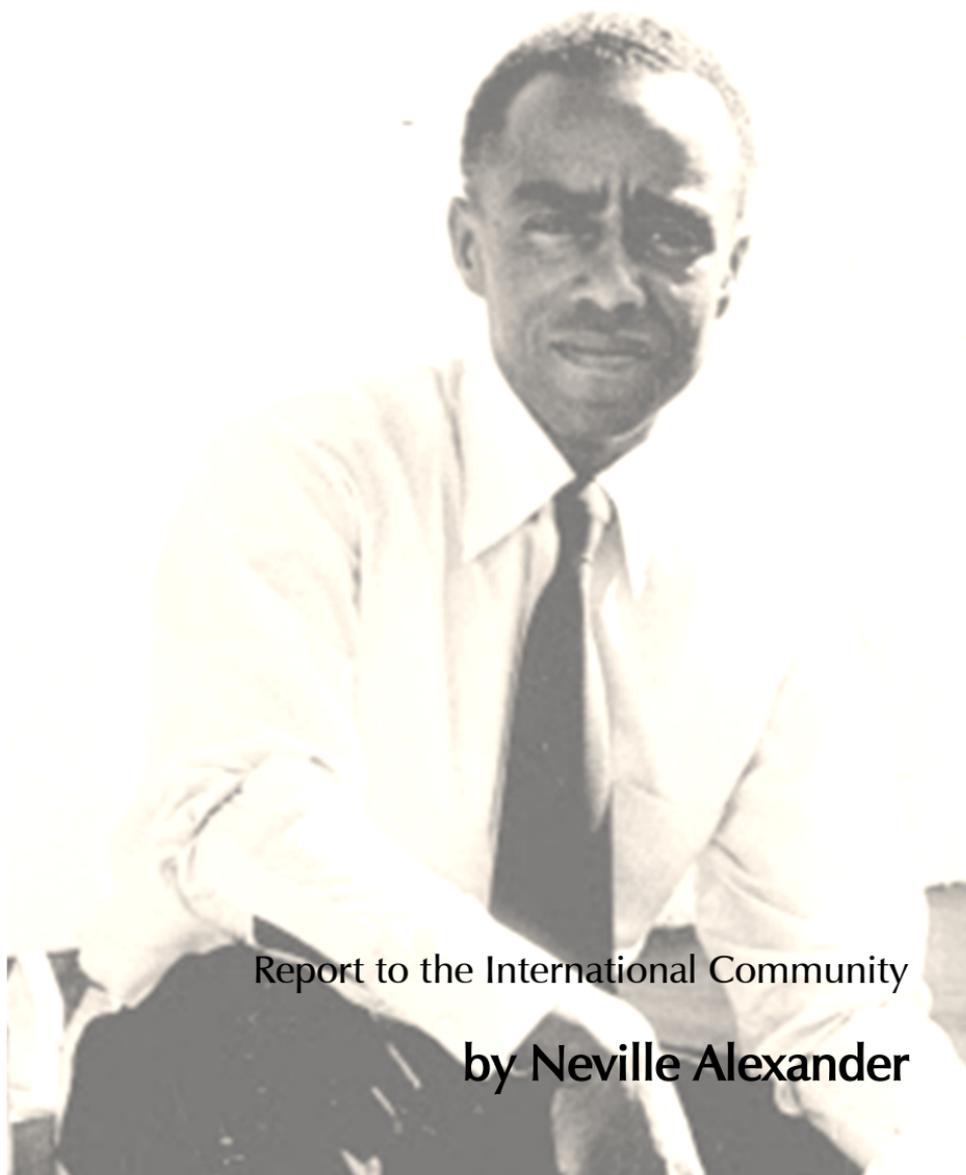


# **Robben Island Prison Dossier**

## **1964 – 1974**



**Report to the International Community**

**by Neville Alexander**

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Cover photograph: Neville Alexander shortly after his release from Robben Island in 1974

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## FOREWORD

NEVILLE ALEXANDER'S ACCOUNT of the ten years he spent on Robben Island as a political prisoner should be compulsory reading for a public only too ready to forget South Africa's oppressive past. It is a remarkable tale of endurance and the will to survive. It is a stark reminder of the grim days of retribution during apartheid's darkest period under the relentless hostility of Verwoerd and Vorster towards the so-called enemies of the state. Their attitude was reflected in the treatment endured in prison by such people. Robben Island, in the early days, was perhaps the worst example of the official attitude – that is, that deprivation of liberty was insufficient punishment, even if it was for life. Further punishment should therefore be meted out within the prison system itself.

I learned about all this on my first visit to Robben Island in February 1967 where I met Nelson Mandela and his fellow-prisoners. He told me all about the hardships so graphically described by Neville Alexander in his Prison Dossier – the exhausting, hard labour performed by the prisoners, the meagre and often inedible food, the brutality of certain warders some of whom had a pathological hatred of blacks, especially educated blacks. As deliberate policy, only white warders were in charge on Robben Island, put there with the task of disciplining the Coloured, Indian and black men who made up the prison population there.

Some of Neville Alexander's revelations strike a note of great poignancy – prisoners doing back-breaking monotonous work in the lime quarry and forbidden to sing while working; the racial discrimination that manifested itself in the provision of clothing for the

prisoners in the early years – until 1970 for blacks – no shoes or socks or long pants or warm clothes to wear against the bitter sea winds that swept the Island in winter, no hats as protection against the sun or rain; mats on cement floors instead of beds; such crude medical attention that the prison doctors were referred to as ‘vets’ by the prisoners; the difficulties encountered by prisoners in pursuing studies with UNISA – censorship of books; no foreign languages permitted for study; no post-graduate studies; the cursory removal of study privileges, the last of which I imagine was particularly cruel punishment since studying preserved the sanity of the prisoners. Political prisoners moreover were denied the privilege of obtaining newspapers (until I eventually obtained this concession). Restricting visits of relatives was yet another form of retributive treatment in circumstances which in any case presented difficulties to visitors, owing to the Island’s lack of easy accessibility. Interference with mail also exacerbated the misery and isolation of prisoners.

After 1967 there were some forms of modern prison methods introduced. Neville Alexander mentions outdoor and indoor games were permitted, tennis courts were set up, music played over the intercom and fortnightly films were shown. He states that my first visit in 1967 was considered to be the turning point in improved treatment of the political prisoners. I am gratified to know this. If there is one important fact that emerges from the prison journal of Neville Alexander, it is the dire need for a watchful eye to be kept on the manner in which the most helpless of all human beings – those behind bars in the prisons – are treated.

*Helen Suzman  
9 August 1993*

## INTRODUCTION

THIS INTRODUCTION TO ROBBERN ISLAND PRISON, 1964–1974, is written almost twenty years after the original text. In that text, there was a blank space under the heading ‘Introduction’. Instead of the Introduction, a letter, or where this was deemed too dangerous, an oral message, had to serve the purpose. This clandestine mode relates directly to the genesis of the document.

It was an unspoken injunction understood by all prisoners who were released from the island that one of the most important contributions they could make to the well-being of those they left behind was to let in the light of public scrutiny on the goings-on in that prison. We knew that the ‘vile deeds’ of the prison authorities could not withstand the light of day. Any exposure, no matter how mild, would have the effect of (at least temporarily) reining them in and thus gaining metaphorically (and in some cases literally) a lease on life for the inmates. In our specific case, i.e. the four remaining male prisoners sentenced in 1964 with seven others (four females and three males) for alleged conspiracy to commit sabotage via the activities of the Yu Chi-Chan Club and the National Liberation Front, there was an explicit agreement that we would explore all possible ways to bring to the attention of as many international organisations as possible, as well as to relevant South African groups, what was really going on on Robben Island.

For various reasons I chose to write a report based on information (dates, events, names of people, etc.) which I had collected during my 10-year period of incarceration and which I managed to conceal in various ways. Because of contact with people who had considerable

leverage, my report, unlike those of some prisoners I heard of later, managed to reach individuals in international organisations who could use the information as a point of (necessarily unacknowledged) reference when they had to deal with any issue relating to the conditions of political prisoners in South Africa.

Because of the ever-present threat of prosecution under the draconian Prisons Act (No. 8 of 1959), both my authorship and my role in proliferating the information contained in the dossier had to be concealed. A thin disguise in the form of the third person singular pronoun was supposed to assist in keeping my authorship secret in case the document did fall into the wrong hands. Consultations with prisoners who had been incarcerated in the 'General Section' for most of the period in question provided me with information which, because I was for most of the period held in the 'Isolation Section', in some small way could also complicate the task of would-be sleuths. It was a very serious matter since I was not only flouting the Prisons Act but also transgressing my house arrest order in terms of which I was prohibited from 'publishing' anything. 'Publishing' included explicitly the kind of text I was sending into the world.

The intended readership to a very large extent co-determined the content and style of presentation of the report. Besides a genuine commitment to reporting strictly only that which I knew to be true, I realised, of course, that any material produced in anger and without due regard to accuracy and probability would not be treated seriously by the men and women I was attempting to reach. Consequently, a certain pedantic meticulousness is there for all to read even though, on occasion, my real emotions broke through the screen of academic precision. I wrote this piece to the end within four months of my release from prison in 1974, both because I wanted to use the period when things were still

fresh in my memory and because of the timetables and agendas of certain international organisations, including the UN Special Committee and General Assembly as well as the International Commission of Jurists.

The dossier has to be seen against this background and in the context of the extreme repression of the mid-'seventies. It is by no means an adequate sketch of what went on on Robben Island but I trust that it does capture in some ways the sociology and the social psychology of that very special prison. With the publication of this text twenty years after it was written, I put behind me in a formal sense that vitally important and formative period of my life that I shall always associate with Robben Island. My special thanks to Martin Hall and the UCT Press for encouraging me to believe that this document does have a certain historical value.

*Neville Alexander*  
*Cape Town, February 1993*

## ACRONYMS

COP	Commissioner of Prisons
ICS	International Correspondence Schools
IRC	International Red Cross
NICRO	National Institute for Crime Prevention and Rehabilitation of Offenders
NUSAS	National Union of South African Students
OC	Officer Commanding (Robben Island Prison)
RIP	Robben Island Prison
SADF	South African Defence Force
UNISA	University of South Africa

## **BASIC ATTITUDES AND POLICIES**

WHAT HAPPENS IN A PRISON is a reflection of what happens in the surrounding society. South African prisons are no exception to this rule. It is to be expected, therefore, that such phenomena as the attitudes of officials, warders, and of prisoners are a replica of the attitudes current in our society, only heightened by the peculiar, if officially unacknowledged, status of Robben Island Prison (hereafter RIP).<sup>1</sup>

### **Peculiar status of RIP**

It is important to understand clearly what this 'peculiar status' of RIP is and what it entails. Whatever the public stance of officialdom, there is no doubt that they realise, as everyone else does, that RIP is the most important prison in South Africa. Though they dogmatically and consistently deny the claim that there are political prisoners in South Africa, yet it is a fact that virtually all people convicted for offences of a political nature (ranging from so-called terrorism to alleged membership of unlawful organisations) are incarcerated at Robben Island. They are treated as a most serious security problem; hence the insistence hitherto on detaining them on the inconvenient and costly island.

The prison is graded as a maximum-security prison (which type of prison normally houses the most dangerous, violent offenders, who are also given to expressing the chronically recurrent desire of any prisoner to escape from custody, in a practical manner). During 1963, all Black warders were removed from RIP. The prisoners suspect that the reason was that the authorities suspected some of the Black warders of giving

news, newspapers, radios, food, etc, to the political prisoners. They may also have been suspected of performing courier services for the political organisations, if they did not actually belong to them (a number of Black ex-warders were found by the courts to have belonged to or actively sympathised with banned organisations).

Hence RIP must be the only prison in the country where in spite of a predominantly, and in this case even exclusively, Black prison population, the staff is exclusively White. This undisguised recourse to the racial prejudice of Whites as a reinforcement of the maximum security measures of a material and technical nature is one of the major causative factors in the hardships suffered by prisoners at RIP. The implications of this 'peculiar status' of RIP will become evident in the notes under the various headings in this document.

## **Determination of policy**

The main lines of policy relating to RIP are determined not by the civil servants of the Department of Prisons but by the political authorities themselves. In practice, this means that the Security Branch decides on all major issues of how the political prisoners are to be treated.<sup>2</sup> Brigadier Aucamp, who for many years (until 1973) was the pivotal Department official concerned with political prisoners, in so many words told Nelson Mandela on two separate occasions that major questions are decided by the Minister himself and that the police are involved in all shifts of policy and in any question which the prison authorities consider to be controversial even if it would normally be handled departmentally. Practical instances of such ministerial and police intervention in matters which would otherwise be regarded as routine administrative matters will be cited below.

## **Rehabilitation vs retribution**

In spite of the consensus reached by criminologists and other penological experts throughout most of the world that the goal of incarceration is rehabilitation of the offender rather than meting out the retribution of society on the criminal, and in spite of the generally enlightened ethos of South Africa's Prisons Act (No. 8 of 1959), there is no doubt that until 1965 in its intention, and until 1967 in practice, South Africa's penology was largely retributive.<sup>3</sup> Indeed, in most prisons this position has not changed radically at all even up to this day.

Except possibly in certain prisons, the claim enshrined in the Prisons Act that rehabilitation is the goal of incarceration remained a dead letter. There is no need to describe the sordid details of what the normal conditions for Black prisoners are at this stage; some of these will emerge implicitly and explicitly in the course of these notes. When General JC Steyn was appointed Commissioner of Prisons (hereafter COP) in December 1963, many newspapers and individuals expected a radical change for the better to ensue in view of the reputation for 'enlightenment' enjoyed by this polished but ineffectual diplomat. Some changes did take place, and these will be referred to, but on balance it must be said that once again the objective sociological and political factors have proved to be stronger than the presumably genuine subjective factor.

Since all the changes referred to here were those experienced at Robben Island where, after 1970, political and non-political prisoners were incarcerated separately, the first Addendum describes briefly the zoological conditions under which non-political prisoners are 'kept in safe custody' in South African prisons.

At RIP itself the years 1962–1966 were years of hell. The prison was no different from any normal South

African prison at which Blacks are kept. In certain respects it was much worse since the political prejudices of the Whites were visited on their Black charges in ways that will be described below. From about the middle of 1965 certain changes in the tone of the administration (increased civility, more attention to legal form, permission to study, and other such improvements) became noticeable, but there were obviously very serious obstacles to the implementation of a policy of reform, assuming the existence of such a blueprint. On 18 February 1972, the COP told Neville Alexander of the existence of such a blueprint. He explained that since the mid-'fifties a programme of penal reform had been unfolding and that the only impediment to the rapid implementation of this programme was the lack of adequate funds. More will be said on this score later.

From 1967 onwards, any objective observer would have had to admit that major improvements (referred to below) were made. There appeared to be a serious attempt to improve the material conditions of incarceration and in some ways even the psychological environment of the prisoners. However, it is clear in retrospect that there was no linear progress. Instead, a deliberate zig-zag policy was adopted for reasons which will become evident. In fact, at the interview referred to above, the COP told Alexander that he 'had allowed the pendulum to swing over to the extreme right' so as to discipline the Island prisoners, who – he claimed – had become completely insubordinate and obstreperous. He also promised to let it swing back *gradually* towards a position of more lenience and relaxation of tension (which in fact happened!!).

Thus the general picture that emerges is one of extreme harshness and physical pressure on prisoners from 1962 until December 1966 with peaks of inhumanity and brutality in 1962–1963 and again from August 1966

onwards. These peaks will be explained later. Then from 1967 until December 1970 inclusive there followed a period of relatively civilised treatment and a much more relaxed atmosphere. 1971–1972 saw a relapse with the harshest treatment concentrated in the first nine months of 1971. From 1973 (April) onwards all overt physical pressures were eliminated, treatment became relatively humane again but – as will be pointed out – other problems were manufactured by officialdom in order to harass the political prisoners.

This pendulum policy represents an extreme injustice and is a source of insecurity that plagues prisoners, who never know when things will revert to 'normal'. They are never sure (as was the case especially in the early years) that so-called improvements are not merely temporary concessions made for the purpose of window dressing so as to dupe gullible visitors from overseas and from South Africa, people who, more often than ought to be the case, just have no idea of what goes on in a prison and are consequently no match at all for the foxes who smilingly tell them blatant lies in the presence of the prisoners, who on occasion have had the courage to state this openly!

The policy of zig-zag is a manifestation of the cavalier attitude of the highest authorities towards the Prisons Act, and of their lack of consistency in the implementation of the 'penal reform'. Unless the policy of zig-zag is eliminated and unless all the implications of a programme of rehabilitation are faced squarely, South African prisons in general and Robben Island in particular will remain in important respects no better than feudal dungeons.

The term 'Rehabilitation' is used in its technical criminological sense here. In this sense, of course, it is not relevant to the treatment of political prisoners who, in general, are not anti-social. However, in South Africa, since the category 'political prisoner' is defined by the

authorities, such prisoners have always had a vested interest in the adoption and proliferation of programmes of rehabilitation in South African prisons, not only because of the intrinsic value of such programmes for many non-political prisoners, but also because the ethos and the spirit of rehabilitation have implications which positively affect the treatment of all prisoners. Rehabilitation implies the elimination of abuse, of dehumanisation, assaults, insults, arbitrary 'justice', and of many other things, all of which are positive advantages to any prisoner.

The importance and possible effects of an organisation such as NICRO will be glanced at elsewhere.<sup>4</sup> But it should be noted that whereas NICRO necessarily stresses the side of the prisoner during and after incarceration, there is an urgent need for a close study of the warder's side. Rehabilitation is a two-way process; without civilised warders and civilised relationships rehabilitation is a bottomless pit, a futile dream. In a country as shot through with colour prejudice as South Africa is, this means that we are faced with a profound social problem. Unless White (and even Black) warders change their attitudes towards Black prisoners, Black prisoners will not change their attitude towards a White-dominated society!

## **Training and attitudes of officials**

Calibre: Prison administrations throughout the world experience great difficulty in recruiting people to work in prisons because of the stigma attached to the work. For this reason, in most cases only the least ambitious, least qualified, virtually unemployable types take employment in the prisons. South Africa is no exception to this rule, and the majority of the White warders would normally find great difficulty in obtaining employment

elsewhere. Their jobs are sinecures, tailor-made for people who lack motivation and healthy ambition.

Prejudice: Racial and colour prejudice are as rife at RIP as anywhere else in South Africa. All the warders are White, and until recently there was nothing in their training to rectify the vicious, inhuman prejudices against Black people, which they carry in their social baggage. The Black man is an *Untermensch*, created by God to minister to the needs of the White superman. (An oft-repeated joke among White warders is the story that the devil wanted to make bees in imitation of God and instead brought forth flies.) This is a fabulous way of throwing doubt on the humanity of the Black man. The Black prisoner, by virtue of his outcast status, is expected to be doubly servile.

Most warders, until fairly recently, insisted on being called 'Baas' (Master)<sup>5</sup> and would victimise those who refused to do so. In the early years 'victimising' in this context meant brutal assaults, spare diet on trumped-up charges, and the like. However, this is one battle the political prisoners have won completely, and those who continue to speak in a servile manner do so because of an innate fear of Whites, lack of political consciousness, or from strategy (however one may view such 'strategy').

Non-political prisoners, of course, know that their very lives depend on observing these caste rules. There is no doubt that as far as RIP is concerned, a serious attempt has been made to eliminate some of this humiliating caste ritual. This came about mainly because of the prisoners' own agitation and representations to the authorities. Warders in general have become more civil, though this civility is really a very thin disguise which is dropped as soon as some real or imaginary crisis situation develops in the prison. It remains one of the greatest diversions (though often a tedious, irritating chore) to the prisoners to have to educate new warders

(young and old). They have to be taught: (1) ordinary manners; (2) the basic equality of human beings; (3) the prison regulations with special reference to the limit of their power; (4) English (in most cases) and (5) the real history of South Africa.

Speaking generally, colour prejudice is not so strong among the younger warders as among those of the previous generation. Any South African can imagine the kind of humiliation and insults that such prejudice leads to; hence there is no attempt here to enumerate or to exemplify. Open prejudice is naturally more noticeable among the lower-grade officers and officials than among the higher officers. Yet there is the normal racism implicit in almost every statement and every act of officialdom and, of course, policy is at all times based on the assumptions of race superiority and inferiority (or 'race differentiation' as it is more commonly called now). Though most of the prisoners in RIP are politically conscious people who (in theory at any rate) are protagonists of a non-racial society, and though in practice among themselves colour and cultural factors tend not to be divisive, there is undoubtedly much anti-White prejudice. Who can be surprised at this?

Whereas colour and race prejudice is a universal South African phenomenon and hence also manifests itself in a more intense form in all South African prisons, the political prejudices of the average White South African do not normally get the opportunity to manifest themselves so blatantly and so violently as at RIP. The White warders, of course, have their political ideas and their friend-enemy symbols prefabricated for them by the White press and especially by the Afrikaans press. This leads, *inter alia*, to their having an image of political prisoners which is, to say the least disastrous.

Daily the mass media denigrate political prisoners as 'traitors', 'fifth-columnists', and condemn them as 'mass

murderers', 'saboteurs', 'terrorists'. The White warder sees himself as one of the main pillars of the South African policy in that the 'safe' custody of these 'enemies of the people' is directly his responsibility. Hence, in crises, for instance, in mass assaults, or even in trivial, everyday incidents such as negotiations about whether a certain book or letter is 'kosher', the White warder sees his Black ward as an enemy of the country. The pogrom atmosphere which this collective White attitude creates in times of friction is easily visualised.

### **What can be done?**

Basic reform is necessary. Even within the present framework certain rudimentary things ought to be done. Both the governing and the opposition parties should see to it that these things are done. To a large extent, what is being advocated here is an exercise in social engineering, closely related to the socio-political and economic problems of this country. As such, this document assumes the willingness (even if only under pressure) on the part of the governing circles to bring about changes for the better in penal institutions, more especially in RIP.

A systematic in-service campaign against racism and colour prejudice must be undertaken by the Department of Prisons. Details are not necessary in this document. Pre-service (essentially school) education, in the same ethos is implied, as also is the elimination of discriminatory practices among prisoners themselves. Whether viewed as a long-term or a short-term matter, such a campaign ought to be launched immediately. The 'educator' must be educated, the 'rehabilitator' rehabilitated before any serious rehabilitative programme can be thought of. Of course, this is merely one, albeit a very important, aspect of South Africa's penal system which is mentioned here. The expression of

racialistic thoughts in word or deed ought to become a punishable offence.

A campaign for the political education and enlightenment of warders is essential. Civil services by their very nature are expected to be politically neutral. In fact, of course, except in British mythology, they never are. Certainly South Africa's civil service abhors the ideas and the deeds of the much-mentioned 'terrorists', neutrality is in fact impossible, but it can be approached. In other words, it is possible to teach the White warder not to look at the Black (or White) political prisoner as a potential (or actual) murderer who has at all costs to be humiliated, frustrated, and driven to desperation.

The prison service should teach its warders South African history (at least) mentioning specially the category of political prisoner and the way, in the South African tradition, such prisoners have been treated. They must be made to realise that these are people (like Kruger, De Wet, and many other Afrikaners) who are in prison because of social ideals and not because of selfish motives of personal aggrandizement. He should realise that former political prisoners such as General Kemp and BJ Vorster became Cabinet and even Prime Ministers. Such a perspective will not only let warders see their charges in a new light but the resulting mutual respect must affect the attitudes of the political prisoners themselves.<sup>6</sup>

## **Non-racial staff**

It is urgently necessary to change the present position where warders for Robben Island are chosen not on the basis of merit and suitability for what is, after all, a very delicate job but on the basis of colour alone. The very symbolism of White warder vs Black prisoner – 'terrorist' – is conducive to creating a crisis situation. Warders

ought to be chosen on the basis of merit irrespective of colour.

Today, when even the SADF is using Black men on the borders, it seems ironical that there should be a racial bar in the Prison Service. It should be noted that no one is asking for Black warders to look after Black prisoners: what ought to be demanded is that the best qualified, most suitable warders, irrespective of colour, should be allowed to work at RIP and elsewhere.

The COP, in interviews with spokesmen of the political prisoners, has always made much of the amount and the quality of training received by warders. These statements need not be called into question. Yet it is extremely doubtful whether the training has very much effect on the trainees. Certainly, all political prisoners who do so, report that most of the warders are initially (and some until the very end remain) crude, rude, and completely untouched by any criminological or psychological theories and practices. More astounding, if possible, is the almost total lack of knowledge of the main regulations and sections of the Act pertaining to the treatment and conduct of offenders. Much of the criminality of prison officials' actions stems from such ignorance, protected as it is by 'civilised labour' policies and job reservation ethics.

# TREATMENT

## General

UNDER EVERY HEADING in the following exposition, account is taken of positive and negative changes which took place over the years. It should be borne in mind that in 1962–66, most of the warders were either uninhibitedly cruel, harsh, vindictive or, at best coldly indifferent to the sufferings of prisoners.

