

Act No. 96 of 1965.

Amendment of section 108bis of Act 56 of 1955, as inserted by section 4 of Act 39 of 1961 and amended by section 17 of Act 76 of 1962, section 9 of Act 37 of 1963 and section 23 of Act 80 of 1964.

6. Section *one hundred and eight bis* of the principal Act hereby amended—

(a) by the substitution for sub-section (1) of the following sub-section:

“(1) Whenever any person has been arrested on charge of having committed any offence referred in Part IIBis of the Second Schedule, the attorney-general may, if he considers it necessary in the interest of the safety of the public or the maintenance of public order, issue an order that such person shall be released on bail or otherwise before sentence has been passed or he has been discharged: Provided that if no evidence has been led against such person, a preparatory examination or trial, within a period of ninety days after his arrest, he may at any time at that period on notice to the attorney-general apply to a judge of the Supreme Court to be released on bail and the judge sitting in Chambers may on the merits of the application order the release of such person on bail on such terms and conditions as he may direct or he may dismiss the application or otherwise deal with it as he deems fit.”;

(b) by the deletion of sub-sections (5) and (6).”.

# THE CHALLENGE OF BLACK CONSCIOUSNESS

## IN THE 1970s

### SOURCES

Journalist James Sanders, also interviewed for the John Vorster Square DVD, gives us insight into the apartheid security system in his interview, most of which is below:

‘Well, the odd thing about police and security power in South Africa is that it actually wasn’t that strong in the 1950s. It becomes more and more dominant in a series of stages normally around particular events. Obviously this intensifies in the 1960s after the Sharpeville Massacre and after the armed struggle kicks in, and peculiarly intense around 1964, 1965, following the Rivonia Trial and with the station bombing. By the late 60’s it’s become the dominant feature of South African life for the majority of the population...the scale of police and more particularly the scale of informers...the people who are now on the payroll who will, if you are quietly having a coffee somewhere, who will pass on the information that you were there, which makes life entirely unbearable.

Well, the police dominance unravels, because of the Soweto uprisings without a shadow of doubt. South African politicians of that period may well argue between themselves, as to whose fault the Soweto uprising was, but the people who are to blame are the police. The police are meant to know if there’s going to be rioting and control it, that’s why large amounts of money had been given to the police, especially the security police for that purpose. The interviews that van der Berg gave shortly after the Soweto uprisings are incredibly telling; he talks about huge Communist spectres that he can’t control and the threat to the society. The absolute truth was there were tons and tons of warnings that this was going to happen in 1976, and the security police had basically been asleep...they hadn’t seen it coming, they hadn’t believed it was possible and they weren’t ready to deal with it.

Well, I think that certainly in the 1960s detention was an intimidation device. When there are only a limited number of people in a society that are resisting, detention is quite an effective weapon of holding people for 90-days or 180-days. It’s an effective bullying tool that “encourages” people to talk or trade information in order to try and get a reduced sentence and also intimidates other people from engaging in political activity or resistance of any type. The problem with detention comes not totally in the growing embarrassment that emerges from people coming out of detention with all sorts of appalling injuries or have been murdered during detention, (being thrown out the window is something else), of which in the end there weren’t that many, the numbers didn’t spiral to genuine embarrassment, which would have caused trouble in the international community.

The problem really comes from the mid-70s the numbers of people engaged in politics is so much vaster. Where detaining people is a smart move, if you are talking about hundreds of opponents, with tens of thousands of them, it’s useless, because it’s just a club. What happens is you end up arresting hundreds of 14 year olds who can’t tell you anything; anyway, they joined something that is almost imaginary.



It doesn't have serious link to the outside, it doesn't have serious links to the ANC or the PAC. Maybe their older brothers are members of the Black Consciousness Movement. But the form resistance was taking in the 1970s was destroying the very policing methods that had been so effective in holding down and crushing resistance in the mid and late 1960s. It was taking a headless form; it was not possible to pick out leaders any longer and if you did new leaders would appear very, very quickly. The odd thing about police methods and resistance is that resistance nearly always finds a way to take a form that is un-policeable; that can't be listed and controlled and locked up. All that they ended up doing with the mass detentions was politicizing more people; the brothers and sisters of people who had been detained for long periods of time or who had disappeared.

Now, in the late 70s and early 80s that intelligence capacity grows exponentially within the police and becomes the dominant part of South African policing because now, no longer are they been called upon by the state to be the central voice of intelligence in South Africa. The military are calling for all the documents, they're looking to see exactly what the police are doing wrong. That doesn't mean that the military are out on the streets arresting people but the military are now calling the tune.

