

10.15

About April 10 or 12, 1960, just after the strike by the Pan Africanist Congress had been broken, the African political people in OT and Western Cape Areas, were in a desperate situation. The reason was that nearly all the PAC leadership had been arrested and detained under the emergency regulations. The police had also detained a very large section of the ANC leadership, and in addition had detained the leaders of the Coloured Peoples Congress and of the Congress of Democrats, and of the S.A. Congress of Trade Unions. In fact, they had founded up every active member of the Congress Alliance, and had thrown them in together with the PAC people who had been directly involved with the strike. The only active participant in the strike left out of prison were the active Liberals in the OT area. We fortunately, because of our association in the feeding of the people of the townships in late March and early April, had a certain carry-over of funds about £5 or 600 at that time, and we became very anxious as to how we could use this money, which was limited, to assist the dependents of those detained. We found at that time too, that the Black Sash had collected funds and was endeavouring to assist, that the churches were trying to do the same, and several other bodies including the Quakers, were all interested in relief work.

The Liberal Party, because of its close association with the PAC at that period, had definitely had taken a lead in assisting and in generally knowing what was going on at that time. Therefore, we felt it was our duty to continue this lead, and we took the initiative early in April, in inviting all these bodies to a Conference on the possibility in setting up a Co-ordinated relief organisation. We had a very good attendance at this conference, and the suggestion which I put forward was enthusiastically received. An interim Emergency Relief Fund was established immediately and the following week set about preparing the organisational structure.

Our first work was to coordinate all the different types of relief work. It was a huge job of work which spread over about two weeks.

Initially the chairman of this Relief Fund was a Quaker, from OT, a Mr. George Barron. I functioned more or less as the convener behind the scenes. For about two months we continued in this form, as the State of Emergency Relief Fund, as we called ourselves. We then issued a public statement in May describing the work we were doing, and without appealing for funds, hinting at the fact that we would need some assistance. At that time, we had very little aid from outside OT. Immediately after the news of this fund was published in the Cape Times, we received an irate letter from the Department of Social Welfare, pointing out that we were not a registered Welfare organisation, and therefore had no right to appeal directly or indirectly for funds for relief work. We were summoned to a special meeting of the Welfare Board, and a delegation from the fund attended. This meeting was quite cordial, but we were firmly told that we were not to operate as a relief fund.

/more....

HJUL
18.15

We had by that time worked quite a skillful move, in that, we had indirectly hinted in our reply by letter to the Social Welfare Department that if we weren't able to do this work, why did they not call on some organisation such as the Red Cross, to assist. The result of this was that the Red Cross was in attendance at that time, and became the rather reluctant carrier of the substantial burden of providing assistance for the dependents of all the detained people, in the Ct area.

After the meeting, we decided also not to disband the Emergency Relief Fund, but to continue on the lines of the Defence and Aid Fund, which had been set up in Jbg. That is, we would function as a body seeking legal assistance for people who were likely to be charged; and we knew that there would be a number of people charged. We would also provide direct assistance to the people detained and would function in a similar way to that. We would not do relief work, but we would do all other work in connection with the detained people.

I want to emphasise that at that stage that nearly every member of the Congress Alliance ~~members~~ who could take an effective part in this organisation, was detained. We were in fact, assisting them. There was, therefore, no member of the Congress Alliance on the Emergency Relief Fund. It was then actively run by Liberal Party members, with the very able assistance of the Quakers, who are a small body in Ct, but extremely effective in the work they do, and of course we had the great help of the Black Sash, and certain Progressive Party members, which also took part in our work.

By the end of June we had exhausted nearly all our funds, and we were then considering whether to disband the organisation. I then received, fortuitously received a letter from the Archbishop of Ct, Dr. J. de Blank, asking if I could see him about possible assistance for the Emergency Relief Fund. I went out to see him, he informed me that he had been sent some money by Canon Collins and had been asked to put this to good use in the Western Cape Area. He asked me whether I could make some suggestions. I said Yes, give me £750. When he asked what I needed it for, I told him, and he rang for his secretary who brought in a cheque book. He signed it immediately and gave it to me. That was to be the pattern of future relationships with Dr. de Blank, who was at all times highly efficient and very very shrewd assessor of our needs. In fact we received quite a few thousand pounds from him, and this started our connection with overseas sources of funds.

The Emergency Relief Fund continued right through until the end of 1960. We appointed a permanent secretary, Mrs. Sally Shapiro, who at the time of joining us had no connection at all with political bodies. She had returned from a holiday in England, wanted to do some work and got in contact with us. I got in contact with her, and she joined us.

/more....

