy", the Western Cape was to be regarded as the "natural home of the coloured people who had the right to be protected against the competition of the natives." Accordingly, the state planned the ultimate removal of all Africans from the Western Cape, south of the Orange River and west of a line drawn through the districts of Gordonia and Uniondale. No further Africans would be granted permanent residence in the area and only a limited number of single male migrants would be given temporary labour contracts in the area.

The clampdown on Africans in Cape Town became visible in several forms after 1955. Large numbers of African squatters were uprooted from camps at Windermere and Retreat and sorted into those who qualified to be in the area in terms of the amended Urban Areas Act and those who did not. Men who qualified were accommodated in single-sex hostels which had recently been built in the proclaimed townships.¹⁶ Women and children who did not qualify were endorsed out of the urban area. In March 1957, Dr Verwoerd announced that 1,490 families and 2,881 women had recently been given orders to leave the Western Cape.¹⁷ As it was not yet compulsory for women to carry reference books, a permit system was introduced in Cape Town to regulate the influx of women. Permits were issued to all women over the age of sixteen by the local authorities charged with administering influx control. These authorities reported in September 1957 that 14,955 women had been permitted to reside with their husbands in the Peninsula and a further 10,299 to remain on the basis of their employment. Only 959 women had been granted Section 10(1)(a) "birth" status.¹⁸ The African population in Cape Town recognized the threat to its permanency in the city, the CATAPAW campaign being but one expression of its resistance.

In 1958 when the pace of arrests particularly of women charged with illegal presence in the city, began to quicken, the alliance which had been struck between African women and the Black Sash in Cape Town was brought to the test. On the night of 20 March 1958, twenty African women, some with babies, were arrested in the squatter camp at Elsie

16. Local authorities, charged with the housing of the city's African population in terms of the Urban Areas Act, had been denied state funds to build sorely needed family homes and were informed that all future building was to be in the form of hostels for male migrants, a policy which was to have disastrous implications for families in later decades. The male population of Langa increased from 7,168 in February 1953 to 19,710 in December 1959. See p.77 below ; also C. Swart, op. cit., pp.61-68 ; S. Makosana, op. cit..

17. Survey of Race Relations, 1956-57, p. 116

18. Ibid., quoting the Manager of Native Administration in CT, p.71

River and charged with failing to produce permits to be in the area. The following day, when they appeared in the Langa Bantu Commissioner's Court,¹⁹ relatives who had come to their aid were arrested for being in the proclaimed township of Langa without visiting permits. As a result of this incident, Mrs Amy Rietstein, then Secretary of the Congress of Democrats in Cape Town, telephoned Mrs Stott to ask whether the Sash could help with bail money for the forty-six women, and milk and food for the babies.²⁰ As these arrests had occurred over a weekend, Stott took the requested goods to the police cells on her own, but she attended the Sash Regional Council meeting on Monday 24 March 1958 armed with a proposal which called for the Sash to establish a fund which could be used to bail out African women who had been arrested for pass offences.²¹ Moira Henderson, who was a member of the Council at the time, remembered that Stott's account of breast-feeding mothers being separated from their babies when arrested "kicked the whole thing off. That's where we began to get involved."²² It is my contention that the bond of motherhood, which, at that stage, was one of the only tangible links between the Sash women and the squatter women of Elsies River, explains the decision of the Sash Council to give Stott the go-ahead. She asked that members and supporters be approached to loan or donate money which would be kept in an account administered by the Black Sash. She recalls that it was "a terrible battle to raise the

19. See p.24 below.

20. The Congress of Democrats had been formed in 1953 as a left-wing political organisation closely linked to the ANC. Its members were predominantly white and included many communists and trade unionists. For these reasons, it was regarded with suspicion by the Black Sash who would have nothing to do with it. The relationship between Rietstein and Stott had begun when the two of them had travelled with Brian Bunting and Ronald Segal to a conference in Johannesburg. Although Rietstein regarded Stott as "politically ignorant", she was impressed by her "gut reaction to injustice" and saw her as the person most likely to pull in Sash support for the anti-pass campaign. Amy Rietstein/Thornton, interview, Cape Town, 17/12/87

21. Regional Council Minutes, 24/3/58

22. Moira Henderson, interview, 17/8/87

money. I had to do all the work. there was always a vague unhappiness in the Sash about becoming too embroiled in the problems of Africans." ²³ Money for the Bail Fund, as well as requests for bail, came in very slowly. In December 1958, there had only been four approaches from African women. The Sash member who administered the Fund reported that "Africans were slow to avail themselves of it, for inasmuch as the money was raised by white people, help from such a source is suspect. In fact, some women have pledged themselves not to take out bail but are too polite to reveal this to the Sash." ²⁴

While the Bail Fund itself proved to be a slightly misguided venture, the continuing arrests of numbers of African women had led a small group of Sash women ²⁵ to take up visiting the Commissioner's Courts in Langa to witness the proceedings in which hundreds of Africans were convicted every week of pass law offences. ²⁶ The experience of the courts deeply offended the Sash observers, accustomed as they were to notions that legal systems served to protect the citizens of a state from harassment and injustice. Instead, they witnessed in the crude proceedings at Langa, legally defenceless Africans, treated in a most discourteous manner, at the mercy of a system which dispensed more injustice than it did justice. The eyes of the Sash observers having been opened thus, they were propelled into further action. ²⁷

23. Mrs E. Stott, interview, Cape Town, 30/8/87

24. Minutes of the Claremont Branch of the Black Sash, 10/12/58

25. Mrs Neil Marquard, (wife of Leo Marquard, both leading members of the Liberal Party), Mrs Pam Duncan, (sister-in-law of Patrick Duncan, leading Liberal activist), Mrs Desiree Berman, (Liberal Party member, editor of Sash), Mrs Mary Birt, (wife of Canon Birt, ex-principal of Diocesan College School), Mrs Mary Stoy.

26. There were c.8000 cases at the Langa court in 1958. Black Sash, "Memorandum on the Bail Fund", typescript, c. December 1958

27. Amy Rietstein believes that the experience of the Langa Courts in 1958 changed the role of the Sash in Cape Town forever. Interview, 7/12/87

A pressing issue for the Sash monitors at the Langa Courts was to ensure that some form of legal defence be arranged, at the very least for the handful of African women who approached them for help. Sash women who were Liberal Party members had met several of Cape Town's leading legal practitioners, (also Liberal Party supporters), and through these connections, asked lawyers to appear on behalf of women accused of pass/permit offences.²⁸ Thus began a long tradition of association between the Sash and the legal profession, which was to become one of the hallmarks of the Advice Office in later years. In September 1958, Mrs Francina Mamfanya, who had been refused permission to remain with her husband in the Peninsula, became the first person to be represented by a Sash lawyer, the success of her case in the Langa Court giving the Sash a tremendous boost in the eyes of the African community.²⁹

Very gradually throughout 1958, a relationship of trust developed between the Sash court monitors and African women who came into contact with them. These contacts were cemented at another level during CATAPAW meetings, when local Sash leaders met the leaders of the African women's campaign - Mrs Boniswa Lettie Malindi, Mrs Nellie Jibiliza, Mrs Annie Silinga and Mrs Elizabeth Mafekeng. The Sash women, who were beginning to be known in the townships reported that they were receiving telephone calls, sometimes late at night, from African women who needed help with pass problems.³⁰ Calls were also received at the office of the CWR in Newlands, while a steady stream of African women beat their way to the home of Mrs Eulalie Stott to ask her advice about

28. Notably Advocate Donald Molteno, see p.26 below, but also Montague Cohen.

29. The lawyer was Mr Montague Cohen. According to Mrs Noel Robb, there was pressure on lawyers to refuse this kind of work. She recalls that one of the attorneys, (Peter Hartford), who took a case in the early years was told by his partners that "he would not get on in law if he took African cases." Interview, Cape Town, 24/2/93

30. Black Sash, "Memorandum on the Bail Fund", 1958

their pass/permit problems. ³¹ At this time, one of the city's leading lawyers, Advocate Donald Molteno, suggested that if the Sash women were really determined to do something about the iniquities of the pass laws, they should acquaint themselves with the laws themselves and prepare to open a bureau where African women could receive free advice about their problems. ³²

In April 1959, the Regional Executive of the Sash in Cape Town, under the leadership of Mrs Margaret Roberts, ³³ took a decision to open an office along the lines that Molteno had suggested. The plan was to run it jointly with women from CATAPAW, the Sash responsibility being to find premises, furnish them, pay the rent and contribute towards the cost of an interpreter. ³⁴ At first, the office was designed to help African women only, men being referred to the Institute of Race Relations in the city centre, where this service had been in operation for some years. Ideally the new office should have been situated in Langa, near the pass courts, but whites were not able to enter African townships without permits, so premises were found as close to Langa as possible, at Tigne Place, a small commercial block on Klipfontein Road, Athlone. The name of the organisation, the Bail Fund Office (BFO) was painted in the windows which faced the main bus route to the African townships. Uncarpeted and very cold in winter, poorly ventilated in summer, furnished with hard wooden benches and small working tables,

31. Mrs E. Stott, interview, 30/8/87

32. Donald Molteno had run such a service on a limited basis from his rooms, but was unable to help the increased numbers of Africans who came to him when the laws were tightened up.

33. Mrs Roberts had a record of service to many causes and was an integral part of the Sash in Cape Town for over twenty years, being *inter alia* a major financial donor to the Sash and the AAO. Her history of service was transferred generationally to her three daughters who became liberal activists along with their marriage partners, (Margaret and Colin Legum ; Mary and George Ellis, Bosky and Paul Andrew .) See Sash, vol. 1.12, Dec. 1956 and "Peggy Roberts, 1907-1992", typescript, personal memoir prepared by her family, 1992. See also Appendix One.

34. The financial arrangements hint at the class distinctions between the black and white women.

the premises were a far cry from the comforts to which the Sash women were accustomed. Volunteers were recruited for duty at the BFO which was open three mornings a week from April 1959. Through the auspices of CATAPAW, six African women came forward, but the arrangement did not last and it was left to the Sash to find helpers. Although the majority of Sash members failed to respond, not even paying a visit to Athlone, among those who did volunteer were several whose names were still on the duty rosters many years later. ³⁵

Mrs Lettie Malindi, a member of the Athlone branch of the ANC Women's League, was employed as the interpreter at a salary of five pounds a month. She had a long history of involvement in the protest movement, her father having been one of the 1956 Treason Trialists and her husband, Mr Zollie Malindi, being an ANC activist in Cape Town. ³⁶ Her role at the BFO was a tricky one. She knew far more about the laws and regulations pertaining to Africans in the urban areas than did the white women and, literally and metaphorically, she knew her way around the townships. The Sash women learnt practically everything they knew from Mrs Malindi and were deeply indebted to her. Yet the records suggest that they found it very difficult to accept her as an equal. She did not interview Africans herself and was never invited to discussions about strategy and policy. Nor was she allowed to make contact with the officials on behalf of an applicant, although it must be argued that this would have placed the whole operation in jeopardy, given that in the climate of the late 1950's such an approach would have been considered outrageous by the white appointees of the apartheid state. She herself came under criticism in her own community

35. In particular, Mrs Noel Robb ; Mrs Moira Henderson ; Mrs Mary Birt ; Mrs Pam Duncan ; Mrs Roma Gottlieb ; Miss Nora Henshilwood ; Mrs Mary Stoy ; Miss Peggy Grant ; Mrs Trewartha.

36. This paragraph is based primarily on an interview with Mrs L.Malindi, Cape Town, March 1987

for working under these conditions, but she believed that "things would get better, as they did, and I also knew how important it was to carry on with the work. This was especially true after the ANC was banned in 1960. By that time, my presence at the BFO had brought it a lot of respect." ³⁷

The first written report of the Bail Fund Office was prepared by Mary Stoy in October 1959 after the office had been operating for six months. The document commented on the many difficulties of African women in the Peninsula. "Many have been endorsed out, often they have lost touch with their former homes. In one case a woman was sent to the Transkei (but) returned saying that her family had disappeared. Women who enter illegally to seek medical treatment ... must prove that it does not exist in the Transkei or centres nearer than Cape Town. ...20 women and 1 man have been bailed out after arrest. The man was arrested with his 16-year old daughter. ... Even women who are officially exempt from carrying a permit are being arrested." ³⁸

In May 1959, Chief Albert Luthuli, the President of the ANC, paid a brief visit to Cape Town where he was the speaker at a number of large meetings in the city. Included in his hectic schedule was a private meeting with Black Sash members, which was held at the home of Mrs Noel Robb. Luthuli's account of the evening recalled that he used the opportunity to deal with the issue of white fears - whether in response to questions, or as part of a plan to call upon Sash members to take his message to their own constituency, he did not say. ³⁹ It seems that the meeting had a profound effect on some Sash members. The day after

37. Ibid.

38. M. Stoy, "Report on the Bail Fund April-October 1959", written for the Sash National Conference in November 1959. Mrs Malindi, an exempted woman, was arrested twice in 1959.

39. A. Luthuli, Let My People Go, (1962), pp. 213-4

the meeting, they formed a picket protest outside parliament, in pouring rain, to protest against the University College of Fort Hare Transfer Bill which was being debated in the House. Luthuli greeted them there and commented that he was impressed to see "whites at last demonstrating unmistakably against a corrupt law which does not affect them directly. If only it had started years ago!" ⁴⁰ For Mrs Noel Robb who had hosted the Sash evening meeting with Luthuli, this was to be the first of her many public demonstrations against state legislation. She recalled that she had previously refused "to stand in the road like a sandwich man", but Luthuli had inspired her. "It took more courage than anything I'd ever done before, as here we were, standing in front of our social friends." ⁴¹

One of the first protests of African women in Cape Town against reference books occurred in November 1959 when the state began to issue books to women in the Peninsula. The procedure took place outside the Rondebosch Town Hall where officials photographed and finger-printed the women in public, before handing them the document for which they had to pay 3s/6d. Sash members, who monitored the proceedings, were shocked to witness the photographer tell women to remove their head-dresses and to see him prod them with a stick between their breasts to get them into the correct position. Reacting to these indignities, and to the way in which the pass laws were fragmenting African families, Sash members stood outside the hall for three days holding placards which read: "We deplore the break-up of African family life". ⁴² Their response was determined more by identification with other women and with the notion of the family, than by political considerations. For many African women though, resistance to the pass books was charged

40. Ibid., p.214. The Bill placed Fort Hare under direct state control.

41. N. Robb, interview, Sash, vol. 30.4, March 1988, p. 43. In this interview, she recalls how a white woman came to her outside parliament and said: "Who is that kaffir? You're standing in the rain for blacks, they'll never do that for you."

42. Sash, vol. 4.1., December 1959, p.9

with political tensions, as was clearly demonstrated by their own protests outside the hall. Bearing strongly-worded placards - "Passes Mean Slavery" ; "No Passes, No Trouble" - they lined up in front of the photographer and refused to pay for the photographs. The police arrived and the women were arrested. The contrast between the protests was not lost on a Sash observer, whose comments on the events were a revealing insight into aspects of Sash consciousness at this time: "Eventually the women were arrested. They resisted the police and caused a general scuffle. They would have been better advised to go quietly, but one could not help admiring their courage in protesting against a harsh and unjust law, and in being willing to go to gaol for their beliefs....Our stand aroused much public sympathy. Many people congratulated the Sash on what they were doing." ⁴³

Towards the end of 1959, the BFO experienced an upward turn in the number of cases and reported in January 1960 that there was "tremendous pressure of work." ⁴⁴ The records for this period are not nearly as complete as for later years, when a paid organiser was appointed to run the office, but extant documents refer to 171 case files opened during the eight months April to November 1959, 75 of which were November cases, the large increase towards the end of the year best explained by the pass book crisis. From mid-January 1960 to March 1960, 114 new cases were interviewed, the tempo picking up as the pass issue came to a head. It must also be remembered that these interviews were with women only, and that files were only opened for those whom the BFO considered to have some hope of winning their case. There is no record of women who may have been turned away. Nevertheless, the numbers remained low, particularly when compared to future years. ⁴⁵

43. Pam Duncan, *ibid.*

So strong were the feelings against the pass books, that the ANC asked the Bail Fund Office not to help women who had accepted the books. Regional Council Minutes, 3/12/59

44. Regional Council Minutes, 21/1/60

45. Refer to Appendix Four.

There are several explanations which can be offered for the initial reluctance of African women to approach the Bail Fund - suspicion that the white women were mere liberal "do-gooders"; a principled stand against anything to do with bail; the confusion which the ANC seemed to have in its own ranks about the BFO, especially over the reference book question; lack of knowledge about the existence of the BFO as it did not advertise. The reverse side of the picture was the reluctance of white women to get involved in the Bail Fund Office. As indicated above, it had been a minority element in the Sash which had supported the venture in the first place. By 1960, enthusiasm for the Sash as a whole, locally and nationally, continued to wane, the organisation having lost another 800 members from 1959 to 1960. ⁴⁶

The BFO suffered as a result of the growing apathy in the Sash. In April 1960, only 12 women out of a regional membership of 1,297 were on its roster of volunteers. ⁴⁷ It was a struggle to pay the monthly rental of thirteen pounds for the Athlone premises. ⁴⁸ It was also clear that in general, Sash energy was not focussed on the problems of the African population. The records of meetings, and Sash publications for the time, reveal that legislation pertaining to the universities, to the schools, (Christian National Education), to the removal of Coloured persons from white Group Areas, and above all, to the severing of links with the Commonwealth, were issues that absorbed the greater attentions of the membership. The Bail Fund Office was very low on the list of priorities. Likewise, the BFO had not yet received the favourable attention which the English-language press bestowed on other Sash activities. ⁴⁹ Although there had been coverage of the public

46. Refer to Appendix Three.

47. Newsletter of the CWR to Sash members, April 1960, p. 3

48. Regional Council Minutes, 21/1/60

49. See, for eg., the editorial in The Cape Argus, "Why the Sash Must Continue", 26/10/59. Letters which the Sash Regional Council wrote to the editors of The Cape Times and the Cape Argus, 11/5/59 sent "our warm appreciation for your willing co-operation at all times." The local Afrikaans language newspaper, Die Burger, was hostile.

meetings arranged by the Sash and the ANC Women's League on the pass issue, the opening of the Bail Fund Office had not been reported in April 1959.⁵⁰ Nor had the white public, employers, or overseas visitors shown any interest in the BFO, as they were to do in later years.

It is a matter of conjecture as to what the future of the Bail Fund Office and its outreach into the African community might have been if the cataclysm sparked by the shootings at Sharpeville in March 1960 had not occurred. Some evidence suggests that the venture may have proved unsustainable and that the little band of volunteers might have given up in the face of mounting odds. On the other hand, there is cause to believe that by 1960, the BFO had established sufficient credentials to enable it to carry on with its work. The president of the ANC Women's League, Mrs Annie Silinga, had come out in public praise of the "white women who understand the hardships caused by the passes and who join in the struggle against them",⁵¹ and the support which members of the Sash had shown Mrs Elizabeth Mafekeng, an ANC leader who was banished from her home in Paarl, had won them recognition amongst many Africans in the Paarl district.⁵² Furthermore, the brief exposure to the the problems of Africans in the urban area had given the Sash volunteers sufficient armour, in the form of documented individual histories, to be able to challenge the disinformation and propaganda put out by state officials.⁵³ As early as October 1959, Mrs Noel Robb,

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50. Refer to the scrapbooks of press clippings in the Black Sash Archives.
51. Report of CATAPAW public meeting, City Hall, 15/11/59 in New Age, November 1959
52. See Sash, vol. 4.1., Dec.1959, pp.8-9. The Black Sash became well-known in Paarl from this time on, see Black Sash Archives-Paarl.
53. I believe that one of the enduring strengths of the Sash was the weight of evidence it could bring to bear on almost any controversial topic. The emphasis on careful documentation earned the organisation a reputation for the accurate reportage and portrayal of events, and led to many requests from politicians, business leaders, researchers, the press, and national and overseas organisations for information. It also helped to give the Sash a leading edge over its many opponents.

the Vice-Chair of the Sash in Cape Town, cited evidence from BFO case files to refute claims by the District Commandant of Police in Athlone that no African women had been arrested in his district for not having documents. In a letter to the press she stated: "Last Friday night in the Athlone area alone, between midnight and 1 a.m., three women were arrested for not having the necessary documents. ... Even women who had documents on them that night were nevertheless required to appear in court on Friday for infringing one of the many restrictions which control their movements. Cases Nos. 9115 to 9120 refer." ⁵⁴

Whatever doubts members of the Black Sash or the ANC, or indeed anyone at all, might have had about the future of the Bail Fund Office were lost in the wave of events which swept through South Africa in March 1960 when the anti-pass campaign which had been gathering momentum throughout the country, led to the tragic shootings at Sharpeville and Langa, and the crushing defeat of the African protest movement during the State of Emergency declared on 30 March 1960. ⁵⁵

Whilst the crisis of March 1960 impacted on members of the Black Sash throughout the country, the particular turn of events in Cape Town, in conjunction with the three previous years of exposure to the anti-pass law campaign, created a unique, albeit challenging, opportunity for the local Sash.

Tom Lodge has argued that the events of March 1960 came closest to representing a crisis for the South African state in Cape Town. ⁵⁶ He asserts that a political relationship which had developed between the Pan African Congress (PAC) and the Cape division of the Liberal

54. The Cape Argus, 31/10/59. See also 26/10/59 and 27/10/59.

55. The history of this time has been extensively written about from many perspectives. See, for example: Albert Luthuli, Let My People Go, (1963); P. Kgosana, Lest We Forget, (1988); M. Horrell, Days of Crisis in South Africa, (1960); T. Lodge, Black Politics, (1983), pp. 201-226; G. Gerhart, Black Power, (1978) pp.212-246.

Party, led by Patrick Duncan, Randolph Vigne and Peter Hjul, was partly behind these developments.⁵⁷ Previous years of harassment which included the demolition of squatter settlements, forced removals of "qualified" persons to the proclaimed townships and the eviction of "unqualified" Africans from the city, had led to bitter resentment amongst the African population of Cape Town. Furthermore, in Langa, the vast majority of the population consisted of male migrants and it was amongst this group that the PAC had been able to establish a following.

56

Between Monday 21 March and Monday 11 April 1960, the PAC, with massive support from the residents of Langa and Nyanga, mounted a series of demonstrations which included two mass gatherings in the city centre and a strike which, at its peak, involved 95% of the local African labour force.⁵⁸ Drastic measures were taken by the state to quell the protests - arrests, beatings, the use of the military to cordon off the townships, the declaration of a state of emergency, the banning of the ANC and the PAC and the detention of their leaders.⁵⁹

In Cape Town, the Black Sash was drawn into the protests at two levels. Sash women who were also members of the Liberal Party had met PAC people via the Party and were sympathetic to their cause. Both Robert Sobukwe, PAC president, and local leader, Philip Kgosana, were known to Mrs Stott, who was, at that time, on the Sash National Executive.⁶¹

56. T. Lodge, Black Politics, p. 210

57. Ibid., pp. 210-225. PAC leaders in CT, Nana Mahoma, Philip Kgosana and Christopher Mlohoti had favourably impressed the local Liberal Party leaders and had been assured of their support.

58. The extent and nature of the PAC following is still being debated. During an informal discussion in the Department of History at UCT in Feb. 1993, Philip Kgosana stated that there were only 600 paid-up PAC members in Cape Town in 1960.

59. T. Lodge, op. cit., p.220 ; Survey of Race Relations, 1959-60, p.59

60. Altogether 18,000 people were detained nation-wide during the disturbances and although many were released after questioning, 5,000 were convicted and sentenced.

61. Mrs E. Stott, interview, 30/8/87 - "Philip came to my house regularly."

According to Sash sources, when the township residents went on strike, a small number of Sash women agreed "as a gesture of goodwill" to take supplies of foodstuffs to Langa and Nyanga and continued to do so until Sunday 3 April 1960 when they were forbidden further entry.⁶² In his personalised account of these weeks, Philip Kgosana intimates that Mrs Stott failed to understand the mood of the strikers. His recollection is that "she came to see me in Langa. She pleaded with me to send a telegram, which she had already prepared, to Sobukwe, asking him to call off the strike. ... (Then) she asked me to accompany her to her house to collect 100 sacks of maize meal."⁶³ Whatever one may deduce about this episode, what does seem to be clear is that by 1960 a small group of members had broken away from mainstream Sash political activity, even though they were a long way from ridding themselves of a deeply rooted paternalist consciousness.

It was in the aftermath of the disturbances, when a relative calm had descended on the townships in Cape Town at least, that the Sash was drawn into a closer relationship with Africans who had been directly affected by the protests. It started with the BFO interpreter, Mrs Malindi, who was arrested and imprisoned, (as was her husband) during the disturbances. The Sash paid the family's rental and attended the funeral of their son who died while his parents were in gaol. When Mrs Malindi was released in July 1960 and hospitalised in serious ill-health, the Sash continued to support the family for several months.⁶⁴ The gesture was repeated to 130 families whose breadwinners had been

62. Ibid. Mrs Dot Cleminshaw believes that the Liberal Party saw this as more than just goodwill, that it had political overtones. "Peter Hjul said we must make it possible for the strikers to stay at home. It was actually quite a brave thing to do. Tom Walters, who drove one of the trucks, lost his commission in the Dukes after this." Mrs D. Cleminshaw, interviews, 10/6/87 and 13/3/93

63. P. Kgosana, Lest We Forget, (1988), pp. 26-27. He recalls that when he was questioned by police during the Emergency, they wanted to know about his contact with Mrs Stott and why he had sat in the front of her car on the journey to her home, p.40.

64. Regional Council Minutes, 14/7/60

arrested, leaving their dependants destitute. The Sash agreed to supply food to these families and to help them with payments of rent, water and lighting. The Bail Fund Office, "besieged by people in dire distress" opened five mornings a week in order to cope with the increased workload.⁶⁵ The traditional role of women handing out food to those in need does not appear to have perturbed the Sash volunteers, despite their concern not to be seen as a welfare organisation. Albeit that they expressed themselves in maternalistic fashion, they saw this as an opportunity to create bonds with African women :

"A wonderful relationship has developed between our members who weigh out the mealie meal and sugar and the African mothers with babies on their backs or holding onto their skirts. No political work we have undertaken could have done more to build bridges between Whites and non-Whites. It isn't only the material aid they have received - it's the fact the white women stood by them in their hour of need. [sic]"⁶⁶

Minutes of membership meetings indicate that much activity in the branches at this time centred on fund-raising for the Black Sash Detainees Fund. A letter of thanks for a generous donation of 750 pounds from the Anglican Archbishop recorded that the money had been used for "legal aid, warm clothes, new spectacles, poll tax, layettes for babies, (many being born in gaol), etc."⁶⁷

In April 1960, the Black Sash joined with the Liberal Party, the South African Coloured People's Organisation, the SAIRR, and church groups to form the State of Emergency Fund (SERF) under the leadership of Peter Hjul. Its aim was to distribute relief to families of emergency detainees on a wider scale than the Sash had been able to, but in May 1960, it came under fire from the government for not having a welfare

65. "The office was stacked with sacks of (foodstuffs)... a hasty card system was introduced. At first, we had to take the people's word, but our trust was not misplaced." Sash, vol 4.4 , August 1960, p.4

66. Sash, vol. 4.4, Aug. 1960. pp. 4-5. Compare with Crossroads, September 1976, p.152 below

67. Mrs R.N. Robb, letter to Archbishop Joost de Blank, June 1960

number. ⁶⁸ To get round this obstacle, the Red Cross was approached to take over the fund-raising aspect, while SERF continued to provide legal aid, transport to prisons, and help in the rural areas.⁶⁹ The majority of the detainees from the Western Cape were sent to gaols in Worcester and Simondium, areas inaccessible to their families. Sash members, who possessed the advantages of free time and motor cars, drove relatives to these outlying prisons, and when the numbers grew too large, they organised to hire buses which left from the Bail Fund premises once a fortnight.

Sash members were active not only in the black townships, but in the white community too. Flagging spirits had been re-awakened at grassroots level and branches reported renewed interest from members. ⁷⁰ A week after the shootings at Langa and Sharpeville, the audience at "one of the best public meetings the Sash had ever arranged" was addressed by the Sash National President, Mrs E. Stott, Dr H. Simons and Adv. D. Molteno on the iniquities of the pass laws. ⁷¹ Further attempts "to get across to the man in the street the real nature of the pass laws and the incredible hardships and humiliation they inflict on Africans" included the distribution of leaflets and the sale of a "Memorandum on the Pass Laws" at street tables. ⁷²

68. The state used a similar strategy against the Sash in 1964, p.57.

69. SERF became part of the Defence and Aid Fund after the Emergency. The latter fund had been inspired by the Anglican bishop of Johannesburg, Bishop Reeves, and was financed from overseas. It was administered in South Africa by ex-Labour Party parliamentarian, Alex Hepple. "DNA" as it was commonly known, was banned in 1966.

70. For e.g. "Somerset West branch has really woken up."

Regional Council Minutes, 12/5/60

Similar reports were received from Sash regions in other areas. See reports from Southern Transvaal, Cape Eastern, Border and the Orange Free State to National Conference, November 1960.

71. CWR newsletter, April 1960. Dr H. Simons, an academic from UCT, was married to the trade unionist, Ray Alexander, who was a FSAW activist. Both were former members of the then outlawed Communist party.

72. Sash, vol.5.1., p.9

Sash responses during the state of emergency earned the organisation tributes from the English-language press. An editorial in the Cape Argus commented that:

"The Cape can take pride in the fact that so many of its women are in the front ranks of the one organised, non-party, non-partisan, moral assertion being made in the nation's public life. They have made of the sash not only a sign of mourning but also a band of hope, because moral assertion has been carried, as it must be carried, into the field of practical application and effort. The members ... strive to defend their rights to feed, clothe and assist mothers and children. This is something that, when the final records come to be written, will be set down in honour not simply to an organisation but to South African womanhood... the Black Sash has come to stand for justice and mercy. It is the women's creative contribution and a light shining forth bravely where the darkness is deepest."⁷³

"The women's creative contribution" was hardly seen as that by the Nationalists though, as exemplified by the member of parliament for Klerksdorp, Mr P.C. Pelsler :

"I still wonder whether we will have peace and quiet in the country if we allow certain organisations to carry on as they have been doing. I am referring to the Black Sash. ... Will we have peace and quiet if the Black Sash continues, as happened recently in the riots, to encourage the Natives to continue with their actions ..."⁷⁴

Indeed, after the emergency had been declared, the Sash and its volunteers at the Bail Fund Office had noticed a distinct chilling in their previously cordial dealings with officials. Sash documents from the period before 1960 recorded that the two Native Commissioners with whom they had had dealings in Cape Town had received them "sympathetically and courteously."⁷⁵ Mary Stoy of the Bail Fund had reported at the end of 1959 that the officials were "endlessly patient, unfailingly obliging, and wherever possible, most accommodating. There is no doubt that at Langa, the officials have the welfare of the African at heart and do their utmost to make the best of a very bad

73. Cape Argus, 3/11/1960

74. Hansard 11, cols 4560/1

75. See Sash, vol. 5.1., Dec. 1961, p.10, p.21

system of laws." 76 Her colleague, Pam Duncan, had elsewhere commented on the rather bizarre approach of a local policeman who phoned Sash members whenever he arrested an African woman, so that they could organise bail. 77 After March 1960, the pleasantries evaporated in the harsh climate of the emergency. Mary Stoy reported that she had been rudely told by officials that she was helping neither Africans nor the process by which they were registered in the urban area. 78 Sash volunteers at the BFO were informed by the Chief of Police, and the Chief Bantu Commissioner, (both Western Cape), that they should not apply for more concessions for Africans, while in the Paarl/Wellington/Worcester area, Sash women were forbidden to enter the townships. 79

The clampdown after April 1960 was not confined to anti-government protest alone. In concert with the banning of black political organisations, the state brought the full weight of influx control legislation to bear in the urban areas. In part, this was a punitive measure against those who had resisted the pass laws 80, in part it was an implementation of legislation passed in the 1950's. Whatever the reasons were, they resulted in the eviction of 3,976 men and 991 women from the Western Cape between 1960 and 1961. 81

The tumultuous year of 1960 had been a beginning and an end for the whole of South Africa and its people. For the Black Sash, it was a time when the organisation and its members had witnessed not only the awesome might of the state, but also the nature of the struggle, as well as the resilience, of the African population. No longer could the

76. Report on the Bail Fund, November, 1959

77. Sash, vol. 3.20, Aug. 1959, p.14

78. Regional Council Minutes, 13/10/1960

79. Regional Council Minutes, 13/10/60, 27/10/60, 10/11/60

80. For example : in the Peninsula, women who had refused to accept reference books were endorsed out. Regional Council Minutes, 21/4/60. It was reported from Wellington, that many men had been dismissed and that women were being endorsed out. Ibid.,28/4/60

81. Survey of Race Relations, 1960-61. p.128

Sash accept, as it had in earlier years, that "the pass laws were solving our city problems and encouraging industry".⁸² A choice had to be made and the leaders in the Western Cape, which was also the headquarters of the organisation at the time, had indicated the direction in which they believed the Sash should be moving. Indeed, the region saw "its role as a catalyst as the outstanding feature of 1960."⁸³

One of the most significant changes which had occurred at the Bail Fund Office as a result of the emergency was scarcely commented on during the turmoil of those days. It had to do with the number of African men who were approaching the Sash for assistance. Previously, as we have noted, advice had been available to women only. But from March 1960, case files were opened for men too and in time, because the demographic ratio of (African) men to women in Cape Town was so high, the number of male cases exceeded those of women. However, the link which had been established with African women in those early days was never lost, as we shall see in subsequent chapters.

Mr Gilbert Nompozolo was among the first men whose cases were recorded at the Bail Fund Office in 1960.⁸⁴ The facts of his case speak of the desperation of many members of the African population in the Western Cape during 1960. He had been arrested in Wellington during the emergency and taken first to Roeland Street Gaol where he, and many other detainees, were severely ill-treated. Then he was sent to East London by train, chained to another prisoner for three days and nights. Authorities there immediately transferred him to Clanwilliam in the Western Cape, a place of which he had never heard. Evicted from Clanwilliam by the Town Clerk, he returned to his family in Wellington.

82. Sash, vol.2.2, March 1957, p.5

83. CWR Chair's Report to Regional Conference, October 1960

84. Refer to Sash, vol. 5.2 , March 1961, pp.8-9 and vol. 5.3., June 1961, p.25

The magistrate refused to allow him back and he went into hiding to avoid arrest. He was able to make contact with the Black Sash who took up his case at ministerial level in February 1961. The outcome was that the man was refused permission to stay in the Western Cape, but was allowed to proceed with his family to Zwelitsha in the Ciskei, where he applied for a house and a job. He wrote to the Sash from his new "home" :

"I had a safe journey and got a house ... but I do not have the money for the rent. I have been promised a job only for the end of the month. I wish to express my sincere thanks to the Black Sash for the help you gave me, keeping and maintaining my family for eleven months, so that my children should not die of starvation. God will bless you for the work you did. " ⁸⁵

1960 was a year in which the Sash and its Bail Fund Office embarked on the first phase of a transition, which found literal and symbolic expression in an extraordinary journey that took place early in 1961. It began in the Boland town of Wellington where Sash member Mrs Anna Pearce had been approached for help by a man known as Kleinbooi Sikade who lived with his wife and two young children in a shack in the settlement of Sakkiesdorp on the outskirts of the town. ⁸⁶ During the unrest in March 1960, the municipality, which was his employer, had suggested that he and his fellow employees deposit their reference books in a metal drum, in order to avoid trouble with those who had burned their passes. When the unrest died down, he went to fetch his pass, but the municipal officials said they could not find it. Two days later, during which interval he had not been able to go to work, the officials retrieved it, but in his absence, had filled his job with a Coloured labourer. Mr Sikade, now unemployed, lost his status in the proclaimed urban area and was endorsed out together with his family. ⁸⁷ When he did not leave immediately, he, and his wife, were arrested.

85. See Sash, vol. 5.2, March 1961, pp. 8-9 and 5.3, June 1961, p.25

86. Sash, vol. 5.2, March 1961

87. This strategy was used to get rid of many fellow Africans in Wellington. The Sash knew of 100 families who were endorsed out of Sakkiesdorp. Ibid., p.4

Upon their release, they approached Mrs Pearce of the Black Sash and asked her to arrange for rail warrants to Lady Frere, where Mr Sikade had been born. When the mandatory reply from the Native Commissioner granting permission for them to return failed to arrive, the situation became desperate. At this stage, the Sash took the unprecedented step of sending a volunteer, Mrs Mary Birt, to accompany the family to the Transkei. Thus began the extraordinary journey by train to the Eastern Cape of a penniless, displaced African family and their well-to-do, white female travelling companion. Anna Pearce and Mary Birt later wrote a report highlighting the tragedy of the Sikade family : ^{ee}

"As Pauline Sikade was tubercular, a special compartment had to be booked on the train at extra cost to cover the subsequent disinfecting. A lorry was hired to take their goods to the station ... pots and pans, a pick, a milkchurn, a mattress, battered suitcases and bundles of clothes. The small boy watched his home being dismantled. He was wearing nothing but his mother's coat draped over him. ...

I carried the family's train ticket, the Sash correspondence with (officials), medical certificates, food for the penniless family. My family (author's emphasis) carried no written permission to live or work anywhere and would be helpless if questioned by the police."

(They arrived in Queenstown in the early hours of the morning where a Sash member met them in her car and took them to Lady Frere. Mrs Birt met the officials and tried to arrange medical treatment for Mrs Sikade.)

"The assistant magistrate told us that she would have to walk the twenty-five miles from their kraal to Lady Frere twice a week to receive treatment ... We first saw the district surgeon. Numbers of patients lay about outside, he was heavily burdened looking after the 80,000 people in his district. We eventually arrived at their kraal ... (there was) one rondawel in use for ten souls."

