

**A CERTAIN LEGAL PRACTITIONER:
RECONSTRUCTING THE LIFE OF
SHULAMITH MULLER**

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Submitted to the School of Social Sciences, Faculty of
Humanities of the University of the Witwatersrand in partial
fulfilment of the requirements for the degree of Master of Arts in
History

JOHANNESBURG, 2012

DECLARATION

I declare that this research is my own unaided work. It is submitted in partial fulfillment of the requirement for the degree of Master of Arts in History at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any other degree or examination at any other university.

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16 April 2012

ABSTRACT

This study is a partial historical biography of the life of one woman, Shulamith Muller. The child of a Jewish immigrant family, she traversed many of her native country's generally impermeable social boundaries to become truly South African. She married an Afrikaner, product of another closed, white community but her politics, and that of her husband, led them both into a completely different South Africa. In this wider world her commitment to, and belief in, the rule of law, justice and the principle of equality before the law gave her a place in a broader black community of her many clients and political comrades, both rural and urban. The study also documents the role of this same irrepressible woman in a political "coup" within another closed society, that of the Pretoria Communist Party in the 1940s, which reflected many of the tensions that were playing out on a larger world stage.

ACKNOWLEDGEMENTS

Everyone has a story, in fact many stories – their own and the ones that have been bequeathed to them by previous generations. My own family stories have always fascinated me but it is my mother-in-law’s story that drove me to tackle a Masters degree in my fifth decade.

Thanks are due to my immediate family who were bracingly encouraging and thoughtfully supportive – especially my husband, Mike, who was prepared to let me tell his mother’s life story.

At Wits, Professor Peter Delius, Dr. Noor Nieftagodien, Professor Phil Bonner and Professor Clive Glaser got me (even more) fired up about South African history. Being a student again was stimulating, demanding and fun.

I had the privilege of working at South Africa’s most comprehensive archival treasure house, Wits Historical Papers Archive, for several years and what I found there further inspired this thesis. A thousand thanks go to Michele Pickover and her staff for their help, friendship and indulgence – especially Comrade Gabi who preceded me along the rocky path to Masterhood!

Heartfelt thanks go to those contemporaries who were prepared to talk to me about Shulamith, especially my Aunt-in-Law, Zouna Fonternel.

Lastly, for life-long inspiration, my father Sam, who was present at the beginning but didn’t live to read the end result, and Margaret, my mother, another courageous, committed and principled woman.

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INTRODUCTION

PREAMBLE

The intention of this research is to explore, in a necessarily limited form, the neglected life of an actor on the stage of South African history – Shulamith Muller. This was a woman who died relatively young, who was busy living, working and sometimes just surviving right up to the time of her death. The circumstances of her life were such that she had little opportunity, and less desire perhaps, to keep a diary, to write many letters, to indulge in long conversations on her past with her children or friends.

There were many like her whose physical lives have ended, their contributive agency forgotten, neglected and, in some cases, actively erased, not only in their own lifetimes during the struggle against apartheid, but also in the post-1990 period. These were often modest people, practical, in the back-room, too busy making a living, rushing from one part of their daily lives to the next – potty training to political meeting to ban-negotiating to court appearance to cooking – to be involved in political grandstanding. And they had to focus on putting food on the table and paying the bills, especially if they were also the working wives of other comrades, men also immersed in political activity.

Post-apartheid, the mythologising project of the dominant former liberation movement, the African National Congress (ANC), continues to attempt to portray what was actually complex and contested terrain of struggle, with false starts, errors and detours along the way, as a linear process whereby resistance only took one ideological form.

The “mass” nature of the project, often pitting black against white and revolutionary against liberals or traitors has had the convenient effect of flattening the bumps on the road – many of those bumps were once people and one of those people was Shulamith Muller.

WHO WAS SHE?

Shulamith Muller, was a woman of Jewish origins, a first generation South African, who appeared to be fulfilling her parents' hopes for her when she got diverted into the struggle for justice and equality in South Africa.

Her Yiddish-speaking immigrant parents, running a general dealers in Pretoria, managed to send both their daughters to a good, English-speaking school where Shulamith, also a gifted pianist, did well enough academically to start university at the age of 16. She also became a member of a Jewish youth group, *Habonim*, where she was able to gain more skills, confidence and develop her leadership ability.

She graduated with a BA in 1942 at the age of 19 and was awarded her LLB a few years later – both from the University of Pretoria. During this period she met and married, in 1943, Mike Muller, a young Afrikaner radical from the Orange Free State, and got drawn into politics and the Communist Party of South Africa (CPSA). Between 1944 and 1949 Shulamith played a leading role in the Pretoria CPSA, alongside her husband, who was the Party's national organiser. She was admitted as an attorney in 1948 and the Mullers moved to Johannesburg a year later where their first child was born.

As a consequence of the anti-Communist policies of the National Party government that came to power in May 1948, the couple found themselves in the line of fire. They were listed as being Communists (1951) and at that point decided to go to Britain, returning home (in 1953) apparently determined to carry on the fight against apartheid. Shulamith soon set up her own legal practice whilst Mike carried on working for the Textile Workers Industrial Union (TWIU). Government harassment in the form of bans and restrictions put paid to his ability to work officially within the trade union movement so he took up book-keeping to earn money, which also enabled him to keep his hand in politically by managing the accounts for some of the unions.

Shulamith's legal practice soon became the place where many impecunious black South Africans went for assistance, though trades unions were also amongst her

clientele. It became for many their 'most important and enduring source of legal support', giving 'succour to scores of the victims of the apartheid state in the 1950s'.¹ She was involved in battles against the Bantu Education Act, the Evaton bus boycotts, struggles against passes for women in Zeerust and Johannesburg, the Treason Trial, the Sekhukhuneland Revolt as well as assisting the Federation of South African Women (FEDSAW) and men who were sent as slave labour to farms in the Eastern Transvaal. Both Mike and Shulamith were jailed for three months during the State of Emergency that followed the massacre at Sharpeville in March 1960.

Further bans and the fact that both of them were, by March 1962, restricted to the magisterial district of Johannesburg, made life in South Africa increasingly impossible for them. Facing the possibility of further harassment, arrest and penury, the family left for Swaziland.

Towards the end of her life, in the early 1970s, and despite everything she had experienced, her faith in what might be termed the rule of law was undimmed. Justice for all and the notion of equality before the law was something she still fiercely believed in and continued to uphold. So she was particularly upset when a government-initiated process, with the connivance of the legal fraternity, culminated in her name being removed from the Roll of Attorneys in 1971. She died in exile in Swaziland in July 1978.

OBJECTIVES

The aim of this research report is to write back into the record the existence of a contextually significant woman who valued action and practical politics higher than theorising. She was not a "great man" and in the political context of the times, was also adjudged a rebel not only against the apartheid regime but also against the political orthodoxies of the movements, Congresses and parties that are often foregrounded in histories of the South African struggle.

¹ P. Delius, *A Lion Amongst the Cattle Reconstruction and Resistance in the Northern Transvaal* (Johannesburg, Ravan Press, 1996), pp. 117-118

I would argue that the life of Shulamith Muller was valiant and very much lived against the grain. She rebelled in so many ways against the conventions of her religion, her gender and the social and political mores of the times, that one is inevitably left wondering why she lived her life as she did, what motivated her and what it cost her – personally and professionally. I hope to be able to answer some of those questions in this study.

RATIONALE

Perhaps it was when I discovered that my husband-to-be had, as I did, a grocers shop owning Jewish grandmother called Polly that my curiosity was aroused about his family and their origins. The fact that the family was South African and the shop had been in Pretoria only added to the mystery and interest. I discovered that the Jewish half of this family – Grandmother Polly and her husband – came originally from Lithuania (mine were from Poland) and that when their daughter had married an Afrikaner an enormous rupture had occurred.

My own experience was somewhat different though my father, of Jewish parentage and raised as a Jew until politics and pork led him astray in the 1930s, also married out of the faith – twice. However, my Grandmother Polly had long got over her children's inclination to marry whomever they chose, Gentile or Jew, by the time my parents married in 1951. My mother was Welsh-Irish and her parents Anglican but, although officially non-Jewish as I was, my upbringing was culturally far more linked to the Jewish part of my family than my husband's.

It was clear we had much in common and perhaps the most profound bond in the end was politics. That was where we really recognised each other – as the children of Communists, regardless of the fact that his were South African and mine British. I gathered that his parents had stopped being Communists during the 1950s whereas mine were still members but the ideals and passion that had led them all to cast their lot with the workers and oppressed of the world were clearly the same.

I first met Mike's parents in February 1972 soon after arriving, full of trepidation and well-founded fear of the Portuguese secret police, in Lourenco Marques (LM). Confusingly, Mike's father was also called Mike and he, Shulamith and their younger son were waiting to meet us at a downtown hotel after driving through from Swaziland where they lived. An enduring memory of that time is that we didn't know at which hotel they were staying in LM, but it turned out that you could always spot Shulamith by her truly lousy parking - usually at least a metre from the kerb. The next day's drive to Swaziland was squashed and the visit to their house (rented, as all their homes had been) in the Ezulwini Valley, very brief.

For a year we lived in Hillbrow, which, structured by Apartheid as it was, seemed positively cosmopolitan compared to the rest of South Africa. Highlights of that year were our four or five visits to Swaziland: getting up at 3am to be at the border before it opened and the queue got too long. We were sullen on the South African side of the border and grateful on the Swazi side where we would sometimes be greeted, by immigration officials and police, as 'Mrs. Muller's children'. The deep breaths we took as we drove away from South Africa towards Mbabane and Ezulwini (the Valley of Heaven) were heartfelt. Back then, Swaziland was really free - or so it seemed to us.

Over the too-few years, I met Shulamith not more than eight times in total and I don't recall ever being alone with her - partly because Mike Senior, a bottle-of-whisky-a-day alcoholic by then, could get very difficult and paranoid about any conversation he wasn't part of. They both attended our marriage ceremony in Mbabane, and, as the conscientious lawyer that she was Shulamith insisted that we have an ante-nuptial contract, which she drafted herself.

Later, after Mike and I had returned to London in 1973 to study and work, many letters were exchanged and they visited a couple of times, coming to Britain via Nairobi. In 1978, a few months before the birth of our first child we received an odd-shaped parcel from Mbabane that turned out to contain a large knitted pig. Shulamith was well known in Swaziland for knitting furiously in court when she wasn't actually speaking (unfortunately there is no record as to which cases accompanied Pig's creation).

Being the mother of two boys, I expect she was looking forward to meeting her granddaughter but she never did. Shulamith, a heavy smoker and living under the constant stress of her husband's alcohol-fuelled moods and consequent abuse, died of a heart attack in the Mbabane clinic in July 1978. She was only 55.

It wasn't until eleven years later, after spending almost 10 years in Mozambique and then moving to Johannesburg, that I came across Charles Hooper's book *Brief Authority*, originally published in 1960 and immediately banned in SA. It is a powerfully written, emotive and passionately partisan work, about the brave and bitter struggles waged by the Bafurutse people between 1957 and 1958.²

Making a number of almost cameo appearances in the book was a Mrs. Muller or 'Miss Mulley' – a committed, hard-working and drastically underpaid lawyer who provided what succour she could for the people, particularly the women, of Zeerust, both in person and from her offices in Johannesburg. It was then that I first began to comprehend the real nature of Shulamith's life and work and to think someone really ought to write about her.

Does this constitute a justifiable biographical project? My response to this question – which I have of course posed to myself many times – is 'Yes'. Yes because she confounded so many of the norms that constrained women's lives; yes because many others have urged me to undertake the project; yes because I have a sense of a too-short life courageously lived being cast into the shadows forever by the grand narratives of great men.

This being South Africa and my subject being white (as I am myself) the question could also be fairly posed as to why yet another account of an individual who, at the end of the day, was one of a handful amongst an otherwise overwhelmingly oppressive racial group? The answer is most mundane: because she existed and refused to take the easy way out, at great personal cost. Of course the affection and admiration that I have for

² C. Hooper, *Brief Authority* (Cape Town, David Philip, 1989)

her, as my mother-in-law and as a determined, brave and persistent woman undoubtedly influenced my decision too.

Although the rise of the social history movement, the examination of the role of the subaltern in history, the foregrounding of feminist and Black history has immeasurably broadened the focus of scholarly and popular histories, it isn't possible to bring every human actor to the attention of the academy or the wider literate public. However, the work of people who, like Shulamith, were part of a quite large political and activist network, were fundamental to the resistance of the 1950s and early 1960s, and their role has been vastly underplayed. This oversight needs to be rectified.

LITERATURE REVIEW

1. What has been written about Shulamith Muller?

There are very few published sources of information about Shulamith. She appears briefly in the memoirs of Baruch Hirson, Rusty Bernstein and George Bizos and in Peter Delius' groundbreaking work on Sekhukhuneland *A Lion Amongst the Cattle*. Her earliest appearance is in the Reverend Hooper's *Brief Authority*, which documents the upheavals, wanton injustices, violence and deaths that occurred in the Western Transvaal, particularly in the Reserves of the Marico District, as a result of the attempt to impose passes on African women in the period between March 1957 and March 1958. Published soon after Hooper was forced to leave South Africa, it is here that Shulamith features as the attorney of the Bafurutse and is the fullest published sketch that we have of her.

The book manages to convey something of the essence of the person Shulamith Muller was and her complete commitment to upholding the law and seeing justice done no matter what it cost her. However, the reader is left none the wiser about exactly who this Mrs. Muller was, her background and influences, her politics or personal life.

Cheryl Walker, writing of the same period of women's anti-pass protests, notes that that FEDSAW raised money for bail and legal defence 'for scores of people rounded up and arrested during the disturbances. The attorney in charge, Shulamith Muller,

appears to have been a member of the Congress of Democrats (COD) and was thus affiliated to the FSAW'.³ Here we can see that she was carrying out her professional duties with the added motivation of political commitment.

George Bizos' memoir *Odyssey to Freedom* documents the fact that Shulamith Muller (and Nelson Mandela) gave him some of his first briefs as an advocate and that they worked together during the African National Congress (ANC) campaign against the Bantu Education Act in 1955. He also mentions Shulamith's involvement in the Western Transvaal though in a very different way to Hooper's emotive account. He records that 'Ruth First ... had been to Lichtenburg to investigate [an] incident ... and was convinced that the police action was cold-blooded murder ... She wanted Shulamith Muller to issue a brief for me to consult with the arrested men and apply for bail'.⁴ He later notes that newly-admitted advocate Ismail Mahomed was also briefed by Shulamith several times. His account gives us a picture of Shulamith that links her, not only to her colleagues in the legal profession, but also to other political activists and women, such as Ruth First, involved in ongoing resistance to apartheid.⁵

Peter Delius' book on Sekhukhuneland underlines the importance of Shulamith's legal work by noting that in April 1958, 'the urban leadership of Fetakgomo tuned to lawyers for assistance. They received some advice from Mandela and Tambo but their most important and enduring source of legal support came from Shulamith Muller'.⁶ In conversation Delius has emphasised to me that it was her practice, in his opinion, and not that of Mandela and Tambo, which gave the most effective and practical support not only to Black political activists but also to hundreds of ordinary men and women struggling against the razor-wire complexities of apartheid.

In contrast to Hooper and Bizos, Baruch Hirson and Rusty Bernstein were political coevals of Shulamith. Hirson writes that he met both the Mullers through the COD. He referred to Shulamith as 'the people's lawyer', who defended many ANC members

³ C. Walker, *Women and Resistance in South Africa* (Cape Town, David Philip, 1991) p. 207

⁴ G. Bizos, *Odyssey to Freedom* (Johannesburg, Random House, 2007) p. 102

⁵ *ibid* p. 112

⁶ Delius, *A Lion Amongst the Cattle*, p. 117-118

and victims of apartheid laws.⁷ Intriguingly he records that 'Both Mike and Shulamith, who was a Party member before she practiced as a lawyer, have been excluded from Communist and trade union histories'.⁸ In this memoir the reader begins to get a sense that Shulamith was not someone who conformed to the expectations of the liberation movement any more than she did to the expectations of white South Africa.

Bernstein's memories of Shulamith are located in the context of the arrests that took place in April 1960 after the massacre at Sharpeville. She was the only lawyer amongst the white women who were detained and Mike Muller, a fellow detainee, 'who I have known as a full-time, grossly overworked and underpaid official in Pretoria's black trade unions, and one-time member of the Communist Party ... claims that some party members, particularly Joe Slovo (also detained), are trying to turn his wife Shulamith against him'.⁹ The gaps and silences in these recollections hint at internal political (and personal) discord that is known to have existed but which is little documented.

Hooper, Bizos, Hirson and Bernstein constitute the only significant published material recording Shulamith's existence. Reading their sparse accounts one is left recording the omissions as much as what is actually said. We get a brief glimpse of a working professional and political woman, a wife and mother before the blind comes down. There is a vast amount of research to be done on the life that Shulamith lived, the people she worked with and for, her family and her background and it is this research that I am initiating here.

2. The nature of post-1990 South African biography

South African biography has a long pedigree and, as in many other countries, the genre has been until comparatively recently dominated by the magisterial voice of the male biographer writing, in the main, about the great white men of South African history. Since 1994 this trend has at least partially been reversed so that these great

⁷ B. Hirson, *Revolutions in My Life*, (Johannesburg, Witwatersrand University Press, 1995), p. 274

⁸ *ibid* p.276

⁹ R. Bernstein, *Memory Against Forgetting*, (Johannesburg, Penguin Books, 1999) p. 204

white men have found themselves displaced by great black men (and a very few great women) to some degree, whether through works of biography or autobiography.

Whilst South African struggle biographies and autobiographies (or, in some cases, political hagiographies) have been published in increasing quantity since 1990, many of these works appear to have been produced in the manufactory of liberatory mythology. Indeed Hyslop suggests that 'the whole historical enterprise in South Africa is threatened by attempts to impose an official narrative of the liberation struggle, centred on the ANC and its leadership, to which the entire history of modern South Africa is subsumed'.¹⁰

This narrative is emphasised in Thabo Mbeki's foreword to the South African Democratic Education Trust's (SADET) four volume work *The Road to Democracy in South Africa* when he writes that 'The history narrated in this book ... *must* (my emphasis) therefore tell a story of the shared thoughts and united actions of leaders and masses ...'.¹¹

Rassool, Hyslop, Michael and Lutge Coullie *et al* (amongst others) have engaged thoughtfully on the nature of South African biography and autobiography. Michael quotes Neville Alexander as arguing that the 'hagiographic origins of the biography as genre (in the stories of heroes and saints) have been particularly resonant in recent South African history. All writing on the transition in South Africa has been ... shaped or at least influenced by the discourse associated with a series of miracles that, allegedly, brought about the transition'.¹² She goes on to ask whether South African readers and writers are 'still in thrall to a need for the miraculous, the heroic good ...'.

Rassool focuses more on the construction of political biography and critiques the 'modernist biographical project' positing that looking at biographical production and

¹⁰ J. Hyslop, 'On Biography: A Response to Ciraj Rassool', *South African Review of Sociology*, 41, 2 (2010) p. 104

¹¹ *ibid*

¹² C. Michael, 'African Biography: Hagiography or Demonisation?', *Social Dynamics*, 30, 1 (2004), p. 1

'biographical contestation' will counteract 'the construction of national histories in which leaders have been made to speak as national subjects through resistance history'.¹³

Paula Backscheider comments interestingly on African-American biography, saying that the 'lives of many African-Americans ... might be described as 'conscripted'. In other words, they often seem compulsorily enrolled in a group (their race) and enlisted into service in causes and struggles'.¹⁴ It can be argued that many Black South Africans' life stories are similarly conscripted, and indeed scripted, by compulsory enrolment in the cause of liberation. Also that perhaps the scholarly-historical biographies of male leadership figures such as Mandela, Tambo, Mbeki and Fischer, whilst deeply fascinating and informative, often obscure as much as they illuminate.

Lutge Coullie *et al* in *Selves in Question: Interviews on Southern African Auto/biography* look at the possibility of restructuring auto/biography through the articulation of the tensions 'between collective and personal commitments' and the construction of an 'alternative to the notion of the heroic that emerges when auto/biographical accounts use political events and traumas to chart out a life'. The editors also note that the contributors to the volume 'emphasise the need for publications about less conspicuous lives and the issues that engage[d] them ... in a register different from the heroic'.¹⁵

As far as this biographical work is concerned, it was the very non-heroic nature of my subject that drew me to the idea of writing about her. I would hope that this biographical study falls within the social history tradition of recovering the lives of relatively obscure – in this case, South African - individuals. And, putting aside some of the more obscure theoretical debates on the nature of the post-1990 biographical project, it is worth remembering that 'the unstated premise of biography ... is the

¹³ C. Rasool, 'Rethinking Documentary History and South African Political Biography', *South African Review of Sociology*, 41, 1 (2010) p. 28

¹⁴ P. Backscheider, *Reflections of Biography* (Oxford, Oxford University Press, 2001) p. 204

¹⁵ J. Lutge Coullie *et al* (eds.) *Selves in Question: Interviews on Southern African Auto/biography* (Hawaii, University of Hawaii Press, 2006), p. 49

uniqueness of the life in question, the conviction that a certain quality in this individual makes this particular life worth reading.’¹⁶

METHODOLOGY

1. Approaches to writing biography

Perhaps the most contentious issues in the writing of biography – the most obvious pitfalls – have been identified as bias, identifying the fact (or as Virginia Woolf famously called it ‘the fertile fact’)¹⁷ and separating it from report or fiction and the sometimes unsavory nature of examining what are essentially long-buried human remains.

There is no generally accepted definitive methodology through which to conduct biographical research, particularly in the field of historical biography. It is considered by many practitioners to be more of an art, with strong ties to the writing of fiction. This opens to the writer a rich array of methodological choices – such as qualitative methods, narrative analysis, textual and contextual analysis, oral interviews and critical content analysis of archival material. Feminist theory of biography as written by and/or about women is also relevant here.

Ben Pimlott quotes E.H. Carr as saying that whilst some biographies are serious contributions to history ‘... I think we are entitled by convention to reserve the word ‘history’ for the process of inquiry into the past of man in society’.¹⁸ There is also an implication that biography leans too far towards literature to be considered rigorous history. However, most historians would today agree that such rigid boundary setting between disciplines is not viable or desirable.

¹⁶ N. Irvin Painter, ‘Writing Biographies of Women’, *Journal of Women’s History* 9, 2 (Summer 1997), p.162

¹⁷ V. Woolf, ‘The Art of Biography’, *Collected Essays Vol. IV* (London, The Hogarth Press, 1967), p.228

¹⁸ B. Pimlott, ‘Is Contemporary Biography History?’, *Political Quarterly*, 70, 1 (1999) p. 32

Given the academic context of this attempt at an initial, charcoal, sketch of the 'Life' of my subject, I cite the taxonomy of James L. Clifford ¹⁹ at some length in order to demonstrate my methodological approach.

Clifford's proposal

... identifies categories ... regarding the practice of biography, including the relative proportions of attempted subjectivity and objectivity, the kinds of research involved, and the respective proportions of ... imagination and historic fact'. He names the following kinds of biography: (1) the "objective" biography which, though it cannot entirely omit subjective choices ... attempts to keep them to a minimum; (2) the "scholarly-historical" biography, [with] the "careful use of selected facts, strung together in chronological order, with some historical background"; (3) the "artistic-scholarly" biography, for which the author does all the homework ... but presents these materials in "the liveliest and most interesting manner possible" while not altering or adding to the facts; (4) the "narrative" biography, for which the author collects all the evidence and "turns it into a running narrative, almost fictional in form" though still not adding material; and (5) the "fictional" biography, for which the author relies on secondary sources and treats the life of the historical subject as a novelist would treat a character, adding and inventing ... for the effects she is trying to create.

I am positioning my effort within Clifford's 'scholarly-historical' category of the biographical genre, whilst hoping to be able to expand into the 'artistic-scholarly' in a more comprehensive biographical work at a later date.

The challenges of writing history as biography or biography as history are manifold and one of the most critical issues is how, and whether, to draw a line between fact or truth and fiction or lies. The question even arises as to whether these are axiomatically opposites anyway and whether the story of a life can better be placed somewhere along a continuum between the two. Paula R. Backscheider in her comprehensive work *Reflections on Biography* argues that since facts are so mutable the word should rather be

¹⁹ C. N. Parke, *Biography: Writing Lives*, (New York, Routledge, 2002), pp. 29-30

substituted with evidence. She also identifies the voice of the biographer as a crucial determinant of how facts / evidence are to be integrated into a life story – or withheld from it as ‘all biographers borrow what they can from fiction’. Literary devices such as ‘the unobtrusive guiding sentence, which moves us along and supplies leads that seldom arouse our evaluative faculties’ appear to be vital for writers who wish to ensure a wider audience for their work. ‘Careful, lucid, lively writing’ is also part of the author’s ‘contract with the reader’ ensuring ‘absorption in the book that makes for the best reading experience’.²⁰

The use of voices as evidence – meaning here oral interviews – is another problematic area for the historian and the biographer. Oral history has gone through a turbulent period in the last 40 or so years – rocketing from semi-obscurity to near reification and was then assailed by doubt once more. The pitfalls are as many as the rewards and they cannot all be adequately enumerated here. Suffice it to say that in making use of interviews conducted by myself and by others I understand that there are issues such as how memory is constructed and reconstructed, the dynamics of the relationship between the interviewer and the interviewee, control and interpretation of the story, the pitfalls of transcriptions (omissions and silences) and contradictions between public and personal versions of past events. Indeed, ‘[w]hen we look at the products of memories [such as] ... the records of oral interviews, we should also reflect on how they have been generated and expressed ... they are not limpid empirical data, transmitted by some mechanical means’.²¹

2. Discovering pieces of the evidential jigsaw puzzle

There are a number of phrases that I have often used to myself to try and describe my attempts to find information about or clues to the nature of Shulamith’s life. I often thought of the process as being like doing a jigsaw puzzle – but with half the pieces missing. Needles in haystacks also loomed large in my mind at times, though to find such a needle you have to actively look for it and I often came across fleeting mentions

²⁰ Backscheider, *Reflections of Biography* pp. 7- 11

²¹ Ruth Finnegan, ‘Family Myths, Memories and Interviewing’, in R. Perks and A. Thomson (eds.) *The Oral History Reader* (Oxford, Routledge, 2006) p. 180

of her purely by chance. Picking up a short biography of activist Fish Keitsing for quite another purpose and paging idly through it – suddenly a tantalisingly brief reference to Shulamith leapt off the page. On the other hand, in biographies, autobiographies and memoirs where I expected to find a paragraph or two at the very least, such those by Rica Hodgson, Lorna Levy, Hilda Bernstein or Ahmed ‘Kathy’ Kathrada (all of whom knew Shulamith), there was no mention of her.

Setting up a Google alert for her name brought in very few useful items – an article in *Fighting Talk* – and doing manual searches brought me time and time again to a short biographical contribution I’d written myself for the South African History Online (SAHO) website. Relying on automated research assistants of this nature is not a good idea – recent painstaking searches of the Digital Innovation South Africa (DISA) resource base (going through the contents pages of digitised newspapers and journals item by item) retrieved an article written by Shulamith for *Africa South* magazine as well as an anonymous contribution to *New Age*. However, short of reading every issue of these publications, (as well as *The Guardian*, *Inkululeko*, *Advance* and *Bantu World*) it is impossible to be sure what she wrote, when and for whom.

With the kind of large and busy, if chaotic, legal practice that Shulamith had, I had hoped that somehow somewhere a portion of the case files might have survived. When she left South Africa her practice ceased to exist. It is possible she took some files with her, unfinished cases were taken over by other legal practitioners and quite a few people came and collected their own files according to a surviving document headed ‘List of Files Taken’ dated 21 to 25 May 1962.²² At any rate, lawyers then were under no obligation to archive the paperwork from completed legal cases. The only surviving folder, which did get to Swaziland somehow, only contains partial documentation for two Sekhukhuneland-related cases.

During an interview with George Bizos he referred me to the *Jutastat Law Reports* as well as transcripts of court cases and items such as *ex parte* applications. This was not an avenue that I have been able to explore at all due to access issues as well as

²² ‘List of Files Taken’, 21-25 May 1962 (document in possession of the author)

problems of the sheer amount of time involved. Two items did come up on a search of the NAIRS database of the South African National Archive (SANA) – one being an urgent application for a court order forcing the notorious security policemen Spengler to allow Shulamith to access her clients, the other an application for bail for various of the 1956 Treason Trial accused. There may well be more items stored in the National Archives in Pretoria but it is becoming increasingly difficult to access them.

Although Shulamith had to leave the country clandestinely, without obvious preparation, her elder sister left several years later in a more conventional emigration after both their parents died. From this part of the family came an exceedingly useful and informative set of photographs, some of which are referred to in the following text, others are reproduced as part of the report. It was from these that I learnt for the first time of the sisters' membership of the Jewish youth group *Habonim* as well as seeing visual evidence of Shulamith's early acceptance by the Muller parents, contradicting the family legend of a complete rupture. Unfortunately no family documents were forthcoming from that source. Shulamith took with her to exile a small folder containing some of her educational certificates, birth and marriage certificates, proof that she studied at Pretoria University, a few academic references from 1941 and a record of her admission as an attorney.

One of the richest archival resources in South Africa, the Historical Papers archive at Wits University, has occasionally thrown up items that attest to some or other aspect of Mike or Shulamith's lives. A fellow-researcher found a receipt from the legal practice for monies given towards the Zeerust defence by the FEDSAW.²³ A collection of the Reverend D. Thompson's papers²⁴ produced a couple of leaflets from the early 1950s with Mike Muller's name on them. The Hilda and Rusty Bernstein Papers, particularly Hilda's prison diary, added detail to the bald fact of both the Mullers having been arrested during the 1960 Emergency.²⁵

²³ University of the Witwatersrand Historical Papers Archive (UWHPA)/AD 1137/FEDSAW Records 1954-1963

²⁴ UWHPA, A1906, Reverend D.C. Thompson Papers 1923-1985,

²⁵ UWHPA/A3299/Hilda and Rusty Bernstein Papers

The archive also houses collections that have not yet been fully inventoried such as materials deposited by Sylvia Neame,²⁶ Peter Delius²⁷ and Colin Purkey²⁸ and which have been used for this research. Delius' taped interview with Shulamith's former articled clerk, friend and later fellow-resident in Swaziland, Ruth Kaplan, gave me an extraordinarily rich and emotionally resonant picture of her legal practice and professional life. The most interesting and fruitful of the collections turned out to be a small section of the Findlay Family Papers.²⁹ As I recall it was Alison Drew, the author of a number of fascinating works on the history of South African radical movements, who suggested that I might find something amongst the papers of George Schreiner Findlay (1897 - 1978), a Pretoria advocate and former Communist.

