

HOUSE OF ASSEMBLY - 14/6/1961.

Mr. COPE: I wish to address a very strong appeal to the hon. the Minister to start his era of administration in the Republic by making a gesture which is long overdue and one which would do South Africa an enormous amount of good, not only overseas but also as far as we in this country are concerned. I ask the Minister to take steps to abolish the system of banishments. This system of banishments is one of the most cruel instruments of administration that can be found anywhere. I believe that the Minister, if he thinks about this system at all and the way in which it is being applied, will agree that it is a cruel system which should not be followed by any civilized country. I do not want the Minister to tell me that this system of banishments was started in 1927. I know that. It was wrong to start it then and there were protests at the time. The late Denys Reitz, in a protest in this House, said it was a denial of habeus corpus, and other hon. members at the time complained bitterly about this system. So in principle it was even wrong then. However, the point is that the system of banishments, which I believe was intended then to be used very sparingly, has now developed into something which is approaching a scandal, and I urge that the Minister should abolish it.

As far as one can make out, there have been since 1948 something like 110 people sent into banishment, of which about 50 are still in exile. Seven, as far as can be determined, have fled to other countries; 37 have been released; seven have died while in exile, and some nine are missing and cannot be traced. It is extremely difficult to obtain any reliable information about these people. The Minister is most reticent in giving information. Even through questions in the House it is difficult to get a full picture of the position. The House must realize that this system applies only to political offences. It does not apply to ordinary criminal offences at all, because for ordinary criminal offences the courts are there to deal with the people concerned. The system is entirely arbitrary. The Minister, under the powers he has, has sole discretion to decide whether or not he wishes to exile a person. The only reason he has to give is that in his opinion the presence of that individual, or of portion of the tribe which has to be banished, is detrimental to the well-being of the people in that area. There need be no warning whatever. The punishment can fall suddenly. The man is just suddenly taken and banished. He can ask for the reason why he is banished, through the Native Commissioner in the area where he goes to, and nearly always the reply is stereotyped and simply this: "Your presence in the area concerned is considered inimical to the peace, order and good government of the area where you have been residing". It is true, also, that they can appeal to the courts. But they can only appeal to the courts from their place of exile and it is extremely difficult to do that. It is difficult to obtain money and to conduct your case from that place. The law is such that an appeal is virtually impossible. There have been one or two appeals which succeeded, but almost immediately the law was altered and the man was back in his former position. So the right to appeal does not assist much for all practical purposes.

Now, what exactly does this involve? It means that somebody in nine cases out of ten has agitated against some act by the Government and in the opinion of the Minister he is an agitator. He may not like the decision to extend passes to African women, or he may not like the Bantu Authorities Act or the chiefs appointed by the Minister. He agitates against them and he is then liable to sudden deportation. Surely the right to agitate, if people dislike a thing, is a fundamental

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right? Every hon. member opposite is an agitator and he is sitting there simply because he is an agitator. He has agitated for certain things that he either wants or does not want. Therefore surely people must not be stopped from agitating. But most of the cases are for political offences. They are sent into exile, and what does that involve?

It involves being sent to a remote point far away from the area in which the person lives. A man from the Transkei may be sent to a place in the Kalahari. They are not kept behind barbed wire or in prison, but it amounts to more or less the same thing. It is a form of exile. They are given £2 a month which can be raised to £4 a month in some cases, and they are given £2 when they are taken away. Most of them are in a state of poverty. If they work they can earn a little but not much more. Most of them are separated from their families. It is true they are allowed to have their families there, but you cannot expect a family from, e.g., the fertile Natal to go and dump itself in the Kalahari. There are many cases where the family has been reduced to a state of poverty. There is one case where a man has been exiled for ten years to these remote places and he has very little chance of getting back again. It is comparable to the position in Siberia, banishment into exile. I do plead that the amount of assistance the system gives to the Minister is not worth the odium of the whole system. On humanitarian and Christian grounds, this system should be abolished. It is cruel and inhuman, and I think the Minister should inaugurate the Republican era by the humanitarian act of abolishing this system and telling the world at large that he does not require this type of instrument in order to govern. Let him dispense with this system, which brings no credit to the Government or to South Africa. I appeal to the Minister for the good of the country to do away with it.

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The MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT :

I just want to say a few words in reply to the hon. member for Parktown (Mr. Cope). He has asked that I should make a fine gesture, here at the commencement of the republic. He has asked that I should state that I shall never again send Bantu to other Bantu areas; that I shall abolish that system. That is his request, and I notice that the hon. member for Houghton (Mrs. Suzman) is nodding her head; she probably makes the same request. The hon. member for Parktown has made one incorrect allegation. He has said that people have been sent to the Kalahari Desert. Not one of these people has been sent to the Kalahari.

Mr. LAWRENCE: Siberia.

The MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT :
The hon. member for Salt River (Mr. Lawrence) says "Siberia". Hon. members now want to imply that these people are being sent to the Kalahari just as the Russians send people to Siberia. That is the impression that they want to create abroad. There is no such thing. These people have been settled in other Bantu areas, and one of the furthest removed Bantu areas to which they have been sent is the other side of Vryburg. I have been there myself. It is not a god-forsaken place. There are many good farmers in the vicinity and some of the best cattle I have seen for a long time. There is

water and grass. These people have been sent to other Bantu areas, not to the Kalahari. I just want to tell the hon. member that if he expects such a gesture from me, then he is expecting too much because I have a duty towards the Bantu community which I cannot neglect. If there are individuals who make the lives of the Bantu impossible and the Bantu ask me to remove these people, then I must listen to them and I must do what is in their interests. I want to give hon. members the assurance that with few exceptions I shall not send a Bantu from his own area in future if I do not receive an almost unanimous request from the council of the area concerned and from the Bantu of that area. In addition I instruct my officials to establish whether this is really a case where a person should be removed. In such cases I have no opinion; I must remove such people. I know that the Institute of Race Relations has once again published one of its distorted reports on the matter and has claimed that this is actually a question of slavery. That is not so. I am prepared to submit a report in respect of each of these people and the hon. member will then concede that I had no other alternative. A remark has been made relating to two persons whom I have removed from the Transkei. Why did I do so? Not because they were opposed to the Bantu authorities, because every man has the right to his own opinion on this point. The Bantu authorities are being involuntarily accepted. They have not been removed because they are opposed to the Government's policy. Every man has the right to express his opinion, but why did I do so? Because, when the chief concerned with his council and his people started to establish Bantu authorities, these two persons were the people who tsotsis and threatened the chief and his people by saying: "If you establish Bantu authorities here, we shall kill you." The chief, his council and his people came and asked me to remove these people. What else was I to do? Should I have left them to carry on behaving like this? They did not want to accept the Bantu authorities themselves. Ninety-eight per cent of the people wished to do so. These persons then threatened that they would stab the chief to death and that they would burn down the huts of his people. In this way they tried to prevent the chief and his people from establishing Bantu authorities and he and his council asked me to take these people away. What should I have done? I had no alternative but to remove them from that area. I now want to give an example in Zululand. There I also had a person removed. In that case the chief and his people were co-operating with us very well in rehabilitating the lands which had been very much neglected, in undertaking rehabilitation work on quite a large scale, and there was good co-operation between us. This one person together with a group of other people whom he fetched, waged an agitation to the effect that these people should not rehabilitate their lands, that they should not build contour walls. The people did not pay any attention to him, and what did he then do? He went and with his tsotsis he inspanned his oxen and ploughed over all these contour walls and the other works which had been built. The chief and the council then came to me and said: "Look, we will kill him." Should I have allowed them to kill him?

Hon. MEMBERS: Yes.

The MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT: That might perhaps have been the best thing to do, but I am not so unscrupulous, and in order to prevent ugly incidents I had no option but to have him removed. When hon. members said that Seretse Khama had also been banished, one hon. member answered: "Yes, but now he is back." I have a number of pleasing cases of this nature of people who have been banished but who have fortunately come to their senses and are to-day co-operating

with us to such an extent that they are playing a leading part in the development of their own areas. There is the complaint that we do not pay them enough, but those who want to work can earn a reasonable wage. Take for example the case of one person whom we removed from Sekukuniland to Natal. He obtained employment in a factory and later in the clinic. He received a wage of £28 per month, the best wage he had ever earned. We eventually allowed him to come back to this area. Thus I can give hon. members examples showing how many of these people later come to their senses. But they are taken to a Bantu area and they are free to move around there. They are not restricted, and if they want to work, we are prepared to give them work. But there are many of them who do not want to work. This is the type of person on whose behalf the hon. member for Parktown has pleaded and in respect of whom he tells the world that we are acting criminally. This is the type of story which the Institute of Race Relations has been spreading recently. No, I have a duty to the Bantu and I cannot allow one or two persons to paralyse the whole community. When the Bantu ask me to remove such people, I shall do so. I repeat that I do not do so in an irresponsible or inhumane way. They can take their families with them if they wish; they are given a good hut in which to live. They are so free there that some of them simply run away. They are people who have simply climbed on their bicycles and ridden away.

Reference has been made to the Bantu woman whom I removed from Paarl, namely Elizabeth Mafekeng. She fled to Basutoland and this is one of the examples which have been mentioned. I offered to send her husband and her children with her. They simply refused to go. I now want to give the House this information. I understand that the Basutoland Council is not at all keen on keeping that woman in Basutoland any longer. The hon. member for Parktown must now complain to the Basutoland Council as well. If the facts which I have been given are correct they have already decided to banish her from Basutoland. I am therefore not in bad company. It is unreasonable to make this type of allegation until such time as hon. members have established the true facts. We do not act improperly.

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