In almost every case where improvements have taken place the causes derive from: a) action by the prisoners themselves either in the form of open resistance (hunger-strikes) or – as they usually preferred – through negotiations with and representations to the authorities; (b) outside pressures, both international and domestic. It is not always obvious that political campaigns of exposure and persuasion conducted outside and inside South Africa are immediately effective in bringing about change. However, apart from the question of principle, it is probable that the long-term effects of such campaigns are positive. Of course, the authorities themselves always strenuously deny the possibility that such pressures have any effect on their policy decisions. Yet there can be no doubt that in the short term such campaigns, especially the propaganda campaigns that have become so fashionable, usually have a negative effect, calling forth a retaliative reflex on the part of the authorities. (c) Visits by international organisations such as the Red Cross, by members of the South African Judiciary and by Mrs Suzman.<sup>7</sup> (No other member of the South African Legislature ever came to Robben Island in order to listen to prisoners' complaints and requests, though the Parliamentary Justice Group came on occasion to inspect

the prison). It should be stated that without a basic preparedness on the side of the Department of Prisons to improve material conditions – whatever the origins of such preparedness – changes need not have taken place.

One need only compare the situation with that of Nazi Germany to realise the truth of this assertion. However, the South African prison authorities have over the years become past masters at the 'back-handed improvement'. The policy of giving with the one hand and taking away with the other has become an official reflex, as will become clear presently.

NB. The period 1962–1963 is not treated fully as other documentation is available on this.<sup>8</sup>

## **Physical violence**

From 1962 to 1964 assaults, very often brutal and mass assaults, of political prisoners was a weekly, often a daily, occurrence. It should be remembered that non-political prisoners are subjected to this sadistic regime throughout their incarceration, and that no distinction was made in that period between political and non-political prisoners. In fact, political prisoners were treated much worse precisely because their cases received so much more adverse publicity than those of common-law prisoners. Because they were presented as challenging the hegemony and privileges of the White man, and because the Government had decided to 'stamp out' the liberation movements, the policy of the Department of Prisons in effect if not in intention was to intimidate and ruthlessly break the morale of political prisoners.

It is no exaggeration to say that a man's life was totally and constantly at the mercy of the whims of crazed White males out to take revenge on behalf of an oppressing community on those who had the temerity to question the morality and the permanence of that

structure of privilege and exploitation.

The causation of assaults was (and remains) various but there is no doubt that the major basic cause is the combination of race prejudice and political revenge. The average White warder (99% of the personnel of the Department of Prisons) has a master-race psychology. He considers his whole personality, his being, to be in jeopardy if any Black man questions any aspect of his presumed superiority. The authoritarian, *Herrenvolk* personality is an absolute; to shake any element thereof is to jeopardise the whole. Hence, the violent, irrational response to otherwise trivial friction.

Not only is the political prisoner a Black man, but he is a 'terrorist', a 'saboteur', a 'murderer', who wants to kill, rape, and otherwise threaten the sanctity of White women and children. The White male's sexual aggressiveness, his adequacy as a man, is considered to be in the balance. The consequence is insane, unlimited violence, a sadistic confirmation of the White man's potency, an atavistic destructiveness which wants to affirm the 'humanity' of the White by dehumanising the Black, by transforming his race enemy into an animal. The resulting savagery on both sides is one of the most traumatic experiences a human being can have, one of the most demoralising phenomena a prisoner has to live through and to witness. The helplessness of sensitive people when confronted with naked brutality, the complete senselessness and absurdity of human existence in these conditions, drives many a man to desperation. There is no doubt that but for the antidote of firm political convictions and the anchorage of unshakeable philosophical optimism, many (genuine) suicides would have resulted. As it is, a few attempted suicides have tragically to be recorded.

This general exposition of the basic causation of physical pressure on political prisoners in South African

gaols needs to be complemented by an enumeration of concrete instances. Examples, obviously, are legion. Only a few representative instances will be quoted here.

In March 1964, a mass assault on political prisoners took place. Since this incident is documented elsewhere, (see Addendum Two) an outline of what occurred will be given here. It was alleged that the prisoners, who were working mainly in the stone quarry, were refusing to work, or that they were on a go-slow strike. Naturally, this had no foundation whatever. The whole thing was a carefully planned plot (a 'bomb' in prison jargon) to intimidate the prisoners who had shown signs of restiveness under the intolerable pressure to which they were being subjected. A 'carry-on' was to put them in their place. This meant that prisoners were rounded up early from all work-stations and transported to the prison, where they were awaited by a gang of warders, all armed with pick handles and batons. The moment they were inside the command was given and a pogrom began. The young White warders were given the opportunity to vent their frustration to the full.

A number of prisoners, including Andrew Masondo (a former lecturer in Mathematics at Fort Hare University College) and Dennis Brutus, were severely wounded.<sup>9</sup> Brutus, in fact, carried the scars of that day on his body until he left prison in 1965. Even more ironical was the fact that he had arrived on that day together with a group of prisoners from Leeukop Prison, who were being transferred to RIP. Hence, even if the allegation of refusing to work had any substance in it, it is evident that this particular group of prisoners could not have been involved. Though attempts were made subsequently to take these assaults to court, none of them succeeded, for reasons which will become clear later. This particular mass assault is notorious in the annals of the Island, mainly because it involved just about every political

prisoner then in custody.

In June 1964 a mass assault on 'gangsters' took place on the instructions and under the guidance of the Officer Commanding (hereafter OC) himself. Just previously the inhuman tortures perpetrated in the 'Landbouspan' (Agricultural Team) during 1963 had been exposed in the overseas press as well as locally. In typical fashion the authorities placed the blame for these illegal acts on the 'gangsters' who abound in all South African prisons. It was alleged that the whole exercise was the work of the 'Big Five' gang (whose members were in fact mere henchmen and minions of certain warders). So, in order to show the 'world' that the authorities were prepared to deal with the 'guilty parties', a carry-on against all known members of gangs was staged. A subsidiary intention was to intimidate the political prisoners.

On the third Wednesday of that month, these unfortunate prisoners were loaded into trucks before work stopped. They were told to wait at the 'shipping line', i.e. the open square where all prisoners entering the gaol's precincts are stripped naked in order to be searched for unauthorised articles. As the rest of the prisoners came back from work, a few pimps went about pointing out those who were supposed to be gangsters. No political prisoner was involved in any of this. The prisoners were ordered to strip, then searched, while a double row of warders lined up from the stripping line to the entrance of the cell which had been set aside for these 'gangsters' for the night. All of them were armed with pick handles and batons. The 'gangsters' were then forced to run the gauntlet. The rest need not be described. Suffice it to say that the bravery of most of these prisoners left an indelible impression on all who witnessed the savage punishment given to them. They were then locked up in the cell and again assaulted in the night. They were forced to admit their 'guilt' and to

apologise for causing so much trouble and embarrassment for the 'Oubaas' (Old Master, i.e., the OC). But the most sickening part was to take place on the next day.

In the evening the OC Colonel Wessels, a drunk and a complete moron in spite of his university education, turned up in the cell where these poor men sat huddled together in one blanket each. They were naked, in order to be further humiliated and because most of them were so badly wounded that they could not wear clothing close to their bodies in any case. After a hypocritical address, in which he told them that he was *in loco parentis* to them and that a father has to beat his children when they are naughty, he offered them two ounces of tobacco per man and told them to forget the whole incident and to start on a clean slate. He had obviously realised that he had committed an imbecile blunder by allowing political prisoners to observe this chastisement of their fellow-prisoners. Needless to say, the matter was never heard of again and when certain prisoners tried to bring it to the attention of higher authorities, they were themselves threatened with the same treatment for 'making false allegations against members of the Prison Service'. Such incidents are only too common among non-political prisoners in all South African prisons.

A last example of a mass assault under slightly modified circumstances may be quoted. On 28 May 1971, a certain Head-Warder Carstens, (whose sinister personality is so disturbing that he is described in detail in Addendum Three to this document), who at the time was in charge of the single-cells section of the prison, arbitrarily deprived two young political prisoners from Namibia of their meals for the day. On the previous day he had done the same thing to two other Namibians.

The thirty-five Namibians sentenced in the first 'Terrorist Trial' in South Africa in 1967 had been brought down to the single-cells section a few days previously

but were not allowed to communicate with the other prisoners housed in that section.<sup>10</sup> As a result of his provocative action the prisoners (i.e., all the prisoners in the section) went on hunger-strike demanding that their two comrades should be properly charged. In retaliation, a gang of warders, led by Chief-Warder Fourie, raided the single cells that night from 1 a.m. until approximately 4 a.m. Each prisoner was forced to stand in his own cell, stark naked and with his hands up against the wall, while the warders ransacked his cell for alleged unauthorised articles. Needless to say, not a single such article was unearthed. But twenty-eight prisoners were assaulted, some of them severely. Most of these were Namibians, including Toivo ja Toivo, who was alleged to have been the ring-leader and an agitator.<sup>11</sup>

Japhtha Masemola was beaten unconscious, while Abel Chiloane was so severely injured that for days he urinated blood.<sup>12</sup> Attempts to get the assaults reported to lawyers were stymied, and the doctors were simply not available for three whole weeks, by which time visible injuries had healed up. Psychologically, this was a turning point for RIP. The authorities came to realise that the prisoners had been so angered that if at any stage this type of thing were to be repeated there would be a shooting and a killing.

In addenda to this document some assaults on individual prisoners are described. So many individual assaults took place that it would be pointless to try to cover all of them in a document such as this.

By late 1973 few, if any, assaults were taking place. It is not inconceivable that assaults may still take place in individual cases (see Addendum Four on the case of Don Mantangela), but there is no doubt that at present there is no express policy of violence decided at the top. Yet there is no guarantee whatever (despite the injunctions of the Act and of the Regulations) that a violent phase could not

recur. Reference has already been made to the ‘pendulum policy’, and indeed whereas the period from late 1967 until late 1970 was relatively free of the more outrageous assaults on the defenceless prisoners, the years 1971 and 1972 were years during which the lives of prisoners were as much in jeopardy as in 1962 to 1964. A way must be found to ensure that the law as it stands in regard to assaults on prisoners is carried out and not violated regularly as still happens in gaols other than the political prison on Robben Island.

Three other facets of this problem must be referred to:

(a) There is hardly any redress for the prisoner who has been assaulted. The authorities see to it that he does not get in touch with his legal advisers, either by preventing him from writing to them, or, if his relatives and friends get the attorneys to make inquiries, they do not allow the latter to come to Robben Island, usually on the grounds that they are themselves investigating the complaint and that they would prosecute if they found adequate grounds to do so. It appears that Mr Andrew Masondo, whose arm was broken as the result of an assault, has been the only prisoner to be granted damages after he succeeded in bringing his complaint to court. In earlier years, the authorities on occasion played ducks and drakes with the tarnished dignity of the South African Judiciary by charging prisoners who complained of having been assaulted with assault on the warder concerned. Perhaps the most brazen case was that of Mr Louis Mtshizana, an attorney in ordinary life, who was so charged in 1969. Even that court could see that this transparent manoeuvre had no foundation whatsoever.<sup>13</sup>

(b) When a prisoner has been assaulted, it rarely happens that the medical officers and medical orderlies co-operate with the victim by, for instance, taking down a full statement of the context of their examination of the patient. Except possibly in extremely severe cases they

simply ignore the etiology of whatever wounds, injuries, etc., they are treating the prisoner for. The general attitude of, and in some cases the specific instructions of the authorities to, the medical personnel discourage any 'extra-professional' interest the doctors might have. Of course, some of them have been working in the prison service for years and have virtually become glorified first-aid men. Of course, the authorities, if they find the occasional doctor who will not play the game, or for other reasons, often set out deliberately to prevent the patient from seeing the doctor until the wounds have healed.

(c) The prisoners themselves have naturally constantly lodged complaints to senior officers or to other visitors regarding the general question and particular instances of assault. There can be no doubt that it was these representations and exposures that led to the change in policy from about 1967. Such action will doubtlessly continue but it should be remembered that this is a long drawn-out process, during which the prisoners continue to be harassed and assaulted. The utter defencelessness of the prisoners is pitiful to behold and apart from physical pain and injury there is the utter desolation of the mind which such maltreatment brings with it. The hatred and the tendency to reckless and even irresponsible behaviour which result have caused very serious problems for the prisoners themselves. On a number of occasions in all sections of the prison, serious confrontations were avoided by a hair's breadth usually through the timely action of one or other of the older inmates.

The apparent ending of the policy of violence should not mislead anyone to believe that the torturing and harassment of prisoners by officials has stopped. On the contrary, as will be seen, the theatre of war has been changed, but war is being carried on by other means.

## **Warders' demeanour**

In the early years almost all the warders behaved in a stereotyped manner, the stereotype being that of the rural, backveldt farmer with his slave owner's mentality. Subsequently, as indicated above, a mask was assumed which superficially made it appear that things had changed radically for the better. Yet prisoners have to experience daily the same kinds of indignities and debasements of the earlier years, except that this does not happen so persistently throughout the day as during the early and middle 'sixties. Elderly warders, not yet initiated into the peculiarities of RIP, as well as some of the younger ones, newly arrived from the Prison College, unfailingly behave just as most warders used to do in the earlier period.<sup>14</sup>

This behaviour implies, *inter alia*: (a) Shouting at prisoners in the most insulting and abusive manner whenever anything has to be communicated; the prisoners individually and collectively insisted on being addressed in a civil manner, and often refused to carry out an order which was conveyed in this abusive manner. Today there is much more civility, although there are also degrees of civility according to the section in which prisoners are housed or according to which individual prisoner is being addressed. Thus, to illustrate, the prisoners in the single-cells section are treated much more politely (albeit grudgingly so) than those in the general section, and these in turn are treated much better than those in the 'Terrorist Section', the inmates of which are even now often treated with the most offensive contempt imaginable. Moreover, even within sections there are often great variations of response. The very same warder who might have been swearing and cursing at one prisoner could the very next moment approach one of the more well-known or

'influential' prisoners in a completely different manner.

The task of educating and, in the proper sense, rehabilitating, new warders or old warders newly arrived on Robben Island is a tedious, burdensome duty imposed on all prisoners by the necessities of survival with dignity. The patient, tactful, often hurtful, discussions occasioned by this need are one of the great human events on the Island, for here many of the (Black) prisoners and (White) warders for the first (and probably in most cases for the last) time are able to exchange ideas about the way of life of South Africa even if in various senses they are not speaking to one another from a position of equality. Very often this task is made difficult by the opposition of some prisoners who feel that such fraternisation is futile at best and servile at worst.

Though the fact that all warders, with a few laudable exceptions, by virtue of the social pressures on them, in the ultimate analysis always behave brutally when ordered or expected to do so, would seem to confirm the futility of this noble effort, yet it has a practical short-term importance which only the man at the receiving end can really appreciate. There is a great difference between being addressed as *bandiete*, *Kaffers*, *Hotnots*, *Koelies*, and so on though the whole startling range of the local caste vocabulary, and being called '*Gentlemen*' and even *Mense*,<sup>15</sup> etc.

The climate is so different no matter how superficially the latter practice may be rooted, that any number of disappointments is rather risked than to have to exist in the horror of an openly racist hell, as had to be done during the period 1962–1967. The Department itself has also done something by way of training its men in a more enlightened spirit.

(b) Having the prisoners call the warder *Baas*, *Inkosi*, etc. Just as a non-political prisoner's life would be worth nothing if he did not do this, so in 1962–1964 the political

prisoners who refused to kow-tow in this manner courted death in the most literal sense. Many assaults were caused by refusal to say *Baas*. Virtually all prisoners used this searingly, brandingly debasing terminology until a stand was taken by certain prisoners and followed by the rest.

Today only the most dissolute turncoats still use this hateful phraseology. Warders have to be lectured by the prisoners on the decorum of being called *Meneer* rather than *Baas*.<sup>16</sup> Many warders, especially the older ones, believe sincerely that Black prisoners are animals (baboons usually). This is the cunning of the inferiority complex. Such warders always prey upon the semi-literate men of peasant origin who happen not to be proficient in English or in Afrikaans. This shameful opinion leads to the gravest indignities and insults and all that the abused prisoner can do is to 'grin and bear it' because complaining seldom leads to results other than retaliation.

The absolutely incredible depth of such warders' ignorance and hallucinatory situation can be gauged from a story such as the following:

When a new medical orderly during 1968 first came to the single cells with the medicine tray to dish out drugs and ointments he refused to do his duty unless the prisoners called him *Baas*. They refused, of course, and he marched away. The section officer had to go to speak to him at length before he agreed (rudely and reluctantly) to give the men their medicines. Prisoners spoke to him for months until he became one of the most understanding and sympathetic warders in the hospital. This is a minor incident which could be repeated in different variations *ad nauseam*. Many warders still resent the fact that they are not spoken to as members of a superordinate caste by lower-caste people who – to add insult to injury – have the opprobrious status of 'prisoner' and are thus really

outcasts in their eyes.

(c) Expecting personal favours as a matter of course from prisoners. Prisoners are expected to carry their lunch baskets, polish their shoes, etc. Few prisoners are now prepared to do this as they know that there is no legal compulsion for them to do so. Indeed, the Regulations specifically forbid this. Of course, many prisoners realise that petty refusal to perform a trivial task which is in no way humiliating exacerbates the atmosphere and leads to retaliation which is disproportionate to the 'offence'. Yet it *is* irritating and provoking to see a youngster in uniform order one who could be his grandfather to shift a chair for him a few feet when he is totally free to do so himself.

(d) 'Playing' with prisoners in the most insulting way, i.e., throwing stones at them, knocking them about, well knowing that they may not hit back on pain of being severely assaulted. Political prisoners have seldom allowed this kind of familiarity to develop and in the few regrettable cases where it has happened there was usually a basic political flaw in the make-up of the prisoner concerned.

(e) Giving frivolous commands to prisoners. Nowadays political prisoners flatly refuse to carry out any illegal or unreasonable command no matter what the consequences.

The elasticity of the warders is truly phenomenal. Few people can realise to what extent the National Party's indoctrination of South African Whites, especially of those in the civil service, has succeeded.<sup>17</sup> One sees this very clearly in the sedulous somersaults performed by warders and officers regarding their attitudes to and treatment of Black prisoners. These men are mere automata, willless instruments of Government policy; when some higher-up throws the switch, the rest follows almost mechanically, i.e., few, if any, warders refuse to

carry out an instruction no matter what its nature.

One of the most bewildering and breathtaking metamorphoses was that of an officer who subsequently became the OC and now even appears to have become a kind of Departmental spokesman on matters relating to Blacks. From having been a mere hooligan, commissioned for no apparent reason and in effect to torment and oppress unfortunate prisoners, he became a suave, 'polished' diplomat, ever ready to accede to reasonable requests and always seeking to draw out the prisoners in discussions on social, political and cultural problems. (see Addendum Five). Almost all warders lead this Jekyll and Hyde existence. By means of cross-reference it has become possible to establish that the 'kindest', most civil warders in their own milieu are just as abusive and contemptuous as those who continue to display their hostility openly. This group schizophrenia, this living in two different worlds simultaneously, undoubtedly conceals profound philosophical problems but this is not the place to generalise and speculate about these.

## **Work**

All political prisoners are sentenced to 'hard labour', a very vague term, which is interpreted most whimsically, depending on policy, temperament, and atmosphere at the various levels of the prison bureaucracy.

Unlike common-law prisoners who, at least theoretically, have the possibility of receiving training in some skill or other, the political prisoners on Robben Island have none. In all the years only a tiny minority has received some semblance of training in trades such as stone-dressing, plumbing, tailoring and shoemaking. Not only are they denied access to skills normally accessible to any prisoner who 'behaves himself', but they are also deprived of the tiny gratuity which the prison authorities

pay their skilled wards.

Not only have the authorities refused hitherto to adopt a general policy of training political prisoners in skilled work but they have also refused as a general rule to encourage those few prisoners who have acquired skills in crafts such as weaving, metalwork, cardboardwork, etc. by refusing to buy for them the materials that would enable them to practise their crafts. Since the creative urge will manifest itself no matter what the odds against it, such gifted people have often produced miraculous artefacts virtually from nothing, from odd bits of wood or stone, from the flotsam and jetsam which wash the shores of Robben Island so abundantly.

It is one of the most bitter comments on the *Herrenvolk* mentality of many warders to say that, far from standing in awe before such creativity, dexterity, and patience, they have taken a sadistic delight in either destroying or confiscating or frustrating the artefacts so produced. Some of the Namibians and others used to make beautiful woven belts from pieces of nylon thread washed up by the sea. These were regularly confiscated and burnt by some warders and as regularly replenished by the prisoners. The desire for colour and pattern, the artistic urge to create something meaningful, cannot be killed by the morony and barbarism of the custodians! The favourite legal 'cover' for this vandalism was the argument derived from the Regulations (which are observed more usually in the breach) that such articles were 'not authorised'. Yet it would be the easiest thing to legalise them!

The behaviour sketched above stems from the deliberate policy of making the political prisoners do the most menial, most soul-destroying labour year after year with a view to crushing their morale and dulling their thinking powers. The vast majority of the prisoners have

for all the years done one or other of the following jobs:

- (a) quarrying stones in the stone quarry;
- (b) quarrying lime in the lime quarry;
- (c) chopping wood;
- (d) crushing (knapping) stones in the yards or at the quarries;
- (e) making or repairing roads with pick and shovel;
- (f) dragging seaweed from the beaches and from the sea;
- (g) general cleaning in the yards and cells;
- (h) 'staff jobs' in the hospital, offices, kitchens.

It should be remembered that they have done so despite all attempts to get the authorities to change the quality of the work. The valid argument was often put to the authorities that not even the most hardened criminals are expected to work at this kind of labour for more than a couple of years, and that it was thus doubly onerous to let political prisoners spend their entire term of imprisonment sweating it out in the quarries and elsewhere.

It was in this connection, incidentally, that Brigadier Aucamp told Nelson Mandela that prison policy regarding political prisoners is decided on in conjunction with the police, i.e. the Security Branch. It should also be recorded that in 1965 (February), soon after the single-cells' prisoners had started working in the lime quarry (after a stint of the soul-destroying knap-line) the COP himself assured them that if they worked well they would soon be transferred to work of a more satisfying kind. Lest the mischievous inference be drawn that the proposition contained in the antecedent of this statement was not realised in practice, it should be stated that some of the most experienced warders – who had no special liking for the prisoners – admitted directly and indirectly that considering the age-composition and the prevalence of physical ailments in this group, their work in the first few years left little to be desired.

In this connection, also, the most blatant breach of faith has to be recorded. In 1968 the representatives of the International Red Cross (IRC) were told by the highest authorities that the prisoners were no longer working in the lime quarry.<sup>18</sup> Care was taken to ascertain that there had been no misunderstanding about this. Yet even while the authorities were telling this to Mr Senn and his colleagues the prisoners were continuing in the lime quarry. While the Red Cross representatives were on Robben Island in that year, and for a few days thereafter, the prisoners in the single-cells section were taken to work elsewhere but soon they were back in the quarry. This farce went on year after year until any temporary removal from the lime quarry could be infallibly interpreted as a sign that some important (usually foreign) visitor was expected. Red Cross representatives have been shocked, dismayed, and even disgusted every time they were informed that these prisoners were still at the same kind of work. The matter would be a cause for mere sadness if it did not have a nasty sequel to which reference will be made in a different context. This kind of blatant contempt for the prisoners – of which more examples will be quoted in due course – is perhaps the most important cause of the almost complete lack of confidence in the authorities on the part of most prisoners.

No good purpose would be served by a detailed account of the harassments and torments to which prisoners have been subjected in connection with work. Instead, a few representative instances and episodes will be cited.

It should be borne in mind that there were four distinct phases of treatment corresponding to the swinging of the 'pendulum', however *ex post facto* the pendulum argument actually is. From 1962 until early 1967 working conditions and the work climate were the

worst imaginable, the periods 1962–1965 and August to November 1966 being periods of real hell during which the savagery of the warders was given free rein and without any doubt officially encouraged. Then from 1967 until late 1970 there was a period of relative sanity with only occasional flare-ups of violence and open injustice, to be followed by the relapse of 1971–1972 which set back the progress made in the preceding period in a most lamentable manner since it shattered the illusions about the sense of fair play of the authorities. The period since 1973 has seen a resumption of progress as far as the work climate is concerned.

It should also be remembered that in fact there is not much work to be done on Robben Island. Relatively little lime or stone is required for local use and there is no profit in transporting it to the mainland. Hence the pointlessness of the whole thing weighs heavily on the prisoners who are, of course, treated as automata, never being told what the ultimate practical goal of their work is. Often mountains of stone and lime, quarried by antediluvian methods and with the most primitive instruments have lain literally for years, blown away by the wind and washed away by the rain without any use being made of them.

In bad periods irresponsible and power-crazed warders have often compelled prisoners to move these mountains from one spot to another only to instruct them a few days later to move them back to the original location. Such humiliations are the bitter bread of imprisonment, which had to be eaten daily in the early years. To add insult to injury, these warders would ridicule and laugh at prisoners whom they forced to do these things. Needless to say, refusal to carry out such frivolous orders was rewarded with dire punishments and triumphant pharisaical accusations of insubordination, insolence, etc.

To come to a few concrete instances: For years the 'knap-line' was one of the main points of friction and confrontation between the political prisoners and the authorities. Anyone who has seen what is involved will realise that this form of retributive punishment can drive the most phlegmatic man into a state of fury. Prisoners have to sit from 7.30 or so in the morning until 4 p.m. with only one hour's break for lunch, crushing large stones with a five-pound hammer down to a fine gravel to be used on roads and in concrete mixtures, *inter alia*. To the novice, of course, it is a traumatic, nightmarish experience especially when he is faced with the threat of punishment for not crushing the prescribed quota (and the authorities continue to enforce piece-work even though their own courts have ruled that such enforcement is illegal in terms of the Act and the Regulations).