Findlay and his wife Joan were leading members of the Party in the city from about 1936/37 until 1945/46. Findlay's political activities have been largely forgotten now despite the existence of this substantial collection of his papers at Wits. I had formed a notion that it might have been George Findlay who influenced Shulamith to study law as well as being something of a mentor to her. However, as apparently happens frequently with biographical quests, Findlay's diaries and letters threw up something quite different and not at all what I had expected.

It turned out that, in the course of 1943 / 1944, Mike and Shulamith had essentially engineered a coup against the Findlays within the Pretoria District Party Committee (DPC) of the CPSA and by 1946 both George and Joan had left the organisation. It seems to have been a no holds barred, no quarter asked (at least by George, Joan was far less robust) or given ideological battle of the type that frequently rend the fabric of small political entities. As Professor Delius remarked to me, the Mullers appear to have 'hunted together' and succeeded in bringing down their prey, something I would have expected of Mike but certainly not of Shulamith. Whilst Findlay's letters and diaries illuminate many aspects of the hothouse nature of Communist politics of the time, the very personal character of most of the documents disallows the

²⁶ UWHPA/A2729/Sylvia Neame Papers 1935-1990

²⁷ UWHPA, assorted tapes deposited by Prof. Peter Delius, UWHPA, no collection number, no inventory

²⁸ UWHPA/A1984/Colin Purkey Papers 1980-1990,

²⁹ UWHPA/A1199/Findlay Family Papers 1777-1978

emergence of oppositional voices.

The other substantial record of the Mullers' political activities in this period resides in the Department of Justice files numbered 2/1/198, dating from 18 September 1950 (Shulamith) and 2/1/97, from 13 August 1946 (Mike). The photocopied files came from the National Archives in Pretoria, using the Promotion of Access to Information Act, but it has not been possible to establish whether the items received represent the total contents of the original files. A subsequent request was also made to the South African Police Services (SAPS) for their material on the Mullers, as letters and other documents in the Justice files showed that they had also maintained records on both Mullers, but in December 2011 they indicated formally that no such records exist.

As well as the issue of provenance, there is also the matter of the reliability - of the Department of Justice files, of the various Ministers of Justice, of their bureaucrats as well as of the officers of the-then South African Police (SAP), their informants and spies. Other former so-called agitators who obtained their files from the National Archives have discovered significant misleading information in them. However, much of the material in Shulamith and Mike's files does appear to be substantially correct (where it can be cross-checked) though in some cases exaggerated and also often absurd.

The exaggerations, meant to bolster a somewhat thin case being presented to the Department of Justice by the SAP, included claims that Shulamith was actively involved in organising the Evaton bus boycotts when her role was almost certainly confined to defending boycott participants. The absurdities encompass banning Shulamith (and many other whites) from being a member or office bearer of organisations such as the African National Congress and South African Indian Youth Congress as well as claiming that, in 1968, she was still 'an active and ardent Communist'.³⁰ But that was the logical result of the naming game. Once you had been listed or named as a Communist, any action or activity, however innocent, could and

³⁰ Department of Justice (DoJ) File 2/1/97, letter from the South African Police (SAP) to the Secretary for Justice, 26 April 1968 (document in authors possession)

would be twisted to fit the *rooi gevaar* persona that the apartheid state had decreed to be yours.

One of the libraries that I was most surprised to find myself in was that of the South African Jewish Board of Deputies (SAJBD) in Johannesburg. Having spent several somewhat fruitless days borrowing books but not knowing what else to look for, I came across *The Zionist Record* and one of the staff mentioned that the publication used to contain community notices and greetings in their *Rosh Hashanah* (Jewish New Year) edition. It was indescribably thrilling to find the Movshowitz family had placed several such notices and to discover thereby their addresses in Pretoria. Equally interesting, though perhaps the opposite of thrilling, was the fact that the library kept cuttings files on many individuals and they had one for Shulamith Muller. It contained only three small clippings, from *New Age* and the *Golden City Post*, both dated 1961 and one from a 1971 edition of *Die Transvaler*.³¹ That was the sum total of their information on one of the very few progressive Jewish women attorneys in South Africa.

The SAJBD Library does have a vast range of books covering anything that might have some sort of connection to Jews (including ones that are not recognised as Jews by the SAJBD) and Judaism in South Africa. Amongst these I was able to locate *The Story of the Pretoria Jewish Community up to 1930* – the only published work on this topic as far as I can ascertain.³² Details of exactly how Jews came to Pretoria and the history of their life in the city are less easy to access than the plethora of accounts that exist for Cape Town and Johannesburg. The book falls overwhelmingly within the framework of the historical meta-narrative of the Jews in South Africa and constitutes almost an official history. In reading it one recalls that Katz (the editor) was the person who stated in 1989 that Jews first concern should be to protect the interests of their own community and that history had shown that what Jews did for others was not appreciated and did not help them and the condition of Black people in South Africa

³¹ SAJBD Library (SAJB DL) Newspaper Cuttings Collection, File 303, Muller, Shulamith

³² J. Katz (ed.) *The Story of the Pretoria Jewish Community up to 1930* (Pretoria, The Pretoria Council of the South African Jewish Board of Deputies, 1987)

was a 'political matter' which should be left for politicians to deal with.³³

In contrast to the paucity of available material concerning Shulamith for the period 1922 – 1949, the documentation for the 1950s is comparatively rich, including government records, a few published references to her by contemporaries, interviews, several articles that she authored and a very small quantity of personal documents and photographs.

To cover this period (the 1950s) in depth in this short thesis is not possible and therefore the approach that has been taken twofold. I have compiled an Evidential Timeline for the nine years from 1953 to 1962 using Department of Justice files, memoirs, recollections as well as the few documents that constitute the family archive. This timeline is as detailed as the evidence permits and is included in full as Appendix A. The final chapter itself consists of a series of vignettes constructed using a combination of memory (mostly oral interviews) and documents in an attempt to get some idea of what she was like as a person, the nature of her work as well as the authorities' attitude towards her. Clearly some of these will overlap and I have tried to avoid repetition as far as possible.

Jonathan Hyslop has noted in his biography of James Bain that:

The biographer of the renowned politician or author is likely to have access to a substantial collection of personal papers, preserved in some university library. There may be many gaps in this record, but these themselves indicate where to look for the information that might fill them. Finding the trail of someone whose life is as unknown to the present ... is a very different task. There is no central archive of [Bain's] life to which one can go. [His] life has to be pieced together out of fragments; a document found in a government department's records here, a newspaper article there.³⁴

³³ 'Annual General Meeting of Pretoria Jewish Council', *Jewish Affairs*, (July/August 1989), p.26

³⁴ J. Hyslop, *The Notorious Syndicalist: JT Bain – A Scottish Rebel in Colonial South Africa* (Johannesburg, Jacana, 2004), p.15

Although my subject was born and died well within living memory, my challenge has been similar to that faced by Hyslop, and the evidence that I have managed to locate is fugitive, sparse, partial and unreliable.

CHAPTER OUTLINE

Chapter One: The Formative Years: 1922-1940

Looks at the nature of her family, where they came from and the environment of Pretoria as well as the influences brought to bear on Shulamith as she was growing up, Jewish, Zionist as well as school. Briefly examines the situation of Jews in South Africa in the context of World War II.

Chapter Two: A political partnership, contentious communists and state repression - 1939 -1952

Topics in this chapter include Shulamith's tertiary education at the University of Pretoria in 1940, her early marriage in 1943 to a young Afrikaner radical, her membership of the Communist Party in which she was very active and held several official positions. In this period she not only locked horns with a "leading light" of the Pretoria CPSA but also became a working attorney and a mother.

Chapter Three: From 'We belong to Mrs. Muller' to Exile - 1953 to 1962

Returning to SA in 1953 from a brief sojourn in Britain and despite being 'listed' and banned, Shulamith set up her own legal practice in Johannesburg where she established a reputation as 'the people's lawyer'. It was through her work that she managed to combine political activism and her passion for justice through legal involvement in struggles against the Bantu Education Act, passes for women and police repression. Three 'vignettes' attempt to give some idea of what she was like as a person and the kind of work that she was undertaking as an impecunious attorney.

Conclusion

By the time Shulamith and her family left South Africa for Swaziland in May 1962 she was only 39 years old, she had only been practising as a lawyer for fourteen years and

politically active for just over twenty. Since this thesis does not cover the last sixteen years of her life, the Conclusion provides a brief outline of those years.

CHAPTER ONE: *THE FORMATIVE YEARS - 1922 TO 1938*

THE IMMIGRANT FAMILY

Shulamith Movshowitz was born on 11 December 1922, just nine months after the bloody failure of the white working class Rand Revolt, in Johannesburg, against the then government of the Union of South Africa. The strikers were claiming their white rights whilst denying them to black South Africans. Some of the more anti-Semitic elements of Jan Smuts' government, and others, were soon blaming the newly arrived so-called Bolshevik Eastern European Jews for having fomented the revolt. Around the same time as the short-lived uprising was underway on the Witwatersrand in March 1922, Adolf Hitler was addressing thousands of National Socialists in Munich, and mentioning some of his most notorious later themes – 'the Jewish danger' and 'the Jewish poison'.³⁵

Earlier in the same year, in January, the Irish Free State was born and in October unemployed British workers participated in hunger marches by walking from Glasgow to London. In South Africa, in November 1922, three of the leaders of the Rand Revolt, Hull, Lewis and Long were hanged in Pretoria, just a month before Shulamith was born. The CPSA, itself only founded in 1921, formed the Young Communist League (YCL) on 25 May 1922. And black South African women, who had already initiated protests against passes in Bloemfontein as far back as 1913, were again in action:

In March 1922 the Aliwal North newspaper reported a 'general boycott' of shops in Herschel, mainly by women who "organise pickets near the shops and molest all natives coming away with purchases and take the goods from them". The women demanded that people stop buying from the white shopkeepers until prices were cut -and the purchase price paid for wheat bought from local Africans increased. The boycott was halted after six months of sporadic action.³⁶

³⁵ W.C. Langer, 'A Psychological Profile of Adolf Hitler: His Life and Legend', available at <http://www.ess.uwe.ac.uk/documents/osstitle.htm> retrieved on 12 December 2011

³⁶ 'Garveyism: Early 1900s Philosophy', SA History Online, available at <http://www.sahistory.org.za/20th-century-south-africa/garveyism-early-1900s-philosophy> retrieved 11 December 2011

As the second daughter (the first having been born around 1919-1920 and named Goldie) and last child of immigrants Morris and Polly Movshowitz (née Orkin), Shulamith joined what was then a small Jewish community living in and around central Pretoria, the 1926 census numbered them as being 2,383, men, women and children.³⁷

One of the things that always interested me about the family was the fact that they did not change their name when they came to South Africa. A recent search on the JewishGen website returned 27 possible spellings not including the one used by this family.³⁸ It is now well known that African slaves transported to the New World of America were further subjugated by being given new names by their owners. Eastern European immigrants to America, contending with the rigorous bureaucracy of Ellis Island, were also often renamed on the spot by immigration officials who couldn't pronounce or spell the names they were hearing and the same thing occurred in South Africa. Better educated, or more savvy, families and individuals had a new name ready to give officials on their arrival in the Cape. Others decided after they had been living for some time in South Africa that a name change would be prudent – for instance in 1937 a Mr. and Mrs. David Mofsowitz and their children became the Moss family.³⁹

However, it appears that an immigrant Movshowitz, whoever it may have been, decided to keep their surname no matter how awkward it was to spell. At the time of writing there is no information about where Morris (his given name was probably Moishe or Moshe) came from, when or how he arrived in South Africa. All that is known about him is that he was born on or about 4 January 1885 in Lithuania.

A visit to the Cape Town Archives Repository in April 2006 turned up only one set of possibly relevant records - for a Phalk (or Falk) Movshovitz, butcher, born in the

³⁷ 'Jews of the Principal Towns of the Union of South Africa 1926 Table XLVIII' *American Jewish Yearbook* Volume 33 1931-32, p.337 available at <http://www.ajarchives.org> retrieved 10 July 2011

³⁸ <http://www.jewishgen.org> search results retrieved 28 March 2006

³⁹ National Archives and Records Service of South Africa: NARS/SAB/URU/1692/3347 available at <http://www.national.archives.gov.za/index/htm> retrieved 28 March 2006

Russian town of Minsk and residing, in 1904, at 195 Caledon Street, Cape Town. In May 1905, Phalk, now living at 46 Harrington Street, again applied for, and this time received, his naturalisation papers. On this application his place of birth is entered as Goroditz (or Horoditz) Russia, his age as 40 and the information that he has been in the Cape for three years. The last document in the file is addressed to the Colonial Secretary, dated 11 February 1908 and is from a Hertz Movshowitz (note the change of spelling), son of Phalk. It appears that the father left the colony with his naturalisation papers and Hertz, intending to 'proceed to Palestine', wants 'to get an English Passport from this Colony. I am 19 years of age'. In this small collection of documents the name is spelt variously as Mavshovitz, Movshovitz, Moskovitz and, finally, Movshowitz.⁴⁰

Phalk and Hertz may have been relatives of Morris Movshowitz but there is currently no way to establish the facts. The NASA database does record a minimal trace of the existence of several others bearing a version of the surname, including a letter from a Mr. S. Rose-Innes requesting letters of naturalisation for Abel Moses Movshovitz in 1893,⁴¹ a naturalisation application from a Baruch Mofsowitz in 1903,⁴² as well as an insolvent estate application by H.I. Isaacman and M. Mofsowitz dated 1907.⁴³

Polly Movshowitz' maiden name was Orkin and it seems that she came from – or lived near - a town on the Baltic Sea coast of what is now Lithuania. Her gravestone in the Johannesburg West Park Jewish Cemetery says that she was 69 years old when she died in 1964, indicating that she would have been born in 1895. It is unlikely that Polly was her original given name. Consulting published passenger lists from Britain shows that a Miss Orkin, age 10, left London for Cape Town in steerage class on the Kildonan Castle on 18 March 1905. On board as well were two Master Orkins and a

⁴⁰ NARS/CO /8641/22/1904 -1905 application for Letters of Naturalisation, Falk Movshovitz

⁴¹ NARS/CO/4288/I37/1893

⁴² NARS/CO/8576/22/1903

⁴³ NARS/MKB/52/DRD814/07/1907

Mrs. Orkin. ⁴⁴ Volume Two has a 21 year-old Miss Pauline Orkin, traveling alone, 3rd class, on the Durham Castle to Cape Town in July 1913. ⁴⁵ It is impossible to establish whether either of these was in any way related to Shulamith's mother.

Although many Jewish migrants from Lithuania (then in the Russian Pale of Settlement assigned for Jewish residence) came to South Africa from Hamburg, Bremen, Antwerp or Rotterdam via London, often passing through the Poor Jews' Temporary Shelter there, not all took that route. Most of them arrived in Cape Town but a few landed in Durban or even in Portuguese Lourenco Marques. Family lore has it that Morris, or Morris and Polly, first arrived from Lithuania in some part of Scotland, thought of staying but then decided to proceed on to South Africa.

However Polly may have migrated, the only photograph that exists of her before her marriage to Morris was taken in what was then Memel (now Klaipedia), Eastern Prussia (Lithuania) at a photographer's studio in Libauerstrasse. It shows a round-faced, confident-looking young woman of about 16, her frizzy hair somewhat untamed and holding what looks like an exercise book. Her dress is dark and belted, with a cape collar and on her right wrist a chunky bracelet is visible. One gets the impression of a person who has some expectations of life rather than part of the huddled masses yearning to be free.

Many new Jewish immigrants decided to leave their old life at the dockside on boarding the ship taking them to their new South Africa and they didn't recount their pasts to the children born in the new homeland. Family history started from the moment that the immigrant ships docked. 'What's to tell?' they would ask. Much of what had happened in Russia - a pernicious anti-Semitism, ghettos, college quotas, pogroms, forced army service, rape and murder - was best forgotten. Many of the new immigrants were however also lonely and isolated and, despite wanting to forget the bad old days, sought out fellow immigrants from their lands of origin or

⁴⁴ S. Issroff (ed.) *Jewish Migration to South Africa: Passenger Lists from the UK, Volume One, 1890-1905* (Cape Town, UCT Kaplan Centre, 2008), p.382

⁴⁵ S. Issroff (ed.) *Jewish Migration to South Africa: Passenger Lists from the UK, Volume Two, 1906 - 1930* (Cape Town, UCT Kaplan Centre, 2008), p.311



M. Hopplow

MEMEL
Libauerstrasse 23.

joined community organisations known as *landsleit* or *landsmannschaft*. These societies played a vital part in easing the new arrivals into life in South Africa.⁴⁶

Morris Movshowitz certainly seems to have conformed to the type of immigrant who did not care to wax nostalgic about his past life in *der heim* (the old country). According to Shulamith's childhood friend Charlotte Hopp (née Kramer), Morris was 'a very silent man who sat at home [when not in the shop] and didn't talk'.⁴⁷ It is also likely that Yiddish was his first language and speaking broken, heavily accented English, might well have rendered him mute in front of his daughters' friends.

A search of *The Zionist Record* holdings at the SAJBD library eventually turned up a number of *Rosh Hashanah* messages in the communal notices section of the paper. The first one that I came across, published in September 1925, read: 'Mr. and Mrs. Movshowitz and daughters, 535 Proes Street, wish their parents, brothers, sisters, relatives, friends and fellow-Zionists a happy and prosperous New Year and well over the Fast'.⁴⁸ These few lines were revelatory, indicating as they did the family's address, the fact that both Morris and Polly had parents and siblings who were still living (of whom there is no further trace) and the fact that they were apparently Zionists. Not all the New Year greetings carried so much conviction – many did not mention Zionism at all and indeed the people placing the notices may have been using *The Record* as a vehicle to keep in touch rather than indicating their support for Zionism. Charlotte emphasised to me that just as saying 'Next year in Jerusalem' didn't mean that one had any personal intention of making *aliyah* (emigrating to Palestine) or even that you were a Zionist, the same may have been true for the *Zionist Record* notices.

The next notice placed by the family was in 1927 and indicated that they were now

⁴⁶ Hirson, *Revolutions*, p.12-13

⁴⁷ C. Hopp, interviewed by R. Muller, Pretoria, 7 January 2007

⁴⁸ SAJBL, *The Zionist Record*, 18 September 1925

living at 1110 Pretorius Street.⁴⁹ In 1932 the notice reads: 'Mr. and Mrs. M. Movshowitz and daughters, 1,110 Pretorius Street, wish relatives, friends and fellow-Zionists a happy and prosperous New Year and well over the Fast'.⁵⁰ The 1934 notice wishes 'all relatives, friends and fellow-Zionists a K'sivo Vach'simo Tovo' – the *Rosh Hashana* greeting now in Hebrew, which not many other people were using.⁵¹ For 1937 the entry reads: 'Mr. and Mrs. M. Movshowitz and daughters, 1,110 Pretorius Street, wish their parents and family, friends and K'lal Isroel [All of Israel] a happy New Year and well over the Fast'.⁵² By 1939, the last notice in the *Record* from the family, there is no mention of Zionism, parents or siblings and no Hebrew. Perhaps, given the declaration of war by Great Britain earlier in the month, *Rosh Hashanah* greetings seemed somehow inappropriate?

The surviving evidence of the Movshowitz family and their life in Pretoria is exceedingly sparse. Shulamith's birth certificate (we only have the short version) shows merely that she was born there on 11 December 1922. There are no other currently accessible family certificates – for marriages, births, deaths, school achievements (bar one) or properties rented, bought or sold. We know that she had an older sister, Goldie, and that at the time Shulamith was born her father was 37 and her mother about 10 years younger. This estimate of her age is based on the information on her tombstone but a picture of her with the two girls on the stoep of the Pretorius Street house, shows a woman who looks somewhat older than the 31 or 32 she would have been if she had indeed been born in 1895.

In fact all that we have in terms of evidence for their domestic life is a few photographs. One of Polly and Morris possibly taken at the time of their marriage, shows a plump Polly in a dress with an unusual collar, a small posy of flowers, and a ring prominent on her left hand. Morris, slightly taller and in a rather casual pose,

⁴⁹ It was preceded in 1926 by a notice from a Mr. J. Movshowitz of 266 Skinner Street, Pretoria, who wished his 'brother, all relatives and friends a happy New year'. This could have been a brother of Morris, but there is no further record of his existence; SAJBDL, *The Zionist Record*, 8 September 1926

⁵⁰ SAJBDL, *The Zionist Record*, 30 September 1932, p.144

⁵¹ SAJBDL, *The Zionist Record*, 7 September 1934, p.157

⁵² SAJBDL, *The Zionist Record*, 5 September 1937, p.121



wears round frameless spectacles and stand-up collared shirt with a tie that is almost a cravat. The next picture has Polly looking very much the maternal guardian of the small family and Morris, in a 3-piece suit and tie, seated next to an infant Goldie. Polly's shoes are of the sensible variety and enclose plump feet and thick ankles.

The third group is that of the complete family – Goldie, in patent leather shoes and with a big bow on her hair, perches on a high cloth-covered table next to her mother who's in a summer dress and hair less styled than previously. And now there's another child – Shulamith – sitting more or less naked on her father's lap though he is again formally attired. The last extant picture of the four of them is a variation on the previous studio portraits – with one possibly significant difference: Polly's outfit is decidedly unusual for the time (possibly about 1928 – none of the photographs have dates). She appears to be wearing some kind of pale, maybe white, over-shirt or blouse with a geometrical design, tied low over the hips, which at the front looks rather like an apron. It strikes the viewer as having a distinctly *kibbutz* appearance. Was this garment intended as some kind of statement of the family's Zionist commitment?

Besides these photographs, the addresses, the *Zionist Record* notices and the family oral history that tells us that Morris owned a shop in Duncan Street (confirmed by Charlotte Hopp) only speculation and memory can attempt to fill in the gaps. Charlotte recalls that she had the impression that the Movshowitz parents were relatively newly arrived in Pretoria because when she first knew them they were living in Proes Street which was where recent immigrants tended to settle – near to the shul and their *landsleit*. She also mentioned that Shulamith and herself started school young, going straight into Standard One without having a nursery year due to the fact that both were already 'far ahead' with reading and writing and describing the pair of them as probably already being 'intellectual snobs'. They apparently went to different primary schools, Charlotte to Arcadia and Shulamith possibly to Hatfield, but entered Pretoria High School for Girls together in 1934.⁵³

⁵³ C. Hopp interview



She relates that they did everything together until they left school and their lives diverged. One of the things they had in common was that they were both from all-girl families (Charlotte had two sisters, Cecile, and Winnie). As is still the case today, for many couples, producing at least one boy-child would have been considered important and they carried on having children until one appeared. Even when boys were in abundance in families, many women continued having children, as birth control was often unavailable, unknown or forbidden by religious decrees. The limited nature of my research thus far doesn't enable me to draw any hard conclusions about the small size of the Kramer and Movshowitz families, but it does seem to indicate a desire (and ability) to have less children so that available resources would not be over-stretched and what children there were could be suitably educated and given the full benefit of being free (white) South Africans. And the fact that they were girls was apparently no bar to this, which marks both families out as progressive for their times.

Shulamith was a very talented piano player and apparently when she exhausted the supply of good teachers in Pretoria, another was found in Johannesburg, which involved some years of independent weekly train journeys.⁵⁴ The photograph of her looking thoughtful in the frilly white dress and two-tone T-bar shoes was reputedly taken at the time she was awarded one of many musical achievement certificates. At some point her parents also bought her a piano, which indicates perhaps their improving financial position.⁵⁵

The house at 535 Proes street is long gone, the site now occupied by a structure housing a government department, but 1110 Pretorius Street is still there, and in 2008 was functioning as a picture framers. It's a solid building, the kind of home in a leafy suburb east of the centre of the Pretoria that would have appealed to a small family who had been able to better themselves. The front of the house is easily identified as that appearing in the pictures of Goldie, Shulamith and their mother on their *stoep*.

⁵⁴ C. Hopp interview

⁵⁵ A.M. Muller, interviewed by R. Muller, September and December 2011



This then is more or less the sum total of what is discoverable about Shulamith's family and her early years.

THE FAMILY IN THE PRETORIA-JEWISH CONTEXT

There is no possibility of ascertaining, ninety years after her birth, how or why Shulamith's parents came to South Africa. Their reasons for coming to a continent and country that they might have known literally nothing about were probably not that different from those that had driven other Russian-Lithuanian Jews to leave their homeland: violent as well as institutionalised anti-Semitism, economic hardship and lack of access to education. They may not even have realised that the original inhabitants of their new home were dark-skinned or that they were as oppressed as Jews were in Mother Russia.. Certainly Ray Harmel, who came over alone in 1927, only discovered these facts as her ship approached Cape Town docks. 'I caught the boat in Hamburg, and on the boat I met a chap who was a teacher, a Jewish guy, and he was coming to get married ... And as we came closer to Cape Town, he said to me, you see, they're browner than you. I'd never met a black person. I had no occasion [to]. So he said to me ... they are black from the hard work. That's how he put it to me'.⁵⁶

Although it was undoubtedly the news of the discovery of precious stones and metals in Southern Africa spreading quickly around the world, even to a poor Jewish *shtetl*, that initially enticed many immigrants, Polly Orkin and Morris Movshowitz probably didn't intend to dig for gold or diamonds. They would have wanted to be somewhere that was safer than Russia and where they were unlikely to be attacked, their homes, schools and synagogues burnt down. They might also have hoped that any children born to them would have the chance to be educated. As well as getting away from what seemed like hopeless lives in Lithuania and other areas (Poland, Latvia, Ukraine), many Jews came to the *Zuid Afrikanse Republiek* (ZAR), the Cape Colony or Natal to join parents or other family members who had left home earlier. Others came out as brides and bridegrooms, to be married to older or younger Jewish settlers.

⁵⁶ UWHPA/A1984/E32, Ray (née Adler) Harmel, interviewed by C. Purkey & L. Witz, Johannesburg, 8 and 10 May 1990

Most of the immigrants would have spoken Yiddish as a mother tongue, as well as perhaps some Russian or Polish. The language having a German base may have made it easier for them to learn Afrikaans but wouldn't have helped with English. Becoming fluent in any of the indigenous African languages would not have been expected of them though a few did learn some of these languages in the course of their work.

The Jews who had arrived in SA before the mass influx began around 1880, were considered to have originated in more supposedly civilised places than Russia (which was regarded by many to be backward and even barbaric) such as Germany and England. They spoke English and some thought Yiddish to be almost *treyyf* (not kosher, tainted). As far as they were concerned educated and civilised Jews should only speak English, perhaps some German, and Hebrew – the language of the Talmud and the synagogue. Indeed, in this respect as in many others, Jews were no more a homogenous group than were Blacks in Southern Africa and the Anglo *versus* Yiddisher division was but one of many. Whilst they may have been seen and categorised as Jewish by others, there was a great diversity amongst them, even as far as their-supposedly common religion was concerned. Schisms had rent Judaism just as they had Catholicism, Islam and Protestantism, and these found a new home in South Africa.

Political allegiances were also part of the baggage brought from home - there were Jews who arrived as atheists, Communists, Bundists or anarchists, some considered that they were workers first and foremost and Jews second, becoming involved in political activity or trades unions in Russia, despite the very real threat of state repression. Many may have been influenced by the *haskalah* movement, the Jewish enlightenment, which flourished in parts of Europe in the period between 1770 and 1880, leading Jews to consider religious texts on a rational basis and to study secular subjects as well as, or even instead of, the traditional study of the Torah. There were also immigrant Jews who were (religious or not) Zionists, which crudely put meant that they believed that the Jewish people had a physical homeland or Promised Land,

Zion, that they should be able to return to one day. This added another level of differentiation to the South African Jewish community.

Another critical cleavage was that of class. This division was perhaps especially acute between those Jews who had come from Germany or Britain before the 1880s, were English-speaking, already partly assimilated and the much poorer, less-educated mass of people arriving at a later date. Those already settled in South Africa, and generally regarded as undoubted members of the dominant White group, maintained their religion for the most part but discretely, trying to be as like their English- or Afrikaans-speaking neighbours and business associates as possible.

They were often horrified by the masses newly arrived off the ships from Latvia and Lithuania and wanted nothing to do with them because they were poor, often (understandably and not through choice) smelly and uneducated. These so-called Litvaks, Peruvians or *griener* (greenhorns) were lowering the tone of the neighbourhood – and, who knew? – they might provoke an outbreak of anti-Semitism amongst those English and Afrikaners whose tolerance for Jews was perhaps only skin-deep anyway. One former Peruvian reminisced that: ‘In contrast to the English and German Jews, the Russian Jews did not have the same bold and cheeky demeanor as the rulers of the country on account of their white skin. The Russian Jews were acutely aware of the fact that they did not belong to such mighty civilised countries ... and therefore did not behave as ... citizens of the country’.⁵⁷

This highlights another cleavage and source of tension – that of race and racial identification. Whilst Anglicised Jews self-identified as part of the White master race in South Africa, newer arrivals were regarded as barely being admissible to this elevated category. Clearly they were not Black but they were not regarded, and didn’t regard themselves, as White gentfolk. Governments of the period from 1913 until the late 1930s couldn’t quite make up their minds about where to place Russian Jews in the racial hierarchy and made various attempts to limit their ability to come to and settle in

⁵⁷ I. Feldman, *The Jews of Johannesburg Until Union – 31st May 1910*, translated from the Yiddish by Veronica Belling (Cape Town, UCT Kaplan Centre, 2007), p.53

South Africa. The SAJBD helped to resolve this issue by making it clear that real Jews were not only White but also a community to be relied on by successive colonial, and later, apartheid governments, economically and politically.