The physical journey for Mrs Birt and the family ended at the kraal of Mr Sikade's extended family. For the Sikades, this was the beginning of a new life full of uncertainties and great hardship. A later account reported that he had found work in a road gang at the rate of R12.00 per month. His wife "was finding the change from poverty in the city to

88. Mrs Birt's husband had been the principal of one of South Africa's most prestigious private schools.

Details from "Sasher's Journey", Sash, vol 5.2, March 1961. pp.4-7

near starvation in the Lady Grey Native Reserve very difficult to bear." 89

At the end of 1960, when the leader of the Sash in the Western Cape reviewed the momentous year which had passed, she had used the image of a catalyst to explain Sash responses during the Emergency, saying that although a catalyst "is usually present in a very tiny quantity, so tiny that it is hard to believe it had any effect whatever on the reaction and yet we know without it, no action could have taken place at all. Whatever we have done is infinitesimal, but it will have far-reaching effects." 90 The journey with the Sikades had added a further grain of catalyst in the crucible that was the Black Sash in Cape Town in 1961.

There was a long road ahead, but the direction had been pointed out and sufficient stamina mustered for the undertaking, the next stage of which was reached in January 1962 when the Bail Fund Office shed its infancy and emerged as the Athlone Advice Office of the Black Sash.

89. Sash, vol.5.5, Dec. 1961, p.22

90. Regional Chair's address to Sash Regional Conference, October 1960

CHAPTER TWO :

THE FIRST YEARS OF THE ATHLONE ADVICE OFFICE 1962 - 1965

In January 1962 a proposal was made to the Cape Regional leadership of the Black Sash by Mr H. Oxley of the South African Institute of Race Relations (SAIRR) in Cape Town that the Sash take over at its Bail Fund Office, the advice work which the Institute was no longer keen to continue. The SAIRR believed that Africans were coming to both advice offices and that it was a waste of time and money to keep the SAIRR office open, especially as it was situated in the city centre far from the townships. ¹ Following a meeting between the regional leaders of the two organisations, an agreement was reached which laid down guidelines for the operation of a new Advice Office. In return for taking over the case load of the Institute, the SAIRR would pay the salary of a daily organiser to run the office and act as a link between the Sash volunteers. A contract was drawn up which formed the basis of the new arrangement :

" The Institute and the Black Sash should jointly run an advice office to handle all the cases at present handled separately by the organisations. The contribution of the Institute towards the cost of running the office will be a maximum amount of 25 pounds a month. The expenses include rental, costs of paid organiser, interpreter, telephone, and other sundry expenses. It is understood that in return for this contribution a daily part-time organiser will be appointed jointly by the Institute and the Sash. The office will be open from Monday to Friday, from 9.00 a.m. to 11.30 a.m. The organiser's hours will be from 9.00 a.m. to 1.00 p.m. The duties of the organiser will include the submission to both organisations of a monthly report. As the Sash interpreter is at present only available three days a week, the Institute will make their interpreter available for use in the office on the two mornings a week when there is no interpreter. The liaison between the two organisations will be via one representative of the Institute and one representative of the Sash. Records will be kept in the office of the cases handled and these records will be available to either organisation. Press statements concerning the cases handled can be issued separately after consultation by each organisation with the other. The office will be called "The Athlone Advice Office" and in due course special letterheads headed

1. Regional Council Minutes, 29/1/62. Discussion led by Mrs E. Stott.

Athlone Advice Office and indicating that the Black Sash and the Institute are jointly associated in this project, will be printed. " ²

No time was wasted in setting up the Athlone Advice Office, (AAO). By 12 February 1962, Miss Elsie Rowland, previously Housing Manager of the Cape Town municipality, had been interviewed for the post of paid organiser at the AAO at a salary of R50.00 a month. The Sash interviewers appeared to have been well aware of the difficult nature of the job and of the need for the incumbent to be a person of sensitivity, though they expressed this somewhat paternalistically : "Mrs Stott and Mrs Robb stressed the need for a sympathetic approach to Africans, even if their case was hopeless." ³ After a month's trial Miss Rowland declined the offer of the post and the position was filled by Mrs Shirley Parks who remained the organiser until December 1967. Mrs Parks was a keen member of the Sash Pinelands branch, but came into the job with little experience of black urban life. She was nervous about any possibility of being placed in the public eye as she feared that her husband, a middle-ranking insurance company man, might suffer repercussions in his workplace. ⁴ To allay her fears, the director of the AAO, Mrs Noel Robb, stressed that the job of office organiser was to run the office and liaise with the volunteers, whose duties were performed on a roster basis. Public relations would be handled by the director and other Sash members. One of the lasting achievements of Shirley Parks, whose previous job had been a radiologist's assistant, was to set up a filing system for the accumulating case records. The cases were named according to the Sash interviewer's name, numbered in sequence of the interviews she had

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2. Regional Council Minutes, 5/2/62. The Office was to be located at the existing Bail Fund Office in Athlone.
The relationship between the SAIRR and the Sash at the Advice Office has continued to the present. (1993) In 1962, the Sash was grateful for the support from the Institute. But it is clear that the Sash took over the control of the AAO from that date, only one member of the Institute being "able and willing to help at the Advice Office."
 3. Regional Council Minutes, 12/2/1962
 4. From Mrs Noel Robb, interview, Kenilworth, 28/2/1992

conducted, and filed in alphabetical order of the applicants' surnames. ⁵ Mrs Parks steered the AAO through the very difficult years of the mid-1960's and by the time of her resignation in December 1967 had set the AAO on a firm foundation.

The unpaid position of Advice Office Director created not only additional continuity amongst the daily volunteers, but also with the Sash Regional Office and the SAIRR. The Director was the AAO representative at the regional and national meetings of the Sash. She represented the AAO in public, and met with a wide range of officials, church and business groups, visitors, journalists and representatives from organisations nationally and internationally. From 1962 until August 1986, the position was filled by Mrs Noel Robb, who has since maintained an active interest in the Advice Office.

Noel Robb's social, economic and cultural background typifies that of many other early Sash members. ⁶ The daughter of a high-ranking British naval officer and South African mother, she was educated in England and graduated with a degree in Mathematics from London University. Appointed to a post at St Cyprian's School in Cape Town, she arrived from England in 1936 and shortly after met her future husband, Frank Robb, a leading city businessman. By the early 1950's she had a family of five children and not much time for a life of her own. She had little interest in politics and had never given much thought to the turmoil which the post-1948 Nationalist government had created. She regards a visit to Brazil in 1954 as a turning point in her life, for it was there in the racially-integrated taxis that a non-racial consciousness emerged, a slowly growing awareness of black/white relations which seemed far less stressful than those in South Africa.

5. The case histories have been deposited in the AAO Archives at UCT in this order. There is no index of the case folders. Since 1992, the AAO in Mowbray has adopted a new system of classification.

6. See Appendix One.

Returning to Cape Town, an event which occurred while standing in a queue for circus tickets came as a "terrible shock" to her: "I was taking the kids to the circus and joined in the queue, this was multi-racial ... Suddenly the hatch opened and someone shouted "All coloureds out of the queue." Having been well back in the line, I suddenly found myself at the front. It just hit me between the eyes." 7

Although she was not a founder of the Women's League in 1955, she joined up soon after, a political novice, but one who was keen to learn. Neither was she a key mover in getting the Bail Fund Office opened in 1958, but after a disastrous morning at the Office as a Sash volunteer, when she felt that she had done more harm than good, she vowed that she would devote time and energy to mastering the complexities of influx control. 8 She spent long hours studying the legislation and in time became an expert on the pass laws and their application. Her mathematical sense of detail was a tremendous asset, which not only won her the grudging respect of officials, but also enabled her to spot any loopholes in a particular case. Driven by dogged determination and a sense of fair play, she refused to become emotionally involved either with the officials or with the black applicants. Guiding the Bail Fund Office to its development as the Athlone Advice Office, she went on to carry the ultimate responsibility for the AAO for a quarter of a century.

The Advice Office would not have been able to function without two black interpreters who listened in to each interview and interpreted for the Sash volunteers. Both of them had a better understanding of the pass laws than did the Sash women, but at that time they did not

7. Quoted in K. Spink, The Black Sash, London, 1991, p. 45 ;
Mrs N. Robb, interview, 28/2/1992

8. Many of the Sash volunteers were able to devote time to the AAO because they employed several domestic servants. Mrs Robb, who at that time lived in a very large home in Wynberg, had a full-time African male cook, in addition to female servants.

conduct interviews. They were paid on a different scale to the organiser, receiving substantially lower salaries. Mrs Lettie Malindi, who was employed by the Sash, was paid R10.00 a month. In February 1963, the Regional Council of the Sash agreed to increase Mrs Malindi's monthly salary to R20.00.⁹ Six months before that it had been noted that "Mrs Malindi had worked for several years without a holiday" and in what seemed to be a quid pro quo, the Sash agreed to pay her daily bus fare from then on.¹⁰ The interpreter provided by the SAIRR was a man named David Viti, who had been recommended by Mr J. Dichmont, a city lawyer of liberal persuasion. Viti was a young man in his first job who was expected by the AAO to go to "another job with a very good reference from this office".¹¹ Within the structure of the AAO he occupied an inferior position to Mrs Malindi who had not only been there longer, but who also had important connections in the black community.¹² David Viti's starting salary was lower than Mrs Malindi's and he only achieved salary parity (R20.00 a month) with her in January 1964.¹³ In the minutes of the Sash Regional Council meetings of the period, he was referred to simply as "David" whereas Mrs Malindi received her full title.¹⁴ However, the Advice Office reports for the same period refer to him as "David Viti", perhaps an indication of the differences in perception which existed between the Sash as a whole, and its Advice Office which was at the cutting edge of race relations work. In February 1966 both interpreters were given a pay rise of R5.00 a month. And for the first time, David Viti was referred to as "Mr Viti" in the Regional Council minutes.¹⁵ His prospects at the AAO brightened and in time he became the longest serving employee of the Sash, providing the AAO with a continuity matched only by Mrs Noel Robb.

9. Regional Council Minutes, 21/1/1963

10. Ibid., 11/6/1962

11. AAO Report, May-October 1962

12. See pp.27-28 above.

13. Regional Council Minutes, 11/11/1963

14. Ibid., 16/4/1964. Here the Minutes read: "two carloads of AAO workers and Mrs Malindi and David went to Paarl."

15. Ibid., 14/2/1966 and 21/2/1966. Plus an increase of R5.00 per month.

Apart from the office organiser and the interpreters, the AAO depended on a group of Sash members who volunteered to do a morning's duty once a week. In 1962 there was a pool of 30 volunteers, but for various reasons, the numbers dropped over the years and by 1972 there were only 15 case workers.¹⁶ The AAO did not ever attract more than a handful of Sash women as volunteers, an indication not only of the nature of the Advice Office, but also of the diversity of viewpoints held by the Sash membership, which lacked homogeneity, despite a tendency of the public, the state and the Afrikaans press to see all Sashers in the same light. For it took a particular kind of Sash member to work at the AAO. Noel Robb recalls that some volunteers "became too emotional. They wanted to give all the time - food, clothes, money. I had to restrain them. On the other hand, there were Sash members who found themselves in the uncomfortable position of agreeing with the officials. I told one member that she was too right - wing for the Advice Office."¹⁷ Perhaps a comment from one of the early volunteers expressed best the feelings that the Advice Office workers shared :

" Long after one has left the office, the imagination is haunted by the memory of the wives trudging back to their leaky pondoks, which they have been told to leave ; of the men in their broken shoes and torn jackets saying, " I am a man. I must support my wife and children. How can I do that when we are sent back to the Transkei where there are no jobs ? " But however much a morning at the Advice Office may sear the heart and destroy peace of the mind, there is always consolation in the actual presence of the patient African waiting there every morning. They need the Office - no more can be said." ¹⁸

The operational parameters of the AAO had been laid down in the early years in the Bail Fund Office. At the cramped, uncomfortable, dingy quarters of Tigne Place, queues of desperate human beings waited for long hours for their cases to be heard. It was cold in winter and in

 16. AAO Annual Reports 1962 and 1972-3
 17. N. Robb, interview, 28/2/1992
 18. Sash, vol.6.2, June 1962, p.28

summer, office workers found the smell of closely confined bodies overwhelming. As each applicant moved to the front of the queue, a Sash volunteer, assisted by an interpreter, conducted a case interview, carefully recording details in order to reconstruct as accurate a life history as possible. Attention to detail was critical. A case could be won or lost by the failure of a case-worker to record the exact date of an official stamp. A sympathetic approach was urged. Volunteers were to accord applicants "the same courtesy as other people, by calling them Mr, Mrs and Miss and their surnames and not by their Christian names and no-one should refer to Africans as Natives." ¹⁹ After consultation with the office organiser or with an experienced interviewer, follow up procedures were taken. All cases involved contact with the hierarchy of local and central government officials who administered influx control. The AAO recognized that it was only through "patience, persistence and politeness to the authorities" that a small measure of success was achieved. A major function of the AAO was the advice given to Africans on how best to present their cases to the authorities. Such was the emphasis on the need to maintain good relationships with the officials that time and time again it was stressed that volunteers were to treat officials with extreme courtesy, and that AAO identity cards were to be worn on visits to the authorities. ²⁰ Moreover, at no time was an AAO worker to offer money, clothes or food to the destitute as the AAO was not a welfare organisation and had no fund-raising number. ²¹ It was also stressed that the AAO worked strictly within the law and that no encouragement should be given to applicants to resist the application of the law. The only room for this was in court and if the AAO thought that an African had a chance of winning his or her case, legal defence was arranged.

 19. Regional Council Minutes, 13/8/1963

20. Ibid., 17/9/1962. This injunction to case workers was repeated over the years. In the R.C. Minutes of 17/5/1965, Mrs Robb exhorted volunteers "not to get emotional with the officials."

21. See pp.36-37 above and p. 57 below.

The case work at the AAO during the 1960's was primarily related to problems arising out of influx control laws and regulations as applied nationally and with specific application in the Western Cape Coloured Labour Preference area. State policy to limit the black population in Cape Town had been strictly enforced from the late 1950's. Replying to a question asked in parliament by Mrs Helen Suzman in March 1963, the Minister of Bantu Affairs, Mr de Wet Nel, stated that 26,211 Africans had been endorsed out of the Western Cape between January 1959 and April 1962.²² These were the early casualties of influx control as applied in the Western Cape. As the state increased the pressure on authorities to limit the numbers of Africans permanently resident in the area, and to prevent any further African settlement, so the position of Africans in the Western Cape worsened. The climate in which the AAO operated became increasingly harsh. Procedures were tightened up, there was less room for negotiation and the attitude of officials, in whom so much power had been vested, became more antagonistic. These shifts, as well as the increased state repression during the decade, placed the Sash and its Advice Offices under growing strain.

The Athlone Advice Office experienced the signs of a new rigidity in influx control administration in its first year of operation. In the six months from May to October 1962, 817 (60%) of the 1345 new applicants to the AAO, came for advice because they faced expulsion from the area.²³ In August 1962, it was noted that "more and more desperate cases" were being seen and in that month alone 417 persons were interviewed at the AAO.²⁴ In a speech delivered to the Institute of Citizenship in July 1962, Mrs Noel Robb graphically described what was happening to the African population of Cape Town and

22. Hansard, 30/3/1962, p. 3542

23. Athlone Advice Office, Report, May - October 1962, p.1

24. Regional Council Minutes, 13/8/1962

outlined what it meant to be "endorsed out". ²⁵

" Men and women are forced to leave the area against their wishes ; to go to a place where they have no hope of earning a living and to pay all costs of the removal themselves ... they must give up their home, sell their furniture, or more often surrender it since it was bought on the Hire Purchase system and it has not been fully paid for, and remove their children from school and take them to a place where there may be no school. Often the Endorsement Out says "To report to X - a place in the Transkei on a date only three days later, and some I have seen have even said "To report to X on the same date." "

The grounds on which Africans could be refused the right to remain in, or even visit, an urban area were more and more stringently applied in the Western Cape in the 1960's. Many cases interviewed at the AAO revealed the manner in which the slightest infringement could cost an African his or her urban rights.

African men who left their jobs because of low wages, or poor conditions, or ill health, even after a long period of employment in Cape Town, were officially allowed to be in the area for only 14 days once they were jobless. They could not of their own volition look for work during this time, but had to report daily to the Labour Officer at Nyanga where they were placed in the labour pool. If after 14 days they had not been employed, they were endorsed out along with their families. In a specific case seen at the AAO, a man who had 14 years of continuous employment in Cape Town and who would have qualified for permanent residence rights within a year had he not left his job, was endorsed out after being in the labour pool for 14 days, and told to find work on the mines or sugar plantations. His wife and children were ordered to the Transkei, but as he asked : " How can I send my wife to

25. " Endorsed Out ", speech prepared by Mrs Noel Robb for an Institute of Citizenship meeting July 1962 and thereafter repeated at meetings of a variety of organisations and groups throughout the Peninsula, typescript, p.1. (Reproduced in Sash, vol. 6.3., Oct. 1962)

a place she has never seen, to my family she has never met and where there is no house, and who will feed her and the children ? " 26

Evicted persons also had to pay their train fare to the rural areas, approximately R14 in 1962. An attempt by the AAO to persuade the state that rail warrants for deported Africans should be made generally available was refused in November 1962. Often the only modicum of assistance that the AAO could offer in such cases was to bring pressure on the authorities to pay the fares in individual cases of utter indigence.

Apart from foreign Africans from neighbouring countries who were being summarily endorsed out in the early 1960's even after long periods of service in Cape Town 27, African women were specific targets for the authorities. The policy was clear - no newcomers were allowed to enter Cape Town on a permanent basis. Wives who did not "ordinarily reside with their husbands" could only come on a temporary visit and for that they had to have permission. If found without the correct documentation, they faced arrest. Even women who had been born in the Peninsula, or who had long periods of continuous employment, or who had lived there for a long time with their legally qualified husbands, risked eviction if they left the area. The possibility of a woman gaining the right to remain permanently in the city became extremely rare. As early as 1962, the number of women being endorsed out even on the brink of achieving permanent status, was so high that the Advice Office concluded : "This cannot be co-incidence ... it is an effort to prevent more Africans from being able to qualify." 28

26. Case quoted in "Endorsed Out", typescript, p.5

27. Ibid., p.7

28. Ibid., p.4-5

The attempts in the early 1960's to prohibit any further development of a permanent African population in the Western Cape were of concern to leaders of business, commerce and industry, although the labour shortage they feared only became critical after the 1966 regulations affecting the entry of Africans to the area.²⁹ But these problems affecting the supply of labour were not generic to the Advice Office. Referring in her 1962 speech to the Institute of Citizenship, to a recent address by Mr F.K. Lighton of the Chamber of Commerce, (who had argued that the African labour force of Cape Town, numbering about 53,000 workers, was essential to the prosperity and even the very existence of all the people in the Cape), Mrs Robb stated that she would leave commerce and industry to fight the battle from the economic angle while she fought it from the humanitarian point of view.³⁰

Nevertheless the Sash leaders, true to the ideals of free enterprise and the free movement of labour, which the organisation had espoused from the start, and perhaps responding to the views of their husbands, many of whom were leading businessmen, did not fail to allow economists to assist them in their efforts to defend the rights of Africans in the area. The December 1962 issue of the Black Sash national magazine carried the full text of a speech made by an economist, Leo Katzen, at an Institute of Race Relations symposium in Cape Town.³¹ Dealing with the economic effects of the removal of Africans from the Western Cape, Katzen stated that although Africans only formed a small proportion of the population of the Peninsula and environs, (118,000 of total 1,200,000 persons according to 1960 census), they were a significant factor in the total labour force of the area. He argued that some industries were so dependent on African labour that they would not survive in size, if at all, without African

29. See pp.74-76 below, Chapter 3

30. "Endorsed Out", typescript.

31. Leo Katzen, in Sash, vol. 6.4, December 1962, pp. 14-15

labour, particularly those that relied on heavy unskilled work. As 90% of Africans employed in the Western Cape performed such work, they filled a vital need. He refuted claims made by the Deputy Minister of Bantu Affairs, Mr M.C. Botha, that Africans were taking jobs away from Coloured persons. To the contrary, the unskilled African labour force created jobs and acted as a stimulant to growth. Removal of Africans from the area would hamper industrial development, already suffering from increased rail tariffs and a labour shortage. He understood that investors in new enterprises such as the Caltex refinery had demanded a guarantee of a labour force from the government. In summary, Katzen concluded that "an insidious creeping paralysis" of the economy of the Western Cape would result from the removal of Africans and the cost of this would eventually be borne by the whole nation.³² Katzen's prediction about the crippling of certain industries in the Cape through labour shortages enabled the Advice Office to strengthen its case particularly when making representations to the government,³³ yet it did not deflect from the hands-on approach at the AAO where the work remained concerned with the increasing numbers of African men and women whose problems were immediate and palpable.

At this time there was a growing tendency for some officials to be less co-operative towards the Advice Office, particularly those of the Divisional Council in Nyanga. Persons whom the AAO took to Nyanga in an attempt to assist them, were deliberately arrested.³⁴ Mr Scheepers, the Senior Bantu Affairs Inspector of the Divisional Council, insisted on being given a list of all the AAO volunteers and refused to see anyone from the AAO who was not on the list and who was not

32. Ibid.

33. See the meeting with the Minister of Bantu Affairs 1963, p. 61-64 below.

34. Regional Council Minutes, 21/5/62

wearing identification. ³⁵ A request from the AAO for a deputation to the Chairman of the Divisional Council, Mr P. van Eck, in order to discuss influx control policy and related matters, was tersely refused. ³⁶ Mrs Robb herself was castigated by an official at the Registration Office who told her that the Advice Office ought not to exist because Africans "tell you things they don't tell us." ³⁷

An indication of the attitude of the state Department of Bantu Affairs towards the Advice Office was revealed during parliamentary debate in March 1963. A clause in proposed Bantu Affairs legislation appeared to restrict the work of organisations such as the Advice Office on complex grounds relating to the funding of such bodies. ³⁸ Entering into a parliamentary debate during which Opposition members had asked that organisations such as the Black Sash, "which only have the welfare of the Africans at heart", ³⁹ should not fall foul of the law by virtue of the new clause, the Deputy Minister of Bantu Administration remarked that he did not believe that the Black Sash performed a service for the Bantu which was in the public interest :

"I deny it. Perhaps I do not know about all their activities; I have a strong feeling that they will take good care that I do not know of all their activities. I am not prepared to accept that they perform such a public service. I think many of the misunderstandings and misrepresentations are as a result of the endeavours of those ladies who could occupy themselves more successfully with other activities in the public interest." ⁴⁰

35. Ibid., 24/9/62. The minutes record that officials at Langa were "far more friendly and co-operative." Throughout this period, the Superintendent at Langa was a Mr Rogers with whom the AAO had good relations. The R.C. Minutes of 13/12/65 record that he and his wife had attended an AAO Christmas party at Mrs Robb's house, along with 62 others.

36. P. van Eck to Black Sash, letter, 15 May 1963.

37. Sash, vol 6.3, October 1962, p.13

38. See pp. 65-67 below.

39. Helen Suzman, Progressive Party, Hansard, 18/3/63

40. M.C. Botha, Deputy Minister of Bantu Affairs, Hansard, 18/3/63
See also the editorial in Rand Daily Mail, 23/3/64

He went on to state that the Sash should register for a welfare number in order to receive donations from the public, but then said he would oppose such a registration as he was "not so sure that they use the money intelligently." His sentiments were echoed by the member of parliament for Heilbron, Mr G.F.van L. Froneman, Deputy Chairman of the Bantu Affairs Commission, who added :

"The organisations which consistently busy themselves with this sort of thing which we now wish to forbid, to give advice on various matters, are all organisations which in fact have a political slant ... their help is not given out of charity, but they give help because they have a political interest, and they have other motives. " ⁴¹

The introduction of the Bantu Laws Amendment Bill of 1963 was an indication that existing influx control legislation, despite its stringent application, had many loopholes. Predictions which Hendrik Verwoerd, as Minister of Native Affairs, had made in the late 1950's, that he would stem the tide of black urban migration, were challenged during the 1960's by the increase in the African population in the major cities. Prime Minister Verwoerd now proposed amendments to Bantu Affairs legislation in order to achieve two aims. The first was to make it even more difficult for Africans to enter or remain in the urban areas and the second was to provide a labour force in the rural areas for the development of the so-called border industries.⁴²

The state's intention was clearly articulated by one of its leading spokesmen on Bantu Affairs during a parliamentary debate in 1963. Referring to the proposed Bill he said that it :

41. G.F. van L. Froneman, Hansard, 18/3/63

42. Decentralisation had been recommended in the Tomlinson Report of 1956 but the difficulties of luring industrialists to the rural areas of the reserves had been greatly under-estimated by Verwoerd. See T.R.H. Davenport, South Africa, 1991, pp.368-9. C. Bundy, The Rise and Fall of the South African Peasantry, (1979), juxtaposes decentralisation of industry with the desperate crisis of under-production in the Reserves. p.221-237.

"contained only one single principle throughout, namely that the Bantu in the White area constitute only a temporary labour force and not a permanent part of the population of the White area. On the basis of the policy of separate development, the Bantu is a citizen of the Bantu areas and there he must be given his rights ... and when he is in the White area he is only there for the purpose of selling his labour in the labour market of the White economy." ⁴³

The Bantu Laws Amendment legislation of 1963/4 created a major furore for eighteen months, both within parliament and in the extra-parliamentary arena. ⁴⁴It was condemned on economic grounds for creating complete controls over the supply and distribution of African labour and on moral grounds for its intention to intensify influx control. The Black Sash reacted with alarm to the proposed legislation. Exposure to the lives of township Africans via the Advice Offices in Cape Town and Johannesburg had made the Sash leadership deeply aware of the hardships and miseries caused by migrant labour, pass laws and influx control. They knew too much about the attitude of officials to believe Mr Froneman when he described each regional Bantu Commissioner as "the help in need for the Bantu. He is truly a friend of the Bantu", nor were they able to accept Froneman's explanation for establishing the Aid Centres :

"In every case throughout the country the officials have a warm heart for the Bantu and they wish to help the Bantu wherever they can. In the first place the Bantu ought to go to persons who can help him and will give him free help. Now under this law, Aid Centres are being instituted also to give help in these cases, and we do not need the other organisations. " ⁴⁵

Throughout 1963 and 1964 the Sash in Cape Town did its utmost to focus public opinion on the new legislation and to apply pressure on the state to ameliorate the harsher aspects of the Bill. ⁴⁶ A "Brains Trust" meeting attended by 800 people was held in the City Hall in May

43. G.F. van L. Froneman, quoted in O.Wolheim, The New Townsmen, Johannesburg, SAIRR, 1964, p.2

44. Refer to Appendix Two, Section C. ; M. Legassick, "The Ideology and Legislation of the post-1948 South African Governments", (1975), p.28

45. Hansard, 18/3/1963

46. See the material on this legislation in the Sash Archives, under index "Special Projects".

1963. The speakers included government members who were put to task particularly by Mr Ralph Horwitz, an economist, who labelled the Bill "an incredible and horrible code of laws which would reach into the being of millions of people."⁴⁷ Sash leaders requested Victor Norton, the editor of The Cape Times, to run a campaign in the press.⁴⁸

In April 1963, a delegation led by Mrs Robb met with the Bantu Affairs Committee of the City Council and sent a copy of an AAO memorandum on the pass laws to the Divisional Council.⁴⁹ Prestigious figures invited to witness the work of the Advice Office included Sir John Maud, the jurist Lord Russell, Professor Gwendoline Carter, Lady Forbes and Mr Colin Legum, Commonwealth Correspondent of The Observer.⁵⁰ Lady Joy Packer drummed up support for the Sash campaign in the press and brought in significant donations for the AAO. A telegram was sent to the National Party Congress held in Somerset West in September 1963: "Beseech you when discussing removal of Africans from Western Cape to bear in mind that a stable family life is fundamental need of Christian and civilised society and that officials send people away without ascertaining that there is a place where those removed may legally reside."⁵¹ During the reading of the Bill in 1964, Sash members kept up a daily protest stand outside Parliament holding posters in English and Afrikaans.⁵²

47. Sash, vol 7.2, July 1963, p. 22-24. Mrs N. Robb, interview, 28/2/1992, recalled that Nationalist members of parliament, as well as the Leader of the Opposition, Sir de Villiers Graaff, came to this meeting without having read the Bill. The speakers were: Mr G.F. Froneman and Mr F. Steyn; Mrs E. Stott; Mrs H. Suzman; Mr R. Horwitz; Adv. D. Molteno, Q.C. See also Regional Council Minutes, 19/4/1963, 14/5/1963, 9/4/1964 and Sash, 7,2, July 1963, pp. 22-24.

A second public meeting was organised by the Sash in March 1964.

48. Regional Council Minutes, 16/3/64. ("Mrs Robb and Mrs Henderson had seen the editor.")

49. Sash, vol. 7.2, July 1963, p.30

50. Regional Council Minutes, 11/2/1963, 8/4/1963, 22/7/1963, 12/2/1964

51. Telegram from Regional Council to Cape National Party Congress, September 1963

52. Regional Council Minutes, 16/3/1964

Nationwide protests were part of Sash activity throughout this time. Headquarters printed and distributed 10,000 copies of a pamphlet prepared by Monica Wilson on migrant labour entitled "Let No Man Put Asunder".⁵³ In Johannesburg, the editor of the Rand Daily Mail, Laurence Gandar, highlighted the Sash campaign in a series of editorials throughout 1963 and 1964. He gave strong support to the "valuable public service" provided by the Advice Offices and quoted details from case histories assembled at the Athlone AO, whose reports were received by him "with a kind of fascinated horror because they show that the human reality of apartheid is worse than its political image."⁵⁴

Apart from contributing to the wave of public protest aroused by the Bill, the Sash worked hard to focus attention on the legislation in its long-established constituency of those in power in the white community. It did this primarily by means of two memoranda, drawn up with the help of lawyers, which gave a detailed critique of the legislation from the Sash point of view. One was circulated by the Western Cape Region to city councillors, businessmen, church leaders and members of the Provincial Council and contained a clear imperative to the white electorate that it had an "inescapable duty to see that these injustices are not inflicted on the politically helpless black section of the community".⁵⁵ The other was a more formal document submitted to the Minister of Bantu Affairs in May 1963 by Sash Headquarters in Johannesburg.⁵⁶ On the basis of this submission, the Minister agreed to meet a Sash deputation in November 1963, following which a

53. Ibid., 23/9/1963

54. L. Gandar, in Rand Daily Mail, 12/8/63 ; 23/3/64 ; 30/5/64

55. Black Sash Memorandum on the Draft Bantu Laws Amendment Bill, typescript, with covering letter from Moira Henderson, Regional Chair, Cape Town, 20/3/63. ("Cape Memorandum")
The left-wing lawyer, Albie Sachs, helped to draft this document.

56. Memorandum on Points for Discussion with the Honourable the Minister for Bantu Administration and Development on the Bantu Laws Amendment Bill of 1963, typescript, Black Sash, Johannesburg, 27/5/63 ("Johannesburg Memorandum")

transcript of the interview was prepared by the Sash. These documents drew on experience gained in the Advice Offices and constitute in themselves significant statements about the nature of the Sash at that time.

The Western Cape memorandum was sent out under a covering letter from the Regional Chair, Mrs Moira Henderson. She stressed that it was the work at the Athlone Advice Office which had led the Sash to feel "deeply distressed by the likely effects of the Bill" which rather than ease race relations as the government claimed it would, would "do nothing of the kind." Rather, the Bill "was likely to drive the majority of Africans to a point of complete desperation, and to cause them to form or to join wholly undesirable organisations as being the only way open to them to bring about change."⁵⁷ The strongly worded document attacked the legislation point by point with particular emphasis on the power that the labour officer would have over African employment. In a far-sighted comment the fear was expressed that the establishment of depots or youth camps for idle or undesirable Africans seemed "to foreshadow the erection of vast camps into which groups of people will be concentrated and where no public inspection by local authorities will be possible ... These camps will also serve as dumping grounds for the dependants of displaced persons and as sources of cheap migrant labour for White employers whose wages and conditions of employment would not attract free labour."⁵⁸

Many of the grave misgivings expressed in the Cape Town document were included in the Headquarters memorandum to the Minister, although in a less forthright tone. Whether this was out of deference to a government minister or whether the Sash leadership in Johannesburg was displaying its more conservative tendencies is not clear. The preamble to the

57. Refer "Cape Memorandum", pp.1 and 4

58. Ibid., pp. 2 and 3, and see pp.101-103 below.

Johannesburg memorandum is reminiscent in phrase and sentiment of earlier Sash statements, with an emphasis on good government and a somewhat quaintly worded call to the "Twentieth Century way of life, known and cherished in all democratic countries. This ... has been painfully evolved after hundreds of years of struggle for the freedom of the individual and his right to live, work, marry and rear children in the light of modern conditions and moral principles." ⁵⁹ The chief objection to the Bill was that by denying these rights to the Black man, he would lose not only his security, but also "the benefits of contact with White civilization, education and culture." The Bill deterred the emergence of a (black) middle class in the cities, "normally the basis of a stable society " and would bring about a return to "the feudal system where an African lost the right to move freely in the land of his birth and to sell his labour to his best advantage." ⁶⁰

Five months after the memorandum had been sent to the Minister of Bantu Affairs, the national president of the Sash, Mrs Jean Sinclair, assisted by the director of the Athlone Advice Office, Mrs Noel Robb, and three other Sash members, had a meeting in Pretoria with the Minister and his senior officials. ⁶¹ The Sash transcript of this meeting provides a useful comparison with the memoranda in that it is an account of a frank interchange between state officials determined to stick to the letter of the law, and a group of white

59. "Johannesburg Memorandum", Preamble, p. 1

60. Ibid., p.3

61. Sash delegates : from Sash Head Office in Johannesburg :
Mrs Jean Sinclair, Mrs Nettie Davidoff, Mrs Kentridge (herself a lawyer and married to a leading civil rights lawyer), Mrs Johnston.
from Cape Town : Mrs Noel Robb
Government delegates :
Mr de Wet Nel - Minister for Bantu Administration and Development
Mr Young - Secretary for Bantu Administration and Development
Mr F.B. Du Randt - responsible for drafting the Bill
Dr van Rensburg - senior Bantu Administration official

English-speaking women who had taken up the struggle for black civil rights. ⁶²

Although the Sash women anticipated a brief twenty-minute interview, they went armed with documentation. They had spent the entire night beforehand making annotated copies of the legislation for each delegate, much to the amazement of the government members.⁶³ Mrs Robb, appointed as Sash spokesman, raised objections to the Bill point by point. Her pragmatic approach and solid knowledge of the legislation put her in a strong position which drew praise from the officials who complimented her on her thorough study of the Bill and the White Paper.

⁶⁴ The women strengthened their argument by constant reference to cases which they had documented in the Advice Offices. Such were the absurdities of some bureaucratic actions that the government delegates were left incredulous on occasions. "This is not the case, surely?" was the response of one official on being informed about African women who, for various reasons, had been refused reference books when they went to apply for them, but who were subsequently arrested in pass raids for not possessing passes. ⁶⁵ Sash delegates also raised the issue of African widows, who although qualified to be in the urban areas, were told to pack up and leave their homes in the cities if their husbands died, even though the women might be the sole breadwinners for their families. Citing the details of one Mrs Betsie Kotelo, the Sash raised, for the first time at this meeting, what was to become a lasting concern for the Advice Offices.⁶⁶

The interview lasted for over three hours, an unexpected reward for the painstaking work of the Sash delegates. The women were equally pleased

62. Black Sash, typed transcript of interview with Minister, Pretoria, 4/11/63 ("Transcript")

63. N. Robb, interview, 28/2/92

64. Ibid., and Black Sash "Transcript", pp.7,10

65. Ibid, p.8

66. Ibid., p.4. See p.87 below for cases of widows.

by the Minister's request that full histories of all the cases which the Sash had referred to during the meeting were to be sent to him for investigation. For the Sash, a minor victory had been won. According to one of the delegates, the interview had established the fact that the women knew "what we were talking about and that we were accurate. We were never again queried on the facts." 67

Yet whatever the rewards of this interview, they were of limited nature. 68 The reality was that the ideology of the state was greatly at variance with that of the Sash. De Wet Nel clearly indicated this at the end of the meeting : "It is a matter of policy - an African is only permitted in an urban area for an object - to sell his labour ... We have big basic differences. You believe in multi-racialism, we believe they would be happier in their own communities. " 69

It was this unshakeable belief which no interview, contradictory evidence, nor protest could alter. The long-debated legislation was enacted in June 1964 with immediate effects. The number of endorsements out of Cape Town increased by 29% in one year, from 3764 in 1963, to 4870 in 1964. 70 For the Sash volunteers at the AAO, there were no illusions about the difficult road ahead. Noel Robb clearly grasped the essentials of the new dispensation when she wrote :

67. N. Robb, interview, 28/2/92

68. One clear example of the failure of the Sash women to gain any changes to the pass laws was revealed in the way the Minister responded to a Sash statement that the hotel, dairy and building trades in the Western Cape were suffering as a result of the restraints on African labour. He told Mrs Robb that if this were the case, he would make allowances for such industries. "Transcript", pp. 1-3. Yet in December 1965, the Deputy Minister of Bantu Affairs issued a statement forbidding the further employment of any African labour in a variety of trades, including these three. See p.81 below.

69. Mr de Wet Nel, "Transcript", p. 10

70. Regional Council Minutes, 8/2/65, from figures given in Parliament by J. B. Vorster. Total endorsements out from Cape Town in 1963-64 were 8634, of whom approximately one quarter came to the AAO.