The work is maddening enough: the very knowledge that there are pneumatic machines which can produce in a few hours what a span of prisoners produce in one year is enough to drive one to desperation. To have to sit in the sun without moving and (for months at the beginning) without being allowed to speak to one's neighbour was hell on earth. But some officers went further: they would often punish the prisoners by seating them in the most disadvantageous places in the quarry, especially those corners where the cold north-westerly or the fierce south-easterly winds could buffet them throughout the day.

Any crisis in the prison would lead to an increase in the number of prisoners placed on the knap-line and in the inconvenience factor introduced by the authorities. Invariably, especially in the general section, a confrontation would ensue leading to dangerous and nasty situations. Whenever the majority or all of the prisoners fulfilled the quota, the latter would be increased and/or

the size of the stones decreased. Such open harassment tried the patience of the prisoners to the utmost. Any failure to fulfil the quota was transformed into a charge of 'refusing to work' with the usual consequence of dietary punishment. In 1968 the magistrate's court in a test case ruled that piece-work was illegal. Thereafter the method of exposing the prisoners to the elements was intensified until one of the most serious confrontations between prisoners and authorities occurred (see Addendum Six). It should be noted that this petty persecution – which often had major consequences – went on over a period of many years and indeed, continues in a disguised form to this very day. The whole should also be seen in the context of prisoners who are not given enough to eat and do not have adequate clothing to put on. Often prisoners have been forced to work in the rain without the protection of waterproof coverings. On the knap-line, where there is little movement of the body involved, this could be disastrous especially at the time when prisoners had no change of clothing.

One of the worst incidents, extreme but revealing a pattern of behaviour, occurred in the period August–September 1966 until November 1966. It was at this stage that it became very obvious that the political prisoners were in some ways being treated as hostages who had to be made to pay for the activities of revolutionary organisations with which they were associated, and often of organisations and individuals entirely unrelated to them.

In August 1966 the first Namibians accused of 'terrorist' activities were arrested and on 6 September 1966 Dr Verwoerd was assassinated.<sup>19</sup> A few days later a regime of brutal violence was introduced especially in the single-cells section. A certain warder Van Rensburg, apparently specially chosen for his heartlessness and

hooliganism, was brought to be in charge of the single-cells working span. He began to force prisoners to do superhuman work. They were expected to wield their picks and shovels continuously, without letting up until 12 noon when lunch was supposed to be given. Any interruption of work was immediately followed by the threat and often by the reality of being charged for 'refusing to work'. The hardest possible areas of the lime quarry were selected to be worked on and the many elderly and sickly people in this span experienced the roughest time of their whole prison career. As far as possible younger and healthier people tried to cover up for them. Moreover, all this calculated harassment was accompanied by a stream of the most vulgar abuse and race baiting that a South African White of the worst description is capable of. All attempts to make Van Rensburg behave more sanely were non-starters and merely led to an intensification of the whole thing.

The position was reached where the prisoners simply refused to speak to this person under any circumstances. Had Mrs Suzman not come in February 1967 there is no saying what might have happened. It was the knowledge of her impending visit which forced the authorities to let up and the visit itself and the reporting of this particularly contemptible form of persecution to her were directly responsible for the eventual transfer of this person to another prison (Bellville), there to practise his pettiness and express his sadism to his heart's content on the defenceless 'criminals' held in that institution for 'safe' custody. Van Rensburg, incidentally, had a swastika tattooed on his middle finger and though this may have been connected with a Nazi tradition in his family (he maintained that his father had had this nefarious symbol tattooed on the son's finger before he was of an age to know what it meant) it is not unlikely that he was a member of the notorious Big Five gang of

pimps, sodomists, and trouble-shooters, to which many of the more disreputable warders also belong, a fact which Van Rensburg obviously would not have been too keen to divulge to these prisoners! For some arcane reason the Big Fives chose the Nazi trade mark as their badge. In Addendum Six it will be seen what dire consequences this situation had and what sacrifices innocent, responsible prisoners were forced to make.

The situation in the lime quarry led to one of the worst events in the history of Robben Island on 4 January 1971. About the middle of 1970 the single-cells prisoners working in the lime quarry began to lose all hope of ever being taken from there. Most of them had already been working there for six full years with only very brief intervals when they chopped wood or made the road to the landing strip. Consequently, the prisoners were psychologically beaten; all ways of trying to make the work interesting failed, more especially after the authorities prohibited singing at work. One of the ways in which the prisoners tried to keep up discipline was by singing rhythmic communal songs and working to the beat. The prohibition derived from the allegation that the prisoners were singing 'freedom songs', whatever that might mean! Gradually, prisoners began to work only when they were egged on to do so and even those who tried to maintain a voluntary discipline at last gave up, so that by the end of 1970 there was little work going on in the quarry.

Numerous discussions were held with the authorities during this period in an attempt to get an alteration of work, but all to no avail. Then, in December 1970, a new Commanding Officer, one Colonel Badenhorst, who was due for retirement in 1971/72, and who turned out to be the crassest scoundrel ever put in charge of the prisoners on Robben Island, was appointed. Two weeks after his appointment, i.e., on 4 January 1971, he struck his first

blow. Without warning, and without giving the prisoners an opportunity of defending themselves, he accused the sixteen prisoners who happened to be in the quarry on that day of refusing to work, and summarily demoted all of them to the next lowest grade. Despite protests and subsequent attempts to have the injustice redressed, his decision stood and had drastic psychological and material consequences for many of the prisoners in that they lost their study privilege, *inter alia*, as the direct result of this act of his. This is but one single instance of how labour has been, and is, used to harass, torment, and generally to disadvantage prisoners.

One point remains to be made: throughout the years all prisoners have constantly asked for better and more rewarding types of work. This is a request made on principle and also because it is a practical necessity. The IRC representatives have annually put forward very constructive proposals but few, if any, of these have hitherto been followed up by the authorities at RIP. There are many things which prisoners could do on the Island that would be much more interesting. Apart from trades and crafts, there is the possibility of administering the whole prison, due allowance being made for security precautions deemed necessary by the authorities. Yet it must be realised that the tedium of the work, the loss of interest in all forms of prison work, and the antagonistic attitudes engendered by the callous abuse of power by hypocritical authorities, have brought about a situation, psychologically speaking, where in very many cases it might prove a difficult task to get prisoners to perform enthusiastically any work the authorities might give them. In any case there is no doubt that for most, if not all, the prisoners work, apart from general cleaning, ought to be optional, more especially for the older men. It is a fact after all that the majority of the prisoners have already completed eight years and a large percentage

have finished ten years on Robben Island. Work cannot be used to 'rehabilitate' political prisoners, who have not been arrested because of being work-shy or anti-social in other ways. Hence compulsory labour is really a form of humiliation and punishment. Since warders are taught to view all prisoners as criminals, the consequences in times of crisis, whether such crises are genuine or simulated, have always been catastrophic for the prisoners.

## **Food**

It is claimed by the prison authorities that the prisoners' diet is prescribed after testing by trained dieticians and medical specialists. There is no reason to dispute this. After all, men do no less for their pigs, poultry, and other slaughter stock in our day. What is not to be disputed also is the fact that for many years the authorities seemed to confuse prisoners and pigs, in that the fodder that was prepared for the men would normally be thrown to the pigs. Quite possibly, the calorie prescriptions were met but there is no prescribed manner of preparation. Besides the normal hazards of large institutional feeding, the factor of contempt and indifference to the comfort of their charges gave rise to meals that would have been inedible if it were not true that hunger is the best cook. As long as the provisions of the Regulations pertaining to diet appeared to be met, the authorities were satisfied. Lunch and supper, especially the supper of African prisoners, were sometimes so full of sand and miscellaneous kinds of dirt and insects that even the strong stomachs of the most hard-bitten would somersault and it was an ineffable tragedy to see how hungry people would sometimes leave food uneaten.

Perennial representations were made for the better preparation of food, suggestions were given, but all this made little difference until in 1973/74 some political

prisoners, chosen by the inmates themselves, went to work in the kitchen. Since then the preparation of food is incomparably better and under the circumstances probably the best possible.

The diet scales of South African prisoners are now well known. The major objection to them is, of course, the discrimination between Whites, Coloureds and Indians, and Africans.<sup>20</sup> The political demand for equality of treatment is raised on every possible occasion by the political prisoners (see Addendum Seven). Quite apart from the lack of scientific basis for discrimination, this practice – like discrimination in clothing but so much worse – represents the absolute limit of contempt for people. In a country where – at least for the urbanised majority – basic eating habits are the same for all, it is a most revealing fact that Government classified its prisoners according to a scale of (material) values. Since all Black prisoners are incarcerated together, it is most disconcerting that there should be discrimination among them also. While in a politically conscious and enlightened community as on Robben Island this can have no more than irritation value, it is a well-known fact that this irrational ‘differentiation’ contributes markedly to the reinforcement of racial prejudice among many non-political prisoners. Thus, for many African prisoners, it becomes a mark of elevated status to be given ‘Coloured’ food for whatever reasons (illness, pimping, good behaviour, promotion) while many Coloured and Indian prisoners consider themselves to be superior human beings because of the better food they are given by the *Herrenvolk* authorities. These frank statements are made despite knowledge of the ‘sociological’ and economic arguments used by Government apologists to justify discrimination. The sociological fraud is perpetrated so easily that it becomes tedious rather than necessary to expose the dishonesty of such arguments.

There is no reason at all why all prisoners should not be given the same diet.

A glance at the changes in the diet scales will reveal that certain relative qualitative changes have taken place over the years. Generally speaking, these have been changes for the better. In particular, the tendency has been away from the overstarched diet which used to be the bane of prisoners, especially African prisoners. What has been called the 'policy of the full belly' is gradually giving way to a more civilised diet although at times this tends to become a 'policy of the empty belly'. Though food riots have never taken place on Robben Island, it is a fact that on occasion hunger strikes have been resorted to because of unsatisfactory food. In general, however, the attitude of the prisoners has been one of patiently repeating reasonable requests and making serious suggestions for improvements.

One of the most unjust aspects of the diet is the lack of fruit. For a place that is situated so near to some of the largest orchards in the country, RIP is suspiciously free of fruit. The only occasions on which fruit has been seen were those on which the IRC representatives were allowed to give money to the prison command for a few issues of fruit, i.e. oranges. (Some more details in connection with diet are given in Addendum Seven.)

## **Clothing**

Until approximately 1970 there was rigid discrimination in regard to the clothing worn by prisoners according to their official racial classification. Coloureds and Indians were given long pants, shoes and socks, besides a shirt, a jacket, and a jersey (in winter), whereas African prisoners were until that year given neither shoes nor socks, and were forced to wear short pants throughout the year. In winter, if a doctor authorised it certain African prisoners

were given 'Coloured' clothing for reasons of health. Such exemptions were rare except where failure to exempt would have led to work being obstructed, as sometimes in the building trade. African prisoners were given sandals even in winter, but a very large percentage had to go barefoot for most of the year. Since each man was given only one set of clothes, prisoners were often underclothed when something was alleged to be out of stock or, for instance, when a broken shoe or sandal had to be repaired. Whereas Coloureds and Indians were given black hats, which served a useful purpose as protection both against the glaring sun of summer and against the rain of winter, Africans were given a most inadequate cap, which served hardly any purpose at all except to identify the wearer as a 'Bantu'!<sup>21</sup>

Protests, complaints, requests, appeals to the sense of decency of the authorities, all fell on deaf ears for many years. Though none of them ever tried to answer the obvious arguments against discrimination in clothing they appeared to consider the 'concession' of providing all prisoners with the same clothing as being some kind of caving-in. It is also noteworthy that attempts were made to get certain well-known prisoners such as Nelson Mandela to get the doctor's permission to wear warmer clothing (and eat better food), since these prisoners often spoke to visitors from overseas and could point to their own conditions as examples of the irrational cruelty of the officials.<sup>22</sup> Needless to say, these men never agreed to such unprincipled collaboration even though in certain cases there were justifiable grounds for going to the doctor for this purpose.

Finally, however, almost all discrimination was swept away in the course of 1970. All prisoners now wear the same clothes except that until recently the differentiation between caps (Africans) and hats (others) was still maintained. There are indications, however, that this last

bit of nonsense will soon be eliminated also. Moreover, prisoners are usually given two sets of clothing now in order to facilitate private washing of clothes. (Washing spans have always proved extremely unsatisfactory in prison, and even where they exist most prisoners re-wash their clothes.) The result is that prisoners are no longer handed someone else's clothes every week. In the single-cells section this latter abuse was stopped very early on already, and the prisoners have been washing their own clothes almost from the beginning. In March 1974 underwear was issued to all prisoners for the first time, even though this request had often been made.

Bedding, until very recently, was inadequate and dirty. Black prisoners are not given beds until they are ill. They sleep on sisal and felt mats. Until approximately 1970, it was either one sisal or one felt mat. In that year the two were combined, and since 1973 two sisal mats and one felt mat are allowed. Of course, this was the result of constant complaints about the cold cement floors and the cold in the cells (which have 18-inch thick walls). Beds or bunks have been promised for years already. During 1974 suggestions for the type of bunk were actually asked for but it could take up to five years and longer before bunks are actually installed.<sup>21</sup> There can be no doubt that the cold cement floors have aggravated the arthritic condition of most prisoners who have rheumatic ailments.

Three blankets were issued to all prisoners in the early years usually in the worst possible condition, i.e., old, thin, dirty, and smelly things which ought to have been condemned years before. A proper set of blankets was a luxury in prison which only those non-political prisoners enjoyed who knew the ropes and had some control over the relevant warders. Later a fourth blanket was added, and gradually the quality of the blankets also improved. At present, prisoners in the single-cells section

are entitled to five blankets unless the doctor prescribes more. This belated acknowledgment by the authorities of the inadequacy of the bedding provided in the earlier years speaks for itself.

## Medical attention

This is one of the most important spheres of prison life for reasons which ought to be obvious. Very often the life of the prisoner literally hang on the thread of survival represented by the attitude of the medical personnel. There has been considerable improvement in this respect over the years but recently – the prisoners are convinced – negligence and callousness on the part of the authorities have led to much discontent especially as it would appear that a couple of men have already died as a result of this.

Consider a few of the fundamental problems related to medical attention for Black political prisoners at Robben Island:

(a) There is first of all the actual organisational set-up. Whereas the Prisons Act provides for one resident doctor (and a dentist) for every 500 prisoners, there is no resident doctor at RIP, which has a total prison population of approximately 600, besides a White community of between 200 and 300 people. A doctor comes over from the mainland every day but the political prisoners see him only on Monday and Thursday mornings. Sometimes for long periods professional medical attention is available only once weekly.

(b) In practice, doctors can only *recommend* treatment even though they believe that they can prescribe it. Often, as will emerge presently, 'prescribed treatment' is either ignored or arbitrarily modified by prison officials.

(c) Though there can be no serious criticism – from the layman's point of view – of the training of the medical

staff, it must be stated that the fact that medical orderlies are ordinary warders who have received male-nurse training often has catastrophic consequences since their general attitude does not differ in any important way from that of the other warders. What is more serious is that the White doctors, with hardly any exceptions, very soon adopt the attitude of the warders. The result is unethical behaviour which, if reported to the Medical Council in any detail, should surely lead to disciplinary action against the offending medicos.

(d) Apart from 'ordinary' warder-prisoner problems, there is also the problem of racialism. Doctors in general are among the most narrowly educated people in most societies. White South African doctors are seldom ahead of other White South Africans in their attitudes towards Blacks. The doctors – with one or two exceptions – on Robben Island share the racial prejudices of other Whites and in addition have a political grudge against the prisoners. It is common among prisoners to refer to the doctor as the 'Vet' or even as 'Warder' so-and-so.

(e) In the early years especially, when there were well over 1 000 political prisoners, the sheer problem of numbers obstructed doctors, no matter how well-intentioned, in their attempts to treat patients properly. This problem has been eliminated gradually as the number of prisoners has dwindled, although on the other hand, age and general physical degeneration have pushed up the number of people needing attention.

From 1963 onwards the following professional doctors attended to prisoners at Robben Island: Van Bergen, Gosling, Politsky, Edelstein, and Romm. In the general section Van Bergen used to be called the 'Vet' because of his generally unsympathetic approach. On the other hand, in the single cells he behaved in an almost exemplary fashion probably because of the possible repercussions if any of the prisoners there were to find

reason for complaining about him. Also, there were until September 1967 two qualified medical doctors (Ngakane and Pather) among the prisoners in the single cells. Politsky, who took Van Bergen's place, was no better. Though a much younger man, he had even less courage and feared the prison authorities lest he appeared to be a 'Liberal' and a 'Kafferboetie'.<sup>24</sup>

Since 1971 Dr Edelstein, a Senior District Surgeon and a skilful doctor by all accounts, who has had many years of experience as a prison doctor, has ruled the roost – medically speaking – at Robben Island. He is considered to be a real brute, lacking in all sympathy for his incarcerated patients, simply because he hates their political views and believes that the Blacks are becoming obstreperous because they are ungrateful to a good Government. In other words, the stereotype of the worst kind of colonial medico. Edelstein has again and again expressed his contempt for the prisoners in no uncertain terms; he has bullied just about every prisoner who came to consult him, and some prisoners have had to put him straight in unpleasant head-on confrontations. Several prisoners wrote to the OC complaining about Edelstein's attitude, pointing out that it was unethical and that it was not Edelstein's duty to administer punishment but to attend to the complaints of the patients. Dr Romm, again, was one of the best doctors to visit Robben Island but whatever good he tried to do was counteracted as a matter of policy by the medical orderlies and by Edelstein in particular. The clash between Edelstein and Romm became obvious to the prisoners who had to consult them. Romm would prescribe a special diet for a person who was obviously ill only for Edelstein soon afterwards to veto or to discontinue the treatment without so much as consulting his colleague.

On occasion specialists were (and are) brought over from Cape Town to undertake examinations or to

perform minor surgery. Operations were all initially performed on the mainland but later, for the ubiquitous 'security reasons', they were done on the Island in what is undoubtedly a crudely equipped theatre. Operations on the nose, throat, and on outgrowths, piles, etc, have been done on Robben Island. Because of the reluctance of the authorities to send people to the mainland for hospitalisation, ailments of a serious nature tended to be neglected. However, this was remedied to some extent later especially after the 1972 visit of the IRC representatives. In fact during 1973 there took place what amounted to a mass transportation of prisoners to the mainland to see specialists, to go to hospitals and to dentists. Nonetheless, there are even now too many cases of neglect and indifference, as will emerge presently.

The days of the worst crudeness of the early and mid-'sixties are fortunately a thing of the past. In those days prisoners who lined up in front of the dispensary for medicine or in order to hand in their cards so as to be able to see the doctor would often be assaulted by the orderly who was supposed to see to their needs. They would be turned back on the grounds that they could still walk or because they 'looked quite all right'! A certain Warden Mostert was the main perpetrator of this scandalous kind of behaviour. He would storm in among the prisoners in the hospital queue and, with his massive fists, start punching left, right and centre, until only the most courageous prisoners remained standing. In this manner the problem of numbers was solved effectively.

Today much has changed. Because of action by the prisoners (strikes, complaints, petitions, negotiations, exposures) and because of the interest of the IRC in their medical treatment, there were real improvements in the hospital. The IRC delegation always included a medical specialist who made recommendations to the authorities after meticulous and exhaustive investigations and

interrogation of the prisoners and of the staff.

In 1967 a new hospital was completed and occupied. Unlike the old hospital, it was spacious, had hot and cold water facilities, beds, sheets, pillows, bed-side cupboards, emergency bells – all in all it was well-equipped and well-stocked. But for years it was no more than a show-piece, part of an elaborate attempt at window-dressing in order to improve the image of a prison which has justifiably come to be compared with some of the most notorious penal institutions in the world. The treatment in no way corresponded to the modern shell; despite an obviously adequate collection of drugs, the doctors' prescriptions would still be arbitrarily altered by medical orderlies, and patients could not reckon with sympathetic handling from many of the staff. Whenever visitors came to Robben Island the hospital was one of the first places they were shown. Of course, hardly any of the visitors ever asked the prisoners about the treatment once they had been shown the shell of progressive medicine. What did happen at times was that the visitors would be guided to meet prisoners working at 'staff jobs' in the hospital, who would invariably give answers favourable to the authorities since the continuation of tenure of their 'staff jobs' depended on such collaboration.

Special mention should be made of the treatment of tuberculosis patients. Once a year the Mobile X-Ray Unit visits the Island and in this way TB-sufferers are usually detected. Such patients were initially separated from the rest of the prisoners. For years the treatment received by them was no different from that meted out to other patients there except for the tablets, injections, and milk which they received. They received the same food except for a mug of fatty soup daily, the same clothing except that they were permitted a jersey throughout the year (instead of for winter only) and were also given an extra

blanket. In the requisition of the hospital, however, some forms of more nutritious food were included; these were apparently intended precisely for these TB patients but they never received them. For instance, glucose was known to be in the hospital stores but these patients were never issued with it. Recently, however, TB patients have been given an increase in the quantity of the food.

According to the Prisons Act, prisoners suffering from incurable diseases may be released on compassionate grounds. The recommendation of a medical doctor would be sufficient ground for such action in ordinary circumstances. But this humane provision of the Act obviously is not considered to be applicable to political prisoners, who, after all, are 'terrorists', 'fifth-columnists', etc. in the mythology of the oppressors.

Towards the end of 1973 and early in 1974 this tragic disregard for the nobility of a man, and the callous indifference engendered by political hatred and racial prejudice, were once again demonstrated when three gallant men died in quick succession, one of these being a case of obvious neglect and the other two cases where compassionate release was the logical and humane step to be taken.

Firstly, there was the case of Mr Mkumbuzi, an old man in his sixties, an active trade unionist and a former member of the banned African National Congress. He hailed from the Transkei but had been living in Johannesburg for many years. In 1971 he was sentenced to a term of two and a half years for contravening the terms of a banning order which confined him to certain parts of Johannesburg. He was incarcerated for many months at Leeukop Prison in the Transvaal and transferred to RIP when he had still to serve a little more than a year of his sentence. The prisoners detected almost immediately that Mr Mkumbuzi was a very sick man and it was not very long before he was admitted to the prison

hospital, where he was kept for some time. Eventually, after much suffering, he was removed to Somerset Hospital in Cape Town together with other inmates who were seriously ill. A few weeks later he was sent back to Robben Island. His case apparently was so hopeless that the doctors could do nothing to save him. They had found that he was suffering from an advanced condition of miners' phthisis and he was apparently sent back with the recommendation that he be released on compassionate grounds. This was not done, and he passed away a few weeks after being returned to the Island. The corpse was sent to his wife in the Transkei where he now lies buried.

Secondly, the case of Mr Samuel Funani. He was about forty-five years of age, and serving a long-term sentence, and had an adult daughter working in Cape Town. About mid-1973 he began complaining of severe headaches, went to consult the doctors about these but was regularly chased away or told that there was nothing the matter with him, that in effect he was hypochondriac or even a malingerer! However, because of his persistence he was eventually admitted to the prison hospital where he lay for a few weeks. He was one of the group sent over to Somerset Hospital with Mr Mkumbuzi. There he was examined and underwent an operation on his brain.

After a period which all the prisoners regarded as much too short for one who had undergone so serious an operation, Mr Funani was discharged and sent back to the Island. One must assume that this thoughtless action of the hospital authorities was the result of police and Prisons Department pressure, these latter instances citing the ever-ready 'security reasons' for their insistence on transfer of the patient. Mr Funani was obviously very ill and completely unfit to be discharged from a properly equipped hospital with properly trained staff and

resident doctors. His condition deteriorated rapidly. The wound in his head started swelling and he could no longer eat. His condition became so critical that he was finally sent across to the mainland again. There he was kept for a few hours only and returned to the Island on the same day. On this day he appeared to be particularly ill and he died a few days later. The corpse appears to have been given to his daughter and her husband in Cape Town but he is also buried in the Transkei.

The prisoners, who naturally mourn the death of any comrade, felt particularly bitter about the manner in which this virile, popular man was allowed to die. They felt that the obvious negligence and carelessness of the Prison medical staff and of the Prison Administration were the direct causes of an unnecessary loss of life and they felt very concerned about the possible collusion of the hospital authorities on the mainland.

The third case is that of Mr Simon Nilenge, an elderly Namibian whose case is similar to that of Mr Mkumbuzi in that he too was allowed to die on Robben Island and behind bars far from his relatives, when the authorities knew that he was suffering from an incurable disease which was soon to take his life. From what could be gathered it appears that he had cancer and that the doctors had recommended his release on medical grounds. He was just confined to the local prison hospital where his condition became worse by the day until he finally died.

Another case of neglect which calls for mention is that of Mr Mjuleneni, who fortunately has not died. At the end of 1973, while playing tennis, Mr Mjuleneni inadvertently hit his spectacles and a splinter cut his eyeball. At the prison hospital he was given an injection and some ointment. While in hospital, he suddenly became weak and more ill than was consistent with such an injury. The prisoners inferred that the injection or the ointment

produced an adverse reaction. One night Mr Mjulen, because of his weakened condition, fell in the bathroom and was found unconscious. He remained unconscious for a couple of weeks before he was finally taken to Somerset Hospital on the mainland, where he underwent an operation on his brain and lay in a coma for months. When he finally did regain consciousness his condition improved only very slowly. While he was in hospital the authorities informed his relatives, who are from Uitenhage, and his wife (from whom he was separated apparently) visited him regularly there.