We do not know how Polly and Morris started out in South Africa. Were they already married when they arrived? Probably not. Did they come alone or with other family members? We have no idea. Was Morris, as a young man, perhaps working in that apparently most despised of jobs as a *kaffireatnik* in a mine concession store selling poor quality food to Black workers? Or perhaps he started out as a *smous* or sold eggs from door to door. He might have worked for virtually no pay for a relative in the horse-trading business or even helped an uncle run a brothel or liquor store in a tough mining town like Kimberley or Johannesburg. These were the kind of jobs that many immigrants had to settle for, even if they came from their home country as craftsmen or *yeshiva bochers* (students of the Talmud). Some Anglo-German Jews did not want to employ so-called Russians 'because they despised them and did not trust them ... We were not long arrived from Russia. People looked at us askance. We were regarded as Bolsheviks, socialists ... who brought the struggle against clericalism from the old country. That was the attitude of ... anglicised Jews to the foreigners'.⁵⁸

By the time Shulamith was three years old and living with her parents and older sister in Pretoria, the Jewish population of South Africa was estimated to be 71,816 people, of which 3,078 were girls under the age of four.⁵⁹ However Morris may have started out in this new environment, at some point in the 1920s he was running a general dealers shop, something he continued to do for the rest of his working life. Of course being a shopkeeper didn't preclude intellectual or political engagement. As an immigrant you did what you had to do to make a living and support your family, once that was achieved and if you weren't a wheeler dealer looking to make a fortune, there might be a few precious hours left to attend a discussion group or a performance of Yiddish

⁵⁸ Feldman, *The Jews of Johannesburg*, pp. 51-52

⁵⁹ 'Jews of the Union of South Africa by Sex, Age and Geographical Distribution 1926', *American Jewish Yearbook Volume 33 1931-32*, Table XLVI, p.335 and Table XLVII, p.336, available at <http://www.ajarchives.org> retrieved 10 July 2011

theatre and music (such as took place at the Jewish Workers Club in Johannesburg), not to mention a political meeting.

It is hard to work out where the Movshowitz family may have fitted in to this initially very diverse so-called community. Although Charlotte Hopp thinks that they started out living in Proes Street to be near their *landsleit* and the shul it might have been that it was the only place where an affordable home could be found. Charlotte's sister Winnie recalls that her parents immigrated to SA around 1899 from Russia and that she and her sisters were raised 'in the Jewish tradition, observing the rituals' but were not very regular in their synagogue attendance and Shulamith's family were possibly similarly inclined.⁶⁰

There were far fewer Jews in Pretoria than there were in Johannesburg, largely because of different levels of economic opportunities in the two cities as well as the fact that new immigrants felt more comfortable in a city where many of their countrymen and women were already making a decent living. The comparable population figures from the 1926 census are Johannesburg 25,826 and Pretoria 2,383.⁶¹ In truth, apart from the well-known tales of Sammy Marks, who also carried the dubious title of *Krugerse Jood* and earlier immigrants who'd been able to achieve the status of State Prosecutor (a Mr. de Vries), Chief Constable (Levy) and Mr. Kisch who became Auditor General of the Transvaal as well as being chairman of the Pretoria Botanical Gardens,⁶² and some intra-communal religious factionalism, there's not much recorded about Jews in Pretoria that is particularly interesting.

Apparently Pretoria Jewish families lived in houses near to the centre of what was essentially a small town in the 1880s, in Proes, Schubart and Scheiding streets.⁶³

Aside from general dealers, jewelers, shoe and fish shops, Jews also ran boarding houses, bars and restaurants. Katz also mentions that the *Pretoria News* had been

⁶⁰ Personal Reminiscences of Winnie Dadoo, 1984, available at <http://www.sacp.org.za/dcos/history/winniedadoo.html> retrieved 23 June 2005

⁶¹ *American Jewish Yearbook*, Vol. 33, Table XLVIII, p. 337

⁶² Katz, *The Story of the Pretoria Jewish Community*, pp. 1-3

⁶³ *ibid* p.8

founded by Leo Weinthal in 1898. However successful and at least commercially integrated into the life of this largely Afrikaner town the Jews may have been, neither they nor the Catholics were enfranchised there until after the South African War. ⁶⁴ By the time Shulamith was born it is likely that those who were better off were moving their homes, if not their businesses, from the centre to the leafier east, as Morris and Polly were able to do by 1927.

OTHER INFLUENCES, SIMILARITIES AND DIFFERENCES

While Shulamith was (probably) at Hatfield Primary School, learning to play the piano and becoming a precocious reader, other children who were also first-generation Jewish South Africans, or arrived as babies with their parents, were growing up in a variety of different families. Mickey Levy was born in Bloemfontein to a father who had fled the military call-up in Russia and, arriving in Southern Africa around 1900, found himself working as a saddle- and harness-maker 'for the Boers'. He and his siblings were all initially educated at a Marist Brothers convent school and 'knew the whole of the Catholic religion within a year'. ⁶⁵ Hymie Barsel's parents, like Shulamith's, ran a shop, though it was in the Fordsburg-Mayfair area of Johannesburg. The hours were from 5.30am to 10pm every day except the Sabbath. He and his very religious father eventually fell out over Barsel-the-Elder's insistence that whilst animals and servants had to rest on that special day, the Bible (Torah) said nothing about wives getting a day off 'so Mother worked'. ⁶⁶ Sonia Isaacman (later Bunting) was born in Hillbrow, Johannesburg, two days before Shulamith, and raised in a decidedly non-religious home, which was often visited by her father's Communist friends. At about the age of nine she remembers one of them giving her a children's book called *Moscow Has a Plan* but her parents were staunch supporters of Jannie Smuts and his United Party. ⁶⁷

In Makokskraal, Western Transvaal, seventy kilometers from Potchefstroom, Phyllis

⁶⁴ Katz, *The Story of the Pretoria Jewish Community*, pp. 26-27

⁶⁵ UWHPA/1984/E28 Mickey Levy, Johannesburg, interviewed by C. Purkey & L. Witz, 28 September 1988

⁶⁶ UWHPA/A1984/E1 Hymie Barsel, interviewed by C. Purkey, no date or place

⁶⁷ UWHPA/A2729/E1 Sonia Bunting, interviewed by Sylvia Neame, London, nd

Lewsen was the child of parents who had immigrated in 1902, aged 12 and 16 respectively, from Lithuania. Her grandfather (originally arriving in Africa in 1889), a former Talmudic scholar, earned his living in South Africa by baking, which helped pay the school fees at the Convent of the Sacred Heart, and as a 'prolific carpenter'. Phyllis recalls that Jewish and Gentile girls didn't mix at school, neither did Catholics and Protestants. Afrikaans-speakers didn't attend at all: 'the ethnic and religious barriers were too rigid ... people were separated and enclosed by their ethnicity, class and religion'. She recalled that anti-Semitism existed but was experienced more as a 'chilly breeze' than the 'raging typhoon' it had been in Russia.⁶⁸

Polly and Morris sent both their daughters to the (highly regarded) nearby Pretoria High School for Girls (PHSG) whose motto continues to be 'We Work in Hope'. The school had been founded in 1902 as part of Lord Milner's drive to anglicise the city after the end of the South African War.⁶⁹ The first headmistress modeled the PHSG on the pioneering North London Collegiate School (in Britain) which was distinctly modern in its outlook. The stated aim of both schools was to ensure that girls were able to access the best academic education in the same way that their brothers had always been able to. It was made clear to the female pupils that if they studied hard they could become professional women, earning their own living. Miss McWilliam, the headmistress in the mid-1930s, spoke of 'Dorothy Lang, who was head girl in 1929, [and] has won every honour open to a woman studying medicine in Edinburgh', indicating clearly the kind of former pupil in whom the school took the greatest pride.⁷⁰ PHSG was an ostensibly non-denominational (but still Christian), white, government school.

A flavour of the Milnerite imperial mission in South Africa that PHSG continued to endorse at the time Shulamith started there is conveyed in a report, in *Liber Puellarum*,

⁶⁸ P. Lewsen, *Reverberations - A Memoir* (Cape Town, UCT Press and the Kaplan Centre, 1996), p.8

⁶⁹ R. Mendelsohn and M. Shain in their book *The Jews in South Africa* (Johannesburg, Jonathan Ball, 2008), p. 80, point out that there had been a Jewish school in Pretoria, the Miriam Marks School, funded by Sammy Marks, whose 'chief concern was the anglicisation of their immigrant charges.'

⁷⁰ *Liber Puellarum*, 42 (1935-1936), p.21

of a talk given by Professor Edgar Brookes 'a great authority on the Bantu races' sometime in 1933 or 1934 on the topic 'The Bantu - Past, Present and Future'. Brookes told the girls that 'the Bantu were not always uncivilised ... but as they were driven south, they became barbarians' and that 'natives will gradually rise to our level and become fellow-workers'. He later responded to questions from the audience, reassuring them that 'there will be no socialism in the future and that we shall still have native servants' and also that 'it is possible but very improbable that we shall ever have a black Prime Minister'.⁷¹

Jonathan Hyslop comments on PHSG that

... although very centrally part of the white establishment, my impression [is that] it does seem to have [had] a strong work ethic and academic focus, in a way which was maybe unusual for a South African girl's school. My feeling is that Pretoria Girls, together with a few other elite state girls high schools, does seem to have been very shaped in the first half of the 20th C[entury] by a small cohort of university-trained British immigrant women teachers who, while strongly imperial also had elements of early feminism in their outlook. My impression is that there may therefore have been a somewhat higher level of intellectual skills and assertiveness amongst the school's products than amongst the run of white female high school graduates in the Transvaal.⁷²

Shulamith and Charlotte started at the school in early 1934, aged 11, and Charlotte remembers her friend as being bright and hard-working, an avid reader, winning the class Home Reading Prize in 1937. Although, by the 1930s, most pupils were from

⁷¹ *Liber Puellarum*, 39 (1933-1934) pp. 22-24

⁷² Email communication to author, 18 April 2006



comparatively well-off English-speaking families, some were Jewish, there were a few Afrikaners as well as a smattering of others.⁷³ Whatever ambitions Shulamith may have had it is likely that the school would have encouraged them and although records for her final year are no longer extant, it is likely that she got a good matric pass.

At about the same time that Shulamith became a pupil at PHSG, *Habonim* (The Builders), established in South Africa in 1931, was founded in the city. It functioned within the strong ideological framework of the World Zionist movement, and encouraged older members to consider emigration to Palestine (making *aliyah*). How would the values being inculcated in the PHSG pupils have articulated with the equally strong, Zionist, ideals that pervaded *Habonim*? At first glance one might feel that the two would inevitably have clashed in the mind of a perceptive, intelligent and impressionable teenager. However, perhaps they were not so much at odds – particularly taking into account that *Habonim* was, in some ways, a Zionised version of the very British, and very imperialist (at that time) Scouting Movement founded by Baden-Powell. Hard work, self-sufficiency, physical strength (through sport) and enhanced intellectual capacity were emphasised in both, as was social responsibility and the responsible exercise of authority over those younger (or less fortunate) than oneself.

At a time when 'most Jewish children were pupils at government-run, Christian, schools' an organisation like *Habonim* enabled 'them to meet and interact with other Jewish children'.⁷⁴ But 'while Habonim was overwhelmingly accepted by the broader Jewish community the ideals it was imparting to its youth were very much counter to the accepted norms of Jewish society at the time. From its very inception the movement offered something unique and different to its members'.⁷⁵

⁷³ In Goldie Movshowitz' matric year, 1937, seven out of seventy-one matriculants had Jewish names; *Liber Puellarum*, 44 (1937-1938), p.14

⁷⁴ L. Klawansky, 'Habonim Dror: A South African Zionist Movement 1930 – 2003' (Honours Research Project, Wits University, 2004), p.23.

⁷⁵ *ibid* p.27

Goldie, Shulamith and Charlotte Kramer all joined *Habonim*, probably in the mid-1930s. There are several photographs showing them, together and separately, wearing the organisations somewhat extraordinary uniform which appears to have included a pith helmet. A later picture, probably taken whilst they were attending the summer camp in Lakeside near Muizenberg, shows Shulamith, Charlotte and another girl dressed more informally, next to a tent; by that time they would have become part of the senior group called *madrichim*. The self-leadership that was emphasised by the organisation would have given both girls the chance to develop further a capacity for strong-mindedness and leadership that both seemed to have developed from a young age.

In allowing their daughters to join *Habonim*, the Movshowitz parents were perhaps demonstrating their continued commitment to Zionism, as well as indicating their willingness to discard the old *shtetl* customs as they affected girls and young women. In *der heim* not that many females even went to school and though the majority of the poorer families would have had to make use of the labour of girl-children within the family and even the community, running around in trousers or bathing costumes and erecting tents with similar aged boys would not have been acceptable activities.

Serious-minded though many of the activities may have been, emphasising the importance for young Jews of being prepared to commit to laying the foundations of a Jewish homeland in Palestine in the face of rising anti-Semitism in Europe and South Africa, purely social considerations may have also been a strong attraction for adolescents of both sexes. Baruch Hirson recalls responding to 'a phone call inviting me, with all [the other] Jewish matriculants in Johannesburg, to a party ... organised by the Zionist movement'. The food, drink and dancing were followed by a talk but the main attraction for him and many others was the social aspect of the proceedings.⁷⁶

⁷⁶ Hirson, *Revolutions*, pp. 89-90



CONCLUSION

Sometime before she started her tertiary education, in the period 1936 to 1938, stark evidence was emerging from Europe of the Nazi Party's intentions towards the Jews and the few German Jews who managed to get to South Africa (such as the 537 aboard the SS Stuttgart, which arrived in Cape Town in October 1936 to a less-than enthusiastic welcome from the SAJBD and howls of anti-Semitic outrage from Louis Weichardt's 'Greyshirts') had their own stories to tell of the outrages being committed in Germany and of the existence of concentration camps.⁷⁷ The events of *Kristallnacht* in November 1938 when German and Austrian Jewish businesses, synagogues and homes were destroyed occurred just before Shulamith's sixteenth birthday, around the time she would have been writing her final school exams. Reading accounts of this in local newspapers and living, as she did, in a largely White, Afrikaans speaking city, the possible parallels might have been striking.

Trying to trace Shulamith's early life has been a frustrating exercise because there is such a paucity of information, but this is not an uncommon experience for biographers of subjects perceived as inconsequential. One of the major transitions in her life that I have not found any evidence for is the enormous leap that she made from being a Jewish-Zionist schoolgirl to a young woman seemingly no longer self-identifying as Jewish at all, let alone Zionist, studying law in Afrikaans and becoming a Communist with a distinctly ruthless streak, whilst still living in the notably right-wing and conservative city of Pretoria.

⁷⁷ *Cape Times* 28 October 1936, in Mendelsohn and Shain, *The Jews in South Africa*, p.110



CHAPTER TWO *A POLITICAL PARTNERSHIP, CONTENTIOUS COMMUNISTS
AND STATE REPRESSION: 1939 -1952*

TUKKIES

Shulamith went to University of Pretoria (also known as Tukkies) straight from school, aged 16, in February 1939. There is nothing to indicate why she went there, rather than to the University of the Witwatersrand as her school friend Charlotte did. It might be that Charlotte's family was financially better off or perhaps Shulamith's parents thought she was too young to be living away from home. The language of instruction clearly didn't present a problem - presumably she had studied it at school and achieved good enough marks to be sure that she could cope at tertiary level.

If Jewish girls were a minority at PHSG how much more so was it the case at Tukkies where there appear to have been very few Jewish students? The list of graduates on 11 April 1942, when Shulamith officially obtained her BA, *Graad van Baccalaureus in Lettere en Wysbegeerte*, has only three names, including Movshowitz, which could be considered Jewish, and no more than eight English surnames, out of a total of over 300.⁷⁸

Perhaps an article published in the Natal Mercury on 5 June 1939, just half way through Shulamith's first year, indicates why there were so few non-Afrikaners studying at Tukkies. The headline 'University Students in Free Fight' is anodyne enough but the story is not:

A serious clash occurred between the students of the Rand and Pretoria Universities at the Eastern Sports Grounds, Pretoria, on Saturday afternoon during the inter-University rugby match ... No serious injuries were inflicted as prompt action by the police on duty ... plus a belated effort by a few Pretoria students ... saved the day. The first reported discord ... [was] when a Pretoria University student started making announcements, many of which had a racial application reflecting on the alleged Jewishness of the Rand University ... someone ... read a message ascribed to Mr. Eric Louw, M.P., in which the latter

⁷⁸ *Promosieplegtigheid*, Universiteit van Pretoria, 11 April 1942 (document in possession of the author).

is alleged to have telegraphed to the students: "Mow down the Ikies. There are enough in the country already." Another fictitious telegram from the Minister of Agriculture said "Plough the rubbish (vuilgoed) into the field" ... these incidents did not tend to create harmony ... [and] the humour of the messages was obscure ... though the Pretoria students roared with laughter ... the undercurrent of the afternoon seemed to be one of deep-rooted racial hostility. At times the outbursts by Pretoria seemed like little bits of Nazi propaganda ... [and] culminated in the open fight.⁷⁹

This, at a time when Hitler was preparing Germany for war, not just against the rest of Europe but also against Jews wherever they were to be found, shows clearly that fascist propaganda had found a home in Pretoria.

Although left groups and individuals, some of whom were Jewish, were taking on fascist sympathisers in the Johannesburg streets at this time, there are no such accounts from Pretoria. It is more than likely that the few Jews that there were at the University, including Shulamith, felt it better to keep their heads down and to conduct their social and political lives elsewhere.

The war in Europe had some effect on South Africa's economy and people, conditions – even for the oppressed Black majority – although nothing like the hardships that were experienced elsewhere. Petrol was rationed and some kinds of foods became almost unobtainable, whilst shopkeepers and others took advantage of the shortages to drive prices up. On the other hand wages in some industries increased as manpower became harder to find and many men volunteered for the Army. Shulamith and other university students in South Africa would have been able to carry on their studies as usual, the men weren't being called up nor were (many) women abandoning their studies to volunteer for the armed forces as happened in Britain. But the atmosphere at Pretoria University must have been difficult during this time, when it was becoming widely known that the obliteration of the Jews and other groups regarded as *untermenschen*, or sub-human, by the Nazis (such as so-called Gypsies, the disabled,

⁷⁹ SAJBD Library, Newspaper Cuttings Collection, File 340, Pretoria

homosexuals and Slavs) was a crucial part of Hitler's policy towards the countries he was invading.

However uncomfortable Shulamith may have found Pretoria University during World War II, she stuck it out, supported with letters of recommendation by her professors early in 1941, when she applied for a municipal scholarship for her final undergraduate year and graduating with distinction in 1942.

MARRIAGE AND POLITICS

It is possible that Shulamith met Mike Muller at Tukkie's but, given the atmosphere there it's perhaps more likely that politics brought them together, possibly at a CPSA public meeting such as the one recounted by Naboth Mokgatle in June 1941 (on p.48-49). Michael Arnoldus 'Mike' Muller was an Afrikaner from Kroonstad in the Orange Free State whose father and grandfather had fought in the South African War and been subsequently exiled to India and Ceylon respectively. He studied at Grey College in Bloemfontein and was taught by, amongst others, the two Marquard brothers, Dawie and the better-known Leo. He got to university on a scholarship, being very bright, but was drawn into organising black trades unions – perhaps through teaching workers at night school. It seems that he abandoned his studies and joined the CPSA at the age of 19 in 1941.⁸⁰ His younger sister Zouna puts this down to sheer youthful rebelliousness but she acknowledged that he'd also 'always been one for the underdog'.⁸¹

Zouna remembers that she and her mother once paid a surprise visit to Mike in Pretoria, and found him living in a 'very messy rented room' possibly in Devenish Street – the typical young lefty unconcerned with tedious domestic arrangements. The rest of the family moved from Bloemfontein shortly after this visit, renting a large house in Jorissen Street that Anna Muller turned into a boarding house, a viable income-generating enterprise during the war years when accommodation was at a

⁸⁰ DoJ File 2/1/97, affidavit by M.A. Muller, 25 September 1950 (copy of document in possession of the author)

⁸¹ Zouna Fontanel, interviewed by R. Muller, Bloemfontein, 6 November 2011

premium in the city. Zouna, then aged about twelve, started high school and her father, who was ostensibly retired, was once more working for the railways due to the wartime shortage of manpower. At this point Mike also moved back in with his parents and sister, into a room in the roof, *dak kamer*, which led to him being labeled 'the Communist in the attic' by the family.⁸²

One of the family stories maintains that Shulamith first met Mike when he came to her father's shop trying to organise the black workers there, which is quite possible. Actually we don't know how they met, but it was recorded, not just on paper but in the traumatised hearts and minds of both the Movshowitz and Muller families, that they married on 13 December 1943 – just two days after Shulamith turned 21. It is probable that neither set of parents attended and since there's no copy of the original marriage certificate, nor any wedding pictures, we do not know who the witnesses were.

There are no photographs of the Jorissen Street house, but there is one of four women in the garden. The discovery of this picture required a revision of the family tale of the long-lasting rift caused by the relationship between Mike and Shulamith. The women in the picture are Zouna, her mother Anna, an unknown young woman and Shulamith. Once the marriage had taken place, it seems that she visited frequently, had meals there and tried hard to be a good daughter-in-law despite (or because of) the fact that she knew that the union had caused the Mullers serious disquiet.⁸³

Zouna feels that her parents eventually resigned themselves to Mike being a Communist, and also decided that though they thoroughly disapproved of the marriage they had to make the best of it. Shulamith was very 'motherly' towards her (though being 10 years her junior she might well have been regarded more as a younger sister) and the couple would take her on outings to parks and to the bioscope. Polly Movshowitz also visited occasionally and Zouna remembers once having to

⁸² AM Muller interview

⁸³ Z. Fonternel interview



accompany her to look for Shulamith, recalling that they ended up outside a building with a window on which was written 'Communist Party of South Africa'.⁸⁴

Ruth Kaplan's more amusing story, which might have taken place at the same period, is, however, likely to be apocryphal:

I think that they met in the Communist Party, but I'm not sure about that. And all I know about ... the early marriage years, was Shulamith told me that her mother came to where Mike was working, I think, and pelted cream cakes at the window (laughter). I mean, they just were absolutely horrified; it would have been bad enough to marry a gentile anyway, but an Afrikaner from a really, I think, right-wing nationalist background.⁸⁵

The depth of the rift that the marriage caused could be measured by the fact that Shulamith's father was not reconciled until the birth of his first grandson in 1949. His view on the matter may well have echoed that of Pauline Podbrey's father on her marriage to H.A. Naidoo:

Within the universe of the *shtetl*, one of the primary burdens of a father was to ensure suitable marriages for his daughters, marriages which both ensured their security and enhanced the family's standing; it was precisely such assumptions that made the entrance of ideas of romantic love into the late nineteenth century Pale so unsettling. Seen from this perspective, Podbrey's father's behaviour may have betokened not simply racism but the struggle of an immigrant father to defend a prerogative that his anglicised daughter did not respect or even recognise.⁸⁶

⁸⁴ Z. Fonternel interview

⁸⁵ Ruth Kaplan, interviewed by Peter Delius, Sheffield, 23 June 1990

⁸⁶ J.T. Campbell, 'Beyond the Pale: Jewish Immigration and the SA Left', in M. Shain and R. Mendelsohn (eds.), *Memories, Realities and Dreams* (Johannesburg, Jonathan Ball Publishers, 2001), p. 139.

JOINING UP

The history of the CPSA is well documented both officially and otherwise, including the devastating rifts that decimated the membership in the mid-1930s due in part to the unthinking implementation of instructions from Moscow and the Comintern (Communist International). Rusty Bernstein indicates that by 1939 it had declined to being merely a 'semi-secret sect [as] internecine doctrinal strife had displaced public political activity until ultimately the Central Committee had been moved from Johannesburg to Cape Town lest it too dissolve in the crossfire'.⁸⁷

Although there is no evidence of what led Shulamith to join the Party, interviews with others who joined around 1941 show a general similarity of purpose that she might have shared. Some of them did more or less inherit a tendency from radical parents but many approached the Party by degrees through the Left Book Club, the 'almost invisible' South African Youth League of Dr. Max Joffe⁸⁸ or through readings and encounters at the People's Bookshop. Israel and Adams have also suggested that 'On the South African left during the 1930s and 1940s, there was to some extent a "shared universal discourse" between those Jews of the same age who moved within the anti-Zionist Jewish Workers' Club, the Young Communist League and socialist Zionist groups ... Most also shared a sense of alienation from the traditional Jewish community.'⁸⁹

Myrtle Berman came to the Party in a typically pragmatic manner that echoes Shulamith's practical approach to things. She had been recruited whilst studying at Wits University to teach at a 'native' night school in Polly Street, Johannesburg, and found herself to be 'emotionally touched - hit' by her interaction with the Black workers, including manual labourers, who came to study after a long day at work. The school had been founded by Eddie Roux (who'd been expelled from the CPSA during the ideological turmoil of the mid-1930s) and who she very much admired. The school, she said, 'gave me fire in my belly' and committed her to political activism. She soon

⁸⁷ Bernstein, *Memory Against Forgetting*, p.26

⁸⁸ *ibid* p.24

⁸⁹ M. Israel and S. Adams, "'That Spells Trouble': Jews and the Communist Party of South Africa", *Journal of Southern African Studies*, 26, 1 (March 2000), pp.145-162

became the principal and found that the only reliable teachers were members of the CPSA. On finishing at Wits she took a look around for a potential political 'home' and decided that the Communist Party was the 'best of the bunch'.⁹⁰

Trudie Gelb, who came to South Africa from Manchester in 1938 as a 26 year-old visitor and ended up staying, recalls seeing an announcement in a newspaper about a strike of white women tobacco workers in Rustenberg in 1940 and was 'so horrified' by the story that she went to the address given, 47 Progress Buildings, and volunteered to collect money for the strikers. Later she joined the Left Book Club and attended bi-weekly lectures given by Pretoria Communist George Findlay in Johannesburg. In the end although she didn't actually join - 'Why I never joined, never signed on the dotted line, I don't know' - she was nevertheless put onto the finance committee of the Party. She also quickly became involved with the Friends of the Soviet Union as well as Medical Aid for Russia.⁹¹

Naboth Mokgatle, based in Pretoria, was already involved politically with Black fellow-workers and engaged in trade union activities. He also attended CPSA-run night classes and frequently visited the Left Book Club, run by Party members in Andries Street.⁹² He recalls being on the point of applying for membership in 1939 when the Molotov-Ribbentrop Pact was announced. He felt that he had to support the war against fascism whatever the CPSA and the Soviet Union said even 'though I hated the SA army because Africans were not allowed to join as real soldiers ... I was sure if Hitler won, fascism in SA would have won. To me Smuts was nothing but another Hitler in a different form'. When Germany attacked the Soviet Union he was delighted.⁹³

I knew at once that the way for me to join the Communist Party was open ...

The following Sunday ... I left Marabastad and went to the Left Club, in

⁹⁰ Myrtle Berman, interviewed by R. Muller, Cape Town, 9 November 2011

⁹¹ Trudie Gelb, interviewed by C. Purkey and L. Witz, Johannesburg, 23 March 1988, UWHPA AD1984 / E23

⁹² N. Mokgatle, *The Autobiography of an Unknown South African*, (Berkeley and Los Angeles, University of California Press, 1971) p.192, 198

⁹³ *ibid* pp. 212-213

Church Street East ... It was a meeting of representatives of the inhabitants of South Africa – Europeans, Africans, people of Indian origin, and coloured people. They were Communists and non-Communists, as well as sympathisers who held left-wing views. Amongst them were my old teachers [at the night school] Samuel Woolf, George Findlay, his wife Joan, Franz Boschoff ... For the first time I got to know that the Communist Party had a large following in Pretoria and had a district committee of its own ... there was unanimous support for the war against fascism. ⁹⁴

It is quite possible that Shulamith might have been one of the Europeans in attendance, with much the same feelings as Mokgatle, though she would have been considerably younger than he, having turned 18 the previous December, and half-way into her final undergraduate year at university.