" All Africans are left in the hands of petty officials who have the legal power to restrict and frustrate them if they so wish. All sense of security (for urban Africans) is gone. Anyone who falls foul of officials can lose his rights. The Black Sash needs to be twice as vigilant, twice as persistent, and twice as argumentative in their efforts to protect the few remaining rights of Africans. If we find we are unable to protect these people materially we must publicize the results of this law as widely as possible. Let no one think our work is over; it has only just begun. " 71

As Director of the Advice Office , Mrs Robb's determination remained unshaken. A similar sense of dedication prevailed amongst the small group of stalwarts who worked with her, and who knew that despite the difficulties that lay ahead, they "must press on ... and not be upset by rebuffs." 72

An immediate and challenging problem for the Sash and its Advice Offices arose out of Clause 73 of the Bantu Laws Amendment Act which made it illegal for any person or organisation other than a practising attorney or advocate to receive money from, or on behalf of, an African who was in difficulty over influx control, employment, detention, removal orders, or related matters where he had problems with the authorities. The Advice Office had never accepted payment from applicants, but it was funded in part by Black Sash membership subscriptions. These could be interpreted as payment on behalf of Africans who needed assistance. One legal practitioner was of the opinion that if the Sash continued to run the Advice Offices, it would be breaking the law and ran the risk of incurring a large fine. 73

However, a second opinion from Professor A. Matthews of Natal University concluded that if the prohibition on assisting Africans for money or reward were widely interpreted "it would lead to some startling results. For example, a car-owner who received money for the

71. Mrs N. Robb, typescript of talk on Bantu Laws Amendment Act given to Black Sash members, Cape Town, 1964.

72. Mrs Moira Henderson, quoted in Regional Council Minutes, 17/9/65

73. J. Isaacs, " Ex Parte - The Black Sash, In Re - Bantu Laws Amendment Act and Welfare Organisations Act ", Opinion, 4/5/64, p.2

specific purpose of conveying an African to a Labour Bureau would presumably be guilty of an offence. I cannot believe that this was the intention of Parliament. For these reasons I believe that the payments received by Black Sash to finance its advice offices are not covered."⁷⁴ He argued that payment had to be a direct quid pro quo and that subsidised services (e.g. Advice Offices subsidised by Sash funds), were not affected. What was clear was that no Sash member could ever receive help from a Sash Advice Office, nor could anyone helped at an Advice Office become a member of the Sash. Thus in November 1964 when it was reported that an African woman who had been helped at the AAO and wanted to join the Sash, the Regional Council took urgent steps to publicise the dangers of such approaches. Notices to this effect were to be displayed in the AAO and also sent round the country to other offices.⁷⁵ Despite these precautions, the possible contravention of Section 73 of the Bantu Laws Amendment Act continued to haunt the Advice Offices for some time and gave opponents a perfect opportunity to harass Advice Office operations throughout the country. The National President of the Sash, Jean Sinclair, visited all the regions in February 1965 to canvass facts and opinions about the harassment. In Cape Town, she sought further legal advice as well as the opinion of Mrs Helen Suzman, who advised her to carry on with the Advice Offices and risk prosecution. In order to take the heat off the offices in the smaller centres at Port Elizabeth and East London, where the pressure was greatest, the Advice Offices there were closed.⁷⁶

What was clear after 1964 was that neither the Sash nor its Advice Offices could ever accept any payment or reward from an African or his/her employer in relation to advice /assistance given whether it be

74. Professor A.S. Matthews, "Ex Parte - Mrs E. Stott, consultant", Opinion, 29/10/64

75. Regional Council Minutes, 23/11/64

76. Report of Visit to Regions by Jean Sinclair, 16-21 February 1965
The Office in East London was only re-opened in 1973.

a donation, subscription or any other form. Funding for the Advice Offices became a tricky issue from henceforth particularly as expenses continued to rise. ⁷⁷ Major costs were incurred when cases went to court and, as legal recourse became more frequent in the late 1960's, additional funds had to be raised. To this end, an annual donation from the Bantu Welfare Trust awarded from October 1965 and to be used solely for "extraordinary expenses and expansion incurred in the AAO, not for day to day running expenses" was received with relief and gratitude. ⁷⁸

Black Sash involvement with the controversy over the Bantu Laws legislation brought it public attention both favourable and hostile. Evidence of the suspicion that the Athlone Advice Office engendered in the ranks of state security apparatus was a raid on the offices in Athlone in July 1965 during which members of the Security Branch removed boxes of documents from the office files, particularly those which contained case histories of the 1960-61 detainees. The Sash wasted no time in seeking redress against this action which they regarded as unlawful. Immediate counsel was sought from a city advocate who recommended that the Sash claim R1000.00 for damages caused by the invasion of its rights, and that an application be served for the return of the documents. ⁷⁹ In the event, the documents were returned within a month and according to the wishes of the National President of the Sash, Mrs Jean Sinclair, the legal proceedings against the security police were dropped. ⁸⁰

77. Refer Appendix Five.

78. Regional Council Minutes, 9/5/1966

The Trust was founded by Col. James Donaldson in 1936 with the main objects of advancing the status, improving the conditions, and removing disabilities of Africans in SA. See SAIRR Survey, 1966, p.275. Advice Office records of these transactions are in the AAO Archives, Manuscripts Division, Jagger Library, UCT.

79. Regional Council Minutes, 26/7/65, 27/7/65, 2/8/65. The advocate was Adv. E. King.

80. Ibid., 9/8/1965

Special Branch harassment of Sash Advice Offices elsewhere in the country was noted at this time. In East London, Sergeant Hattingh of the Security Police paid several visits to the Advice Office early in 1965. Hounding and intimidating the Sash volunteers, he informed them in one conversation that the security police had files "on all of you - and photographs (sic)." ⁸¹

The security raid on the Advice Office brought unwelcome publicity to the AAO. Far more sustaining in those dark years was the steady trickle of approval from the English - language press, from foreign observers, from human rights groups and from certain churches. ⁸² Regular articles about the AAO appeared in the local press, often highlighting the poignancy or misery of individual cases, and in early 1966 both the London Observer and the Manchester Guardian ran articles about the AAO. ⁸³ At the 1965 Synod of the Anglican Church, the Rector of Stellenbosch, the Ven. Fred Findley in introducing a motion against the practice of migrant labour, referred to "that splendid institution, the Athlone Advice Office where an enquiry would reveal terrible case histories of human suffering and misery under our present laws." ⁸⁴ At much the same time the Synod of the N.G. Kerk approved the report of its Commission into migrant labour which warned that the practice was a cancer in South African society. This led to a Sash suggestion that outspoken members of the N.G.K. be invited to the AAO. ⁸⁵

81. Jean Sinclair, Report of Visit to Regions, 1965, p. 1

82. Examples of the emerging public profile included :

- comment on the AAO in a work published by Professor Julius Lewin ;
- greetings to the AAO from the President of Nusas ;
- the hope that the wife of Senator Robert Kennedy would visit the AAO during the Senator's visit to Cape Town in 1966.

Regional Council Minutes, 30/8/65 and 6/6/66

83. Cape Times 17/10/64 ; 8/2/65 ; 30/8/65. Cape Argus 11/2/67

Information about overseas newspapers in R.C. Minutes 17/1/65 and 24/1/65. Colin Legum of the Observer played a role in publicising the AAO.

84. Seek, January 1966, p.4

85. R.C. Minutes, 8/11/65. "The Rev. A.J. van Wyk and Mr Heynes should be invited to the AAO." See also R.C. Minutes of 17/3/69.

Despite these highlights, the prevailing climate of the mid-1960's did not bring much cheer to the AAO or to the Black Sash. Membership of the Sash continued to fall throughout the period. In the Cape Western Region, a loss of 51 members was recorded between 1963/4.⁸⁶ The trend continued for the rest of the decade. The 550 paid up members in the region in March 1965 had declined to 508 in 1966, 481 in 1967, 462 in 1968 and to 444 by 1969. In the 10 years from 1960 to 1970, regional membership declined from 1297 to 433, a massive drop of 66%. Some branches, losing numbers and momentum, joined with others. Attendance at meetings was pitiful.⁸⁷ The malaise within the general body of the Sash was mirrored to some extent at the AAO, where as we have already noted, the number of case workers was steadily decreasing.

Yet it was at this time that both the CWR of Sash and the Athlone Advice Office began to forge new roles and identities which were to carry them into the late 1960's and early 1970's. Whilst the focus of this research is not the Sash in Cape Town per se, some brief comments about the directions in which it was moving are pertinent to tracing developments at the Advice Office. The minutes of Sash Regional Council meetings for the period 1966-1970 indicate that there were five discernible areas of concern and involvement :

- legislation which introduced apartheid in public libraries, theatres and buses, and which closed the Night Schools in the city ;
- the banning and detention of over 700 persons in South Africa ;
- the promulgation of new Group Areas, and Group Area removals ;
- the exclusion of coloured voters from the municipal roll in 1971 ;
- the ban on racially integrated political parties ;
- the growth of "resettlement" camps in the Eastern Cape for displaced Africans.⁸⁸

86. For membership figures, see Appendix Three.

87. Regional Council Minutes, 21/1/65 ; 22/2/65 ; 13/3/67

Fish Hoek branch merged with False Bay and Pinelands with Rosebank. The minutes of 25/1/65 recorded that only 35 members attended the general members meeting in January.

88. Regional Council Minutes, 1966-70. Some specific protests launched in Cape Town included campaigns against the closure of the Nico Malan Theatre to persons other than white ; against the bannings of the Nusas President, Ian Robertson, and the academic, Dr Raymond Hoffenberg ; against the removal of Coloured persons from Claremont and Simon's Town.

Such was the changing focus of the Black Sash as it very slowly moved away from the arena of parliamentary politics and constitutional issues to a broader-based concern about the erosion of human rights and liberties in South Africa.

Although there were close liaisons between the CWR and the Advice Office, there was a sense in which the AAO had a separate identity. Its location in Athlone, "across the line", was a physical manifestation of this separateness. Furthermore, the small number of volunteers made up only 5% of the regional membership. The vast majority of members had not even visited the Office.⁸⁹ And when attendance at meetings declined, information about the AAO reached fewer and fewer members. The Advice Office, already alienated from white South African society, was becoming marginalised even within its own support organisation. Thus in May 1965, when the Black Sash celebrated its tenth birthday, Mrs Noel Robb, director of the AAO, took the opportunity afforded by the occasion to give an address emphasizing the vital role of the AAO in the Cape Western Region of the Sash:

" ... our most important work has been that of the AAO. (Starting that) was the most important decision we ever made. ... It was only then that (we) became really knowledgeable and able to argue and support our arguments with indisputable facts. ... Our files have been very valuable to M.P.'s, public speakers, the press and above all, as evidence to back up statements and deputations to officials, including the Minister of Bantu Administration himself. ... We have had visitors from all over the world ... Much more importantly, we have won the confidence of hundreds of ordinary African men, women and children ... they trust us and are deeply grateful for our help - not only when it is successful, but even when all our efforts fail."⁹⁰

She went on to categorize the worst aspects of the pass laws and influx control, which she described as "an incredibly cruel system" :

89. In 1970, 22 Sash members of a regional membership of 444 were involved in the AAO. Successive reports pleaded with members to visit, particularly as more overseas than local visitors were received. Regional Chair's Annual Report 1970 ; AAO Annual Reports, 1962-70.

90. Noel Robb, in The Black Sash, 9,2, May/June 1965, pp. 18-19

"I am sure 90% of white South Africans really believe it isn't true, but a visit to the Advice Office would convince them, without our opening mouths, that all these things are not only true but everyday occurrences happening all over the country, every day, to thousands of people." 91

Much had changed in the decade that the Black Sash had been in existence. Apartheid laws had been passed one after another, black political organisation had been crushed and driven underground, dissent had been stifled, the rights of Africans in the urban areas had been whittled away, thousands of people had been removed from their homes. Links with the Commonwealth had been cut and replaced by international isolation. In this repressive climate, all those who continued to meet one another across the colour line were singled out as enemies of the state. The Sash was not immune, as we have already noted. 92 Yet the handful of volunteers and staff of the Athlone Advice Office refused to be daunted. They faced the grim period of the mid-1960's with a gritty determination and an almost visionary sense of the future, eloquently expressed at a press conference in 1965 :

"... Although in all one's political activity one may prove to have been beating the air - this Advice Office work will stand forever ... there have been disappointments, there have been setbacks, and there will be more. This may be Dr Verwoerd's year ; so may next year, so may the year after that ; but it's not Dr Verwoerd's century. He's swimming against the tide." 93

91. Ibid.

92. See pp. 67-68 above.

93. Peggy Roberts, press interview, as reported in Sash, vol.9,2, May/June 1965, pp.25-27

CHAPTER THREE:

1966 TO 1969 - LABOUR CONTRACTS AND FORCED REMOVALS : THE DARK YEARS

The Athlone Advice Office occupied a lonely place in the structure of South African society in the mid-1960's. The unprecedented boom in the national economy was reflected neither in the shabby interior of the Office, nor in the faces or clothes of the hundreds of Africans who continued to pass through its doors. The majority of whites, who supported the National Party in increased numbers, remained unmoved by the suffering of blacks and closed their ears to reports of severe hardship and suffering amongst the African population. Nor was there any hope that matters would improve when the Minister of Justice, Mr B.J. Vorster, became Prime Minister after Verwoerd's assassination in September 1966. Indeed, the very smooth transition between ministries indicated that Vorster was not about to introduce reformist policies. If anything, as a junior in the hierarchy of the Nationalist Party, it would have been politically unwise for him to introduce even the slightest ideological shift. What he needed to demonstrate to his supporters was his loyalty to the policies of his predecessor. ¹

Jean Sinclair identified this in her address to the annual conference of the Sash in October 1967 when she warned that Vorster's projected image as a "benevolent, approachable, golf-loving, fatherly Prime Minister who is the essence of reasonableness and goodwill" ² belied the reality of the Vorster government which, in its first year

1. T.R.H. Davenport, South Africa, pp. 367, 383

2. Mrs Jean Sinclair, National Presidential address to Annual Sash Conference, Johannesburg, October 1967

in office, had passed a number of authoritarian measures.³ Nor had the Prime Minister shown an approachable attitude to his opponents, as was revealed in a reply to a Sash letter that called on him to stop the break-up of African family life : "I have been instructed to inform you that it is a waste of time to write to (the Prime Minister) as he is not prepared to take any notice of matters raised by you in view of your attitude to vital matters affecting the future of South Africa." ⁴

The Vorster era was characterised by increased state security measures that included censorship, police surveillance, bannings and detentions. Police scrutiny of the handful of white women volunteers at the Advice Office was something of a threat and no doubt scared off some Sash members not only from working as volunteers, but from the Sash altogether. Yet such harassment paled into insignificance when compared to the large-scale persecution of the African population in Cape Town after 1965. Armed with legislation relating to the pass laws, influx control and Group Areas, state officials embarked on a renewed campaign to clear the Cape of all but a severely reduced permanent African population. This involved a dual strategy of removals and deportations from the area and a total ban on new entries from the rural areas. It appeared that the state, needing to ensure a highly regulated labour force, and in keeping with its apartheid ideology, was moving towards the greater migrancy of the African urban workforce. This policy was developing a regional variation in the Western Cape, where it was linked to the notion of Coloured Labour Preference. ⁵

3. Refer Appendix Two, legislation 1967.

4. Prime Minister's Secretary, letter to Black Sash, quoted in Sunday Times, 9/7/67, p.15

5. These shifts were outlined by Jean Sinclair in her address to the National Sash Conference, October 1967. See also p. 21 above.

The warning bells which had been ringing for the African population of Cape Town for some time, turned into a siren alarm in August 1966. The Minister of Bantu Affairs, using the acute housing shortage which had developed in the townships as an explanation, announced that the labour quotas for all employers of African labour in the Peninsula were to be frozen as of 31 August 1966. An employer who wished to increase his quota had to send a request, in duplicate, to the Chief Bantu Affairs Commissioner in Cape Town, stating his frozen labour complement, the number of Africans required and why, the number of employees employed each year for the past five years, and what steps the employer had taken to secure Coloured labour. Employers were warned that only strongly motivated representations accompanied by all the required particulars might possibly result in favourable ministerial decisions.* No African women whatsoever would be permitted to enter the area as work-seekers or residents, neither could African men enter other than on the basis of annual contract/migrant workers. Moreover, no new permits for certain categories of male contract workers would be granted. The categories included vehicle drivers, floor sweepers, domestic and garden workers, newspaper vendors, stable hands, delivery men, petrol pump attendants, clerks, packers and time-keepers. † If such posts could not be filled by Coloured labour, only Africans who **already** qualified to be in the area could be appointed. In addition, employers were to cut down on their African labour complement by 5% per annum.

The 1966 labour regulations were received with great dissatisfaction by employers. Early in 1967, the Cape Chamber of Industries met the Minister of Economic Affairs to emphasize the comparative lack of

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6. F.H. Botha, Chief Bantu Affairs Commissioner, Western Cape, Circular letter, copy to SAIRR, Cape Town, January 1967, in AAD Archives.
7. Survey of Race Relations, 1967, pp.169-180
Mrs M. Roberts, "Introduction to the Labour position in the Western Cape", Sash, vol. 11.4, Feb. 1968, pp.13-15

economic development in the Western Cape and to stress that the labour shortage was an inflationary factor. ⁸ The Chamber had held a crisis meeting with Deputy Minister Coetzee in December 1966 in a bid to avoid the compulsory introduction of the 5% reduction policy. Coetzee agreed to leave this to the employers, but strongly criticised those who persisted in illegally hiring African labour. He blamed them for the misery created when these labourers were subsequently arrested and said he appealed to employers "in all sincerity to mend their deplorable ways" and threatened that he would make it his "personal business to see that they are prosecuted in future." ⁹

Reacting to calls from leaders in commerce and industry who wanted the scapping of this policy, state spokesmen re-iterated the government's intentions early in 1967 :

" The Bantu had no right of existence in the Western Cape. ... It is a historical fact that the Western Cape is the historical labour field of the White man and the Coloured man. ... Must we sit still and look on as it is overrun by more Bantu ? " ¹⁰

The Deputy Minister of Bantu Affairs, in a statement which was to earn him the nickname of " King Canute ", elaborated :

" The government is not planning for 25 or even 50 years ahead, but is looking as far as 200 years and more ahead. We are laying down a pattern which will last forever. ... I do not mind being called Canute. But frankly, Canute was a damn fool. He just sat back and hoped the sea would be held back. If he had worked for it he might have succeeded. Just look what we have done in Cape Town. With ingenuity and hard work and scientific methods we pushed the sea back half a mile. We can succeed now, though I admit this is the most difficult task of all. " ¹¹

The 1966 regulations had an immediate effect on the labour supply in the Western Cape. Press reports indicated that industries were struck

8. Cape Times, 15/2/67

9. Deputy Minister of Bantu Administration, Statement on Labour in the Western Cape, Cape Town, 21/12/66

10. Minister of Labour, Mr Marais Viljoen, Cape Times, 16/3/67

11. Blaar Coetzee, Ibid., 14/2/67

by widespread inefficiency, disruption and loss of production and that Coloured labour was found both to be in short supply, as well as being unsuited for heavy industry. ¹² The dairy industry, which employed 1,700 contract labourers, found it almost impossible to replace migrant workers with permanent African or Coloured employees. Likewise, farmers who were hard hit by labour controls, complained bitterly that they were sending lorries hundreds of miles in an attempt to recruit Coloured labour. ¹³ White housewives in the Cape Peninsula complained of a shortage of domestic labour, a weekend edition of the local newspaper carrying 100 job advertisements for domestic servants. ¹⁴

The effects of the labour controls were manifested in different ways at the Athlone Advice Office. Although the lot of migrant workers had been a great concern for the AAO for many years, the worsening conditions of single African male contract workers in Cape Town needed a greater understanding of this class of labourers. One aspect of the AAO approach was to familiarise itself with migrant living conditions in the townships, another was to take up particular cases of injustice regarding contract workers through means of court actions, press coverage, and through the publication of Advice Office records to a wider public audience. The National President of the Black Sash devoted almost her entire opening address to the 1967 Sash National Conference to the issues of migrant workers and influx control, taking pains to explain the objections to the system of migrancy as applied in South Africa :

" Migratory workers have no freedom of movement ; they cannot bring their families with them to the industrial areas ; they have no rights to settle permanently and they do not have equality of treatment in relation to tax, social insurance, housing and membership of trade unions and work councils ... nor do they even have the right to change their jobs or to

12. Sunday Times, 23/3/67

13. Cape Times, 30/1/67 ; Sunday Times, 19/2/67

14. Cape Argus, 14/1/67

sell their labour to their own best advantage ...the contract worker is reduced to a state of virtual serfdom " 15

In 1966, the AAO estimated that there were 27,000 single male contract workers in Cape Town, the vast majority of whom were housed in quarters in Langa, where there were only 20,000 beds. 16 Research conducted by an AAO worker in 1967 found that there were three forms of dwellings provided by the Cape Town municipality for migrants in Langa. The " Flats " consisted of three stories of double rooms and recreation rooms, but as overcrowding increased, the recreation rooms were turned into dormitories where 60 men slept on the floor. In the "Zones ", 13,600 migrants were housed in small brick houses, each having 5 men to a room. The worst form of Council housing was in the "Barracks" where large rooms accommodated 24 men on cement bunks, the open space in the centre being used for cooking and washing. 17 Such conditions led the Sash researcher to conclude that the Cape Town municipality was the greatest owner and constructor of slum property in the city. 18

Apart from council housing, private companies and some state sectors such as the railways, had erected "sheds" which housed up to 40 men at a time. Here there were no cooking facilities and no water-borne sewerage. Not only was the accommodation for male labourers so hopelessly inadequate, but a host of regulations prohibited the men from sleeping elsewhere and from bringing women onto the premises. 19

Although the Advice Office estimated that 68% of the men were married, they were treated as single and even if their wives should visit Cape Town, wives were not permitted to be in the so-called "bachelor

15. Jean Sinclair, National Presidential address, Sash Conference, October 1967

16. Mrs M. Roberts, op. cit. in Sash, Feb. 1968. There were also 3000 "beds" allocated for male labourers in Nyanga.

17. Mary Birt, "Langa", Sash, vol. 11.4, Feb. 1968, pp. 16-17

18. Ibid.

19. Compare with the conditions at Uitvlugt/Ndabeni, p.9 above.

quarters", many men being arrested and prosecuted for the offence of "harbouring" their wives. Moreover, the proportion of men to women in Langa was more than 10:1, an alarming ratio particularly as over half the children in the township were girls. ²⁰ The Advice Office, keenly aware of the social dangers inherent in such a situation, but perhaps misunderstanding the political implications of the male hostels, issued clear warnings of the potential for trouble and referred to the outbreaks of violence at the single quarters in Langa in 1960 and Paarl in 1963. ²¹

The appalling conditions under which migrant workers lived in Langa led to two AAO resolutions concerning housing for urban Africans which were debated, and passed unanimously, at the 1967 National Conference. They called for the improvement of African living conditions in urban townships and demanded that local authorities be allowed properly to house the African population in their areas. ²² Thereafter, the issue of housing for urban Africans became an increasingly important focus for the Sash and the AAO, particularly when housing became linked to influx control. ²³ In Cape Town, much of the thrust on housing was led, in the 1960's, by Mrs Eulalie Stott, a founder of the Advice Office and early Sash leader, who had been elected to the Housing Committee of the City Council.

Numbers of confused male labourers began to queue for advice at the AAO in the period after 1967. Many of the men had been working in Cape Town for years, returning to their families at Christmas and resuming employment with their employers in January. This had been one

20. Mrs N. Robb, " The Effects of Migratory Labour on the Individual Labourer ", speech to Institute of Citizenship, published in Sash, vol. 12.2, August 1968, pp. 10-15. She quoted figures from Hansard, 2, 1968, p. 409

21. Ibid.

22. Minutes of Black Sash National Conference, Johannesburg, 1967, p.8

23. See p. 85 below.

way in which men had been able to get permanent residence rights after 10-15 years' service. In theory at least, once **they** had qualified, they could bring their families into the urban area as well as hope to get family accommodation. From 1967 onwards, however, many men found that when they returned to Cape Town after their Christmas visit to their homes, they could not return to their employment nor could they join the local labour pool. They were sent to the Reserves where they had to start at the bottom of the employment ladder.²⁴ The Advice Office described the process whereby men who had nearly qualified for permanent residence but who were endorsed out at the end of long periods of service, as an appalling game of life and death in which men got to the top of a ladder only to find the "snake's jaws gaping, and straight to the bottom they slide."²⁵

Three further strategies were introduced to obstruct the process whereby men could qualify for permanent rights after 10-15 years. A Department of Bantu Affairs ruling of June 1966 stated that if two firms amalgamated, or if a firm changed hands, any service with the first firm was disregarded when taking into account the number of years a man had worked in the area. This had devastating consequences for a man such as Solomon Ramosoou who had worked for a steel firm in Cape Town from 1952. After he had been there for 8 years the firm was taken over by "Twiststeel" which continued to employ him. In 1965, despite the intervention of his firm, Mr Ramosoou was denied permanent residence rights, even though he had been in continuous employment for over ten years. The Chief Bantu Commissioner of the Western Cape discounted his previous service of 8 years with the steel company thereby reducing him to the status of non-permanent worker. His wife, who had been in the area for 15 years herself, was endorsed out with

24. N. Robb, Sash, vol. 12.2, August 1968, p. 10-15. She estimated that 13,000 African men in Cape Town were in this category.

25. AAO Report, May 1968

their four children to her husband's home in Thabanchu, a place unknown to her, and he moved into the "bachelor quarters" in Langa. ²⁶

A similar position applied to men in employment with firms which moved from one area of the Peninsula to another. At local government level, the Peninsula was divided into areas under the jurisdiction of the City and Divisional Councils.²⁷ If a company moved its operations from one area of jurisdiction to another, African employees lost their right to claim the period of service in the previous area. In one instance, a man who had been in Cape Town for 24 years but had at one stage worked for the Cape Town Public Works Department on Robben Island for four years, lost his rights to qualify under Section 10 (1)(b) as the Island was not part of the Peninsula at that time. ²⁸

A third strategy which aimed at disqualifying men from residence rights, pertained to long leave. Men who had years of service with an employer and who were granted long leave of several months, returned to find that their status in the urban area had been changed from that of permanent labourer to annual contract worker. In the case of Columbus Bantwini, a man who had 15 years' service in Cape Town, a period of long leave was to cost him dearly. Even though his firm wanted him back after his leave, albeit as an annual contract worker from thenceforth, official permission was refused on the grounds that the firm had exceeded its quota of African labour. Sent to Butterworth, the man waited for a decision. In the meantime, his wife lay paralysed after an operation in a Cape Town hospital and his two small children were returned to him for care. He was then not only separated from his wife, but was also faced with the nightmare of having to support two children without an income. As his case file indicates, he never received permission to return to his employer

26. AAO Annual Report 1965-66, pp. 14-15 (Solomon Ramoseu)

See also AAO Report 1967-68, p. 6 for case of Goodman Dadlana.

27. See p.10 above.

28. AAO Annual Report 1967-68, pp. 5 - case of Jackson Mini

despite the firm's efforts, and those of the AAO, to get him back. ²⁹

In March 1968 the state introduced even further measures aimed at replacing the permanent African labour force in the urban areas with migrant labour. ³⁰ In terms of Regulation R74 which came into effect from 1 April 1968, new forms of labour bureaux were to be established in the African Reserve areas. All African males between the ages of 15 and 65 who were in the tribal areas and who were unemployed had to register as workseekers at tribal bureaux and no males were permitted to leave the area to look for work, or even to take up employment which had been offered to them, unless they had registered and unless they had signed a contract of employment. Employers who wished to recruit Africans had to register with and submit requisitions for labour to the bureaux. The labour officer would endeavour to place men in suitable employment within the **categories** of work determined for African men in 1966, all of which excluded skilled contract labourers. Not only did an employer have to resort to appointing a third party or agent to recruit labour on his behalf if he could not make the trip himself, but there was no prospect of an employer choosing the right person for the job. Such was the case of Mr Lion Sondlo, a worker with a Cape Town dairy for nine years. When his term of employment ended, he was endorsed out and told to register with the tribal labour bureau. Yet the dairy was not allowed to re-employ him in 1968 even on an annual contract, as the 1966 regulations prohibited the employment of Africans in the **category** of dairy workers. ³¹ Furthermore, employers were not allowed to request a contract for members of a family. This closed a loophole whereby an African father in employ in

29. Case of Columbus Bantwini, Special Cases, AAO Archives, and in Sash., v.11.2, August 1968, p.14

See also : J.N., AAO report, August 1966 ; Stanford Vamva, AAO Annual Report 1967-68, p.6 ; Gilford Ngwane, *ibid.*, p.5

30. Bantu Labour Regulations (Bantu Areas), Government Gazette, 2029, 29/3/68

31. AAO Annual Report 1966-67, p. 4 - case of Lion Sondlo

Cape Town might try to get employment for his son with the same firm.

The signing of contracts of employment for Africans was open to grave abuse. After 1 August 1967, all contracts were issued for one year only and could not be renewed in Cape Town. On expiry, the worker had to return home for one month, (the state argued that this was in order for him to spend time with his wife so that she did not have to visit him in the city), and then, while in the Reserve or bantustan area, he could sign a fresh contract. Despite the fact that four copies of the contract were signed, the worker did not get a copy for himself, and very often, the contract was signed without the worker ever having met the employer or knowing anything about the nature of the work. In a 1968 case heard in the Commissioner's Court in Observatory, three dairy workers were accused of broken contract, yet no copy of the contract was ever produced in court. ³²

Misunderstandings and labour disputes arising out of the contract labour system were a common cause of complaint at the Advice Office. By July 1966, the AAO had interviewed 178 cases in which employers had apparently broken their contracts with employees. ³³ In the 1967-68 AAO annual report, Noel Robb addressed the problem :

"Contract workers suffer many disadvantages for which there is virtually no redress. What is a labourer to do about a dispute? If his employer is not prepared to remedy his grievance, the labourer is obliged to "agree to terminate his contract", or he will be accused of having broken it, which is a punishable offence." ³⁴

She referred to recent cases of workers who had been involved in misunderstandings with their employers. In one instance, a labourer who had only worked for two months had to agree to terminate his contract and return home. By the time his fares had been deducted from

32. Sash, v.12.2, August 1968, p. 11

33. AAO report, July 1966

34. AAO Annual Report, 1967-68, p. 11

his pay, all he had earned was R1.68. ³⁵ In a case which involved 23 labourers at a cement factory, it was found that they had not understood the stipulation in their contract about overtime. Despite legal defence arranged by the AAO, they were dismissed and sent home where they had to start the search for work afresh. ³⁶

The Deputy Minister of Bantu Affairs had stated in a press interview in February 1967 that contract workers had the sword of Damocles hanging over their heads as they had no tenure or rights to residence in the city and could be "kicked out from one day to the next". ³⁷ It was a most accurate statement, which graphically described in tone and substance the attitude of the state to migrant labourers in the urban areas. The comment was equally applicable to African women and Africans who originated from neighbouring states.

Foreign Africans were designated by the government as persons coming from beyond the borders of the Republic to work in South Africa. The category included workers from all neighbouring states and territories. From 1966 onwards such workers were subjected to increasingly stringent controls. ³⁸ All those in the Western Cape were given six months' notice to leave and permission was refused for any foreign Africans to enter the area. Men who had married women from the Cape while they had worked here were told that they had to take their wives and children back to their country of origin, regardless of the fact that many had been in the Western Cape for 20 to 40 years and had lost all contact with their home countries. Many had married local women who feared relocation in a foreign area. For Rebecca Thenjane, a woman who had been born in Cape Town in 1943 and had never

35. Ibid., case of D.T., p. 11

36. Ibid., case of workers from cement factory, p.11

37. Cape Times, 14/2/67

38. Survey of Race Relations, 1967 pp. 169-70, 185-6 ;
Cape Times, 19/5/67 ; Cape Argus, 12-14/ 7 / 67

been further afield than Stellenbosch, the threat of being "chased away to Basutoland" with her Basuto husband whom she had married in 1958 led her to seek redress through the courts. She had forfeited her right to live in Nyanga East with her parents when she married, she was refused the right to live in Stellenbosch with her husband as he was a foreigner and she had no wish to be endorsed out of the area to Basutoland or anywhere else. But her appeal was lost in the Cape Town Supreme Court, although Justice van Winsen sympathetically described Mrs Thenjane as living in a legally created limbo for which the court had no remedy. ³⁹

The sword wielded by Mr Blaar Coetzee and his government department hung very heavily over African women in Cape Town. Their removal from the area was a priority of the state, for it was women and children who formed the basis of family life and permanency. Partly this was achieved by reducing the chances for **men** to qualify and by creating a class of contract workers whose movement to and from the city was strictly controlled. Once a man had become an annual contract worker, he had to live in "bachelor quarters" and could not apply for a housing permit. (Only men who had permanent residence rights qualified for family housing.) The wives and families of men whose status was changed to contract workers, had to leave the area even if they had been there for many years.

The fortunate class of men who **were** qualified and who had a house were not immune from the onslaught on their wives and children. Often the very house a man was entitled to, became the grounds on which his wife was endorsed out of the area, as the case of Mr and Mrs Hokwana revealed. In 1965 Regina Ben married Norman Hokwana, a man born and bred in Cape Town, but permission was refused for her to live with her

husband on the grounds that her husband's widowed mother was accommodated in his Langa house.⁴⁰ Similarly, when Audrey Sibisa, a woman who had been born in Cape Town, married Samson Dungwa, a man who had also been born there, the couple found themselves without accommodation as he was no longer permitted to live in his parents' house. There was no accommodation available in the townships, nor did Mr Dungwa have a family in the Reserves to whom he could send his wife.⁴¹

Closely linked to the problem of housing for married Africans in Cape Town, but distinguishable in law as separate grounds for the removal of an African wife from the area, was the vexed question of the term "ordinarily resides". Section 10(1)(c) of the Urban Areas Act permitted a woman to remain permanently in a prescribed area if she was the wife of a qualified man, if she had entered the area lawfully and if she "ordinarily resided" with her husband in that area. The Advice Office had seen many cases of women who were endorsed out on the grounds that they did not ordinarily reside with their husbands.⁴² Very often this was because the husband had paid rent in "bachelor quarters" and could not get a house in the township. In 1967, the AAO took two cases on appeal to the Supreme Court in order to get clarification about the grounds for deportation of wives of qualified men. The cases of Christine Nqwandi and Nomfimfi Enid Mjakuca were successfully contested, offering not only joy to the applicants, but hope to those in similar situations.⁴³ The Advice Office staff were elated by the victories and proclaimed: "We have had the thrill of

40. Ibid., p.6 - case of Mr Hokwana/Ben

41. Ibid., p. 6-7 - cases of S. Dungwa and A. Sibisa.

See also the cases of Elsie Sineli, Evelyn Wexu, Agnes Gqibeleni and Theorah Mantyi.

42. For example, see AAO report, May 1967 - case of Pilda Mlisa, endorsed out to Mount Frere.

43. AAO report May 1967 and Annual Report 1967-68 - cases of Christine Nqwandi/Jelashe and Nomfimfi Enid Mjakuca.

our lives." ⁴⁴ Immediately after the Mjakuca judgement, a case was withdrawn in the Magistrate's Court and the AAO surmised that at least seven cases were withdrawn in the Commissioner's Court as a result of the successful appeals. An elated wife who obtained a Section 10(1)(c) stamp in her reference book exclaimed: "It looks like a dream." ⁴⁵ Likewise, the finding of Acting Justice Tebbutt in the Mjakuca case, namely that an African woman needed no express permission to live in a prescribed area if she "ordinarily resided" there with her husband, was greeted with hope by lawyers acting in such cases. They referred to the 412 women convicted on permit charges in the Cape Town Bantu Commissioner's Courts in April 1967 alone, many of whom were living with their husbands. They believed that the verdict would have a favourable bearing on the future of thousands of married African women in the area. ⁴⁶

While there is some evidence of cases against married women being withdrawn as a result of these judgements, officials continued to harass women by arresting them and forcing them to appear in court where they had to **prove** that they had the right to Section 10 (1)(c) status. The 1967-68 Annual Report of the AAO listed individual histories of three women who had lived with their husbands in the Luyolo location in Simon's Town and who had been moved to Guguletu when Luyolo was demolished in December 1965. ⁴⁷ During 1968, all three women were arrested and tried in the Commissioner's Court for being in the area without a permit. It was only after their ordeal and after the intervention of the AAO and lawyers, that they were given the

44. AAO Report May 1967

45. Ibid., and AAO Annual Report 1966-67 - cases of Frances Patu ; Mr and Mrs Potye ; Mr and Mrs Mdlankono ; Mr and Mrs Coki

46. Cape Times, Cape Argus, 2/6/67

47. When the 1600 Africans were moved from Simon's Town to Guguletu, the government gave an assurance that they would be moved in family units, but see the cases of Dora Tancu ; Mr and Mrs Ntuli ; Mr and Mrs Jack ; Mr and Mrs Mkandwana, whose families were broken up because they could not prove "ordinary residence".

permits to which they had been entitled all along. These cases suggest that the authorities, determined to find a way round the Mjakuca judgement, sought out more marginalised women, in these instances, women who had already been traumatised by the forced removal from their homes in Simon's Town. ⁴⁸

The authorities had also turned their attention to another marginalised group of African women, namely wives who had been widowed or deserted, and after 1967 seldom a day passed without a widow bringing a serious problem to the AAO. ⁴⁹ The hardships faced by such women were truly pathetic. Not only had they been instructed to leave their homes, but they also concomitantly lost their rights to residence in the urban area. Officials stated that housing permits were only issued to male heads of households over the age of 21 and not even women who qualified for residence in their own right were eligible. ⁵⁰ Defeated by a combination of legal and administrative barriers, widows were deported from the Peninsula on government rail warrants to places where there was no hope of them finding work. They took with them their worldly possessions, at times this included highly valued sheets of corrugated iron. For reasons which remain obscure, but which may have to do with the critical shortage of female domestic workers in Cape Town, some widows were able to apply for a permit known as the "breadwinner's concession". This Supplementary Settlement Scheme, as it was officially known, was only implemented in Cape Town where it had been designed by the local Department of Bantu Affairs in Observatory. It determined that a widow who was the sole breadwinner for her family would be given a permit to remain in the

48. AAO Annual Reports, 1965-66 , 1967-68 , 1968-69

Cases of Drippa Ntleko ; Cecelia Mlengana ; Legina Madzibe.