But the strangest part was yet to come: one day, to the surprise of all the prisoners, Mr Mjulen reappeared at the prison hospital. He was totally paralysed on one side, was incoherent and virtually inaudible in his speech, and had aged spectacularly. Though only forty years of age he looked like one who was approaching sixty. In fact, he was a completely different person. Why a man in his state was discharged from a hospital with the facilities to treat him adequately remains a puzzle, especially since it would seem that the hospital authorities at Somerset had made elaborate preparations to provide him with speech and other therapy.

Before 1973 provision for dental care was most uncertain and almost fortuitous. A dentist on occasion visited the Island to extract teeth and a few very unsuccessful attempts were made to provide prisoners who could afford to pay with fillings. Proper facilities for such treatment just did not exist. Often the dentist would stay away for more than a year, but in recent months he has come more regularly. For fillings prisoners are now taken to Cape Town.

Although the Regulations make provision for it, very few men have received dentures at Government expense in the period under review. Many prisoners have had to pay for dentures themselves or contribute the lion's share

of the costs.

The same applies to spectacles. Indeed, in some cases it proved to be even more difficult to obtain spectacles than dentures. This was particularly irksome since many of the prisoners have been compelled to get spectacles and most of them have had to pay the full cost (testing, frames, lenses) while others paid a percentage of the costs. The prison doctors usually asked the prisoner who had problems with his vision whether he was studying. Since most of the inmates were studying either formally or informally, they were invariably told by the 'vets' that they should stop studying since this activity was the cause of their eye complaints. The COP is understood to have given strict instructions that no prisoner is to be given spectacles at Government expense unless his eyes become so weak that his condition prevents him from performing the work required of him by the prison authorities.

Something of great concern to all the prisoners is the puzzling rapidity with which prisoners committed to hospital on the mainland are discharged from such hospitals. There is a long list of prisoners that have been discharged much sooner than their condition allowed or necessitated. In most cases the prisoners have somehow got to know that they were being discharged on the insistence of the Prisons Department, which had used the magic formula 'for security reasons' to get the hospital authorities to comply.

All in all, the medical treatment has left much to be desired in spite of the fact that there is no technical reason why better treatment cannot be given. Considering the modernity of the prison hospital it is quite incongruous that the treatment should be in many cases so primitive and so crude. By now it will have emerged that the basic cause of this contradiction lies in the socio-political climate of the prison and in particular in the

prejudices of the White warders. The kindness and humanity of Dr Romm (who, it is learnt, committed suicide in 1974) was exceptional and could not stand immune against the rampant rot of the whole structure in prison, which is itself a miniature version of the social reality in South Africa. It is high time that the Medical Council was asked to investigate the goings-on in South African prisons generally and in RIP in particular. The results of such an investigation would undoubtedly throw an unpleasantly revealing light on the character and the integrity of many men who have taken the Hippocratic Oath.

For:       The vilest deeds  
              Like poison weeds  
              Thrive well in prison air  
              And they do well  
              To hide their hell

## **Education**

This is a vast subject which it is impossible to discuss adequately in a document of this nature but because of its importance all the major relevant aspects are treated in some detail here.

The Prisons Act provides that every prisoner shall be encouraged to pursue an approved course of studies during his imprisonment. As far as Black prisoners in South Africa are concerned this noble injunction on the Prison authorities remained a dead letter for numerous reasons, the discussion of which belongs more properly to a political document. Until the influx of political prisoners serving long terms of imprisonment in the early 'sixties this was the position.

Suddenly, as from 1962, the authorities were confronted with hundreds of prisoners the vast majority of whom were eager to study and were also able to

muster the resources privately in order to do so. The result was predictable, and it should be recorded that some of the political prisoners were fully aware of the problem, viz., that the Department of Prisons was technically unprepared to meet such a situation. Hence, while a few individuals did manage to get registered right at the outset, the majority of the prisoners had to wait up to two and even three years before they could be registered. Since many of the prisoners were in a position to pursue undergraduate and even postgraduate studies the Department was acutely embarrassed as it simply did not have the personnel to administer such an operation.

There are very few graduates (relatively) on the staff of the Department of Prisons and such men are usually drafted to Headquarters to man the Central Administration. The Department could not, therefore, simply delegate the work of organising the education of political prisoners to an appropriately qualified person. Let it be stated, therefore, that having regard to all the circumstances, and despite numerous and fundamental criticisms, it redounds to the credit of the Department that many prisoners were able to complete their studies successfully. A solution to the problem was eventually found in a way which, though reasonably efficient, had many drawbacks since ultimate decisions on all important matters were taken by presumably qualified people in Pretoria while local decision-making was restricted as far as possible. What happened eventually should have been foreseen. Rules of thumb were made, for instance, in connection with questions such as censorship and passing of books and other study materials. The local man, usually a matriculant, would in his own interests apply these rules strictly according to his lights. Again, the results are easily imagined; whimsical, arbitrary, fortuitous, these are the terms which describe the situation. A postgraduate prisoner's achievement in an

assignment would depend on the temperament or the penetration of a junior warder who may or may not have passed his matriculation examination!

It should be stressed that once the Department had survived the initial paroxysm of savagery (about mid-1965) it did not manifest any basic objection to prisoners studying even though most warders found it galling that the men they hated so should be officially permitted to improve themselves. This latter aspect is one of the many Frankensteins spawned by the colour-bar to the detriment of the disfranchised oppressed people. For it follows that if the Prisons Department wanted to carry out the stated intention of the Legislature regarding the education of prisoners it would have to take cognisance of the possible sense of inferiority of the majority of warders (who have just about passed the Junior Certificate) in a milieu of prisoners many of whom had either passed or were busy studying for their matriculation certificate.<sup>25</sup> In short, as long as it was a question of persuading reluctant 'criminals' to study (in most cases to attain some level of literacy) the warders would not be affected adversely since many of them would even experience a childish delight in assisting (or ridiculing) the supposedly 'stupid' prisoner. But as soon as the 'stupid' prisoner happens to have or to obtain a higher formal educational standard than his custodian, the latter is apt to feel that someone in authority is trying to embarrass him, especially when the prisoner happens to be Black.

As far as Robben Island is concerned the facts are approximately as follows: more than thirty percent of the prisoners at all times have had a better formal education than the average warder. Many have had better formal qualifications than any member of the Prison Administration. A small minority was completely illiterate, and a larger minority could not read or write English and

Afrikaans but was literate in a Bantu language.

It is, of course, a well-known fact of perceptual psychology that indoctrination is a method of altering one's perception of the world, and it should surprise no one to learn that most warders originally could not see the political prisoners as anything other than animals and sub-humans. As long as they were interested and permitted only to torture, torment, and harass their charges this percept remained constant and probably the majority really believed themselves to be superior beings. Hatred and policy insulated them from contamination and feelings of inferiority. But obviously in such an environment the authorities could never allow hundreds of prisoners to study, and thus to behave as 'superior' beings among a set of White warders, for most of whom the zenith of social intercourse is represented by a loud-mouthed controversy in the local bar about the relative merits of this or that rugby team or some such inanity.

Not until the Department had endeavoured to alter this perceptual squint by means of a crash programme of educating the warders could it really begin to allow many prisoners to study. Of course, many of the die-hard warders had to be removed physically before anything could be done. A transitional stage in warders' attitudes towards prisoners' studies (both in general and in individual cases) is represented by the habit of ridiculing or playing down the importance of the prisoners' student activities. By way of a heartbreaking example, consider the regularity with which one hears ordinary warders (also studying privately for matric) asking pathetically from the warder in charge of studies whether the prisoners writing Matric write exactly the same papers as they themselves do! Many, even after being assured that this is unfortunately the position, continue to maintain that either the papers are not the same or that the examiners do not mark the papers written by Blacks as

strictly as those written by Whites.

Only after many years did a large section of warders begin to respect some of the prisoners not only for their educational achievements but also for their courage in persevering under adverse conditions. Many warders maintain – no doubt with a measure of truth – that the prisoners have an advantage (!! ) over the warders in that their enforced isolation leaves them no option but to study. From this last statement another facet of this problem emerges, viz., the fact that in recent years on the side of the warders a feeling of rivalry has been born. Many warders, it seems, actually study because they realise their limitations and disadvantages *vis-à-vis* the political prisoners and because better educational qualifications imply promotion and better wages. To write the same examination as a Black prisoner and to do worse at it would, of course, explode the private *Herrenvolk* myth. Hence all the subterfuges invented by the frantic minds of those who come face to face with the unpleasant reality of Blacks doing well when given the opportunity. Though the prisoners have always welcomed this rivalry – no matter how unhealthy its origins – they have often had to pay for it, as will be seen.

From about 1966 onwards, matters began to improve and in fact until the end of 1969 there were no systematic attempts to curtail the study privilege. Almost all prisoners who applied to study were allowed to do so and they could study the subjects of their choice, provided such subjects could be studied under the technical conditions prevailing on the Island. Certain exceptions will be noted presently. During these four years there was a distinct development in an enlightened direction and one prisoner<sup>26</sup> was even moved to appeal to the COP to 'let the atmosphere of a university prevail' at Robben Island. Alas, this euphoria was not to last. As will be pointed out, the present direction is the exact

reverse of these 'happy' years.

It is time to enumerate the technical details relevant to the administration and the tenure of the study privilege at Robben Island.

Firstly, no prisoner is allowed to *apply* to study unless the full costs of the tuition fees and prescribed literature are already credited to his prison account. Except in rare cases of leniency, if a prisoner is temporarily short of even a small sum to cover this requirement, he cannot apply or he has to cut out some of the courses he intended studying, which may not always be possible. And this, even if the institution makes provision for payment by instalment, as most of them do. Of course, this is in some ways a sensible arrangement but the rigidly bureaucratic implementation thereof has often tended to undermine the letter and the spirit of the Act, which enjoins the authorities to 'encourage', and not to obstruct, prisoners' studies.

Secondly, once a prisoner has been granted permission to study, he is obliged to sign an undertaking, the crucial provision of which states that should he abuse his study privilege by using his material for anything unrelated to his studies, he may be compelled to forfeit this privilege for the rest of his period of incarceration. Initially, prisoners were unwilling to sign this undertaking as it could clearly be interpreted in the wildest possible manner. Only after the COP himself gave assurances that it would not be implemented in a petty manner did most prisoners agree to sign it.

Technically, of course, this undertaking represents an attempt to free the authorities from any liability for damages arising from the deprivation of studies. For most of the period under review the authorities have in fact honoured the assurances given by the COP, but during 1971/72 and occasionally before then these assurances were openly ignored. The period 1971/72 will

be referred to below.

One instance may be quoted of the whimsical manner in which a prisoner could be stymied in his endeavour to study. One of the prisoners<sup>27</sup> in the general section had (in 1967) written with a ball-point pen a few points on the palm of his hand to remind him of what he wanted to discuss with a visitor (a relative) he was to see on that Saturday. It should be noted that at the time the authorities rigidly refused to allow prisoners to carry any memoranda on paper to the visitors' cubicles. Instead of charging, reprimanding, or punishing the prisoner concerned for contravening this (customary rather than legal) prohibition, the officer responsible at that time pettily and vindictively deprived the prisoner of his study privileges summarily. The result was that until 1970 this prisoner was not allowed to study. There were many such episodes later, underlining the arbitrary manner in which the privilege was administered in certain periods.

Lastly, since approximately 1966 prisoners are allowed to register with only four correspondence colleges, to wit UNISA, Rapid Results College, Transafrika and Volks Correspondence College.<sup>28</sup> The last-mentioned three institutions cater for the pre-university students. Right at the beginning prisoners could also register with London University or with ICS but this permission was gradually abolished and at present no prisoner is registered with any but these four colleges. It has been one of the great complaints of the prisoners that in thus limiting them the authorities restrict their choice of subjects quantitatively and of tuition qualitatively. In some instances, especially at University level, this has meant that subjects that it would otherwise have been possible to study under prison conditions had to be abandoned or simply passed over. Certain officials have made no secret of the fact that

their objection to overseas colleges such as London University stems from their lack of influence on such institutions. It is well-known to the prisoners that many things, both positive and negative from their point of view, have been done by the authorities 'via the backdoor', as it were, in that Government Departments were involved in the ultimate analysis and consequently the Prisons Department could make its influence felt.

In recent years the education of political prisoners has come under fire. For years it was very obvious that their permitting political prisoners to study was a kind of diplomatic trump card which the authorities were using in and out of season to refute allegations of ill-treatment of such prisoners. For reasons which are still obscure to some extent there seems to have been a moving away from this position, and the present tendency is to curtail, and possibly even to abolish, any serious studies by political prisoners.

An account of some of the obstacles, some of them integral to the prison situation, others created by policy, will show how this attack on prisoners' education has developed.

There are, firstly, the physical conditions in prison. To study systematically in prison demands much perseverance, inspiration, and discipline. After a hard day's tedious and tiring labour – especially in winter – it is not to be expected that most men would sit down conscientiously to their books. Fortunately those in communal cells can inspire and encourage one another to a certain extent, but the tendency to fall into idleness, or at least into some not so demanding routine is very great for most of the men who, of course, have not been scholars outside.

The disciplined student can put in up to five hours of solid work every night but in fact most prisoners cannot do this after an ordinary day's work since they require

one or two hours' sleep or relaxation. No prisoner is allowed to study after 11 p.m., even though the lights must burn throughout the night in all cells (as Robben Island is an ultra-maximum security prison). This means that whereas most men would prefer to sleep immediately after a day's work for six to seven hours and to study thereafter, they are compelled to study when they are tired. This has often been pointed out to policy-making officials who have as often replied most unconvincingly that any other arrangement would lead to prisoners being too tired or too sleepy to do their work during the day. The answers to this – unless one assumes a completely irresponsible set of prisoners – are too obvious to mention. In fact, of course, this is just one more way of making the prisoner feel all the time that he is not free to do as he pleases, that he is controlled, and also to ensure for the authorities an opening should they wish to 'tighten the screw'.

It should be clear by now that 'the swinging of the pendulum' has much bearing on whether or not work becomes a serious obstacle to studies. In bad periods prisoners can virtually be prevented from studying by being overworked during the day; in good periods prisoners may have more time and leisure than many a full-time student in the free world outside. At examination time prisoners have customarily been granted a day off from work immediately before every paper or subject which they write, unless such paper is written on a Monday or immediately after a public holiday observed in prison. In bad periods or under vindictive regimes prisoners have often been forced to work harder at examination time.

Secondly, certain obstacles to studying are deliberately placed in the way of prisoners. Of these, one of the oldest and most effective is prevention or obstruction from access to finance. As indicated above,

the Prisons Department, partly to cover itself, insists that a prospective student should have to his credit in prison the total costs of the course he wishes to study. In the case of university students this often runs into hundreds of Rands. Consequently, no matter what kind of assistance many prisoners may receive, they are in this way debarred from studying altogether, or at least from what and how they wish to study. It should be stressed again that all the colleges have provision for payment of their courses by instalment.

Relevant to this is the scrapping by UNISA, as from April 1968 with or without the connivance of the Department of Prisons, of the discount allowed to prisoners. Until April 1968 prisoners were expected to pay the full registration fee but only fifty percent of all the tuition fees and it is understood that this concession was originally negotiated by the Department of Prisons itself, acting in accordance with the spirit of the Prisons Act. Needless to say this was of great assistance to all prisoners and was much appreciated by them. The withdrawal of this concession was, therefore, a heavy blow and a decided indication that the mood of the Department concerning education was changing. All subsequent attempts to get the Department to renegotiate this concession have been in vain; yet it could not be maintained seriously that UNISA would suffer any financial loss considering the negligible number of prisoners who are pursuing university studies. Or was it that once again the authorities had to act with an eye on the reactions of envious warders and a reactionary electorate, which might ask awkward questions about facilitating education for 'murderers' and 'traitors'?

Many organisations, including NUSAS, the churches, and overseas organisations, were (and are) prepared to finance the studies of political prisoners.<sup>29</sup> NUSAS originally wanted to run a book scheme as well. While

the authorities allowed financial assistance to be given by such *bona fide* organisations for the first three years or so, they stopped it abruptly thereafter, and all monies which did not come from friends or relatives were either returned or frozen for long periods, thus making it impossible for a prisoner to register for a year or more. Even monies sent by attorneys on behalf of relatives or organisations were treated similarly. Most families, of course, cannot afford the sums involved especially since the person needing funds was invariably the breadwinner of his family before his incarceration. It is also well known that the Security Police have time and again interrogated and intimidated people (even relatives) who have sent money (especially relatively large sums) to prisoners. In this way there has in recent years been a systematic campaign to cut off prisoners from financial resources for purposes of education and *this campaign has succeeded to a painful degree*. This matter requires careful study and possibly even needs to be tested in a court of law.

Payment of fees for another prisoner is strictly prohibited and this prohibition is rigidly implemented.

Finally, the original criterion for permission to study a subject was the technical feasibility of doing so, and in rare instances obvious security considerations played a part. Hence certain science subjects requiring laboratory experimentation were impossible. Postgraduate research for production of a thesis was apparently also out of the question since the reason given to Neville Alexander by the COP why his application to do a doctorate in German was turned down was that this would involve the writing of a thesis and even if no archival research were necessary it could not be allowed.

This situation changed dramatically as from about 1969. From that time onwards there was a distinct attitude of suspicious parsimony towards prisoners'

studies on the part of the authorities.

Certain measures tending to curtail and restrict the study privilege (e.g., financial measures) have already been referred to. Choice of subjects also came under fire. Political Science and History were forbidden in 1969 though they were partly reinstated later, and are at present very vulnerable subjects.

All postgraduate studies, including Law, were forbidden at the end of 1969, Minister Pelsler stating in Parliament in answer to one of Mrs Suzman's questions that it was not the policy of the Department to 'produce specialists'. But in private Brigadier Aucamp told some prisoners that 'the Whites' in Pretoria had 'abused' postgraduate studies for purposes of continuing to study guerrilla warfare. Probably he told the Whites the same thing about the Blacks. One can speculate about the actual reasons for this irrational, small-minded ban, but one factor is certainly the fact that it is much more difficult for the authorities to restrict and control the books used by postgraduate students, most of whom have to roam freely in the relevant literature, than it is to do the same as regards undergraduates. In the case of at least one prisoner this ban meant that he had to abandon his LLB studies in his final year when he still had another four years to serve.

Of course, this ban was not difficult to conceive since hardly any White criminals would be affected by it, and no Blacks either. The only prisoners who could suffer were in fact political prisoners. As from 1971 no law subjects whatsoever could be studied. Even Nelson Mandela, who was given special permission to complete his LLB with London University (with which he was registered almost from the time he entered prison in 1962), was eventually given the deadline of June 1974, after which he would no longer be allowed to study either Law or any other postgraduate courses and, of

course, he would have to register with UNISA.

The latest subject to be brought into jeopardy is 'Native Administration'. As will become evident in the next section, the main reason for the banning of these subjects appears to be the fact that certain categories of books can enter the prison legally to form the basis of studying these subjects. At one stage all foreign languages were banned, i.e., only languages spoken in South Africa could be studied, but after a few years this ban became inoperative (incidentally because of changes of administration – regularly prohibitions and injunctions of previous years became null and void after such a change of staff). Again the main reason seems to have been access to books frowned upon by the authorities, but through the grapevine it was learned that the study of a language such as Portuguese was forbidden to prevent contact between Frelimo and other anti-Portuguese Imperialist organisations, and prisoners on Robben Island.<sup>30</sup>

Since 1970 approximately, all students, including university students have to apply annually for permission to study in the year concerned. Whereas previously a prisoner wishing to study for the BA degree would be given permission for the whole period required to complete the degree, he is now given permission only for the year in which he applies. This enables the authorities to deprive a prisoner of his studies much more easily and, more important, this method increases the prisoner's feeling of insecurity. In fact, this measure is in line with the general tendency of the Department to use studies as a lever with which to impose their kind of discipline on the political prisoners, the idea being that most prisoners will go to almost any lengths in order to retain their study privileges. This tendency became marked and in fact fully entrenched in the bad period 1971/72 under the regime of Badenhorst. We have

already referred to the arbitrary demotion of prisoners on 4 January 1971.

The method of summary demotion was consciously adopted as a strategy by the authorities in order to bypass the provision in the Regulations regarding the prisoners' right to legal representation on their being charged. This point will be discussed in due course. But the first wave of prisoners to be demoted were actually ambushed by the authorities. Only after they were demoted (and it must be remembered that whatever the legal status of the demotions, the prisoners were *not* demoted for alleged abuse of study privileges but for quite different alleged offences) were the prisoners told that a special Ministerial decree had been authorised after the Minister himself had visited the Island (not, of course, to speak to any of the prisoners) whereby any prisoner demoted from a higher classification group to the D-group (i.e., the lowest group a prisoner can be in) was automatically deprived of his study privileges, until such time as by 'good behaviour' he once more merits promotion to the C-group. At that stage the prisoner may reapply for permission, which permission may or may not be granted to him.

This malicious and inconceivably petty measure by men who have never even considered what it is to live under prison conditions had catastrophic results in a catastrophic situation. The worst warders came into the spotlight, haunting and hunting the most disciplined prisoners precisely because of their independence and their lack of concern with their 'custodians', in order to show them who really wielded power. Prisoners had to consider seriously whether there was any point to 'nursing their studies' (as it was dubbed), when the conditions of treatment deteriorated consistently. It was the easiest thing on earth for a vindictive, inferior-minded warder to provoke a prisoner so that he could

march off the latter to the office and thus have him demoted on his say so.

It is learnt that in the single-cells section alone, out of a group of prisoners of about thirty only eight prisoners managed in this period to retain the study privilege. The rest lost it through demotion to the D-group and with one or two exceptions none of them could in any sense be said to have abused his study privilege. This method of using studies for disciplinary purposes has since been used frequently if not so blatantly as in the first months of 1971.

The now well-known Hassiem-Venkatrathnam cases against the Robben Island prison authorities had a sequel in regard to studies which is very instructive and revealing indeed.<sup>31</sup> The Diemont Judgment ordered, *inter alia*, that Hassiem be registered for the B Compt for which he had originally been given permission. In actual fact this instruction was carried out dilatorily after a lapse of months but it was clear that the authorities were extremely dissatisfied, especially as the learned judge in his *obiter dicta* had spoken scathingly of the Prisons Department's curiously negative attitude towards legal studies by prisoners. Since it was clear that neither the Legislature nor the judiciary could afford to tamper with the existing phraseology and interpretation of the Prisons Act without adverse consequences in the political and diplomatic spheres, an administrative subterfuge had to be found in order to hit back at the prisoners and to hit them in their most delicate spot.

Hence in 1974 the Prison Regulations were amended in such a way as to subvert the spirit of the Act. Now, the granting of permission is purely within the discretion of the OC, and unless lack of education was actually the cause of the prisoner's commission of the offence, he need not be allowed to study. Months before the amendment was formulated and made known to the

prisoners various officials indicated that there were radical changes in the offing in this regard. When asked to interpret the amendment after it was read to the prisoners, the Head of the Prison said that the Department understood the amendment to mean that no post-matriculation studies would be permitted in the future. Those who were already registered would, however, be allowed to complete their degrees with UNISA. Thus, in effect, though it is wrong to assert that political prisoners are no longer allowed to study, it is very clear that should a policy decision be taken to do so, the Department can stop all studies for political prisoners without in any way affecting other prisoners. Viewed thus, this measure is clearly in violation of the spirit of the Act, and there is good reason to believe that the regulation is *ultra vires*.

A clear pattern emerges. From an original position of boorish indifference and almost unbelieving unwillingness to consider it proper for *any* prisoner to study, the authorities progressed to a relatively liberal attitude, only to fall back into total opposition to studies for political prisoners. Apart from a political *trauma* which they acquired in this connection, there is no doubt that the authorities also have motives of vindictiveness. Knowing the importance of the privilege to prisoners, they have now decided to use it as a political weapon not only against the prisoners themselves but also against all those forces who plead their case and who support them to a degree. Just as assaults and physical pressures were used in the early days, the more experienced and more sophisticated administration has now resorted to pressures of a less tangible but none the less harmful kind.

It is not certain whether or how long political prisoners will be allowed to study. But if they are allowed, the central question in all matters relating to

prison education, viz., access to books, will require very serious study and systematic effort to bring about change. This has been a burning problem from the very beginning but, except for a brief period earlier on and occasional periods of relaxation, the situation has deteriorated to such an extent that the authorities need not ban a subject formally; they need only tell the prisoner that such and such a key work will not be permitted for him to decide that it would be a waste of money to pursue that particular course.

The position, therefore, needs to be described very carefully. To most people who have not had tertiary education one who has a large collection of books is looked upon as being extremely learned and (usually) therefore one to be respected. It is not difficult, therefore, to imagine in what a quandary the prison authorities were (and are placed *vis-à-vis* the White warders) when they realised that the necessarily book-lined cells of the prisoners registered with UNISA automatically subverted the distorted and weird image of these very prisoners obtained from the press and from Government (including the Department's own) propaganda. While only a few prisoners were studying with UNISA the situation was not intolerable for them, but soon there was a large group and a resultant flood of books and other literature. From being something to show off to foreign visitors these books became a source of acute embarrassment to the authorities who, consequently, began to restrict the number of books entering the prison in every possible way. It should be remembered also that the authorities came to be faced with a very real problem of lack of staff to handle studies. For years they would not appoint more than one studies officer with the result that as more and more men began to do post-matric studies, long delays in censorship of material occurred.