HJUL
18.15

By the end of the year, we were quite a well established org. The Red Cross had then suspended the relief work because nearly all the detainees had been released. The dependents of the people either gaoled or under charge, still kept in prison or not released on bail, were turned over to us for us to continue helping. We realised then that it was becoming more and more essential to tie in with some national body which had a continuous source of funds from outside S.A. We therefore accepted Mr. Alec Heppel's suggestion that we become the DT branch of the Defence and Aid Fund. This was not ~~not~~ done very quickly or very easily; it was done rather reluctantly and only after we had received a very strong assurance that we would not be regarded as a subservient branch, subordinate branch to the D & A Fund in Jbg. We would continue to function on a semi-autonomous basis. That is, we would submit reports on how we spent the money, we would abide by the constitution, but that we would retain almost full control of our organisation here, on a federal type of basis. That in fact, set the pattern for the future structure of D & A.

At that time, too, a number of Congress Alliance people had been released, and an approach was made to us, I'm not sure by whom - a few of the members of the Congress of Democrats and the Coloured Peoples Congress - in October, about two months before we joined the D & A, the request was made that as we were dealing substantially with Congress Alliance people, could we consider co-opting some members of the Congress onto the committee. There was no request that we should suddenly put in 20 or 10 on the management Committee; it was a simple request that we allow some of them to sit in so that they could assist in the activities of the Fund.

By this time we had a Management Committee of about 20 to 25 and we had, from this committee, formed a Case or Executive Committee which met weekly. When we merged finally, we disbanded the Emergency Relief Fund in December 1960, and immediately reconstituted it as the Cape Town division of the Defence and Aid Fund. We then put this decision for ratification to a General meeting, to which we called all interested people. This took place about Feb. 1961. It was a well-attended meeting. A number of Congress people did attend, but again no attempt was made to increase the Congress representation. At that time, I think the representation consisted of about four Congress people on the Management Committee: one person from the CPC, two from the ANC and one from the OUD - Mr. Albie Sachs, who throughout, from that time onwards played a very active and useful part in the Defence & Aid Fund.

At that stage, the Fund had become a very useful and active body, very well-known, and we were soon to have to do a very substantial amount of work for this Congress Alliance. At the time of the strike action in April and May ~~1961~~ 1961, which resulted in a large number of arrests of Congress People.

/more....

2 JUL
18.15

Just after that, if I remember rightly, was the first time we had any difference of opinion with the Congresses. I think it arose over the question of bail for the people who were arrested. At that stage, in our early stages as a Relief Fund, we had our Bail Fund, but we did not continue this in the D & A, and the request was made to us in June 1961 that we revive the Bail fund. This was made by the Congress Alliance members, who pointed out that whenever anyone had to be bailed out they had to run round the town collecting and so on, and they felt that this could best be coordinated by a central body and they would like payment of bail to be administered by the D & A Fund, rather than the previous loose system. They agreed, they made available to us certain sources of funds which I think, some of them came from Trade Unions. We then started a Bail Fund, borrowed a certain amount of money. What a number of Congress people did do, was go around with collection lists among all their friends and supporters, and we then issued a direct appeal, we sent a letter out and actually raised about £500 or £600 of our own money which we have ever since held in trust as part of this Bail Fund.

Now you may get the picture. In June, just a year after our founding, we were quite a well organised body. We had this Management Comm. of about 20 to 25 which met about once a month; we had this very active Executive Committee which met once a week. The Congress representation was on the Management Committee, and I think there were two Congress people on the Executive Committee: one who was a former AND man and one who was a member of the OGD.

I think it was about September of 1961, an approach was made for us to consider increasing Congress representation. I said we would certainly be glad to hear the request, and I would put it up to our committee. The request was that we accept two members from each of the four Congresses, which would mean having eight Congress members on the Management Committee. We then said this would be fine: we didn't have any basic objection, because the policy, the decision making body, day to day administrative body, was the Executive Committee. We would certainly have resisted any request to have increased the Executive Committee - not so much from the political point of view, but from the administrative point of view. The members of the executive, were people we expected to do a job of work.

Right through the administration, all the time until I was banned in 1963, we had periodic difficulties with the Congress people, but it was mainly a suspicion of us rather than an attempt to control the movement. They seemed to always suspect Liberal Party control of it. As the months went by, Liberal Party did not control D & A. D & A became an entity on its own. We never took part in politics, we never issued a political statement. We kept completely aloof and apart from political differences. I fought strenuously against any attempt to control or organise this movement on a party political basis. I think because of this, and because D&A administered its funds as scrupulously and fairly as it could, the differences with the Congresses never became sharp and irreconcilable.

/more...