49. See AAO Annual Reports 1964-65 , 1966-67 , 1967-68 and monthly reports for April, May and December 1968 for cases of :

Nomhlekude Dala ; Elizabeth Dyanti ; Florence Mashaba ; Florence Makhele ; Lena Tshotsholo ; Jostina Sozani. Refer also to p.63 above.

50. AAO Annual Report, 1967-68, p. 1

city provided that she sent her children to a tribal or resettlement area and that she found employment preferably as a live-in domestic worker in Cape Town. While this offered some women the only chance they had of providing for their families, it had grave consequences. Not only did a mother lose contact with her children, but when they were sent away, they lost their residential rights in the urban area and would never be able to return, except, in the case of males, as contract workers. ⁵¹

It would be difficult to imagine that the state and its officials needed further measures of control, or powers of eviction, over African women in Cape Town than those I have already discussed. However, in October 1965 the Department of Bantu Administration issued an instruction that all African women who had failed to register their presence in Cape Town within 72 hours of 24 June 1952 were to be endorsed out even if they already qualified under Section 10 for permanent residence. ⁵² As the landmark case of Mrs Mary Xala was to prove in 1967, this time the bogey of the 24 June 1952 date became real. ⁵³ The case revealed in stark detail the immense difficulties faced by African women in the Western Cape towards the end of the 1960's, and also speaks of the attitude of officials and the judiciary towards the policy of influx control as then applied in Cape Town. It was the first legal case which the AAD took to the Appellate Division, and showed the increasing maturity of the Advice Office, as well as its relationship with the lawyers who assisted it.

Mrs Xala had come to the Peninsula from Tsomo in the Transkei in 1945. She married later that year and she and her husband had lived in the area ever since. She had not registered to be in Cape Town in June

51. See AAD Annual Reports 1967-68 and 1968-69 for cases of :
Triphena Kwaaiman ; Girlsie Nyembezi ; Elsie Atolo

52. Black Sash, Regional Council Minutes, Cape Town, 24/10/65

53. AAO Archives, case of Mary Xala, files of R.N.Robb, 28/10/66

1952 simply because there was nowhere for **any** African women to register at that time. Registration for African women only **started** in October 1954 and was not **compulsory** until February 1963. When the state put the registration procedure into operation in 1954, Mrs Xala, along with thousands of other black women in the Peninsula, registered voluntarily. By 1965, Mrs Xala had been in the area continuously for 20 years and qualified, theoretically at least, for permanent residence under Section 10(1)(b) of the Urban Areas Act. She had a council house in Guguletu where she lived with her husband and five children, who had all been born and educated in Cape Town. Her husband died in 1964, leaving her the sole breadwinner for the family.

In 1965, Mrs Xala had to leave the city on a visit to the Transkei as her mother was seriously ill. She left her children at Langa and only took a small suitcase with her. Her return was delayed by unforeseen circumstances, which would have jeopardised her right to remain in the city if she had not been able to prove her intention to return. However, this was not the reason for her arrest in November 1966, when one "Mr Kellerman, an inspector of Bantu in the service of the municipality, found her in Guguletu. She was charged with having **remained** in the prescribed area for more than 72 hours." ⁵⁴ Her offence was that she could not **prove** that she qualified under Section 10(1) as a permanent resident in the urban area. She was found guilty and fined R10, or 30 days' imprisonment. The AAO briefed Mr David Dallas, a city lawyer, to take her case to the Supreme Court in order to argue that her continuous residence from 1945 to 1965 entitled her to Section 10 (1)(b) rights. ⁵⁵ A case concerning the 1952 regis-

54. Supreme Court Record, S.v.Xala, C.P.D., 21/3/67- 11/5/67, Diemont, J., and Baker, A.J., p. 708

55. Mr David Dallas of the firm W E Moore and Son was one of the AAO's most dedicated lawyers. His wife worked at the AAO in the 1970's. Despairing of the government's treatment of Africans as witnessed in the courts particularly, they emigrated to Melbourne in the early 1980's. Mrs N. Robb described his commitment to these cases as stemming from a deep Christianity. N. Robb, interview, Feb. 1993

tration date for African men had recently been lost in the Supreme Court, on the grounds that although he had been **de facto** in the area for over 15 years, he had failed to **register** in 1952 and therefore did not qualify **de jure** for 15 year rights.⁵⁶ The AAO had consequently lost a number of cases on behalf of male applicants who were in a similar position. However, the AAO wanted to use Mrs Xala's case as a test to prove the absurdity of the 1952 registration date for **women**.

The case was heard in the Cape Town Supreme Court in March 1967. Advocate E. King, for Mrs Xala and the AAO, argued that the purpose of the 24 June 1952 registration date was entirely prospective in effect and that it only applied to Africans who entered the urban area after that date, ie. if an African entered the area after 1952 and failed to register, then he/she would not have qualified for Section 10(1)b rights by 1967. He submitted that the 1952 amendment was not intended to apply to Africans who were already resident as of June 1952, as had been Mrs Xala. The state prosecutor argued that the 1952 amendment was intended to have a retrospective, as well as a prospective effect, and that it affected all Africans in prescribed areas at the time. Unless they **already** had exemption from Section 10 of the 1945 Urban Areas Act in June 1952, they had to apply within 72 hours of the focal date for registered permission to remain. Failure to comply, meant that their continued residence in the area was illegal. (The fact that no Africans registered because they were unaware of the new regulations, and that no mechanism for registration was set up within the 72 hours was not argued.) In his judgement, Justice Baker accepted this strict interpretation of the law.⁵⁷ The effect of this was to create a large category of Africans who were deemed to have been illegally in the area since 1952, if not before that.

56. Unreported case of Corbett, J. viz. , S. v. Hlahleni, C.P.D., 4/8/65

57. Supreme Court Record, S. v. Xala

Realizing with horror the implications of this judgement, the AAO fought for months to obtain permission to take the case on appeal primarily so that the the facts would be placed on record. Eventually, permission was won, and Advocate Donald Moltano appeared for the appellant in Bloemfontein in March 1968. In the interim, Mrs Xala was constantly harassed and threatened with deportation. It was only through the intervention of Mr Dallas that the officials in Langa gave her one extension after the other. The final extension expired on 5 June 1968, so that when Moltano lost in Bloemfontein, she had no further option but to leave. The news was broken to her at the Advice Office, as the penultimate entry in her AAO file recorded : " 2.4.68. Mrs Xala came in and was informed of the failure of her appeal. We can do nothing further, she will have to arrange to leave and return to Tsomo. " 58

The loss of this case was a personal tragedy for Mary Xala and her family. Little more is known of her after 1968. The final entry in her AAO file noted that she returned to Cape Town, illegally, in May 1971, as she had heard that her eldest son, who was her only financial support, was mentally ill. There is no way of knowing whether she remained in the city and became part of the flow of illegal entrants who had turned to squatting in the bush of the Cape Flats, or whether she returned to the Transkei to eke out an existence in Tsomo. What is certain though, is that the life which Mary Xala and her family shared during the twenty-three years (1945 - 1968) that she lived in the Peninsula, was thrown into utter havoc by the relentless application of the pass and influx control laws.

The outcome of the Xala case had severe implications for many other African women whose **continuous residence** in Cape Town for 15, 20 or

even 30 years no longer gave them the legal right to remain in the area. The Advice Office began to see a stream of women with lengthy residence whose reference books had been endorsed with deportation orders. A spate of cases was lost in the courts in 1967 on grounds that women had not registered in 1952.⁵⁹ In one instance, a woman who had lived in the area since 1928, and therefore would have qualified for Section 10(1)(b) rights by 1952, but who had only registered in 1955, was refused permission to remain in 1968. After a series of visits to the officials, the AAO succeeded in getting her a temporary permit to continue to live in her house, albeit without the security of exemption from the Urban Areas Act.⁶⁰ After 1967, permanent residence rights for African women became increasingly hard to win. They were limited to women who had been born in the city and had lived there ever since, or by women who were married to men who qualified and with whom they "ordinarily resided", but as we have seen, the pattern of family life in Cape Town had been so disrupted as to make co-habitation an exception rather than the rule.

In April 1968, the AAO had been in existence for ten years, first as the Bail Fund, and since 1962, as the Athlone Advice Office. As far as the eye could see, not a great deal had changed at the premises on Klipfontein Road, except that space had become an increasing problem. The rooms remained sparsely furnished. Indeed, a birthday gift from an anonymous donor of a carpet to cover the cement floor had been most gratefully received. The two black interpreters, Mr Viti and Mrs Malindi, remained in employ. Mrs Robb continued with her able directorship, supported by a dwindling number of volunteers who numbered 17 in 1968. The office organiser, Mrs Parks, had resigned at the end of 1967, her post being taken by Mrs Barbara Versfeld, wife of

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59. See AAO Annual Report 1966-67 for cases of :

Elsie Mlambo ; Agnes Ngambu ; Irene Njaga ; Emily Yekani

60. AAO Annual Report 1967-68, p.10 - case of Girlie Mbanya

the Professor of Philosophy at the University of Cape Town and mother of nine children. She had grown up in a household committed to the notion of service, having witnessed her parents' philanthropy towards African miners while her father was employed as a mining engineer, and after his retirement to a Boland farm, to farm labourers. Both Barbara Versveld and her sister, Mary Coke, had been active in the 1960's as members of the Black Sash in Cape Town. They were Advice Office volunteers as well as monitors at the Bantu Commissioner's Courts in Observatory and Langa. ⁶¹

When staff, volunteers and well-wishers gathered at the simple anniversary celebration, they reflected on the past decade at the AAO, during which 12,500 case files had accumulated, each bearing testimony to the problems and hardships experienced by the African population in Cape Town and its environs. ⁶² The files indicated that for many applicants, there was very little that could be done. The hardening of official attitudes indicated to the AAO that unless a **legal** point could be argued, there was no hope of winning a case on humanitarian grounds. Often the help was of a very temporary nature - an extension of one month on a deportation date, the trainfare for the journey of a deported person, the claim for the refund of a R10.00 fine paid by a young girl, arrested at the age of 15 for not having a reference book. ⁶³ The successes in the Nqwandi and Mjakuca trials had been the most significant legal victories to date.

Yet despite the bleak prospects of success, the evidence suggests that the Advice Office had come to be regarded with respect and admiration amongst Africans. AAO monthly and annual reports frequently referred

61. Interview with Barbara Versveld, Mowbray, 7/6/91

62. During the five and a half years from February 1962 until October 1967, more than 20,000 **interviews** had been conducted at the AAO, there being more interviews than individual case files. Most cases required multiple interviews due to their complexity.

63. AAO Annual Report 1965-66, p.8 - case of Christine Matebe

to the gratitude of the applicants even when nothing could be done for them. Letters received from Africans who had left the city for the rural areas indicated that the Advice Office was perceived to be an instrument which offered hope in times of great despair : 64

" I hereby write this letter because I need your help desperately, ie. anything you can do for me. I was endorsed out of Port Elizabeth after serving a two-year prison sentence, and thrown in this barren land. (Ilinge, near Queenstown) I can't find work ... I am running out of clothes. I am starving. The place is very cold when cold and very hot when hot ... What must I do, can you please (help) me, pick me out of this distress and endless strain ... I am unable to pay tax ... this means I will go to jail anytime ; please someone help me."

" We are struggling here (Cofimvaba) and our children are starving very bad. ... We are here just for nothing ... Please try by all means (for us) to be back again. We are struggling here, no food, no water, and winter is starting though blankets are scarce. "

Although the Advice Office was well-known in the black community by 1968, it remained relatively obscure to most whites. The tenth annual report drew attention to the fact that "people from overseas are so much more interested in our work than those who are permanently resident in South Africa. The average South African is totally ignorant of the hardships suffered by Africans under Influx Control legislation." 65 However, the report did identify a growing tendency amongst employers who sought advice about matters pertaining to the employment of Africans and it would seem that the addresses which Mrs Robb had delivered to business and professional organisations over the years had won the AAD some degree of authoritative status. 66 This status had been accepted by a number of members of parliament, notably Mrs Helen Suzman, who referred to AAD cases both to demonstrate to her

64. AAD Annual Reports 1964-65, p. 9-10 and 1967-68, p.3

Letters from Mtshaka Sobekwa and unnamed man.

Many of the case files contain such letters, giving the address of a trading store in the nearest village as a return address for the AAD correspondence.

65. AAD Annual Report 1967-68

66. Ibid., p.2 No records of employers' telephone calls to the AAD were kept.

opponents that the policy of influx control held disastrous consequences for the country, and to refute allegations against her of ignorance. ⁶⁷

Recognition of the role of the AAO was given expression from time to time in the English language newspapers which published reports of particular cases of hardship, particularly those involving a whole family whose circumstances could be dramatically rather than legally described. ⁶⁸ There were occasions when members of the public responded to stories of almost unbelievable hardship, such as that which had befallen Columbus Bantwini. ⁶⁹ The Black Sash as a whole was commended in a series of three articles published in early 1968 in The New Yorker. One piece was entirely devoted to the AAO, as was an article published at the same time in a popular South African women's magazine. ⁷⁰ The assistant editor of the influential Rand Daily Mail, Allister Sparks, added his own boost in an article which strongly criticised white South Africans for losing their compassion but paid tribute the Sash:

" Thank God for the brave women of the Black Sash. At least they are still able to feel compassion for those who are made to suffer. And while we wait for South Africa to recover its senses, such work as is done in the Sash advice bureaux is the most noble that can be done. " ⁷¹

By 1968, the policy of migrant labour had come fully under the spotlight of the churches. The Committee of Social Responsibility of the Anglican church in Cape Town published a 1967 report on the effects of migrancy and received support from the Dutch Reformed

67. AAO Annual Report 1967-68 re cases sent to Helen Suzman after attack on her in parliament.

68. Cape Times, 25/3/64 ; 9/4/64 ; 8/2/65 ; 13/3/65 ; 30/8/65 ; 25/12/68

Cape Argus, 24/3/64 ; 2/4/64 ; 9/4/64 ; 11/2/67 ; 5/7/68

Evening Post, leading articles during 1968

69. See pp. 80-81 above.

70. E.J.Kahn, The New Yorker, 27/1/68 ; 3/2/68; 10/2/68 ; Femina, February 1968

71. Allister Sparks, Sash, v. 11.4 , February, 1968, p. 6

Church whose Cape Synod had reported in 1965 that migrancy was a cancer in the society. The Presbyterian church joined the voices of protest.⁷² Common cause between the churches and the Advice Offices over the disruption to African family life led to the sharing of ideas and resources. Delegates from the AO were invited to attend church conferences.⁷³ Church reports containing information from Advice Office records were included for publication in the Black Sash magazine.⁷⁴ In this way, a supportive relationship developed between the Sash and the churches, which was strengthened when the state stepped up the policy of forced removals in the late 1960's. Indeed, the alliance which the Black Sash forged with the churches over the issue was one of the hallmarks of the Sash's growing status in the arena of civil and human rights in the decade of the 1970's. The removals crisis can, in fact, be seen as a growth point for the Sash and the Advice Offices as it forced them to redefine their roles.

The concept that the black population of South Africa should be contained within the so-called Native Reserves had been a cornerstone of post-Union government policy and was not a creation of the Nationalists who came to power in 1948. But Nationalists wanted to ensure that the policy could be made workable and they had already taken a number of legislative steps in this direction⁷⁵ before the report of the Tomlinson Commission into the Reserves was released in 1955. While the government rejected Tomlinson's major recommendations, it supported the principle of labour-intensive industries in the areas

72. Anglican Church, " Effects of Migratory Labour ", Sash, v.11.1 , February 1967 , pp. 12-16 ; Cape Argus, 28/9/68.

The D.R.C. Committee on Family Life had asked for AO cases to take up with officials.

73. For example, the Anglican Church held a "Conference on Poverty" in Cape Town in July 1967 attended by three women from the AAO.

74. Sash, v. 11.1, February 1967, pp. 12-16
Sash, vol. 12.3, November 1968, pp. 28-31

75. Refer Appendix Two, legislation 1948 - 1955

bordering on the Reserves. ⁷⁶ Labour would be supplied by resettling the surplus black population from the urban areas and white farms in the Reserves. In July 1960, Verwoerd took the first steps towards implementing this policy by making incentives available to industrialists to establish undertakings in the border areas. In order to overcome the problem of Africans who had no connection with land or family in the Reserves, "transit camps" were planned in the border areas. ⁷⁷ The first of these bleak places, which were referred to by the state as "resettlement camps", was laid out in 1963 at Sada, near the village of Whittlesea in the Ciskei.

The relocation of Africans to the Reserves or resettlement camps proceeded in the early 1960's almost unnoticed, at least by the white constituency. Not even the Black Sash, with the awareness of urban deportations that came via its Advice Offices, had truly focussed attention on what had happened to the 219,000 Africans who had been endorsed out of the urban areas between 1959 and 1965, 86,186 of them in 1965 alone. Nor had the Sash actively campaigned against the removal of an estimated 73,000 Africans from white farms during the same period. ⁷⁸ It was only after the steady flow became a flood

76. The Tomlinson Commission had been appointed to try and address the growing crisis of over-population and severe underdevelopment in the Reserves. Its massive Report made numerous suggestions, based on the premise of separate development. In brief, it recommended that Africans should be returned to the Reserves, which needed to be enlarged. Agriculture should be stimulated, as well as the growth of modern towns and industry. Sixty million pounds should be spent in the next ten years to promote this development and create jobs. In this way, the migration to the urban areas, driven by the impoverishment of the reserves, would be halted.

77. It was estimated that one-third of Africans in the urban areas and on white farms had nowhere to go.

Sash, vol. 11.3, Nov. 1967, pp.15-20

78. Race Relations Survey, 1966, p.162 ; Hansard, 13, 1968, col.4766
Hansard, 4, 1968, col. 1173. The Minister of Bantu Affairs told parliament that he would no longer release annual figures for those endorsed out of the urban areas after 1965.

in the later 1960's, and when the policy of influx control, with which the Advice Offices were so familiar, became paralled by a programme of "efflux enforcement", that the Reserves and resettlement areas became a source of very grave concern to the Black Sash ⁷⁹

Several explanations for the increased removals after 1965 may be advanced. The first is demographic, for in spite of all the steps taken to reduce the African population in the urban areas, statistics revealed that the black population in the cities was growing. In Cape Town, the guinea-pig city for the state's experiment in social engineering, the official figures for the African population showed increases in 1966 and 1967. The government attempted to explain away the increase of 13,388 Africans, from 74,504 in 1965 to 87,896 in September 1966, by saying that this was due to removals from other magisterial districts, for example, the removal of 1,600 Africans from Simon's Town to Guguletu in 1965. ⁸⁰ In 1967, when the figure rose to 90,571 the state pointed out that the African labour force was down from 42,716 males in 1966 to 40,174, and from 4,760 women to 4,418. ⁸¹

At least part of the state's grand plan appeared to be bearing results, but there was a tone of desperate urgency in a General Circular issued by the Secretary for Bantu Administration and Development in 1967 :

" ... no stone is to be left unturned to achieve the resettlement in the homelands of thousands of superfluous Bantu families at present residing in the European areas. The human factor must however never be lost sight of ... the people must be treated with due respect and sympathy towards their problems and the impression must not be created that they are no longer welcome in the European areas ... Persuasion must continuously be exercised by officials to persuade persons who qualify and are not prepared to accept settlement in towns in their homelands, to be settled. " ⁸²

79. See Joyce Harris of the Johannesburg Advice Office, Sash, vol. 12.2, August 1968, pp. 2-3

80. Cape Times, 21/1/67

81. Ibid., 3/11/67

82. Dept. of Bantu Administration and Development, General Circular No. 25/167 ; AAD Annual Report 1967-68, p.13 ; Cape Argus, 6/7/68

The Department of Bantu Affairs might try to hide its iron fist in the velvet glove of "persuasion", but the attempt at subtlety did not impress the Advice Office, which, by that time, had had too much exposure to the Department and its officials to trust in its bona fides. Indeed, the AAO became immediately aware of the strategies employed to get people to move "voluntarily". Cases seen at the AO indicated that those who did sign an agreement to be resettled often did so unwillingly or uncomprehendingly. ⁸³ Great pressure was put on families who were well-established in Cape Town to tear up their roots and accept resettlement. The pressure was greatest on the more marginalised persons in the townships - widows, deserted wives, the old and infirm. ⁸⁴

A further explanation for the rising numbers of resettled persons can be sought in the ticking of the clock within the framework of the 1952 Urban Areas legislation. It had been clearly demonstrated that the permit to live and work in an urban area was not only desirable in the context of human liberties and rights, but was all too often the lifeblood of entire families. For many Africans, the deprivation of urban rights led to poverty and destitution. Therefore, Section 10(1)(b) of the 1952 Urban Areas Act, which offered permanent residence rights after 15 years' continuous residence in the area, was regarded with great expectations by those who lived in hope that if they could cling onto an existence in the cities for long enough, a Section 10(1)(b) stamp would be their prize. Little arithmetic is needed to calculate that in 1967 the magic 15-year date was reached. Yet it only applied to **men** who first came to the urban area in or before 1952 and who registered within the stipulated three days of 24 June 1952. As we have seen, women **could** not register as there were no

83. AAO Annual Report 1968-69, pp.2-3

84. Ibid., p. 3 - cases of Mary Seekoei ; Vivian Ntloko ; Engelina Msizi

facilities for them to do so, yet the law did not take this discrimination into account, as the case of Mary Xala had clearly demonstrated. ⁸⁵ In Cape Town, registrations for women commenced at the end of 1954 and it was only in 1969-70 that women could start to apply for Section 10 (1)(b) exemption. Undoubtedly, the persecution of African women in the towns, which had been going on for years was partly aimed at getting rid of as many women as possible **before** they could qualify. But for both men and women who hoped to qualify, the danger of endorsement out became heightened as the 15-year period drew to an end. In Cape Town those who could not escape the net because their papers were not in order and those who were too weakened to resist the pressure brought to bear on them to relocate, swelled the numbers of people who were being uprooted from all over the country in a rising tide of forced removals which was to gather momentum in the 1970's.

Evidence to destroy the myth that the Transkei was a proverbial land of milk and honey where every Xhosa -speaking man and woman in Cape Town had a rural home, was expressively displayed in the letters which began to arrive at the Advice Office from persons who had previously been interviewed there and who continued to believe that the AAO could help them. Mrs Bessie Mgidlana was sent with her 5 children from her house in Guguletu to Nqamakwe in 1970, leaving her husband in Cape Town. After three months she sent a desperate letter to the AAO :

" I left Cape Town in July. The clerks at the magistrates office told me they have got nothing to do about finding me accommodation. My husband must look for a place for me to live with my children. I wrote three letters to my husband but there was no reply. He only sent me money once for the last three months and the children are sick. I even went to see the magistrate at Nqamakwe but he did not help me, he told me to go. ... I am not eating with the children. I am lost I don't know what to do and where to go... I have nowhere to stay I am living with friends. Will you please call my husband and ask him does he write or send money to me. " ⁸⁶

85. See pp.89-91 above.

86. Case of Bessie Mgidlana, Special Cases, AAO Archives, Jagger Library. The original letter is in Xhosa. AAO translation.

An old woman who had lived and given birth to all her nine children on a farm in the Western Cape was "offered" a plot in the district of Tsomo in 1971, having been in Stellenbosch since 1936. She experienced extreme deprivation in the Transkei as a letter to the AAO revealed :

" No water except from the river which is a long way to walk; no food, no money. My things are standing outside." ⁸⁷

For those who did not have even a tenuous link with the Reserves, state policy was to allocate them to a "resettlement" camp. By 1967, there were 24 such camps in South Africa, three in the Ciskei being allocated largely for people deported from Cape Town. Conditions in these camps were so appalling that when word of them got out, many people in the white community were shocked into response. The voice of the Black Sash was one of the earliest to be raised in protest against conditions at the Ciskei camps of Sada, Ilinge and Mnxesha, later known as Dimbaza. The alarm was raised by women in the small East London branch of the Sash, notably Mrs Deena Streek, who visited Sada in 1966 and wrote reports of conditions there for the local newspaper, The Daily Despatch, and for the Black Sash. "Our most note-worthy success in this last year was our part in getting the transit camp at Sada exposed", the branch reported to Sash national conference in 1967. ⁸⁸

The level of human suffering in the camps was deeply distressing to the Black Sash. By February 1967, according to figures given in parliament, 70,000 people, three-quarters of them women and children, had been moved to these areas, where they faced poverty, disease and

87. AAO Annual Report 1970-71, p.4 - case of F.N.

88. Sash, v. 10.4, November 1967, p. 24 - Annual Report of the Border Region of the Black Sash.

starvation.⁸⁹ There were few employment opportunities. Some women at Sada earned 25c a day for chopping out noxious weeds. Men could hire themselves out as a "unit of labour" for a daily rate of R1.00. ⁹⁰

Pathetic pensions limited to R5.00 a month were frequently not received by the elderly who made up a large proportion of the population in the camps. The bleak, unfertile land provided neither firewood nor crops. Food rations were provided by the state, but were hopelessly inadequate. In short, the people were starving. They were "housed" in single-room corrugated iron sheds, which measured 5m x 4m and which accommodated up to 12 people. In Sada, four years after the camp was laid out in 1963, there were still no schools. Nor was there a doctor or clinic for the 2,685 people, of whom 33 had died within six months. ⁹¹ At Limehill in Natal, doctors at a nearby mission station treated 760 patients in three weeks for illnesses such as gastro-enteritis, tuberculosis, scabies, kwashiorkor and other deficiency diseases.⁹² The comment of a woman removed to Stinkwater in the Transvaal encapsulated the despair that the displaced people of South Africa experienced: "I don't know why the African people just don't lie down and die. " ⁹³

The plight of the camps became the focus of a great deal of national and international attention in the 1970's, partly through the intervention of individual clergymen.⁹⁴ In the earlier phases of the

-
89. B. Cluver, "Resettlement Camps", paper presented at Black Sash National Conference, Johannesburg, October 1967, updated for the 1969 Conference in Pietermaritzburg. She used figures given in parliament in February 1967 by the Minister of Bantu Administration.
90. Cape Argus Weekend Magazine, 8/7/67, p.1 and 4 ; story of Edith Peters endorsed out to Sada ; Sash, v.12.3 , November 1968, p.23
91. N. Robb in Sash, v. 11.1 , February 1967, p.27
92. Race Relations Survey, 1960, p.121
Sheena Duncan in Sash, v. 12.3 , November 1968, p. 48
93. Sash, v. 12.2, August 1968, p. 3
94. Notably David Russell, Archbishop Hurley, Cosmos Desmond.

removals programme, individual Sash members had certainly played a role in helping to expose the camps. Risking the wrath of the officials, they had visited the camps and recorded what was going on where no other eyes could see. ⁹⁵ By informing its own membership and embarking on a plan of protest which included stands, meetings and letters to the press, the Sash as a whole was able to generate concern about the camps. Members responded to requests for food donations, money, medical supplies and blankets. But as Joyce Harris, a national Sash leader remarked, articles and pictures of deprivation and suffering had touched many individuals who were prompted to offer material assistance in a fashion which had been characteristic of the Sash since its inception. ⁹⁶ However, the danger of involvement through such giving was, as she noted, that the root causes of social despair could be ignored. ⁹⁷

Though many Sash members might well have not understood the dynamics which had given rise to the crisis of the "resettlement" camps, the same could not be said for the handful of women and the one man who worked at the Athlone Advice Office. Their daily experience, and they had persevered for a long time, had to do with uncovering what was transpiring in the offices of the Department of Bantu Administration in Standard House in Observatory, in Langa and Nyanga and Guguletu, in the Commissioners' Courts, in the police stations, in the hostels and houses and pondoks of the townships, on the trains to the eastern Cape, in the camps, in the new border towns such as Mdantsane, in the rural villages of the Transkei. For years they had witnessed the thousands of cases of Africans arrested, gaoled, deported and

95. For example, after Cape Town Black Sash member, Lily Herbstein, had visited Dimbaza in June 1968, she addressed branch meetings and wrote about her experience in Sash publications and in this way, galvanised the CWR into action.

96. J. Harris in Sash, v.12.2, August 1968, p. 1

97. Ibid.

banished under the influx and pass laws. They had seen married couples split up and forced to live apart, families destroyed, children abandoned. Poverty, hunger, sickness, ill-treatment, unfair dismissal, shocking examples of blatant racial prejudice towards blacks - these were the common experiences at the AAO. The women of the AAO had gone out with almost missionary fervour to inform the white community of Cape Town, through public meetings, speeches and in letters to the press that government policy was having a catastrophic effect on the black population, not only in the city, but throughout the country.

I believe that the strength of the Advice Office lay in what one truly might call its fundamental belief that each single man, woman and child who passed through the door of the office was an individual who mattered and for whom respect and caring should be shown. It was the ability of volunteers to remember faces, names, characteristics and characters that gave the Advice Office a remarkable rapport with African people. It created bonds that took members into the lives of the poor and dispossessed; into huts in the Transkei, into tin sheds in Sada and Dimbaza and Ilinge. It was more than just simple humanitarianism. The Advice Office was a **humanising** force operating in the midst of appalling inhumanity. Thus when the tide turned in the 1970's and some people who had been shunted out of Cape Town were driven back to the city by hunger and unemployment in the rural areas, it was no surprise that they should also return to the Advice Office. This growing wave of immigrants to the city swelled the African population of Cape Town and added to the increasing problems facing the AAO in a new and challenging phase which shaped its development during the next decade.

CHAPTER 4 :

BANTUSTANS AND BLACK CONSCIOUSNESS : THE ADVICE OFFICE 1969 TO 1974

In a work published in 1971, the political analyst Heribert Adam proposed that South Africa was in a process of transition, in which Verwoerdian apartheid was being replaced by a "pragmatic racial oligarchy" and that the nation's political, social and economic structures were in transformation.¹ In this chapter, I propose to identify the nature of these changes and assess their impact primarily on the the Athlone Advice Office, but also with reference to the Black Sash.

I begin with a brief "state of the nation" account, with focus on the situation in the Reserves /homelands. There is the need to place the Athlone Advice Office, a local, urban-based organisation, concerned for the most part with the African population of the Western Cape, in a macro-context. Furthermore, the Advice Office was becoming increasingly more aware of the relationship between state policy on Africans in the urban areas and policy for the development of the Reserves/homelands. Clearly, this was a determinant of the relationship between the Advice Office and the urban African population itself. Indeed, a criticism of the Advice Office in these years, is that it too easily accepted the parameters which the state had laid down, both for the itself and for the African population. Consequently, as much as the state disliked the Black Sash Advice Offices and was outwardly hostile to their members,

1. Heribert Adam, Modernising Racial Domination, (Berkeley, University of California Press, 1971.)

Adam argued that the South African state had adapted in a pragmatic and flexible manner in order to maintain domination over a racially separated majority. He disputed the thesis of Leonard Thompson, which he summarized as " the tragedy of South Africans is that they never changed their minds ", by showing how the government had realized the need to move away from grand apartheid to a policy of non-white advancement in separate political but integrated economic avenues. (p.173) He referred to the new "verligte" policy on race as " elastic, rational race-nationalism." (p.181)

the reality was that the Advice Offices could hardly be seen as constituting a threat to the state - their policy of working strictly in accordance with the law and refraining from any suggestion to applicants that they should infringe the law illustrates this point. ² Yet, at quite another level, the Advice Offices continued to forge unique relationships based on mutual respect and understanding with Africans through the method of individual case interviews, the recording of life histories and the follow-up procedures which were taken.

The general election, called a year early in April 1970, revealed aspects of the early phases of the transition. Prime Minister Vorster had reshuffled his cabinet in August 1968 with particular emphasis on changes in state Departments concerned with aspects of the administration of the African population. ³ His new ministers had had a year to establish themselves and to introduce several important legislative measures which promoted the concept of "separate development". ⁴

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2. See, for example, the case of Eunice Gqeba as reported in the AAO Annual Report, 1969-70, p.8 : "At this stage the AAO could only recommend her to obey instructions."
Heribert Adams (1971), p.49 argued that the upholding of "legalistic accuracy reconciled the white conscience with the Western norms of democracy" and indicated that the liberals' belief in the rule of law and in the legal process helped to prop up the myth that South Africa was a democratic state. (pp.48-49,56-61,65) The rise of the Black Consciousness movement at this time led to a similar critique of South African liberals, see pp. 132-134 below.
 3. An attempt at reforming old-style apartheid policies was the introduction of new government departments dealing with Community Development and Planning. However, the execution of these policies remained in the hands of hard-line politicians. Mr Blaar Coetzee was promoted to Minister of Community Development. Mr G.F. Froneman, Nationalist M.P. for Heilbron since 1953 and Deputy Chair of the Bantu Affairs Commission since 1961, became Deputy Minister of Justice, Mining and Planning. The Department of Bantu Administration and Development remained in the hands of Mr M. C. Botha. Dr Piet Koornhof, a former Rhodes scholar, who had written his dissertation on migrant labour, became Deputy Minister of Bantu Administration and Development. In 1972, he was promoted National Education, Sport and Recreation. See too p.154.
 4. See Appendix Two, legislation 1968-70.

Vorster needed a platform to demonstrate, above all to Albert Hetzog's newly formed right-wing Herstigte Nasionale Party, that his government's race policy was working. And he could use the election to show the South African populace, black and white, as well as the rest of the world, that he was not prepared "to let anyone get the idea that the country had an unstable government".⁵ On the face of it, Vorster went to the all-white polls on a traditional platform inherited from Verwoerd and his predecessors - promotion of white unity, protection of white jobs, racial segregation, the maintenance of law and order, and freedom from the interference of the outside world. He had also clearly demonstrated during the 1969 parliamentary session that his government had every intention of maintaining and entrenching its domination.⁶

Yet the election, despite its affirmation of traditional values and policies, provided the Nationalists with an opportunity to float revised ideological principles, most significantly those which replaced old-style "apartheid" with a revised concept of "separate development." Indications of a shift in state policy had been noted during parliamentary sessions in 1969. During the no confidence debate in February 1969, Vorster had said that the policy of separate development was not intended, and should not be seen, as a denial of anybody's human dignity. Rather, it was aimed at protecting white identity whilst allowing other races to preserve their own identities.⁷ During the year government spokesmen had placed emphasis on the "multi-national", as opposed to the "multi-racial" nature of the population of South

5. Survey of Race Relations, SAIRR, Johannesburg, 1969, pp.2-5 ; 1970, pp.1-7

6. Apart from the laws affecting the African population, new legislation affecting state security, immigration, citizenship and Coloured Affairs was introduced. See Appendix Two, Section A.

7. Survey of Race Relations, 1969, p.1

Africa, which in their terms, consisted of a White, a Coloured, an Asian and eight distinctive African nations distinguishable by language group. Racial discrimination should be replaced by racial differentiation. To this end, the state created the Coloured Persons Representative and South African Indian Councils in 1968 in order to offer members of those "race groups" increased opportunities to control their own affairs. This policy of "separate development", which replaced racial apartheid with ethnic apartheid, was implemented in stages during the 1970's.