There is no scientific library at Robben Island. The

prison library cannot even be compared to a mediocre high-school library. The selection of books is purely fortuitous since it depends basically on charity. The greatest fault from the point of view of a student is the total lack of any serious reference works and encyclopaedias. This makes the library virtually useless as a tool of learning which, no doubt, it was not meant to be. All attempts to get the authorities to obtain or to allow the prisoners to obtain such a respectable series as the Encyclopaedia Britannica and the Cambridge Modern History have been met with point-blank refusals.

For books related to their studies the prisoners are, therefore, almost entirely dependent on the authorised libraries and on purchases from bookshops. The University of South Africa's Library, of course, supplies its registered students with books relevant to assignments excluding prescribed books (except in very special cases); in addition, the Prisons Department allows prisoners to obtain books from the 'Non-European Division' of the State Library in Pretoria. This latter facility was extremely useful and important to the prisoners until 1973 when, for reasons unknown to the prisoners, they were informed by the State Library that in future only books *prescribed* for courses for which the prisoner was registered would be supplied. Since then, of course, this concession has been quite empty as most prisoners in fact have to buy prescribed works which must be consulted constantly.

The buying of books has two limitations placed on it, viz., censorship (common also to books obtained from libraries) and funds. Most prisoners try to provide before registering for sufficient funds to purchase at least prescribed books; but in view of the rudimentary and inconvenient library facilities they are compelled to buy also as many recommended books as possible. Quite naturally, only very few prisoners can in fact afford to do

this. The majority of prisoners have therefore to make do with prescribed material and borrow from others and from libraries (where, in extreme cases, they may have to wait up to two months for books to arrive). There are many problems of a technical nature connected with the buying of books and though these are basically trivial they are often irritating and disruptive in their effects. Prisoners often have to wait for months before a book is delivered, even from official stockists of UNISA. It has happened on many occasions that books have arrived long after the assignments or the examinations for which they were needed had been written.

Censorship of books and of reading matter in general is a permanent problem and it is one that has become worse instead of better in the course of the years. Initially, mainly because of ignorance on the part of the studies officers, almost any book not banned in South Africa was allowed. The COP himself gave the prisoners permission to obtain both *prescribed and recommended* literature. Soon, of course, the precise definition of 'recommended' became an issue, one which has never been satisfactorily resolved.

Today, it appears, the censors have rule-of-thumb criteria which strike the outsider as being totally contradictory and inconsistent. In effect only those books may be obtained which the censor permits. Since in all cases he never knows the contents of a book until he has read at least the blurb or the foreword, this means that prisoners have to get books from libraries and shops only to be told after the arrival of such books that they may not have them. Books bought from shops are then placed on the prisoners' property to be kept until they are released.<sup>32</sup> Thus whole libraries of innocuous matter have been placed on the property of prisoners. It seldom happens that the censor is persuaded to reconsider his decision and to issue a prohibited book. For those serving

long terms and life sentences this is a draconian measure that has led to much tension and frustration.

The attitude of prisoners in general has been that any book not banned in South Africa should be permitted with the possible exception of books that may undermine prison security; but while some prisoners are prepared to consider this last restriction as a reasonable possibility, the majority refuse to countenance it because of the obvious ways in which it may be abused by unscrupulous administrators.

Censorship of books in the South African context has always been farcical and degrading, but whereas the official South African censors are expected to have a modicum of formal education, the prison censors cannot, unfortunately, and do not, fortunately, have any pretensions about their level of understanding. They are obviously told by higher-ranking officials, and possibly in crash courses, what kinds of books, or rather, titles, to disallow. Any books containing any reference to any of the following concepts are almost automatically withheld: (i) Marx, Marxism; (ii) Lenin, Leninism; (iii) Russia, China, Cuba, etc; (iv) Socialism, Communism; (v) Revolution, War, Civil War, Violence; (vi) Africa; (vii) Anti-Apartheid literature; and (viii) Historic-political literature written by Blacks.

The consequences need not be spelled out, for they are readily imagined. One could write an entertaining satirical essay on the astonishing obtuseness of censors in general and of Island censors in particular.

A book by Croce on Marxian economic theories caused a first-class row; textbooks on history and politics are replete with lengthy chapters on Communism, Marxism, etc. *The Role of the Missionaries in Conquest* by Nosipho Majeke and many other books are refused merely because they are ostensibly written by Blacks.<sup>33</sup> But no matter how conservative a writer may be, the

mere fact that he treats such subjects is enough to shut the gates of Robben Island on his book.

One instructive example involved Neville Alexander, one of the prisoners who, it would appear, suffered most under the insanity of the censors, as he was doing a postgraduate degree in History. During 1968, after the row about Croce's book (involving another prisoner) the then Studies Officer, a certain Lieutenant Naude (himself not yet a matriculant) announced vindictively and impulsively that in future *no* books dealing with Marxism or Communism would be permitted. Alexander was then working on two papers on historiography and philosophy of history, both of which dealt extensively (from an anti-Marxian point of view naturally) with the materialist conception of history and its contribution to historiography and historical science in the twentieth century. Faced with this threat, Alexander drew up a list of prescribed and recommended literature on the basis of UNISA's printed lectures, explaining the relevance of the works and asking that the list be sent to Headquarters whence, after months a letter came which Naude read out to Alexander.

In this letter the COP confirmed that he had read Alexander's request and informed the prisoner that he had consulted the UNISA Department of history, which had told him that the prisoner could comfortably complete the papers and the course without the books concerned! To add insult to injury, the COP informed the prisoner that his list was suspect ('verdag')! As though the list had not been necessitated by Naude's asinine threat. One must assume, of course, that if for some unfathomable reason the Department of History in fact made such an unacademic assertion, it could have done so only because the facts were misrepresented to it. However, it is extremely difficult to understand why any Department of History should consider that *any* book is

unnecessary for a postgraduate student of History, of all subjects.

To demonstrate the complete Alice-in-Wonderland nature of the situation, it should be said that apparently Alexander applied to the UNISA Library for some of these books a few months later despite this official refusal and he received them without the censor so much as suspecting that they were banned.

Recently, another prisoner had the whole list of books prescribed for 'Native Administration III' (his major) turned down (after having bought the books), even books (such as G.D. Scholz's work '*n Swart Suide-Afrika*') which were already in the possession of other prisoners! But the quotation of examples cannot add any more to the clarification of the dilemma faced by those prisoners engaged in university studies.

Whatever has been said above about books applies equally to prescribed and recommended scientific journals. With the exception of the *South African Journal of Economics and African Studies*, all other scientific journals (legal, historical, economic, anthropological) have at one time or another been proscribed. Those journals that are permitted are usually heavily censored. The most notorious example is the *Financial Mail* (a South African weekly for businessmen and students of economics) which has been stopped on a number of occasions, and if it is allowed in at all nowadays comes with almost all items cut out except some advertisements! Previously, the subscribers continued taking it in in the hope that a change of policy would occur, and because they could at least study the weekly stock-exchange reports, until the authorities decided that even these reports were political dynamite! The British *Economist* was banned in 1968 but not before it had arrived for months in an unrecognisably mutilated condition.

From time to time, in order to harass prisoners, the

local authorities implement a vicious regulation, in terms of which no prisoner may hand *any* article to any other prisoner without the permission of an authorised person, i.e. of a warder. Naturally, this nonsensical rule is a dead letter at most times, but it is very handy in crisis situations or for the purpose of provoking a crisis.

Prisoners are then prohibited from exchanging books, which concession is an obviously indispensable condition of study in the circumstances. It could happen – as it did – that a student of Law, needing a copy of the constitution of the Republic of South Africa, and sleeping only a few feet away from a prisoner possessing a copy of this document (in pursuance of his studies in Public Administration) would have to buy or order a copy from the library. In either case he would have to wait weeks to obtain a reference book which he needs for a few minutes at most and which he has but to stretch out his arm to obtain! The incongruousness of all this must have struck the authorities but in their viciousness they implemented the rule rigidly. This, in spite of specific permission from the COP for the exchange of books among prisoners!

On the credit side it must be noted that throughout the years the authorities have sent off library books used by prisoners at State expense. Prisoners pay for letters and assignments sent off in connection with studies.

The difficulties and frustrations of studying in prison should have emerged clearly from the above notes. Prisoners have none the less fared extremely well – in fact, some of them have drawn forth the highest possible praise from the departments in which they were registered.

Apart from the prisoners' maturity and the goal-directedness of their efforts, one of their great advantages has been the possibility of discussing their educational problems among themselves, i.e., having tuition classes

regularly (unlike many other external students). Though such 'classes' are officially non-existent and prohibited, it is well known that they are held. From time to time warders intervene pettily to break up classes, but the force of circumstances is such that they cannot be abolished altogether. Many efforts have been made to get official permission to hold classes and discussions on academic work but such permission has been consistently refused, certainly not for any valid reason but rather as a safeguard in the eventuality of anything occurring where the prisoners might be able to use as an excuse the fact that permission had been granted.

Official permission for holding classes was given only in the case of literacy classes, an innovation, it is believed, deriving from one of the first visits of the IRC representatives. There was a small minority of such illiterates among political prisoners and the appointed tutors went at their task with gusto until by May 1973 there were no longer any illiterates left, except among the Namibians, in whose case a policy of vindictiveness was pursued especially after 1971. As far as is known there is at present no official permission to hold literacy classes among the Namibians even though it is known that there is a need for such classes. Permission to hold literacy classes was used so effectively that one can only hope that the lessons of this experiment will be learnt and implemented generally.

From the above broad exposition of the situation as regards the education of political prisoners at Robben Island it will be seen that this privilege, one of the most important to the prisoner, has been subject to the same miserly policy of giving with one hand and taking with the other.

It is also clear that very probably the 'heyday' of education at Robben Island belongs to the past. There is a definite movement towards the abolition of the privilege

in practice, if not in law. In any case, it is to be expected that this will be one of the major areas of confrontation in the immediate future.

In order of priority, the following tasks present themselves: (a) Struggling to retain the privilege to study – and to get it defined as a ‘right’ rather than a ‘privilege’. Reference to South Africa’s signature of the International Standard Minimum Rules of the UNO needs to be clarified.<sup>34</sup> (b) Facilitating outside assistance to prisoners needing funds. (c) Restoring the right to pursue postgraduate studies. (d) Liberalising conditions of study in prison.

Related to the question of education in prison are two peripheral issues which can be dealt with conveniently at this point.

Firstly, the Regulations permit prisoners to purchase up to two approved books per week. Some officials interpret this regulation to the effect that the books shall become prison property on the release of the prisoner (but in practice – for purely technical reasons – this is not insisted upon). The latter contention is legally questionable. Initially, the regulation was a dead letter but at present it is operative in a rather sporadic manner. Books purchased are of course subject to censorship and the problems raised in that connection are also relevant here. There is great need to insist on a more liberal interpretation of the regulation and on obtaining permission for private persons (or organisations) to send books to prisoners, if necessary directly from book stores, for the simple reason that people outside prison have easy access to bibliographies and the latest developments in any particular field, and can thus guide prisoners in their reading so that they do not lose touch with social reality altogether.

Secondly, a prisoner classified in the A-group is

normally entitled to subscribe to a paper and to obtain a radio; but this privilege, among others, is denied to political prisoners. The main reason quoted is that ‘for security reasons’ the Department of Prisons (read the Special Branch) cannot allow prisoners to have access to news, in spite of the fact that the Department would censor the papers if permitted. This unreasonably vindictive and persecuting attitude is one of the major causes of discontent on Robben Island. For a political prisoner especially, access to news is virtually indispensable (for which reason – as will be shown – they obtain it illegally). Comparison with almost any other comparably situated country shows that there is simply no valid reason – other than mere vengefulness – for such a prohibition. Departmental officials, including the present OC, have on occasion indicated that the question is ‘under constant review’ but this is probably no more than a formal verbal concession. The denial of this privilege is, of course, the surest sign that the South African Government in fact recognises the category of ‘political prisoner’, all Alice-in-Wonderland denials to the contrary notwithstanding. Ironically enough, in many other countries it is the enjoyment of this privilege that distinguishes political prisoners from non-politicals!

It should be noted that certain magazines (e.g., *Farmer’s Weekly*, *Huisgenoot*, *Reader’s Digest*, *SA Panorama*, *Lantern* and *Archimedes*) are allowed in. All these are from time to time heavily censored, the worst sufferers being the *Huisgenoot* and the *Reader’s Digest*, both of which often carry news articles or political surveys. However, it should be noted that often even the cultural pages are mutilated, for reasons which ought to be obvious.

An example will illuminate the tragic situation. One of the prisoners, Ahmed Kathrada,<sup>35</sup> once complained to the then Studies Officer, Major Huisamen, about the fact that even photos of women are cut out of such kosher

reading matter as the *SA Panorama*. Huisamen said 'Wat wil julle dan met 'n klomp kaalgatmeide doen?' (What do you want to do with a lot of bare-assed trollops? – but the vulgarity of all this cannot be conveyed in words!). Kathrada then showed him that in the Anthropology text books he was using there were many photos of completely naked women, only to be stunned by the reply, 'Ja, maar dis mos maar 'n klomp Bantoemeide' (Yes, but that's only a lot of Bantu women). Comment is superfluous!

From every angle it can be seen that the prisoners are up against a wall held together by a concrete of ignorance, prejudice, vindictiveness, and especially fear. Anything done can only be palliative (but palliatives in gaol can be vital – hence this document), for the whole structure of society and the concrete persons constituting it must be altered before this kind of astonishing idiocy can be eradicated.

## **Disciplinary code and the administration of justice**

The disciplinary code and the procedure for maintaining discipline are described in great detail in the Prisons Act and in the Regulations. In the circumstances this is very important since failure so to circumscribe the enormous personal power enjoyed by prison officials would have disastrous results. It is, therefore, extremely necessary to reveal the fact that normally – in most South African prisons – for many objective as well as subjective reasons, the disciplinary code is an arbitrary matter, not at all related to the window-dressing of the law. At Robben Island, policy in this regard has undergone the same dizzying see-sawing as has been described in respect of other spheres.

Anyone who peruses the Regulations will realise that

theoretically the only thing the authorities cannot prohibit the prisoner from doing is to breathe. A prisoner may not speak, sing, whistle, smoke, play, work, go to the toilet, wash himself, hand things to other prisoners, go anywhere, write a letter, etc., etc., without first obtaining permission from a warder or an officer. In practice, of course, it is impossible – with a warder-prisoner ratio of about one to eleven – to carry out this nonsensical set of rules. On the other hand, two consequences are immediately obvious. In a crisis, or during bad periods, these warders are armed with all the pretexts they need in order to harass, persecute, and torture the prisoners. Also, it is the simplest possible thing for a prisoner to commit a prison offence, or for a warder to vent his personal spite and frustration on some unfortunate prisoner.

Now, it is one of the greatest ironies of prison history in this country that – apparently – for all the years since 1959 (when the present ‘enlightened’ Act was passed) the fundamental right of the prisoner to know the rules and regulations governing his treatment and conduct, which right is stated clearly and specifically in the Act, was denied him. The coming of political prisoners changed this set-up. At least two prisoners – Mandela and Alexander – actually had the copies of the Act and the Regulations, which they had with them at the time of their conviction, removed from them despite their protests that this removal was illegal. This happened in 1962 and 1964 respectively.

Throughout the years the prisoners made representations directly to all prison officers from the COP down to the consecutive OCs, and indirectly through judges, IRC representatives, and other visitors, requesting copies of the Regulations, but at all times they were met either with outrage or with incredulous laughter, as though they had entered the Holy of Holies,

or, latterly, with evasion. Instead, in 1965 copies of a summary of certain sections of the Regulations were made available to them temporarily.

This Prisoner's Handbook, as it was called, was not only misleading, but quite mischievous, in that it did not contain any reference to the misconduct sections of the Act and the Regulations, which lay down the conditions and the consequences of misconduct by warders. Hence, while it enumerated in detail the endless number of offences a prisoner can be found guilty of, it gave the impression that the warder can never do wrong. Because of the unsatisfactory nature of this 'Handbook' – ostensibly compiled for the convenience of prisoners who could not understand the jargon of the Act and the Regulations – numerous complaints were lodged. It is known that the IRC pressed for implementation of the letter of the law but this produced a farcical consequence, since the authorities, instead of issuing the Regulations or at least a proper summary thereof, handed out in 1971, shortly before the arrival of the IRC representative, a revised 'Prisoner's Handbook' which omitted even more than the former version and, in fact, was a mere face-saving and time-gaining device. Whereas the original handbook was at least worth studying this latter effort was absolutely contemptible.

Not until the Gordian Knot was cut by the Hassiem-Venkatrathnam case (the Diemont Judgment) of 1973 were the authorities at last exposed and compelled to carry out the law. That is, they are supposed to do so. At the time of writing they have not yet done so but have – because of the prisoners' pressure, including hints of a possible action for contempt of court – issued some short verbatim extracts from the Act on the initiative of the OC at Robben Island (according to him). It is not unthinkable that the next Parliamentary session may yet pull their chestnuts out of the fire for them. Much of the arbitrariness

ness in the administration of justice, which will become evident in the following notes, stems from this subversion of the Act. At all times it must be remembered that almost all White warders consider it to be intolerable that *any* prisoner should tell them what they may or may not do. Indeed, it is one of the greatest psychological mistakes (often having humiliating physical consequences) that a prisoner can make to tell, or even to indicate, to a warder or an officer that he is acting against the law of the country. It should also be remembered that very many of the political prisoners, because of their educational level, as opposed to that of the majority of the warders, are able to read and to interpret the Regulations more intelligently and more correctly than the warders. A few prisoners were registered attorneys, advocates, or articled clerks at the time of their conviction, and a few prisoners studied law or legal subjects until 1969. One need not wonder, therefore, at what Judge Diemont called 'the curious attitude of the Department of Prisons towards the study of the Law' and the refusal for so many years to supply the prisoners with the Regulations is perfectly comprehensible as a measure of self-defence. But none the less illegal for that!

It is therefore to be regretted that Judge van Zyl of the Cape Bench saw fit when he visited Robben Island early in 1974 (to listen to prisoners' complaints) to state that he, for his part, understood the Department's bias against legal studies because he had become aware of the alleged fact that in the USA prison officials had their hands full with prisoners who were trained in the Law and who could therefore constantly outwit the authorities. Such a statement ought not to have been made without qualification by a man in such a position.

The Regulations provide basically that a prisoner who pleads guilty to a minor prison offence may be

summarily deprived of one, two, or three meals on any one day (and not on successive days) by any officer of the rank of Chief Warder and higher, if the prisoner agrees to accept such summary dietary punishment. If he does not, he has to be charged in a Prison Court or, in more serious matters, in a Magistrate's Court or in some higher court. It is hardly necessary to explain how the 'meal-stop' provision of the Regulations can be, and is, abused by the warders. Unless a Chief Warder is totally incorruptible, he can be manipulated by ordinary warders out to flex their muscles and to relish the feeling of power implicit in this regulation.

The fact that the regulation places the prisoner in a totally defenceless position against a vindictive regime may not seem obvious until one realises that few prisoners can afford the cost of engaging an attorney and unless they do so they must be extremely lucky to be acquitted by a Prison Court, and as a rule they stand to get a more severe sentence than the originally rejected 'three meals'. To tell the countless stories of how this 'three-meals' regulation is abused would unnecessarily lengthen this document (but see the addenda).<sup>36</sup> Because of these considerations the majority of political prisoners ('criminals' had little choice) in the early years usually accepted 'three meals'. In any case, it was physically risky for almost all prisoners in 1962–64 not to 'accept' meal-stops. The mechanics of actually serving meal-stops are touched on in the addenda but it may be stressed here that usually the dietary punishment is carried out on the following Sunday, which is the worst day from the prisoner's point of view.

In later years, most political prisoners refused to accept meal-stops even though this meant in almost all cases engaging lawyers for relatively trivial alleged offences. This policy of the prisoners had a sequel, as will be shown presently. In this connection, it should also be

stated that there have been many cases, not of mere abuse, but of blatant contravention of the Regulations. That is to say, there have been many instances where head-warders, and even ordinary warders, have had prisoners locked up without food for a day (and even longer) without so much as referring the matter to the Head of the Prison, let alone taking the prisoner into the presence of the Head (or of a substitute of equal rank) there to be given the 'choice' of accepting 'three meals' after the customary drum-head procedure. In fact, it was such an instance, as quoted elsewhere, that led to the mass assault of 28 May 1971. For the benefit of the uninitiated it should be stressed that whether 'guilty' or not, the prisoner ordinarily stands no chance at all in the Head's office. The warder's version of an incident is believed as a matter of course. At such moments the utter desperation of the racist set-up becomes manifest. What answer can a prisoner offer in a situation vibrant with violence when the Head screams at him, 'Wil jy sé die baas lieg?' (Do you want to say that the Master is lying?) after the prisoner calmly or agitatedly, according to temperament, denies the warder's usually distorted, exaggerated or blatantly untrue reports? In the early 'sixties there used to be at least forty to fifty prisoners serving meal-stops every Sunday, and in really bad periods there were many more.

If for any reason connected with the maladministration of justice a prisoner desires to have access to his legal advisers, the prison authorities have always attempted to obstruct, and in ninety-nine percent of cases have succeeded in obstructing, such access.

Men who have for no proper reason, and in most cases without the order even of a prison court, spent many months, and even years, in segregation or isolation, have tried on various occasions to have this maltreatment challenged in the higher courts. For this purpose they

have usually tried to consult lawyers but the authorities, by the simple expedient of not posting their letter or not granting them permission to write to the lawyers, or not granting them visits for months on end, have always stymied them.

That is, until the Hassiem-Venkatrathnam case which, in this respect also was a pioneering venture. The solution of this problem should enjoy priority amongst all people concerned, since the right of access of lawyers is the main method of keeping the prisons open to public scrutiny, a point which will be taken up again later. It should be noted that the Hassiem case succeeded because the plaintiffs used the method of applying for a court order to restrain the authorities from treating Hassiem – and to a lesser extent, Venkatrathnam – in a certain manner. Meanwhile, hundreds of prisoners have had to ‘grin and bear it’, prisoners whose treatment in respect of its severity and injustice was many times worse than that meted out to the two prisoners mentioned. Particularly is this assertion relevant to the many prisoners who have been wilfully and brutally assaulted by warders (and also by their pimps and hatchet-men in their presence and on their instructions).

A few comments on prison courts are necessary. The presiding officer is usually a commissioned officer of the Department of Prisons attached to the prison concerned. In some few instances officers from other prisons have been brought to preside at the hearings. The prosecutor is invariably one of the non-commissioned officers of the prison. In most cases the prisoner defends himself and, in fact, Robben Island must be the only prison for Blacks in South Africa where such a large proportion of cases is defended by registered attorneys and advocates. It does not require much imagination to visualise what happens in the absence of legal men not attached to the prison service especially as the prison court procedure does not

necessarily follow the rules of criminal procedure of a magistrate's court despite the injunction in the Act that every attempt should be made to stick as closely as possible to that procedure. With one single known exception, all cases in which prisoners have defended themselves at Robben Island have been lost by them. On the other hand, with a few exceptions, all cases defended by attorneys or advocates have been decided in favour of the prisoner by the Court or, on review, by the COP. Even in those cases where the case was lost the mere presence of a legally trained man has always resulted in a reasonable penalty being imposed instead of the wild sentences otherwise passed. This state of affairs compels the inference that the Prison Court as it is ordinarily conducted, i.e., with the accused undefended, is a travesty of justice, a mere drum-head session in which the White warders (who have to be carefully nursed by the officers in view of the acute shortage of recruits) frame up the Black prisoners and virtually dictate to the 'presiding' officer what he has to do.

Nelson Mandela, in a case that deserves wide publicity, when he was charged with being in illegal possession of a newspaper in 1965, pointed out this racist composition and orientation of the prison court (and of other South African courts by implication). Of course, he is himself an attorney and conducted his defence skilfully and politically, but he was found guilty and sentenced to three days spare diet.<sup>37</sup> The ludicrous allegations for which prisoners have been sentenced to spare diet include such things as saying 'jy' (the familiar form of address in Afrikaans) to a warder, though most prisoners have only a colloquial and faulty knowledge of the language, and not removing their caps when an officer appeared. 'Insolence' is the convenient umbrella under which all such prisoners are arraigned.

Because of this palpable injustice of the prison courts

the political prisoners have insisted from the beginning that they should appear in ordinary magistrate's courts when charged since they could expect a fairer hearing in such courts. Except in very severe cases, the prison authorities have never acceded to this request in spite of an explicit promise given in the presence of Mrs Suzman by the COP that he would do this. This undertaking was given on 15 February 1967 when Mrs Suzman visited the Island for the first time. Subsequently, junior officers have tried to maintain that the prisoners misunderstood the COP, but neither the COP himself nor Mrs Suzman has at any time denied that he gave this undertaking although both of them were subsequently referred to it. Instead, as will be shown presently, the very opposite tendency asserted itself: instead of an evolution away from the inadequate prison court to the more visible magistrate's court, there was an evolution away from the courts altogether towards arbitrary, lawless administration. In other words, even the fig leaf of the printed word was removed to reveal the nakedness of racist persecution. It should be noted, incidentally, that apart from fairer trials, prisoners hoped also that magistrate's courts would restrain the authorities from malicious litigation and abuse of the State machine to persecute defenceless prisoners. Magistrates have in some instances virtually thrown out the 'State case' in disgust when they have had to hear these cases at Robben Island.