MD Naidoo was a young trade union organiser, a member of the Liberal Study Group and the Non-European United Front. He joined the Party in 1940 at the age of 21 though his father wanted him to focus on his studies, arguing that he'd carry more weight in politics if he had qualifications but 'the son he was talking to was absolutely convinced the revolution was around the corner. And there was no time. [It was] a social revolution which would engulf SA. There was no time to lose to mobilise our people'. ⁹⁵

Sonia Isaacman, almost exactly the same age as Shulamith, having been born on 9 December 1922, abandoned her medical studies at Wits University to work for the Party in 1941. She'd come to the CPSA through the magazine 'Soviet Life' having become involved politically at university. She notes that 'it was just luck I didn't join the Trotskyites', which perhaps underlines the part that youthful enthusiasm and idealism played in bringing many people into left politics at that time. ⁹⁶

⁹⁴ Mokgatle, *The Autobiography*, p.233

⁹⁵ UWHPA/A2729/E6, MD Naidoo, interviewed by Sylvia Neame, London, 13, 15 and 22 June 1990,

⁹⁶ S.Bunting interview

Rusty Bernstein joined up around 1938 and recalls vividly the nature of the Party at that time.⁹⁷

I was placed “on probation” for several months during which I would be required to pay regular subscriptions ... and “carry out all tasks assigned to me”. Every explanation was couched in a jargon ... filled with references to “aggregate meetings”, “functionaries”, “democratic centralism” and “factionalism” ... [This] jargon was not South African but a special variety of international Communist-speak ... [which] gave the Party a foreign, almost exotic, air. But it also gave its members a sense of membership of a select band ... My first aggregate meeting was held at the south end of Eloff Street ... the Party’s ‘premises’ a single room filled with ... kitchen chairs [and] about fifteen people, black and white... No one introduced me to anyone. I sat hunched down in my chair until the meeting began⁹⁸ ... Debate was fierce and adversarial. Speakers snapped at one another, attacked each other passionately and personally. The jargon flew – factional, sectarian, opportunist, revisionist. Could this verbal warfare really lead the way to the new world of socialism?” he wondered. Apparently, ‘the point was to find the ‘right line’ before exercising the Party influence on events ... The Party took its politics very seriously ... That seriousness – which some might find absurd – was the Party’s great strength. It reflected an inner conviction that “nevertheless, the world does move!” [and] we were helping it move, if not now then some time in the future.⁹⁹

The secret sect mentality that Bernstein refers to¹⁰⁰ might have been ameliorated by the swarms of Red Army acolytes who joined the CPSA around 1941,¹⁰¹ but it didn’t necessarily dilute the impenetrable jargon or self-righteousness of new young members. Charlotte Hopp recalls feeling that both her sister Winnie and Shulamith ‘became inflexible and disinterested’ in anything that wasn’t coherent with their views once they’d joined the Party, which led to her losing touch with her old school

⁹⁷ Bernstein, *Memory Against Forgetting*, p.26

⁹⁸ Bernstein, *Memory Against Forgetting*, p.28

⁹⁹ *ibid* p.30

¹⁰⁰ *ibid* p.26

¹⁰¹ UWHPA/A2729/E6, Bill Roberts, interviewed by S. Neame, London, 8 October 1987

friend.¹⁰² This rigid mentality is vividly described by Pauline Podbrey in her memoir. Having joined the CPSA in 1939 just before she turned 19, she became a convinced and rabid Stalinist and one day when her father asked if she would shoot him if the Party told her to do so she answered without hesitation 'Yes I would'.¹⁰³

Certainly the *Guardian* newspaper must have played a part in drawing some of these new members into the CPSA as it executed a neat somersault in June 1941 and published a 'pro-war, pro-Allies stance in a twelve-page issue that devoted five pages to the USSR'.¹⁰⁴ Their offices in Johannesburg were in the same building and on the same floor as the CPSA district committee and many Party members worked for it as volunteers or paid employees and it fairly faithfully followed the Party line.¹⁰⁵ Its circulation reflected the sudden popularity of both the USSR and Communism by rising from 12,000 to 22,000 in the week after the invasion in 1941 and by 1943 it had topped 42,500.¹⁰⁶ The paper had a loyal following in Pretoria and CPSA members were expected to sell it every week alongside their own publication *Inkululeko*, particularly in the townships of Lady Selbourne and Marabastad as well as the Asiatic Bazaar. 'So strong was the local *Guardian* league that in a 1942 national fundraising drive Pretoria accumulated the most of any ... league'.¹⁰⁷ All this progressive activity in such a conservative bastion might have been very attractive to a young woman like Shulamith, studying at Tukkies.

Would there have been particular elements of Soviet life and policy that brought young women like Sonia Isaacman, Winnie Kramer, Myrtle Berman and Shulamith into the CPSA? Joy Danousi's book *Women Come Rally*, about women in the Australian Communist Party, indicates that this might have been in the case. 'The perceived achievements of socialism in the Soviet Union for women encapsulated ... their imagined world of a better society ... This discourse of an ... attainable reality,

¹⁰² C. Hopp interview

¹⁰³ P. Podbrey, *White Girl in Search of the Party* (Pietermaritzburg, Hadedda Books, 1993), p.30

¹⁰⁴ J. Zug, *The Guardian: The History of South Africa's Extraordinary Anti-Apartheid Newspaper*, (Pretoria, UNISA Press, 2007), p.59.

¹⁰⁵ *ibid* p.51

¹⁰⁶ *ibid* p.56

¹⁰⁷ *ibid* p.55

and the promise that women would be liberated once it was achieved, was embraced by women and influenced them to remain in a Party that generally allowed them only secondary status'.¹⁰⁸ Barbara Curthoys recalls that it was the position of women in the USSR that influenced her to join the CPA in 1942 and work to attain a similar equality for Australian women. In the USSR women were allowed to do all sorts of work that they weren't in Australia. 'For women who were in their late teens to early twenties during the inter-war years, this model was appealing in light of their experience of depression and war'.¹⁰⁹

YOUNG LIONS vs THE OLD GUARD IN THE PRETORIA CPSA

By 1943 both Shulamith and Mike were deeply involved in the Pretoria CPSA. Advocate George Schreiner Findlay and his wife Joan were leading members of the Party in the city at that period. Findlay was well connected – Olive Schreiner was his aunt, he was related to Eugene Marais and his first wife was a Rose-Innes. His background, education and professional status as an advocate placed him firmly within the sphere of the English-speaking 'aristocracy' of white South Africa. He was also financially well off, sending his daughter not to PHSG but to Roedean (in Johannesburg), owning a car and a large house. In June 1944, at the end of the legal term, he recorded that he had made £3,500 gross for the year, a not inconsiderable sum.¹¹⁰

He joined the CPSA when it was in tatters, a mere shadow of its former self but his motivation might not have been dissimilar from those that drove a significant portion of upper class young men and women to become Communists at Cambridge University (in Britain) in the 1930s. Fascism was getting a grip on parts of Europe, the Spanish Civil War was underway, or about to be, and the glowing reports by many Western visitors to the USSR (such as one by Bram Fischer) would probably have contributed to his decision. There weren't many like him in South Africa, let

¹⁰⁸ J. Danousi, *Women Come Rally – Socialism, Communism and Gender in Australia 1890-1955* (Melbourne, Oxford University Press, 1994) p.115

¹⁰⁹ Danousi, *Women Come Rally*, p.118

¹¹⁰ UWHPA/A1199/Findlay Family Papers. This collection has been inventoried only up to 1933. All the journals and letters referred to here are to be found in section A of the collection, in approximate chronological order.

alone Pretoria, which was all the more reason why I conjectured that he could have been something of a role model for Shulamith.

The Findlays were substantial members of their community (perhaps a case of a big fish in a small pond) and George was already well-known as a political commentator through the columns of the *Pretoria News* to which he appeared to have easy access. In 1935-1936 he contributed articles on 'White Trusteeship - Mr. Pirow's Fears Analysed', 'Italy, Abyssinia and England', 'Educating the Native - Heading for Gangsterdom' and 'Freud and the Cabinet - Mr. Hofmeyr's Views On the Native Question'.¹¹¹ He had an impressive intellect and a prodigious appetite for knowledge, reading and debate. He was also the author of a widely distributed and controversial monograph, *Miscegenation*, published in 1936, a study of racial characteristics and racial mixing in which Findlay speculated on what the outcome of this would be for South Africa.

Rusty Bernstein recalls Findlay coming to his branch from the Johannesburg Communist Party District Committee (which Pretoria was part of) not long after the announcement of the non-aggression pact between Nazi Germany and the USSR in 1939. 'George was a barrister with a golden tongue, a wonderful precision of word and an impeccable logic. The 'line', we were assured, was not changed. We were still for a resolute world stand against fascism ... We were for an all-out war, not a phoney war ... He argued his thesis brilliantly'. And to all the questions 'he had - as always - a clear and logical answer'.¹¹²

The Findlay Papers begin to supply clues about the nature of the Pretoria Communist enclave with a 11 November 1942 letter to Joan Findlay from someone signing himself Jack (probably Simons) in Cape Town, the CPSA headquarters. 'You have done splendid work in building up the Party at Pretoria (a very difficult centre) almost single-handed and I am sure you are not going to let the work get you down now'. Earlier in the letter is a reference to 'this trade union business' that is giving

¹¹¹ UWHPA/A1199/A/1935-1936

¹¹² Bernstein, *Memory Against Forgetting*, pp. 35-36

her some trouble and asking how the 'expelled and suspended members' are behaving. 'From your minutes we get the impression they have a pretty strong backing. Is this so?'.¹¹³ This indicates that Joan was a trusted stalwart as far as the Party leadership were concerned. Naboth Mokgatle's reminiscences make it clear that for him the Findlays were an inspirational duo in the small left-wing world of Pretoria drawing him in to their night schools and discussions (at the Left Book Club and at their home) and that they were very much of a two-hander running the Pretoria CPSA.¹¹⁴

The first mention in the Findlay Papers of either Mike or Shulamith comes in a letter written by him to his wife Joan on 17 June 1943.

Tonight I got down to dinner rather late having arranged the time table for the Educational Work. You, belovedie, have been allocated your Advanced classes on Mondays at 6pm and a Cadre at 7.30pm on Fridays consisting of Naboth, Titus, [illegible], Frans Kekana and Johannes Mathibe. These Cadres look like difficult [illegible]. Sam and Mike take the others. Maybe I can help with yours. My job is Sunday night Pop. Lectures and we will have a specialised study group on Mondays at 7.30pm.¹¹⁵

It soon becomes clear in reading the diaries and letters that aside from what became a deep personal antagonism between the Findlays and both the Mullers, there was also a heated ideological debate, mostly in 1944, over the now largely forgotten issue of Browderism (which Mike Muller supported and Findlay opposed). After the meeting of Churchill, Roosevelt and Stalin in Teheran in December 1943, where they agreed to work for an enduring post-war peace, Earl Browder, leader of the American Communist Party felt that at last 'capitalism and socialism have begun to find the way to peaceful coexistence and collaboration'. To continue the fight for socialism in the USA would divide the nation and weaken progressive forces – so the logical thing to do, Browder argued, would be to dissolve the Party and reform

¹¹³ UWHPA/A1199/A/1942

¹¹⁴ Mokgatle, *Autobiography*, p.134

¹¹⁵ UWHPA/A1199/A/1943

as the Communist Political Association, working in alliance with broader forces within the two-party system.¹¹⁶

This political line had repercussions around the world and in South Africa Findlay wasn't the only Party member to take a stand against it. Julius Baker says that 'Browderism was really an early form of Euro-Communism. I was very much against [it]. There was a tremendous amount of discussion. It affected the white members as I remember it. The blacks got impatient, [thinking] let's get down to work ... I think it was a certain indication of reformist tendencies'.¹¹⁷ And Mike Muller wasn't alone in his support for Browder. Bill Roberts insists that both the Bernsteins were pro-Browder and that Archie Levitan was 'the leader of the pro-Browder movement' [in the Johannesburg CPSA]. He continues: 'I am [also] sure about Joe Slovo. I knew him very well [and] I know he was influenced by Browderism ... [It] blew over pretty quickly. Findlay spoke against it at a party conference ... The Party leadership came out against it ... Michael Harmel was a Browderite, that is certain. But he was vacillating'.¹¹⁸

Findlay wrote and published one of his many pamphlets on the matter and it becomes clear from his diary that he was not only able to fund these himself but also to issue them without getting approval from the Party hierarchy. He clearly was a "trusty" as far as the leadership in CT were concerned and, diary entries make clear, was personally close to many of them, including Harry Snitcher, Jack Simons, Ray Alexander and George and Betty Sacks.

Although the Browder issue only came to the fore in 1944, there are letters between Findlay and fellow-advocate Franz Boschoff as well as from Boschoff to Joan Findlay in December 1943, which make it clear that, even then, all was not well in Pretoria. These letters concerned comments on Findlay's work in and for the Party as well as accusations that Joan had 'done much harm to the Party' and that George was

¹¹⁶ A. Drew, *Discordant Comrades: Identities and Loyalties on the South African Left* (Pretoria, UNISA Press, 2007) p. 237

¹¹⁷ UWHPA/A2729/E1, Julius Baker, interviewed by S. Neame, London, 30 September 1987

¹¹⁸ B. Roberts interview

slacking off in his Party work. Boschhoff also mentions as a criticism that 'other DPC members very often differed from you' on political matters. On 31 December he suggests a meeting between 'you, Joan, Sam, Mike and I ... I suggest the inclusion of Sam and Mike because the Party is, I feel, connected with the matter and it is not a purely personal one'.¹¹⁹

The bitter and heated Browder debate took up a good part of the early months of 1944 and it then appears to have become further personalised and expanded into a full-on challenge to the previously impregnable authority of the Pretoria old guard, the Findlays and their supporters, by the Mullers and others. The comments in Findlay's journals about Mike and Shulamith indicate just how bitter he felt about their challenge, hardly surprising coming from someone of standing in the Party who valued his own opinions very highly, though one might have expected more tolerance from someone of 47 towards two people who were only just 21 and 22 at the time.

There are a number of entries in Findlay's 1944 diary that specifically link Mike Muller to the Browder debate and reveal that there was no love lost between the two men.¹²⁰ On 27 April 1944 he wrote:

Mike talks and argues with the fervour of a young National Socialist. The shining eyes and the intimidating zeal ... I gather that Durban is divided on the topic; Cape Town is anti-Browder and Johbg. Pro'. Further on he notes 'Mike attacks me' and 'Mike opened with a silly attempt to show that my attitude ... had been to damp the war effort by skeptical queries from point to point'. Mike then 'extracted my treatment of the Comintern dissolution' [from the DPC minutes] and went on to imply that Findlay had 'accused Stalin REALLY of being a traitor. This authoritarian insinuation didn't go down, but was pretty low ... He then attacked Joan ... said impliedly [sic] she was against the dissolution of the Comintern.

¹¹⁹ UWHPA/A1199/A/1945 Communist Party Papers: this series of letters cover the period 18 to 31 December 1943

¹²⁰ UWHPA/A1199/1944

Findlay continues to note in great detail everything that Mike said against him during this discussion:

On American Imperialism Mike took a really fascist line ... quoted some of Joan's statements at DPC in the past as being skeptical and straining allied unity ...'. He sums up the discussion thus: 'I have not recorded my contributions to refute much of the above, but having made the obvious replies, Joan (and I too) thought we scored considerably. At least the fundamentals of class-struggle & Imperialism & slump & crises was brought out ... But the personal malice of Mike is too obvious and raises problems - can he go around as [national] organiser poisoning minds, because that is what his insinuations are aimed at ...

One of the things that might have contributed to this growing enmity between the younger man and the older was Findlay's often-negative attitude to Afrikaners - which is blatant in some of his journal entries and might have been easily discernable to someone as touchy and sensitive as Mike reputedly was. An example from 3 May 1944:

This morning I have just finished Roux's "Bunting". I am immensely interested in the storms that raged and shattered the party just before I came in - and after for a while. Eddy [sic] has something of that Afrikaner 'slyness' in his make up that leads to an enjoyment of political trickery and obviously to avoid expulsion himself he lent himself to Bunting's discrediting ... Sam and Mike at the moment are on the same stunt - using Browderism, anything with an 'authoritative' weight, to gain a sort of [illegible] control. They have a conclave on anything and everything, butter each other up, and at every DPC they are clearly in tactical collaboration. This is extremely unhealthy.

There were others opposing the Findlay line however. A diary entry for 10 April 1944 notes that: 'Rusty Bernstein has written a slashing and vituperative attack on my last Freedom article and they are going to publish it ... the lists are no doubt being set. The CC [Central Committee meeting] at Cape Town on the 29th July will

give rise undoubtedly to a pretty hot debate’.

The first mention of Shulamith occurs on 24 June 1944:

Last night the Eur. Aggregate on “What’s wrong with the Party?” assembled a mere 10 or 11 of us. We debated the poor quality of the membership (Eur.) and the reasons for its poverty of work & line. Joan gave some prepared material which was very good and to the point ... Shulamith (Mofsowitz) urged that the office should collect with personal contact and discussion – same old thing – the office must act differently. She forgets that SHE should be collecting and talking. This unconscious spirit of evading mass contacts is dreadful.

On 6 August 1944 he writes that Shulamith attended a ‘Theory & practice’ lecture at ‘the Club’ and on Monday 2 October 1944 – ‘Disunity Enquiry: Yesterday I attended to give my evidence to the Enquiry – Robbie, Dot, Shulamith, Davie, Dan and Carl’.

There is no further mention of her until 4 March 1945:

A lot has happened since the last entry. Dot and Robbie, Dan [illegible] have resigned & been expelled. The premises have been abandoned. The whole party is reconsidering its function. Today we had an aggregate at the Orient Hall – 19 attended. There were 2 Africans, 2 Indians. Joan & I resigned from the DPC outlining fairly fully why – the reasons we have fairly carefully weighed and are I hope sound. The DPC now consists of Thys as chairman, Bill Fabian as secretary, Sam, Naboth, Eliphaz, Nancy & Shulamith. Only the last mentioned is a pretty poor selection. However she can now get busy with constructive work instead of shouting for help from ‘advanced members’ & then spitting on them.¹²¹

The last reference to Shulamith in the journals is dated Monday 25 July 1945 after Findlay has traveled down to Cape Town on the train for the Central Committee meeting: ‘Then I went to Head Office and had a talk & tea with Moses, H.A., and Cecilia. Moses was taking a rather depressed view about Pretoria but I was able to

¹²¹ UWHPA/A1199/A/1945

relieve him a little – telling them all about Mike & Sam & the Mofsowitz incidents that led to strained feelings’. He goes on to comment further on Mike:

Moses then showed me a Bank statement sent to Mike & which he had examined as it arrived open – torn in the post, so he says. Any way it shows that since Sept. ’43 Mike has handled an account £400 in credit, substantial sums of £50 & £80 coming in from time to time, several transactions with Sanlam, payments to a man Immelman [corrected to Immerman], and a concluding balance of a couple of hundred. Moses was worried that he should have so much money. It could not come from the unions in Pretoria – whence then from? I fancy it must be his mother’s monies, but this also a bit queer, bearing in mind his relation to his parents. Is it possible that the bosses tipped him?

An extremely serious allegation is made here by Findlay but it is not mentioned again in the journals or letters. The comment about Mike’s mother Anna is intriguing, implying that he knew quite a lot about the family and the relationships within it that in turn indicates that he must have been quite close to Mike at some point.

The next series of mentions come in a folder of letters labeled (by Findlay himself) ‘1945 Communist Party Papers’ and which contains the December 1943 correspondence with Franz Boschoff (cited above) as well as a later series of twelve letters, dating from 15 March 1945 to 20 February 1946 documenting Joan Findlay’s reasons for withdrawing from and then leaving the CPSA. The first letter, dated 15 March 1945, is to ‘Comrade George’ from Moses Kotane, on a CPSA Central Committee letterhead, mentioning a report that Findlay has written concerning ‘Comrade Joan [being] allocated to work in a group which consists of people who have been very nasty to her’ and assuring George that if she is expelled ‘we here would take her side’. Shulamith enters this correspondence when she signs a handwritten letter, dated 27 March, asking Joan to come to the ‘Secretarial meeting today at Nancy’s office at 12.45’ as they want to ‘fix up the records so please bring the cards with ... Sorry its such late notice’. (Here she was using a classic tactic within left Parties to wrong-foot your opponent – invite them to the meeting but make sure they get the notice too late to attend.)

On 2 April Bill Fabian writes, from Pretoria, that 'the D.P.C. ... feels that it is unable to compel Shulamith to apologise for her Aggregate statement if she still stands by it'. Joan Findlay responds with a five-page letter on 5 April to the Chairman in Pretoria asking that this 'statement of mine' be put before the DPC, requesting leave and noting that she and George had resigned from the DPC.

... there is a small section of comrades in the district whom I think hate us more than they do the capitalists. My departure from the Party office was due to the fact that although I had acted in a dual capacity as Secretary-Treasurer for a short time after Mike's departure from the district, instead of at any rate one comrade saying that I had done good work ... all I got was carping criticism ... I had hoped that when our National organiser came I would get some help and ideas from him, but all that happened was that he too attacked me in Aggregate.

She continues by noting that there are

... two comrades who are extremely hostile to George and myself. At the last Bulletin committee meeting Shulamith had written an article which was in a veiled form an attack on comrades Findlay and Fischer in their professional capacity ... Previously Shulamith had made an open attack in Aggregate on George in his professional capacity and made defamatory statements about him. No member, as usual had made any statement in his defence. After reading the article for the Bulletin, I said to Shulamith that if she went on in this manner it was tantamount to an attempt to get George expelled. She said if I liked to take it that way I could.¹²²

On 17 April comes another letter from Joan to the DPC Chairman:

¹²² The idea that Shulamith would have impugned the professional integrity of two such well-known advocates who were also Communists initially seemed unlikely to me but might have had something to do with the fact that, though they were both Comrades, they did a lot of commercial work for which they were well-paid and were therefore comfortably off. It is also worth noting that, in a letter to Findlay dated 29 December 1943, Advocate Franz Boschoff, also a member of the Pretoria DPC said: 'The other matter which I want to mention to you, and I do so with the utmost good, which is the way in which you conduct your litigation ... You resort to little dodges which are intended to cause confusion ... I refer to a little prior intimidatory talk, or a suggestion that there is no need to address the Court of the matter fully ... These tactics as a fact do not assist and merely give you a bad name.'

The reason why I am quite unable to work in the African group is ... well known ... there are a number of comrades notably Laskin, Shulamith and Isabel who have behaved towards me with pointed and deliberate hostility. I have come to dislike them ... I wish to say here that I have tried to cooperate with Shulamith and Davie on the Bulletin committee and have failed.

It seems clear that Mike and Shulamith, with others, had decided at some point that the patrician control of the Pretoria DPC by the Findlays should be brought to an end. There may well have been any number of doctrinal matters that divided them, however, as Findlay remarked in his journal, it is also likely that these could have been used as a weapon with which to winkle George and Joan out. The fight does indeed appear to have been vicious, which was not unusual in Communist parties throughout the world, with supposedly doctrinal disputes often became personal and highly unpleasant. Unfortunately only the Findlays version of this struggle is available to posterity making it impossible to ascertain what Shulamith and Mike thought they were doing and why. I had not expected to discover this deep enmity between the Findlays and the Mullers and it cast a completely new light on Shulamith's activism in the Pretoria CPSA and indeed on her character.

THE 1940s: EVIDENCE, ELECTIONS AND *ROOI GEVAAR*

It was apparently in September 1950 that the Department of Justice began to keep files on Shulamith and Mike, presumably motivated by the passing of the Suppression of Communism Act, which required that evidence be compiled proving that they were, indeed, Communists. Copies of these files, which I obtained using the Promotion of Access to Information Act, have provided a great deal of information about their political activities (though given their source, they need to be read with scepticism).

A letter of 22 August 1951 from the Liquidator (appointed in terms of the Suppression of Communism Act, 44 of 1950), in response to one from Shulamith asking for the 'evidence' against her, states that she had:

- signed six letters in her capacity as Acting Secretary of the Pretoria District Committee of the CPSA to the General Secretary in Cape Town between May

1945 and September 1946;

- signed a letter to the Cape Town CPSA Industrial Committee on 26 August 1946;
- been present at meetings of the Pretoria District Committee between August 1945 and September 1946, according to the minutes;
- been referred to in the minutes of the 'Central Executive Committee' of the CPSA in June, July and September 1946;
- been mentioned in the 22 July 1947 minutes of the Pretoria DC 'in which reference is made to you and others concerning criticism of the handling of the C.N.A. dispute';
- been in attendance at meetings of the Pretoria DC from January to March 1948 and that she was appointed [unanimously] as Secretary on 3 February 1948.¹²³

A memorandum written in the mid-1950s claims that 'during 1948' she had attended a meeting in Marabastad addressed by a Communist and that though she did not make a speech, she not only indicated that she agreed with what was said but after the meeting she *vryelik gemeng net nie-blankes* (freely mixed with non-whites). In 1949 she allegedly attended a meeting of the Civil Rights League at the home of Communist, Elias Gordin, and was employed as an attorney by another listed Communist (a reference to H.A. Jensen with whom she did her articles), and wrote for the publications *Bantu World* and *Advance*.¹²⁴

A report compiled in 1962 by a Committee set up in terms of the (amended) Act 44 of 1950 submitted a supposedly comprehensive report on Shulamith in pursuance of an order debarring her from leaving the magisterial district of Johannesburg. In this it is claimed that in February 1948 she signed a newsletter to members in her position as Secretary of the Pretoria District Committee and she is quoted as commenting critically in it on the lack of attendance at Party meetings. The report goes on to note that she had attended 'at least 10 meetings and at three of these meetings she delivered an

¹²³ DoJ File 2/1/198, Liquidator to S. Muller, 22 August 1951

¹²⁴ *ibid* Memorandum, no date, probably compiled by the SAP

address' without enumerating any of them.¹²⁵

While there is comparatively little about Shulamith's activities in this period (when she was completing her LLB and legal articles), there is a good deal more about Mike. In his response to the Liquidator's warning on 25 September 1950 that he was to be listed, he noted, in an affidavit that he 'ceased being an officer of the CPSA during or about August 1947 [and] that following a disagreement with the policies of the CPSA I ceased being an active member during 1949 and that I was expelled from the organisation during or about August, 1949'.¹²⁶ The Justice Department documents trace his Communist activities back to 1941 when he was allegedly teaching classes to *naturelle* ('natives') in a hall in Schoeman Street, Pretoria. Police agents appear to have followed him around the country quite zealously in this period – to Natal, the Cape, Port Elizabeth and other places, noting also that he addressed workers in late 1942 when the city's municipal workers were striking and again at the time of the 1947 Pretoria bus-boycott.¹²⁷ The authorities were also aware that he had been the Party's national organiser as well as, at different times, Chairman and Secretary of the Pretoria branch.

It seems that he was the author of a June 1948 CPSA pamphlet entitled *What will the New Government Do?* and also, in April 1948, wrote thanking people for their donations of funds to the Party. In 1945 he addressed a meeting at Colosa Location, Idutywa (very near where Govan and Epainette Mbeki had their home and shop, probably not a coincidence), and on January 20 1947 he spoke at a CPSA meeting in Lady Selbourne and at a meeting in the 'Pretoria native location' on 1 May 1948.¹²⁸

There are also several small clues amongst the newspaper cuttings in the Ruth First Papers in London. *Inkululeko* of April 1947 (issue no. 111), had a photograph of 'Mike Muller, Secretary of the Pretoria CPSA', and reported his comments on the bus boycott

¹²⁵ *ibid* 'Feiteverslag van Komitee Aangestel Kragtens Artikel 17 van Wet 44 van 1950, Soos Gewysig', Pretoria, 16 March 1962

¹²⁶ DoJ File 2/1/97, Affidavit, M. Muller, 25 September 1950

¹²⁷ In fact, Mike was the organiser of the African Municipal Workers Union in Pretoria and had been a key player in the strike itself.

¹²⁸ DoJ File 2/1/97, 'Feiteverslag van Komitee Aangestel Kragtens Artikel 17 van Wet 44 van 1950, Soos Gewysig', 26 November 1960

as being that 'the Council should either subsidise the service ... or take it over altogether'. Another cutting, undated, headlined 'No more Police raids in Pretoria?', notes that a CPSA delegation composed of Mike Muller, Eliphaz Ditsele and Chris Moetla as well as the Rev. Tantsi of the ANC, had visited the Minister of Justice and the Police Commissioner. The final item in this collection, probably also from a Party publication, is a piece which informs readers that the 'Communist Party Central Committee for 1948', elected at the Party's national conference held in Johannesburg 'last weekend', consists of 'HJ Simons, Adv. Snitcher, F. Carneson, Lucas Phillips, I.O. Horvitch, B.P. Bunting, H.A. Naidoo, Mrs. Betty Sacks (Betty Radford), A.S. Damane, Dr. Y.M. Dadoo, E.Mofutsanaya, I. Wolfson, D. du Plessis, Adv. A. Fischer and M. Muller'.¹²⁹

Mike had risen very fast in the CPSA – he was only 22 when he was national organiser – and Naboth Mokgatle gives some indication of why this happened: Mike 'identified himself with the African cause [and] was hated by the police ... who accused him of treating Africans as his equals. The Africans of Pretoria ... liked and respected him'.¹³⁰ He had demonstrated this commitment in very practical ways by organising at least three trades union in and around Pretoria. Certainly some old-time activists from the East Rand and Pretoria were close to him in a very personal and practical way that the Party theoreticians never were. Boozing and boxing, aside from politics, being two of the less theoretical pursuits they had in common.

The decade of the 1940s was undoubtedly something of an ideological maelstrom for the South African left, which included various Trotskyist groups, Socialists, the Labour Party as well as the African National Congress, the All-Africa Convention and the Indian Congresses, and others. However many small political groups may have existed, their numbers were not too impressive. In January 1949 Secretary-General Moses Kotane told the CPSA national conference that of a total membership of 2,482

¹²⁹ ICS 117/1/19 (Institute for Commonwealth Studies Library, Archives and Special Collections) Ruth First Papers

¹³⁰ Mokgatle, *Autobiography*, p.244

only 992 were 'members in good financial standing'.¹³¹ The fortunes of all these groups fluctuated both during the war and afterwards as they struggled to identify their own internal political credos as well as to distinguish themselves from each other. Trade union organisation was also a fluctuating site of struggle within and between the left as well as between Black workers and the white Smuts government which may have been trying to coerce Black labour with muttered hints of later concessions on the one hand but which didn't hesitate to strike back hard and fast if Black workers and their unions seemed to be getting out of hand.

Meanwhile the CPSA continued to call for repeal of the pass laws and also launched a Defend South Africa campaign demanding that Blacks have the right to bear arms and for which Moses Kotane was arrested in November 1942¹³². By 1943 despite ongoing ambivalence within the ANC, Communists such as Gaur Radebe, J.B. Marks and Edwin Mofutsanyana were holding important positions in the ANC. 'Though few in number, these Communists were visible and active', and they launched what was effectively a joint anti-pass campaign in 1943 which so embarrassed ANC leader Dr. AB Xuma that he refused to lead the delegation to present the anti-pass petition to Parliament. It wasn't a very successful campaign but 'it was through their joint activities in the trade union movement, and particularly through their involvement in the African Mineworkers Strike of 1946, that the relationship of the Party and the ANC would be enhanced'.¹³³

Taking place in parallel to the struggle for control of the Pretoria CPSA mentioned above, was the Party's revival of the Young Communist League (YCL) in 1943. This was when Ruth First and Lionel Forman, amongst others, confronted the CPSA hierarchy by demanding 'complete independence' for the organisation as well as daring 'to publicly challenge the implicit colour bar within the CPSA' (this was Forman). Apparently, to commemorate Red Army Day, the Party had 'held two celebrations – a big one for the whites in the City Hall and a little one for the non-

¹³¹ Drew, *Discordant Comrades*, p.270

¹³² Drew, *Discordant Comrades*, p.234

¹³³ *ibid* p.249

Europeans in the Gandhi Hall'. If that wasn't bad enough, it had also fought 'white elections in colour-bar halls', proclaiming its 'few hundred votes in Hillbrow' but saying nothing of 'the Party's defeat in the African township of Orlando'. The reaction Forman got was: 'Why don't you just get out and join the Trotskyists?'.¹³⁴

Pauline Podbrey, when critiquing some or other aspect of the USSR's policy on women, was told by Kotane that internal dissension and discussion was fine but that 'once a decision is reached, we must all abide by it. That is democratic centralism'.¹³⁵ So despite the war and the Party's call for a United Front not only to oppose the Nazis but also internally, it seems some younger members were not willing to just subsume their ideological differences as their elders might have wished them to – Shulamith and Mike being but two of these.