Within the framework of "separate development", also referred to by government spokesmen as "parallel development", Africans were to be accommodated not only residentially, but politically, culturally and economically in the Reserves which were renamed "national units" or "bantustans". These areas would exist as a "constellation" of nations, interdependent with South Africa. The creation of reconstituted Councils in the Reserves would provide Africans, including those resident in the urban areas, with avenues for political expression. The Bantu Territorial Authorities would have responsibility for a wide range of matters pertaining to the African territories and would be assisted by large staffs of public servants. ⁸ By the end of 1970, seven Territorial Authorities were in existence, each under the semi-control of a Chief Executive Officer. ⁹ Two years later, the terms of the Bantu Homelands Constitution Act empowered the state to grant self-government to the Territorial Authorities, as had already happened in

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8. Territorial Authorities would be responsible for finance and the collection of revenue ; community affairs including hospitals and clinics ; works including roads and water supplies ; education and culture ; agriculture ; forestry ; justice ; welfare services and social pensions ; the control of labour bureaux ; the notification of births and deaths. They would frame proposals for taxation and estimates of expenditure.
Survey of Race Relations, 1968, pp.145-148 ; 1969, pp.128 - 132 ; 1970, pp. 138-143
9. Notably, Chief Lucas Mangope (Tswana) ; Chief P. Mpephu (Venda) ; Professor H.W. Ntsanwisi (Machangana) ; Chief G. Buthelezi (Zulu)

the Transkei. By the end of 1972 Ciskei, Kwazulu, Bophuthatswana and Lebowa had taken the option, foreshadowing the move to independent status later in the decade. ¹⁰

The grant of limited constitutional authority to the homelands went hand in hand with a series of measures intended to further the notion that the "national states" were to be regarded as the natural homes of the African people. Speaking in parliament, Deputy Minister Koornhof emphasised that :

"the de jure population of any Bantu Homeland consists of the de facto Bantu population which is the permanent resident population of that Homeland ... plus those members of the Homeland nation who are absent from the Homeland concerned (but) settled outside it at that time." ¹¹

To this end the Bantu Homelands Citizenship Act of 1970 provided that every African in South Africa would become a citizen of a homeland, and would be issued with a certificate of citizenship. ¹² According to the Minister of Bantu Administration, the Act "would enable the so-called urbanised Bantu person to find a home for his political aspirations with the people to whom he belongs" by giving Africans the vote in the homelands. ¹³ The ideology was quickly assimilated at local government level. In 1969, the AAO in trying to obtain Workmen's Compensation for a contract worker was informed : "He comes from the Transkei and that is a separate country now." ¹⁴

10. See pp. 166-67 below. (Kwazulu and Lebowa declined independence.)

11. P.Koornhof, Hansard, 17, col.7137, 3/6/69

12. These documents became a further means of controlling African labour, for those who had certificates received preferential treatment. Parliamentary Opposition observers believed that the Bill foreshadowed a move to limit work permits in South Africa to "Bantustan citizens". Cape Argus, 30/1/69. In 1970-71, the AAO was informed by the Department of Bantu Affairs that as a result of a "written agreement with the Territorial Authorities of the Transkei and Ciskei, the Western Cape would only accept contract labour from those areas." AAO Annual Report 1970-71, p.7

13. Hansard, 4, 27 February 1970, cols. 1722 B, 2000 D.

Not only was the state concerned to create a political home in the homelands for urbanised Africans, but it was determined that some form of physical home should be provided in the Territories for Africans removed from urban areas and white farms. New homeland townships had been planned, (there were 69 of them by 1970), where massive building programmes were embarked upon, using African contractors and homeland labour. By 1968, 55,000 houses had been built in such townships.¹⁵ The urgency of the matter was stressed by Deputy Minister Koornhof :

" Our greatest problem in the Department (Bantu Administration) at the moment is to stay ahead in the provision of housing in our Bantu homelands, as well as the provision of water, in order that we may resettle those Bantu who wish to be resettled there. " 16

Accommodation varied from rudimentary structures in the "resettlement" camps to homes in modern towns close to a "white " city or town or an industrial area. In many instances, the new homeland towns were "dormitory suburbs" for the labour force of major urban centres- Ga Rankuwa outside Pretoria, Umlazi to the south of Durban, Mdantsane, north of East London.¹⁷ Whether Africans were accommodated in these newly developed sites or in established tribal villages, the intention of the South African government remained the same. The "national states" were seen as the home of Africans and they would be removed there as fast as was possible. New building, particularly that of family housing, was actively discouraged in existing urban townships and incentives were offered to urban Africans to relocate. This sometimes took the form of veiled threats, such as those issued to

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15. T.R.H. Davenport, South Africa : a Modern History, p.372
Survey of Race Relations, 1970, p.161
 The cost of such housing was financed by several sources, including the Department of Bantu Affairs, the South African Bantu Trust, Bantu Territorial Authorities, the Bantu Investment Corporation, the Xhosa Development Corporation. Urban local authorities also contributed profits from liquor sales.
 For a full account of the homeland townships up to 1969, see M.Horrell, The African Reserves of South Africa, SAIRR, Johannesburg, 1969, pp.90 - 116
16. P. Koornhof, Hansard, 1, Col:137, 4/2/69

professional Africans in the white urban areas who were refused office space and who were "by way of persuasion, activated to establish themselves amongst their own people in the homelands." ¹⁸

A series of legislative measures proposed by the Department of Bantu Administration in 1969 and 1970 served to highlight the state's policy of "separate development". The Bantu Laws Amendment Act of 1970 was the most wide-reaching of the measures. Introduced in 1969 by Dr Koornhof, it proposed thorough amendments to existing legislation. In summary, the following clauses adversely affected urban Africans :

1. The Minister of Bantu Administration could prohibit by decree African employment in any trade or area he wished. Africans would be prohibited from taking up employment as sales assistants, receptionists, telephonists, clerks, cashiers and typists, except in black townships or in the homelands. This clause not only applied the strict job reservation that had been in place in the Western Cape since 1966 to the rest of the country, but also meant that Africans presently employed in such categories would be instantly dismissed no matter how long they had been in that employment. If they did not have permanent urban residence rights or a house, they and their families would suffer immediate endorsement out of the area. ¹⁹
2. No African employees would be permitted to return to their jobs if they took leave for more than a month. As Africans were already prevented from re-entering urban areas to work for a new employer, the new clause meant that no African workers could dare go home on long leave.
3. Two new grounds were added to the seven which already existed, upon which a Bantu Labour Officer could refuse to sanction the employment or continued employment of an African. A new provision was that adequate housing had to be available. An employer could be made to dismiss an employee if there was no housing.

17. Survey of Race Relations, 1969, pp.141-143 ; 1970, pp.135, 145, 161-2 ; 1971, pp.126-131, 163-171

18. Secretary for Bantu Administration and Development, Circular Minute to all urban local authorities, A12/1, 15 July 1969

19. Such job reservation caused despair amongst young Africans who were precluded from employment befitting their qualifications. See cases of :

* Youth with Junior Certificate employed by GPO to dig holes. AAO Report, 1970-71, p.7

* Young woman with secretarial diploma excluded from secretarial work. AAO Annual Report, 1972-3, p.5

4. The Minister of Bantu Administration could order the transfer of an urban township to a homeland state. (Koornhof indicated that the Durban township of Kwa Mashu would be incorporated into Zululand.)
5. The Minister could also order the removal or abolition of an urban township or hostel in the interests of planning or if it was considered a health hazard. The right of public local enquiry and representation beforehand was removed. Africans found in such locations or hostels would be evicted from the area, even if they qualified for permanent residence. ²⁰
6. Africans who remained illegally in an urban area for over 72 hours would be removed, with their dependants, "to a rural village, settlement, rehabilitation scheme, institution or other place indicated by the Secretary (and would) be detained there for such period, and perform such labour as may be prescribed by law." The clause in the 1964 Act which referred to the removal of "idle and undesirable" Bantu was also more clearly defined. This clause was aimed at women and children who came to visit their menfolk in the cities, and at all workseekers who by-passed official channels and made their way to towns to seek employment.
7. Services, expenditures or grants previously calculated to improve the recreational or welfare facilities available to Africans in the urban areas were to be made available for purposes of development in the homelands. The considerable profits from the sales of beer in the urban townships were a prime target. ²¹

When Koornhof introduced the Bill in 1969, there was a flurry of protest from the handful of civil rights organisations still functioning within the country and from the English language press. Yet the protest was far from radical and was marked by an absence of black voices which had been driven underground during the 1960's. ²² Liberal protest focussed particularly on how the black middle class would be adversely affected. Fred van Wyk, National Director of the Institute of Race Relations, warned that the Bill would increase racial tensions and that it struck a body blow "at those people who have been most

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20. Much family housing in Alexandra and Pimville (Johannesburg) was demolished in the early 1970's to make way for male hostels, worsening the acute housing shortage. (JAO Annual Report, 1970)
 21. The statute was introduced in parliament at the end of the 1969 session and was passed in 1970, Act 19/1970. It should be read together with Government Notices R531 3/4/70 and R1260 7/8/70. Survey of Race Relations, 1969, pp.90 - 92, 148 - 150, 164 - 166; 1970, pp. 87 - 92, 110 - 113, 165 - 166, 195 - 200. Sash, vol. 13.1, May 1969, pp.27-29
 22. Survey of Race Relations (1970) merely noted that Chief Lucas Mangope had protested and that some African journalists had covered the Bill in the press, p.90

willing to accept Western standards, ... who have aspired and often won middle-class status and have acted as ... a voice of moderation and hope." ²³ A Rand Daily Mail editorial stated that "we should be doing our utmost to encourage and stabilize (the African middle class) ... The Bantustans are in no position to absorb them." ²⁴ The Cape Times found the Bill "reminiscent of Stalinist labour regimentation which ... must destroy the Republic's free enterprise system and could cripple the economy," a sentiment echoed by commerce and industry. ²⁵

The Black Sash reacted nationally and regionally to the Bill by protesting in forms traditional to the organisation - placard stands, letters to the press, public meetings, a memorandum to the Minister. ²⁶ But members in Cape Town, remembering the outcry over the 1963-64 Bantu Laws legislation, despaired about the mood of "general political apathy" six years later. ²⁷ Their concern, though, was not so much about white inertia, as about the "death-blow to the urban African (whose) last vestiges of hope and security (were) destroyed by means of very nearly every section of the Bill." ²⁸ It is doubtful whether any other organisation in South Africa at the time had as sound a knowledge of this legislation pertaining to the African population as did the Black Sash. Not only had Sash leaders mastered the terminology of each of the the statutes, orders and regulations, but more importantly, they fully understood the implications of the legislation. This was directly attributable to the experience derived from the Advice Offices, predominantly that in Athlone which had witnessed the effects of state policies for over a decade and which had conducted over 25,000 interviews by the end of 1969, a far greater number, at that time, than the AO in Johannesburg :

23. Ibid., pp. 89-90

24. Rand Daily Mail, 6/4/1970

25. Cape Times, 13/3/69 ; Survey of Race Relations, 1970, pp.89-90

26. Regional Council Minutes, 17/3/69

27. Ibid., 24/3/69

28. Sash, vol.13.1, May 1969, p.27

TABLE OF INTERVIEWS AT THE ADVICE OFFICES IN JOHANNESBURG AND CAPE TOWN

	<u>AAO</u>	<u>JAO</u>
1962-63	4891	300
1963-64	4769	958
1964-65	4380	1115
1965-66	3094	999
1966-67	2138	982
1967-68	1733	952
1968-69	1777	1663
<u>TOTAL</u>	<u>22782</u>	<u>6969</u>

During the late 1960's the Athlone Advice Office had provided the Sash in Cape Town with an insight into state policy that its Johannesburg counterpart had not yet imparted to the Sash in the Transvaal. This was evident even in the slogans used on the placards in Sash protests against the Bantu Laws Amendment Bill, as these examples show : ³⁰

- "Total insecurity for African wives and children" (CT)
- "Total insecurity for African Breadwinners" (CT)
- "Total insecurity for Employers of Africans" (CT)
- "The Slave Labour Bill" (JHB)
- "This Bill Kills Free Enterprise" (JHB)
- "Stop Pushing People Around" (JHB)
- "Slawerny Weer Hier" (JHB)
- "Baasskap oor Werkgewers" (JHB)
- "The Minister Controls You, Your Business, Your Factory,
Your Labour, Your Future, Wake up and control your Minister" (JHB)

Clearly, the two regions were reading the signals differently. Concern for the urban African population as a whole, rather than for the labour force or for employers, is reflected in the Cape Town slogans, suggesting that the experience of urban removals had alerted warning bells which had not yet started to ring in Johannesburg.

The 1970's became the decade in South African history during which the state policy of removing Africans from "white" areas was embarked on with increased determination.³¹ Speaking in parliament in 1969, Deputy

29. Annual AAO/JAO Reports. In the 1970's, the JAO numbers soared.

30. Sash, vol. 13,2, August 1969, p.2 ; Sash Headquarters, Circular 7/69

31. The most detailed study of the removals policy during the 1970's is L. Platzky and C. Walker's 5 volume report of the Surplus People Project, Forced Removals in South Africa, (1983). It quoted official figures to show that approximately 3,500,000 people were moved, often under duress, between 1960-1982.

Minister Koornhof addressed critics of the homeland policy, who included opposition party members, academic researchers ³² and the editors of some English language newspapers. ³³ He referred to removals which had already taken place :

" I want to ask how much progress we have made in respect of ... the elimination of the redundant, non-economically active Bantu in our White areas. ... Approximately 900,000 Bantu have been settled elsewhere since 1959. ... 203,000 from the white urban areas have been resettled in their own respective homelands. " (Referring to the Western Cape, he went on to argue that this was an area where the government had had major success) :

" In 1967 the Bantu population in the Cape Peninsula numbered 113,337. On 31 December 1968 (it) numbered only 109,153. In 1967 there were ... 44,567 Bantu children in the Peninsula and on 31/12/68 there were only 33,320, a decrease of 5,256, more than 11%. Is this a policy that has failed ? " ³⁴

Both Koornhof and his cabinet colleague, the Deputy Minister of Planning, G. Froneman, were at pains to stress that if the figures for the African population in the urban areas rose, this would reflect only an increase in temporary male migrants whose labour was needed in the white areas. The removal of economically inactive Africans, referred to by Froneman as "surplus appendages, (oortollige aanhangsels) such as women, children and unmarried adults" was a matter of priority. ³⁵

32. For example :

- * Papers from the "Manpower - Apartheid versus Productivity" Symposium in Durban, October 1968. (Douglas Sutherland ; Michael Savage ; D. Meterlekamp ; Gavin Maasdorp) ;
- * Professor S.P. Cilliers, Labour Turnover in the Clothing Industry, Stellenbosch University, 1968. (His report revealed the disastrous effects on productivity of the very high labour turnover in the Cape clothing industry) ;
- * Professor Sheila van der Horst, Poverty in Perspective, 1967 ("the migrant labour system is an anachronism and the reversion to the system of contract labour an offence to common sense and the first principles of good labour management." p.8).

33. See, for example :

- * Cape Times, 31/1/69 ; 7/3/69 ; attacked the Homeland Citizenship Bill as " the latest Walter Mitty scheme " seeking to "camouflage the failure of separate development by building semantic castles in the air."
- * Ibid., 23/1/69, editorial comment on the futility of plans to move 100,000 Africans from the Western Cape.
- * Ibid., "Separate development, as conceived by Mr Froneman, is a recipe for chaos."

34. P. Koornhof, Hansard, 1, col. 137, 4/2/69

35. G. Froneman, speech to Rapportryers, quoted in Cape Times, 19/2/69

To summarize then, by 1970 the status of Africans in Cape Town had declined precipitously over the period 1960-1970. The only persons who had any hope of long-term security were males who had been born there, who had steady employment, who had no criminal record and who were tenants in township housing. Women and children who had the same qualifications could not rely on their Section 10 (1) stamps to keep them safe from the threat of removal. All men and women who hoped to qualify after 15 years' continuous residence were increasingly at risk. Men could only enter the area as annual contract labourers. No women at all were allowed to enter Cape Town, unless they came on a visitors' permit valid for 72 hours.

In the early 1970's, as before, the harsh realities constructed by the ideology of influx control became clearly visible at the Athlone Advice Office. In the five years from October 1969 to October 1974, 10,003 case interviews were conducted. ³⁶ Annual and monthly reports, which outlined trends and gave information about legal or bureaucratic innovations, included dozens of individual case histories, each of which provided graphic evidence of the impact of state policy on the lives of Cape Town's African population. Time and time again the reports stressed, as it is necessary to do here, that each case reported was but one instance of a problem which was magnified a hundred times over and about which the AAO had amassed a vast documentation.

One of the trends which emerged at this time was the increasing number of African youths who were deported from Cape Town. They were seen as "surplus appendages" in the eyes of the officials who regarded the continued presence of a large number of economically inactive children and adolescents, needing schools, facilities and housing, as

36. AAO Annual Reports, 10/1969 - 9/1974

countervailing the plan to limit the African urban population to male migrant workers. The obscurely named Supplementary Settlement Scheme, (which allowed a number of female domestic workers to remain in Cape Town if they were the sole breadwinners in a family - their children were not permitted to remain), was one attempt to ensure that children were removed to the rural areas.³⁷ Likewise, when women were endorsed out, their children were endorsed out too, even if they had been born in Cape Town. The plight of children removed from Cape Town and very often from their fathers as well, was severe. Acute cases of hardship were subsequently encountered at the AAO, such as that of a seventeen year old girl whose mother deserted her after they had been sent to Ilinge in the Ciskei. The girl somehow made her way to Cape Town to find her father who lived in the "bachelor quarters" in Langa, although he had been in the area for 19 years. The father and daughter were told by the Department of Bantu Affairs in Cape Town that if the girl fetched a letter from the magistrate in Ilinge, verifying the total lack of a guardian for her there, and if the father took steps to relinquish the house allocated to his family in Ilinge and to reclaim his possessions from there, the DBA might consider allowing his daughter to remain in the Peninsula as the unmarried daughter of a qualified man.³⁸

Permanent residence rights conferred by birth in the city were compromised as soon as children or youths left the area. In the 1970's the AAO fought a number of court cases to defend the Section 10 rights of young Africans. In 1973 lawyers were briefed in the case of Patrick,

37. This was also known as the "breadwinner's concession". It was a so-called compromise initiated by an official in Cape Town and was not applied anywhere else in the country. Despite the hardship of sending their children away, many women applied for the concession, which was only available to women already entitled to be in the area. In 1971-72, only 6 out of 40 applications made via the AAO were successful.

Sash, vol. 16,3, November 1972, pp.26-2

38. Sash, vol. 15,4, March 1972, p.27

William and Lillian Nofemele born in Wellington, whose mother had been endorsed out in 1969. The authorities maintained that the children had left with her, but after a "long, expensive tussle" which necessitated the collecting of numerous affidavits to prove that the youths had not left the area, their permits were recognised. ³⁹ Legal intervention was likewise successful in the case of Eunice Gqeba, the nineteen year old unmarried daughter of parents who both qualified to be in Cape Town, but whose child lost her rights when sent to school in Queenstown. She was arrested three times when she returned to her parents and it was only after AAO legal intervention that the authorities accepted her Section 10(1)(c) status. ⁴⁰

A further method used to remove youths from the area and to cause them to lose their Section 10 rights, was to declare them "idle" in terms of Section 29 of the Urban Areas Act. The case of Patrick Skehle, which the AAO took on appeal to the Cape Supreme Court, concerned a young man who had been sentenced in the Bantu Commissioner's Court to detention in a work-colony for eighteen months after the Commissioner had found him to be "idle", this despite the existence of medical certificates attesting to recurrent ill-health that his mother had handed in at his trial. It was an important case - it was the first appeal of its kind and it revealed the blatant inadequacies in the Commissioner's Court. The Judge President, Mr Justice Beyers, set aside the sentence of the Commissioner's Court and the youth was permitted to remain in Cape Town, where he had been born and had lived all his life. Although this

39. AAO Annual Report, 1972-73, p.7 ; see also cases of :

* Norman Boqwana, born in Cape Town, but sent to grandfather in Transkei. Arrested and fined three times in C.T. and threatened with being sent to Nqamakwe under police escort before AAO legal intervention. AAO Report, 1972-3, p.9

* Charlton Maya, appeared in court three times. Ibid.

* Eric Mhlongo, whom the authorities said had lost his 10(1)(a) rights when he went to help his mother with her move to Dimbaza. AAO Report, 1970-71, p.2

* Moses Swartbooi AAO Report, 1971-2, p.9

* Gordon Nongauza Sash, vol. 16,4, February 1973, p.26

40. Ibid., 1969-70, p.9

victory rested on the merits of the appeal, the case was supported by the nature of the miscarriage of justice in the Commissioner's Court, the proceedings of which were severely criticised by the judge :

" The record - and perhaps one does not expect too much although in this case the Bantu Affairs Commissioner describes himself as a magistrate - ... gives me the impression that I do not know what the position is at all. ... I cannot possibly accept these proceedings as being in accordance with elementary justice. I am not at all satisfied that right and justice was done." 41

As in the previous decade, the state kept up the constant harassment of African women using the strategies which had been put into operation in the 1960's. The Advice Office interviewed thousands of women between 1969 and 1974 and in the vast majority of cases, the problems which arose were commonly shared, and were directly related to the application of influx control. No African woman in Cape Town, even one privileged enough to have permanent status, a job or an education, a father or husband in steady employment, a brick house in the township, could rest with any certainty about her future in the city. If her husband died or deserted, she could lose all. 42 If an unmarried daughter should marry a man who did not qualify, she forfeited her residence rights. If a woman went on a visit to her family or friends, even to attend to a sick or dying relative, she could return to find herself in trouble with the authorities. If she was employed and lost or changed her job, she suffered a similar fate. If she lost a rent card or a reference book or one of the many documents she needed to prove her right to be in the city, she could be arrested, fined or

41. Patrick Skehle v. Acting Assistant Commissioner of Bantu Affairs, (AR. 179/70) Cape of Good Hope Provincial Division of the Supreme Court, Cape Town, 14 August 1970

42. Widows were particularly at the mercy of the officials. See case :
* Mrs O.S. - a widow who supported nine children, all born in the Peninsula, was refused permission to keep her house in Langa and was told to send the younger children to Tsomo even though they had no family there. Sash, vol. 14, 3, December 1970, p.31

gaoled, or even endorsed out along with her children if she had any.⁴³

One particularly tragic case which the AAO took unsuccessfully to court concerned a woman who was racially classified as Coloured but who had married an African man. She lost her Identity Card and accepted a Reference Book - with horrendous consequences. The authorities reclassified her as African and endorsed her out with her children.⁴⁴ Married women who did not qualify in their own right to remain in the city found it almost impossible to reside with their husbands. In 1971-1972 the AAO interviewed 80 couples, (120 the following year), whose desire to live together in Cape Town was constantly frustrated by the authorities.⁴⁵ The experience of the AAO, ie. of "a steady stream of African women who wish to live with their qualified husbands but for some technical reason are refused permission", was shared by the Johannesburg AO which reported that the plight of African women and their children was worsening each month.⁴⁶ Many married women were endorsed out to their husband's place of origin, only to find that they had no right to be there either - they were truly displaced people. Thus Mrs T.P.M. was told to leave Cape Town and go to her husband's family in Seymour, but Administration officials there refused to accept her. She was sent back to Cape Town and then re-endorsed out to

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43. In a sense, documentation was the basis of influx control. The AAO had from its inception realized the importance of this. Often the only progress the AAO could make, was based on documentation. Success could rest on a single piece of paper. See case of Rachel Moko, who had lived in the Peninsula since 1948, well over 15 years. When in 1970 the authorities arrested her twice for being in the area illegally and endorsed her out, she fought her case on the basis of rent receipts stamped by the Divisional Council dating back to 2/3/1954. AAO Annual Report 1969-70, p.5
44. AAO Annual Report, 1971-72, p.8
45. AAO Annual Reports, 1971-72, p.5 ; 1972-3, p.2 ; 197-74, p.3
The Office reported that it saw a "mere fringe of the real total."
46. Sash, vol. 14,1, May 1970, p. 17, pp. 30-31. The rapidly increasing numbers of desperate women attending the JAO was a cause of tremendous concern and led the JAO to embark on a campaign specifically aimed at publicizing the plight of African women in Johannesburg.
JAO Annual Report to National Conference, February 1971

Mdantsane, leaving her husband in Cape Town.⁴⁷ Likewise, Mrs K.L.K., sent to her mother in Dimbaza with her six children, was instructed to return to Cape Town by the Superintendent there as her mother's small house already accommodated seven people.⁴⁸

The extreme hardships endured by African women were the focus of correspondence between the Black Sash and the Deputy Minister of Bantu Affairs during 1971. One can only surmise that Sash pressure on Dr Koornhof was one of the factors which motivated him to declare a concession for the "brides of qualified men" in February 1972. This permitted a man to bring his wife into the prescribed area if he had lawful housing in which he was registered and if there were no flaws in his own record. Payment of rent for a bunk in "single men's quarters" immediately disqualified a man from this concession. As a result, the AAO found that only ten women were able to get into Cape Town in 1972 in terms of this meagre concession and accused Dr Koornhof of not being as magnanimous as he had sounded.⁴⁹ The crucial hitch was family housing of which there was an acute shortage in Cape Town, a shortage deliberately created by central government.

The status of African men in the urban areas had deteriorated over the decade 1960-1970. There were many similarities with the influx control problems encountered by women - struggles to protect residence rights or to claim 15 year rights, problems with housing, arrests and convictions for pass law offences. Yet the male experience differed in important aspects. There was no single sex accommodation for females in Cape Town - women did not live in hostels and did not share in the

47. Sash, vol.14,3, December 1970, p. 31

48. AAO Annual Report, 1971-72, p. 5

49. AAO Annual Report, 1971-72, p.6. The 1972-3 Report referred to Koornhof's concessions as "sounding brass and tinkling cymbals" and stated that his cabinet replacement, Punt Janson, would be expected to have more tangible suggestions, p.2.

* Case of Mrs Presidentia Hlotywa, AAO Annual Report 1971-72, p.9

overcrowding and discomfort of the barracks, although their own living conditions, especially when endorsed out to the rural areas were often pitiful. Nor could women share the experience, for better or worse, of being a migrant worker in the city. And as women were by and large excluded from taking up new jobs in Cape Town, save for those few who were granted the breadwinner's concession to accept live-in domestic work, they did not face the problems of men in the workplace - labour disputes, broken contracts, problems with pay deductions and claims for Workmen's Compensation. The experience of assisting African men with their problems increased the need at the Athlone Advice Office for skilled understanding of labour legislation and employment practice. The AAO became, in this way, an agency which acquired specialist knowledge of employee - employer relationships, and though it focussed on assisting employees, it was frequently consulted by employers of domestic labour and those in private enterprise.

In March 1971, the AAO created a new category in its filing system, that of male migrant contract workers. Over 500 such cases were already on its files and in the next ten years, the Office was to interview 3,268 more men whose problems were directly related to their status as migrant workers. ⁵⁰ Obtaining a contract job was difficult in itself. Men waited around in the Transkei and Ciskei for months on end in the hopes of a job offer. As nearly all contracts were for the lowest-paid type of manual labour, those who had any form of educational qualifications were at a disadvantage when it came to being recruited. ⁵¹ Likewise, employers of contract labour looked for young, able-

50. AAO Annual Reports, 1971-1981

51. Contract wages were between R9.50 - R15.00 a week in 1971-72.

Ibid., 1971-72, p.3

The 1972-73 Report indicated a slight rise in wages, p.6, although the cost of living was rising at the same time.

In 1974, the AAO noted that the Bantu Administration Board employed contract labour at R12.23 a week after deductions, whereas wages on local farms were as low as R22.00 a month. (Report, pp. 4-5)

bodied men and those over the age of 50 had little chance of being recruited.⁵² The AAO began to see men who had returned to Cape Town illegally and who risked arrest, but who were driven by hunger and desperation to search for work on their own initiative.⁵³

Once in employment, there were frequent problems. Deprived of a copy of the contract, men lacked certainty about the terms and conditions of their employment. Complaints led to dismissals, followed by a visit to the Department of Bantu Affairs where dismissed men "agreed" to the termination of their contracts by signing a form, followed by compulsory return to the tribal labour pool. One day in June 1972, eight men from the same building firm told the AAO that they had been instantly dismissed by a foreman after they had queried a reduction in their pay package.⁵⁴ Shortly after, five night watchmen were also sacked as they were under the misapprehension that they would be paid overtime for any shift longer than nine hours. However, the hard facts of the case were that their contracts stipulated beats of twelve hours and no overtime pay - and a wage, which, after deductions, came to less than ten cents an hour.⁵⁵

Close contact with labour problems required the Advice Office to keep up to date with the procedures whereby workers could apply for statutory unemployment benefits (UIF) and Workmen's Compensation. In 1973, having assisted 80 applicants to obtain UIF cards, the Office reported a growing awareness that benefits could be claimed even by contract workers who were only paid for eleven months of the year. In the case of claims for Workmen's Compensation, the AO advised those with current claims, as well as spending many hours trying to trace injured workmen whose names had been published in the Government

52. AAO Annual Report, 1972-3, p.6

53. Ibid., 1969-70, p.11

54. Ibid., p.3

55. Sash, vol. 16,4, Feb. 1973, p.26 ; vol. 16,5, May 1973, p.30

Gazette and to whom money was owing in compensation. Every year large sums remained unclaimed by African labourers, whose employment was usually terminated following injury and for whom firms had no forwarding address. The application of Influx Control measures aggravated the payment of compensation, as large numbers of the labour force were in constant migration. Additional complications arose out of the ideology and practice of the "bantustan" states, as officials in urban areas disclaimed responsibility for workers who were not permanent residents in the area. In one such case, the wife of a man who suffered brain damage and to whom R2000.00 was due in compensation, waited for over a year for the money to be paid to her by the magistrate at Cofimvaba. ⁵⁶

In July 1974, the AAO reported that it was seeing many more men than women, ⁵⁷ in itself an acknowledgement of how the role of the Office had changed from the days of its inception when it only assisted women, and revealing too, the sad reality that the total ban on the issuing of new permits to women in Cape Town had diminished the scope for manoeuvre which the AAO had once had in greater measure. Contract and labour problems explained the presence of many male applicants. The refusal to allow men to bring their wives to the city was the other most clearly defined source of male discontent. The AAO reported hundreds of cases of husbands who came back time and time again in the hopes of a breakthrough. The case of Mr Everit Bakana suggested that mere persistence was not enough - a man needed to be "made of unusually stern stuff" in order to endure and resist the onslaught of the authorities, which Mr Bakana did for over five years. ⁵⁸ He had approached the Advice Office for the first time in 1966 when his wife

56. AAO Annual Report, 1969-70, pp.11-12

The AO had pursued Workmen's Compensation claims for many years.
Eg. 1965 AAO case of Hamilton Biyana.

57. Sash, 17,3, Nov.1974, p. 29

58. AAO Annual Reports, 1966-67, p.2 and 1970-71, p.3

and five children were endorsed out to Lady Frere. He had worked for the same firm since 1942, had been living with his wife for twenty years, and his children had all been born in the area. Moreover, one of the children was crippled and needed regular treatment. He refused to send his wife away and she was arrested in 1967, given a temporary permit, then re-arrested in 1969. In the meanwhile, neither the AAO, nor Mrs Helen Suzman, nor Mr David Dallas, attorney, had been able to persuade the Minister or his officials that Mr Bakana should be given permanent status so that his family could remain with him. In 1971, his tenacity won through and he was given Section 10(1)(b) status, thus permitting him to have his family in the area.

This chapter began with a brief synopsis of the political and ideological changes taking place at the beginning of the 1970's. The shifts in government policy, aimed at the creation of the "nation states" which would leave South Africa free of a permanent African population, were revealed in the nature of the cases seen at the Advice Office in the early 1970's, and in this way the AAO became a barometer which measured the impact of policy on individual lives and on the African population as a whole. The chapter would be incomplete without reference to two further developments in state policy, each of which formed part of the broad ideological design of "separate development" and each of which were promptly stripped of pretensions of "reform" by the Advice Offices in Cape Town and Johannesburg when the measures were introduced in the early 1970's.

It will be recalled that the 1964 Bantu Laws Amendment Act, which had caused so much bitter controversy, had made provision for Aid Centres in the urban areas, to which Africans who were arrested or convicted of pass/permit offences could be referred, in preference to being taken to a police station or prison, and which Centres could also act as

Commissioner's Courts, giving the Commissioner discretionary powers to place an offender in employment, or grant permission for him/her to remain in the area, or repatriate the offender. ⁵⁹ Only two Centres had been established in eight years, one of them in Langa in 1970. It consisted of one small room with one official in attendance. Reports from Africans who had first-hand experience at the Langa office, led the AAO to voice strong doubts about the Centre, which appeared to offer no aid whatsoever. On the contrary, persons who went there found themselves worse off than before - without the job they had found for themselves, or with their papers carefully scrutinised and found to be defective. The AAO did not know of a single case in which the Aid Centre had helped someone to find a job and knew that "even if the Centre were to be managed by the Archangel Gabriel assisted by all the lesser angels, he would not be able to place in employment those who did not qualify." ⁶⁰ The AD in Johannesburg concurred: "The Aid Centres only made the legislation work more smoothly," a statement backed by the figures - of the 138,000 Africans referred to government Aid Centres in 1973, 92,000 were endorsed out of the urban areas. ⁶¹

The Sash Advice Offices reacted with similar insightful criticism to the implementation of the Bantu Affairs Administration Boards (BAABS) in 1973. The Boards had been hailed by their creator, Dr Koornhof, who introduced amending legislation in 1971, as a means of removing the responsibilities for Bantu Affairs in urban areas from local government authorities and placing them under a centralised system. Koornhof, and his successor, Janson, claimed that this streamlining would make life easier for Africans and their employers alike, by enlarging the areas

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59. See Appendix Two, Section B. Clause 25 of the Act was amended in 1972, the only significant change being that the Commissioner could no longer send an offender to a "settlement or rehabilitation scheme". Sash, 15,4, March 1972, pp.25-26
60. Ibid.
61. Sash, 16.4, Feb. 1973, p.22 ; 17.1, May 1974, p.27 ; Survey of Race Relations, 1973, pp.136-7 and 1974, p.173. The Centres did assist some Africans with their documents, thereby saving them from gaol.

in which free movement of residence and employment was permissible.⁶² The Sash opposed the Boards on several grounds - they had no African representatives, the discretion of municipal officials was removed, financial support from local government for black advancement was withdrawn, there would be no money for housing, rigidity and impersonalisation would be further entrenched. Their fears were not unwarranted. In Johannesburg, the JAO reported that when the West Rand Administration Board took over from the City Council, Africans whose names were already on the waiting lists for housing had to re-apply and start the process from scratch, thereby losing their places on the lists.⁶³ In Durban, the Sash reported that the housing shortage, aggravated by the lack of BAAB funds was "critical and becoming worse by the day."⁶⁴ At a Sash symposium on migrant labour in 1974, Dr Francis Wilson assessed the effects of the Administration Boards :

" They have made life rougher and tougher for Black people. There is less money available for amenities and rents are being raised. There is an increasing intolerance of Blacks in the cities and there has consequently been more police activity." ⁶⁵

The Bantu Affairs Administration Board for the Cape Peninsula came into operation in September 1973, replacing the local municipal and Cape Divisional Council Departments of Bantu Affairs. Officials from these two Departments continued to work at their posts but reported to the newly appointed Director of the Administration Board. The AAO devoted much of its 1973-74 Annual Report to the effects that the new system had had on Africans in Cape Town, recording, for example, that in 1974 only one couple interviewed at the AAO had been successful in getting permission to lawfully reside together.⁶⁶ It was noted that the

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62. For details of the Bantu Affairs Administration Act (45/1971), as amended in 1973 (7/1973) see :
Survey of Race Relations, 1969, pp. 145 -148 ; 1971, pp. 132-141 ; 1973, pp. 127-128
63. Sash, vol. 17.3, November 1974, p.25
64. Ibid., p.27
65. Ibid., p.10
66. AAO Annual Report, 1973-4, p.5

Board had restricted permits for all local visits to the townships, such as those undertaken by the AAO, to certain hours on one day a week. ⁶⁷

The Advice Office, itself physically under attack after a series of smashed windows and a petrol bomb blast, had been forced to evacuate its premises on Klipfontein Road and move to Mowbray at the end of 1973. A measure of the deteriorating climate in which it operated was its acceptance that the days of achieving success through negotiation with officials were rapidly coming to an end. The battle was to move to new grounds in the mid-1970's. At the end of 1974, the AAO did not yet know that these grounds were to be the squatter camps of the Cape Flats where the crisis of informal settlement erupted at the end of 1974. What the AAO did envisage was that it would be forced to rely more and more on the courts to prevent state officials from abusing the law. That direction, at least, was clear to the Director whose 1974 Report concluded - "We have never needed our lawyers more than now." ⁶⁸

The pattern that emerges from a study of the AAO in the first half of the 1970's takes the form of encircling rings, surrounding the Advice Office caught in the centre. We have noted how successive adaptations of state policy and planning regarding the urban African population had continued to narrow the scope for movement at every level. Inasmuch as these restrictions confined the African population in Cape Town, they likewise constrained the Athlone Advice Office, whose modus operandi had by and large taken the form of a reaction and response to state policy. Yet at the same time that the state was redefining its domination of the African populace, shifts that were underway elsewhere in the South African nation began to impact on the the Black Sash and

67. Regional Council Minutes, 18/2/74

68. AAO Annual Report, 1973-74, p.7

its Advice Offices, leading to a gradual re-assessment of the aims, methods and structures of these bodies in the later 1970's.

A marginal shift in the perceptions of white English-speaking communities in the major cities had taken place since the end of the 1960's. This had been revealed in an increase in the number of votes cast for Opposition parties in the 1970 election, described by Mrs Joyce Harris of the Sash as "a slight jolt which indicates some small degree of fluidity in the political structure, ...a tiny ray of hope, ... the juggernaut has been ever so slightly dented."⁶⁹ In 1970 the Sash itself had shown a distinct change of attitude towards the general election. Whereas previously the organisation had gone into recess before an election in order to support Opposition candidates, this did not occur in 1970.⁷⁰ A handful of Sash members even went so far as to publically announce that they refused to vote.⁷¹ Resident in the Elgin district, they had witnessed the demolition of the African shanty town in Grabouw in 1969 and had shared the suffering of the forced removal of the women and children to the camps in the Ciskei.⁷² First-hand experience of the application of influx control led them to declare that apartheid was "morally evil, politically wrong and economically disastrous."

69. Sash, vol. 14.1, May 1970, pp.2-3

70. See pp. 4-5 above.

By the time of the 1974 general election, Sash policy in the CWR had shown a remarkable change from the earlier period. The election results were not mentioned in the Regional Council Minutes, despite the improved standing of the Progressive Party and the election of Dr van Zyl Slabbert in the Rondebosch seat.

71. Letter to The Argus, 10/4/70 signed by Sash members: Anne Browne, Patricia Denniston, Kathleen Murray, Molly Murray and families.

72. The demolition of Newtown, Grabouw, which housed Africans working on the fruit farms, was matched by removals from the smaller towns of the Western Cape in the early 1970's, eg Bonnievale, Eland's Bay. The AAO had been approached particularly by Africans removed from Kayamandi in Stellenbosch. AAO Report, 1971-72, pp.4-5
The common experience of these areas was that shanties housing families were demolished, the women and children endorsed out, the men allowed back on contract, and the lack of housing given as grounds for refusing families permission to return.