HJUL
18.15

We did have arguments; we did have deputations. But generally when they felt they were not being fairly treated, or being deprived of rights, or not being properly considered. Examples: What our big problem was was when funds sometimes did not come in as regularly as at other times, we would get very short of available money. This meant we might at times have to restrict the amount of aid we could give out to families. When this was done, we would very often receive a deputation from the Congress Alliance who would ask why we had reduced the money. We would say well you have a member on the Executive, surely he has explained it. They would say, Oh no, we want to hear for ourselves. It might have been sniping: I think if they had had an opportunity to prove that we were not administering the funds properly, they might have used it. But no real attempt was made to take over the fund or to sharply influence its policies.

I must point out that the former PAC also had a former member on the executive. I think they complained less of treatments from D & A. I think the reason was the former PAC man was a much more conscientious committee member than any of the AEO who sat on the committee. We had three different members at different times on the committee. Never more than one at a time. They attended, but they just didn't report accurately - or something would be wrong, some absence or breakdown in coordination.

The most effective Congress member, was of course, Mr. Sacks, who after about a year, I think early in 1962, elected deputy chairman. In fact he was an extremely conscientious deputy chairman. We would have had three Congress people on the executive, because we did agree that we would like to have a member of the CPO, but they never seemed to be able to find a member who was able to sit on the executive. We did have them there for about two meetings ~~was~~, then they would go away and someone else would be nominated. CPO never lasted on the committee.

The request for eight people was agreed to. We said we would be quite prepared to have two members from each Congress, but we were not prepared to accept this as an allocation of members, but if they gave us eight names, we would accept them. At that time we were anxious to increase the Management Committee. In fact we were most concerned about the fact that we were a self appointed body, and all opportunities to swell our membership would be welcomed. We had to push them two or three times, over a period of two months, but eventually we got these eight names and accepted them, but I think only about four or five of those people ever attended regularly. The others we just didn't see.

/more.....

The DSA worked without any regard to political affiliations. We were at one stage accused by the ANC of asking people when they came for help whether they were ANC or PAC. We pointed out that this was not political discrimination: It simply meant that if a man was arrested, we would like to know whether he was ANC or PAC to get some idea of what charges might be brought against him. We knew what campaigns were being waged, what was going on most of the time. In fact DSA remains one of the best informed movements in the political struggle, because it does know what is happening. And it is important to know in certain campaign times, whether it was a PAC or ANC man arrested. As an example, during the April May strike period, if the man arrested was an ANC man, you might expect him to be charged with incitement, whereas, if he were a PAC man he might be charged with being a member of an unlawful organisation. This was useful, so therefore, we did on occasions ask about membership, but this did not affect the type of aid we gave.

The lawyers in DSA cases, with a few notable exceptions, worked for fees but usually accepted reduced fees. The exceptions were a group of people launched largely by Progressives, who took on a number of cases during a period of about 18 months and were extremely useful. One Liberal lawyer, Mr. ~~Shakoff~~ Sackon generally worked without fees, and the notable one was Mr. Sachs, an advocate. He took on some of the most important cases and would not accept any remuneration at all from DSA for this work. Because of his ability as a lawyer, of course he was a very popular choice among people charged with political offences, most of them wanted him to defend them. Of course he couldn't defend all the cases, and gradually over the months and years other lawyers in Ct have become associated in the minds of Africans with successful defences. Mr. Sachs has for a long time been a very popular lawyer as far as Africans are concerned.

Mr. Sachs acted consistently without ~~extra~~ fees right the way through from 1960 onwards. He was the only advocate who did this without exception. Please don't quote me on this.

I WOULD SUBMIT THAT ALL POLITICAL CASES SHOULD HAVE BEEN KEPT AWAY FROM PEOPLE LIKE SACHS - IF ONLY BECAUSE WE KNOW THAT THESE PEOPLE HAVE ALWAYS MADE USE OF LEGAL SERVICES AS A MEANS OF PROPAGANDA AND OBTAINING INFLUENCE?

No, I cannot accept your submission for this simple reason: Defence and Aid was conceived and formed as a "fire-brigade" operation in politics in SA. It had no direct party political function. Its only job in this country is to provide legal and other help to the victims of the Nationalist Govt. It therefore has no political outlook whatsoever. It does not ask itself when it gives out a case whether the lawyer is a Communist, Liberal Progressive, or even a Nationalist. And I want to quote here that in the peak of our difficult period in finding legal defence, some of our Africans were actually defended by Nationalist lawyers, who were paid by DSA and they conducted the defence. But we never, if we could help it, looked at the political attitude of a lawyer. We simply asked if he could take on a case at a reasonable fee, and if he could, we briefed him.