The Nationalist victory of May 1948 drove many away from their flirtation with Communism: 'As soon as the Nats came into power some of the members [of the CPSA] became conspicuous by their absence. I remember the 1948 conference held in Cape Town [after the general election] certain well-known characters did not attend'.¹³⁶

The hardening of attitudes towards Communism, and particularly the USSR, started within a very short time of World War II coming to an official end in May 1945 - and not just in South Africa. During what became known as his Iron Curtain speech, Winston Churchill had said in 1946 that:

In front of the iron curtain which lies across Europe are other causes for anxiety ... However, in a great number of countries, far from the Russian frontiers and throughout the world, Communist fifth columns are established and work in complete unity and absolute obedience to the directions they receive from the Communist center [sic]. Except in the British Commonwealth and in the United States where Communism is in its infancy, the Communist parties ... constitute

¹³⁴ *ibid* p.265

¹³⁵ Drew, *Discordant Comrades*, pp.265-266

¹³⁶ UWHPA/A2729/E2, Harry Gwala, interviewed by S. Neame, Berlin, 29 October 1989

a growing challenge and peril to Christian civilisation.¹³⁷

Meanwhile, in the USA, the infamous House Un-American Activities Committee (HUAC) set about making clear to the American electorate that it was now Communism that was the greatest threat to the American way of life, not Fascism.

As far as South Africa was concerned the Director General of British Intelligence (MI5) from 1946 to 1953, came to SA in 1949-1950 and D.F. Malan, the Minister of Justice, announced shortly thereafter that 'he had investigated the growth of Communism in South Africa with Sir Percy Sillitoe'.¹³⁸ It was soon after this visit that the Unlawful Organisations Bill was presented to the South African Parliament that would, in its final form as the Suppression of Communism Act, outlaw not only the CPSA but also many of its former members. Bill Roberts, interviewed in 1987 in London commented that, 'Sillitoe was sent by Britain to all the Dominions - Australia, New Zealand rejected it - with a draft anti-Communist Act. It was quite open at the time ... Minimum ten years imprisonment for anyone who was a member of the organisation so it would have meant that the whole Party would have been arrested'.¹³⁹

It was also a confusing time ideologically for those who had remained in the Party. Myrtle Berman recalled her experiences of the 1949 period and what was going on then that might have led to Mike, and possibly Shulamith, being expelled from the CPSA, she said 'Oh, it was such an unacceptable scene, I suppose there were schisms'. She recalled being on a volunteer construction brigade in Yugoslavia and how the Yugoslavs were counting on help from the USSR when then it turned out that the Russians expected all the satellite states to contribute to their economy so they could recover from the depredations of WWII - even moving entire factories and industrial plants from other countries to the Soviet Union. So Tito turned to the USA and Europe for help. All the resulting 'Tito - fascist dog business' that was the official USSR (and

¹³⁷ Winston Churchill, 'Sinews of Peace', Westminster College, Fulton, Missouri on March 5 1946, available at <http://www.historyguide.org/Europe/Churchill.html> retrieved on 30 December 2011.

¹³⁸ W.Gumede, *Thabo Mbeki and the Battle for the Soul of the ANC* (Cape Town, Zebra Press, 2007) p.20

¹³⁹ Bill Roberts interview, 1987

therefore CPSA) line was anathema to Myrtle. Yusuf Dadoo apparently called her a left-wing deviationist, at the same time other comrades alleged she was right-wing.¹⁴⁰ Whilst Ruth Kaplan speculated that the Mullers may have parted ways with the CPSA over 'the peasant question'¹⁴¹ it is as likely that something such as support for Tito could have led to them being expelled.¹⁴²

THE LAW, THE LIQUIDATOR, MOTHERHOOD AND NEW HORIZONS

When the National Party (NP) won the election Shulamith was still working for Pretoria attorney HA Jensen. She worked for him from mid-1943 when she started her articles until she left his employ, almost two years after being admitted as an attorney, in September 1949. His 1953 testimonial letter states that she 'attended to the greater part of my work entailing appearances in the criminal courts. She proved herself capable and is highly thought of by all with whom she came into contact.'¹⁴³

There is no information that clarifies what precipitated the Mullers' move to Johannesburg. Since Mike had been expelled from the CPSA not long before, they might have just wanted to make a new start in a politically more diverse city. By the time their first child, Arnold Michael, was born in December 1949, Mike was working full-time as the General Secretary of the Textile Workers Industrial Union (TWIU) and they were living in Beryl Mansions, a small block of flats in Beelaerts Street, Troyeville.

On leaving Pretoria Shulamith would have been well versed in the type of practice run by fellow-Communist HA 'Dicky' Jensen. He seems to have been the type of lawyer who took on the cases of ordinary people beginning to get into trouble with apartheid regulations - and probably didn't make a lot of money out of it and just the sort of

¹⁴⁰ M. Berman interview, 2011

¹⁴¹ R. Kaplan interview, 1990

¹⁴² In fact I have not found any evidence that Shulamith was expelled from the CPSA. It might well be that she resigned in solidarity with Mike.

¹⁴³ Testimonial letter concerning Mrs. S. Muller from HA Jensen, Pretoria, 23 July 1953, document in possession of the author. Jensen was listed as a Communist in 1950. In 1956 he was working with the legal firm Mandela and Tambo on the Lekhari vs Johannesburg City Council appeal case under the Urban Areas Act 25 of 1945 and he was still on the consolidated list of Communists in 1962.



lawyer that Shulamith might have modeled herself on. However her first job in Johannesburg was not a legal one as she appears to have been working as the Secretary of the National Union of Distributive Workers (NUDW). Motherhood notwithstanding, Shulamith combined work and political involvement with this trade union position. As one Australian Communist woman who'd had a baby remarked on being questioned about her ability to continue her political involvement replied: 'And when people said they didn't suppose I would come back ... I said "Why not? I'm having a baby not resigning from the world" '.¹⁴⁴

Politically, 1950 had already been quite a momentous year even before the Suppression of Communism Act was passed. The Defend Free Speech campaign parade that preceded the convention (for delegates only) organised by the Transvaal branches of the ANC, the Indian Congress and the CPSA, featured James Moroka seated in a 'carriage led by a white horse' and JB Marks actually riding a horse, and about 10,000 people in attendance. At the May Day rallies of that year, prohibited at the last minute, at least 18 black people were killed in the Transvaal and many more arrested including Transvaal Indian Congress (TIC) leader Maulvi Cachalia. Lionel Forman, who was taking photographs for *New Age* from a doorway, was spotted by a policeman who then radioed to his superiors that he had 'arrested a Jew Communist'. Such were the attitudes prevailing amongst the lower echelons of the state machinery of law enforcement at the time.¹⁴⁵

As Parliament approached the debate on the Suppression of Communism Bill, the CPSA, largely unprepared as they were, called an executive meeting at which, due perhaps to the influence of too many lawyers as some have contended, the Party decided to dissolve itself ahead of the inevitable passing of the Bill. There were a couple of votes against, reportedly by Bill Andrews and Michael Harmel, but the majority concurred. Although meetings were called around the country, Communist MP Sam Kahn's dramatic announcement in Parliament of the dissolution of the Party took many by surprise. In Johannesburg Kotane addressed a meeting that was held in

¹⁴⁴ Danousi, *Women Come Rally*, p.204

¹⁴⁵ Zug, *The Guardian*, pp. 102-104

a hall opposite Dr. Yusuf Dadoo's surgery in Doornfontein to explain the decision. Up to 300 people attended - probably not all of them were members in good standing. No one mentions the presence of any children or babies so if Shulamith was there, maybe with Mike, the six month-old Arnold would have been left in someone else's care.

Mr. Louw, the bureaucrat with the sinister title of Liquidator, appointed to co-ordinate the subsequent onslaught on alleged Communists, wasted no time in sending out a blizzard of letters in September 1950. Most of the names undoubtedly came from documents that were seized in 1946 (after the mineworker's strike) during a raid on the CPSA's offices in Johannesburg. Mike's was sent on 8 September and Shulamith's on 18th of the same month. Rusty Bernstein records that some felt that:

Our response could not be a personal matter. Its results would be too far-reaching to be taken ... without consultation between us all ... and the only way it might be legitimately be arranged was by way of a consultation with lawyers. We arranged it quietly by word of mouth and forty or fifty of our comrades gathered in barristers' chambers in His Majesty's Buildings, Commissioner Street.¹⁴⁶

The result of the group consultation was a responding letter to the Liquidator, signed by some forty people and also sent to the press. It is not recorded whether Shulamith, as an ex-CPSA member and lawyer, was present at this meeting.

Mike replied to the Liquidator in person, commenting in an affidavit that he had indeed been a Communist from 1941 until 1949 but that 'during the time I was a member of the organisation it was a lawful body, engaging in lawful activities openly in the sight of all, and I did not know, nor could I be expected to know, that it would be declared an unlawful organisation'.¹⁴⁷ Shulamith's initial response was to indicate that she assumed the matter against her could not proceed until the Kahn case was complete (Sam Kahn had challenged the proposed listings on legal grounds which forced the government to amend the Act in 1951). When that didn't let anyone off the hook, she asked the Liquidator to inform her what his evidence against her was. The

¹⁴⁶ Bernstein, *Memory Against Forgetting*, pp. 126-127

¹⁴⁷ DoJ File 2/1/97, Affidavit 25 September 1950

responding letter, dated 22 August 1951, enumerated six points as evidence and her response was requested no later than 4 September 1951.¹⁴⁸

Shortly before this however, DA Bester, on behalf of the Commissioner of the South African Police, wrote to the Principal Immigration Officer, Johannesburg, concerning 'Permission to Travel: Mrs. Shulamith Muller'. He wrote that: 'she is the secretary of the National Union of Distributive Workers, Johannesburg, at a monthly salary of £50, and has £175 in cash savings'. The letter goes on to say that she was engaged in 'communist activities' and requests that 'no passport facilities should be granted at the present juncture'.¹⁴⁹

Mike's final letter from the Liquidator was dated 29 August 1951, but the letter that was sent to Shulamith, dated 27 September 1951, could not be delivered. A handwritten note, dated 6 October 1951, in the Department of Justice file says: 'Service cannot be effected as Mrs. Muller left for the United Kingdom per "Dunottar Castle" on 16.9.1951'. 'To await her return', wrote someone underneath in December of the same year. The police attempt to prevent her leaving the country had clearly failed.

On the back of 12 September 1951 letter from Louw saying they were not prepared to grant a personal interview and that she could only make written representations, is a handwritten list made by Shulamith (p.89 and p.90).¹⁵⁰ In the midst of the still somewhat genteel war of words with the Liquidator (who signed himself 'I have the honour to be, Madam, Your obedient servant') it appears that what was on Shulamith's mind was getting the family off to Britain in an organised fashion. As Joy Damousi says in a discussion of what she terms 'Communist Autobiography':

... women writers document the detail and minutiae of everyday life ... showing the mundane and the mediocrity of their lives, the 'ordinariness and materiality of their womanhood'. Every day life and its wants is the framework through

¹⁴⁸ DoJ File 2/1/198 (previously cited)

¹⁴⁹ DoJ File 2/1/198, DA Bester, SAP, to Principal Immigration Officer, Johannesburg, re 'Permission to Travel: Mrs. Shulamith Muller', 10 August 1951

¹⁵⁰ Letter from the Liquidator, Department of Justice, Pretoria, to Mrs. S. Muller, 2/50/198, 12 September 1951 (document in possession of the author)

Telegraphic Address } "JUSTICE."
Telegramadres }

All Communications to be addressed to
SECRETARY FOR JUSTICE.

Alle briewe geadresseer te word aan
SEKRETARIS VAN JUSTISIE.

UNION OF
SOUTH AFRICA.



UNIE VAN
SUID-AFRIKA.

U.D.J. 548.

In reply please quote
By beantwoording gee op

No. 2/50/198

REGISTERED.

DEPARTMENT OF JUSTICE,
DEPARTEMENT VAN JUSTISIE,
PALACE OF JUSTICE,
PALEIS VAN JUSTISIE,
PRETORIA.

12-9-1951

Madam,

Act 44 of 1950 as amended by Act
50 of 1951 : Mrs. S. Muller.

In reply to your letter which was received by me on the 3rd September, 1951, I regret to inform you that I am not at this stage prepared to grant you a personal interview.

Any representations which you may wish to submit to me, must be in writing and must reach me within seven days of the date hereof.

I have the honour to be,
Madam,
Your obedient servant,

LIQUIDATOR: Act 44 of 1950.

Mrs. S. Muller,
6 Beryl Court,
Beelaert Street,
Troyeville,
JOHANNESBURG.

Cables ✓
Cooks ✓
Hotel Papers ✓
Flowers ✓
Luggage ✓
Teeth ✓
Pettie

which other political activities are played out. This focus on domestic detail suggests different notions from men who concern themselves with 'historical importance' and the 'achievements of a life': women go beyond the parameters of public life.¹⁵¹

The Mullers, leaving South Africa on a Union Castle Line ship, were not the only, mainly white, activists and alleged Communists to decide to go to Europe at that period. Some went because they had the financial means, others to study or were delegated to attend conferences or one of the plethora of peace jamborees taking place in around Europe. Whilst in the immediate post-war period, even though the infamous metal drapes had been seen by Churchill and others, to have divided Europe – perhaps South African attendance at the many Soviet-inspired and financed events that were held to promote World Peace were not so unusual. However, it was surprising to discover that so many South Africans were still able to go to these affairs in the early 1950s when the Cold War was already well into its seriously chilly period. Some South African couples even got married in what was already known as the Eastern bloc, an example being Sadie and Lionel Forman in Prague whilst he was working for the International Union of Students, having initially gone to represent South Africa at a conference in Poland. (Ironically, their wedding took place in the midst of the now-notorious Slansky Trial, when Czech communists were swept up in neo-Stalinist purges, subjected to a so-called show trial and shot.)

Myrtle Berman had been to the Second World Democratic Youth Festival in 1947-1948 and afterwards went to help the Yugoslavs build their new railways.¹⁵² In 1949 Yusuf Dadoo travelled to India and Europe where he apparently met the leader of the Bulgarian communist party, Georgi Dimitrov (former leader of the Comintern), in Bulgaria and was still able to return to South Africa.¹⁵³ Vella Pillay and his white wife, whom he'd married in Kimberley not long before, left for Britain in 1949 and did not

¹⁵¹ Damousi, *Women Come Rally*, p.202

¹⁵² M. Berman interview.

¹⁵³ Personal Reminiscences, Winnie Dadoo

return.¹⁵⁴ But many others did. Athol Thorne went to London in mid-1950 and was involved, through Pillay, in a South African student association that 'was quite political'. The membership was left wing, some ultra-left but 'definitely not Communist. I was a member of a British [Communist] Party group, in Kilburn ... Dave Kitson and I were in the same group ... I never joined a South African Party group in London. Those of us who had been ... members in SA joined the British Party'. He was part of the delegation to a conference in Russian-occupied Berlin and 'when I applied for a renewal of my passport it was refused ... I was back in Cape Town in mid-1952'.¹⁵⁵

Ben Turok went to London in December 1952 ostensibly to study town-planning, became Secretary of the (British) Bucharest Festival Committee in August 1953 and was a member of the Notting Hill branch of the Communist Party of Great Britain (CPGB), returning to South Africa in December 1953.¹⁵⁶ At the end of 1952 lawyer Harold Wolpe went to Britain for a year because, he said, he thought – as Shulamith may also have done – that it might be his last chance to go overseas before starting a legal practice. He attended a World Peace Council meeting in Budapest, and went on to the Prague Youth Festival where he encountered fellow South Africans Henry Magothi, Duma Nokwe, Paul Joseph, Freda Katz and Walter Sisulu.¹⁵⁷

With hindsight it seems extraordinary not only that these people, many already labeled as enemies of the state, were allowed to leave South Africa but also that they were able to use Britain as a base, join the CPGB, make unhindered visits to the Eastern bloc and then return home. Perhaps, following the visit of Sillitoe to the new government in Pretoria, intelligence cooperation levels with the British were such that Minister of Justice Malan knew they would be closely monitored. As it turned out, nearly all the former CPSA members who visited the Britain between 1951 and 1953 became members of the South African Communist Party (SACP) underground.

¹⁵⁴ UWHPA/2729/E6, Vella Pillay, interviewed by S. Neame, London, 4 October 1987

¹⁵⁵ UWHPA A2729 / E7, Athol Thorne, interviewed by S. Neame, London, 11 October 1987

¹⁵⁶ UWHPA A2729 / E7, Ben Turok, interviewed by S. Neame, London, 21 May 1986

¹⁵⁷ UWHPA A2729 / E7, Harold Wolpe, interviewed by S. Neame, London, 10 October 1987,

So what were the Mullers up to in London? The SAP and the DoJ said that both Shulamith and Mike had been involved in Communist activities there and these un-sourced and unsupported statements were of course added to the mounting collection of evidence that was to be used against them in the future.¹⁵⁸ Whether they were involved in the CPGB is not known. The facts are that Mike worked for the London County Council and Shulamith did supply teaching. Reg September (South African Coloured People's Congress and ANC leader) recalled that he and Mike went to meetings together in London that were trade union, rather than CPGB, related.¹⁵⁹ Maybe the Mullers were just trying London out – to see if they could live and work and bring up their son there, or perhaps they just went because they could, suspecting that they might never have another chance.

As far as their families were concerned there seems to have been a strong suspicion that their departure might be permanent. Zouna now says that she didn't actually know why they went overseas (assuming however that it was to do with politics), but she does remember that she and her parents went to see them off at the railway station and that Polly Movshowitz was also there and terribly upset. Her knitting wool fell out of her bag as she trotted alongside the departing train, crying, and it unraveled all along the platform.¹⁶⁰ The only surviving evidence of the sojourn in London are some photographs.

They returned home in January 1953 and although Shulamith avoided being listed until well after this, nearly everyone else who had received the initial letters was informed that they were on the Liquidator's list by the end of 1951, including both the Findlays. Tragically Joan, who'd been so traumatised by her treatment in the Pretoria CPSA in the mid-1940s that she left the house if any of her former comrades came to see George, did not survive to see how being listed would affect her future. She committed suicide on 30 October 1951, shooting herself in her bedroom while the rest of the family was at dinner downstairs.

¹⁵⁸ DoJ File 2/1/98, Memorandum, no date but probably written in 1968.

¹⁵⁹ AM Muller, interviewed by R. Muller, Johannesburg, 13 December 2011

¹⁶⁰ Fonternel interview

Findlay explained what he thought had happened in a letter to George and Betty Sacks on 3 November 1951:

You know how unreasonably badly dear Nina [a pet name he had for Joan] took her troubles here in the Party office. Somehow setbacks like that touched her spirit and tended to break it ... On 29th August last we were listed as communists ... when the blow fell she took it very badly. She did not care about herself and she knew that I should still fling back defiance, but she thought it would be a dreadful hampering factor for the children and impede their careers and so on. She shrank into herself and dedicated herself completely to serve the four of us ... ¹⁶¹

His use of the word unreasonably is interesting implying as it does that whilst he realised that such fights were part of the cut and thrust of Communist politics, Joan did not and took it all very personally. Whether Shulamith and Mike heard about this in London is not known but the Findlay archive doesn't contain any letters of condolence from them. ¹⁶²

CONCLUSION

For Shulamith and Mike these years must have been, in many ways, both exciting and fulfilling. They were young, newly married in defiance of both their families, seemingly caring nothing for past conventions and mores. Though not at all well-off, both coming from backgrounds where money wasn't in abundance, they had no burdensome commitments, lived in rented accommodation (as they did for the rest of their lives), there were no children and they could devote all their time and energies to the struggle for a better world and to academic study (Mike finally got his degree in 1947) and, in Shulamith's case, to becoming professionally qualified. And, perhaps

¹⁶¹ UWHPA/A1199/A/1951

¹⁶² UWHPA/A1199/A/1962: much later, on 17 November 1962, in a *Rand Daily Mail* report under the headline 'I Will Not Creep, Says Named Advocate', Findlay publicly blamed the government for Joan's death: 'My wife, acutely distressed at the listing and its possible repercussions on her children, was unable to take it and shot herself shortly afterwards', Findlay Family Papers UWHPA A1199.

refreshed by their fifteen months in London, they returned to South Africa more than ready to reassume their activist identities, albeit in a different guise – Shulamith as lawyer and Mike as an all-purpose, free-ranging radical.



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CHAPTER THREE FROM 'WE BELONG TO MRS. MULLER' TO EXILE: 1953 TO 1962

INTRODUCTION

Given that Shulamith, Mrs. Muller, is remembered very much in her professional capacity as an attorney, it is sobering to realise that she was only been able to practice for nine years in South Africa.

What became clear whilst documenting the evidence for the years covered by this chapter was that her professional life and her personal life were completely intertwined. The way she lived her life was an example of the 1960s phrase, coined and much used by feminists and the women's liberation movement "the personal is the political". Some who were threatened with listing in 1950 (and many who were subsequently listed) immediately withdrew from active political involvement. Some, having been amongst the Red Army enthusiasts who joined the Party in the early 1940s, were already drifting away by 1946. They were shocked and frightened to receive letters from the Liquidator that held them culpable for being Communist Party members during the World War II period.

Shulamith and Mike were not part of this cohort however. Mike's expulsion from the CPSA, and the (ironic) subsequent listing two years later, did not deter him from trade union activity or from wider political involvement. In some ways, freed from the Party line and the dogma, he was able to do pretty much as he liked, which given people's comments on how hard he was to control, may have been a mixed blessing both for his family and other above-ground activists.

In Shulamith's case her work came to constitute her political involvement. As the authorities noted and decried, nearly every case that she took on was political in some way or another and though, as her former articled clerk Ruth Kaplan said 'Shulamith's name was in the paper nearly every day' it was 'not as a result of her trying to seek it, it was just a footnote at the bottom of the column as to who was appearing in the

case'.¹⁶³ This was very much politics with a small p.

The intention of these vignettes is to give a more detailed picture of Shulamith as a person in the context of the life that she lived, however, much has had to be left out in this short chapter. It is the author's intention to, at some stage, expand the entire research report into a much more comprehensive biographical study.

VIGNETTE ONE: AS CONTEMPORARIES SAW HER

What sort of a person was she really? Peter Delius, whilst researching *A Lion Amongst the Cattle* in 1990, interviewed her former articled clerk, from 1957 to 1960, Ruth Kaplan. Listening to the tape was a moving experience. Not only did Ruth draw a very good portrait of the woman she knew (and got to know much better when both families lived in exile in Swaziland after 1963) she actually sounded like her. The husky voice caused by heavy cigarette smoking – which killed both Shulamith and Ruth eventually – her laugh and even her verbal mannerisms were very similar.

Ruth describes her as

... a sort of earth mother looking person, wasn't she? She was about five foot five [in fact she was five foot two] and grey curly hair, glasses, plump, in fact got a bit overweight, and just in sort of ordinary cotton dresses. I mean, the fights that we had at the magistrate's court. For example, one day she went down in a sleeveless dress, which everybody wears in the summer ... I mean, I see women solicitors here in their little black numbers, and we weren't like that. We used to wear sandals and cotton dresses. She goes down to court, and the magistrate says she's improperly dressed, she can't appear. And so she had a row with them and had to phone the Attorney General's office! ... And I just am amazed in retrospect at the sort of strength that Shulamith had. I mean, because with all the other things going on in her private life. And there was just a sort of calm, wasn't there? She really was an incredibly calm person. Sort of slopping into court and, you know (laughs), and sitting there, just listening to people. She had a terrific capacity to

¹⁶³ R. Kaplan interview

listen ... She was a very good cross-examiner – though not so good at the paperwork!¹⁶⁴

The offices they occupied were

shabby ... you know, it just wasn't the sort of place that would ever attract whites, or any better paying people. It wasn't in the normal sort of solicitor's/attorney's area. It was in the offices, where there was as I say, Textile Workers' Union, and I think, Railway Workers' Union. And then opposite us on the corridor was a district surgeon. Yes, I remember that ... What street was it in? Pritchard Street ... And it was just incredibly shabby. The stuffing was falling out of the chairs and so on, and there were a couple of filing cabinets in the outside office.¹⁶⁵

Ruth's husband Yehuda recalls visiting her at the office one Saturday and when he opened the main door, people literally fell off their chairs and out into the corridor. There were two meetings going on that morning – one for Zeerust people and one for those from Sekhukhuneland.

The office, on the first floor of Union Centre, Pritchard Street, also had a walk-in safe in which Ruth once hid herself from a policeman who wanted to take her in for questioning. It was also once used by Mike Muller to lock up two plain-clothes Special Branch officers who were harassing Shulamith until he had rung their commanding officer for confirmation that they were indeed police.¹⁶⁶

Because she would take cases when there was little prospect of being paid, people flocked to her for help first and then set about collecting money later. Although there were some commercial cases they were few and far between.

It was mainly quite criminal ... And the criminal consisted a lot of Pass Law cases, right, being endorsed out, loitering, vagrants ... I spent my days in the pass court. Murder charges, assaults, the usual run of criminal cases. ... it was at the time of the

¹⁶⁴ R. Kaplan interview

¹⁶⁵ *ibid*

¹⁶⁶ AM Muller interview

Race Classification Act. We did an enormous amount of work there, doing affidavits for people who were saying that they were coloured rather than black, and white rather than coloured ... that came out around '56, I think ... We did a little bit of black divorce work ... [some] hire purchase debt stuff, but always for the debtors. And then the rest was the political cases. Zeerust, which went on for ages. There was trade union cases, strikes, people charged with strikes, Sekhukhuneland, the nurses demonstrating against passes, and women demonstrating against passes in Johannesburg ... I would be the first to admit that Shulamith's practice was chaotic in many ways, but it was chaotic because there wasn't anyone else around and ... we just took on cases because there wasn't anyone else to take them on.¹⁶⁷

Out of town cases for Shulamith and Ruth involved leaving Johannesburg at 2am, driving through flooded rivers, getting flat tyres in racist towns where no white mechanics would help them, staying in cockroach-infested hotels or driving back home to arrive at 4am or 5am the next day. It was not a life for the faint-hearted. 'There was constant intimidation ... a battle the whole time with prosecutors and police and so on, it was just a grinding battle ... because there was no way that, you know, we would maintain these sort of surface, pally-wally relationships'.¹⁶⁸

One of the most endearing aspects of the practice was the membership scheme. Ruth describes it:

... people used to pay a fee to be a member ... It was like a retainer, to Shulamith. We had these trust accounts. It was a very common feature in South Africa amongst black people. ... So we had these hundreds and hundreds of trust account ledger sheets, with ... five shillings paid... and twenty-five cents paid and then two months break. It used to come from all over the bloody country in postal orders and cash stuck to letters and so on. Meticulously recorded ... I'm sure they thought it was an insurance policy. But then a case would come and they would have maybe contributed two quid, and they expected you to take the case, and we couldn't take it ... and

¹⁶⁷ R. Kaplan interview

¹⁶⁸ *ibid*

there were lots of ... misunderstandings about that. But that was a trust in the law, in a sense, you know. And we would have these so-called retainers where "I want to be a member" would be the letter that would come, and please tell me how to be a member. A member of Shulamith Muller's practice (laughs). So we had this membership scheme!¹⁶⁹

Charles Hooper, writing about Zeerust, describes how this membership scheme may have come about and also gives one a sense of how Shulamith's clients felt about her.