Further changes occurred within Sash membership in the early 1970's. The Transvaal Region reported that 52 women had joined in 1972. Border, which had struggled for years with the twin problems of apathy and police intimidation, enlisted 13 new members.⁷³ In Cape Town, the Region was strengthened by a combination of new student membership and changes in Regional leadership.⁷⁴ The student members encouraged links with the National Union of Students, inviting Nusas leaders to address Sash meetings on issues which were percolating on the white English-speaking campuses but which were not yet part of the Sash debate.⁷⁵ Fired up, inter alia, by the nation-wide clashes between police and students in June 1972, the student members brought a wave of radicalism into the Sash, challenging traditional liberal values and procedures.⁷⁶ One offshoot of this was a questionnaire circulated to members in the Western Cape by a group in the Rondebosch Sash branch during 1973.⁷⁷

Intended "mainly as an awareness exercise for members", it enquired into the wages and working conditions of domestic servants employed by Sash members.⁷⁸ While it was no surprise that only 0.5% of the respondents employed no servants at all, the investigators expressed disbelief about the average wages paid to the living-in servants employed by 80% of the respondents. The report on the questionnaire

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73. Sash, vol. 16.3, Nov.1972, p.31. The Advice Office in East London was re-opened after 8 years of closure, 1965-73.
74. Several of the students had high profiles in student organisations. (eg. Laurine Platzky, Paula Ensor, Sheila Lapinski) Mary Burton, a younger member with three children, was elected to the Regional Executive in 1972 and became Regional Chair in 1974. She was elected National President of the Sash in 1986.
75. For example : Jeanette Curtis, "Wages and Labour", General Meeting, 7/8/72
76. For example, see Geoff Budlender, S.R.C. President UCT, in Sash, August 1972, in which he cited Cosmos Desmond and David de Beer : "Let us take radical action." pp. 6-9
77. "Questionnaire", Sash, vol. 17.2, August 1973, pp.4-5 "Response to the Questionnaire dealing with Members of Household Staff", Black Sash C.W.R., c. 1974, typescript. The 136 replies received formed the first assessment of the private lifestyles of Sash members that I have encountered.

came to the conclusion that "a large number of employers seem to carry a load of guilt ... and the assumption must be that this is engendered by too low wages, and more especially, considerations of colour." 79

The exposure of paternalist, even exploitative, attitudes revealed by the survey led to the resignation from the Sash of Mary Olowin, a member who had joined in 1972 "thinking that within the Sash would be the means to express the need for change in South Africa and to contribute to creating that change." Her letter of resignation contained strong criticism of the Sash and was a clear challenge to the organisation :

" I am no longer convinced that the Black Sash is in fact, interested in change. I do see, on an organisational level, a willingness to promote purely political change, but on a personal level I see no support for the economic change that must accompany it ... If we are to protest injustice, we cannot be practising it, at the very same moment, in our kitchens. " 80

Mary Olowin's dissenting voice caused a brief flurry in local Sash circles, her resignation discussed at Regional Council meetings for several weeks, her letter copied for distribution to the Regional membership. But thereafter, silence fell upon the matter and one detects a certain closing of the ranks. Yet the challenge Olowin had raised, and which had itself arisen out of the changes which were taking place at political, economic and social levels in the country, remained unresolved.

The Sash appeared to be similarly ill at ease with regard to other voices of dissent raised across the nation in response to Vorster's

78. The NUSAS leaders who joined the Sash, see Fn. 74 above, were active participants in the Wages Commission, a NUSAS campaign aimed at raising student awareness about the payment of poverty wages to Africans.

79. Sash, vol. 17.2., August 1973, pp. 4-5 .

80. Mary Olowin, letter to the Black Sash, 7/1/74, typescript copy, Black Sash Archives

brand of political domination. In particular, the rise of black consciousness, which challenged the position of white liberals in South Africa, caused something of a *crise de coeur* within the Sash, whose membership regarded any form of nationalist ideology with perturbation. Mrs Jean Sinclair, the Sash National President, responded to a bitter attack on liberals delivered by Stephen Biko, the emerging and articulate leader of the black student movement. Springing to the defence of liberalism in the fighting spirit which typified her leadership, she declared that :

" The principles of liberalism have survived the years and will continue to survive. This philosophy must be fought for ... The liberal philosophy is the only (one) that provides for the freedom and justice of the individual. We who are liberally minded must resist going into a corner to lick our wounds." ^{e1}

This response to the new ideology was presented by Sash leaders to the public, and at meetings of Sash members. It was essentially pragmatic, matter-of-fact, designed to conceal misgivings, and to encourage. Addressing Cape Town members at a 1972 meeting, the Regional Chair told them that "Whether we like it or not, Black Consciousness is a fact that cannot be ignored. We must learn to understand it because it provides a new and challenging framework." ^{e2} Jean Sinclair, the National President stated even more curtly that "Black consciousness and Black political awareness are now a fact of life." ^{e3} In private, Sash members expressed stronger misgivings. Joyce Harris, who had attended a symposium on Black Consciousness as a Sash delegate experienced a deep disquiet:

"I was excluded, left out. I was told White people are irrelevant. Liberals were referred to with hatred and contempt. The general tenor was menacing, frightening, disturbing. I am terrified by its implications. To be a white liberal is to be torn." ^{e4}

81. Jean Sinclair, " Black Power and Contemporary Liberalism", Sash, 15,2, Sept. 1971, pp. 9-13

82. Black Sash Cape Western Region, Chairman's Report, 1971-72

83. J. Sinclair, Presidential Address, National Conference, October 1973.

84. Sash, vol. 16.4, Feb. 1973, pp. 4-5 and her article "No place at the Black man's side? ", Sash, vol. 16.6, August 1973, pp.21-22.

Clearly, the birth of black consciousness held significant implications for the Sash Advice Offices. On the one hand the Sash needed to acknowledge that radical blacks rejected white help in their struggle for rights and liberties, yet at the same time the Sash continued to believe that there was still a role for the Advice Offices. The 1973 Annual Report of the Athlone Office tried, somewhat clumsily, to reconcile itself to the new dispensation. It included a carefully worded comment that the the AAO did not "advise people in the sense of counselling them, but aims to clarify individual problems, explain the legal position and direct inquirers towards the most suitable official or agency for further action. The aim of the work is to set people on their own feet, avoiding patronising approaches in favour of discussion with a view to self-help." Yet, the Report concluded: "The growth of awareness which has been so evident over the past year is not of the order of "black consciousness" let alone "power", but the ordinary understanding of ordinary citizens who know that the law is forcing them to live extra-ordinary lives." ⁸⁵

Although it was only dimly aware of it at the time, by 1973-74⁸⁵ the Athlone Advice Office had reached a point of new departure. Faced by the growing intransigence of the state and its officials on the one hand, and a burgeoning awareness of national and personal identity in the black population, the liberal white volunteers at the Advice Office were in a threatened position. If there had been time for speculation, they might well have come to the decision that they had outlived their usefulness and validity. As matters turned out, whatever process of self-analysis might have been embarked upon was abruptly ended in 1975.

85. AAO Annual Report, 1972-73, pp. 2, 8

when the crisis of the "squatter" camps erupted on the Cape Flats, a development which was to prove a watershed not only for the nation and for Cape Town, but also for the Black Sash and the Athlone Advice Office.

CHAPTER FIVE :

AT THE CROSSROADS - 1975 to 1980

The Athlone Advice Office Annual Report for 1975 commenced by stating that the year under review had been one "of considerable expansion in the work of the AAO ... new vistas have opened up with the extraordinary growth and consolidation of "squatter" communities, particularly in the place called Crossroads, (Nyanga Extension 3)." ¹ Without doubt, the relationship which developed between the AAO and many of the residents of the large-scale informal settlement areas that arose in the Cape Peninsula in the late 1970's marked a watershed in the history of the AAO, transforming its methods of operation, its policies, and presenting the AAO with a challenge, the magnitude of which had not been encountered in its seventeen years of existence. For these reasons, this chapter begins by focussing on the relationship between the AAO and squatter communities in the Peninsula, before turning to further issues, frequently related to the growth of the squatter camps, which confronted the Advice Office in this period.

The existence of areas of informal settlement for Africans in Cape Town was not a new phenomenon in the 1970's.² Despite the prohibition on squatting contained in the 1923 Urban Areas Act, Africans who were unable, or unwilling, to be housed in the proclaimed townships had, in the earlier part of the century, built shanty homes in peripheral zones

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1. AAO Annual Report, 1974-5, p.1 The use of the word "vistas" here suggests a somewhat idealised conception by the AAO of the squatter camps in the period preceeding the mass demolitions. The squatter population of Cape Town consisted of Coloured and African persons, but as the work of the AAO was almost exclusively with Africans, I confine the issue of squatting to African squatters. Likewise, while I have taken into consideration the existing body of work on the squatter issue, both in Cape Town and nationally, I have concentrated on previously unresearched Black Sash and Advice Office material in this discussion. The term "squatters" is used in this thesis to refer to residents of informal settlement areas. The AAO and Sash material uses the term throughout and I have kept it in order to reflect the records.
 2. See p.10 above.

around the city.³ The largest of these settlements had been at Windermere, where the African population in 1943 had been estimated at 19,000 persons, almost half the then African population of the city.⁴ Windermere was cleared of Africans in the 1950's. Those males who legally qualified to be in the area were relocated to the newly-built single quarters at Langa, while qualified families were eventually accommodated in Guguletu. Those who were deemed to be "illegal residents" were refused permission to remain in the Peninsula.⁵ Although many returned to the Reserves, some disappeared further into the thick bush of the Cape Flats.⁶ Here they were joined by others who sought work, sustenance, and relatives in Cape Town, but whose illegal presence in the area immediately disqualified them from accommodation in the townships. And often, as we have seen, even for those whose papers were in order, existing housing was at a premium as state policy had put an end to any new home-building in the city.⁷ These people formed the nucleus of a formally homeless African population which was to mushroom in size in the 1970's when the failure of the government's "resettlement" policy in the rural areas forced people to return to the urban centres. The return of these marginalised people, together with the natural increase in numbers of those already living in the bush,

3. For references to early squatting, see :

- M. Budow, "Urban Squatting in Greater Cape Town 1939-1948", (Honours thesis, UCT, 1976)
- C. Elias, "An historical review of the supply of housing for urban Africans in the Cape Peninsula, 1900 - 1982", (Research Unit for Sociology Development, Stellenbosch, 1983)
- B. Kinkead-Weekes, "The solution of the African Squatter Problem in the 1950's", (Cape Town History Workshop, 1983)
- "Africans in Cape Town - origins of a state policy", (M.A. thesis, UCT, 1985)

- 4. C. Saunders gives the total African population in Cape Town in 1944 as 38,000. "From Nyanga to Langa", Studies in the History of Cape Town, 1, (Cape Town, 1979) p.199. See too : C. Swart, "Windermere : From Peri-Urban Area to Suburb", (Honours thesis, UCT, 1976)
- 5. 4,928 women were endorsed out during these removals. See J. Cole, Crossroads : the Politics of Reform and Repression, (Johannesburg, Ravan, 1987) and S. Makosana, op.cit.
- 6. C. Swart, op. cit., p.68
- 7. See pp. 39, 84 above.

created an African squatter population in Cape Town of about 70,000 - 100,000 in 1975. e

The history of the occupation of land at Crossroads, the squatter camp with which the Advice Office was to become very closely involved, began in February 1975, when inspectors employed by the Cape Divisional Council began to move squatters from pockets of land in the Council's area of jurisdiction to the site which became known as Crossroads. Tension arose within a few months as a result of a conflict between the Divisional Council, which owned the land, and the Bantu Affairs Administration Board officials who viewed the settlement as a "transit camp" in which Africans were to be collected before being deported in mass numbers to the rural areas. It was not long before BAAB inspectors began to harass the residents by evicting them and demolishing their shacks.¹⁹ Police raids, which often took place in the very early hours of the morning, led to arrests for a variety of pass and influx control contraventions. The most frequent (Urban Areas) charges against women related to their remaining in the area for longer than 72 hours without permission (Section 10 (4)). The men were arrested for being outside a proclaimed location (Section 9) or with "introducing and harbouring their illegally resident wives," (Section 11). Trading without a permit was also a charge frequently brought against residents.

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8. The very nature of informal settlement made it difficult to provide accurate population figures. Jane Prinsloo, (" Focus on Housing ", typescript, Black Sash Exhibition on Housing, Cape Town, 21/10/75), referred to research at Stellenbosch University which gave a figure of 250,000 African and Coloured squatters in the Cape metropolitan region, of whom F.J.Lund and J.G. Potgieter estimated 100,000 - 180,000 to be Coloured. ("Squatting : The Bigger Problem", SA Outlook, Aug.1975, pp.120-121) These figures indicated an African squatter population of 70,000 - 100,000, yet Prof. G. Ellis estimated it at 30,000. (The Squatting Problem in the Western Cape, SAIRR,1977). The government figure for all squatters in CT in 1975 was given as 110,000.(q. Prinsloo)
 9. See J. Cole, p.15, and AAO Annual Report, 1974-75. Also W. Frater, "Crossroads 1975 to 1983 : a turning point for influx control", (Honours thesis, UCT, 1990), pp. 9-11
 10. An interdict was brought in the Supreme Court on 29/6/75 to restrain the BAAB from such actions without a court order.

In March 1975, at one of the first mass meetings held by residents, the community instructed three representatives, two women and one man, to make contact with outside organisations and inform them of the harassment from the police and BAAB. Residents paid the costs of the transport for the delegation which went to the AAO on 3 March 1975.¹¹ At first, the AAO members adopted routine procedures, detailing the history of each applicant, according to the methods which they had employed since 1958. They recorded in their reports that they were ever mindful of "our duty to explain to people their position vis-a-vis the law, ... (we) remind each person without a reference book or permission to be in the area, of where he or she should legally be."¹² As many of the first residents at Crossroads were found to have been in the Peninsula for a considerable time, with recent migrants in the minority,¹³ the AAO was initially spared the difficulty of having to turn away a large number of "illegals". It thus had a few months of "breathing space" in which it was able to establish a routine with the squatters, learn to know their leaders and adapt to the rapidly changing situation. The real dilemma began when, after BAAB raids in September and October 1975, Crossroads residents approached the Advice Office en masse to ask for legal help. The situation presented a major challenge. There was the practical difficulty of coping with a sudden upsurge in numbers, partially overcome when a third interpreter was employed - Ms Nomahlube Nabe, a young woman born in Cape Town and

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11. J. Cole, op. cit., p.17. The AAO was known to many Crossroads residents who had visited it on an individual basis for pass problems. The residents who were sent most frequently were Mrs Yanta, Mrs Ndamase, Mrs Lutango, Mr Mdayi. See also W.Frater, op. cit., p.17
 12. AAO Annual Report, 1974-5, p.3 See for example the case of Mr Irwin Kolo, a builder from Worcester, who had come to Cape Town in the hope of obtaining further training, but who was advised by the AAO to return to Worcester, lest he forfeit his rights there. AAO Day Book, 29/9/75
 13. J. Prinsloo, op. cit., suggested that only 25% of the residents were recent arrivals.

educated at Lovedale. ¹⁴ The greater hurdle came in the form of a new consciousness emanating from the applicants themselves.

They displayed a remarkable community spirit, and required a revised approach from the AAO. "Here they are and here they intend to remain. This is their own often - repeated statement." ¹⁵ Mrs Noel Robb remembered how the Crossroads women shocked the AAO :

" They were very independent ... there was no question that they would obey the law. Now that was the first time we had heard of that. Until 1975, when you did everything you could to get permission for a woman to stay and you failed, she went ... But the Crossroads women were the first to sit in our office and say "We are not going". " ¹⁶

The AAO Director and the Regional leadership of the Sash faced a crisis. For the first time, they were being asked to support the struggle of an entire community against the laws of the country, yet their individual and collective ideology had led them to respect the rule of law and the jurisdiction of the statute books. Barbara Versveld, the AAO organiser at the time, recalled that Moira Henderson, a Sash stalwart from the 1950's, who stepped in for Mrs Robb when the director was on leave, encouraged the AAO to adjust to the new dynamic by accepting that even if Africans were illegally in the area, the AAO should support their right to remain. "With prophetic insight," Versveld remembers, "Moira broke through the barrier of defending illegals." ¹⁷ Noel Robb remembers that the decision "was a hurdle for me, but one took a big gasp and carried on." ¹⁸

14. 727 more interviews in 1974-5 than in 1973-4, an increase of 41%. 1973-4 = 1769 cases ; 1974-5 = 2496 cases. AAO Annual Reports.

Ms Nabe was appointed to attend to the legal cases and to assist the lawyers. She has remained on the staff of the AAO. (1993)

15. AAO Annual Report, 1974-75, p.3

16. In J. Cole, op. cit., p.18.

17. Barbara Versveld, interview, Mowbray, 7/6/91

18. Noel Robb, interview, Kenilworth, 24/2/93. She likened the situation to that in 1964 when the AAO was faced with the "Section 73" crisis, (Bantu Laws Amendment Act), see pp.65-66 above.

The daily register kept by the AAO organiser in 1975 reflects the decision to support all those who had moral, as well as legal, rights in the area. There was an immediate need for increased legal intervention. A number of lawyers had consistently helped the AAO as we have seen, but during 1975, the duty roster of daily volunteers was increased to incorporate 18 city firms.¹⁹ The driving force behind the legal panel was Mr David Dallas, who had assisted the AAO for many years, and whose wife was an active Sash member. One of his legal partners recalls that: "David was at breaking point under the strain, not only because of the case load, but also because of the inhumanity of the squatter crisis. He wanted to ensure that squatters received legal defence. We had tremendous support from the law firms, including some who were based in the Afrikaans community. The Law Society and the Bar Council gave permission for lawyers to appear without charging fees. If there were costs involved, funds came from various sources, including the Catholic Church in Cape Town, which was led at that time by Cardinal Owen McCann, once a lawyer himself."²⁰

The most frequent request to the lawyers was to appear in the Langa Commissioner's Court and plead in mitigation of arrested squatters.²¹ The AAO did the groundwork, preparing the papers and providing the attorneys with full personal particulars and supporting documentation, such as in the defence of forty residents after the raid on Crossroads in September 1975.²² There is clear evidence that a lawyer's

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19. Compare with the Johannesburg AO which at that time had only one legal adviser. On the whole, the lawyers were the newly-qualified junior members of the practices, many of whom cut their teeth on human rights issues through this work and went on to become leading figures in future movements such as the Legal Resources Centre and Lawyers for Human Rights, (June 1980), eg. Lee Bozalek, Michael Richman. For the pivotal, but controversial role played by Richman in Crossroads, see J. Cole, op. cit. and W. Frater, op. cit.
20. Andrew Dalling of the firm Syfrets, Godlonton, Fuller, Moore and Co., interview, Cape Town, 6/6/91
21. Squatters were also charged in the Magistrates' Courts in Wynberg, Athlone, Goodwood and Bellville.
22. AAO Day Book, 19/9/75

appearance on behalf of the accused led to a reduced fine, or a suspended sentence, and that a legal appearance helped prevent frequent misunderstandings between the prosecutor and the accused persons, who often understood neither the rough-shod procedures, nor the Afrikaans spoken by the presiding officials.²³ Likewise, it offered some protection against errors of misinterpretation when the accused was asked to plead.²⁴ Lawyers also gave weight to AAO cases where the grievance was not directly court-related. Such was the support given to Mr Frank Fani, and others in his position, whose belongings were removed from his shack and bundled on a train destined for the rural areas. Over a year and many letters later, legal intervention procured compensation from South African Railways for loss and damages to Mr Fani's possessions.²⁵

Arguably, the most significant achievement of the co-operation between the AAO and the legal panel during the Crossroads era was the manner in which the AAO challenged state policy in the courts. The first round was fought over the charges of trespass which the state laid against many residents of the camp.²⁶ It was alleged that they were illegally occupying land owned by the state, yet investigation found that the BAAB had not taken transfer of the land from the Divisional Council. Lawyers agreed to appeal against the trespass convictions handed down in the Magistrates' Courts and took the cases of Mrs Lilian Peter and Mrs Tuni Sera of Crossroads, who had been charged with "illegal occupation of an area not proclaimed as a Bantu township", to the Supreme Court in February 1976. The original charges against the women

23. This is reflected in the daily AAO register, eg. "4 Xroads court appearances in Langa defended by Mr Zabow - fines, not big. Another 3 defended by Mr Gelbard, suspended sentences." AAO Day Book, 3/12/75

24. See case of Seline Ntsabo, unrepresented in court, who pleaded guilty because the court interpreter misinterpreted her. "She was instructed to leave CT within 10 days." AAO Day Book, 25/11/75

25. AAO Day Book, 3/2/76, 26/2/76, 27/2/76, 7/6/76, 2/8/76. See also case of Mrs Wambi.

26. At one time, the AAO had 72 such cases pending. Mrs N. Robb, interview, Kenilworth, 15/4/86

drew criticism from the judges, who conceded that the cases had been "very poorly conducted and fatefully defective in a number of ways." The appeals were successfully upheld on grounds that the BAAB was not the lawful owner of the land and all charges of trespass at Crossroads were subsequently dropped.²⁷

For a few brief months, an uneasy calm settled over Crossroads. It was shattered in May 1976 when the Divisional Council, having been declared the owner of the land in the Supreme Court judgement, asked the Wynberg Magistrate's Court for permission to demolish the 2,500 shacks that made up the camp as they were deemed to be a health hazard.²⁸ Noel Robb recalled the dramatic developments which ensued :

"Sheena Duncan and I went to Crossroads and saw the demolition notices there. The next day 266 Africans, the men in suits, arrived at the AAO. A team which included volunteers from other support groups, interviewed each one of them. It took 2 days. Our lawyer used this evidence in court to argue against the demolition. He won the case. Although the magistrate turned down an application to have the area declared an emergency camp, this was granted four days later. The Divisional Council was given permission by the government to improve refuse collections, water supply and night soil removals. The people were charged R10.00 per month for services, later reduced to R7.00. Although 100 shacks had been demolished in June 1976 by the BAAB, things quietened down and there were very few demolitions of existing shacks, or arrests for trespass until some years later."²⁹

The Sash and the AAO won a great measure of public support for their efforts during the time of the threatened demolition. The introduction of a new measure, the Prevention of Illegal Squatting Amendment Bill,³⁰

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27. AAO Annual Report, 1975-76, p. 5 ; Cape Argus, 19/2/76, 23/2/76
28. This was an echo of the reasons put forward for the relocation of Africans earlier in the century, see p.9 above.
29. Mrs Noel Robb, interview, 15/4/88. Any new shacks, or extensions to old shacks, were instantly demolished by the authorities. Many of those those who came were people who had had previous contact with the AAO, eg. Lilian Peter, Mrs Yanta, Mrs Luthango, Mr Mdayi. See AAO Day Book, 20/5/76 for list of names: "They all briefed Mr Richman with their signatures." In her discussion of this event, Josette Cole does not mention the role of the AAO but concentrates on the parts played by Mike Richman and David Russell, (Anglican priest), pp.19-20
30. The Bill introduced heavy penalties for squatters and property owners and overrode the need for court orders before demolitions could take place. It was passed in 1977, (Act 72/1977).

two months after the success of the Peter/Sera judgements, had already served to arouse public dismay, and photographs carried in the English language press of Crossroads residents soaked by the heavy rains of a Cape winter helped to swing opinion in favour of the squatters. Likewise, the efforts of an Anglican priest, the Reverend David Russell, had contributed to public awareness.³¹ Thus for the first time in many years, the Sash found itself in the unaccustomed position of receiving a positive response from the white community.

Events at Crossroads had also generated a wave of enthusiasm amongst Sash members. It seemed as if the National President herself was shocked into a new consciousness by her visit to the camp. Speaking at a public meeting in Cape Town, she said :

" I came with a carefully prepared speech full of statistics about South Africa's homeless thousands and the hundreds of thousands of people who have been dispossessed of their homes ... Then I went to Crossroads and tore the whole lot up because I saw that there is no squatter problem in this country. There is only a problem of Government oppression and a problem of White ruthlessness and greed ... " ³²

The dramatic events at Crossroads during 1975 and 1976 had been a rude awakening, but one which stood the AAO in good stead for the tests to come. For while a relative calm descended over Crossroads after August 1976, serious troubles erupted in other areas of informal settlement during 1976 and 1977.

In October 1974, a group of people who had been living at a camp named Werkgenot in the Bellville area, were forcibly evicted from their

31. See his "Report on the Disruption of Family Life", Diocese of Cape Town, August 1975. The campaign launched by residents, lawyers, clergymen and public figures has some resonance with the support given to Africans during their forced removal to Nbabeni in 1901.

See V. Bickford - Smith, op. cit., p.439.

32. S. Duncan, public address, Cape Town, May 1976, Sash, vol.18.6, August 1976, p.10

shacks. ³³ Many of them moved to a piece of ground in Nyanga which became known as the K.T.C. camp. During March 1976, they were harassed by BAAB inspectors and on this occasion, they went to the AAO to lay affidavits. ³⁴ Some of the men had returned from work on the day of the arrests to hear that their wives had been forcibly placed on trains leaving from Bellville to the Eastern Cape, a practice which had been long been recorded by the AAO. ³⁵

The AAO successfully arranged legal defence for approximately 100 people of K.T.C. during 1976 - the magistrate cautioned and discharged all the accused. But the camp at K.T.C. could not be re-occupied and it was cleared, at least temporarily, by the authorities in May 1976. Some of the men resumed their "bachelor" lives in the hostels, the only places where they were legally permitted to reside, while others shifted with their families to Crossroads.

These hazardous and uncertain years acquire a thin veneer of tranquillity when juxtaposed with the hell that broke out after August 1977 when the Prevention of Illegal Squatting Act came into effect. From the beginning of 1977, all fifty squatter camps in the Peninsula had been threatened with demolition, particularly the huge camp known as

33. For a full account of the events at Werkgenot, see G. Budlender, "A Werkgenot Diary", SA Outlook, August, 1975, pp.122-24
The AAO did not witness this demolition, although many people later asked for help with damages claims. The AAO helped with two civil actions for damages.

34. AAO Day Book 25/3/76 - 6/4/76

35. See case of Mrs Jane Thabatha, of Crossroads, who escaped from the train at Worcester, but was re-arrested and re-entrained with her children and the belongings she could carry. Her husband returned from work to find his shack demolished, his furniture confiscated, and his family deported.
See Day Book entries : 24/10/75 - Mrs Tuni Sera, Mrs Doris Mbatha and 4 others from Crossroads ; 14/11/75 - Mrs Belinda Booie, Mrs Mbukwane, Mrs Eunice Mhlungana of Crossroads ; 29/3/76 - Mrs Mlinjana of K.T.C.. Some of the women got off the train at the first possible moment and were back within 24 hours. For those who were not as plucky, there was an anxious wait before news of their whereabouts was received.

Modderdam, among whose 15,000 inhabitants were approximately 483 Coloured families. ³⁶ The state's policy was to move Coloured squatters to new housing schemes, whilst the wives and children of African families were removed from the Peninsula. Demolitions at Modderdam were temporarily stayed by a court order in March 1977, and then by an undertaking from the Deputy Minister of Bantu Affairs, Mr W. Cruywagen, that the camp would not be demolished until the rainy season was over. However, on the morning of 8 August, the demolitions started, in mud, wind and rain, and by the end of the week the camp had been flattened. In the following two months, squatter settlements at Werkgenot, Hout Bay and Kraaifontein were likewise demolished. ³⁷ Throughout the demolitions, AAO and Sash volunteers were constantly at work. They were present during the destruction of the camps, and at Modderdam, joined the human chain which attempted to stop the bulldozers. ³⁸

Not all Sash members had the stomach for the horror of the demolitions. Many remained in the background lending support in other ways. They helped to organise two large public meetings which were held in Cape Town in August 1977. They gave a great deal of assistance with food, clothing and transport to displaced squatters who were temporarily housed in tents at churches in the white suburbs. At the AAO itself, there was a stream of people who sought legal advice after being arrested for being in the area illegally. AAO attorneys appeared for over 200 such people in the Langa court, pleading in mitigation where

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36. For a full account of the Modderdam squatters, see A. Silk, A Shanty Town in South Africa, (Johannesburg, Ravan, 1981). For a briefer account, see Survey of Race Relations, 1977, pp.448-454.
37. Refer to S. Dowling, "A History of squatting in the Fish Hoek Valley", (Honours thesis, UCT, 1988), for an account of demolitions in the Fish Hoek/Noordhoek area.
38. One of the AAO volunteers, Moira Henderson, inadvertently became involved in the arrest of a leading churchman, the Rev. David Russell at Modderdam. Sash member, Dr Margaret Nash, was arrested during the demolition at Werkgenot. Refer A.Silk, op. cit., pp.150, 159. See too the eye-witness account of the horrors of the demolition written by Sash member Pattie Price in Sash, vol. 19.4, Feb. 1978, p.20

nothing better could be done. This minimised fines and avoided gaol sentences, but it did not bring redress to the worsening situation.

The demolitions in the spring of 1977 brought a new urgency to the disquiet which the Sash and the AAO had first experienced when Crossroads residents, including those illegally in the Peninsula, had asked for support in 1975. One of the features of the demolitions was the increased level of political awareness that they engendered amongst the squatter communities.³⁹ A network of organisations had grown up around and within the squatter communities; committees from the camps, the Cape Flats Committee for Interim Accommodation, the Institute for Social Development at the University of the Western Cape, the Foundation for Social Development, SHELTER, the Concerned Citizens Action Committee, the National Council of Women, the Civil Rights League, the Institute of Race Relations, the Red Cross, the Women's Movement for Peace and the Black Sash. Slowly, the mood was changing. Some squatters expressed strong disapproval of the charity named SHELTER which collected money to rebuild housing for Africans who legally qualified to be in the area. They feared that this would lead to a split between "legals" and "illegals." Many squatters who did have the correct qualifications refused to take up the offer of sites at K.T.C. which had been cleared of its previous occupants in May 1976. Part of the changing climate had been attempts by some squatters to resist the demolitions in ways that were foreign to the AAO and the Black Sash.⁴⁰ When confronted by homeless "illegals" in September 1977,

39. See J. Cole, *op. cit.*, p.21 : "Alternative economic and political initiatives were encouraged by liberal organisations such as the Sash, Quakers, etc. Relationships were established in an uncritical manner. Outside assistance was welcomed, even actively sought." Cole argues that consistent exposure to "bourgeois ideology" influenced the Crossroads community making it difficult for "progressive" groups, such as the United Women's Organisation to be accepted in the 1980's. See p.21, p.62.

40. See also references to the Rev. David Russell who defended his arrest at Modderdam in terms of his passive resistance to the anti-squatting law. A.Silk, *op. cit.*, pp.149-150

the AAO reported that "it was distressing that almost nothing could be done to help. Those who decided that they would give up and leave the area, were steered to the officials able to issue rail-warrants. Others have found relatives in the townships or have made arrangements somehow. For each, it is a personal decision and the Advice Office can only warn about the penalties involved if they continue to disobey these laws." ⁴¹

The AAO and the Sash were aware of the criticism that their efforts were not enough, that persons and groups whose ideology was to the left of the Sash did not accept, for instance, that lawyers should appear in court and plead extenuating circumstances in the hope that the accused might be given some or other temporary relief. ⁴² Certain Sash leaders, responding to these criticisms, encouraged members to become more involved, to make a commitment, to break away from traditional patterns. The Regional Chair in the Western Cape, Mrs Mary Burton, appealed at a Regional Conference of the membership for volunteers to become more involved in challenging the status quo and quoted a recently published critique of the Sash :

" The Black Sash has appealed to those who support it precisely because it is safe, conservative, and respectable. They are middle-class women who, although they have enlarged their social vision and deepened their political awareness far beyond the South African average, are not prepared for different or greater commitments. ... They cannot initiate large-scale ambitious projects even if they are feasible under the law ... because they cannot get volunteers. (eg. for court monitoring) Attendance at these courts is depressing, boring, frustrating and difficult ; and women are not ready to volunteer even though they may be sincerely and deeply opposed to mass arrests mass trials, and all injustice. This is a practical example of how far short of martyrdom their commitment stops. " ⁴³

41. AAO Annual Report, 1976-77, pp.7-8

42. Mrs Robb recalls that Josette Cole, who was employed as a field-worker in Crossroads, "thought this was a terrible thing." Interview, 24/2/93

43. M. Burton, Regional Chair's Report, Regional Conference, Cape Town, Feb. 1976. She quoted from Cherry Michelman, The Black Sash, (1975).

After the mass demolitions of the squatter camps in the spring of 1977, an outspoken member of the Sash, who had herself been arrested at Werkgenot, added a postscript to an article covering these events in the Sash magazine. She stressed that :

" ... the mood of the squatters has changed and is changing. The old attitudes of fatalism and inevitability no longer hold undisputed sway. People have had enough ... They are more and more prepared to stand their ground, to stop moving on and vanishing into the further bush each time the officials harass them ... In the Sash we say that if we are to work for change in the laws we must do so within the framework of the laws. In the African squatter communities the people are saying that if we are to save our family life (and get the laws changed), then we must live together illegally and take the consequences. That is happening now. They are demonstrating, by the thousands, a steadfast obedience to morality and justice that transcends the idolatry of legalism." ⁴⁴

The leadership of Mary Burton, (CWR Chair 1973- 1980), and Margaret Nash, (CWR Councillor 1976 - 1985), was characterised by a new emphasis which was very gradually evolving within the wider body of the Black Sash. Two brief extracts from articles written in 1975 by Sash members are used to illustrate the challenges from within the organisation. The one called for the Sash to focus on economic issues, the other was a clear challenge to the Advice Offices :

" I think we need to look more closely, critically and constructively at what we mean by "the principles of parliamentary democracy" as, seemingly, a sufficient statement of our political goal ... I would like to see the Sash develop a politico-economic profile of the new South Africa. " ⁴⁵

" The Advice Offices are not training blacks ... we need to open doors for those who are powerless so that they may participate fully in shaping their own future. " ⁴⁶

Yet by 1977, the Sash was only beginning to take the first gradual and very hesitant steps towards re-evaluating its aims, methods and policies. The Athlone Advice Office, steeped in a tradition of which the hallmarks were adherence to the law, service and diligence,

44. M. Nash, in Sash, vol. 19.3, November 1977, p.27

45. M. Nash, Sash, vol. 18.2, August 1975, p.7

46. S. Turner, "Women and the Coming Crisis" , paper delivered at Sash National Conference 1975.

politeness and courtesy, and above all, the rules of fair play, found the brutality of the demolition of the squatter camps a cataclysmic experience to which it had little reply. ⁴⁷

By mid-1978, when fresh clouds blew up over Crossroads, the AAO had developed sufficient links with that community to enable greater support when trouble threatened. After three years of involvement, the AAO had interviewed over 900 members of the estimated 3000 households, many residents had become known personally at the AAO, as had the community leaders. In January of that year, the AAO had appointed a small group, led by Mrs Noel Robb, to write a report on the camp. By cross-referencing their material with recent studies which had appeared on Crossroads, ⁴⁸ and through door-to-door interviews, the AAO identified households where at least one resident was legally in Cape Town. The results were written up in a brief report, which confirmed that at least 20% of householders qualified for permanent residence and that a further 23% were contract workers who had some right to be in the area. ⁴⁹ The vast majority of these householders were married men who chose to live in shacks with their wives and children, rather than in "bachelor" quarters in the townships. 92% of them were also legally employed in the formal sector. The average period of residence in the city for men was 18 years, although many had been there continuously since the 1940's. And although many women were not legally in the area, their average period of residence was 12 years. In short, the AAO found

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47. A further example of the difficulty the AAO had in responding to squatter communities was the absence of AAO involvement during the destruction of the Unibel camp in mid-January 1978. Several days after the raids, the AAO organiser reported that no squatters had come for assistance. (Cape Times, 21/1/78) One possible explanation for this might have been that the office had been closed for the summer holiday period. For a full account of the Unibel demolition, see SA Outlook, January 1978, pp.8-16.
48. J. Maree and J. Cornell, "Sample Survey of Squatters in Crossroads", (SALDRU, 1977) ; Weichel et al, "Nyanga and Crossroads", (UPRU, UCT, 1978)
49. Janet Graaff and Noel Robb, Black Sash Survey of Crossroads, typescript, February 1978.

Crossroads a "self-supporting, law-abiding, close-knit community." ⁵⁰

These early analyses of Crossroads were compiled at a time when the future of the site was hanging in the balance. The attitude of the hard-liners in the state Department and in the local BAAB was that the area should be removed as it illegally housed at least 10,000 Africans. ⁵¹ Moreover, the state alleged that the residents were stirring up anti-government sentiments among groups in South Africa and overseas, and made it clear that it would no longer tolerate the situation:

" ... in the Peninsula there is a totally organised action to bring the government into discredit because of people who are streaming into the Peninsula illegally. ... I am convinced that when one finds a squatter camp ... one must think twice, especially when one bears in mind the 13 various organisations that have become actively interested in this matter. (He mentioned the Athlone Advice Office and the Black Sash, inter alia.) ... It seems that these people are trying to create an image of prosperity in regard to this community. ... I myself have visited this place. One is dealing here with people who are in the area illegally. ... I want to refer to the clinics for women . I am sorry to have to mention this sort of thing in this House ... that women come to (Crossroads) for the specific purpose of becoming pregnant ... I want to put it to those organisations, which try to create the idea that this is a lovely place, that these people must leave." ⁵²

In June 1978, the state took the first step towards demolition when it issued eviction orders to residents. The Crossroads Support Committee, which had been campaigning to save the camp and in which the Sash and the AAO played an important role, swung into action.⁵³ In the following months Sash members supported the campaign in ways which were traditional to the organisation. Public meetings were arranged, dozens

50. Ibid., p.7 The AAO emphasised the number of residents who were legal or who had some claim. The Report did not focus on the high percentage of women illegally in the area, estimated by the Maree/Cornell report to be 90%. Again, this revealed the struggle of the AAO to accept that large numbers of people at Crossroads were breaking the law.

51. W. Frater, op. cit., lays emphasis on the attitude of the Minister, Dr C. Mulder and his Department, pp.41-49.

52. Deputy Minister of Plural Relations and Development, Hansard, cols. 2763-2766, 12/6/78

53. For accounts of this Committee, see J. Cole, op. cit., pp.25-30 ; W. Frater, op. cit., pp.41-49

of letters appeared in the press, a photographic exhibition was taken round the country, representations were made to government and local officials, signatures were collected for a petition. The campaign pulled Sash women together and attracted twenty-six new members to the Region in 1977-78, a year characterised "by a greater involvement than ever of many members, partly due to the willingness to respond to calls for help among the squatter communities." 54

Yet although the AAO monitored events in Crossroads very carefully, it had no warning of the mass raids in September 1978 during which 900 people were arrested. Then AAO volunteers, led by the Office organiser, Barbara Versveld, worked solidly for two days, some staying up all night, to prepare a list of names, in alphabetical order, for the lawyers. The AAO had had previous experience of turmoil caused by the mis-spelling of a person's name and feared repetitions of such misunderstandings, especially at the Langa Courts which had been enlarged in June 1978, presumably in anticipation of the mass arrests. 55 The AAO attempted to provide legal defence for every person whose name was on its lists, but for the first time, lawyers came up against a brick wall. Pleas in mitigation fell on deaf ears. Residents were sentenced and fined R50.00 or 50 days. "Within a space of a few days, fines of R40,000 had been milked out of Crossroads. Then poverty set in. The raid destroyed the little shops and stalls and the relative wealth in the community." 56

54. Mary Burton, CWR Annual Report, 1977-78, p.1

55. Two new court rooms with plenty of cell space had replaced the small wooden structure which had been used as a court room. For details of a previous case complicated by the misspelling of the accused's name by the court, see Sash, vol. 20,4, Feb. 1979, pp.21-2. (A squatter from Tableview, Mr N.W. Landu, was sentenced at Langa and sent to Pollsmoor Prison. When a representative of Cardinal McCann was sent to pay the fine, and get the man released from gaol, he could not be found at Pollsmoor, as his name had been entered on the court record as Ludu. After an entire afternoon at the prison, an AAO volunteer and a legal representative insisted that the Colonel in charge summon Mr Landu by his correct name so that he would respond. It was evening before he was found.)

