



UNITED NATIONS

CENTRE AGAINST *APARTHEID*

DEPARTMENT OF POLITICAL
AND SECURITY COUNCIL AFFAIRS

NOTES AND DOCUMENTS*

29/79

November 1979

PRISONERS OF APARTHEID

by

Dr. Yusuf Dadoo, Vice-Chairman of the
Revolutionary Council of the African
National Congress of South Africa (ANC)
and Chairman of the South African Communist
Party **

** This statement was submitted to the Special Committee
against Apartheid on the occasion of the United Nations Day
of Solidarity with the Political Prisoners of South Africa
(11 October 1979).

* All material in these notes and documents may be freely reprinted.

Acknowledgement, together with a copy of the publication containing the reprint, would be appreciated.

It is a singular honour to have been invited by the United Nations Special Committee against Apartheid to mark the occasion of United Nations Day of Solidarity with the South African political prisoners. In welcoming the opportunity to address you I am deeply conscious that this honour is not mine personally, but one that rightly belongs to the millions of toilers and their leaders, my comrades in arms, who are sacrificing life and liberty in the struggle for freedom, democracy and peace in our country.

My task is therefore the more onerous since I am entrusted to speak in their voice, with their feelings and their desires, in regard to those scores of gallant heroes of our people with whom the world community stands in solidarity today. Namely the men, women, and yes, children who are incarcerated in apartheid's prisons; who are facing its torturers in interrogation centres, and who are standing before its so-called law courts in so many parts of our country.

In a very real sense all black South Africans are political prisoners-prisoners of the system of apartheid which denies them freedom in the land of their birth. And yet, at another level, it is equally true that those, for whose security and interests black South Africa is imprisoned, are themselves prisoners. For as Karl Marx once remarked: no nation that enslaves another can be truly free.

But it is not to South Africa, the imprisoned society, that we are addressing ourselves today, but to those who have sacrificed their freedom for the creation of a just and non-racial society in which democracy shall be the rule rather than the exception; a right of all South Africans rather than the privilege of the few.

The General Assembly of the United Nations first demanded the release of South African political prisoners in October 1963 in response to the Rivonia Trial which commenced on the 11th October of that year.

This Committee will undoubtedly remember this as the trial of Nelson Mandela and other great leaders of the African National Congress, the South African Indian Congress and the South African Communist Party. Today, despite the voices of appeals and demands for their release the world over, Nelson, together with his comrades Govan Mbeki, Walter Sisulu, Ahmed Kathrada, Raymond Mhlaba, Denis Goldberg, Elias Motsoaledi and Andrew Mlangeni face the prospect of imprisonment for life on Robben Island and in Pretoria prisons. And life imprisonment means just that. The policy of the apartheid régime allows no remission of sentence for those sentenced under its security laws.

Ever since then the Special Committee against apartheid has given unstinting support to the efforts of the African National Congress and the international solidarity movement for the release of political prisoners, and, pending their release, for the improvement of their conditions. Moreover, each year, evidence of ill-treatment and torture

of prisoners and detainees has been heard by your Committee and the United Nations Commission on Human Rights. This information has been disseminated world-wide - to solidarity movements, Governments as well as non-governmental organizations.

The work of the Special Committee, and those of other specialized agencies of the United Nations, has won the respect of our entire fighting people as surely as it has earned the manifest anger of the apartheid régime. Allow me to place on record my personal thanks, those of the prisoners and their families, as well as that of the African National Congress and the South African Communist Party. Your actions have been crucial in helping save the lives of many of my compatriots on trial for their lives, and also in securing the amelioration of their conditions in the prisons of apartheid. Perhaps none can express this more eloquently and sincerely than an ANC activist recently released after 12 years on Robben Island:

"International pressure has helped to maintain morale and spirit because man can adapt to the worst conditions if he feels he is not alone, if he feels he has support in what he is doing, and that why he is there is for a just cause and a cause that will triumph."

With the intensification of our liberation struggle and the consequent increasing repression by the racist State the need for strengthening the international campaign has never been greater. The number of political prisoners has grown and at present there are at least 550 in jails throughout the country, including more than 50 SWAPO leaders and militants. Earlier this year the Minister of Justice disclosed that 447 of these prisoners were held on Robben Island, including nine children under 18 years of age. I don't need to remind this Committee of the brutal conditions to which political prisoners are subjected.