HJUL
18.15

Because of that, D & A has come to be known as an impartial political body. We are known to be radical in outlook; we are known to be within the radical section of the struggle, but within that, we have no political attitude.

I want to make the point that Sachs did not canvass cases; he maintained the ethics of his profession very scrupulously. As Deputy Chairman of the CT branch of D&A, and as a constant attendee at Executive meetings, he gave us the benefit of his advice, but never if he could help it, would comment on the allocation of the various cases to various council. In fact, D&A's method of operation was strictly within the method of operation of the legal profession, i.e., that a person would contact us, saying that a man or woman had been arrested. We would then try and find out what the charge was and either as soon as we knew what the charge was, we would then refer the case to one of our lawyers that we knew would help us. It was then left to the lawyer in most cases, to brief counsel. Mr. Sachs was briefed, not by D & A, but by the particular lawyer we had appointed. For this reason we got the wide range of political complexions among counsel. We couldn't of course, object to a certain counsel, and in certain cases our Africans did object, but it was generally on the grounds that the counsel was unknown or that his political views were suspect.

ALTHOUGH YOU SAY D & A WAS NON POLITICAL, SURELY THE BULK OF EXECUTIVE COMMITTEE PEOPLE WERE LIBERALS?

In the early stages, yes, the bulk were Liberals. That was because the Liberal Party had played the major part in the development of D&A in this area, but as time went on, and as D&A took less and less of a party political complexion and became an organisation which was, I might say, inter-party, and without any real affiliation, the Liberal Party members tended to fall off. Not because of any rejection of D&A by the Party, but because Party members felt they could be more usefully employed in activities directly connected with their own organisation.

Just before I was banned, the executive of the D&A fund, consisted of myself as chairman, John Blunsell, a Lib. party member, as Deputy chairman, Mr. Sachs as Deputy chairman, the secretary was a member of the Liberal Party but not an active member. The later secretary has no political affiliation whatsoever. Other executive members were: Mrs. Stofy, a member of the Black Sash, Mrs. Robb, who is a member of the Progressive Party but more actively a member of the Black Sash, Mrs. Henderson, also a Progressive, but more active as a member of the Black Sash. There was a member of the former ANO. There was a member of the former PAC. Also Mrs. Hoogenzyk, who was on the Fund raising Committee and a few other who had no party political affiliations

REFERRING TO THE DIFFICULTIES WITH THE LEFT, DID THEY EVER THREATEN TO BREAK AWAY?

Well I had the occasional mild threat usually given to me indirectly and not formally, in which they would say: Well, you know, you people are running this thing, and we haven't got much of a show in. You don't give us a chance to take part in. You never know, the time may come when we may have to form our own body and handle our own defence and bail matters and so on. Then, I would say simply: Well go ahead. Form it. You won't get far; you won't get any money. Where will you get your funds? And how long will you last? You'll be banned; your members will be knocked out; and you'll not get nearly as much assistance as you are getting from the present D&A. After that, things never went any further.

The only thing they ever did do, which I did deeply resent, was they persuaded my non-politically committed secretary, who started with us in 1960, to eventually become a member of the Congress of Democrats. She committed some politically indiscreet actions in late 1962, which caused the nearest thing to a rupture in D & A in Cape Town. She was associated with the attempt by a prominent member of CPC to leave the country while he was on \$1000 bail. This bail money was fortunately not put up by D&A, but her conduct at that time was very sharply criticised by the Executive and the Management Committee, and a very sharp controversy flared up with the Congress people supporting the secretary in a rather indirect manner. They did not directly say that they approved her action, but hinted that we would cause great disappointment to Africans if we didn't allow her to stay on. I and others, while satisfied with this action, tended to take a more or less neutral attitude in this action. We realized that the secretary was exceptionally able and very valuable to us. But the Black Sash members in particular were intensely angry over this matter, and insisted that the secretary leave. There was a brief flare-up and very heated discussion; one or two very unfortunate meetings, which nearly culminated in the resignation from D&A of all our Progressive Black Sash members.

I then had a number of ~~meetings~~ discussions with Congress members and with the secretary herself, and of course with the members who threatened to resign. The outcome of this was that the secretary resigned from the organisation, which resolved the difficulty. I have no doubt that she was persuaded to do so by the Congress.

PUBLISHER:

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

Location:- **Johannesburg**

©2010

LEGAL NOTICES:

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

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

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

DOCUMENT DETAILS:

Document ID:- **A2618-Ch9**

Document Title:- **P Hjul: The PAC and the Liberals in the 60s, the Emergency Relief Fund, Refers to the difficulties with the Left**

Author:- **P Hjul**

Document Date:- **undated**