In Johannesburg a "Bafurutse Association" was formed, mainly to raise money somehow to meet the cost of interminable legal expenses. City workers, mingling with people from other areas, from Nylstroom, Sekhukhuniland, Balfour, Johannesburg itself, waited hopefully in Mrs. Muller's outer offices, and then came home at weekends to discuss the raising of funds ... And, day by day, throughout, the villages sent their representatives to court and gathered in the evenings to hear their stories ... Not one person in ten was being convicted. The lustre surrounding the names of Mrs. Muller and the advocate [Bizos] ... grew brighter. They were credited with powers which they themselves would scarcely claim. "But why," expostulated somebody at the Rectory one day, "does our Miss Mulley act with such kindness to the police? She is too patient, that one. She should order these police from Pretoria to leave the district!" "The Chief of our village," said a man on another occasion, "is now without a tribe because he is a 'tsotsi'. He belongs to Native Affairs. We belong to Mrs. Muller." "Please tell Miss Mulley," said a ... quarrelsome young woman, "that I want to pay her ten shillings a month so that if a person swears at me in the street she will arrest them." ... "Why," asked a man, "do our lawyers do all this for us? They are white people. Why should they care what happens to us?" "It's their job," I replied. "It is not only their job. It is something in their hearts" the man commented'.¹⁷⁰

At about the same time, activist Fish Keitsing recalls Shulamith as being 'Mrs. Mueller, a hot lawyer' speaking at a meeting in Newclare and saying that she would 'defend

¹⁶⁹ R. Kaplan interview, 1990

¹⁷⁰ Hooper, *Brief Authority*, p.243

any woman who got arrested for not having a pass'.¹⁷¹ Baruch Hirson, who came to know both the Mullers, describes her as:

... the people's lawyer who defended many ANC members and victims of apartheid laws. She had a big office but run on a shoestring. She didn't have money ... Shulamith was the one people turned to because she did things for nothing. All I know was that the Mullers were fairly impecunious, Mike not working ... [and] drank very heavily which didn't help. Shulamith largely doing political trials, which didn't bring in money. They had 2 children ... There were always people in those offices ... 2 small offices, a safe and a very big hall as far as I remember. In that hall rows of chairs and all round the side, always busy ... people flowing in and out ... Shulamith [was] overworked and underpaid and she was always the one Congress would go to ... especially when there was no money.¹⁷²

George Bizos refers to Shulamith (from whom he got some of his first briefs as an advocate in 1953) a number of times in his autobiography. 'When I first appeared in court in Zeerust, Shulamith Muller was already held in high esteem by the Bafurutse people for her commitment to their cause, for her successes in keeping women out of prison and because she was prepared to work for the little that they could afford to pay'.¹⁷³ They worked together not just on the Zeerust and Sekhukhuneland but also on cases that arose from the implementation of the Bantu Education Act when parents, teachers and children boycotted school and attended 'cultural clubs' instead. In an interview in 2007 with the author he also recalled that one of his first cases (which they lost) was to do with the interpretation of laws affecting black residents in the cities when they were 'trying to squeeze rights out of the Urban Areas Act'. He commented in an interview that there were two sorts of attorneys – some just threw the papers at you, others really briefed you and made sure that they had studied the relevant

¹⁷¹ F. Keitsing, *Comrade Fish: Memories of A Motswana in the ANC Underground*, compiled by Barry Morton and Jeff Ramsay (Gaborone, Pula Press, 1999) p.31

¹⁷² B. Hirson interviewed by P. Delius, London, 14 June 1990

¹⁷³ Bizos, *Odyssey*, p.117

legislation and Shulamith was one of the latter. She was, he said, an 'active and inventive attorney'.¹⁷⁴

Sadie Forman, who only met her in 1954, commented that she was a very good lawyer and also that 'she was human. She wasn't so arrogant as the others'. This comment followed an earlier remark about Joe Slovo, Harold Wolpe and her own husband, Lionel: 'They were just awful. They were extremely, phenomenally, arrogant ... I was not seen to be on the same intellectual level ... There was a terrible attitude to people who were not as 'good' as they were'.¹⁷⁵

Shulamith's secretary cum telephonist in the late 1950s, Shirley Goldsmith, later Hepple, who spent many of her working days tracking down arrested pass offenders before they were disappeared to the prison farms, recalls that because of this her employer was well-known by people in the townships, her reputation being spread by word of mouth, as being someone who could be relied upon to find such people. According to Shirley it was at Shulamith's offices that Eli Weinberg took the photograph of a rescued farm labourer that was used for the cover of a 1959 *New Age* pamphlet by Ruth First, *The Farm Labour Scandal*.¹⁷⁶ She remembers that Eli had to keep asking the man, still in his rags, as he'd come from the farm, to look less happy - happy because he'd been rescued.¹⁷⁷

Myrtle and Monty Berman had, like the Mullers, parted ways with the CPSA, in their case at the time of the Soviet invasion of Hungary in 1956. Myrtle had known Shulamith since the early 1950s and they were in prison together for three months during the 1960 post-Sharpeville State of Emergency. They became closer in jail, though Shulamith rarely mentioned her domestic situation and the problems she had with Mike. It seems that Myrtle, Hilda Bernstein and Shulamith 'became the initiators

¹⁷⁴ G. Bizos interviewed by R. Muller, Johannesburg, 6 July 2007

¹⁷⁵ UWHPA A2729 / E2, Sadie Forman interviewed by S. Neame, Ringmer, Sussex, 19 June 1988

¹⁷⁶ 'First wrote it up for 30 April 1959 issue of *New Age*. She also went to see a lawyer and secured a writ of habeas corpus for Potgieter [a Bethal potato farmer] to produce Sadika. Potgieter brought Sadika to Johannesburg dressed in a potato sack and sitting in a cage in the back of his bakkie'. Zug, *The Guardian*, p.15

¹⁷⁷ Shirley Hepple, interviewed by R. Muller, London, 18 June 2006

of things' during this time, devising courses, organising activities of all kinds to keep morale up as well as 'taking care of' Sonia Bunting to ensure that she 'didn't crack again' whilst in prison. As a threesome, and the female half of couples dubbed 'double detainees' because they all had children and both parents were detained, they spent a great deal of time walking around the exercise yard discussing their children, wondering what the long- term effects would be on them of their parents being summarily taken away and locked up.¹⁷⁸

Whilst in jail Hilda managed to keep a diary. In it she recorded a myriad of detail about their day-to-day life in The Fort and, later, in Pretoria. There are a number of mentions of Shulamith, who was the only lawyer amongst the (White) women prisoners. The most vivid was recorded by Hilda on 5 May 1960, just before the women were moved from Johannesburg to Pretoria, and it echoes Myrtle Berman's comments about the role played by these three women who had organised regular lunch-hour talks for the group. It also highlights political and other tensions between these women, not all of whom were friends, thrown together arbitrarily by the Emergency regulations. Shulamith started out her series of talks on 3 May on the topic of Zeerust, 'an enthralling and sad story', which she completed on 4 May.

The following day,

at lunch time, for the third day, Shulamith spoke, this time of events in Sekukuniland, and she broke down when she spoke of Madinoka, under death sentence in Pretoria gaol. It was genuine, moving, and a sad indictment of our organisation[s], but as soon as discussion began, Rose drove me into a temper. Shulamith accuses from the standpoint of why did the organisation fail? Rose from a sort of self-satisfied self-righteousness, almost pleasure, at the failures. This ends the discussion each time ...¹⁷⁹

¹⁷⁸ M. Berman interview

¹⁷⁹ UWHPA A3299/A4.2.3.2 Hilda Bernstein Prison Diary (excerpt used with kind permission of Toni Bernstein)

HER BIGGEST BRIEF



© Toni Strasburg

It is hard to imagine a person when one can only summon up the kind of snippets that I have included here. Many of them may seem to be too general, focusing largely on her work as a lawyer rather than more intimately on her as a person. One of the defining things about Shulamith though was that it was almost impossible to separate the two – she was completely bound up in her work not just in terms of the time that it took up, the anxieties over money (for the family to live on as well as to pay for advocates, bail, clerks, messengers and copies of court documents) but also morally. She was completely committed to the idea that everyone, regardless of their race or personal circumstances, had the right to have access to justice – and that unjust laws and regimes should be opposed.

The other reason why more personal details are often missing from the accounts of contemporaries is that socialising with the Mullers was something many learned to avoid because of Mike's volatility and his excessive drinking, often resulting in terrifying emotional explosions and abuse, of which Shulamith was frequently the target. The bald facts are that the political partnership of the 1940s had become an abusive relationship sometime in the 1950s, particularly after 1958 / 1959. This may have been due, in part, to a reported invitation by Joe Slovo to Shulamith (over a lunch of pickled fish which henceforth became a swear word in the Muller household¹⁸⁰) to join the SACP underground.¹⁸¹ Shirley Hepple recalls a white-faced Slovo fleeing the Union Centre office and a telephone being thrown at him by Mike, whom she called 'a monster'.¹⁸² 'Slovo Must Die', were the words Mike himself painted on the house in Bez Valley after the event, during what Shulamith described as 'a nervous breakdown'.¹⁸³

In addition to Ruth Kaplan's physical description of Shulamith, there is one photograph showing her in a professional capacity, which also encapsulates her other

¹⁸⁰ AM Muller interview

¹⁸¹ Hirson, *Revolutions*, p.289 confirms the story: 'Shulamith Muller was approached and invited to join the SACP [but] was told that Mike was excluded. She rejected the invitation indignantly, but Mike turned on her in an irrational rage and blamed her for the Party's approach.'

¹⁸² S. Hepple interview

¹⁸³ AM Muller interview

roles because she was seven months pregnant at the time with her second son, Karl Mosupatsela. It was published in the *Rand Daily Mail* of 20 December 1956 and captioned: 'Vernon Berrange (with briefcase), one of the defence council. On his left is Dr. Yusuf Dadoo, banned President of the S.A. India Congress. Behind him, Y. Cachalia, also of SAIC, an observer. In right foreground, S. Muller, one of the instructing attorneys'.¹⁸⁴ This was the initial Treason Trial defence team which Shulamith was part of for a comparatively short time.

At that point the trial was formally known as 'The State versus Faried Adams and others', and Adams, for whom Shulamith had acted back in October 1955 when he was arrested for slogan painting, was the first accused alphabetically speaking. The December 13 1956 edition of *New Age* story headlined 'The Inside Story: From a Prisoner at the Fort' notes 'Our deep appreciation of the work our lawyer friends are doing. Shulamith Muller, especially, in spite of the fact that she is so pregnant (she looks as though she is going to have her baby in court), has been tireless'.¹⁸⁵ Papers retrieved from the National Archives in Pretoria show that she applied for bail for John Nkadimeng, Joshua Makwe and Motsumai K. Mpho and Ismail Chota Meer on 20 December.¹⁸⁶

The picture is very atmospheric, possibly because it is in black and white, and shows three well-known men, Berrange, Dadoo and Cachalia, walking towards the temporary court set up in the Drill Hall on Twist Street. In addition, front right, is a short, curly-haired, bespectacled woman, in a maternity outfit with a large white collar, holding a handbag, document case and a hankie. Several other men are obscured behind these four and in background can be vaguely seen what must have been a large crowd of people. Shulamith is the only woman in this photograph.

There is another version of the picture, taken at more or less the same time but from a different angle. It shows many male figures, including policemen, some in uniform,

¹⁸⁴ Museum Africa Picture Archive / copyright AVUSA

¹⁸⁵ UWHPA/AD2186/I2/Box 7, Records of the ANC 1928-1975

¹⁸⁶ TAB/WLD, Ex Parte Application [for bail] of John Nkadimeng and Others (copy of document in author's possession).



© Museum Africa



others in dark suits and again includes Berrange and Dadoo. And, more or less obscured in the top right-hand corner is a small bespectacled face – Mrs. Muller. One doesn't want to read too much into these photographs or draw too many implications from them but perhaps the second photo gives us a more typical image of Shulamith, showing her almost completely obscured by the more important male figures on opposite sides of the liberation struggle.¹⁸⁷

Whilst she may be hard to spot in one picture, and lined up as an equal with the men in the other, she would not have given much thought to either one suspects – apart from probably wishing that she hadn't been photographed at all and certainly being unhappy about seeing herself emblazoned across the pages of the *Rand Daily Mail*. That wasn't her style: she was one of the back-room activists, contributing through her work, not given to grandstanding either in court or outside and not seeking either acknowledgement or notoriety.

VIGNETTE TWO: 1955

There are several documents in Shulamith's Department of Justice file that give some idea of what the South African Police Headquarters (often known more familiarly as Compol, short for Commissioner of Police) thought she was up to in 1954 and 1955 (copies of these documents are to be found at Appendix B).¹⁸⁸

These documents indicate that the SAP were not only watching Shulamith but that they also wanted to show that the rather sparse evidence they had amassed constituted a continuing commitment to Communism on her part. One wonders therefore why it took more than two years (from January 1953 until April 1955) for them to re-deliver the September 1951 letter from the Liquidator saying that she had been listed. The first attempt, sent to the Muller's Troyeville address in March 1955, was returned marked 'Gone away' and in the end the SAP had to serve it on her in person at her offices in

¹⁸⁷ N. Levy, *The Final Prize: My Life in the Anti-Apartheid Struggle* (Cape Town, South African History Online, 2011) p.234

¹⁸⁸ DoJ File 2/1/198: SAP to Department Justice, Ref. S.1/456, 'Beperkings: Mev. Shulamith Muller', and attached Memorandum, 01 August 1955, signed by Kaptein Buys on behalf of the Commissioner of Police; DoJ File 2/1/198: 'Feiteverslag van Komitee aangestel kragtens Artikel 17 van Wet 44 van 1950, Soos Gewysig', Pretoria, 16 March 1962; DoJ File 2/1/198 Memorandum, no date, author or place.

Union Centre in April. Another oddity or perhaps anomaly is why the SAP thought that she was so likely to be drafted into the SA Indian Youth Congress that the organisation must be added to the list of entities of which she could not be an 'official, office bearer or member'? The mention of the newly-formed South African Congress of Trades Unions (SACTU) is not surprising given the fact that Mike was involved in its creation, acted as an unofficial and in fact clandestine, adviser, and that it was already operating from Union Centre, Pritchard Street.

However, the Memorandum attached to the letter (of 1 August) makes it clear that they were efficient enough to be able to take down almost word-for-word what she said at meetings in private residences. The detailed report of Shulamith's address to the COD meeting held at 33 Dunbarton (or Dumbarton) Court in September 1954 indicates that there must have been an informer present. The fact that the gathering clearly took place in someone's home which could surely not have accommodated that many people, makes the notion of an informant amongst their number both tantalising and disturbing.

The reference to the Trades Hall meeting in July 1954 implies that she was present at it. Ismail Vadi describes it:

The formal launch of the Transvaal COP campaign occurred ... on 25 July 1954. The Conference was sponsored by the Transvaal ANC, Transvaal Indian Congress, SACPO (Transvaal) and COD branches in the province, and was opened by Dr. Wilson Conco, Natal ANC President. Organisations invited to the Conference were requested to send four delegates each ... Joe Slovo , speaking on the topic of "What is the Congress of the People?" ... and Ahmed Kathrada outlined the need for and roles of 15,000 volunteers to spearhead the campaign in the province. The conference itself was spirited and at one stage the Special Branch was forced to leave the hall as a court order had been granted instructing the police not to interfere with the proceedings of the conference. The COP bulletin described the mood of the delegates as follows: "Now the police moved – they were near the door, but this was surely their longest, most humiliating journey. The feeling of the crowd broke forth in

tumultuous shouts, the booing of twelve hundred triumphant throats. There is still justice left” ‘. ¹⁸⁹

Furthermore ‘In reply to the interdict which expelled them, Major Spengler, of the Security Police, said it was the duty of the police “to know what was going on at the meeting in order to protect internal security”. The police were, he claimed, “investigating a case of high treason” ‘. ¹⁹⁰

Also detailed in the same Memorandum is the Kensington meeting of the Johannesburg Discussion Club (one of the organisations Shulamith was banned from in December 1954 and in which Ruth First was very active) where she once again pursued the theme of people’s rights under the law when confronted with police questioning. The SAP regarded this as obstruction of their duty and did not take kindly to it. Was she focusing on this matter because more people were being harassed, detained and arrested or was it part of the preparation by the COP National Action Committee for what might happen to those going out soliciting demands for the Freedom Charter? She clearly had not changed her opinions whilst in Britain, nor did she desist from political activity, which often took the form of the legal pursuit of justice, after being informed that she had been listed in April 1955.

In what appears to be an earlier draft of the 1 August Memorandum, the SAP notes that she is ‘extremely pro-Communist’, a well-known ‘*negrofiel* who mostly has relationships with listed Communists, leftists and non-Whites and in fact prefers to be in the company of non-Whites’. The Memo finally notes that ‘we are of the opinion that she uses her [legal] practice as a cover for her undermining activities’.

¹⁸⁹ I. Vadi, *The Congress of the people and the Freedom Charter Campaign* (New Delhi, Sterling Publishers, no date) also available at: <http://www.sahistory.org.za/archive/congress-people-and-freedom-charter-campaign.htm> retrieved on 3 February 2012

¹⁹⁰ D. Pinnock, *Writing Left: The Radical Journalism of Ruth First* (Pretoria, UNISA Press, 2007) p. 170. It is very probable that this interdict was obtained by Shulamith.

The later additional Memorandum, probably written in 1968, alleges that she ‘played a major and active part in organising the Evaton Bus boycotts’ in 1955 though her involvement was probably restricted to supplying legal services to boycotters as well as attending the Congress of People on 26 June whilst at the same time acting as the legal council for the COP National Action Committee. July 1955 saw her apparently making an appearance at a factory to ‘demand’ outstanding wages on behalf of striking workers. In October of the same year, Shulamith took part in, and possibly helped to organise, the first women’s march in Pretoria. It was led by the newly established Federation of SA Women, Transvaal section, and attracted a multi-racial crowd of over 2,000 women (though in one of the Memoranda the authorities claimed it was only 759 ‘Bantoe’ women). The 1955 Memorandum ends with the heartfelt, if unproven, statement that ‘*Sy sal blykbaar nooit Kommuniste vaarwel toeroep nie*’ – it seems that she will never give up Communism.

Not noted in the official files is the fact that, also in October 1955, she acted on behalf of four Indian Youth Congress members arrested for defacing public buildings (including Moosie Moolla and Faried Adam), making an *ex parte* application against SAP Major Spengler because she was not allowed access to her clients. The application concludes: ‘Your Petitioner enquired from the said Respondent [Spengler] as to his authority for refusing permission to see the accused. Respondent informed Your Petitioner that it was in the amendment to the Criminal Law and Procedure Act. Your Petitioner asked Respondent what section he was referring to and he informed Your Petitioner that she would have to look it up herself’.¹⁹¹

VIGNETTE THREE: IN HER OWN WORDS

One of the biggest absences that I have had to contend with in writing this preliminary biographical account of Shulamith’s life is that of her own voice. There are no letters, cards, diaries or memoirs. The police claimed in the 1955 Memorandum that in 1949 she had written articles for *Advance* (forerunner of *The Guardian*) and *Bantu World*, but there is no evidence for this. She certainly wrote a piece for *Fighting Talk* on ‘Juvenile

¹⁹¹ TAB/0/WLD/1289/1955, Ex Parte Application in the Supreme Court of South Africa (Witwatersrand Local Division) of Shulamith Muller, Applicant, and Major Spengler, Respondent, 19 October 1955

Crime' in 1956¹⁹² and possibly wrote or contributed heavily to another *Fighting Talk* article 'Zeerust: The Full Story By a Special Correspondent' which has a notable wealth of detail about legal matters.¹⁹³

The only confirmed writings of hers that I have been able to access (apart from family letters from 1970s which are not relevant to this thesis) are in the very few surviving folders from her Johannesburg legal practice and have to do with Zeerust, money and Sekhukhuneland.¹⁹⁴

One of these is a two-page typescript, undated and with a handwritten annotation, setting out the situation of 'the Maepa tribe [which] has occupied the farm Drooghoek in Sekukuneland for as long as memory goes'. Their land for farming has been drastically reduced under Native Trust and 'betterment' schemes. One man 'now has 3 morgen instead of 35 acres'. Many were arrested for returning to their old allotments in 1958, then arrested again in November 1960 for same offence and 'today over 50 people [54 in fact] are sitting in gaol for illegal ploughing. 29 of these are women, 7 of these women have babies with them ...' because they cannot afford to pay bail. It ends: 'In the meantime the people are starving. This is land reform!'. I discovered very recently that this piece was published in *New Age* on 18 May 1961 under the headline 'Arrests and Jailing While Peasants Starve - "Land Reform" in the Reserves' and credited to 'a contributor'.¹⁹⁵ It is quite possible that she wrote other articles anonymously, which would make them exceedingly hard to track down.

Another item from the same folder, apparently written by Shulamith and dated March 1959, is a five page account of 'The struggle of the people in the District of Zeerust [which] began in about April, 1957 when efforts were made to compel women to take out Reference Books, particularly at a place in the Reserves known as Dinokana'. She goes into some detail on the overall situation in the area and mentions that she was retained by the 'Bapharutse Tribal Committee' formed of Bapharutse [sic] in

¹⁹² UWHPA/A3299/A8.3/1956 S. Muller 'Juvenile Crime', *Fighting Talk*, (January 1956) pp. 12-13,

¹⁹³ UWHPA/A3299/A8.3/1958 *Fighting Talk* (February 1958) pp.3-6

¹⁹⁴ Folder 'Sekukuni Cases' dated 23 April 1959 to 06 December 1960 (in possession of the author)

¹⁹⁵ Article available at <http://www.disa.ukzn.ac.za> retrieved on 02 January 2012

Johannesburg as well as representatives of the various villages. It 'worked admirably for a time and raised substantial sums of money for the defence'.

The document mentions that the Commission of Enquiry set up to look into the cause of the Zeerust disturbances, and for which she was instructed to brief Counsel, ... was in many ways a farce because no cross-examination was allowed. On behalf of the Bapharutse Tribe, a memorandum was submitted by us and evidence led. Counsel had to attend in Zeerust for 10 days and a copy of the record had to be obtained at great expense ... The Government had lined up witnesses, their supporters, all of whom tried in some way or other place to place the blame on the A.N.C. and on 'agitators'. The evidence which we led blamed the Government and Native Commissioner for the trouble ... No report of this Commission has ever been made public.

Subsequent cases where women were charged with pass burning were: 'pushed through the Court with indecent haste to prevent the people from being defended', this despite the fact that 'I had been instructed by the Committee to defend all such cases ... The police had actually complained at the Commission of Enquiry ... that so many of the people arrested had been acquitted because they were defended, and this hampered their work. This shook even the unemotional Commissioner'. Meanwhile, ... the reign of terror by the [government supporting] Chiefs ... was carrying on all the time. The police refused to take action. After about 2 hours persuasion, I managed to get 3 women to lay charges of assault The police didn't prosecute. One woman was brought to me with her hand smashed to pieces by the Chief of Witkleigat. She was in hospital for over a month. The police refused to prosecute and I complained to the Attorney General. The reply was that the police had interviewed the chief who denied it and therefore the matter couldn't be proceeded with!

She goes on to say that she had also 'contacted the Golden City Post about 2 weeks before the Christmas Riots to ask them to send an independent observer to see how the people were being treated by the Chiefs. Unfortunately they failed to do so'. The

document also details the trials that commenced in May 1958 at the Rustenburg circuit court. There were seven of these starting with 'Titus Motsusi and Others (8 convicted and 1 acquitted)' and ending with 'Salofela Bokadi and 55 Others (33 convicted, 22 acquitted)'. In total these cases involved 117 people, 45 of whom were acquitted.

It is impossible to discern for what purpose this document was written. There are several themes running through it, one of which being that severe lack of funds has meant that, despite the enormous efforts made by the community and others, many people have gone to jail unnecessarily. The very last paragraph makes the point that 'with regard to the defences of the Supreme Court cases the record is a fairly good one. The figures are, to sum up: 48% of those charged were acquitted'. Despite this somewhat positive summation, her frustration, both personal and professional, at not being able to keep many 'innocent country folk' out of jail (some of them elderly, sick or pregnant), comes through very clearly. At one point she says, in reference to the case of 'Stasie Mughaitse & 11 Others' that 'the light sentences also showed how important it was to have these cases defended as the defence was able to bring out very clearly the tremendous provocation under which the people acted'.

The last document in the folder that I want to refer to here consists of a 2-page summary of cases for which Shulamith either had to put up the money herself or for which funds ran out or involved estreated bail. The cases listed are: The Evaton Bus Boycott, Lichtenburg Riots, Nelspruit, Zeerust: Estreated Bail, Bail Forfeited for Anti-Pass Demonstration and lastly Sekukune. Some of the monies outstanding, for instance in the Evaton cases, are only for counsel's fees as 'I did not charge at all except for disbursements'. In the Lichtenburg matter because 'funds had run out and as the matter was in danger of prescribing I financed the issue of summonses' but the case still couldn't be taken further as there was no more money available.

As far as Nelspruit was concerned (also to do with resistance to passes) 'here again money was collected for the defence of the cases which went on for about two months continuously but as usual it was insufficient to cover the cost of counsel who went down. I consequently had to pay him myself'. On the Sekukune [sic] matter

... the trials, together with appeals lasted continuously for more than a year. The people were wonderful and contributed extensively, but just could not finish off. Apart from donations amounting to £2,000 they paid every penny of the defence. There is today further trouble owing to certain land seizures by the government and the need for financial assistance is still there.

In addition to this two-pager there is a half page that lists the same cases by name alongside amounts of money. For example: 'Nelspruit Cases £181.5. 6d' and 'Zeerust cases – about £500.0.0 (This is a conservative estimate & includes only my disbursements)'.

Again there are insufficient clues for me to be able to guess the purpose of the document. Shulamith's elder son recalls that when Barbara Castle visited South Africa in January 1958 ¹⁹⁶ she briefed Castle on various matters. ¹⁹⁷ It is possible that this short enumeration of the need for further funds to defend people under attack by the apartheid regime was for Castle to take back to the British Labour Party with a view to raising funds. The last sentence of the Sekukune section of the document 'the need for financial assistance is still there' indicates Shulamith was anticipating that more money would need to be raised soon.

It is also possible that money might have been forthcoming from the British organisation Christian Action (run with great panache by Canon John Collins) and this short account written for them. They had provided some funding for the trials that followed the 1952 Defiance Campaign ¹⁹⁸ and had also swung into action (as had fund raisers in the South Africa) at the very beginning of the Treason Trial in December 1956 when Collins told Bishop Ambrose Reeves to spare no expense to ensure that the accused got the best legal defence that could be mustered. ¹⁹⁹ 'As the trial ground on into its second year, Bishop Reeves warned Collins that, whatever the outcome, there

¹⁹⁶ For a report of Castle's visit see L. Forman, 'Barbara Castle: Britain's Next Colonial Secretary?', *Fighting Talk* (February 1958), p.10

¹⁹⁷ AM Muller interview

¹⁹⁸ D. Herbstein, *White Lies – Canon Collins and the Secret War Against Apartheid* (Cape Town, HSRC Press, 2004) p.11

¹⁹⁹ *ibid* p.27

would be more trials to come. Was it possible for Christian Action to extend its remit to cover these and other unforeseen crises? ... Collins responded by setting up a legally distinct British Defence and Aid Fund for Southern Africa'.²⁰⁰ Collins also ensured that £2000 was sent to fund the appeals of the 14 Sekhukhuneland 'tribesmen and women' who were sentenced to death, as well others arraigned on lesser charges.²⁰¹

²⁰⁰ *ibid* p.36

²⁰¹ *ibid* p.38

CONCLUSION

By 1963 the Hoopers, Mullers and Kaplans were all resident in the British Protectorate of Swaziland. Shulamith had been admitted as an attorney of the Courts of Swaziland on 23 May 1962 with the support of former South African attorney and MP (1949-1958) Leo Lovell. Shulamith was eventually able to set up a legal practice in Mbabane, after working initially in Lovell's firm. Charles Hooper was continuing to be a thorn in the side of his more conservative Anglican colleagues whilst Ruth and Yehuda Kaplan were battling to get jobs and permission to stay in the country as the British authorities were convinced they'd come to stir up the populace. The Mullers' position was also not secured until they were finally able to get registered as British citizens and were issued with passports.

When the *Rand Daily Mail* published the consolidated list of named Communists on 17 November 1962, both Shulamith and Mike were on it as was their old Pretoria foe, George Findlay. Several former comrades wrote to him to thank him for his defiant statement, published in the same edition of the RDM, that he 'would not creep' to the authorities. Amongst them were Hilda Bernstein, Ray Harmel, Eli Weinberg and one 'Alias Dicky' (as he signed his note), otherwise known as HA Jensen, Shulamith's former employer from her Pretoria days as an articulated clerk.²⁰²

The *Pretoria News* ran the list story on their front page the previous day under the headline '436 Names Published Under Suppression of Communism Act' and it took the trouble to mention that of the 129 'Europeans' on the consolidated list, 43 were born outside South Africa, '16 of which in Lithuania'. The paper also named 'eight advocates and attorneys' on the list - Arenstein, Baker, Cohen, Fehler, Findlay, Fischer, Slovo and Wolpe, but not Shulamith.²⁰³

The boys went to school - Arnold first to St. Mark's in Mbabane and then to the new multi-racial boarding school set up by Michael Stern, Waterford. Shulamith's legal

²⁰² UWHPA/A1199/A/1962

²⁰³ *ibid*

practice in Mbabane was not a political one. The cases were largely criminal matters of one sort or another, with not a few ritual murder cases which she, like Ruth Kaplan (who also practiced in the country for a number of years before turning to teaching) often found quite disturbing, especially when her clients were acquitted. Although the nature of her legal work changed fundamentally some things stayed the same in that she didn't make a lot of money, not infrequently being paid in kind by her grateful clients in chickens, vegetables, fruit and eggs.

The South African authorities continued to monitor the activities of many exiles, the Mullers included. An undated memorandum, probably emanating from Compol in 1968, alleged that Shulamith 'continues with her anti-South African activities by associating with South African refugees, attending Communist discussion clubs and meetings and advising Pan Africanist political parties'. In addition, 'from September 1965 Communist literature from Red China is regularly posted to her' and she 'served on the Committee of "Ephesus House" a hostel in Swaziland ... where South African Bantu students (styled educational refugees) are housed and educated ... In 1967 she was dismissed as a result of her communist activities and her efforts to take control of the committee'. Whilst the last comment echoes (perhaps deliberately) Shulamith's part in the coup she helped to engineer in the Pretoria CPSA, there is no evidence to support the allegations. In case that wasn't enough, a letter from the SAP to the Secretary for Justice asserted that: 'Both [Mullers] spent their youthful and productive years in the interests of Communism and although it would appear that Michael Muller had been inactive during recent years, his wife, Shulamith Muller, is still an active and ardent Communist'.²⁰⁴

Various members of both families were able to visit from across the border, which by 1963 / 1964 was properly secured after too many refugees had managed to cross it without papers, but neither Shulamith nor Mike were ever able to return to South Africa. However the South African regime still had one more card up its sleeve and in 1967 began a process to debar all legal practitioners, attorneys and advocates, who had

²⁰⁴ DoJ File 2/1/97, letter from SAP, Pretoria to Secretary for Justice, 'M.M. Muller and S. Muller Your 2/1/198 over 2/1/97 dated 23.4.1968', 26 April 1968 (copy of document in possession of the author)

been named or listed as Communists. The process took four years in Shulamith's case (and generated an extraordinary amount of paper in her Department of Justice file). Others, such as Bram Fischer, Roley Arenstein, Sam Kahn, Bob Hepple, Harold Wolpe and Nelson Mandela, were also targeted but Shulamith was the only woman on this particular hit list.