56. Noel Robb, interview, 15/4/86

Although shaken to the core by the rigidity with which sentencing was imposed, the AAO and its legal panel refused to give up. One priority was to proceed with legal defence for Crossroads residents who had been particularly unjustly sentenced. Appeals were taken to the Supreme Court on behalf of a thirteen year-old boy who had been fined R30.00 for failure to produce a reference book, and on behalf of a woman who had been fined an additional R10.00 for allowing her baby to cry in court. The appeals were successful, the judges setting aside the convictions and deploring the lack of elementary justice in the trials.⁵⁷ The AAO also asked the press to visit Langa and report on the grave miscarriage of justice in the Commissioner's Court, where AAO observers had noted that one person was sentenced every two minutes.⁵⁸ The director of the AAO reported that the "response has been tremendous, the stories have caught the attention of the public and sparked off debate and a public display of conscience. ... We have appealed for people to visit the Langa Court. Many overseas visitors go there but few South Africans."⁵⁹

After the devastating September raids, residents turned to the Advice Office for even greater support. Calls for help were varied and unexpected. After the second raid which took place at night, a message was received : "Please bring us soup ! So we took them soup in containers - all sizes and shapes, buckets, Tupperwares, anything we could muster, and (distributed it) together with the women, the mothers and wives of Crossroads."⁶⁰ A discernible trend was the growing link between black and white women, seen when AAO women were asked to monitor one of the eight taps serving the camp as Crossroads - for that

57. Sash, vol. 21.1, May 1979, pp.32-33 ; Cape Times, 28/12/78 ; AAO Annual Report, 1978-79

58. 105 cases a day in 1975, standard sentence R50.00 or 90 days. Sash, vol.18.6, August 1976, p.29 ; 12,006 trials resulting in 10,074 convictions for pass offences at the Langa Courts in 1977.

Sash, vol. 21.1, May 1979, p.33

59. AAO Annual Report, 1978-9, pp.3-5

60. J. Grover, "Give Us Another Day", Sash, vol. 20.4, Feb.1979, pp.9-10

was where women were being arrested when they went to fetch water. The AAO spent hours watching the tap, "and the women fetching water waved and smiled. After a while, this particular form of harassment stopped. However, members did see arrests being made at bus stops and to avoid this, lifts were given whenever possible." ⁶¹

In a clear demonstration of its concern about, and involvement with the people of Crossroads, AAO volunteers, responding to requests from residents who could no longer afford the busfares to Mowbray and who were fearful of leaving their homes unattended, began to hold sessions of the AAO at the site itself. ⁶² At first interviews were conducted in the home of a Crossroads resident, Mrs Luke, but as numbers grew, the AAO volunteers, who did not need permits to enter Crossroads as it was not yet a proclaimed township, moved to the corrugated iron structure which served as the hall of the Nxolo School.⁶³ Much closer contact was maintained with the community in this way, although the venture was not without its difficulties. Within a few weeks of opening, Mrs Robb had had to placate some very angry men who had accused the Office of collecting information for the Special Branch. ⁶⁴ And later in 1980, when dozens of people queued at each session, tempers flared up when not all cases could be interviewed. Yet this undertaking was a clear indication that the organisation was able to respond to changing political and social dynamics. It was a move that precipitated much closer involvement with the African population of the city in the next decade and was a precursor to the AAO Office which became well-established in Khayelitsha after 1985.

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61. Ibid. The Sash had had reports that white police, often dressed as women, lay in the bushes near the taps. Regional Council Minutes, 30/10/78. See too R.C. Minutes, 20/11/78 : "Witnessed the arrest at a bus stop of a woman who was on her way to the hospital with two small children."
62. The records refer to this as the work of the Extension Office, from October 1978.
63. Mrs Luke was a member of the Crossroads Women's Committee. She had known the AAO for some time.
64. Regional Council Minutes, 20/11/78

Towards the end of 1978, tremendous uncertainty about the future of Crossroads prevailed. It was widely rumoured that the camp would be demolished before the end of the year, with the involvement of military forces, and that its residents would be rehoused in the Queenstown and Whittlesea districts. ⁶⁵ Urgent talks were held between representatives of the Support Committee and the officials, but no compromise was reached. Then, at the height of the crisis, Dr Connie Mulder, the hard-liner in charge of the Department of Plural Relations, resigned his post and was replaced by Dr P.Koornhof.⁶⁶ Within hours of being sworn in, the new Minister was warned that if the impending demolition of Crossroads went ahead, he would be held responsible. ⁶⁷ During the following months, Koornhof made an historic visit to Crossroads and met with delegations from many quarters, including one from the Black Sash. ⁶⁸ It would appear that at all these meetings, he adopted a paternalistic attitude to Crossroads, calling himself "a father", and indicating that he had to placate the right-wingers in his Department.⁶⁹ The outcome of this period of negotiation was a settlement known as "the Koornhof Reprieve" which proposed that a new township would be established alongside the squatter camp to house

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65. See Survey of Race Relations, 1978, pp. 354-355 and Regional Council Minutes, 20/11/78. The date for the demolition was rumoured to be 20 November 1978. W. Frater, op. cit., p.53
66. See T.R.H. Davenport, South Africa, (1991), pp. 394-6 for a brief account of the "Information Scandal" which brought down the Vorster government and ended the reign of Dr. C. Mulder in the Department of Plural Relations, (Bantu Affairs). Koornhof's Deputy Minister was Punt Janson. See both J. Cole, op. cit. and W. Frater, op. cit. for comment on these changes in the National Party oligarchy.
67. W. Frater has a full account of this period, op. cit., pp. 53-65. See too J. Cole, op. cit., pp.30 -37. According to Mrs Robb, foreign television crews were standing by with hundreds of metres of footage on Crossroads to be screened internationally if the demolitions went ahead. Interview 24/2/93
68. This took place in March 1979, but was a disappointment to the Sash. Although it lasted for two hours, Koornhof refused to be drawn into discussion and remained adamant on certain issues, such as the maintenance of the Coloured Labour Preference Area in the W. Cape. As far as Crossroads was concerned, he argued that it had to be moved as it was sited too near the airport. Regional Council Minutes, 19/3/79 ; Sash, vol. 21.1., May 1979, p.15 ; Noel Robb, interview, 15/4/86 ; see W. Frater, op. cit., for an account of Support Group meetings, pp.57-58.

existing residents who fell into certain categories - those who already qualified under Section 10, contract workers and their families, those in full-time employment and those who were truly displaced persons. Specifically excluded were those who had criminal convictions involving fines of over R500.00 or 6 month prison sentences, the unemployed and those who were offered jobs or housing in the Transkei. Ownership of Crossroads would pass from the Divisional Council to the BAAB. A survey would be conducted of all residents, who would in the meantime be issued with temporary permits indemnifying them from arrest under the pass laws.

The BAAB survey of Crossroads was conducted during 1979, amidst confusion and disorder. The AAO, which had maintained close links with residents throughout the negotiations, was inundated with allegations that the issuing of the temporary permits was being hijacked by bribery and corruption, ⁷⁰ that officials were not surveying all the households, that non-residents were pouring into Crossroads in the hope of getting onto the list. The new AAO organiser, Mrs Sue Philcox, who had taken over from Barbara Versveld in January 1979, reported that a large number of men were losing their jobs because employers feared that they might risk newly introduced fines for the employment of illegal workers. ⁷¹ This increased the vulnerability of households who faced removal as a result of unemployment. There were also continued threats to women and children whom the authorities wanted

69. See J. Cole, op. cit., pp.30,39. She argues that Koornhof staked his political reputation on Crossroads, p.45. See too W. Frater, op. cit., pp.53-65, p.110. Mrs Noel Robb, believes that Koornhof "wanted to be seen to be reasonable. He had been Minister of Sport and was very popular. He wanted to retain this popularity. But he was going against the officials. They didn't like him." Interview, 24/2/93

70. The AAO was asked by residents to monitor the issuing of permits. The BAAB flatly refused. See too J.Cole,op. cit., pp.49-51. The allegations were substantiated when members of the Crossroads Committee were arrested in January 1980 on 274 charges of falsifying documents.

71. The Moratorium on the employment of illegal workers, vide the the Riekert Report, had not been applied in Cape Town. See p.168 below.

to repatriate to the rural areas, ⁷² and the demolition of shacks belonging to residents who fell into arrears with their service payments.

In order to stay abreast of the confusion of the BAAB survey, the AAO embarked on an all-out effort to draw up its own lists. ⁷³ Mrs Robb led teams of volunteers who went out to Crossroads, but when they were inundated by queues of people, residents were asked to go to the Mowbray offices where the interviewers had access to existing files and better interviewing facilities. The final AAO lists were copied and given to the Crossroads Committee and the Chief Bantu Commissioner for cross-reference. The AAO list contained the names of an additional 1000 persons who were not on the BAAB survey. ⁷⁴ In November 1981, the AAO reported that its lists had been used to grant a further 6,000 temporary permits.

The "Koornhof Reprieve" was hailed by liberal organisations as a breakthrough. ⁷⁵ The AAO regarded the settlement as "fantastic. Most people in Crossroads at that time were illegal. They were all included in the package deal - (the authorities) gave in on that point." ⁷⁶ But some dissenting voices were raised. Black activists reproached it as another example of the old "divide and rule" tactic that created a dichotomy between those who had urban rights and those who did not. It was also argued that New Crossroads, which was built at enormous cost, only catered for blacks who could afford the high rentals and that it

72. Survey of Race Relations, 1979, p.426

73. Regional Council Minutes, 1979 -1980, under headings "Crossroads" and "AAO". The AAO records of this survey were filed separately from other records. They have been deposited in the AAO Archives at UCT where they are catalogued as "Crossroads Survey."

74. The BAAB surveyors estimated that there were 40,000-50,000 persons in Crossroads. J. Cole, op. cit., p.46

75. Josette Cole argues that the only white organisation which criticised the deal from a "sustained and well-formulated left position was NUSAS", op. cit., pp.41-42. NUSAS brought out a hard-hitting document entitled "Would You Make a Deal with This Man?".

76. Noel Robb, interview, quoted in W. Frater, op. cit., p.95.

would lead to conflict between residents of Old and New Crossroads in the future. 77

Yet whichever way one viewed the reprieve, the fact remained that Crossroads had survived at a time when hundreds of shanties elsewhere in the Peninsula had been destroyed and thousands of people left homeless. 78 The bitter irony was made all too clear when during a Sash meeting in June 1980, at which the Crossroads permit system was being discussed, a telephone call was received informing Mrs Val West, the AAO organiser, that BAAB vans had arrived at the squatter camp in Hout Bay to arrest "illegal" Africans prior to the demolition of the site. 79

The history of Crossroads after 1980 falls outside the scope of this thesis. 80 The above discussion of the years 1975-80 has attempted to trace the history of the settlement from the point of view of the Advice Office and to indicate how the AAO was affected by its work with this and other squatter communities. A substantial body of research into the evolution, history and future of informal settlement in the city has accumulated since the demolition of the squatter camp at Werkgenot in October 1974. It is my hope that the above account, incomplete as it is, but based on hitherto largely unresearched material, will complement the existing research.

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77. The monthly rental for one-bedroomed houses was R27.21, for three bedrooms R93.88. The monthly site levy at Old Crossroads was R7.00. A similar situation faced squatters from demolished shacks in Kraaifontein. They were offered houses at Mbekweni (Paarl) and Mfuleni (Stellenbosch) at rentals of R25.00 - R28.00 per month.
78. 15,000 people at Modderdam, 2,000 at Werkgenot, 12,000 at Unibell. Figures from Survey of Race Relations, 1977 and 1978
79. Regional Council Minutes, 9/6/80, 16/6/80, 22/6/80, 7/7/80
AAO Annual Reports, 1979-80, p.5 and 1980-81, p.6. Refer also to S. Dowling, op. cit., for accounts of demolitions in Noordhoek.
80. In brief, the 1980's were as turbulent with the community, despite the splits which led to outbreaks of violence. See AAO Annual Reports, 1981 ff.

It would be inaccurate and misleading to assume that the squatter issue was the only concern of the AAO after 1975. The attendance records themselves indicate that less than one-fifth of the total number of interviews between 1975 and 1980 were classified as interviews with squatters.⁸¹ The daily AAO register, and the monthly reports revealed the range of problems about which Africans from the proclaimed townships consulted the AAO :

- " Ethel Maghula - arrested day of arrival. In search of defaulting husband."
- " Mr E. Cele - wage is R6.00 per week basic and commission. Basic unpaid."
- " Miriam Bantshi - 17 in house - must find lodgings for self and 3 children."
- " Maduna Dwayi - sacked after 31 years with Cape Portland Cement. Pension anxiety."
- " Elliot Dyasi - UIF application needs thumbprints from Langa."
- " Rose Gcinga - employer failed to make headway with Mr O. Fourie. Tearful distress, no go at Langa. Letter to magistrate at Tsomo."
- " Jackson Kani - C.C.C. employee, lost arm. Workmen's Compensation."
- " Fred Hempe - entered with permission to proceed given at Zwelitsha, but Labour Officer there did nothing about form BA403 so when he got here he was endorsed out."
- " Silvia Sigwela - wife of Alvin Sigwela, Escom man from Caledon, 6 children, of whom 2 have T.B. To Mr.O. Fourie, heaven help her."
- " Stanley Selem - wanting to marry local teacher and get house, be a witch-doctor, and avoid paying lobola !" ⁸²

For as long as the AAO had existed, it had been associated with the struggle of Africans to obtain permanent residence rights in the urban area. A Section 10(a), (b) or (c) stamp in a reference book was the most sought-after of all permits, for while it did not guarantee a house, or family life, or freedom from harassment, it offered a foothold in the city and some hope for a future in which these basic human needs could be secured. To this end, a large percentage of AAO time and effort remained directed towards the pursuit and protection of Section 10 rights. As the AAO records reveal, it was a daily grind in

81. 4,287 interviews in the category "Squatters" out of a total of 20,888. The figures are slightly misleading in that they do not include squatters arrested and sentenced before they could be interviewed, but for whom the AAO arranged legal defence, eg.800 in 1978. AAO Annual Reports, 1975-80

82. AAO Day Books, 5/5/76 ; 8/4/76 ; 9/10/75 ; 4/12/75 ; 7/11/75 ; 5/9/75 and 8/10/75 ; 22/10/75 ; 4/9/75 ; 1/12/75 and 28/1/76 ; 8/11/75

the face of mounting odds, the smallest breakthrough being met with enormous relief by all parties. Between 1975 and 1980, hundreds of problems concerning Section 10 rights were taken up with the relevant authorities, often with a measure of success. A small number of Section 10 cases were contested in the higher courts, the outcome of which had a significant impact on the implementation of influx control measures. These cases, to which the members of the AAO and their lawyers devoted painstaking attention, can be regarded as watersheds in the history of the pass laws and their application, not only in Cape Town but throughout the country.

Between 1975 and 1980, three major court cases brought by the AAO resulted in successful appeals against sentences handed down in the lower courts. The first of these, that of Miss Elizabeth Pikashe, a seventeen year-old from Langa, was heard in the Cape Town Supreme Court in January 1975. ⁸³ Despite having been born in the city, her claim to Section 10(1)(a) status had been refused in the Commissioner's Court as she had left the area to attend school in the Transkei. The AAO suggested that she should get herself arrested, in order that a test case could be brought on behalf of all minors in similar circumstances. This took a while as she was the daughter of a well-known family who owned several shops in Langa, and whose status afforded them protection from undue harassment. Eventually she taunted a new police recruit by provocatively calling out to him that she had no pass. On the basis of her arrest, the AAO lawyers were able to take the case to the Supreme Court, where after long delays, judgement was given in her favour. It was argued that even though she had left the area, she had clearly intended to return. Her victory was greeted with jubilation at the AAO, as it determined that a person's absence from a

83. AAO Annual Reports, 1973-74, p.7 ; 1974-75, p.8
 Barbara Versveld, interview, Rosebank, 6/6/91 ; Day Book, 30/1/75.
 Mrs Versveld later became godmother to a daughter of Miss Pikashe.

prescribed area, provided that the intention to return was not in doubt, could not lead to the summary refusal of permanent residence. It was hoped that the judgement would be successfully applied to numerous persons in similar circumstances. ⁸⁴

The case of Mr and Mrs Gideon Mtima, successfully resolved in May 1978 after a series of court proceedings, exemplified the struggle of married African couples in the urban areas. ⁸⁵ They had been married in Cape Town in 1961, but in 1968 Mrs Mtima had been endorsed out to the Herschel district from which they had both originated, although they no longer had any ties to the area. In 1972, Mrs Mtima returned to the city to be with her husband, but was only granted a visitor's permit, although she was the lawful wife of a qualified man. They approached the AAD in 1972 to ask for help in getting Section 10(1)(c) status for Mrs Mtima, based on the argument which had been successful in the Christine Nqwandi judgement in 1967. ⁸⁶ The authorities refused to accept this, claiming that Mr Mtima should never have been given Section 10(1)(b) status as he had only come to Cape Town in 1953. ⁸⁷

The AAD attorneys thus had to fight the case at two levels - they had to refute the BAAB claim that Mr Mtima had no permanent status before they could claim rights for his wife. They lost their case for Mr Mtima in the Cape Supreme Court in June 1976 and it was not until September 1977 that the Appeal Court ruled in his favour and confirmed his Section 10 (1)(b) rights. ⁸⁸ In the meantime, as the AAD reported,

84. See pp.117-8 above, for cases of children who had been born in Cape Town, but whose rights had been removed. Barbara Versveld, who had guided the Pikashe case through the courts, remembers the effect of the judgement on the AAD : " We had a party ! It gave us a lot of strength." Interview, 6/6/91

85. For abridged account, see Sash, vol. 20.3, Nov. 1978, p.28

86. See p.85 above.

87. See pp. 88-90 below.

88. Three of the five Appeal judges ruled that it was not the intention of the law that persons had to be qualified by 24 June 1952, and ruled that qualifications could be gained subsequently. The other two judges ruled against this.

"thousands of people, who had qualified subsequent to June 1952, were in a very insecure position, which was mercifully not generally realised." 89 It was only when Mr Mtima's position had been established, that a claim for his wife could be advanced. Her case was successfully concluded on 30 May 1978 when the BAAB conceded that she should be recognised as qualifying in terms of Section 10(1)(c) and her reference book was endorsed accordingly. The abuse technicalities of this case meant that "its tremendous significance was lost on the press and the public. It established the right of many thousands of Blacks to Section 10 claims on birth or 10-15 years, whether this was before or after June 1952." 90

The AAO lost no time in preparing similar cases for the lawyers. 91 One of the couples who had anxiously awaited the outcome of the Mtima judgement, was Veli and Nonceba Komani. 92 As in all the cases of African couples with whom the AAO had been associated over the years, Mr and Mrs Komani's marriage was dictated by the stringent regulations of influx control legislation. They had been married in Willowvale in 1953 where they resided together for five years before Mr Komani accepted work in Cape Town. Mrs Komani had never been able to get permission to live with her husband in the city, the only legal access she had to him being an annual visitor's permit. By 1975, Mr Komani had been in the area long enough to qualify for permanent residence, and theoretically, his wife should then have been given Section 10(1)(c) status as the legal wife of a qualified man. But this was refused by the Bantu Administration Board, whose officials, as we have seen, rigidly applied the minutiae of policy decisions in order to exclude

89. Sash, vol. 20. 3, November 1978, p.28

90. Ibid.

91. An AAO chart of the cases given to the law firms revealed that nineteen files affected by the Mtima appeal were given to the lawyers in 1977. (Attached to Day Book, 1977)

92. See AAO Annual Report, 1979-80, p.10 ; Survey of Race Relations, 1980, p.304 ; T.R.H. Davenport, South Africa, (1991), pp. 399,533.

wives from the city.⁹³ In 1975, at the very time that her husband qualified, the authorities cancelled Mrs Komani's temporary lodging permit and instructed her to leave. BAAB officials were determined to weaken the effects of the Mtima judgement, which offered hope to wives whose husbands qualified. This was an old pattern - each gain painstakingly won in the law courts was undermined by the bureaucrats. In Mrs Komani's case, they resorted to the view that a wife could only enter the area if she came with the purpose of residing, in which case neither husband nor wife could be a lodger. The husband had to be an occupier of a dwelling in which the couple could "ordinarily reside".

The predicament of the Komani couple became intolerable when their first attempt to seek redress through the courts failed in November 1978. The Cape Supreme Court dismissed Mrs Komani's appeal against the BAAB on the grounds that she did not have a lodging permit and therefore could not claim permanent residence. Clearly, there was a conflict in the interpretation of the regulation which governed the issuing of lodging permits. Mrs Noel Robb and Ms Marion Dixon, a younger member of the Sash, who was a practising attorney and who was married to one of the AAO legal panelists, pushed for the case to be taken on appeal to Bloemfontein. The Sash Regional Council was asked to support this decision, "as the principle should be tested in court, the Bench should be made aware that administrative action is superceding the law." The Council was asked to pay the substantial

93. The BAAB attitude led the AAO to question the discrepancy between law and policy, so clearly evident in many of their interviews. A striking example of this was the case of Mr and Mrs Silwana. He had lived and worked in Cape Town since 1939 and had obtained Sec.10 qualification. Since 1965, he had tried to get permission for his wife to join him permanently. His appeal was finally taken to Dr Koornhof, who refused it on the grounds that "a Black can only bring his wife provided accommodation is made available by his employer in an Urban Black residential area." In Mr Silwana's case, he was too old to qualify for a housing loan from his employers, and was thus stuck between the law and policy. See AAO Annual Report, 1979-80, p.3 and photograph, inside back cover.

deposit to the lawyers of R2,500.00. ⁹⁴

The Komani appeal was heard in August 1980 and resulted in a victory for the couple and for the AAO. Mrs Komani was granted Section 10(1)(c) status and the BAAB was ordered to pay the costs. The regulation which required lodging permits was declared ultra vires and therefore invalid. A precedent was set for African couples seeking residence together and although a host of obstacles still remained, if a wife had entered the prescribed area legally in order to be ordinarily resident with her qualified husband, she became eligible for permanent residence, and neither she nor her children were required to possess lodging permits. The Black Sash Advice Offices throughout the country were at last able to give clear directions to unqualified African wives who wanted to reside with their husbands in the urban areas. Such wives could seek a declaration of rights from the Supreme Court and an order compelling the local officials to enter a Section 10 (1)(c) stamp in their reference books.

As was to be expected, the authorities balked at the Komani decision. In February 1981, the Langa Commissioner's Court ignored the ruling and found Mrs V. Yapi, who fulfilled all the requirements of Section 10(1)(c), guilty of being in the area illegally. The Advice Offices alerted lawyers and Mrs Helen Suzman, who raised the matter in parliament. In July 1981, Justice Goldstone took up the matter in the Rand Supreme Court when he issued a directive to the Minister and the West Rand Administration Board to adhere to the Komani ruling.⁹⁵ Such was the magnitude of the effects of this case, that in 1982, the

94. Regional Council Minutes, 22/1/79, 29/1/79, 5/2/79. Ms Dixon was asked to write a non-technical explanation of the reasons for the appeal which could be circulated to members, presumably to satisfy any who thought that the large sums of money involved were being wasted. It was hoped that an advocate could be found who would take the case pro deo - the person who accepted was Advocate Arthur Chaskalson.

95. Survey of Race Relations, 1981, pp.236-7

Minister of Co-operation and Development, Dr Piet Koornhof threatened to introduce legislation to revoke the Komani decision. 96

As far as the Sash and its Advice Offices were concerned, the Komani judgement had far-reaching implications. A huge financial and strategical risk had been taken, but the gamble had paid off. It can be argued that the case was the greatest legal victory the Sash had achieved to date. Renewed public attention was directed to the organisation, whose leaders were interviewed by the press and by the national broadcasting network. 97 More significantly, a chink in the stronghold of influx control mechanisms had been created, as was confirmed by the Director of the Centre for Applied Legal Studies in Johannesburg, Professor John Dugard, who stated that when a regulation was declared ultra vires it had implications going beyond one particular case. 98 The Sash Advice Offices, whose members were well-placed through virtue of their long experience in the field and their collective knowledge and understanding of the laws, were spurred on to contest further critical aspects of pass and influx control measures in the higher courts. Although it falls outside the period covered by this thesis, and cannot be discussed here, I mention in particular the seminal case brought by the Johannesburg Advice Office in 1981 of Mr Mehlolo Rikhoto, a contract worker, whose claim for permanent status was granted by the Rand Supreme Court, heralding a new phase in the struggle of contract workers to gain increased rights in the urban areas. 99

As important as these legal victories were, it has to be remembered that they were fought in the rarified atmosphere of the courts and did

96. Ibid., 1982, p.279

97. Regional Council Minutes, 25/8/80

98. Survey of Race Relations, 1980, p.305

99. AAO Annual Reports, 1982, pp.8-9 ; 1983, pp.5-7

Survey of Race Relations, 1981, pp. 237-38 ; 1982, pp. 279-80

not accurately reflect the daily experience of Africans in the black townships, squatter camps and rural districts of South Africa. Deteriorating economic conditions accounted for a great deal of the misery encountered from 1975 onwards. In one year alone (1976-77), 811 persons came to the AAO with problems related to unemployment.¹⁰⁰ The containerisation of Cape Town Harbour, which had put many stevedores out of work, was partly responsible for this.¹⁰¹ AAO reports for subsequent years commented on the growing crisis of unemployment and poverty amongst the African population. The effects of this were seen in several forms. The Johannesburg Office noted that it was seeing many cases of retrenchment among labourers who originated from neighbouring states and commented that this was one way in which that the South African state was "addressing" rising unemployment.¹⁰² On a wider scale, Sash Advice Offices throughout the country were inundated with requests for help relating to pension and Unemployment Insurance Fund (UIF) benefits. It was found that employers frequently neglected to adhere to the correct procedures as regards African employees. Moreover, when such benefits were eventually accorded, the granting of independence to the homeland states, fragmented the system and made it even more difficult for Africans to qualify.¹⁰³ The negative attitude of officials at the payment points obstructed matters even further.¹⁰⁴ The enormous effort Sash and Advice Office workers devoted to these issues is reflected in the number of research papers delivered on UIF and pensions at Sash conferences, and on the volume of correspondence

100. AAO Annual Report, 1976-77

101. Ibid. There were 100,000 fewer Africans registered in employment in 1979 than there had been in 1970, and 46,712 less in 1980 than in 1979. Hansard, 26/2/81. See too Argus, 1/12/79, which reported that there were only 18,000 registered contract workers in Cape Town, compared with 40,000 a few years previously.

102. JAO Report, February - August 1978

103. See p.166 below for comment on homeland independence.

104. See a report from the Durban AO : "Some people waited for 3 days, there was only one payout officer who shouted at and berated people constantly. ... In KwaMashu, the money ran out. The officer left after one hour when his table was jostled." Sash, vol. 22.2, August 1980

with government departments and employers.¹⁰⁵ The Black Sash Advice Offices became a source of expert knowledge on UIF and pensions, this field of work growing in importance after the pass laws and influx control were formally abolished in 1986.

The granting of independent status to Transkei (1976), Bophuthatswana (1977), Venda (1979) and Ciskei (1980), (TBVC states), further compounded the problems of pensions, UIF and other grants and benefits to Africans.¹⁰⁶ The statutes of independence, which withdrew South African citizenship from Africans living in South Africa, turned them into foreigners in the country of their birth.¹⁰⁷ By the end of 1980, the Sash estimated that 7.75 million black South Africans had lost their citizenship through independence.¹⁰⁸ Frequent reports were received at the Sash Advice Offices from youths who were told to get TBVC passports when applying for compulsory reference books. Contract workers who had paid UIF in South Africa before the date of independence complained that they had to send their claims to the TBVC states for processing, a long and complicated procedure which, in one AAO case, required fifteen letters before the money was paid.¹⁰⁹

Matters were aggravated when Section 12 of the Urban Areas Act was amended to remove all rights of permanent residence in South Africa from black children born after the date of independence of their parents' respective "homeland". This effectively ended first generation status in the urban areas and was in keeping with the state's policy to

105. The Sash/AO work on pensions, UIF, disability grants and Workmen's Compensation is worthy of a separate study.

106. Space does not permit more than a brief comment in the present work. The complexities of independence and the effects on Africans as viewed through the Advice Offices deserves further research.

107. See Sheena Duncan, "The New Foreigners", paper delivered at Sash National Conference, 1978 and "A Birthright Stolen", Sash, vol. 21.1, May 1979, pp.9-11.

108. JAO Annual Report, 1980-81

109. AAO Annual Report, 1977-78, pp.4-5

limit the number of blacks who qualified to be South Africans.¹¹⁰ The fury that this engendered amongst Africans was reported by the Advice Offices : " It is impossible adequately to convey the burning anger which is felt and expressed by black people about this issue. " ¹¹¹

Homeland independence was a cornerstone of state policy in the late 1970's that, as I have attempted to show, brought in its wake, the mass demolition of squatter camps. ¹¹² A second consequence was the continuing enforcement of influx control and an increase in the number of arrests for pass law offences, ¹¹³ plus the introduction of greater fines for offenders, and waves of arrests. ¹¹⁴ Between 1976 and 1981, 81,996 Africans were arrested in the Cape Peninsula alone for pass offences. ¹¹⁵ There was no doubt that influx control problems continued to dominate the case work of the Athlone Advice Office.

At this time, frequent complaints were received at all the Sash Advice Offices about officials, whose attitude was characterised by "extreme arrogance, obstuctiveness, rudeness and authoritarianism". The Johannesburg AD noted that officials at the New Canada pass offices

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110. The amendment was proposed by Dr C. Mulder when he was Minister of Plural Relations. These moves to reduce the African population in South Africa should be seen in conjunction with the demolition of the squatter camps in the Western Cape and elsewhere.
111. JAO Annual Report 1977-78
112. Removals were taking place throughout the country. The Sash Advice Office in Grahamstown was monitoring the appalling conditions at a camp named Glenmore in the Eastern Cape ; the JAO was actively involved in the forced removal of the Batlokwa tribe. See the issue of Sash, vol. 21.4, February 1980, devoted to forced removals.
113. This was despite a recommendation in the Report of the Viljoen Commission of Enquiry into the Penal System, January 1977, that the pass laws should be depenalised.
114. The Bantu Laws Amendment Act of 1977 amended Section 29 of the Urban Areas Act, and re-determined the basis for declaring an African "idle and undesirable". See AAO Report, March-April 1978. A survey of the pass laws by Michael Savage in 1978 estimated that there had been 6 million pass law prosecutions from 1968-78, ie. 500,000 a year, at an annual cost to the state of R112 million. Rand Daily Mail, 27/11/78 See M. Savage, "The Challenge of Change and Some Arithmetic of Apartheid", SAIRR, 1976.
115. See Appendix Six for pass arrests nation-wide.

frequently told blacks to " F... off you b ...". ¹¹⁶ In Cape Town, the AAO understood the exasperation of Africans who had to deal with a local Administration Board, the Chairman of which was a former Security policeman, and who was in "every instance very unwilling to yield." ¹¹⁷ The AAO and Sash monitors at the Langa Courts also knew of the degrading treatment meted out to Africans by court officials. ¹¹⁸

Every indication at this time was that there would be no letting up in the determination of the state to limit the African population in the Cape Peninsula, which continued to be singled out by government ministers on the grounds of the Coloured Labour Preference Area. The recommendation of the Riekert Commission ¹¹⁹ that employers should be fined R500.00 for employing an African illegally in the area was rigidly applied in the Western Cape, whereas a moratorium during which illegal workers could be registered was introduced for the rest of the country. The AAO reported that "our telephone has gone constantly and women, black and white, have streamed into the office." ¹²⁰ It was estimated that at least 8,000 female domestic workers in Cape Town were at risk of losing their jobs as their employers could not register them in legal employment. ¹²¹

116. JAO Annual Reports, 1977-78 and 1978-79

117. AAO Annual report, 1974-75, p.8. Brigadier van der Westhuizen was a hard-liner, as evidenced in a press interview when he stated that his officials could not be held responsible for the break-up of African families. He told the reporter that "The family broke itself up when the man came here and agreed to live in single quarters." Financial Mail, 20/2/76, p.552

118. For example, shouting at Africans in Afrikaans, keeping women standing for long spells in the courtroom. See too p. 24 above.

119. Although welcomed particularly in business circles, the report of the Riekert Commission into Labour Legislation, tabled in the same 1979 parliamentary session as that of the Wiehahn Commission into the Utilisation of Labour, was heavily criticised by the Black Sash as a design for the more effective administration of influx control. See S. Duncan in Sash, vol. 21.2, August 1979, pp.6-7: "The Report is a very skilled, very clever and highly sophisticated recipe for national disaster. No country can jettison three-quarters of its population (to the homelands) and survive."

120. AAO Annual Report, 1978-79, pp.6-7

121. AAO Report in Sash, vol. 22.2, Aug.1980, p.9. See also AAO Annual Report, 1970-80, p.4, for case of Mrs G.M., a mother of four, employed by one family for 10 years, but unable to be registered.

It has been my intention in this chapter to assess the Athlone Advice Office in the period 1975 to 1980. I have attempted to place the most significant events in the history of the AAO within the social and economic context of the period. I have also looked at the AAO response to these transformations, but have not as yet referred to the crisis occasioned by the civil unrest of 1976, nor to how it affected the AAO. I conclude this chapter with a brief comment on these disturbances, which had a profound effect on the future direction of the Advice Offices and the Black Sash in general.

The riots which were sparked off by students in Soweto in June 1976 caught the Black Sash unprepared.¹²² I have already discussed how the organisation had struggled to accept the tenets of the Black Consciousness movement and the rise of black power.¹²³ Nor had the the Sash ever called for the radical restructuring of political or economic power, although evidence suggests that certain members were beginning to mount a radical challenge to the status quo.¹²⁴ Likewise, the Advice Offices had traditionally been concerned with the everyday struggle of Africans for survival rather than with the notion of empowering blacks to overthrow the system responsible for the hardships they suffered.¹²⁵ But within hours of the unrest spreading to black urban areas in the Peninsula in August 1976, the AAO received incessant telephone calls from the townships, followed by "a stunned and weary trickle of people with new problems resulting directly from

122. Joyce Harris in Sash, vol. 19.1, May 1977, p.32

The Sash in Johannesburg appeared to be particularly confused by events in Soweto. On the one hand they offered help to the Sowetan Urban Bantu Council, derogatively known as the "Useless Boys' Club", and, on the other, to the more progressive Black Parents Association, led by Dr Manas Buthelezi.

123. See pp. 132-33 above.

124. See p. 148 above.

125. A sentiment echoed by Percy Qoboza, a leading black journalist, at a Sash seminar: "Political power is an academic idea to the man who wakes up in Soweto at 4 a.m. and comes back at 10 p.m." Quoted in Sash, vol. 19.1, May 1977, p.10-11

experiences with riot police." ¹²⁶ These people told of many others who were too frightened or too angry to approach the AAO. The AAO was asked for help by frantic relatives of missing persons, including three mothers who eventually found their sons' bodies in the mortuary. ¹²⁷ There were many complaints of injury at the hands of the police. ¹²⁸ And in the weeks after the disturbances, men who had been dismissed from their jobs for participating in a stay-away, brought their predicaments to the AAO. It is evident that AAO members were deeply distressed by the new developments, and expressed anguish at their "almost intolerable responsibility" in a situation which demanded not only their trust, insight and commitment, but their willingness to accept the changing dispensation too. ¹²⁹ It is my contention that the contact established by Sash members with victims of police violence during the protests in Cape Town, on top of their experiences in the squatter camps, marked a turning point in the history of the AAO. However, the full impact of this transition only became apparent during the 1980's, a period beyond the framework of this thesis, when the AAO and the Black Sash in the Western Cape became active participants in the popular political campaigns against the 1983 Constitution and the State of Emergency declared later in the decade.

In the meanwhile, the hopes for change raised in the post-June 1976 period, and after P.W. Botha succeeded Prime Minister Vorster in September 1978, were crushed by increased repression, harassment and economic impoverishment. The Black Sash Advice Offices throughout the country, whose staff and volunteers were in daily contact with hundreds of Africans in all the urban areas, commented on the growing sense of

126. AAO Annual Report, 1975-76, pp.7-8

127. See, for example, the case of Mrs Mshududu who looked for her son for six weeks, finding his body in the mortuary with his reference book still in his pocket. AAO Reports, 1976.

128. See, for example, case of Michael Mpotha, whose arm was broken by the police. Ibid.

129. AAO Annual Report, 1975-76, p.8

hopelessness and despair. The National Director of the Advice Offices warned of the transformed mood in the black population at the end of the decade : "Never have we experienced such a sense of an impending catastrophe ... All hope has now been removed and when you take away hope, all that is left is rage and anger, bitterness and hatred." ¹³⁰ In many ways it is remarkable, then, that in this climate, the Black Sash Advice Offices were consulted by an ever-growing number of Africans ¹³¹ and that the explosive mood described by Sheena Duncan did not spill over into and damage the relationships which had been built over two decades.