So as the police wrestle to try and find solutions on the one hand they have this intelligence solution, which doesn't really work, and on the other hand, at the bottom level, there's the development of death squads, which is effectively what they're doing from the late 1970s onwards. They're drawing out certain kinds of policemen who have a particular affection for hurting people and giving them full reign. It's no shock at all that the numbers of people who die in police custody drops off in the mid 1980s at exactly the same time as the number of people who disappear starts to increase. In a weird way, without mocking it, they're really cutting out the middleman. It was getting embarrassing how many people were dying in police custody and there's a logic in saying that if we don't want these people back on the streets ever again then why take them to police headquarters at all, why not take them somewhere out there and deal with them there? I'm sure that that's the logic that started to kick in.



THE CHALLENGE OF BLACK CONSCIOUSNESS IN THE 1970s

Source 1

Penelope ‘Baby’ Twaya was another student leader at Morris Isaacson School during the Soweto Uprising. She was just 17 years old when she was arrested and detained in 1977.

I was arrested on the 14th of June 1977 just before the first anniversary of June 16th. I was here until December 77 when I was moved to the Fort. It was just after the Soweto uprisings, which started in protest against Afrikaans but then spread throughout the country against the whole apartheid system of the country. That time I was 16 turning 17 having been a student at Morris Isaacson which played an important role in organizing and coordinating the Soweto uprisings. When we were here at John Vorster we were held under Section 6 of the Terrorism Act implying that we were working for organizations that were banned like the ANC and the PAC.

Schools [at that time] were on and off and some of us were part of the student leadership who were organizing to go back to school and trying to establish strong student organizations. I wasn’t a leader in the SSRC but I worked in the SSRC as one of the members.

We were finishing a meeting at Diepkloof at a house where we were hiding but obviously there were too many of us so we delayed a bit to leave. At that time in point there was quite a lot of repression so a lot of people were getting arrested and of course that was after the period in which they had been chasing after Tsietsi Mashinini and the leadership of the uprisings in 1976. It was also a time where they were preparing to make sure that we didn’t organize the first anniversary of 76. It was quite a pre-emptive action from the police to hunt us down and I suppose, when one reflects, it was quite negligent on our part as well because there were about twenty something people in that house. We had just finished a meeting and were convening to have supper before dispersing to our hiding places. As we were finishing supper we just heard cars pulling up. The whole place was surrounded. The street was just in front of Baragwanath Nursing Home next to open veld. That whole area was covered and we were all arrested. There must have been about twenty of us and they just took everybody. They started selecting people who were not attached to the student leadership and releasing them.

Once we were inside I remember wondering if we would survive. It was really, really scary. The worst would be when we were inside and each time you get fetched from your cell to go to the ninth floor as you walk and go into the lift and up the stairs half the time you had no sense of direction. I would be worried about whether I would survive and make it back to my cell. Before I got here it was always an authority of power and repression and I had always been worried that if you went in you might not come back alive.

I was 16. The mood of the country was that we knew that things couldn’t be what they are and I knew that racism was incorrect. I had some politics in my family. My grandfather was a teacher. I remember my first encounter with a book called Fanagalo, which simplified IsiZulu to make it a workable language for the mine foremen. I remember my grandfather saying that he disliked this book because of the way it undermined the languages of the African people, making a mockery of IsiZulu. He always read newspapers. We always read newspapers in my home, we read the Reader’s Digest. So I always understood that the politics of South Africa could not be defined by race and that the majority of South Africans could not be oppressed on the basis of race....

I can remember the policemen. I think it was Adjutant Jordan; he was the lead interrogator for us. I remember the first day I was questioned about a whole range of things: Am I working for the ANC, do I know about the ANC, who sent us to form the SSRC, who else do I know who’s involved in the struggle who was not arrested with us? Then there were specific questions about who of the group were insiders and instigators and leaders and where did they get their instructions from? So there was quite a range of questions.

Obviously we would say, “No. We are in the struggle because we know that we don’t want to be taught in Afrikaans. We also know that there is a difference between our education and the education of whites.” But they wanted to know who was inciting us, “Somebody must be telling you these things. It just can’t be you. You can’t know these things.” Then we would get beaten up.