In fact the plan to debar the Communist lawyers had been hatched much earlier as this letter from Findlay to George and Betty Sacks, dated 5 December 1964, indicates:

'... You probably know of the Government's intention to disbar advocates who are listed communists. It affects I gather only four of us – Bram. Fischer, Vernon Berrange, young Sachs (Solly's son) and myself. Harry Snitcher etc have asked for their names to be removed from the list and have been successful but I have not and wont. Vernon applied and was asked to give away all the people whom he remembered in the party and to give undertakings and so has refused and remains listed ... The times we are living though here are pretty grim. With Bram and other friends of yester-year becoming Tolpuddle Martyrs in the march of History one feels lonely and out of touch with your fellow man. There are horrid aspects of the times. Heinrich de Villiers, a friend of mine, and now a retired judge ... goes and lends himself to a smear-campaign against the Mandelas etc. One feels that people you have tolerated and even liked a lot are proving themselves such terrible rotten human beings.²⁰⁵

In the end the action was made possible by an amendment to the Suppression of Communism Act, Act 24 of 1967. Mandela was not in fact struck off (nor was Findlay) but Bram Fischer, Roley Arenstein, Shulamith and others were. The action was petty and vindictive and it upset her a great deal. She wrote to the South African State Attorney from her offices at Independence House, Mbabane on 6 August 1971 saying that though she realised that, as a listed Communist, the legislation applied to her, she had not 'been a Communist for over twenty years and have certainly not taken part in politics of any kind (even by association in my legal work) for the last nine years' and

²⁰⁵ UWHPA/A1199/A/1964

that she would 'like, if at all possible, to avoid the proposed action being taken'.²⁰⁶ She proposed that she could herself request the Law Society of the Transvaal to remove her name from the Roll. There was no response to this letter. The case was set down for 17 August 1971 and on that date the name of 'Shulamith Muller (born Movshowitz)' was ordered to be struck off the lists of Attorneys by the 'Honourable Mr. Justice Nicholas'.²⁰⁷

The democratic government inaugurated in 1994 rectified this mean-spirited deed by putting in place another piece of legislation, the Reinstatement of Enrolment of Certain Deceased Legal Practitioners Act, 32 of 2002 and on 13 December 2005, shortly after what would have been Shulamith's 83rd birthday, her name was ordered to be reinstated on the roll of attorneys. Judge Goldblatt, who heard the case (in which George Bizos acted on the family's behalf assisted by the advocate daughter of one of Shulamith's clients from the 1950s, Joe Jele) recalled being briefed by her as a young advocate.²⁰⁸

Mma ngwana o tshwara thipa ka bohaleng – a mother holds the sharp end of the knife.²⁰⁹ This Sesotho / Setswana saying seems to me to encapsulate something fundamental about Shulamith Muller's life. As a woman, daughter, wife, Communist, lawyer, political activist and mother, she did in many ways end up holding that sharp knife. But that end point wasn't inevitable and she had not arrived there through passivity or lack of courage. She had made choices, proffered her opinions and taken enormous leaps of imagination to insert her self into spaces unimagined by her forebears. She was born in 1922, was active politically, professionally and personally in South Africa for 22 years and by 1962, at the age of 40, found herself having to start her life again, in a new environment, with three dependents. Shulamith was far from being the only South

²⁰⁶ DoJ File 2/1/198, letter from S. Muller, Mbabane, to the State Attorney, Pretoria, 6 August 1971, copy in possession of the author.

²⁰⁷ Ibid, Case No. M. 1336/71 in the matter between The Secretary for Justice and Shulamith Muller, 17 August 1971, copy of document in possession of the author.

²⁰⁸ Case No. 2005/27201 in the matter between Muller Arnold Michael and Law Society of the Northern Province (1st Respondent), Minister of Justice and Constitutional Development (2nd Respondent), 13 December 2005 (document in possession of the author)

²⁰⁹ Taken from the title of Maggie Resha's autobiography: M. Resha, *Mma ngwana o tshwara thipa ka bohaleng: My Life in the Struggle* (Johannesburg, COSAW, 1991)

African woman in this situation – and the majority of them were Black. But hers is the “story” I have chosen to tell in this short dissertation. Much work still remains to be done to write back into the record the full purport of her life and that of thousands of other ‘unspoken’ lives.

Whatever is unnamed, undepicted in images, whatever is omitted from biography, censored in collections of letters, whatever is misnamed as something else, made difficult-to-come-by, whatever is buried in the memory by the collapse of meaning under inadequate or lying language – this will become not merely unspoken, but unspeakable.²¹⁰

POSTSCRIPT

On Thursday 26 January 2012 I paid a visit to the Law Society of the Northern Provinces (LNP) in Pretoria’s Paul Kruger Street, my intention being to try and compile a list of all the women attorneys who had been admitted between 1946 and 1956 (which is attached as Appendix C). With some help from the staff of the LNP Records Office, I was eventually allowed to look at what they termed ‘the old book’ wherein a record had been kept, from 1881 to 1991, of all the attorneys, notaries and conveyancers admitted to professional practice in the former Transvaal.

In this large and, sadly, damaged tome I found entries for Leo Lovell, HA Jensen, Ruth Kaplan, Harold Wolpe, Godfrey Pitje and Nelson Mandela amongst others. I also found Shulamith’s name. The entry noted that she had been admitted on 5 February 1948 and ‘struck off’ on 18 August 1971, no reason given. Despite the ruling in 2005 by Justice Goldblatt, this entry had not been amended. As a librarian, archivist and now, perhaps, also an historian, “defacing” historic documents is anathema to me. I struggled with the dilemma, thinking about Shulamith, her legal work, her courage and determination, her refusal to be ‘pally-wally’ with the cops or to wear silly clothes in court. In the end I decided that, since I was essentially carrying out a High Court Order, a neat addition, in pen, would be justified. ‘Name restored to the Roll on 13

²¹⁰ A. Rich *What is Found There: Notebooks on Poetry and Politics* (New York, Norton, 1993) p.236

December 2005' is what I wrote - so that Justice could be seen to have been done, in some small measure.



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LIST OF INTERVIEWS

Conducted by Ruth Muller:

Myrtle Berman, Cape Town, 9 November 2011

George Bizos, Johannesburg, 6 July 2007

Zouna Fonternel, Bloemfontein, 6 and 7 November 2011

Shirley Hepple, London, 18 June 2006

Charlotte Hopp, Pretoria, 7 January 2007

Yehuda Kaplan, Rotherham, 22 August 2006

Mike Muller, Johannesburg, 27 March 2006, 13 August 2011, 11 and 13 December 2011

Conducted by Peter Delius:

Baruch Hirson, London, 14 June 1990 and 23 August 1994

Charles Hooper, Leeds, 22 June 1990

Ruth Kaplan, Sheffield, 23 June 1990

Conducted by Sylvia Neame:

Julius Baker, London, 30 September 1987

Sonia Bunting, London, no date

Sadie Forman, Ringmer, 19 June 1988

Harry Gwala, Berlin, 29 October 1989

M.D. Naidoo, London 13, 15 and 22 June 1990

Vella Pillay, London, 4 October 1987

Bill Roberts, London, 8 October 1987

Athol Thorne, London, 11 October 1987

Ben Turok, London, 21 May 1986

Harold Wolpe, London, 10 October 1987

Conducted by Colin Purkey and/or Leslie Witz:

Hymie Barsel (no place or date recorded on the transcript)

Trudie Gelb, Johannesburg, 23 March 1988

Ray Harmel, Johannesburg, 8 and 10 May 1990

Mickey Levy, Johannesburg, 28 September 1988

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A2729/E Sylvia Neame Papers 1935-1990, Interviews

A3299 Hilda and Rusty Bernstein Papers

AD1137 Federation of South African Women (FEDSAW) Records 1954-1963

AD2186 Records of the ANC 1928-1975

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Cape Town Archives Repository (KAB): CO series

South African Jewish Board of Deputies (SAJBD) Library

The Zionist Record

Newspaper Cuttings Collection

Digital Imaging South Africa (DISA)

<http://www.disa.ukzn.ac.za>

Fighting Talk

New Age

Aluka Digital Library

<http://www.aluka.org>

Africa South

American Jewish Archives

<http://www.ajarchives.org>

American Jewish Yearbook

Private Papers

Muller family papers: photographs, passports, certificates, legal papers, official letters and notices, drafts of articles, notes.

Newspapers

Contact

Drum

Fighting Talk

Golden City Post

Inkululeko

Jewish Affairs

Jewish Herald

New Age

Rand Daily Mail

Sunday Times

The Star

The Zionist Record

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APPENDIX A

EVIDENTIAL TIMELINE: 1953 -1962

1953

The State alleges that between 16/09/51 and 25/01/53 Shulamith Muller (SM) 'took an active part in Communist activities by addressing and attending Communist party meetings' whilst in Britain

Jan. - April:

Jan: 25/01/53 Mullers return from the UK

Jan-June (approx): Mike Muller (MAM) General Secretary of the Textile Workers Industrial Union (TWIU) as he had been before they went to UK

Feb.: 03/02/53 to 14/04/53 SM gets job at Athlone Boys School, Johannesburg (JHB)

April: 'On the 27th of April 1953 Muller addressed ... a class for non-white persons [African trade unionists] at Kort Street no.4 in JHB and he gave a lecture on office administration and how to handle complaints'

May - August:

June: 26/06/53 CR Swart, Minister of Justice, serves banning order on MAM, cannot attend gatherings, must resign from TWIU;

July: Muller family living at 5, Loma Court, Ascot Road, Bertrams

August: 21-23 Aug. SA Peace Congress (SAPC) at the Johannesburg Trades Hall and MAM is listed, amongst others, as a 'leading South African' on an SAPC leaflet

Sept. - Dec.:

Sept: 29/09/53 TWIU write to Minister asking for permission to 'interview' MAM about ongoing union matters

1954

Jan. - April

SM gives Advocate George Bizos some of his first briefs

Jan: 13/01/54 Anti-Ban Committee sends out letter from 33 Dunbarton (or Dumbarton) Court, Hatfield Road, Berea JHB, asking people to attend meeting about renewal of bans; MAM one of the co-signatories along with Alan Lipman, Fred Carneson, JB Marks, Walter Sisulu, Tshume, Vernon Berrange and others.

Jan: 13/01/54 the Government Attorney writes to SM at 67(a) Fox St. Johannesburg to say that 'in view of the A.D. Judgment in Ngwevela vs. Regina, the prohibition notice [against MAM and A.H. Selby] referred to in your letters of 31.12.53 will not be enforced unless further steps are taken by Parliament'.

March: 04/03/54 banning order against MAM revoked (as per above-mentioned letter)

April: Federation of SA Women (FEDSAW) formed in JHB, SM may well have been there;

April: 07/04/54 MAM speaks at a meeting of the Citizens Joint Action Committee in JHB and it is alleged that SM also there. Meeting was about 'the removal of black spots'. Other Communists present were (amongst others) M. Harmel, P. Huyser, D. du Plessis, B. Kaplan, W. Kramer and C. Williams.

May - August

May: MAM article in *Fighting Talk*, 10, 4, 'The Fight Against the Industrial Conciliation Amendment Bill - The Trade Unions' Last Chance', pp.2-3;

May: 02/05/54 it is alleged that MAM attends conference of the Council of Non-European Trades Unions (CNETU) in Cape Town

June: 07/06/54 new banning order issued to MAM

Sept. - Dec.

Sept.: 28/09/54 SM attends a meeting of the CoD at 33 Dumbarton Court and it is alleged that she addresses the meeting on their legal rights if they are arrested and interrogated.

Dec.: MAM is best man at his sister Zouna's wedding in Pretoria, SM plays the piano at reception;

Dec.: 20/12/54 the SAP writes to Dept. of Justice recommending that SM be banned from attending any meetings as well as from being an office bearer or 'be[ing] active' in any of a list of 41 organisations. These include the Modern Youth Society, the Franchise Action Council, the May Day Committee and the Anti-banning Committee amongst others. It notes that she is number 208 on the list of people who were 'active supporters' of the CPSA and that her practice is at 119/120 Pritchard St. Johannesburg.

1955

State alleges (in a 1968 document) that SM 'played a major and active part in organising' the Evaton bus boycott

Jan. - April

Jan.: 12/01/55 Dept. of Justice to SA Police: since SM had left SA before she received the letter informing her that she was banned, further action cannot be taken against her until she receives said letter

March: the Liquidator, C.F. Marais, sends SM a copy of the September 1951 letter informing her that she is a 'listed' person

April: 08/03/55 the letter is returned from 6 Beryl Court, Troyeville marked 'left address unknown' and is handed to the SAP 'for personal service upon the addressee'.

May - August

June: 26/06/55 it is alleged that SM attended the Congress of the People (COP) in Kliptown;

Aug.: 01/08/55 SAP sends a letter, marked 'Geheim Secret' to the Secretary of Justice to tell them that SM was personally handed the formal 'listing' letter of 1951 by the SAP. The letter also requests that the SA Indian Youth Congress and SA Congress of Trade Unions - 'or any trade union which is affiliated with' SACTU - be added to the list of organizations that she may not associate. Attached to this letter is a long Memorandum from the SAP that 'indicates her latest activities'.

Aug.: on or about 17/08/55 another Memo sent to the Minister (of Justice) recommending further restrictions be placed on SM (as per info supplied in Memo of 01.08.55). Minister states on 25/08/55 in a handwritten note that the banning should be 2 years in the first instance 'because I am of the opinion that a banning of five years is quite drastic for a first offence'. But then it was changed again, by hand, from 2 years to 5 years and it's signed off finally on 09/12/55;

Sept. - Dec.

Oct.: 19/10/55 SM 'ex parte' application by SM against Major Spengler on behalf of Indian Youth Congress detainees Moosie Moolla, Suliman Saloojee, Faried Adam & Suliman Eskajee;

Oct.: 27/10/55 FEDSAW in the Transvaal organizes a march of 2000 women against passes in Pretoria and it is later alleged that SM was there - with 'about 750 Bantu women'.

Dec.: 15/12/55 a five-year banning order (list of prohibited organizations as well as not to attend 'any gathering in any place within the Union of SA or the territory of South-West Africa is delivered to and signed for by SM. The residential address is given as 47, Berea Road, Bertrams, Johannesburg;

Dec.: 22/12/55 another copy of the banning order is served on SM at her offices '117 Union Centre, Pritchard Street Johannesburg at 9.45am ... in the presence of Nr. 20434 Const. van Heerden' and signed by Det / Sgt (name illegible) Nr. 12761.

Dec.: Anna Muller being treated in JHB for breast cancer and stays with SM and MAM.

1956

Mike's mother Anna dies in Bethlehem, Orange Free State.

Jan. - April

Jan: SM article in *Fighting Talk* on 'Juvenile Crime';

May - August

May: 21/05/56 SAP refers to MAM as a 'cunning (or 'crafty') Communist' in a letter to Secretary for Justice;

July: 04/07/56 MAM banned from gatherings for 5 years;

Sept. - Dec.

Sept: MAM article in *Fighting Talk*, 12, 9, 'The Depression - Back to Normal?', p.13

Sept: 08/09/56 SM handles Violet Hashe's banishment case

Dec.: 05/12/56 SM appears as instructing attorney at Drill Hall for some of the 156 arrested people at beginning of the Treason Trial

Dec: *New Age* Thurs. 13/12/56 p.2 'The Inside Story from a Prisoner at The Fort' mentions their 'deep appreciation of the work our lawyer friends are doing. Shulamith Muller, especially ...'

Dec.: 20/12/56 in an Ex Parte Application citing the Respondent as the Attorney General of the Transvaal, SM applies for bail on behalf of John Nkadimeng & Others (Joshua Makwe, Motsumai Mpho, Ismael Meer) and possibly also Lionel Forman, Dorothy Shanley, Reginald September, Nelson Mandela, GM Naicker and Lawrence Nkosi.

1957

Jan. - April

Jan - March: Alexandra Bus Boycott

Feb.: 05/02/57 Karl Mosupatsela Muller born

Feb.: Ruth Kaplan starts working as Shulamith's articled clerk

March 1957 - Feb. 1958: Zeerust pass resistance by the Bafurutse & consequences (which includes Dinokana, Lichtenburg, Witkleigat, Braklaagte, Gopane, Leeuwfontein)

May - August

July / August: SM compiles 'Instructions to Counsel' for an attempt to set aside the April deportation orders against Godfrey Sekhukhune and Phetedi Thulare;

Sept. - Dec.

Sept: MAM article in *Fighting Talk* 'The Industrial Conciliation Act: Section 77 At Work', pp.2-3;

Oct.: SM approached on behalf of 21 women from Rooijantjiesfontein, then in jail in Boksburg, who'd been sentenced to fines of £100.00 each apparently for pass burning in this area near Zeerust;

Oct.: 12/10/57 it is alleged that MAM 'On the 12th of October 1957 he attended a mixed party at the home of J. Slovo in Johannesburg, which consisted of at least 30 persons, Whites, Indians and Coloureds being present. Those who were present sang and danced together'.

Nov.: 13/11/ 57 SM & Advocate George Bizos walk out of court in Zeerust after being denied permission to cross-examine witnesses for the prosecution;

1958

Jan. - April

Jan.: Barbara Castle visits South Africa, attends Treason Trial, is possibly briefed by SM on various legal matters;

Jan.: 15/01/58 it's alleged that SM visited 'the dismissed Bantu Headman [Bantokaptein] Abram Moiloa at Linokana with her spouse M. Muller and A. Selby' and that she entered the 'native reserve' near Zeerust without permission and was fined £10.00.

Feb: article in *Fighting Talk*, by A Special Correspondent (probably by Ruth First in collaboration with SM and Charles Hooper) 'Zeerust: The Full Story", pp.3-6;

Feb.: 10/02/58 it is alleged that SM and an unknown white male arrived at the 'Amata' [Amato] Textile factory in Benoni during the strike by '3000 Natives'.

May - August

May 1958: Sekhukhuneland Revolt (consequences through to 1960);

May: 27/05/58 it is alleged that SM visits Sekhukhuneland 'for unknown reasons'.

June: 25/06/58 SM office receipt issued to the Federation of SA Women in the sum of 5 pounds 'being in trust for Zeerust' and signed by Ruth Kaplan;

June: 19/06/58 MAM writes in an article in *New Age* that 'The Nationalist Capitalists want to rule the roost.... [quote ends with] they will yet brush the vultures off like so many flies'.

July: 17/07/58 a 'secret source', from the SAP, reports that SM and 'R. Slovo, another listed Communist', visited Bechuanaland together.

Sept. - Dec.

Oct.: 13/10/58 SM apparently attends a talk/meeting at the house of Ruth and Joe Slovo in Roosevelt Park 'about 150 whites, Natives and Indians were present'. Included were other listed Communists - F. Carneson, S. Bunting, S. Kruger, A. Fischer, B. du Toit Y. Barenblatt and A.M. Kathrada amongst others;

Oct.: 21-28/10/58 SM involved when more than 1,900 women arrested in Johannesburg whilst protesting against passes, 750 discharged, 1300 (approx) convicted; in April 1959 442 of these appeal against their conviction in Pretoria Supreme Court.

1959

Jan. - April

Jan - March: it is alleged that SM, 'her husband, M. Muller and A. Selby were busy [bedrywig] addressing meetings of the ANC' in Basutoland.

Jan.: 12/01/1959 Minister of Justice issues an order - 'in accordance with the powers invested in him as stipulated in article 17 of ... Act 44 of 1950 as amended' for a committee, composed of HJ van der Walt, SH Eyssen and Kolonel JA Erasmus 'to deliver to me a factual report regarding Mrs. Shulamith Muller'.

April: 24/04/59-01/05/59 SM is the instructing attorney in Regina vs. Manoyane Johannes Seopela & 5 Others – first 2 accused are discharged and accused 3-6 found guilty and given death sentences and leave to appeal (this is a Sekhukhuneland case);

May - August

May: 13/05/59 SM issued with a drivers licence, probably her first, and her address is 161 Bezuidenhout Avenue, Bez Valley, her ID number is given as 331 260537;

June: 17/06/59 MAM supposedly attends a Liberal Party meeting on the JHB City Hall steps;

July: 9th of July 1959 the following official statement was written by the Commissioner of Police, Basutoland: 'A European giving the name of Mike Muller of Bezuidenhout Valley, has recently been paying visits to Gani Surtie, an Indian Mosuto, of Pitses Nek Basutoland. He appears to be a friend of Arnold Selby who was recently declared to be a prohibited entrant in Basutoland. He is normally accompanied by a youngish looking European woman, who passes as his wife. Muller appears to be a Communist sympathiser' [this was probably not SM].

July: SM article in *Africa South*, 3, 3, 'Juvenile Delinquency and the Colour Bar'. Other contributors were Helen Joseph, Can Temba, Basil Davidson and Dr. A.C. Jordan.

Sept. - Dec.

September: Publication of a pamphlet '25 Proud Years – the story of the Textile Workers' Union' by the Textile Workers' Silver Anniversary Committee, 121 Union Centre, 31 Pritchard Street which acknowledges Mike Muller as one of their former leaders.

Sept: 11/09/59 SM instructing attorney in the appeal of Madigadi John Seopela & 3 Others in Bloemfontein Court of Appeal (counsel were Eddie Haddad and George Louwen) – the appeal was upheld (they had been sentenced to death in May 1959). This was a Sekhukhuneland case;

1960

Jan. - April

April: 08/04/60 SM, MAM and many others arrested under Emergency powers that came into force after Sharpeville killings

April: 09/04/60 SM, Hilda Bernstein and two others make up a delegation to see Colonel le Roux, the jail superintendent, about their complaints;

April: 11/04/60 Ruth Kaplan visits Shulamith in The Fort;

April: 20/04/60 MAM and SM get a 'visit' with each other at The Fort.

May - August

MAM allegedly (Baruch Hirson, *Revolutions in My Life*, p.300) smuggles a note out of jail (care of Ruth Kaplan) saying that a group of ex-Communists had decided to embark on sabotage after their release.

May: 02/05/60 white women prisoners write a letter, drafted by SM, to Parliament via Helen Suzman saying that they will go on hunger strike from 12 May if they are not immediately released.

May: 03 & 04/05/60 SM gives a 'talk' to other white women prisoners about Zeerust.

May: 05/05/60 SM speaks to other women about Sekhukhuneland and cries when she mentions a woman who's been sentenced to death.

May: 06/05/60 White women (who resist and have to be carried) and men moved from The Fort in JHB to Pretoria: 'Shulamith told them we were not violent people, we would not fight, but we would not go willingly of our own accord'.

May: 13/05/60: The White women begin their hunger strike;

May: 19/05/60 White male prisoners send a cable to Jack Cope MP protesting their continued detention without charge;

May: 26/05/60 SM has first visit from sons Arnold and Karl;

May: 29/05/60 Hilda Bernstein writes to her son Patrick (Arnold's best friend) and mentions that, unlike him, 'Arnold writes long letters to his Mummy'

June: 18/06/60 SM, Myrtle, Hilda and Sheila put on a play 'Inherit the Wind';

June: 29/06/60 MAM released from prison in Pretoria;

July: 06/07/60 SM released from prison in Pretoria;

Sept. - Dec.

Oct.: A 'Supporting Memorandum' on SM alleges that in this month the authorities became aware that she was or would be acting on behalf of '*Bantoes wat te Sharpeville beseer*' [people wounded during the Sharpeville massacre] in a civil action for damages;

Dec.: 28/12/60 MAM confined to magisterial district of JHB for 5 years;

1961

Jan. - April

Feb: 24/02/61 SM served with another 5-year banning order, this after Compol reports on 21/01/61 that 'she is still engaged in undermining activities'. They also accuse her of having 'traveled to other districts and spreading a negative influence' and therefore recommend that she be forced to stay within the magisterial district of Johannesburg;

May - August

May: 18/05/61 SM article (anonymous) in *New Age* 'Arrests and Jailings While Peasants Starve - Land Reform in the Reserves' about Maepa tribe members charged for 'illegal ploughing' in Sekhukhuneland.

May: 21/05/61 *Golden City Post* reports that SM is defending 12 African women arrested for protesting against high rents - they walked from SM's offices 'to surrender themselves' at the JHB Magistrate's Court after losing an appeal.

July: 19/07/61 MAM leaves district of JHB without permission to accompany SM to Vryburg for a case.

Aug.: 28/08/61 it is alleged that a letter from SM is read out at a 'secret' meeting of the 'Ndebele tribe' of Vaaltyn location, Potgietersrus.

Sept. - Dec.

Oct.: 07/10/61 BJ Vorster, Minister of Justice, signs an order requesting that 'a committee (composed of HJ van der Walt, Kolonel GC Nel and Kolonel JA Erasmus) provide him with a report on the activities of the people whose names appear on the attached list'. Names include Farid Adams, Lionel Bernstein, Janap Gool, Moses Kotane, Florence Matomela, Shulamith Muller, Lilian Ngoyi and Walter Sisulu amongst others.;

Oct: 07/10/61 MAM summoned to appear in the Vryburg Magistrate's Court, Griqualand West Division, on 16/11/61 on a charge of 'contravening section 11(i) read with sections 10(1) and 11(i) of Act 44 of 1950' on 19th July 1961;

Nov.: 09/11/61 *New Age* reports that SM was arrested [on 02/11/61] for a '1957 offence - incitement' [to burn passes] which allegedly occurred in Lichtenburg. 'She

appeared with Mr. William Mogotusi and Mr. Richard Moleti ... and was released on R100 bail'.

Nov.: 16/11/61 MAM convicted for leaving JHB on 19/07/61 in contravention of his restriction order & sentenced to 3 months imprisonment suspended for a year;

1962

Jan. - April

March: 16/03/62 the Committee set up in terms of article 17 of Act 44 of 1950 sends an eight-page report on SM to Minister of Justice;

March: 25/03/62 a handwritten note is added to SM DoJ file saying that 'as this woman is an attorney she will definitely request the Minister to soften the restrictions being placed upon her' and goes on to recommend that this is not done;

March: 27/03/62 in a memo headed 'Restriction: Shulamith Muller' it is noted, that, in contrast to other reports that have been sent to the Minister, the one about her does not contain a great deal of information and then goes on to say that of course she has been banned from attending meetings since 1955. The document ends by noting that if she should ask for the reasons for the restriction they may not be made known as it might have a detrimental effect on 'public policy (as was done in the case of attorney Arenstein)';

April: 05/04/62 SM officially confined to magisterial district of JHB for 5 years, the notice being handed to her in the Charge Office at Marshall Square.

April - May:

SM writes a series of letters to Minister of Justice seeking permission to leave Johannesburg in order to attend to various part-heard and pending court cases in Boksburg, Benoni, Lichtenburg, Groblersdal (a culpable homicide case), Morgenzon and Krugersdorp;

April: 12/04/62 'Compol advises' that SM has asked permission to leave Johannesburg to complete various cases - the Minister of Justice approves the application with several conditions (such as reporting her arrival and departure to the police) and a note is added by hand: 'After the 9th May no further concessions will be made to Mrs. Muller'.

April: 23/04/62 SM writes to Secretary for Justice about the continuing cases of B. Ruele and R. Moleti in Lichtenburg and also asks permission to, either, Bechuanaland or Swaziland, to finalise her applications to be admitted as an attorney there;

April: 25/04/62 SM phones - presumably the Dept. of Justice - repeating her request to be allowed to go to Bechuanaland on 26/04/62 to formally apply to be admitted as a lawyer there. The recommendation is that permission be refused - and there's no point anyway since she'll not be allowed to leave the country to go and practice there 'for the next five years (or even longer)'.

May - August

May: 19/05/62 or on 25/05/62 or on 29/05/62 (official sources differ), the Mullers flee to Swaziland, SM, MAM and their younger son by small plane, their elder son by car, driven by Robin Farquharson;

Sept. - Dec.

Nov: 16/11/1962 Pretoria News front page leads with the story that '436 Names Published Under Suppression of Communism Act'.

Nov: 17/11/62 RDM publishes the full 'consolidated list' on which the names of SM and MAM appear.

APPENDIX B

This Appendix constitutes a total of 15 pages (pages 139 to 142, followed by 9 unnumbered pages which constitute pages 143 to 150, followed by pages numbered 151-152) and follows immediately hereafter.

MEMORANDUM.

1 SHULAHMITH MULLER neé MORSHOWITZ ¹⁸ was te Pretoria op 11.12.1922 gebore. Sy is 'n praktiserende prokureur te Union Centre, 119/120 Pritchardstraat 31, Johannesburg, en woon saam met haar man MICHAEL ARNOLDUS MULLER, 'n genoemde kommunist, te Bereaweg 47, Bertrams, Johannesburg. Sy is 'n genoemde kommunist Nr. 208 op lys.

2 Sy praktiseer op haar eie houtjie en doen feitlik geen publieke regswork nie maar hou haar besig met die regswork van ondermynende bewegings wat in dieselfde gebou gehuisves is.

3 Sy is uiters pro-kommunisties, linksgesind en 'n vurige negrofiel wat meesal omgang met genoemde kommuniste, linksgesindes en nie-blankes maak.

4 Gedurende 1949 was sy in diens as prokureur by 'n genoemde kommunist te Pretoria en was laasgenoemde en haar man behulpsaam met die propagering van kommunisme onder die nie-blankes. Sy het destyds artikels in die nuusblaai "Bantu World" en "Advance" geskrywe.

5 Op die aand van 26.8.1949 het sy 'n geselligheid ten huise van 'n verdagte kommunist te Pretoria bygewoon waar verskeie nie-blankes en kommuniste aanwesig was. Die geselligheid was onder die beskerming van die "Civil Rights League" gehou en blankes en nie-blankes het openlik met mekaar gemeng. Dit is ooglopend dat sy die geselskap van nie-blankes verkies.

6 Gedurende 1948 was sy ook aanwesig op 'n vergadering te Marabastad, Pretoria, waar 'n genoemde kommunist 'n vergadering toegesprek het. Sy het nie 'n toespraak gelewer nie maar het haar wel vereenselwig met die toesprake en vryelik gemeng met nie-blankes.

7 Gedurende die einde van 1949 het sy Sekretaresse van die "Distributive Workers Union", Johannesburg, geword, maar het die pos sedertdien bedank.

8 Gedurende 1953 was sy 'n onderwyseres in diens van die Transvaal Onderwysdepartement en het onderwys gegee aan die Athloneskool, Johannesburg. Sy het sedertdien hierdie pos ook bedank.