Of the three levels of punishment open to the prison court (loss of privileges for a defined period, dietary punishment, corporal punishment (this latter being subject to review by the Supreme Court), dietary punishment is imposed most frequently. In the early 'sixties political prisoners were often sentenced to the degrading and deforming corporal punishment so

common in other South African prisons but this practice has fortunately stopped. Spare-diet conditions and the sufferings imposed on the prisoner thereby are commented on in an Addendum.

In earlier years prisoners were often put in chains even though this treatment is prescribed only for prisoners who escaped or attempted to escape habitually or for prisoners who are temporarily violent. One of the most provoking moments in prison was the sight of a certain prisoner, Mr Myute from East London, in chains, for a number of weeks. He was perhaps one of the most popular prisoners on Robben Island, being a brilliant rugby player (who had represented his home province – Border – before his arrest) and a warm but modest personality. This man, a few weeks before he was due to be released, was assaulted by Lieutenant Fourie and certain other warders in the office and these thugs, in order to cover up their misconduct, alleged that the prisoner had tried to assault the officer (a typically obtuse ploy of prison warders). To reinforce their lie they put him in chains and for a few weeks treated him like a dog in the isolation section of the prison.

All prisoners sentenced in a prison court are automatically segregated in a special section set aside for this purpose. There, in cells eight feet by seven feet by approximately ten feet, having only a small window hardly admitting any light and certainly not admitting any warmth in winter (the season of reprisal), the prisoner experiences conditions which are now notorious in this country as ninety-days' conditions, except that the food is so much worse. For up to forty-two days the prisoner may be held *incommunicado* with spare diet in a darkened cell (except at night) without blankets (except at night) and without any privileges (including visits, letters, tobacco). This 'solitary confinement' differs from 'segregation' (in practical terms, as distinct from the

hocus-pocus of the Act and the Regulations) only in that the 'segregated' prisoner is entitled to all meals and theoretically also to other human company. But, except for the food, it is the simplest possible matter to transform 'segregation' into 'solitary confinement' by seeing to it that only one prisoner is 'segregated' at a time. Moreover, segregation can be more onerous and more exhausting since it can continue for up to six months at a time, and can even be extended for a further six months, and so on.

Until the recent more specific definition of the reasons for segregating a prisoner those enumerated in the Prison Regulations were mere verbiage since any prisoner could be segregated, literally for years, at the whim of an ordinary warder. All that was required was a 'report' from a warder, which was forwarded with a 'recommendation' by the OC to the COP (i.e., Brigadier Aucamp, for all practical purposes) in Pretoria, and the prisoner concerned (already 'isolated', i.e. removed to the segregation section but – at least theoretically – still with all privileges intact) would find himself 'segregated', stripped of all privileges. This kind of thing occurred as a matter of course in all bad periods and particularly during 1971–1972, to which more attention must now be given since it was characterised by complete lawlessness.

Reference has already been made to other aspects of this period but one of the most unsettling and dangerous features of the Badenhorst regime was the complete disregard for the trappings of justice, something which former administrations usually tried to maintain to some extent. The period had been preceded by a period during which the prisoners had consistently applied their policy of refusing to accept 'three meals' and as far as possible always having counsel to defend them. Invariably, as was pointed out, such cases were decided in favour of the accused. Consequently, when the authorities had

decided on a rightward swing of the pendulum and their hatchet-man, Badenhorst, began his persecution, they decided, *inter alia*, to eliminate the courts, even the prison courts. Hence, an arbitrary regime of summary demotions was instituted.

For every imaginable triviality, real or pretended, the prisoner would be marched off to the office by a warder who would give a verbal 'report', duly distorted or invented, and the prisoner would be marched back to his cell usually without being asked to explain his 'conduct' or to comment on the 'report'. A few days later he would be summoned to the office again and told that 'Pretoria' had confirmed his demotion – which was the first time he would hear of this particular misfortune! In many cases the prisoner would be informed neither of the original demotion nor of the subsequent confirmation. In view of the equally arbitrary Ministerial decree that prisoners demoted to the D-group automatically forfeited their study privilege it needs no further elaboration to picture for oneself the way in which the specially imported, crude, power-crazed warders (such as Carstens) abused their licence. Right at the beginning prisoners would be demoted on the spot by a commissioned officer but this blatant abuse of power was so unpalatable that even these officials were compelled to desist especially as it became obvious that the prisoners were becoming more and more ready to revolt.

Of course, the matter was raised with officials at all levels of the Administration. For a few brief months the local officers and Brigadier Aucamp relished to the full the unprecedented powers conferred on them. In a number of separate interviews held during February 1972, the COP 'explained', when challenged with his failure to honour the undertaking given in the presence of Mrs Suzman, and with the flagrant contravention of regulations promulgated by his own Department, that

since the prisoners outnumbered the warders there were usually three or four prisoners to testify about a certain incident as against a single warder. Hence, he argued, it was all but impossible for a warder to substantiate a charge against a prisoner. Since, in his opinion, this situation led to a deterioration of discipline, they had decided to bypass the courts and to use administrative methods to maintain discipline. Now, it is a fact which can be verified independently that not a single case was won by a prisoner because of lack of supporting evidence on the side of the warder. In most cases it was the self-contradictory nature of the 'evidence' offered by warders in these courts that led to the collapse of their case.

The authorities realised, on their own admission, that this arbitrary form of implementing discipline was not a desirable state of affairs, and the COP was constrained to say that it was his wish and his intention to return to the normal procedures as soon as possible. Eloquent and impassioned appeals were made to the authorities and it was pointed out to them that they had created a set of circumstances which had led to the most dangerous situation ever on Robben Island. To the COP's story that they had had to act in order to prevent what he termed a 'Sharpeville situation' at Robben Island, it was replied that far from preventing such a disaster, the authorities were on the infallible course of provoking one. Not until Judge Steyn<sup>38</sup> and his associates had visited the Island in 1972 and these complaints put to them, were any tangible changes evident. The COP, who was chaperoning these members of the Judiciary, when faced with a challenge on this matter, gave the revealing answer that these prisoners were very cunning and that they 'sailed very close to the wind' but it was difficult to prove that they had actually contravened the law.

If anything ever broke down the relations between the prisoners and the officials it was this arbitrary dispensing

of 'justice'. Except for the brutality of assaults, no other facet of life and experience on Robben Island caused so much bitterness. The authorities read the signs correctly and towards the end of 1972 and for most of 1973 a transitional phase was introduced. Demotions still took place but at least some kind of formality was observed. Prisoners appeared before the Prison Board, i.e., Brigadier Aucamp in one of his many disguises.<sup>39</sup> There they were accused of certain things and given an opportunity to comment. Though they were hardly ever given the benefit or the ever-present doubt, this formal concession did much to calm the agitated tempers of the prisoners. Tempers were frayed not merely because of the number of people who lost their studies (and money, be it noted) but also because of the number of people segregated, for once a prisoner had reached the D-group in his downward fall, segregation was the only other punishment which the authorities could impose if they did not want to go to court. Needless to say, if the Act had not obstructed them they would have imposed spare diet and even corporal punishment in this purely administrative manner. Moreover, it should be remembered that there was an attack on the prisoners along the whole front. i.e., *inter alia*, visits were curtailed drastically, letters censored viciously and not handed over, pressure applied at work, food deteriorated, recreation drastically limited and even abolished, and a general climate of persecution created.

By the end of 1973, however, there was a return to the 'rule of law' as understood in South African prisons. Though there was still much petty and malicious litigation, prisoners were once again allowed to get legal representation when charged and arbitrary demotions and segregations came to an end in the wake of the Diemont Judgement. From the point of view of the Administration of Justice, the prisoners' main complaint

was what they called 'pre-trial isolation', i.e., the custom of isolating the prisoner sometimes even before he was charged and certainly as soon as he was charged. Prisoners would have no complaint if this were done for a day or two while the formalities of arranging the trial were attended to, but in practice this means that prisoners spend weeks and months in isolation (as opposed to segregation and solitary confinement, i.e., without loss of privileges other than that of being cut off from social intercourse with their comrades). It is not difficult for bureaucrats to delay matters for as long as they like, and usually the attorneys engaged by the accused are either not aware of the technical situation of the accused or do not appreciate what the change of the conditions of incarceration entails.

For a Department which is supposed to be an integral part of the Administration of Justice in South Africa, the Department of Prisons manifests a singular lack of any real concern about justice. This is the most serious single indictment that must be made against it. To the extent that any serious people are still taken in by the inept window-dressing of this Department, it is high time that all illusions be dispelled. It should be realised that basically one is dealing with people to whom the law is merely an unfortunately necessary obstacle to be overcome and circumvented by whatever means will wash with the White electorate.

A final word about legal representatives. The prisoners have the highest respect for the faithful and expert little band of people whose efforts have often meant the difference between health and being maimed. They understand the legal diplomacy imposed by the situation on their legal representatives. Yet being political prisoners, they often believe that the attorneys should strike out more boldly and should indict the authorities openly for the miscarriages of justice and the unfair and

malicious allegations they make themselves guilty of. There is no simple answer to this question but it is one that may well be considered very seriously. Legal aid for the defence of political prisoners involved in prison cases for alleged 'offences' can be seen from the above exposition to be a dire and a constant need.

## **Classification and the Prison Board**

The Prison Board and the system of classification (grading) of prisoners are jointly in respect of political prisoners the most insulting institution in the structure of the Department of Prisons, since they are based on the assumption that all prisoners are anti-social criminal elements who can be 'rehabilitated' by means of a carrot-and-stick policy. From this point of view the lack of differentiation among prisoners in respect of the cause of their respective offences is an indictment on the primitive criminological and penological theories of the Department.

As is well known, there are four categories in which prisoners are placed according to their behaviour in prison, as interpreted by the prison officials. The most recalcitrant hardened criminals are supposed to be placed in the D-group, to which only the bare minimum of privilege is attached; the most co-operative and well-behaved prisoners (always from the point of view of the *Herrenvolk* ethos that prevails in South African prisons) are promoted to the A-group. These prisoners, apart from being restricted in their freedom of movement and association, are virtually free people. In so-called A-group stations (such as Witbank Prison) they could lead a fairly normal existence. In between are the two transitional groups of 'C' and 'B'.

Before the influx of political prisoners, the reasonable practice prevailed of placing almost all first offenders

-serving more than two years in the B-group on admission to prison. From this elevated position the prisoner could then either ascend to the pinnacle of the A-group or fall down to the lower groups. This happy solution was, however, not applied after 1963, at least in respect of political prisoners at Robben Island. All such prisoners were automatically placed in the D-group, i.e., in the least privileged group. There was no attempt to disguise this blatant political discrimination. Instead, whenever a political prisoner asked about it – something which most organisations discouraged, as will be noted – he was told that the government took a very serious view of political offences even though the particular official realised that the particular prisoner was a ‘well-behaved’ individual.

It is relevant to remark that – excepting mere vindictiveness, which is very common in South African gaols – the criteria which the Prison Board is expected to apply are basically such categories as obedience, neatness and cleanliness, diligence, civility, and general demeanour. Now, it goes without saying that the overwhelming majority of political prisoners automatically pass any test based on these criteria. It is a fact that, though opposed to the South African social system and the South African Government, political prisoners are among the best placed to appreciate the need for institutional discipline, and in fact the majority of prisoners at Robben Island do understand this. Hence their basic approach has always been to obey and to carry out any reasonable and lawful command without protest or complaint. Trouble has always arisen because of unreasonable and unlawful commands. The relevance of all this is that the authorities soon realised themselves that they were dealing here with a prisoner ‘of a different type’, as they themselves formulate it.

They realised that according to their own criteria, all these prisoners ought to have been in the A-group, but a

number of considerations – inspired by the police no doubt – made them unwilling to promote the political prisoners *en masse*.

(i) If prison were seen to be a ‘holiday’, imprisonment would have no deterrent effect on ‘terrorists’, ‘saboteurs’, etc.

(ii) Contrary to professed prison policy, it was desirable to permit political prisoners as little contact as possible with the outside world, because, firstly, such contact would help to boost their morale, and this was not the purpose of imprisoning political prisoners, and, secondly, instructions to and messages from subversive organisations would be facilitated.

(iii) Political and racial prejudice, as well as a very ordinary inferiority complex. These reasons are by no means speculative. They have been stated at one time or another to various prisoners by different prison officials, more especially by Brigadier Aucamp. For these reasons, amongst others, a rule-of-thumb criterion, always strenuously denied by responsible officials but clumsily exposed by Board members, was adopted, according to which a prisoner (i.e., a political prisoner at Robben Island) could only be promoted to the next group once he had completed a quarter of his sentence, regardless of his behaviour. This criterion was *in fact* applied to the majority of prisoners. Moreover, once a prisoner had reached the B-group it was the easiest thing in the world to overlook him or not to call him up to the Board to the sitting where he would normally have been promoted to the A-group. Often a prisoner would be informed a year later that he had in fact been promoted to the next A-group and ought thus to have been enjoying the privileges of that group. In such petty ways privileges are withheld ‘legally’. Consequently, only a very few political prisoners have enjoyed A-group privileges for more than a few months before their release and many, after reaching the A-group

relatively soon, have been demoted on transparent pretexts, especially during 1971–1972.

From the above it should be evident that privileges are the pivot of the legal power of prison officials. Most officials instinctively and traditionally use this power of alleviating the miseries of prison life in order to mass-produce servile, cunning, and dishonest prisoners. The latter, for their part, hate the warders intensely but dare not show this lest they are further ill-treated.

It is only the 'hardened' criminal, who is often in fact a principled, if relatively unsophisticated, revolutionary, and is always a social rebel, who breaks out of this vice clamp. It is the application of this policy to political prisoners which is so degrading and which causes so much discontent and contempt for the Department of Prisons much as it is realised that this policy is a logical extension into the prison sphere of the colour bar society.

Ironically, in spite of their many years of experience and their rustic psychological insight, no Board member has ever realised that far from inducing servility and fear into a political prisoner by means of such policies, they call forth contempt and ridicule. Indeed, on a number of occasions political prisoners have had to spell out in no uncertain terms and at great physical cost to themselves to the Board in session their attitude to the whole institution. This attitude is easily understood by people who do not suffer from the ideological blind spot that hampers the vision of Board members.

For a short while in the early years the prisoners treated the Board as a serious institution but it soon exposed itself for what it is and they adopted thereafter their present attitude. This is to ignore the Board and to reply only to questions of a technical nature, which they do so as to avoid confrontation, since any serious discussion with the Board members in session must end up in a shambles, followed by petty but vicious

retaliation from the side of the authorities.

Most of the political prisoners have been hard-working people outside prison and consequently fully realise the need for discipline in the institution. Despite their alleged unmotivated recourse to violence as a method of bringing about social change none of them believes in violence and confrontation as a method of solving problems in the personal and in the institutional spheres. Many of them have themselves had to discipline hundreds and even thousands of people as teachers, managers, doctors, speakers, organisers, etc. Consequently most prisoners consider it to be an insult to them as responsible adults to be told how to conduct themselves. They discipline themselves voluntarily and maintain that any problems which arise should be settled by discussion, and by analysis of the causes, not by the strong-arm methods which are the normal solution of prison officials. Because of disillusionment and frustration, the majority have come to realise that it is better to assume that they must expect the worst, and they no longer attach any importance to privileges *per se*. This is one of the reasons why the life-saving permission to study should be given the status of a right rather than that of a privilege. The extra food, which A-group prisoners may buy, will not be missed by men accustomed to the iron rations of prison. Newspapers will always be smuggled until they are given freely, as happened in the case of tobacco. This attitude, quite naturally, has rendered the Prison Board, if not physically, at least psychologically, harmless to the prisoners. In fact, Board sittings at RIP are looked upon as a nuisance and an unnecessary evil, and one does not find any of the excitement and apprehension which prevail on such occasions in other prisons where the crumbs handed out to selected prisoners loom large in their pitiful lives.

## **Contact with family and friends**

Various sections of the Act and of the Regulations underline the fact that it is not the intention of incarceration to transform the prisoner into a social outcast. There are various injunctions on the administrators to ensure that the prisoner has regular contact with friends and family by way of writing and receiving letters as well as by way of receiving regular visits.

Special welfare organisations exist to help those prisoners who have been cast adrift through the disaster of imprisonment and in recent years NICRO has come into being belatedly in order to systematise the rehabilitation of offenders.

Letters and visits, it need hardly be stressed, are, therefore, of extreme importance especially to political prisoners, whose families and friends, far from seeing their fathers, brothers, or sons, as well as themselves, covered with shame as the result of their incarceration, look upon them with love and pride, however hard their lives may have become because of the imprisonment of their loved ones. In most cases they are therefore keen to write to them and to visit them. Obstacles to these laudable goals are the lack of an epistolary tradition (and the problem of illiteracy) as well as the lack of money to visit Robben Island often. In some cases – more than one would expect – there seem not to be any close family bonds and the men concerned are then cast adrift, at least from the families themselves.

As has been indicated already, the prison authorities have on balance discouraged contact between the political prisoners and the world outside. This attitude is implicit in the very geographical fact of incarceration on Robben Island, which is hundreds, and even thousands, of miles from the homes of most of the prisoners. If the

security argument were in fact valid – and it is not – the authorities would at the very least have facilitated in every way possible the acquisition of the material means of reaching Robben Island for the families or, in the absence of these, the friends, of the prisoners. But this has not been the case. On the contrary, any attempts to assist the families of political prisoners officially and in an organised way to visit their relatives have been systematically foiled – until recently.

The banning of Defence and Aid is well known; the Dependents' Conference of the Christian Institute, since it does not normally negotiate directly with the authorities has not been stymied but the Institute itself is operating in the grey area between legality and illegality, and it may well be 'Schlebusched' soon.<sup>40</sup> An attempt by the IRC to provide funds officially for at least one visit per annum for a relative or friend of each political prisoner in need of assistance, or at least for the Namibians, was vetoed on the frivolous grounds that this would imply discrimination against other prisoners in South Africa. Though there seems to be some relaxation in regard to this matter, one suggestion that ought to be followed up seriously is the idea of providing generous railway concessions once or twice per year to the relatives (or friends in lieu of these) of prisoners incarcerated in prisons situated more than say a hundred kilometres away from their homes. The mechanics of such a scheme should present very few difficulties.

There is much hanky-panky in the issuing of permits by Bantu Commissioners to the relatives and friends of political prisoners due to visit them. Examples are legion, and the proof of collusion between the various Departments of State is probably easily established. In any event, this abuse must be eliminated. It is probably unrealistic, considering the calibre of the people involved, to expect the inefficiency and downright

viciousness in the issuing of permits to visit Robben Island (issued by the Censors' Department on Robben Island) to improve beyond a certain point.

Anticipating a move which even the Nationalist government has not dared to hint at, the Robben Island authorities, in 1972, tried to compel Coloured visitors to obtain permits to visit Robben Island from the local branch of the Coloured Affairs Department before applying to the prison authorities for a permit to visit the Island.<sup>41</sup> Only people who had been 'cleared' by the CAD would be given permits. It is perhaps not unexpected to report that not a single Coloured person applied to the CAD, and in due course the whole thing broke down. Of course, it should be remembered that this was a period during which the authorities tried every scoundrelly trick to disrupt the normal relations of the prisoners.

But the most serious threat to visits has come in 1974 under a prison regime which is supposed to be, and in certain respects in fact is, more enlightened. Suddenly, in March 1974, the prisoners were informed that in future only 'first-degree' relatives would be allowed to visit prisoners. They soon amended this statement to the effect that discretion to grant visits would remain with the OC. But official policy was to give priority to, and to encourage visits from; 'first-degree' relatives in pursuance of the aim of the Act to maintain close contact between family and prisoner. This, in South African Prison officialese, means that only 'first-degree' relatives will be allowed.

'First-degree' relatives are defined as mothers, fathers, brothers and sisters, in the case of bachelors, and the same kin plus wives and children over sixteen, in the case of married men. Various anomalies are self-evident. Men who are unmarried but have children will not be able to see their 'wives'; sweethearts are out; grandfathers cannot see their own grown-up

grandchildren; people who are without first-degree relatives at all cannot expect as of right to have any visits.

Prisoners immediately protested against this curtailment of a fundamental privilege and all but thirty refused to hand in a list of names of their 'first-degree' relatives. Though there was some dissension about the tactics adopted, the prisoners decided to show that they were not prepared to collaborate in this business. It was pointed out that with most African prisoners it was nonsense to even speak in terms of 'first-degree' relatives since the kinship system was different and to exclude from such a list a person who in European terms is a cousin would in fact be tantamount to cutting off a brother. Of course, the whole concept is ridiculous, for even in so-called Western societies cousins (or friends) are often related more meaningfully to one another than brothers.

In the ensuing confusion all kinds of explanations were given for this curtailment but the one that really mattered was the allegation that prisoners had 'abused' the visiting facilities in order to pass out information to subversive organisations and to receive news. It was pointed out that the very same could be done through 'first-degree' relatives, granted that such 'abuse' had in fact occurred. To this the reply was that such relatives would be stopped from visiting as a matter of routine security. But why then introduce a special Prison Service Order to deal with 'distant' relatives and friends? Because 'Pretoria' had ordered it (which 'argument' is the *ultima ratio* of all bureaucracies). Once again, impassioned appeals were made to the OC to reconsider this matter and to take it up with 'Pretoria' on behalf of the prisoners. He was left in no doubt about the depth of dissatisfaction the implementation thereof had already caused and would still cause. For this was no empty threat. Many people had already been prevented from

coming to Robben Island under this order, which, incidentally, is issued *illegally* in terms of Section 85 of the Act, which section does not relate to prisoners convicted in criminal proceedings. The prisoners consider this latest form of applying psychological pressure to be a grave injustice and are determined that it should be fought and abolished. Moreover, it is necessary to have the question of the status of visits tested in court. Visits ought to be a right, not a privilege with which inferior officials can torment defenceless people. This is very important since it is not only the prisoner that suffers but also his family and his social circle outside prison.

Though contact visits are a privilege normally accorded to A-group prisoners, they are denied to all political prisoners, again 'for security reasons'. Particularly in the case of loved ones, it is very important that a visit should take place under circumstances as close as possible to normal. One can imagine how difficult it is for a father, for instance to have a normal conversation with a son or a daughter, or even with a wife or a mother, when they have to peer through a glass partition and shout at each other in order to be heard. Though conjugal visits do not seem to be permitted in South Africa at all, there is in fact no reason why this reasonable privilege should not be granted to South African prisoners in particular.

Prisoners are convinced that they have every reason to believe that some, if not all, of their visits are tape-recorded. The fact that every visit is supervised by a warder is in itself a restriction (an inevitable one) on normal communication, but this bugging – or even the suspicion of it – is an unreasonable and illegal invasion of the privacy of the individual. This matter requires careful study.

Letters are next in the line of attack. There is no reason why the authorities should not go on to attack this

privilege once they get away with their present campaign against visits. As in the case of visits, there were improvements in regard to the writing and receiving of letters. From one letter (and visit) every six months in 1964 to one letter (and visit) every month for the prisoners in the lowest classification group is a great improvement.

On the other hand, censorship of letters has degenerated into a wilful, nasty game played by children to spite their adult adversaries. As indicated earlier, it has often happened that a whole letter is mutilated and that virtually only the salutation and the conclusion are handed to the prisoner. When it has been possible to discover what was censored, it always turned out to be innocuous matter which was not illegal and certainly not subversive. It is an intolerable situation where the wide cultural, historical, and political interests of many political prisoners have to be curbed and smothered because of the ignorance and backwardness of prison censors, many of whom have not even matriculated. Any reasonably serious letter in which things are discussed above the everyday level, or which does not deal simply with the health of family and friends, infallibly arouses the suspicion of the 'censors' and invariably gets mutilated, withheld, or suppressed. Anything approaching politics is taboo, and anything in which the censors are not interested is best left unsaid. Thus, cultural starvation of the political prisoner is built into the system simply because of the lack of an intellectual culture of the warders.

Letters that are withheld are supposed to be reported to the prisoner and placed on his file. But the prisoner is hardly ever informed (and of course, finds out by other means) and some released prisoners have not been handed back their property such as letters received by the authorities on their behalf. It is obvious that apart

from other possible reasons, the authorities suspect that such prisoners will use these letters in order to show the world 'propagandistically' how imbecile their attitudes are. According to Brigadier Aucamp, letters to and from White people (local or overseas) are not allowed, because this is not compatible with the Government policy on race relations; similarly, visits from Whites are turned down excepting a few very special instances of overseas visitors who have seen certain prisoners.

More impossible than anything else is the disproportionate amount of interference with outgoing mail. Letters are simply not sent off to the addressee in many cases. In other words, they are sent to the police or letters are intercepted at the post offices before they can reach the addressee. At one stage in 1973, Nelson Mandela had a record of thirty-four letters that had never reached their destination. In 1970–1971 alone, Neville Alexander had a series of fourteen letters withheld. Other examples could be quoted. Letters from certain people outside are censored to vanishing point as a matter of course.