I remember. I was slapped and kicked. That was better than when they covered my head with a black hood and electrocuted me. That was quite scary. They did that about once every second day. Quite frightening. That was the first week. The second week he would threaten, kick and slap. But even then when I went through that type of torture I just thought that there was nothing more I could do, what would it help?

So I kept to the same story, “No we don’t have instructions. We are aware that we don’t want to be taught in Afrikaans.” And there were practical reasons. We explained to them that we were doing English, Afrikaans, South Sotho all in English (our second language) or Afrikaans (our third language) and we struggled even though we were at good schools. Morris Isaacson was one of the best schools in Soweto. So it was a struggle to use another language to decode the content of a subject like Science. So we just told them that we thought that what we were doing was correct. But it would be a daily question, “Who told you to do that?” It was as if they thought we couldn’t think for ourselves, somebody else had to tell us. So obviously the torture was directed towards getting you to implicate other people. At that time I personally felt that I was just going to be solid on this issue and that anything could happen.

After about three weeks I remember asking to go see a district surgeon. I had quite a lot of pain in my ear as a result of the torture and the electrocution. It was quite scary. We went to the doctor, saw the doctor and came back into the cells again.

The irony was that after international awareness and protests began to increase we were then told by Jordan that if we felt we had been tortured and that we had a story to tell, we should charge them. I remember that myself and Joyce were convinced that we had a case. We wrote statements charging the police with torture little knowing that it would take more than six moths and the case would just fall away.

In the third month once they had built their case against the leaders they stopped with the interrogations...

Source 2

Zwelinzima Sizane was a student leader in 1976. He was detained and tortured. Soon after his release he went into exile.

I was amongst those who were the last to be arrested amongst core activists that go back to 1971 in the high school student movement. I was detained at the end of July 1976. I was 19 Years and a month or so...I’d gone to one building, that’s in Eloff Street, to try and go and rent offices for the high school student movement, SASM (South African Students Movement) because at that time I was national organizing secretary for that organization and when we got there SASO had their offices there and when I got there I found SB [Security Branch] is already there. I gave them an incorrect name. They left us...and I went about going back to the office manager to arrange for an office for SASM. And then I went back to SASM and it was around lunchtime so we sat down and had lunch and when we came back they then [arrested five of us] and we were all brought here to John Vorster Square and unfortunately on me I had my dompas, then a reference book and a bankbook of SASM. I had just withdrawn R500 that I had to send to the Eastern Cape.

That’s how they then identified me and immediately they detained me as a Section 6 Terrorism Act detainee...

Whatever I had to write had to talk to my interrogator in a sense that I had to assume leadership as the only national leader in detention then of the high school student movement and begin to position myself politically. Engage them in what Black Consciousness was, but of course my politics were beyond Black Consciousness I think by then I was schooled in Marxism and Leninism and Black Consciousness was just a façade to undertake all that political work and I engaged them around those issues. They would try and want to put names to them but there was nothing incriminatory about talking about black people beginning to fight against any inferiority complex. Nobody could be charged for that and at the end of the day, after finishing, they brought in some Commissioner and I signed the statement, it was not incriminating anyone...interrogation was continuing interspersed with assaults. It was only when I felt my head going dizzy, I realized that I was tired, exhausted, let me not give them some leeway where I might find myself not being in control of my senses that I then said that on the day of June 16th after Hector Peterson was shot and after Tsietsi Mashinini had addressed students I had then gone around, being driven around students telling them to disperse back to their homes as they do so they should burn administrative buildings, of course I didn’t say that. It was part of the task of the underground but I didn’t say that.

Fortunately I was using for the rest of the day to co-ordinate and marshal the columns as they were going to converge towards Orlando West, a car that belonged to the Rand Daily Mail. It was driven by the then photographer at Rand Daily Mail, Gabu Tugwana. Then there were two journalists but they used to be called reporters then, Nat Diseko and Nat Seraje. They were partly organized to provide this transport of the Rand Daily Mail to be able to marshal, co-ordinate the columns and do one’s tasks but at the same time they were there to get first hand observations for them to do their work too and one knew that none of the three could be coerced to give false information against me but partly they were also covered by a law that begins to say that journalists cannot be coerced to give evidence. But remember at that time African journalists were not considered to be journalists, they were reporters, a technicality but it was unfortunate.



I used to recall Fanon’s writings on detainees, the torturer and the victim. The psychological interactions, psychological battles as you get interrogated, how do you stand up to your torturer, what mistakes not to commit as a person being interrogated. That assisted me a lot.