9 Op 28/9/1954 het sy 'n vergadering van die "Congress of Democrats" bygewoon te Dunbartonhof 33, Johannesburg, en as spreker opgetree. Sy het die aanwesiges ingelig aangaande die regte van die Polisie met hulle optrede aangaande die ondersoek van oortredings van Wet 44 van 1950 en hulle aangeraai om geen vrae te beantwoord alvorens hulle nie eers regsadvies verkry het nie.

10 Dit word gevoel dat sy haar ondermynende bedrywighede onder die dekmantel van haar praktyk voortsit en dat sy niks anders as 'n adviseur vir genoemde kommuniste, linksgesinde persone en bewegings is nie.

P.O. Box } 1895.
Postbus }

Telegraphic Address } "COMPOL."
Telegramadres }



In subsequent correspondence please
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Vermeld in latere korrespondensie
asbl.:
No. S.1/456.

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**SOUTH AFRICAN POLICE
SUID-AFRIKAANSE POLISIE**

**HEADQUARTERS
HOOFKWARTIER
PRETORIA**

**GEHEIM
SECRET**

1 Augustus 1955.

Die Sekretaris van Justisie,
Veritasgebou,
Fonteinlaan,
PRETORIA.

BEPERKINGS : MEV. SHULAMITH MULLER.

Met verwysing na u diensbrief No. 2/50/198 van 12.1.1955, wens ek u mee te deel dat 'n brief van die Beredderaar waarin mev. MULLER meegedeel word dat haar naam op die lys geplaas is, op 28.4.1955 aan haar persoonlik oorhandig is deur 'n lid van die Suid-Afrikaanse Polisie. } }

Mev. MULLER is 'n prokureur van beroep met kantore te Union Centre, Pritchardstraat, Johannesburg. Haar dienste word feitlik uitsluitlik deur linksgesindes en linksgesinde bewegings gebruik en dit is bekend dat sy haar kliënte met raad bedien hoe om die Polisie te dwarsboom indien hulle miskien ondervra sou word.

Dit word aanbeveel dat sy kragtens artikel 5(1)(e) van die Wet op die Onderdrukking van Kommunisme (Wet 44 van 1950), soos gewysig, aangesê word om vir 'n tydperk van vyf jaar geen byeenkoms binne die Unie van Suid-Afrika of die gebied Suidwes-Afrika by te woon nie, en dat die volgende twee organisasies gevoeg word by dié waarvan sy nie 'n ampsdraer, beampte of lid mag word nie, soos aanbeveel in my eendersgenommerde diensbrief van 20.12.1954:-

"South African Indian Youth Congress" en
"South African Congress of Trade Unions" sowel
as enige geaffilieerde vakunie daarvan.

Mev. MULLER woon tans te Bereaweg 47, Bertrams, Johannesburg.

'n Nuwe memorandum, waarin besonderhede van haar jongste bedrywighede verstrekkend word, word hier aangeheg vir u inligting.

Handwritten signature: G. R. ...
KAPTEIN.
KOMMISSARIS VAN DIE
SUID-AFRIKAANSE POLISIE.

M E M O R A N D U M .

SHULAMITH MULLER, 'n blanke dame, is te Pretoria gebore op 11.12.1922. Op 13.12.1943 is sy getroud met Michael Arnoldus MULLER, 'n gelyste Kommunis. Hulle is tans woonagtig te Berea-weg 47, Bertrams, Johannesburg. Mev. MULLER is 'n gelyste Kommunis (No. 208). Sy is 'n prokureur van beroep met kantore te Union Centre, Pritchardstraat, Johannesburg. Haar dienste word feitlik uitsluitlik deur linksgesinde organisasies gebruik en sy voorsien hulle ook van regsadvies.

Op 1.5.1948 was sy teenwoordig by 'n vergadering van nie-blankes in Marabastad, Pretoria, wat deur haar eggenoot toegesprek is. Sy het geen toespraak gelewer nie, maar het vryelik met nie-blankes gemeng en geselsies aangeknoop.

Gedurende 1949 was sy as prokureur in diens van H.A. Jensen, 'n prokureur en gelyste Kommunis van Pretoria.

Op 26.8.1949 het sy 'n vergadering van die Civil Rights League aan die huis van Elias GORDIN, 'n gelyste Kommunis van Pretoria, bygewoon. Gedurende dieselfde jaar het sy artikels vir die nuusblad "Bantu World" en "Advance" geskryf. Hierdie nuusblaai is destyds net onder linksgesindes en nie-blankes versprei. "Advance" is kragtens die Wet op die Onderdrukking van Kommunisme in die ban gedoen.

Gedurende Januarie 1950 het sy en haar eggenoot na Johannesburg verhuis.

Gedurende 1950 en 1951 was sy sekretaresse van die "National Union of Distributive Workers" in Johannesburg.

Vanaf 3.2.1953 tot 14.4.1953 het sy onderwys gegee aan die Athlone Seuns Hoërskool, Johannesburg. Sy het uit eie beweging bedank.

Op 28.9.1954 het sy 'n vergadering van die "Congress of Democrats", Hillbrow-tak, in Woonstel 33, Dunbarton-gebou, toegesprek en die aanwesiges meegedeel dat sy 'n lesing gaan hou oor hoe lede van die C.O.D. hulle moet gedra wanneer hulle deur lede van die Veiligheidspersoneel van die Polisie ondervra word. Sy het onder meer gesê dat die Polisie enige persoon

wat..... 2/

wat 'n oortreding gepleeg het of wat verdink word van 'n oortreding, in hegtenis kan neem; dat die Polisie onder Wet 44 van 1950 wye magte het en 'n persoon enige vraag kan vra. As 'n persoon in terme van hierdie Wet ondervra word, moet hy sover moontlik probeer swyg of leuens vertel. Alvorens hulle enigiets antwoord moet hulle daarop aandrang om eers die punt met hulle regsadviseur te bespreek. Verder, dat 'n Polisieman enigeen in hegtenis kan neem en aanhou vir twaalf ure om sy regte naam en adres vas te stel. Sy het verder beweer dat die Polisie teenstrydig met die Wet gehandel het om persone se name en adresse te neem tydens die vergadering in die Ambagsaal op 26.7.1954, en dat H. BARSEL 'n siviele geding teen die Polisie moet instel omdat hy nie teenwoordig was toe die kantore van die "S.A. Society for Peace and Friendship with the U.S.S.R." deursoek is nie.

Op 17.6.1955 was sy teenwoordig tydens 'n vergadering van die Kommunistiese "Johannesburg Discussion Club" te Derbyweg 198, Kensington, Johannesburg. Sy het die onderwerp "Your Rights under the Law" bespreek en het die aanwesiges ingelig hoe hulle op Polisie vrae moet antwoord, om te weier om te antwoord en om te lieg as die Polisie hulle vrae stel.

Op 26.6.1955 het sy die konferensie van die "Congress of the People" wat te Kliptown gehou is, bygewoon.

Sy tree namens die National Action Council van die Congress of the People as hulle wetsadviseur op.

Op 15.7.1955 het sy haar opwagting met sekere stakers by hulle fabriek gemaak en hulle lone geëis.

Sy sal blykbaar nooit Kommunisme vaarwel toeroep nie.

1.8.1955.

OPDRAG VAN MINISTER.

1. Om vas te stel of Shulamith Muller 'n persoon is wat die verwesenliking van enige van die oogmerke van kommunisme, (soos omskryf in paragraaf (ix) van sub-artikel (1) van artikel 1 van Wet 44 van 1950) of enige doen of late wat bereken is om die verwesenliking van so 'n oogmerk te bevorder in een of ander gebied of gebiede bepleit, aanraai, verdedig of aanmoedig of waarskynlik die verwesenliking van so 'n oogmerk of so 'n doen of late in een of ander gebied of gebiede sal bepleit, aanraai, verdedig of aanmoedig.

PERSOONLIKE AANGELEENTHEDE.

2.1 Shulamith Muller is 'n blankevrou van Joodse afkoms op 11 Desember 1922 in Pretoria gebore. Haar geboortevan is Morshowitz.

2.2 Sy is prokureur van beroep met kantore te: Union Centre 119/120, Pritchardstraat 31, Johannesburg.

2.3 Sy is getroud met M.A. Muller, voorheen sekretaris van die distrikskomitee van die Kommunistiese Party te Pretoria. M.A. Muller is 'n persoon wat deur die beredderaar ingevolge artikel 4(10) Wet 44 van 1950, as 'n ampsdraer, beampte, lid of aktiewe ondersteuner van die onwettigverklaarde Kommunistiese Party van Suid-Afrika gelys is. (Verder in hierdie verslag sal na sulke persone as gelyste kommuniste verwys word).

2.4 Shulamith Muller woon te Bezuidenhoutstraat 161, Bezuidenhoutvallei, Johannesburg.

ASSOSIASIES.

3.1 Gedurende 1946 is sy waarnemende sekretaresse en gedurende 1948 sekretaresse van die Kommuniste Party vir

die distrik van Pretoria.

3.2 Gedurende 1951 is sy sekretaresse van die National Union of Distributive Workers.

3.3(a) Op 13 Oktober 1958 woon sy 'n geselligheid aan die woning van gelyste kommuniste Joe en Ruth Slovo in Johannesburg by. Omtrent 150 blankes, Naturelle en Indiërs is teenwoordig.

(b) Onder die persone wat teenwoordig is, is die volgende gelyste kommuniste: F. Carneson, J. Hodgson, I. Heymann, S. Bunting, S. Kruger, L. Bernstein, A. Fischer, J. Slovo, R. Slovo, A. Heymann, I. Horvitz, B. du Toit, R. Hodgson, M. Harmel, Y. Barenblatt, A. La Guma en A.M. Kathrada.

ALGEMENE OPTREDE.

4.1 Gedurende Februarie 1948 onderteken sy as distriksekretaresse van die Kommuniste Party in Pretoria 'n nuusbrief aan lede van die party, met onder meer, die volgende inhoud: "Everybody join the Communist Party because they wanted a better life for themselves, for their children and for their people. You joined because you saw that the Communist Party tries all the time to win better conditions and because Communist Party Members spoke to you about building a country where the employer cannot exploit the workers; where the people of one race cannot oppress those of different races; where the workers who create the wealth of the country are the rulers of their country..... Only 26 comrades attended the last general meeting. 5 Meetings in one week did not take place, because except for the district secretary, comrades did not turn up..... You have got to make a revolution in the system of this country. If you cannot attend a meeting once a week, how can you run a revolution?..... In many lands the Communist Party is the strongest, in many, it controls the Government. If you will do your share, we

can make a beginning this year towards the strong communist party which South Africa must have."

4.2 Op 27 Oktober 1955 neem sy deel aan n protesoptog van omtrent 750 Bantoevroue na die Uniegebou in Pretoria om te protesteer teen die sogenoemde diskriminerende wette.

4.3(a) Op 15 Januarie 1958 bring sy in geselskap van haar eggenoot M. Muller en A. Selby besoek aan die afgesette Bantoe kaptein Abram Moiloa te Linokana in die distrik van Zeerust.

(b) Beide M. Muller en A. Selby is gelyste kommuniste.

4.4 Gedurende Januarie 1958 betaal sy R10 skuld-erkenntenis omdat sy 'n Bantoeservaat naby Zeerust sonder toestemming binnegegaan het.

4.5 Op 10 Februarie 1958 tydens 'n werkstaking van omtrent 3000 Naturelle by die Amata Tekstielfabriek in Benoni, maak sy en 'n blankeman hul opwagting by die fabriek, dog toegang tot die perseel word hulle geweier.

4.6 Op 27 Mei 1958 bring sy besoek aan Sekhukhuni-land maar die rede vir haar besoek is nie bekend nie.

4.7 In die April-Junie 1954 uitgawe van die nuusblad Africa South, skryf sy onder die opskrif: "Juvenile Delinquency", dat jeugmisdaad onder die nie-blankes toegeskryf moet word aan armoede en politieke verdrukking as gevolg van die kleurskeidslyn. Sy skryf dat naturel wat steel, dit doen om die lewe minder ondraaglik te maak en hulle is nie misdadigers in die ware sin nie. Sy skryf verder: "Whilst the colour bar remains in our society, our children European and non-European alike, are deprived of these qualities of decent living. Surely so long as the colour bar remains, so will juvenile

delinquency remain and flourish in the soil that it provides."

4.8 Op 17 Julie 1958 word uit geheime bron berig dat sy en gelyste kommunist R. ~~First~~^{Slom} kort tevore besoek gebring het aan Betsjoeanaland. Die doel van die besoek is onbekend.

4.9 Gedurende 1958 tree sy vir die verdediging van 156 naturelle, wat aangehou is in verband met die onluste in Sekhukhuniland, op.

4.10 Op 28 Augustus 1961 op 'n geheime vergadering van die Ndebelestem in die Vaaltynlokasie, distrik Potgietersrus, ^{gehou} vir die insameling van fondse om 'n regsadviseur aan te stel met die doel om die planne van die Departement Bantoeadministrasie en -ontwikkeling te beveg, lees iemand 'n brief van Muller voor waarin sy opdrag gee dat alle ingesamelde gelde aan haar oorbetaal moet word sodat sy die nodige stappe teen die Departement kan begin.

VERGADERINGS EN TOESPRAKE.

5.1 Sedert 1945 sover bekend woon sy tenminste 10 vergaderings by waarvan sy 3 toespreek.

5.2 Sy woon vergaderings op die volgende plekke by: Johannesburg, Pretoria en in Basoetoland.

5.3 Sy ondersteun die volgende organisasies deur hul vergaderings by te woon:

"Kommunistiese Party van Suid-Afrika,
Congress of Democrats;
Citizens' Joint Action Committee;
Civil Rights League;
Johannesburg Discussion Club;
African National Congress" en
"Congress of the People".

5.4 Gedurende 1945/46 woon sy 5 vergaderings van die distrikskomitee van die Kommuniste Party in Pretoria by en word sy benoem as waarnemende sekretaresse van die komitee.

5.5(a) Op 7 April 1954 woon sy 'n vergadering onder beskerming van die Citizens' Joint Action Committee, in verband met die verwydering van swart kolle, waar omtrent 300 blankes teenwoordig is, by.

(b) Die volgende gelyste kommuniste is ook by die vergadering aanwesig: P. Kelly, L.C. Joffe, G. Routh, R. Harmel, M. Harmel, P. Hodgson, R. Hodgson, P. Huyser, A. Fischer, B. Gordon, B. du Toit, D. du Plessis, L. Green, R. Bunting, E. Brown, K. Kalk, B. Kaplan, E. Weinberg, M. Muller, W. Kramer, C. Williams, en R. Cousins.

(c) Die volgende resolusie word eenparig aangeneem:

"The Minister of Native Affairs, must be called upon to withdraw the Native Resettlement Bill. The City Council of Johannesburg must refrain from allowing any further money of its citizens to be spent on the removal scheme. To call upon the Minister of Native Affairs to refrain from interfering with the rights of the citizens of Johannesburg. No member of the City Council is to serve on the committee appointed by the Minister. To oppose the Native Resettlement Bill in Parliament at every stage."

5.6 Op 28 September 1954 spreek sy 'n vergadering onder beskerming van die Congress of Democrats in Johannesburg toe, met die doel om aan lede van die organisasie te verduidelik watter reg van optrede die Polisie volgens wet het en hoe lede by ondervraging deur die Veiligheidspersoneel moet optree. Sy sê dat as 'n persoon ingevolge hierdie wet ondervra word, hy sover moontlik moet swyg of leuens vertel.

Dat, alvorens so 'n persoon enige vrae beantwoord, hy daarop moet aandring om sy regsadviseur te spreek.

5.7 Op 26 Junie 1955 woon sy die konferensie onder beskerming van die Congress of the People te Kliptown, Johannesburg, waar die Freedom Charter aangeneem word, by.

5.8(a) Gedurende die eerste 3 maande van 1959 is sy, haar man M. Muller en A. Selby bedrywig in Basoetoland met die toespraak van vergaderings van die African National Congress.

(b) Beide haar man M. Muller en A. Selby is gelyste kommuniste.

OOGMERKE VAN KOMMUNISME.

6.1 Ten einde vas te stel of Muller die verwesenliking van enige van die oogmerke van kommunisme of enig doen of late wat bereken is om die verwesenliking van so 'n oogmerk te bevorder, in een of ander gebied bepleit, aanraai, verdedig of aanmoedig, is dit nodig om na te gaan op watter terreine sekere van hierdie oogmerke toegespits is, asook wat hulle ten doel het en dan hierdie persoon se doen of late daaraan te toets.

6.2 Paragrafe (a) tot (d) van die woordbepaling van kommunisme in artikel 1(1)(ix) Wet 44 van 1950 omskryf sekere spesifieke oogmerke.

6.3 Volgens die hoofparagraaf van dieselfde woordbepaling beteken kommunisme die leer van Marxistiese sosialisme soos deur sekere persone of liggame vertolk.

6.4 'n Uiteensetting van die oogmerke van Marxistiese sosialisme deur die voorsitter van die komitee opgestel ten opsigte van aangeleenthede soos:-

(a) Agitasie en Propaganda en

(b) Kommunistiese Party van Suid-Afrika,

is in die lêer (vlag oogmerke). Hierdie oogmerke word

geopenbaar in toesprake en werke van Karl Marx, Lenin en ander kommunisteleiers, sowel as in besluite en bekendmakings van liggame soos Komintern en Kominform.

BEVINDING.

7.1 Die geval van Shulamith Muller moet beoordeel word teen die agtergrond van haar algemene optrede, haar medewerking met verskillende organisasies, die vergaderings wat sy bygewoon en toegespreek het en die persone met wie sy omgegaan het.

7.2 Na sorgvuldige oorweging bevind die komitee:

- (a) dat Muller aktief deelgeneem het aan agitatie.
(Stawende feite in paragrawe: 4.1, 4.2, 4.7, 4.10, 5.5(c) en 5.6);
- (b) dat sy omgegaan en saamgewerk het met persone wat deur die beredderaar ingevolge artikel 4(10) Wet 44 van 1950 as ampsdraers, beamptes, lede of aktiewe ondersteuners van die Kommunistiese Party van Suid-Afrika gelys is. (Stawende feite in paragrawe 3.3(a) en (b), 4.3(a) en (b), 4.8, en 5.5(a) en (b).) en
- (c) dat sy ampsdraer van die Pretoria-tak van die Kommunistiese Party van Suid-Afrika was. (Gegewens in paragrawe 3.1 en 4.1).

7.3 As hierdie bevindings getoets word aan die uiteensetting van die oogmerke van kommunisme, veral Marxistiese sosialisme, dan is dit duidelik dat dit daar by inpas en aansluit, dat dit dieselfde patroon navolg en dat die uiteindelijke oogmerke dieselfde is, naamlik, om politieke en staatsmag te verower.

7.4 Die komitee bevind dus dat Muller waarskynlik die verwesenliking van sekere van die oogmerke van kommunisme of sekere doen of late wat bereken is om die verwesenliking van so 'n oogmerk te bevorder, in een of ander gebied sal bepleit, aanraai, verdedig of aanmoedig (Sien opdrag in paragraaf 1 hierbo).

GEBIED VAN OPTREDE.

8. Soos blyk uit haar algemene optrede en paragraaf 5.2 het Muller baie gereis en op verskillende plekke opgetree.

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J. van der Merwe
VOORSITTER.

J. van der Merwe
LID.

U. de Klerk
LID.

PRETORIA.

16. 3. 1962

M E M O R A N D U M

SURNAME : MULLER (née MORSHOWITZ)
CHRISTIAN NAMES : SHULAMITH
ADDRESS : 1800, GOLDBURST TERRACE, LONDON N.W.6.
DATE AND PLACE OF BIRTH : 11.12.1922, Pretoria.
NATIONALITY : SOUTH AFRICAN BUT NOW HOLDER OF A
BRITISH PASSPORT.
RACE AND SEX : WHITE, FEMALE.
PASSPORT : BRITISH NUMBER 2438 ISSUED ON
29.4.1966 AT NBABANE, SWAZILAND.

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1.

Subject is a communist whose name appears opposite number 208 of the Liquidator's List. She is married to listed communist Michael Arnoldus Muller - number 19 on the list.

2.

She is a former South African attorney at law and a former secretary of the district committee of the Pretoria branch of the South African Communist Party and an active supporter and member of the Communist Party of South Africa, Congress of Democrats, Civil Rights League, Johannesburg Discussion Club and Congress of the People.

3.

During the years 1942 until 1962 she specialised in defending Bantu supporters of leftist organisations who had taken part in boycotts, strikes and protest marches.

4.

She played a major and active part in organising the:

Evaton Bus boycotts in 1955 and 1958.
Sekhukhuneland unrest in 1957.
Zeerust riots in 1958.

5.

On 27.10.1955 she took part in the procession of women marchers of all races to the Union Buildings in Pretoria to protest against the issue of identity cards to Bantu women.

6.

During these years she was regularly seen in the company of well-known South African communists visiting Bantu reserves and locations.

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7.

During the period 16.9.1951 until 25.1.1953 she temporarily settled in the United Kingdom where she took an active part in Communist activities by addressing and attending Communist party meetings.

8.

On 27.9.1951 she was listed as a member of the South African Communist Party.

9.

On 8.4.1960 she was arrested and detained under the Emergency Regulations until 6.7.1960.

10.

On 14.5.1961 she was restricted to the Johannesburg magisterial district for a period of 5 years.

11.

On 19.5.1962 she and her husband fled to Swaziland where they took up permanent residence.

12.

In Swaziland she continued her anti-South African activities by associating with South African refugees, attending Communist discussion clubs and meetings and advising Pan Africanist political parties in Swaziland.

13.

From September 1965 Communist literature from Red China is regularly posted to her.

14.

From 1965 until 1967 she served on the Committee of "Ephesus House", a hostel in Swaziland financed by the Swedish International Development Authority (S.I.D.A.) and other Scandinavian countries where South African Bantu students (styled educational refugees) are housed and educated until they are sent to universities abroad. In 1967 she was dismissed from the committee as a result of her being a Communist and endeavouring to take control of the committee.

15.

On 29.4.1966 she became the holder of a British passport, number 2438 issued at Mbabane.

16.

On 10.8.1967 she and her husband left Swaziland via Mocambique to take up residence in England.

APPENDIX C

LIST OF WOMEN ADMITTED AS ATTORNEYS IN THE TRANSVAAL BETWEEN 1946 AND 1956.

This list was compiled from information obtained by the author at the offices of the Law Society of the Northern Provinces (LSNP), Paul Kruger Street, Pretoria, on 26 January 2012. The names are listed alphabetically as that is how they are to be found in the Register – or ‘old book’ as the LSNP staff seem to call it – which dates from 1881 to 1991.

The list shows just how few women attorneys there were in South Africa at the time: only 23 were admitted in the Transvaal in the eleven years from 1946 to 1956.

Sheila Beatrice COUSINS: 27 March 1951
Helene CONRADIE: 1 March 1955
Bryna DAVIS (born Schech): 22 April 1948
Lala DE VILLIERS: 17 July 1951
Susanna Margaretha DE VRIES: 8 December 1956
Catherine Harriet DOUGALL: 19 February 1952
Cara Anne DU PLESSIS (now Mrs. Maree): 5 April 1956
Pauline FRIEDMAN: 11 February 1954
Sylvia GEORGE: (born Oversby): 4 May 1948
Naomi JUDAKEN (name changed to HEYMAN): 25 June 1953
Beila KAHN (now Mrs. B. Gans): 5 August 1954
Miss T. KOLLER: 3 February 1956
Lyrice Beryl KOSSUTH (Mrs.): 19 March 1953
Lorna LIEBERMAN (now Sneeck): 19 June 1952
Miriam LIKNAITZKY: 2 August 1951
Erna MARAIS: 27 March 1951
Gwendoline MARCUS (Mrs.): 12 May 1949
Mary Elizabeth McCARTHY (Mrs. Frazer): 19 April 1949
Christina Pretorius MEYER: 25 October 1955
Shulamith MULLER (Mrs.): 5 February 1948
Bertha Augusta SMITH: 1 June 1955
Marion Joy TAYLOR: 9 July 1953
Esme Bethune WHITEHEAD: 18 March 1948

"We have not had any interference from the Eastern countries—only encouragement"

AFRICA AND THE COLD WAR

by Mr. Wiseman Dungleo
N1916 Nyanga, Cape Town

IT will not only reduce the chances of a shooting war but will be of definite advantage to Africa if she refused to be dragged into the West-East cold war.

Two countries, which raised doubts as to anything to which some of the Southern States of that country.

Lumumba and Dag

Last year when the Congo became independent, the late Mr. Lumumba

American mercenaries who used to prosper and sell Cuban sugar... The struggle to complete the liberation of this continent is by day coming close to our own doors and our people will have to be prepared to give all forms of sacrifice to make the final deciding blow possible.



Several hundred people turned up at a meeting in Matibey recently only to find that the police had banned it. Here Mr. J. Kama, of the U.S. Congress of Trade Unions, is handed the order by the police and told to disperse the crowd.

ARRESTS AND JAILINGS WHILE PEASANTS STARVE

"Land Reform" in the Reserves
Fifty African peasants from the farm Deeghoek in Sekhohobeni are today sitting in jail on charges of illegal ploughing of their land. Twenty-nine are women, seven of whom have their babies with them. One case has been tried and the accused convicted and fined £20—which he cannot pay.

THE Mafra tribe has accepted the farm Deeghoek in Sekhohobeni as its home for as long as twenty years. Nearly all the present occupants were born there, and many of their parents.

When they came out of jail and went back to their old allotments although some of these did not plough at all in 1959.

Police Interference At Trade Union Meeting

PORT ELIZABETH. Vuyile Misi and Alvin Bantu were arrested on a charge of treason last week. They had been invited by the Bay Postage Workers to come and clarify some points about the formation and running of a trade union.

Arbitrary Arrests Continue in the Transkei

PORT ELIZABETH. The police are still continuing the arbitrary arrests in the Transkei, where a State of Emergency has prevailed since November 30 last year. An extra detention unit, released, now sits in the jail, in most cases nobody knows where the detainees are taken to.

Protest, Arrests

At the time the charges were made the people protested but without success. For three years they ploughed the new allotments very much under protest but feeling that they had no option, but that protest practically stopped for the people and finally in 1959 they returned to their old allotments.

Slave Market

The number of European unemployed is also such that it was at this time in the past that the Government had to resort to the use of slave labor in the mines and in the plantations.

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The women in the picture had been forced to provide the land for the Mafra tribe, who have been living in the area for many years.



Mr. J. Kama, of the U.S. Congress of Trade Unions, is handed the order by the police and told to disperse the crowd.

THOUSANDS WOR

PORT ELIZABETH. The number of European unemployed is also such that it was at this time in the past that the Government had to resort to the use of slave labor in the mines and in the plantations.



AFRICAN FORUM— Our readers write

to be those but colonization and oppression. Some countries in the continent have already fought and won their independence, others are about to be free while others are in the state of their struggle for freedom. It is good to note that not in one single case did the Colonizers give freedom as a reward, they were and are being forced to give because of the great irreparable damage by the people to them themselves.

It is also true that in our struggle for independence we have not had any interference from the Eastern countries—only encouragement, which, in any case, we welcome.

Soviet Aid

Now that it has become clear beyond any doubt that Africa is free and wants to be free and independent on her own terms, everyone wants to be her friend. The view of the cold war between the Soviet Union and the United States of America, we have no doubt, remains whatever friendship is offered. Without making promises to believe in or accept any form of government or attitude, we know that the Soviet Union has strongly democratic coloring and it is proposed to give aid to Africa purely on economic considerations.

Pressure on U.S.

The U.S.A. and her Western Allies unfortunately have found it difficult to discontinue colonialism and the type of aid they offer is complicated that at the end of it all one feels nothing to be happy about it.

Judge by Cuba

At the time of writing the people of Cuba are being treated by land and bombed from the air by the so-called rebels who have planned and executed their attack from a base somewhere in the U.S.A. Innocent Cuban men, women and children must now suffer because they say the sugar they produce in their country is stolen and therefore must be used for their own benefit. We know that certain

BASOTHO WOMEN FINED

MASERU. Following the recent strike, six women members of the Maseru Club and five men were fined from their employment.

The 110 women were later charged with smearing one of the new buses owned by the Club, Mrs. Francis Mushi, the Club secretary, giving evidence for the Crown, and he followed the women into the courtroom. He did not witness any smearing, but the women denied it. Mrs. Mushi was fined £5 and the men were fined £2 each.

Kimberley Plans for End of May

The people of the Northern Cape were preparing for a mass anti-racist conference to rally support for the resolution of the Matibey conference which called for demonstrations at the end of this month. The conference will be held at St. Matthews Hall, Matibey Road, Kimberley on May 11 and 12. Calling upon all churches, sports, workers and business organizations to send delegates to this conference, the organizers declared that the anti-racist forces are gathering themselves to meet the challenge of the day.

Pressure on U.S.

The U.S.A. and her Western Allies unfortunately have found it difficult to discontinue colonialism and the type of aid they offer is complicated that at the end of it all one feels nothing to be happy about it.

Former Slaves of the Batawana

On March 27, 1961, the Report presented to the purpose of clearing the legal ground, but the Report refused the summons, saying they had their own legal to clear.

BAYEI TRIBESMEN DEMAND SELF-RULE

From Our Correspondent. The Bayei tribesmen of the Batawana, who were captured by the Batawana in the early 1900s, are now demanding self-rule. They have their own legal system and are now demanding self-rule.

NASSER REPLIES TO CECIL WILLIAMS

ROHANNENBURG. President Nasser of the United Arab Republic has written from Cairo to answer producer Cecil Williams' report on the detention and torture of political prisoners in Egypt. President Nasser calls the reports of the detention of political prisoners "untrue" and "disparaging".

Protest, Arrests

At the time the charges were made the people protested but without success. For three years they ploughed the new allotments very much under protest but feeling that they had no option, but that protest practically stopped for the people and finally in 1959 they returned to their old allotments.

Slave Market

The number of European unemployed is also such that it was at this time in the past that the Government had to resort to the use of slave labor in the mines and in the plantations.

APPENDIX D