For a prison administration the writing of letters by prisoners is a very important method of studying the personality, interests, and rehabilitative progress and effort of the prisoners. In progressive administrations, therefore, there is no curb on the writing of letters. One should expect that this would particularly be the case with political prisoners whose ideas, after all, are the cause of their incarceration. It should become a demand that prisoners be allowed to write as many letters as they wish even if they are expected to pay for postage above a certain maximum number of letters. Censorship should become more enlightened, and tied to certain criteria, instead of the present system of arbitrary and nonsensical amputation of letters.

## **Recreation and sports**

Before 1967, little or no sport was allowed. Recreation consisted of such indoor games as the prisoners could devise with the makeshift materials at their disposal (e.g., draughts, chess, card games) but these games were liable to be rudely interrupted or even disrupted by the mere approach of a warder.

After 1967, rapid and far-reaching improvements were implemented. Outdoor and indoor games were permitted and (in the period 1968–1970 inclusive) encouraged more especially in the communal cells of the general section. Games such as rugby, soccer, cricket, table tennis, and all forms of indoor games were played; from 1972 onwards tennis courts were also built. This development had a marked positive effect on the psychological climate and it was a disaster when the reactionary spirit once again prevailed during 1971–1972. During that period many games were in fact not played, especially as the playing of games was made subject to carrying out the ‘discipline of the institution’, i.e., being servile. Hence there were numerous sports boycotts, all of which, of course, added to the almost unbearable tensions of that period. Ever since, because of a rule imposed at the time that all prisoners be locked up between 11 a.m. and 1 p.m. on Saturdays and Sundays, outdoor games cannot be played in such a manner as to satisfy everybody.

None the less, the authorities have not merely created an empty showpiece even if at times it was that. In the single-cells section, the position is not quite satisfactory. The age-composition of the group (many sickly and elderly men) precludes most outdoor games, except tennisette, which was started in 1974. All attempts to allow the younger men to play in teams (or even against teams) in the general section has drawn a blank. Even

requests to go and spectate at matches between general section teams have been turned down. Yet sports and recreation are not a pressing problem of the prisoners. Of course, the danger always exists that the authorities can arbitrarily (and punitively) curtail the privilege, but this is an eventuality of which the prisoners are fully aware, and though such a situation would be irritating and frustrating it would not be the end of the world.

Musical instruments were also allowed at about the same time (although there were perfunctory attempts in 1971–1972 to grant the privilege of having an instrument only if the prisoner was actually registered with an institution for a course in music!). Quite a few prisoners had instruments and much talent, surprisingly, has come to light. Records are played over the intercom from 5 p.m. until 8 p.m. every night and on Saturdays and Sundays since 1972. Records are bought by the prisoners or sent by individuals outside, and donated to the Prison Record Club. The IRC was also permitted in 1973 to make a financial contribution to the Club.

Film shows have been held fortnightly since mid-1973, but again the authorities seem to think of these as a *quid pro quo* for servility. Hence, though on occasions of friction between prisoners and officials, as during the crisis around the question of visits, the shows were suddenly cut out, few, if any, prisoners asked for the restoration of the privilege. They have learnt to treat such a paternalistic attitude with the contempt it deserved. The films are selected by the warders' film club and are usually mediocre 'action-packed' thrillers or sentimental Afrikaans films. But in a prison the surrogate world of the cinema provides much relief for the average prisoner.

Priests were allowed since 1964, at first very infrequently, later very frequently. A few have been banned after one or two visits, apparently because they took a serious interest either in the prisoners or in their

families. Whatever the case may be, for many prisoners the fortnightly Church services are extremely important and it is imperative that this service should continue to be available.

## **Public scrutiny**

It is important to realise that maladministration, maltreatment, torture and atrocities can occur only in the dark. Technically speaking, there is no reason at present why this should be the case. Various categories of people have official and legal access to the prisons, and it is they who must be informed directly and indirectly of the reality of prison life in South Africa if they are to know *what* to look for instead of seeing only that which is shown to them.

This latter proposition is not as far-fetched as some people would like to think. Many examples could be quoted but perhaps the total cynicism of which the prison authorities are capable can be best shown from the extreme instances of the Aida Parker visit of 1965. Miss Parker, at the time attached to a Natal English daily (and a national weekly magazine), was brought to Robben Island and subsequently wrote a flattering report of what she was shown. Whether or not she had gone there prepared to whitewash a place which, particularly at that time, could not be spoken well of in any respect, the fact remains that she never took the trouble to *look*. One episode proves this assertion conclusively. Miss Parker was chauffeured to the main entrance on a cloudy day just as the single-cells prisoners arrived there on foot from the lime quarry. Each prisoner was wearing a waist-long rubber macintosh. The lady, like a true journalist, noticed this 'luxurious' article at once and asked whether all prisoners had one. She was told by Mr Verster (just recently promoted from Head-Warder in charge of

security to a kind of PRO-cum-'Welfare Officer' for the Island) that this was the case. In fact, he informed her, in impeccable English, that each prisoner had *two* such 'coats'. The deceiver and the deceived smiled in great self-satisfaction at each other. The bewildered prisoners said nothing and hoped that the lady (whom none of them recognised for what she was) would speak to them and thus release them from the discipline of compromising silence. For the fact was that these 'coats' had been issued to them a few hours earlier as they were going to the quarry. But the lid was put on the whole farce when a few minutes after Miss Parker disappeared from the scene the 'coats' were summarily demanded back, collected, and not seen again for two years! And, of course, there was no second 'coat'. There still isn't one! Other equally entertaining and disgusting examples could be cited at random.

## Visits by COP

It was noted by the prisoners that every visit of the COP in the early years was preceded by a slight relaxation of tension and persecution.

The present COP (due for retirement soon) is the fortunate possessor of a classical diplomatic demeanour and in a more honest situation he would undoubtedly be the perfect PRO. But in the position in which he is placed, even assuming the best intention on his part, all his diplomatic facade is so much wasted effort if it is meant to convince, and not merely to deceive temporarily. Because of the visible, if brief, effects of his visits on the institutional climate the prisoners have often asked him to come regularly. They have pointed out to him that officers and warders are curbed in their arbitrariness and lawlessness by the knowledge of an impending visit by some important personage, especially that of the COP

himself. They have stressed that RIP is the most important prison, politically speaking, under the Department's jurisdiction, and that it is potentially also the most explosive unless some of the reckless elements on the side of the Department are controlled as a matter of policy. Though he has on occasion promised to accede to this very reasonable request, the actual tendency has been for the COP to visit the prisoners for complaints and requests less and less frequently though it was known that he does visit the Island often.

### **Visits by members of the Legislature**

On a few occasions MPs and Senators of the Parliamentary Justice Group have visited RIP but since none of them ever spoke seriously to any prisoner, little can be said about this. They seem to be more interested in the *prison* than in the *prisoners* and there is no way of knowing what effect these excursions have on them.

This was not, however, the case with the two individual visits paid by Mrs Suzman to the prison. She used every available minute of the time allowed her by a tightly tailored schedule in order to gain a wealth of information. On the first occasion, she saw various prisoners and on the second only Nelson Mandela. On the first occasion, on 15 February 1967, the COP, who conducted her, agreed to allow Alexander and Mandela to formulate all the requests and complaints of the single-cells prisoners and to hand these over to Mrs Suzman. This in fact never happened and when the prisoners asked why their documents were not handed to her they were informed that to have done so would have meant that the Department acknowledged the truth of the allegations made in these!

What is important to note is the fact that unofficially, the first Suzman visit is considered to be the turning

point in the treatment of the political prisoners at Robben Island. This was certainly no mere coincidence, and it is this realisation which should be pondered. Serious-minded members of the Legislature should make as many attempts as possible to visit the prisons and, in fact, the matter should be moved up much higher on their list of priorities. Moreover, if all prisoners cannot be seen for any particular reason, all visitors should be told to insist on seeing representatives of all the organisations and tendencies represented among the prisoners. This is basic if any visitor is not to alienate himself from sections of the prisoners, most of whom attach great significance to the symbolism involved in such matters.

### **Visits by members of the Judiciary**

Just as important as the visits by Mrs Suzman have been the recent visits by judges, especially those by Judge Steyn and his associates. The earlier judges who came did not have any apparent effect but in the case of the latter, tangible and important improvements in the administration of justice came about almost immediately.

The abandonment of the vicious method of arbitrary demotion came about as the direct result of Judge Steyn and his associates. This is probably one of the most important methods of opening the prisons in general and RIP in particular to public scrutiny. According to the Act, of course, any member of the Judiciary can walk into any prison at any time but this life-saving provision is probably acted upon very seldom. Of course, the Island situation makes it impossible for a judge or magistrate to walk in 'unannounced', but the members of the Judiciary are supposed to be specially trained to see through any window-dressing. It would be one of the most powerful safeguards to justice to political prisoners if a different magistrate were to visit RIP say once per fortnight.

## **Visits by the IRC**

These visits began in 1968 and have continued, usually annually, up to the present. They have been invaluable to the improvement of conditions, especially in such matters as better clothing and better food, recreation, medical attention, etc.

It is not advisable to discuss the mechanics of these visits in detail as these are privy to the Government and the IRC. Most of the representatives have been men who have had wide and long experience in various parts of the world, and they have quickly grasped the essence of the problems on the Island. Their main role has been that of mediators, especially in crisis periods, as in 1971–1972. These visits should at all costs continue, and the more insight and know-how IRC representatives are able to get, the better.

## **Visits by other foreigners**

Sometimes foreign journalists, judges, and other dignitaries are taken on a guided tour of RIP. None of these has been hostile to the South African regime, at least not in public. Some have been openly biased against the prisoners.

A man like Judge Henning, editor of *International Lawyer*, who gave evidence for South Africa in The Hague at the South West Africa hearings, was downright rude, prejudiced, and probably embarrassing even to his hosts. In fact, after his visit, most prisoners spontaneously and independently decided to question the mission and *bona fides* of any visitor who comes to RIP and they have done this generally. Most of these visitors are really brought to whitewash. Few of them really understand the situation they meet on Robben Island, where – at present – things look quite normal on the

surface but, as any reader of this document will realise, there is a rottenness at the core of the situation which only the initiated can divine. While some of the men who have come to the Island are undoubtedly crooked, most have just not realised what the issues are, and go away with a totally distorted idea of the reality. To quote an instance; David MacNicoll of the Australian Press visited RIP in 1974 and spoke at some length to Nelson Mandela (and more briefly to Alexander). A report of these interviews was published in various newspapers. Apart from other possible criticisms, one startling distortion (not necessarily deliberately done) is present in the article; the portrayal of Mandela as one who is obsessed with the idea that because of his professional and political status outside prison, he resents being treated as inferior to Coloureds and Indians inside prison. No doubt Mandela used the example of a man such as he was outside in order to ridicule the excuse that Africans are supposed to be 'inferior because in general they have an inferior 'standard of living' in South Africa – but surely his point was that there is no *good* reason for discrimination as between *any* two prisoners in South Africa. This crucial point was missed, or omitted, consequently distorting the image of one of the least snobbish and most modest men in any South African gaol.

The only way to deal with such visitors is to answer their distortions and their reports immediately, to the extent that this is considered necessary. Hence the urgent need for proper information.

## GENERAL RESPONSES AND STRATEGIC ATTITUDES OF POLITICAL PRISONERS AT RIP

THOUGH INDIVIDUAL PRISONERS HAVE always differed in accordance with temperament, principles, strategy and tactics, and although the various tendencies represented there have always had slightly different approaches on major issues, the pressure of events and common experiences have given rise to a uniformity of approach to 'purely' prison issues so that – except in special circumstances – most prisoners now respond in accordance with a tradition established over the years.

This tradition may be summarised as follows: while they continue to state their principled political demands (such as equal treatment for all, release, remission, etc.) prisoners realise that within the present framework it is unrealistic to expect that such demands will be met. On the other hand, since conditions even now are often extremely bad, every effort must be made to improve them especially as it is often literally a question of life or death.

Confrontations are, therefore, avoided and never provoked. Negotiation with the authorities, patient discussion and persuasion are the preferred methods. Civility and dignity are insisted upon; also voluntary discipline. On the other hand, no semblance of servility is tolerated. Rudeness is rebuffed firmly but politely, as far as possible. Actions considered to be absolutely indefensible and immoral in the circumstances of prison, such as the denial to political prisoners of newspapers and radios, are defied openly, and prisoners have often told leading officials that in such matters all the prisoners

are prepared to accept the punishments (under protest) attached to the contravention of the relevant regulations. They appear to have been extremely successful in this. Furthermore, every possible way of exposing the iniquities of life at Robben Island should be, and is, explored – though there is an unfortunate tendency among some prisoners to fail to distinguish between mere propaganda (i.e., obvious distortions and exaggerations) and the truth, which is sad enough.

It follows from all that has been said that – speaking generally – the morale of political prisoners is very high. How should it be otherwise? Apart from their faith in their cause these prisoners know what dramatic changes are occurring in the world, and in Southern Africa in particular. But no community is really monolithic. There are informers on Robben Island too, men who for diverse reasons have left their organisations (or been expelled) and are collaborating with the authorities. But they are all known and, therefore, useless except as irritants to the community. For the rest, it is hoped that every Robben Island graduate will be a credit to the unique experience afforded by a long term of imprisonment. The camaraderie built upon on the Island should be encouraged to continue beyond release and beyond the Cape Town docks.

## ADDENDUM ONE: ZOOLOGICAL CONDITIONS OF NON-POLITICAL PRISONERS

THE STATUS OF THE (BLACK) non-political prisoner is that of a slave. In the extreme case – which is a constant possibility – his life is completely at the mercy of the meanest warder. From the moment the convicted prisoner enters the gaol he ceases to be a human being. In most cases he is treated as an animal long before the courts have actually found him guilty, i.e., while still an awaiting-trial prisoner. The prison uniform strips him not only of the few garments he normally calls his but also of the vestiges of dignity he might possess.

He undergoes a farcical examination when he is admitted and entered into the prison register. In a Kafkaesque situation he is asked about the details of his miserable life outside prison and, in a larger number of cases than even the most cynical authority would care to admit, it can happen that every single fact, beginning with his name and address, which he cites about himself may be fictitious. To quote a notorious instance: it is one of the most convenient stereotypes of prison officials that all Africans who do not – or who claim that they do not – understand one of the ‘official’ languages belong to the ‘Church of England’!

He is placed in a cell, usually with other prisoners most of whom are old hands at the game, and with that he enters hell, a very different place from the purgatories of his life up to that stage. Here he will come to know the gangsterism, hooliganism, drug-taking, homosexuality, robbery, murder, and mental decay, *which exists in every prison in South Africa* to a greater or lesser degree. If he

has known this type of thing outside prison, he will usually know how to fend for himself. If he has not, one of three possible things will happen; he either holds out firmly, in which case he will almost certainly lose his life (i.e., if he is serving a long term of imprisonment); or he accommodates to the new facts of life and becomes anti-social, out-Heroding Herod in order to stay inside; or he becomes a moron, an empty, willless being who will do anything which anyone stronger than himself orders him to do, without so much as pretending to think about the task imposed on him. The sordid detail of this life is properly the province of the epic writer.

The vast majority of the officials have a vested interest in the perpetuation of these conditions and accordingly they do everything in their power to encourage them. The more degraded the prisoner the simpler is the warder's task. Only in the midst of such dehumanisation can he hope to be the king that he is. This is the reason why most warders do not like to work with White prisoners, since these cannot be compelled to kow-tow to them and to make their lives the comfortable holiday they are among Black prisoners. They cannot kick, beat, swear at, 'play' with, and torment the White prisoner in the same way they can do with the Black prisoner. The White prisoner will not call him 'Baas', clean his shoes, fetch and carry for him, clean his house (or other living quarters), cook for him, nurse his children, steal for him, etc., etc. It is in his interests, therefore, to see to it that the Black prisoner never aspires to, or gets the opportunity to manifest, his essential dignity as a person.

Unless one were to quote a series of incidents – and this is not the place for such an exercise – one cannot convey the hard, bitter experiences which these few words imply. The astounding frequency of escapes and of escape bids as well as the frequency of self-inflicted mutilations (cutting of tendons, amputation of limbs,

drinking of lethal or almost-lethal fluids, and many others) are an index to the cruelty of the prisoner's existence. The utter wastage of the prisoners' lives and the infallible corruption and criminalisation of the warders are the inevitable products of the system.

The prisons are places where White and Black human garbage is produced. Almost anyone who has been associated with the institution of prison for longer than six months, no matter on which side of the bars he functions officially, is fit for the social rubbish heap, almost irredeemably blemished. And it does not matter how polished his exterior may seem! It is vain to hope that any official investigation will ever bring to light the real conditions in the prisons (for the prisoners will be compelled to help the authorities to window-dress the whole structure in order to hoodwink the prospective commissioners, even if these were men of the highest integrity and independence): but the facts have to be stated. The prisoners on Robben Island are probably the only Black prisoners who could state them.

## **ADDENDUM TWO: LITERATURE ON THE PERIOD 1962–1964**

THE PERIOD 1962–1964 has been extensively documented, more particularly by certain international organisations.

Evidence on the conditions and treatment of political prisoners at Robben Island during this period has been given to the United Nations Commission for Human Rights and the Special Political Committee on Apartheid.

Memoranda, including many authentic documents originating in the prison itself, have been presented to such organisations as the International Commission of Jurists.

Literary, rather than political, documents are slowly beginning to appear, but these – as in the case of the poems of Brutus and the novel of DM Zwelonke – are invariably banned.

In this connection the following suggestion ought to be followed up. A comparative study – preferably by properly qualified people – should be made of the International Standard Minimum Rules of the UNO concerning the Treatment of Offenders (first signed in 1955) and the Prison Act (No. 8 of 1959) of South Africa. Both these documents have been variously amended and the amendments themselves would be extremely revealing. Such a comparison would gain much in significance if each point is measured up against the practical implementation of the Prisons Act.

### **ADDENDUM THREE: AN EXTREME CASE OF BIGOTRY**

THE FOLLOWING IS A BRIEF characterisation of an official who by virtue of his prejudice, pettiness and sadism has probably caused the political prisoners at RIP the greatest suffering and despair. This sketch, though it portrays an extreme case, is at the same time representative of a large proportion of White prison officials in South Africa.

Head Warder Carstens was in the group of warders who were especially selected in 1970/71 to 'discipline' the political prisoners. At the time, he was in his late forties, having been in the prison service for seventeen years already. As such, he had served in various prisons in the country as well as in Namibia and Rhodesia.

He is a married man with three or four children and was particularly proud of one of his sons because the latter was at the time the WP amateur bantamweight boxing champion. This son is also in the prison service and is, if possible, worse than the father. In fact, at one stage the prisoners had to ask the officers not to let father and son work in the same section at the same time since the son would incite the father to do the most outrageous things. The father, naturally, would have to show his worst side in order to maintain the 'tough-guy' image in the presence of the son.

Prisoners have often made inspired guesses to the effect that Carstens was a victim of acute domestic dissension. Whatever the source of his psychotic behaviour, it is a fact that he manifested the narrow-minded viciousness of a henpecked husband towards his subordinates and other people over whom he exercised power.

Carstens is on record as saying that 'rehabilitation is a

swear word. No prisoner has ever been rehabilitated, not even White prisoners. The people at headquarters are merely playing housey-housey when they come with all their bird-brained, unrealistic schemes. A prisoner is a pig and he must be treated as such!' He believes that prisoners should never be left in peace; they should always have the threat of some petty or grave sanction hanging over their heads; they should always be employed in doing something, no matter how superfluous or tedious, as they merely get up to mischief. Previous administrations, according to him, had allowed the prisoners to get the impression that they were 'misters'; for that reason he and his ilk had been brought out there to put things straight by treating the prisoners as the *banditti* they were.

He believes that people with a 'White' skin are superior to all others in every respect. Blacks, especially Africans, are really baboons whom God has given the gift of speech so that they can minister to the material needs of the master race. He had a very special grudge against the Namibian prisoners. He considers that they are mere savages who have suddenly and inexplicably forgotten their slave status and have the utter impudence to fight against White people. In Ovamboland, he was fond of saying to them, they eat cats and dogs that have lain about for weeks in a state of decomposition; they go about naked and live promiscuously: and now they want to come and put on airs here in prison.<sup>42</sup> But he would show them that the White man is the boss.

It must be understood that Carstens would go about taunting the prisoners with this kind of statement until one or the other reached the end of his tether and told him off in no uncertain terms. Once matters had reached that stage he would suggest/instruct a warder to lay a charge against the prisoner, who would invariably be demoted and would lose his privileges. In this way most

of the prisoners he came into contact with were punished.

He was an expert at ill-treating prisoners in the company of others – short of actually assaulting them (although he did assault Toivo Ja Toivo brutally). Many prisoners were locked up by him without food even though he had not reported them for any misdemeanour so-called. It was such a case, as mentioned in the text, that led to the strike of 28 May 1971 and to the consequent assaults on twenty-eight prisoners.

It is not possible to write down all the acts of petty as well as very severe persecution which this meticulous torturer thought up, without exceeding the limits of a brief sketch. Suffice it to say that the diabolism of this man was like a bad odour which he carried with him wherever he went. So much so that many prisoners actually called him 'The Devil'. Prisoners dreaded him, not because they had any fear of being unable to withstand the physical suffering which his actions produced but because they feared that they would not be able to resist the temptation to do something reckless which could have disastrous consequences for themselves and for their comrades.

His little holiday, made possible by the totally irresponsible manner in which the highest prison officials had vested such virtually insane people with the power of life and death over the prisoners in this period, came to an ignominious end as a result of the exposure of his role in the Hassim-Venkatrathnam case against the Department of Prisons. Shortly thereafter he was removed from the political sections and put in charge of non-political prisoners where, no doubt, he felt much more at home since he could do as he pleased without having to fear any repercussions.

There can be no doubt that Carstens suffers from that form of insanity induced by the witnessing of the

disintegration of the myths which have cradled one all one's life. Not being able to face the reality of Black people who do not correspond to his image of what a Black man is, he creates his own little psychotic world where he can make these people conform to his stereotype of them. The lawless regime of Badenhorst and the general licence allowed to South African prison warders made it possible for a Carstens to come very near to achieving this goal. In this way he remained 'sane' unto himself but to the prisoners, whose perception of the world was governed by different principles, he was a lunatic, a pathetic but dangerous case of racial madness. As long as there are Carstens in South African prisons all talk of 'reform' and 'rehabilitation' is so much pious twaddle.

## **ADDENDUM FOUR: AN EXAMPLE OF ASSAULT**

DON MANTANGELA IS A handsome young prisoner, sentenced in 1967 for allegedly having received military training, etc. Unfortunately, Don is mentally unbalanced and was known to be so by all prisoners and officials.

Though he was not violent, he was often extremely noisy in his cell, which unruliness often landed him in trouble with warders as well as prisoners.

One day towards the end of 1970 a petty squabble developed between Mantangela and a certain notorious Head-Warder Jordaan who had been one of the squad of warders specially selected in 1970 to come to RIP in order to 'discipline' the 'Poqos'<sup>43</sup> (as political prisoners are called officially and unofficially by members of the Prisons Department). Jordaan immediately summoned a batch of young warders, all armed with rubber batons. One warder armed with one of the pack of vicious guard-dogs belonging to the prison was also present. They then began to beat Mantangela mercilessly, and a dog was let loose on him and allowed to maul him.

All the prisoners, who were at that time already locked in their cells, on hearing the screaming jumped to their windows overlooking the square where the beating was being carried on. The scene was all the more shocking because it was a long time since such a bold assault in the open had been perpetrated. Mantangela was beaten all the way to the isolation section, screaming for mercy, and was eventually locked up there. The authorities kept him there for a few months for no apparent reason, and of course the warders involved were never prosecuted. The day after this assault many prisoners raised sharp complaints with the officers and

demanded paper to put their complaints in writing. A few days later the writers of the protest letters were called by the security officer (Lieutenant Fourie) and told bluntly that if they did not stop interfering in the affairs of other prisoners they would receive the same treatment. However, as a result of their persistence the OC promised to investigate their complaint. Which was the last they ever heard of the matter.

On occasion irresponsible warders have used dogs against the political prisoners. They have invariably been covered subsequently by their superiors, and all attempts to bring these assaults (and others) into the open have been effectively stymied.

Head Warder Jordaan, also in 1970, ordered the warders to set the dogs on a group of prisoners at the rear of the column marching towards their place of work at the stone quarry, in order to get them to 'walk' faster. Several prisoners were bitten, the most serious case being that of Charlie January from Port Elizabeth, who is now confined to Mdantsane Location near East London.

Several complaints were made, accompanied by demands on the part of the prisoners that they be allowed to contact their legal representatives. Needless to say, all these were refused.

## **ADDENDUM FIVE: THE METAMORPHOSIS**

THE ESSENTIAL HYPOCRISY AND the insincerity of the policy of treating prisoners in a more reasonable and a more dignified manner emerge very clearly from the example of the miraculous change that overtook a certain Captain (now Colonel) Kellerman.

This man arrived at Robben Island in 1965 but had very little direct contact with the political prisoners as he was employed in the administrative offices. However, on occasion when it was his turn to do so, he would come to their places of work to inspect the prisoners as well as their work. Though he always adopted a distant attitude, it was obvious that he was very hostile towards them. This hostility manifested itself on a number of occasions, of which one will be quoted here.