Zwelinzima Sizane



# THE CHALLENGE OF BLACK CONSCIOUSNESS

IN THE 1970s

## ACTIVITIES

### THE ACTIVITY

Reader’s Theatre

#### Why this activity?

Reader’s Theatre is an effective way to help learners process dilemmas experienced by characters in a text. In this activity, groups of learners are assigned a small portion of the text to present to their peers. As opposed to presenting skits of the plot, Reader’s Theatre asks learners to create a performance that reveals a message, theme, or conflict represented by the text. The more familiarity learners have with reader’s theatre, the more proficient they become at using the words of the text to depict concepts and ideas. Reader’s Theatre is also an effective way of teaching learners historical empathy.

#### How to do it:

#### ■ STEP 1: PREPARATION

Depending on how many learners are in your class, you will likely need to identify 4-5 excerpts or “scenes” for this activity. Typically, groups of 4-6 learners are assigned different sections of a text to interpret, although it is certainly possible to have groups interpret the same excerpt.

In this case, we suggest using Penelope ‘Baby’Twaya’s source on the Soweto Uprisings.

**When selecting excerpts for use with reader’s theatre, keep in mind these suggestions:**

- Shorter excerpts allow learners to look more deeply at specific language than longer excerpts. Often excerpts are only a few paragraphs long.
- Use excerpts that contain one main action or decision-making point.
- Excerpts should address an important theme in the text; they should represent more than just the plotline.

#### ■ STEP 2: READ SELECTIONS

Before groups are assigned scenes to interpret, give learners the opportunity to read the selections silently and aloud. This step familiarises learners with the language of the text. After the text is read aloud, invite learners to ask clarifying questions about the vocabulary or plot. That way, learners can begin their group work ready to interpret their assigned scene.

#### ■ STEP 3: GROUPS PREPARE PERFORMANCES

Throughout the unit, learners can review their K-W-L charts by adding to column 3: What did you learn?

1. Assign scenes (excerpts) to groups.
2. In their small groups, learners read their assigned scenes aloud again. As they read, learners should pay attention to theme, language and tone. You might ask learners to highlight or underline the words that stand out to them. Groups may choose to read their scenes two or three times, and then to have a conversation about the words and phrases they have highlighted

3. Then groups discuss the scene. At the end of this discussion, learners should agree on the words, theme, or message represented in this excerpt that they would most like to share with the class. To help structure the groups’ conversations, you might provide them with a series of questions to answer  
**Example:** what conflict is expressed in this excerpt? What theme is represented? What words or phrases are most important? What is the message of this text? What is most important or interesting about the words or ideas in this excerpt?
4. Now learners are ready to prepare their performance. Learners should be reminded that the goal is not to perform a skit of their scene, but to use specific language (words and phrases) to represent the conflict, theme, and/or underlying message of that excerpt. Performances can be silent or they can use voice in creative ways, such as by composing a choral reading that emphasizes key phrases. Learners can use movement, or they can hold their body positions to create an image frozen in time, much like a photograph. It often helps to give learners a list of guidelines or suggestions to follow when preparing their presentations. **Example:**
  - Repeat key words, phrases or sentences.
  - Read some or all of your selection as a group, as part of a group, or as individuals.
  - Alter the order of the text.
  - Position yourselves around the room as you see fit.
  - You may not use props, but you can use body positioning to achieve a certain effect.
  - Everyone has to participate.

#### ■ STEP 4: PERFORMANCES

There are many ways to structure performances. Some teachers ask learners to take notes while all groups perform. Then learners use their notes to guide their reactions to the performances. This would be particularly useful for this section as learners will be able to incorporate their notes into the essays they will write at the end.

Or, teachers ask learners to comment immediately after each performance. It is best if learners’ comments are phrased in the form of positive feedback rather than in the form of a critique (e.g., “It would have been better if . . .”). Before debriefing performances, you can go over the types of comments that are appropriate and inappropriate, or you can provide learners with starters they could use when phrasing their feedback.

Examples of starters that frame positive feedback:

- It was powerful for me when . . .
- The performance that helped me understand the text in a new way is . . . because . . .
- It was interesting how . . .
- One performance that stood out to me is . . . .because . . .
- I was surprised when . . . because . . .

#### ■ STEP 5: REFLECTION

After presenting and debriefing performances, give learners the opportunity to reflect on their learning and participation in this activity. How did it feel to present? To receive feedback? What would they do differently next time? Learners can answer these questions in their journals or notebooks and then you can allow volunteers to share ideas or questions from what they wrote.