And still the number of victims grows. From July 1978 to 31 May 1979, 46 people are known to have been sentenced to a total of 377 and a half years' imprisonment. All black male prisoners are incarcerated on Robben Island, while black women are kept in Kroonstad prison. In Pretoria a special maximum security section has been built to house the white male security prisoners.

Since the Soweto revolt, the authorities have been especially severe in their crackdown on the youth. In the last three years, almost 9,000 people under the age of 18 have been arrested for offences linked to "public violence" and "sabotage", and nearly 6,000 prosecutions were brought before the apartheid courts. Asked in Parliament earlier this year how many people under 18 were detained in terms of the Security Laws during 1979, under what law and for what period, the then Minister of Justice Kruger replied:

"Except to confirm that 227 males and 25 females under the age of 18 were detained in terms of the Terrorism and Internal Security Acts during 1978, I consider it not to be in the public interest to disclose all the information required."

Some of the pupils in detention were found to be as young as 13 years of age, and in Port Elizabeth one child detainee was found to be only seven years old, while a large number were between 12 and 14.

Young people are not exempt from torture while in detention. They too are beaten, given electric shocks, made to sit on imaginary chairs, half drowned in buckets of water and so on. Hundreds of school children have been sentenced to floggings for taking part in peaceful demonstrations, and in June 1978 six children under the age of 16 were known to be on Robben Island serving five-year sentences for sabotage. Being political prisoners, they will serve their full sentence, without remission. This year alone the Security Police have acknowledged that they have detained 317 people, and that 168 trials involving so-called national security have come before the apartheid courts in the last seven months.

Evidence has repeatedly been presented to this Committee detailing the widespread inhuman torture, mental and physical, and the appalling prison conditions that prevail. Over 50 political prisoners, including Joseph Mluli, Elijah Loza, the Imam Haron, have died while in detention. The murder of Steve Biko, which was widely reported in the international press, indicates the treatment meted out to the political prisoners of our country. Discrimination towards political prisoners in terms of diet, clothing, visits, letters, even nationality, is institutionalized within the prison system. When detained, prisoners are held incommunicado without access to lawyers, family or friends for indefinite periods, during which time they are not allowed reading or writing materials. A further serious deprivation now being instituted by the régime is that prisoners who have been sentenced will no longer be allowed to study beyond matriculation level. The objective of the withdrawal of study rights is not to preserve security, as the régime claims, but to break the morale and solidarity of the prisoners. As Nelson Mandela declared in 1969, the régime regards its prisons as institutions with which "to cripple us, so that we should never again have the strength and courage to pursue our ideals."

The prisoners themselves have refused to be subdued, and both on Robben Island and in Pretoria prison they have fought unyieldingly to defend their rights and protect themselves against the physical and spiritual aggression of the racist authorities. Robben Island prisoners have time and again gone on hunger strike and fought legal battles to support their demands. Last year, too, nine political prisoners in Pretoria brought an action before the courts asking for an order that they be allowed the right to receive books, newspapers and periodicals of their choice, and that their letters and visits should not be subject to censorship - at

present only family matters may be discussed. The decision of the Appeal Court was that under the Prisons Act prisoners have no rights, but only privileges subject to the discretion of the Commissioner of Prisons, and that the conduct of the Commissioner is not subject to review by any court unless inconsistent with the provisions of the Act. Furthermore, under the Prisons Act it is an offence to publish any "false" news about prisons or prisoners, with the onus on the publisher to prove that he has taken reasonable steps to ascertain the truth of his story. The effect of this Act has been to discourage the press from exposing jail atrocities.

During the last session of Parliament earlier this year, two further restrictive laws were added to the statute books. One extended the above provisions of the Prisons Act to cover the police, so that in future police atrocities will also be immune from investigation by the press. The second makes it an offence to publish anything about unnatural deaths until the inquest is complete - a provision aimed at preventing future exposures of killings as in the case of Steve Biko.