On a Wednesday morning towards the end of 1965, he arrived at the lime quarry for one of these inspections *in loco*. The thirty-odd prisoners were working at their normal pace. Included among them were elderly men such as Walter Sisulu and Govan Mbeki, both of whom also suffered from hypertension.<sup>44</sup> Mr Sisulu was working (with pick and shovel) next to a certain Raymond Nyanda, amongst others. The latter was a self-confessed informer, a non-political who had been placed in the section in order to ferret out information from the prisoners on matters pertaining to the prison as well as to their political connections. Since he was not experienced in this type of thing and since he was well-known to a number of the prisoners from the Transvaal, his mission had no chance from the outset.

After speaking for a few minutes to the warden in charge Kellerman began to abuse the prisoners in general

and Sisulu and Nyanda in particular. He screamed at them, using the language of the gutter obviously in order to provoke the prisoners. To Nyanda, for instance, he said, *inter alia*, 'Jy moet jou gat roer, jou vet hel! Dink jy jy het tronk toe gekom om jou vrek te kom eet?' And to Sisulu, 'Jy moet jou vinger uit jou gat uit trek, Sisulu! Anders skop ek jou gat vir jou vuurwarm!' Translation of this language is virtually impossible without so altering the meaning as to distort the whole.<sup>45</sup>

After the affair with Warder Van Rensburg of swastika fame (at which time Kellerman was the Commanding Officer) a dramatic change overcame the man. He became one of the best Officers Commanding the Island has ever had, and the prisoners often jocularly divide the chronology of RIP history into BEK and AK. That is to say, 'Before the early Kellerman' and 'After Kellerman'. From being an uncouth boor he was transformed as by the wave of a wand into a polished, friendly gentleman, always ready to listen with patience to the prisoners' requests and complaints. Many prisoners put this down to the candid exposure of his lawless and violent behaviour to the COP and Mrs Suzman by Nelson Mandela on the occasion of Mrs Suzman's first visit. It is assumed that he was hauled over the coals for putting the Department in such an embarrassing position.

The apparently total transformation of the man's personality is well brought out by the opinion expressed by Mr Senn of the IRC in 1968. While interviewing Mandela and Alexander (separately) and hearing the brief but eventful history of the Island, he expressed his disbelief when told what kind of man Kellerman had been and at heart probably still was. He refused absolutely to believe that Kellerman had actually assaulted prisoners and that he was capable of the slightest breach of politeness even towards a prisoner.

Mr Senn was an old man, an international functionary with many years of experience in all parts of the world, yet he was taken in completely by the mask which the Department in the guise of a Kellerman had assumed.

## **ADDENDUM SIX: BRINKMANSHIP AT THE QUARRY**

AFTER A MAGISTRATE HAD ruled in 1968 that piece work was not permissible in terms of the Act, the authorities tried to pressurise the prisoners in other ways such as the tactic of exposing those on the 'knap-line' to the elements. The prisoners were not allowed to use pieces of wood, zinc, cardboard, etc, as shelter against wind and rain. At the height of this crisis on a bitterly cold day the endurance and tolerance of the prisoners snapped and they refused to continue to work until they had spoken to the OC (Kellerman). The latter refused to come and sent one of his officers instead. As this officer became extremely abusive the prisoners refused to discuss the matter with him.

Eventually, the OC turned up with two truckloads full of warders, armed with rubber truncheons. He ordered the warders on guard duty (who were armed with FN rifles) to be in readiness, and peremptorily told the prisoners to resume their work. They refused. After some wrangling, he finally marched the whole crowd back to the prison; fifty were summarily punished by being locked up for a month without privileges. The students among them lost the privilege to study. Four, who were looked upon as the 'ringleaders', were isolated for a period of six months, lost all their privileges for the duration of the isolation, and were deprived of the study privilege for the rest of their respective periods of incarceration. Two of these were subsequently allowed to study again after the officers who had imposed the punishment had departed.

## ADDENDUM SEVEN:

### DIET

UNTIL RECENTLY, WHEN CERTAIN technical changes were introduced, there were five different dietary categories in practice, namely,

- (a) A-diet for European females;
- (b) B-diet for European males;
- (c) C-diet for Non-White females;
- (d) D-diet for 'Indian' and 'Coloured' males;
- (e) F-diet for 'African' males.

The lunatic rationalisations for this discrimination will not be discussed here. Lack of funds to make possible equal diet scales is the only argument which deserves mention. It is obvious, however that this involves a complete analysis of the South African Prison System in the total socio-historic context, which task once again falls outside the scope of this document.

F-diet consists of a daily chain of variations on the theme of maize; like the sounds of a cracked record, this theme is repeated *ad infinitum*. A RIP breakfast consists of porridge (maize) and a mug of coffee. Coloureds and Indians get the same breakfast but are supposed to be given double the amount of sugar given to Africans. Whenever the prisoners can do so they ignore this insulting stipulation, giving everybody the same amount of sugar. Previously a mug of powdered soup was also served in the morning but this was discontinued after more meat was introduced into the diet during 1973.

For lunch F-diet consists of a dish of maize (formerly with beans, now meat) whereas D-diet consists of a small dish of mealie-rice. Instead of white or yellow mealies, F-diets are given samp (another variant of maize) on three days of the week. At every lunchtime they are also

served with a mug of 'puzamandla',<sup>46</sup> a nutritious powder mixed with water and well-liked by most prisoners. This drink is, however, often so diluted as to render it almost tasteless and useless.

For most of the period under review the mealies and mealie-rice were served without fat. In fact, fat was one of the scarcest commodities on Robben Island, especially for African prisoners. There has been some improvement in this respect.

Supper for F-diet prisoners consists of a dish of maize porridge once again with about 500 grammes of vegetables, usually raw carrots though on occasion in recent years a really palatable stew has often been served. A mug of soup is also given. D-diet prisoners receive a quarter of a loaf of bread plus vegetables, soup, and coffee. Africans do not get coffee in the evening, presumably because they are given 'puzamandla' in the afternoon. In the past, all prisoners were also given meat on four days of the week (but D-diets used to get about 2 ounces more than F-diets). Since 1972 they get meat on five days of the week with eggs and fish on the remaining two days (all served at supper). Coloureds and Indians still get slightly more meat and fish than African prisoners. These positive improvements were gained at the cost of the beans served in the afternoon in former years.

Also in 1972 D-diets were given a quarter of a mug of powdered milk and Africans one-eighth of a loaf of bread on three days of the week.

Complaints about food featured prominently for years. Only after consistent demands, requests, hunger strikes (three in all) and interviews and discussions with senior officials, visitors, IRC representatives, and others, were improvements gradually introduced. While the position is considerably better today, there are still basic and standing causes of dissatisfaction. One of the more

offensive and unworthy tactics adopted by officialdom at times was the cutting down of rations (always covered by some trivial excuse such as transport difficulties, scarcities etc.) in order to apply the screw to the prisoners, who would in this way be placed on the defensive very effectively, since they were then compelled to try to regain lost ground.

Until 1973–1974 the main body of the political prisoners had no control and hardly any influence over what happened in the kitchen. Originally non-political prisoners (usual 'good boys') were appointed as cooks and kitchen staff, as happens in prisons throughout the country. Even when a few prisoners sentenced for political offences were eventually placed in the kitchen the authorities handpicked those who either already collaborated with them or were prepared to do so. These prisoners all had one evil characteristic in common, i.e., they were quite prepared to rob their fellow-prisoners of their fair share of the much-needed rations in order to fatten themselves, their friends (including many warders in the early years, who seldom bought meat and bread for their homes), and their 'girl friends'. Together with the tailor shop the kitchen is one of the nerve centres of smuggling in any normal South African prison. There were some exceptions among these prisoners, of course, but only since late 1973 and early 1974, when the political prisoners were allowed to elect their own people to work in the kitchen, has this evil come to an end. It is a sad comment on the callousness of the authorities that it took the prisoners the best part of ten years to persuade them to adopt the obvious solution to a problem which they very well knew to exist.

One other point that should be referred to is the lack of fresh water on Robben Island. Boreholes are the main source of the regular water supply. This water is extremely hard and most food is spoilt when cooked in it.

Hence, the kitchen uses fresh water except when this is unobtainable. Showers use hard water. All promises to introduce fresh water have never materialised.

The general attitude of the White warders to the prisoners' complaints and requests concerning food has always been one of: 'You must be satisfied with what you are getting; for you are lucky to be getting anything at all. In Russia, etc., people like you are shot at once instead of having a holiday at the expense of the State. Outside prison you hardly have anything to eat, but here you want to demand eggs and fruit!' Very few warders are prepared to handle prisoners' food utensils. If a warder is forced to shift a dish or a mug of food because there is no prisoner within reach to do so, he will generally use his foot, even when the prisoners may be looking at him. This contemptuous attitude has often given rise to dangerous situations.

## **ADDENDUM EIGHT: A MEDICAL EXAMINATION**

ALMOST IN ANY PRISON in the country's larger towns and cities on any given day of the week tens and hundreds of African people are admitted for alleged pass offences. For many other reasons also there is a constant stream of Black people being admitted into the prisons on any 'normal' day.

A large proportion of these people is found guilty and sentenced to relatively short terms of imprisonment. As every prisoner has to be examined medically within a specified time after admission or transfer to any prison, it is quite clear that the medical doctors are unable to examine these people with any degree of thoroughness or even of adequacy. It is not asserted, therefore, that these district surgeons are personally to blame for the inadequacy of such examinations. The root causes are clearly political and with these we are not concerned here.

What is asserted is that these professional people acquiesce in the prostitution of their calling by anticipating, however reluctantly, in the kind of quackery exemplified here.

Consider the examination of about fifty such prisoners. The medico arrives to find all of them lined in front of the dispensary or the prison hospital. He is in a tearing hurry, one assumes because of pressure of work. He orders them to take off their shirts and vests and to allow their trousers to drop to the ground. Down to the ankles, therefore each of these men is naked, and in most cases this takes place outside in the full view of all other people on the precincts. The medical officer now takes a restrained stroll along the files of prisoners, and each one

has to raise his arms as the doctor passes. The latter can do no more than glance at each prisoner, and the miracle is that some of the prisoners are actually pointed to for a closer look – perhaps two or three. These are the only men who will receive something like what every one of them should be receiving. The rest, because on the surface they are well enough, are passed fit for the labour and the incarceration which the law prescribes.

Indeed, the letter of the law has been complied with and the Department can state that ‘every prisoner is examined medically on admission to prison’. But what of the medical people? Besides getting the taxpayer’s money, they have helped to lend respectability to a practice which is one of the most disfiguring aspects of oppression, i.e., the abuse of science for the perpetuation of the system. In wartime, no doubt, such ‘examinations’ can be pardoned, but no healthy society can be satisfied with having to use wartime measures under conditions of ‘normality’. Unless that society is normally at war.

## NOTES

1. The first use of Robben Island as a penal colony was reportedly in 1525, when a Portuguese ship reportedly left some convicts on the Island. The first political prisoner to be incarcerated there was Khoi Chief Autshumato, marooned by the Dutch in 1658; he escaped the following year. Both the Dutch and British colonial administrations at the Cape used Robben Island as a prison through the eighteenth and nineteenth centuries; after 1846, the place was also used as a leper colony and an asylum for the insane. From 1936, Robben Island was a military base, but in 1960 it was re-established as a high security prison.
2. The Security Police are responsible for the arrest, detention and interrogation of political prisoners. Security Police officers became notorious through frequent allegations of the torture of prisoners.
3. The Prisons Act of 1959 continued and extended the existing racial segregation of prisoners. The Act further restricted prison visiting and review, and restricted reporting on prisons by the press. However, the Act was also an attempt to gain international recognition for South Africa's prisons, and its provisions were influenced by the United Nations' Standard Minimum Rules for the Treatment of Prisoners that had been adopted in 1955, recognizing the roles of corrective training and rehabilitation.
4. National Institute for Crime Prevention and Rehabilitation of Offenders. The aims of the organisation are to promote the welfare and rehabilitation of adult offenders and their families, to promote crime prevention and criminal and social

- justice, to promote the welfare of arrested persons and their dependants and to assist victims of crime.
5. 'Baas' (Master) – Afrikaans term used as a signal of abject subservience.
  6. Generals Christiaan de Wet and J C Kemp were charged with High Treason after leading an armed rebellion against the South African government in 1914. They were sentenced to six and seven years imprisonment respectively. BJ Vorster, who became South African Prime Minister after the assassination of Verwoerd in 1966, was a student activist and member of the Ossewabrandwag, a neo-Nazi Afrikaner nationalist organization. Vorster was arrested in 1942 and detained in the Koffiefontein internment camp without trial until his release in 1944.
  7. Helen Suzman was elected a Member of Parliament in 1953, representing the United Party. In 1959 she was one of 11 MPs who resigned from the United Party to form the new Progressive Party; in the general election two years later, Suzman was the only member of the group to retain her seat in parliament. She remained the sole Progressive Party MP for the next 13 years, and was often the only opponent in the House of Assembly to the government's continuing programme of apartheid legislation. In 1974 a further 6 Progressive Party candidates were successful. Three years later, the Progressive Federal Party, incorporating the original Progressive Party, became the official opposition in the House of Assembly.
  8. Subsequent to the writing of this report other works have appeared that cover some of this ground. See, for example, I. Naidoo and A. Sachs, 'Island in Chains', and G. Mbeki, 'Learning from Robben

Island’.

9. Andrew Masondo was a lecturer at Fort Hare University College before being imprisoned between 1964 and 1976. After he was released he underwent military training in Uganda and became the ANC political commissar in Uganda. Dennis Brutus graduated from Fort Hare University in 1947, and worked as a teacher and writer in Port Elizabeth. He was an organiser of the Malmesbury Convention of 1961, which sought unity between Coloureds and Africans. Dismissed from his teaching post and banned, Brutus continued his political activities with the NUSAS before being arrested in Mozambique after leaving South Africa secretly. In 1963 he was sentenced to 18 months imprisonment on Robben Island and, on his release, was placed under house arrest. Brutus left South Africa in 1966, first re-establishing the South African Non-Racial Open Committee for Sport in London, and then accepting a professorship in English at Northwestern University in the USA.
10. The Terrorism Act of 1967 was a direct response to SWAPO’s initiation of armed struggle in Namibia. The Act introduced penalties ranging from a minimum of five years’ imprisonment to the death sentence for acts of terrorism – defined as activities ranging from armed struggle to causing feelings of hostility between whites and blacks. The Act was made retrospective to 1962, allowed for indefinite detention without trial, and placed the onus of proof on the accused.
11. While in exile in Cape Town from Namibia, Toivo Ja Toivo was a founding member of the Ovamboland People’s Organisation (OPO). Deported to Ovamboland, Ja Toivo continued to organise for the OPO until his arrest in 1966 and imprisonment in

Pretoria. After being tortured, he was tried the following year under the newly promulgated Terrorism Act, which placed the burden of proof on the accused. Despite international condemnation of the trial, Ja Toivo was sentenced to 20 years' imprisonment and transferred to Robben Island in 1968. Released in 1984, he was appointed General Secretary of SWAPO in 1986.

12. Jafta Masemola was a founder member of the PAC. Masemola worked for the PAC Youth League in Atteridgeville (near Pretoria) before launching the PAC's military operations in South Africa. Jailed for more than 26 years, he was South Africa's longest serving political prisoner after Nelson Mandela. Masemola died in a car accident shortly after his release in 1989. Chiloane, a student and PAC member, was imprisoned on Robben Island for 15 years. He subsequently left the country and now resides in England.
13. Louis Mtshizana studied as a lawyer and joined the Unity Movement. He was banned from practising law and later imprisoned on Robben Island for 10 years. He later became a prosecutor for the Matanzima Government in the Transkei.
14. Staff were trained at the Prison College for six weeks to two months if they had completed military service or had been in the police force. School leavers were trained for six months.
15. 'Bandiete', 'kaffers', 'Hotnots' and 'Koellies' are terms of racial abuse, polar opposites to polite terms of address.
16. 'Meneer' is a respectful form of address, while 'Baas' is a term reflecting complete subservience on the part of the speaker. 'Inkosi' (literally, 'Chief') has also become a form of subservient address of blacks

towards whites.

17. The National Party was elected to power in 1948, and introduced major legislation that systematically entrenched racial discrimination as the basis for the organisation and functioning of the South African state.
18. In 1964, the Delegate General of the International Red Cross was invited to visit Robben Island. The publication of the Red Cross report in 1966 led the South African government to claim that it was exonerated from serious criticism, and that it had nothing to hide. In contrast, the International Defence and Aid Fund pointed out that the report did, in fact, reveal major abuses. Mr Senn was the first IRC representative to visit Robben Island.
19. In 1967, the South African parliament passed the Terrorism Act, intended to supplement the earlier Suppression of Communism Act. The Terrorism Act was made retrospective to 1962, and stipulated that a person charged with 'terroristic activities' should be found guilty unless he proved himself innocent. On the basis of these provisions, the State brought 37 men to trial in the same year, charged with terrorist activities in Namibia (then South-West Africa). The accused included executive members of the South West Africa People's Organisation (SWAPO) and others arrested during South African Police actions in northern Namibia. Convicted, and described by the judge as 'easy, misguided dupes of communist indoctrination', they were sentenced to terms of imprisonment ranging from 5 years to life. H F Verwoerd, Prime Minister of South Africa, and one of the principal architects of the apartheid state, was assassinated in the House of Assembly in Cape Town on 6 September 1966 by a parliamentary messenger, Demetrio Tsafendas.

20. The Population Registration Act (1950) instituted a system of rigid racial classification in South Africa, defining White, Coloured and Native (later 'Bantu') groups, and allowing for ethnological sub-categories. 'Borderline' cases could be officially investigated by Race Classification Appeal Boards.
21. Although a legitimate linguistic term, 'Bantu' has become a racist epithet because of its use in apartheid classification.
22. Nelson Mandela was sentenced to life imprisonment, along with fellow Rivonia treason trialists, in 1964. He was incarcerated on Robben Island from 1964 until 1982, when he was moved to Cape Town's Pollsmoor Prison. In 1989 Mandela was moved to Victor Verster Prison near Paarl, from where he was released the following year. More than anything else, Mandela's imprisonment made Robben Island internationally notorious.
23. Bunks were finally provided for some prisoners on Robben Island after 1975.
24. Kafferboetie: an abuse term for a white person who works for the welfare of other races. Equivalent to the US's 'nigger-lover'.
25. The Junior Certificate is generally taken by white schoolchildren at the age of 15, and they do not leave school before this. The Matriculation Certificate is taken two years later and qualifies children for higher education. The inequalities of apartheid education have ensured that few Africans reach Junior Certificate level, with the result that the basic educational standard for whites is a goal for achievement by Africans.
26. Nelson Mandela
27. Gordon Hendricks
28. UNISA (University of South Africa), based in

Pretoria, is South Africa's correspondence university. Rapid Results College, based in Cap Town, offers a high school education through correspondence. Transafrika provides high school courses through correspondence. Volks Correspondence College not only offers high school courses, but also caters for post-secondary learning, offering language, technical, business and agricultural courses.

29. The National Union of South African Students (NUSAS) was formed in 1924. By 1945, the organisation had developed a broadly liberal political position which, after the election of the National Party to power in 1948, brought it into increasing conflict with the government. By the mid-1960s NUSAS had become the most outspokenly radical of the legally existing opposition organisations inside South Africa. In the 1970s, NUSAS was further radicalised, a process accelerated by increasing state action against the organisation and its leadership. In 1974, NUSAS was declared an 'affected organisation' and external funding was outlawed. However, political activities continued, including a campaign to free political prisoners.
30. The Front for the Liberation of Mozambique (FRELIMO) was founded in 1962 and, two years later, embarked on extended guerrilla warfare. The overthrow of Portugal's right-wing regime in 1974 led to a cease-fire and formal independence in 1975.
31. In 1973 Kader Hassim and Devikie Venkatrathnam brought separate actions in the Supreme Court against the Officer Commanding, Robben Island. Hassim and Venkatrathnam argued that recreational activities and permission to study were rights, rather than privileges, and therefore could not be withdrawn by the Officer Commanding in terms of the Prisons Act. They also argued that their isolation

- in solitary confinement was illegal. The court found that study and recreational activities were privileges that could be withdrawn by the Officer Commanding, but that it was unlawful to hold a prisoner in solitary confinement without a hearing.
32. The prison had a safe in which they kept the prisoner's belongings, although these were not necessarily returned on release.
  33. Benedetto Croce, *Historical Materialism and the Economics of Karl Marx*, first published in 1914. Nosipho Majeke, *The Role of the Missionaries in Conquest*, Unity Movement History Series (APDUSA, Cumberland).
  34. In February 1968 the United Nations Commission on Human Rights reported to the General Assembly of the United Nations, condemning the torture and ill-treatment of prisoners in South African prisons. The Commission called on South Africa to abide by the minimum rules set for the treatment of convicts, and to release all political prisoners. The Standard Minimum Rules for the Treatment of Prisoners had been adopted by the UN in 1955.
  35. Ahmed Mohamed Kathrada's political career began as a full-time organiser for the Transvaal Passive Resistance Council. After almost a year working for the World Federation of Democratic Youth in Budapest, Kathrada returned to South Africa to help organise the Defiance Campaign. He was arrested for treason in 1956, and was a defendant in the Treason Trial until 1961. Between 1962 and 1963, Kathrada worked underground as a leader of Umkhonto We Sizwe until he was arrested at Rivonia. In 1964 he was sentenced to life imprisonment, and was moved to Robben Island.
  36. 'Three meals' refers to a form of arbitrary

punishment meted out by any officer above the rank of Head Warder. If, in the opinion of the officer concerned, a prisoner is guilty of some petty misconduct, he can give the prisoner the option of appearing in a Prisons Court, or of 'accepting' 'three meals'; that is, of being deprived summarily of the three meals for the day in question. The abuse of this authority is one of the most brutalising aspects of imprisonment.

37. Spare Diet 'consists of 200 grammes of maize meal, twice daily, boiled in water without salt, and 15 grammes of protone soup powder, boiled in 570 millilitres of water, once daily' (Prison Regulations, Section 94, Prisons Act of 1959).
38. In March 1960 the Pan African Congress began a campaign of passive resistance against the pass laws; on March 21st members and supporters of the PAC were to leave their pass books at home and present themselves at the nearest police station for arrest. At Sharpeville, a township outside Vereeniging in the Transvaal, police fired on a large crowd, killing 67 (most of whom were shot in the back) and wounding 186 more. More, perhaps, than any other event, the Sharpeville massacre served to focus international attention on South Africa.
39. Prison Boards were set up in terms of the 1959 Prisons Act with the functions of hearing reports, interviewing long-term prisoners, and making recommendations for the release of prisoners. The Chairman and Vice-Chairman of a Prison Board are appointed by the Minister of Justice. Other members are not required, and the quorum is 2. In practice, the majority of the members of Prison Boards have been retired senior prisons officers.
40. The Schlebusch Commission was appointed in

February 1972 with the brief of investigating the National Union of South African Students (NUSAS), the University Christian Movement, the Christian Institute and the South African Institute of Race Relations. Its hearings were held in camera. In an interim report published in early 1973 the Commission named 8 NUSAS leaders (including its President, Paul Pretorius) as dangerous to internal security. They were served with banning orders soon afterwards, as were the leaders of the South African Students Organisation (SASO). The other organisations investigated, excepting the South African Institute of Race Relations, were treated with equal severity. The Schibusch Commission thus became one of the most effective instruments of repression used by the apartheid regime.

41. The Department of Coloured Affairs was established in the early 1950s, with responsibility for the interests of the 'Cape Coloured Community'. The Department was replaced in 1969 by a Coloured Persons Representative Council, a Department of Coloured Relations and Rehoboth Affairs, and an Administration of Coloured Affairs.
42. Ovamboland forms the northern-most part of Namibia, and lies on the border with Angola. It was a focal area for SWAPO activities, and for South African Police activities against Namibian liberation fighters.
43. This custom was the result of the fact that in the 1960s, men sentenced for 'illegal' PAC activities constituted the majority of the political prisoners on the Island. PAC military operatives were then organised in a clandestine formation known as POQO ('Go it Alone').
44. Walter Sisulu was a founder member of the ANC

Youth League and Secretary-General of the ANC from 1949 until 1954. Two years later, he was arrested, and was a defendant in the Treason Trial until his final acquittal in 1961. In 1963 Sisulu went underground with Umkhonto We Sizwe, and was arrested later in the year at Rivonia. He was sentenced to life imprisonment on Robben Island. Govan Mbeki was born in Transkei and received his BA from the University of Fort Hare in 1937. Mbeki joined the ANC as a student, and became active in a wide range of political arenas. He took part in planning the Congress of the People in 1955. He was detained during the 1960 Emergency and arrested again in 1962. After being served with a house arrest order later that year, Mbeki decided to go underground with Umkhonto We Sizwe. He was arrested in the 1963 Rivonia raid and sentenced to life imprisonment on Robben Island.

45. 'You must move your arse, you fat hell! Do you think you came to prison to eat yourself to death?' 'You must pull your finger out your arse, Sisulu! Otherwise I'll kick your arse red hot!'
46. Literally, 'drink strength'.