In 1980, Professor Monica Wilson, who had a long association with the Athlone Advice Office, bestowed a Xhosa proverb on the Black Sash and its Advice Offices - "Ungadinwa nangomso". ("Don't get tired tomorrow.") ¹³² It was a prophetic gesture, for the decade of the 1980's was to be a most testing time for the Advice Offices, the Black Sash and all the peoples of South Africa. The history of the Athlone Advice Office after 1980 remains to be written. The present study, which has been based on the years 1958 to 1980, is thus an incomplete history, which leaves many questions unanswered and a frustrating number of issues unexplored. It is hoped that this work will serve as a basis from which further studies of the Advice Offices of the Black Sash will emanate.

130. Sheena Duncan, Sash, vol. 21.4 , February 1980, pp.5-6

131. The highest number of interviews ever recorded at the AAO were in 1980-81 (5,326) and 1981-82 (5,185). In Johannesburg, the JAO had to vacate its premises as the number of applicants was putting too much strain on the lifts in the building it occupied. (11,811 interviews in 1979-80), JAO Reports, 1979-80.

132. Sash, vol. 23.4 , February 1980, p.9

APPENDIX ONE :A : Profiles of Early Black Sash Regional Leaders :

The women who joined the Black Sash in 1955-56 were almost exclusively members of the white English-speaking, upper middle classes. Many of them had served during World War Two, some even during the 1914-1918 War. (See Appendix Three in J. MacRobert, " The Emergence of the First Black Sash Advice Office", (Hons. thesis, UCT 1988), p. 129 for sample of War service records.) It would appear that their experience of the rise of fascist and totalitarian states had profoundly affected their political consciousness.

A small number of individual biographical profiles of early leaders is appended here, (with emphasis on women who led the Cape Western Region), as an indication of the class and cultural base from which many early members were drawn.

Barbara Willis (CWR)

Married with two children ; war service in S.A.W.A.F. and Red Cross ; taught in Sophiatown on voluntary basis ; involved in Torch Commando in Pretoria before moving to Simon's Town ; member Liberal Party. Sash, February 1957, p.11 (She was one of the main leaders in the anti-Group Areas campaign in Simon's Town during the 1960's.)

Moira Henderson (CWR)

Granddaughter of J.W.Jagger, signatory to the National Convention, and daughter of W. Duncan Baxter, of the former Cape Parliament. Graduate of UCT ; Personal Assistant to Chief of General Staff during WWII ; married with two children ; represented South Africa at World Conference of Girl Guides, Norway, 1952 ; on committee of the Marion Institute, District Six ; member of the Liberal Party ; the first meeting of the Black Sash in Cape Town was held at her home in 1955. Sash, vol. 1.12, Dec. 1956, p.8

Eulalie Stott (CWR)

Descendant of Melck and Marais families ; married with two children ; served in Department of Defence in World War Two ; founder of Cape Town Business and Professional Women's Club and of Institute of Citizenship ; first Honorary Secretary of the Liberal Party in the Cape. Sash, vol.1.12, Dec. 1956, p.9

Margaret (Peggy) Roberts (CWR)

Daughter of Grant Mackenzie, Scottish resident of Pietermaritzburg. Graduate of the University of the Witwatersrand ; member of Nusas, along with its founder, Leo Marquard. Married Andrew Roberts and had three daughters. Joined the South African Labour Party and assisted Colin Legum, editor of the Labour weekly, Forward. Founder member of the Black Sash. "She taught me the value of Keynesian economics and to understand the role of the trade unions. She inspired many of us." E. Stott in "Obituary - Peggy Roberts 1907 - 1992", typescript prepared by her family.

Marie Grant (CWR)

M.A. in Philosophy from University of the Cape of Good Hope. Member of the Council of UCT. Executive member SAIRR and authority on Group Areas legislation. Active in struggle to gain the vote for women in South Africa. Sash, Vol. 3.9. Aug. 1958, p.13

Pattie Price (CWR)

Founder member of the Sash. Champion hockey player and swimmer. Keen mountaineer. "Writer, lecturer, composer, journalist, broadcaster, musician. Founder member of the National Sea Rescue Institute. Honorary Life Governor of the Royal National Lifeboat Institute." Obituary, Sash, vol. 22.2, Aug. 1980, p.13

Hildegard (Bunny) Spottiswoode (CWR - Stellenbosch)

Master of Science in Pure Mathematics from Stellenbosch and London Universities ; teacher ; married with four children ; husband had been colonial administrator in Nigeria.
Sash, vol. 1.12, Dec. 1956, p.9

Jessica Macintosh Richey (Eastern Cape)

Descendant of Dr John Philip. Husband had been the Director of Education in British India. During WWII, she worked for Air Raid Precautions in the East End, London. After she was widowed, she returned to Grahamstown where she founded the Black Sash in that district. She also worked for Cripple Care and the South African National Tuberculosis Association. Sash, vol. 18.7, Nov. 1976, p.18

Jessie Martin (Border)

Born in England. Went to France with the British Red Cross Society during WWI where she drove lorries and ambulances. Married, and came out to South Africa to farm. "I have only been a very ordinary housewife, have never been on a committee before and have done nothing in the least bit spectacular since my marriage." Sash, vol.1.6, June 1956, p. 12

Daphne Curry (Border)

Chair of the Black Sash in East London. Taught the piano until her marriage. Mother of four children. Had a pilot's licence and served in Air Schools during WWII. Had represented Border at swimming and tennis. Active in the United Party. Sash, vol. 1.6, June 1956, p.13

Mrs Diana Davis (Port Elizabeth)

Born into the Struben family, her father was a member of the Cape Parliament and of the first Union Parliament. She was not interested in politics until 1955 when she "woke up with a bump." Sash, vol. 1.7, July 1956, p.8 See article by Charles Struben in Sash, vol. 1.8, Aug. 1956, p. 5

Penelope Bond (Johannesburg)

Married with four children. A teacher by profession. Her great-grandfather was the first civilian to settle in Bloemfontein, her grandfather was the last Surveyor-General of the Free State Republic. Sash, vol. 1.5., May 1956, p.9

Eleanor Russell (Natal)

Born in England, M.A. from London University. Headmistress of Girls' Collegiate School, Pietermaritzburg, 1913-1926. First woman mayor of Pietermaritzburg, 1943-47. Founder of the Black Sash movement in this district. She had a formidable grasp of procedure and rules of order. Served on twelve committees, other than Sash. Sash, vol.3.5, April 1958, p.8. She resigned when Sash membership was opened to all races, (1963), believing that the organisation should stick strictly to constitutional issues. Obituary, Sash, vol. 24.4, May 1981, p.11

Mabel Palmer (Natal)

Born in Glasgow in 1876. Attended Glasgow University, member of the Fabian Society. Suffragette. Came to South Africa in 1921 and started university classes for black school-leavers in Natal. Appointed Director of Non-European Studies at Natal University. Joined Black Sash at age of seventy-nine, died three years later. Obituary, Sash, vol. 3.13, Dec. 1958 See too : Shula Marks, ed., Not Either an Experimental Doll: The Separate Worlds of Three South African Women, (Pietermaritzburg, 1988), a collection of correspondence between Mabel Palmer and two African women, which reveals Palmer's rather distant liberal-philanthropy. (Compare : Janet Robertson, (E.Cape), b. Glasgow, suffragette, British Red Cross. Sash, vol. 1.8, Aug 1956, p.8)

Elizabeth Melvill (Lowveld)

Wife of Alexander Melvill, surveyor, Barberton. She was the third daughter of Willoughby Laidman Methley of Balgowan. She was educated in Natal and London. Her great-grandfather, the Rev. Thomas Laidman Hodgson, built the first home in the Transvaal in 1823 at Mquassi, where, with the Rev. John Broadbent he established the first mission station. Sash, vol. 2.4, June 1957, p.5

Margaret Sime (Northern Transvaal)

Educated at Roedeian School, then took a course in agriculture in order to manage her father's farm in the Northern Transvaal. Served in the W.A.A.F. for five years. Joined the Black Sash after she met members from Pretoria, who had travelled to the district to harass Prime Minister Strijdom during an official visit. Sash, vol.1.9., Sept. 1956, p.9

B : MEMBERS' PERSONAL TESTIMONIES ABOUT JOINING THE BLACK SASH :Anna Pearce (CWR - Paarl, see pp. 41-42 above)

"I was impressed by the sincerity and straight thinking of the Sash. Members discussed politics without sentimentality or bias. ... Through the Sash we understand the real needs of others and learn to help them actively; their burdens become our burdens. ... our struggle is a part of an age-long battle against evil ... (it is) the greatest thing to take part in it." Sash, vol. 4.4, Aug. 1960, p.7

Trude Hemp (Johannesburg)

"(I) bought my first pair of sunglasses in response to the pictures the Special Branch were always taking of Black Sash women." Sash, vol.30.3, Dec. 1987, p.43

Joan Pare (CWR)

"I had taken no interest in politics at all and had never even voted until the Black Sash started. (I went to hear the Transvaal organisers at a house meeting in Cape Town) ... My return home afterwards marked the end of my innocence. In the midst of my husband's birthday dinner, Noel Robb rang and asked if I would chair the meeting the next day. ... I was terrified ... that afternoon my phone was tapped."
Sash, vol.30.4, March 1988, pp.44-45

Olga Rosenberg (Johannesburg)

"(I) joined when I saw fish being thrown at the Black Sash women doing a vigil at the City Hall. (I) was so impressed with their courage that I walked straight into a little shop, bought a length of black ribbon, and joined them." Ibid.

Mina Steuart (Johannesburg)

(I) joined the inaugural march to the City Hall. When I saw a student interfering with that march, I hit him in the chest with my shoe bag. I was almost pushed into the flame (of freedom) at the City Hall and had to be saved." Ibid.

Zilla Baird (Durban)

"In Durban it all started at the Victoria Club, when the late Miss Killie Campbell co-opted her bowling, horticultural and intellectual friends into a branch. ... In the first and subsequent years, we foregathered in the spacious elegance of "Muckleneuk", the Campbell family seat where we partook of china tea from bone china cups. (When she died) we continued our deliberations in the stately home of that Natal family of commercial consequence ... (Miss Brown) ... the great house with innumerable dogs, each with his/her own blanket. ... for me, socialism is unacceptable. Ibid, p.44

APPENDIX TWO : LEGISLATIONSECTION A : STATUTES (1949 -1979) WHICH HAVE SIGNIFICANCE FOR THE BLACK SASH AND ITS ADVICE OFFICES:

(During the period 1948 - 1955, before the establishment of the Black Sash, a flurry of legislation was passed relating to the rise of Afrikaner Nationalism, state security and the entrenchment of apartheid. - these statutes had a direct bearing on the subsequent history of the Sash.)

1949

Citizenship Act
Prohibition of Mixed Marriages Act
Native Laws Amendment Act

1950

Population Regulation Act
Suppression of Communism Act
Immorality Amendment Act
Group Areas Act

1951

Separate Representation of Voters Act
Bantu Authorities Act
Native Building Workers' Act
Prevention of Illegal Squatting Act

1952

High Court of Parliament Act
Natives (Abolition of Passes and Documents) Act
Native Laws Amendment Act (Urban Areas)
Native Services Levy Act

1953

Bantu Education Act
Reservation of Separate Amenities Act
Criminal Law Amendment Act
Public Safety Act
Native Labour Settlement of Disputes Act

1954

Natives Resettlement Act
Native Trust and Land Amendment Act

1955

Appellate Division Quorum Act
Senate Act
Natives (Urban Areas) Amendment Act

1956

Native Administration Act
Natives Prohibition of Interdicts Act
Native (Urban Areas) Act
South Africa Act Amendment Act
Riotous Assemblies Act

1957

Native Laws Amendment Act
Nursing Act
Immorality Act

- 1958
Criminal Procedure Amendment Act
- 1959
Bantu Investment Corporation Act
Prisons Act
Extension of University Education Act
University College of Fort Hare Transfer Act
Promotion of Bantu Self-Government Act
- 1960
Referendum Act
Reservation of Separate Amenities Act - beaches
Unlawful Organisations Act - banned the ANC and PAC
- 1961
Defence Amendment Act
General Law Amendment Act - detention without bail
Indemnity Act - indemnified the state from damages resulting from
the 1960 Emergency
Republic of South Africa Constitution Act
Urban Bantu Councils Act
- 1962
General Law Amendment Act - death penalty for sabotage
- 1963
Aliens Control Act
Defence Amendment Act - call-up of Citizen Force during periods of
unrest
General Law Amendment Act - detention without trial ("90 Days")
Bantu Laws Amendment Act
Transkei Constitution Act
Publications and Entertainments Act - censorship
- 1964
Criminal Procedure Amendment Act
Community Development Amendment Act - trading licences issued
according to Group Areas ; Amendment 1968 ; 1969 ; 1971
Suppression of Communism Amendment Act - (and 1966, 1967)
Separate Representation of Voters Amendment Act - (and 1966, 1967, 1968)
Official Secrets Amendment Act
Bantu Labour Act
- 1965
Bantu Homelands Development Corporations Act
Criminal Procedure Amendment Act - ("180 Days")
- 1966
Civil Defence Act
General Laws Amendment Act - (14 days interrogation)
- 1967
Terrorism Act
Training Centres for Coloured Cadets Act
Defence Amendment Act - compulsory military call-up for one year
Physical Planning and Utilization of Resources Act - state had power
to direct where industry should be situated.
Population Registration Amendment Act - descent became the basis of
race classification.
Foreign Affairs Special Account Act

1968

Universities Amendment Act - state subsidies could be withdrawn.
 Promotion of the Economic Development of Bantu Homelands Act
 Prohibition of Political Interference Act - spelt the end of the
 Liberal Party
 Armaments Development and Production Act - Armscor

1969

Bantu Laws Amendment Act
 General Law Amendment Act - created the Bureau of State Security
 Universities Amendment Act - and five related statutes for ethnic
 universities
 Coloured Persons' Representative Council Amendment Act

1970

Bantu Homelands Citizenship Act
 Bantu Laws Amendments Acts (3)

1971

Bantu Affairs Administration Act - created Bantu Administration Boards.
 Bantu Homelands Constitution Act
 Transkei Constitution Amendment Act

1973

Bantu Laws Amendment Act
 Gatherings and Demonstrations Act
 South African Citizenship Amendment Act

1974

Affected Organisations Act
 Bantu Laws Amendment Acts (2)

1975

Bantu Laws Amendment Act

1976

Riotous Assemblies Act - no outdoor political gatherings.

1977

Bantu Laws Amendment Acts (2)
 Community Councils Act
 Environment Planning Amendment Act
 Prevention of Illegal Squatting Amendment Act
 Unemployment Insurance Amendment Acts (2)
 Indemnity Act
 Status of Bophuthatswana Act

1978

Bantu Laws Amendment Acts (2)
 Bantu (Urban Areas) Amendment Act
 Bureau for State Security Act
 Fund Raising Act
 Internal Security Act

1979

Status of Venda Act
 Education and Training Act

SECTION B : SECTION 10 (1) OF THE URBAN AREAS ACT 1952:

The 1952 amendment read as follows, (my underlining of terms which were contested in the courts) :

No Bantu shall remain for more than 72 hours in a prescribed area unless he produces proof in the manner prescribed that :

- (a) he has since birth, resided continuously in such area, or
- (b) he has worked continuously in one such area for one employer for a period of not less than ten years or has lawfully resided continuously in such area for a period of not less than fifteen years, and has thereafter continued to reside in such area and is not employed outside such area and had not during either period or thereafter been sentenced to a fine exceeding (one hundred rand) or to imprisonment for a period exceeding six months ; or
- (c) such Bantu is the wife, unmarried daughter, or son under the age at which he would become liable for the payment of general tax under the Native Taxation and Development Act of 1925, of any Bantu mentioned in paragraphs (a) or (b) of this sub-section and after lawful entry into such prescribed area, ordinarily resides with that Bantu in such area; or
- (d) in the case of any other Bantu, permission so to remain has been granted by an officer appointed to manage a labour bureau in terms of the provisions of paragraph (a) of sub-section (6) of Section 21 of the Native Labour Regulation Act, 1911, due regard being had to the availability of accommodation in a Bantu residential area.

SECTION C : THE BANTU LAWS AMENDMENT ACT (1963-64)

In summary, the Bill, delayed as a result of widespread protest and then passed in three stages, later consolidated in the Bantu Labour Act of 1964 (67/1964), intended to :

1. Prescribe all towns and cities in South Africa as white urban areas.
2. Remove the existing rights of all Africans to be in such areas permanently. (7 million Africans permanently resident in the urban areas would be affected.)
3. Control all movement to the urban areas, including that of non-work seekers, through a system of labour bureaux. These would take over powers previously held by municipal authorities. They would issue work and visitors permits and had very wide powers over employment.
4. Force African workers to enter a prescribed area on contract, which meant they had no freedom to choose a job or to remain in the area when the contract expired.
5. Prevent women and children who ordinarily resided with a man who was legally in the area, from remaining with him, (even if they had been here for years), unless they had entered the area legally.
6. Admit African women to the urban areas only if their labour was needed. (In order to enter an urban area, a woman had to have the written permission of her guardian if she was under 21, a certificate of approval from the Bantu Commissioner in her home area, a permit from the urban labour officer, and a certificate from the local authority stating that there was accommodation available.

The permission to work and the contract of service were stamped in her reference book which she had to produce on demand. If the contract expired, or she left her job for any reason, she lost the right to be in the urban area.)

7. Remove the rights of any Africans not born within the borders of the Republic, (foreign Africans), to be in the country or to be employed here without the written permission of the Secretary for Bantu Administration.
8. Widen the grounds on which Africans could be deemed idle or undesirable to include anyone who organised politically. Such persons were in danger of losing their residential rights. The sick, crippled and handicapped were also in danger, even if they qualified by birth or long residence.
9. Establish Aid Centres in the urban areas to which Africans could be taken by the police, instead of to police cells, if they had problems with contracts of employment, passes and other matters related to influx control.
10. Prohibit anyone other than a practising lawyer from accepting money or reward for helping Africans in difficulties over influx control, detention and other matters.

APPENDIX THREE : BLACK SASH MEMBERSHIP FIGURESA : Membership in Regions of the Black Sash to 1960:

<u>Region</u>	<u>1956</u>	<u>1960</u>
Border	700	173
Cape Eastern	1137	321
Cape Midlands	186	-
Cape Northern	206	-
Cape Western	1957	1297
Lowveld	494	117
Natal Coastal	1007	219
Natal Midlands	767	343
Northern Transvaal	400	67
Orange Free State	332	19
South Eastern Transvaal	1000	-
Southern Transvaal	2710	496
	-----	-----
TOTAL	10 893	3057
	-----	-----

B : Membership of the Cape Western Region:

1956	-	1957
1957	-	1698
1958	-	1303
1959	-	1330
1960	-	1297
1961	-	996
1962	-	800
1963	-	668
1964	-	572
1965	-	550
1966	-	508
1967	-	481
1968	-	462
1969	-	444
1970	-	433
1971	-	458
1972	-	445
1973	-	454
1974	-	425
1975	-	447
1976	-	434
1977	-	416

Sources :

- A. Regional Reports to National Conferences 1956 - 1960
 B. Cape Western Report to Regional Conferences, 1962 - 1977

APPENDIX FOUR : NUMBER OF INTERVIEWS
AT THE ATHLONE ADVICE OFFICE, 1958-1986

<u>Year</u>	<u>Total number of interviews</u>	<u>Total Number of New Cases</u>
1958-59	n.a.)
1959-60	n.a.)
1960-61	n.a.	2131
1961-62	2268)
1962-63	4891	2302
1963-64	4769	2210
1964-65	4380	1951
1965-66	3094	1458
1966-67	2138	955
1967-68	1733	839
1968-69	1777	792
1969-70	1940	860
1970-71	2143	1029
1971-72	2217	1210
1972-73	2234	1243
1973-74	1769	1022
1974-75	2496	1654
1975-76	3136	2174
1976-77	3835	2580
1977-78	3279	2086
1978-79	3480	2301
1979-80	4662	3330
1980-81	5326	4038
1981-82	5185	3010
1982-83	5031	3003
1983-84	4207	2661
1984-85	3215	1921
1985-86	3134	870
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TOTAL	82 339	47 630
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Source: Annual and Monthly Reports of the AAO.

APPENDIX FIVE : ATHLONE ADVICE OFFICE EXPENDITURE

The annual reports of the AAO for the period 1962 to 1970 do not contain financial statements. A monthly report for September 1966 has a figure of R216.86 for the AAO expenditure that month, whilst the Regional Council Minutes of 9/5/66 record that the AAO ran at a loss of R401.08 in April 1966. From 1970 the annual reports of the AAO contain expenditure statements as follows :

1970-71	: R3284.00
1971-72	: R3539.00
1972-73	: R3973.00
1973-74	: R4104.00
1974-75	: R5928.00
1975-76	: R9033.00
1976-77	: R8760.00
1977-78	: R9459.00
1978-79	: R10802.00
1979-80	: R11943.00
1981	: R14782.00
1982	: R19236.00
1983	: R24925.00
1984	: R25239.00
1985	: R27141.00
1986	: R37926.00

The figures show a steady upwards swing in the 1970's, (doubling every 5 years), and increasing even more rapidly in the 1980's with rapid jumps in the early 1980's and again in 1986. (State of Emergency)

APPENDIX SIX - PASS LAW CONTRAVENTIONS 1921-1981

1921-1924 (av.)	48,300	convictions
1924-1929 (av.)	59,800	
1930-1934 (av.)	94,300	
1935-1939 (av.)	127,200	
1940	183,800	
1941	169,900	
1942	121,000	
1943	115,000	
1944	125,000	
1945	137,200	
1946	n.a.	
1947	173,700	
1948	176,100	
1949	217,500	
1950	217,400	
1951	232,400	
1952	264,300	
1953	288,400	
1954	314,200	
1955	337,600	
1956	356,800	
1957	365,900	
1958	396,800	
1959	413,600	
1960	341,000	
1961	375,400	
1962	384,500	

1964	373,300	prosecutions
1965	n.a.	
1966	479,000	
1967	n.a.	
1968	693,700	
1969	632,100	

1970	643,897	arrests
1971	632,077	
1972	615,825	
1973	515,608	
1974	214,368	men ; 60,273 women
1975	218,982	men ; 50,003 women
1976	216,112	men ; 33,918 women
1977	191,338	men ; 32,970 women
1978	224,910	men ; 47,977 women
1979	130,515	men ; 34,032 women
1980	80,433	men ; 28,066 women
1981	96,023	men ; 32,396 women

Notes:

1. Figures 1921-1969 from F. Wilson, Migrant Labour in South Africa, (1972), pp.232-33. He used figures from the annual Survey of Race Relations, (SAIRR).
2. Figures from 1970 onwards from annual Survey of Race Relations, (SAIRR).
3. The figures may have been greater than stated, as unstipulated offences under certain local bye-laws were not included in the figures given in parliament.
4. After 1952, the figures included the number of women arrested.
5. Wilson stated that in Cape Town between 1962 and 1967, the number of convictions rose by over 80% from 8,400 to 15,400.

BIBLIOGRAPHYPRIMARY SOURCES

The Black Sash and Advice Office records referred to are in the Manuscripts Division of the Jagger Library at UCT, reference numbers :
 Black Sash Collection - BC 668
 Black Sash Advice Office Collection - BC 1020.

I have used material dating largely from 1955 to c.1980. The categories I use below do not correspond exactly with the categories in which this material has been catalogued in the Archives, as the Archival classification process commenced after my research had begun.

1. ADVICE OFFICE RECORDS

- 1.1 Annual reports of the Advice Office, 1962 to 1986.
- 1.2 Monthly reports of the Advice Office, 1962 to 1986.
- 1.3 Advice Office interviews, (case histories of applicants), filed in alphabetical order of the interviewer's surname. Each case history is enclosed in a manilla folder which holds the interview sheets, copies of letters, and all documents relevant to the particular case. It is estimated that c.32,000 individual files exist for cases interviewed from 1958-1980.
- 1.4 Special Cases - cases which were defended by lawyers, filed alphabetically under surname of applicant.
- 1.4 Miscellaneous Advice Office documents, 1962 to 1982, including memoranda to government departments, cabinet ministers, business leaders, church groups etc.
- 1.5 Correspondence files of the Advice Office, 1962 to 1982.
- 1.6 Annual reports of Advice Offices in other regions, notably Johannesburg.
- 1.7 Day Books, ie. daily register of interviews at the Advice Office.
- 1.8 Case Index, exercise book listing names of applicants, 1961.
- 1.9 "Report on Crossroads Survey", 1976 and 1978.
- 1.10 "Langa Bantu Township" and "Development of Guguletu Bantu Township", typescript circulars, stamped by C.C.C., no date, c. 1967.
- 1.11 Court records.
- 1.12 Typescript copies of circular letters from local and central government authorities.
- 1.13 Typescript copies of speeches made by Advice Office volunteers to church/business/public/university audiences, eg. Mrs Noel Robb, "Endorsed Out", 1962.

2. BLACK SASH RECORDS

- 2.1 Minutes of Regional Council meetings, 1956 to 1982 ; [weekly meetings (Monday mornings) except during school holidays.]
- 2.2 Minutes of monthly Branch meetings, 1956 to 1982
 Claremont ; Rondebosch ; Sea Point/Gardens ; False Bay.
- 2.3 Minutes of monthly All Branches meetings, later known as General meetings.
- 2.4 National Conferences, 1956 to 1982, including Minutes of previous Conferences, Conference Agendas, Addresses, Conference Fact Papers, Regional Reports, National Headquarters Reports, Resolutions.

- 2.5 Regional Conferences, 1956 to 1982, including Agendas, Minutes, Speeches, Branch Reports, Regional Council Reports.
 - 2.5 Correspondence files of the Black Sash, 1956 to 1982.
 - 2.6 Scrapbooks of press cuttings relating to the Black Sash, 1956 to 1982.
 - 2.7 Assorted printed material produced by the Black Sash relating to pass laws, rights of arrested persons, Crossroads and other informal settlement areas, Khayelitsha etc.
 - 2.8 Circulars from Black Sash Head Office to Regions.
 - 2.9 Documents produced by other regions of the Sash.
 - 2.10 Legal opinions.
 - 2.11 Special Projects - Protests against Bills
- Crossroads
 - 2.12 Barbara Waite, South Africa: A Land Divided Against Itself, (map, Johannesburg, Black Sash, 1977)
 - 2.13 Typescript copies of speeches and presentations given by Black Sash members to public audiences, eg. Jane Prinsloo, "Focus on Housing", 1975.
3. Letters from Peter Brown, former leader of the Liberal Party, to J.A. MacRobert, 29/4/90 , 21/10/90
4. Supreme Court Reports :
 - 4.1. S. v. Xala, Cape Provincial Division, 21 March 1967.
 - 4.2 Patrick Skehle v. Acting Commissioner of Bantu Affairs, Cape Provincial Division, 14 August 1970.
5. A Survey of Race Relations in South Africa, 1954 - 1986, (Johannesburg, South African Institute of Race Relations)

SECONDARY SOURCES

1. BOOKS AND ARTICLES

- Adam, H., Modernising Racial Domination : The Dynamics of South African Politics, (Berkeley, University of California, 1971)
- Biko, S., I write What I Like, (London, Heinemann, 1978)
- Bradlow, E., "Emancipation and Race Perceptions at the Cape", South African History Journal, (15, 1983)
- Brown, P., "The Liberal Party - A Chronology with Comment", (Grahamstown, Institute of Social and Economic Research, 1985)
- Butler, J., Elphick, R., et al, Democratic Liberalism in South Africa, (Connecticut, Wesleyan, 1987)
- Bundy, C., The Rise and Fall of the South African Peasantry, (London, Heinemann, 1979)
- Bunting, B., The Rise of the South African Reich, (London, International Defence and Aid Fund, 1986)
- Caditz, J., White Liberals in Transition : Current Dilemmas of Ethnic Integration, (New York, Spectrum, 1976)
- Carter, G., The Politics of Inequality, (London, Thames and Hudson, 1959)
- Cloete, J.J.N., Central, Provincial and Municipal Institutions of South Africa, (Pretoria, Van Schaik, 1982)
- Cole, J., Crossroads : the Politics of Reform and Repression 1976 - 1986, (Johannesburg, Ravan, 1987)
- Davenport, T.R.H., South Africa : a Modern History, 4th ed., (Johannesburg, Macmillan, 1991)
- "The 1923 Urban Areas Act: the beginnings of Urban Segregation in South Africa", (Grahamstown, Rhodes University, 1971)

- Davies, R., O' Meara, D., et al, The Struggle for South Africa: a reference guide, (London, Zed, 1984)
- Degenaar, J., "Liberalism", in Ideologies : Ways of Looking at South Africa, (Cape Town, Department of Extra Mural Studies, UCT, 1983)
- Desmond, C., The Discarded People : an Account of African Resettlement in South Africa, (Harmondsworth, Penguin, 1971)
- Digby, A., "Victorian Values and Women in Public and Private," (Oxford, 1992)
- Elias, C., "An historical review of the supply of housing for urban Africans in the Cape Peninsula, 1900-1982", (Stellenbosch, Research Unit for Sociology Development, 1983)
- Ellis, G., " The Squatting Problem in the Western Cape : Some Causes and Remedies", (Cape Town, SAIRR, 1977)
- Federation of South African Women, "Women in Chains", (Johannesburg, 1956)
- Frederickse, J., The Unbreakable Thread : Non-Racialism in South Africa, (Johannesburg, Ravan, 1990)
- Gerhart, G., Black Power in South Africa : the Evolution of an Ideology, (Berkeley, California University Press, 1978)
- Hill, M.J. and Isaacharoff, R.M., Community Action and Race Relations : a Study of Community Relations Committees in Britain, (London, OUP, 1971)
- Himmelfarb, G., The Idea of Poverty :England in the Early Industrial Age, (New York, Alfred A. Knopf,1984)
- Horrell, M., The African Reserves of South Africa (1969) and Days of Crisis in South Africa, (1960) (both Johannesburg, SAIRR)
- Hindson, D., Pass Controls and the Urban Proletariat, (Johannesburg, Ravan, 1987)
- Karis, T. and Carter, G.M., From Protest to Challenge: Documents of African Politics in South Africa, 1882-1964, (I, 1972)
- Kieser, P. J. G., The Cost of Administration, Supervision, and Services in Urban Bantu Townships, (Pretoria, CSIR, 1964)
- Kgosana, P.A. , Lest We Forget, (Johannesburg, Skotaville, 1988)
- Kuper, L., Race, Class and Power : Ideology and Revolutionary Change in Plural Societies, (London, Duckworth, 1974)
- Leatt, J. , Kneifel, T., et al , Contending Ideologies in South Africa, (Cape Town, David Philip, 1986)
- Legassick, M., "Ideology and Legislation of the post 1948 South African Governments", (Sussex, Faculty of African Studies, 1975) and "The Rise of Modern South African Liberalism, its Assumptions and its Social Base", (unpublished typescript, Institute of Commonwealth Studies Collected Seminar Papers, University of London, 1972)
- Lipman, B., We Make Freedom : Women in South Africa, (London, Pandora, 1984)
- Lipton, M., Capitalism and Apartheid, (Cape Town, David Philip, 1986)
- Lodge, T., Black Politics in South Africa Since 1945, (Johannesburg, Ravan, 1983)
- Luthuli, A., Let My People Go, (Johannesburg, Collins, 1962)
- MacRobert, J.A., "Lost Opportunity", in South African Literary Review, (2.2, June 1992)
- Maree, J. and Cornell, J., Sample Survey of Crossroads Squatters, (Cape Town, SALDRU, 1977)
- Marquard, L., Liberalism in South Africa, (Johannesburg, SAIRR, 1965)
- Michelman, C., The Black Sash of South Africa: a case study in liberalism, (London, OUP, 1975)
- Miles, R., A Women's History of the World, (London, Paladin, 1988)

- Monama, R., Is this Justice ? - a study of the Johannesburg commissioners' pass courts, (Johannesburg, Centre for Applied Legal Studies, 1983)
- Munger, E.S., "Behind the Black Sash Protest Movement of South African Women", (Stellenbosch, American Universities Field Staff Newsletter, 14/3/56) in African Studies Library, UCT
- Nash, M., "Squatter Camp Demolition - the Human Cost", (Cape Town, Concerned Citizens Action Committee, 1978)
- NUSAS, "The Struggle for Crossroads", (Cape Town, 1978)
- Paton, A., Apartheid and the Archbishop : the Life and times of Geoffrey Clayton, (Cape Town, David Philip, 1973)
- Platzky, L. and Walker, C., The Surplus People : Forced Removals in South Africa, (Johannesburg, Ravan, 1985)
- Prochaska, F.K. , Women and Philanthropy in Nineteenth Century England, (Oxford, Clarendon, 1980)
- Rich, P. , White Power and the Liberal Conscience : Racial Segregation and South African Liberalism, (Johannesburg, Ravan, 1984)
- Robertson, J., Liberalism in South Africa, 1948-63 , (Oxford, Clarendon, 1971)
- Rogers, M., The Black Sash : The Story of the South African Women's Defence of the Constitution League, (Johannesburg, Rotonews, 1956)
- Russell, D., "Report on the Disruption of Family Life", (Cape Town, 1976)
- Saunders, C., "The Creation of Ndabeni: Urban Segregation, Social Control and African Resistance", and "From Ndabeni to Langa", in Saunders, C., (ed.) Studies in the History of Cape Town, 1, (Cape Town, 1979)
- Savage, M., "The Challenge of Change and some Arithmetic of Apartheid", (Johannesburg, SAIRR, 1976)
- Sher, D., Donald Molteno : Dilizintaba, (Johannesburg, SAIRR, 1979)
- Silk, A., A Shanty Town Called Modderdam, (Johannesburg, Ravan, 1981)
- Spink, K., Black Sash : the Beginning of a Bridge in South Africa, (London, Methuen, 1991)
- Swanson, M., "The Sanitation Syndrome: Bubonic Plague and Urban Native Policy in the Cape colony, 1900-9", Journal of African History, XVIII, 3, (1977)
- Walker, C., "The Federation of South African Women, 1954-1962", (Johannesburg, Development Studies Group, University of the Witwatersrand, 1978)
- Women and Resistance in South Africa, (London, Onyx, 1982)
- Walker, E. A. , A History of Southern Africa, (London, Longmans, 1968)
- Westcott, S., "Good History, Wrong Author", in Democracy in Action, Institute for Democratic Alternatives in South Africa, Nov/Dec. 1991
- Wilson, F., Migrant Labour in South Africa, (Johannesburg, South African Council of Churches, 1972)
- Wilson, M. and Mafeje, A., A Study of Social Groups in an African Township - Langa, (Cape Town, OUP, 1963)
- Wolheim, O., The New Townsmen, (Johannesburg, SAIRR, 1964)

2. NEWSPAPERS AND PERIODICALS

The Black Sash, magazine, published monthly from January 1956 - December 1960, and thereafter quarterly. Renamed Sash in May 1969, vol. 13.1. Referred to as Sash in this thesis.
Vols I - 36, 1956 - 1993

The Cape Argus, later The Argus, 1955 - 1980

The Cape Times, 1955 - 1980

Hansard

Macmillan Collection, African Studies Library, UCT -

- Blacks - Courts
- Blacks - History Cape Town
- Blacks - Housing
- Blacks - Laws
- Blacks - Social Conditions
- Black Urban Affairs
- Black Urban Areas
- Eastern Cape Removals
- Langa
- Pass Laws

South African Outlook, August 1975, August 1977,

3. UNPUBLISHED THESES

- Ackerman, D., "Liberating Praxis and the Black Sash : A Feminist Theological Perspective", (Doctorate of Theology, UNISA, 1990)
- Beinart, W.J., " The Political and Constitutional Crisis over the Separate Representation of Voters Bill, 1951 ", (Hons. thesis, UCT, 1971)
- Bickford-Smith, V., "Commerce, Class and Ethnicity in Cape Town", (PhD thesis, Cambridge, 1988)
- Budow, M., "Urban Squatting in Greater Cape Town 1939-1948", (Hons. thesis, UCT, 1976)
- Cole, J., "Crossroads 1975-1985: From Community to Mini-Bantustan", (Hons. thesis, UCT, 1986)
- Dowling, S., "A History of Squatting in the Fish Hoek Valley", (Hons. thesis, UCT, 1988)
- Frater, W., "Crossroads 1975 to 1983: A turning Point for Influx Control", (Hons. thesis, UCT, 1990)
- Kinkead-Weekes, B., " Africans in Cape Town: Origins of a State Policy", (M.A. thesis, UCT, 1985)
- MacRobert, J., "The Emergence of the First Black Sash Advice Office 1958-1962", (Hons. thesis, UCT, 1988)
- Makosana, S.V., " Aspects of the Historical Development of Guguletu, 1958-1987, with Special Reference to Housing and Education", (Hons. thesis, UCT, 1988)
- Sutherland, C., "The Black Sash", (Honours thesis, Dept. of Political Studies, UCT, 1986)
- Swart, C., "Windermere: from Peri-Urban Area to Suburb", (Hons. thesis, UCT, 1983)

4. DOCUMENTARY FILM

- 4.1. "The Black Sash : the Early Years", (Cassandra Parker for the Black Sash, Cape Town, 1992)
- 4.2. "Ndabeni, the First Forced Removal", (C. Saunders et al, for the Department of History, UCT, 1987)

5. ORAL TESTIMONY

(Typescripts of these interviews between J. MacRobert and the following persons are in my research papers. I have not included records in this Bibliography of many informal discussions / telephone conversations with Black Sash and Advice Office members for which I have rough notes.)

Mrs D. Cleminshaw, Newlands, 10/6/87 ; 13/3/93

Mr A. Dalling, Cape Town, 6/6/91

Mrs M. Henderson, Newlands, 17/8/87

Mr P. Kgosana, Department of History, UCT, 16/2/93

Mrs L. Malindi, Mowbray, 21/1/86

Mrs N. Robb, Kenilworth, 15/4/86 ; 28/2/92 ; 24/2/93

Mrs E. Stott, Newlands, 30/8/87

Ms A. Thornton, Salt River, 7/12/87

Mrs B. Versfeld, Rosebank, 7/6/91

Mr D. Viti, Mowbray, 30/6/92