All these provisions place South African political prisoners at the mercy of a merciless Government. One of the most important questions facing the international community with regard to support for and defence of South African political prisoners is the question of granting prisoner-of-war status to the gallant freedom fighters of our country. This year, on 6 April, in spite of world-wide protest and campaigns to save his life, Umkhonto we Sizwe combatant Solomon Mahlangu was sent to the gallows. Today in Pietermaritzburg, 12 young militants of the ANC are facing charges of treason and terrorism, with every possibility of the death sentence again being imposed. These men are considered so dangerous that there has been a 24-hour riot police patrol mounted around the courthouse, and a special bullet-proof glass cage has been erected in the court in which the accused are to be confined for the duration of the trial. Despite severe torture and constant intimidation, our cadres stand firm, have dismissed their defence and refused to participate in the trial as the judge has ruled that evidence against them will be heard in camera, and that the names of State witnesses are to be kept secret. Their call is for the people of South Africa to know that their "crime" was attempting to overthrow the South African Government by any means possible... The judge has already sentenced at least two of them to six months' imprisonment for so-called "contempt of court"

Indicative of the morale and dedication of our cadres is the statement of ANC militant Petrus Mothlane, who, after being sentenced to 10 years' imprisonment, told the court: "The most important thing to me is not how long I live but how I live. Those of us who love life as much as we love this country shall never cease to make efforts for the attainment of liberty regardless of creed, race or colour. I am not the first nor shall I be the last to be convicted for this just cause."

It is our demand that patriots and freedom fighters like these should be treated as prisoners-of-war under the Geneva Convention. Both in the courts and in the prisons our comrades have displayed a spirit of heroism and determination which is the expression of an inflexible will for freedom.

Allow me to remind the audience of another category of political prisoner. About 20 men, members of the African National Congress, are serving sentences in Rhodesia's maximum security prison. These militants were captured in the Wankie and Kariba areas of north-western Rhodesia in 1967 and 1968 during the joint ANC/Zimbabwe African People's Union (ZAPU) operations. We demand their immediate release and not their repatriation to South Africa, as is planned by the puppet Muzorewa.

Forty years ago the nations of the world united to defeat nazism and the rule of fascist tyranny. Though defeated, fascism has not been destroyed. It has regrouped and reconstituted itself in many parts of the world since the conclusion of the Second World War. What I have attempted to indicate to you, and through you to the world community, is that racist South Africa is one such corner of the world where the jackboot continues to hold sway.

Forty years ago those nations who could do most turned a blind eye and deaf ear to the witnesses of democracy and peace from inside Germany. Nothing, we were told, should be done to upset the voracious appetite of the fascist beast. A nation's life and hopes were sacrificed for the sake of a piece of paper bearing the false promise of

My pleas to you today, on behalf of the millions of oppressed and exploited black peoples, the real witnesses of peace and democracy in our country, is to heed their voices, their call, for those who cannot themselves bear witness today - South Africa's political prisoners. If history has taught us anything at all, it is that we can never appease the oppressor and exploiter through our silence and inactivity.

In conclusion, we place before you and the world community once more the demands of our people and of the national liberation movement led by the African National Congress of South Africa,

- (1) To intensify the campaigns internationally for the release of all political prisoners and, pending their release:
- (2) To demand all-round improvement of prison conditions, including the right of all prisoners to opportunities for furthering their education together with the facilities necessary for this;
- (3) To demand the end of torture of detainees and to highlight in every international forum the deliberate policy of torture and murder pursued by the régime of terror with regard to political detainees;

(4) To intensify the demand for the granting of prisoner-of-war status to all captured combatants of the liberation movement in accordance with the relevant accords of the Geneva Convention;

(5) Right now 12 freedom fighters are facing the so-called courts of the régime on charges of high treason. Their lives are at stake. Let us act now to save them and demand their release!

Your actions, in unity with those of the liberation movement, progressive Governments and the international solidarity movement, can do much to secure the well being, safety and release of our gallant freedom fighters. Fundamental to the release of political prisoners in our country is the total eradication of the apartheid régime, which the United Nations has declared a crime against humanity. It is more imperative now than ever before that all United Nations decisions with regard to the imposition of economic, military, political, cultural and sporting sanctions be fully implemented. The total isolation of the racist régime in every sphere of human endeavour is a prerequisite for the destruction of racist tyranny and the achievement of human rights, justice and true liberation. All our support, moral and material, should be given to the liberation movement led by the African National Congress for the achievement of these goals.

Kairos Collection

PUBLISHER:

Publisher:- Historical Papers, The Library, University of the Witwatersrand

Location:- Johannesburg

©2010

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of paper documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

DOCUMENT DETAILS:

Document ID:- AG2918-2-5-5-5-1

Document Title:- Prisoners of apartheid, statement, Dr Yusuf Daidoo, ANC and SACP, November 1979

Author:- Dr Yusuf Daidoo

Document Date:- November 1979.