

SACHS, ALBERT LOUIS  
ANC NEC

Prof. Albie Sachs was born in Johannesburg on January 30th, 1935, where his father, Solly, was the founder and first general secretary of the Garment Workers Union, at that time the only fully non-racial union. His mother was also an activist and trade unionist, notably as organiser of mineworkers and a secretary to Moses Kotane, General Secretary of the South African Communist Party. When Albie Sachs was eighteen months old, the family moved to Cape Town, where his father founded a new branch of the union. Since then he considers himself a "Cape Town Chauvenist Pig".

He grew up in a highly politicised house - on a card for his 6th birthday his father wrote "May you grow up to be a soldier in the fight for liberation" - where arrests and visits by other activists were part of his formative years. Although his parents were expelled from the Communist Party during the 1931 purges, his father was listed as a communist after the introduction of the Suppression of Communism Act in 1952 and forced to resign from his work as secretary of the Garment Workers Union. A banning order prevented him from attending public meetings. Unable to continue with his work or as an activist, Solly Sachs left for England where he became active in the Labour Party.

As a child Albie Sachs enjoyed the excitement engendered by his parents' work and the interesting people who frequented their home - Cissie Gool, daughter of Dr. Abdurahman and a noted Communist activist was a regular babysitter. A strong conscience and a belief in morality was a legacy of his upbringing, but he did not become politicised until after he matriculated from SACS (South African College Schools) in Cape Town in 1950. Instead of simply embracing his parents' ideologies, he preferred to form his own political allegiances.

This happened during his years as a law student at the University of Cape Town when he was part of a young crowd who adopted attitudes and a lifestyle far removed from the Saturday night dating with boxes of chocolates of other seventeen year olds. As a member of the Modern Youth Society, the only non-racial political organisation of the time, he had close contact with the ANC, which was an organisation only for blacks at the time. Sachs joined in the Defiance Campaign in 1952 and became a leader amongst the white student activists. He was arrested for the first time for occupying seats in the post office reserved for "non-whites".

After obtaining his B.A. degree, he went to England for a year in 1954, broadening his education by reading and also visiting China.

When he returned to Cape Town to complete his law degree, he attended the Congress of the People in 1955. He also made history by becoming the first full time student to be served with a banning order. Raids became part of his life, but the banning order did not prevent him from completing his studies and attending underground political meetings - but freed him from the boring obligation of attending legitimate political gatherings.

He started practicing as an advocate in 1957, and soon gained respect for his defence of civil rights cases and ability to cross examine. One of the celebrated cases he defended as junior council was one in which Stephanie Kemp - the daughter of an Afrikaans school principal - was charged under the Suppression of Communism Act. They fell in love, despite the fact that they were never allowed to touch each other. When she was released from jail in 1966, he was in detention, but they eventually married in England and had two sons.

In October 1963 Sachs was detained without trial for 168 days. After serving three months in solitary confinement under the 90-day detention law, he was released, but re-detained before he could leave the police station. This harrowing experience he recounted in "The Jail Diary of Albie Sachs", (published 1966) which David Edgar adapted for the stage. The Royal Shakespeare Company performed the play, which was also performed by the BBC as a television and radio drama. In many parts of the world Sachs is primarily known as the author of "The Jail Diary".

Two years later, in the beginning of 1966, Sachs was again detained and questioned by the security police under the 90 day law. After his release he was served with a more severe banning order, which prevented him from continuing with his law practice or taking part in any political activities. After the banning of the ANC in the early 60's and the Treason Trials, there were hardly any activists left. Like his father, he was unable to work or express his beliefs openly, and subsequently left for England.

Stephanie Kemp did the same and they got married. Sachs worked on his PH.D. on the Role of the courts in South Africa from 1652 to 1970 (it was banned under four different laws in South Africa) and wrote "Justice in South Africa". "Stephanie on Trial", an account of his wife's detention and torture, which he wrote while in solitary confinement, was also published during this time.

After obtaining his Ph.D., Sachs taught law at the University of Southampton, while Stephanie resumed her work as physiotherapist and Anti-Apartheid Activist. During this time he also wrote "Sexism and the Law", a study of cases over a period of 60 years where English judges held the view that women were not "persons". His research led him to the offices of the early Suffragette Movement and the biographies of these remarkable women. Having grown up amongst strong, affirmative women who played an active role alongside men, the concept of women as second class citizens was foreign and totally unacceptable to Sachs. He is still a strong supporter of women's rights.

After Mozambique became independent, he visited the country and loved it so much that he asked if he could teach there. From 1977 to 1983 he taught law at the new Law Faculty of the university in Maputo. During this time he co-authored "Liberating the Law" with Gita Honwana Welch.

When the Law faculty was closed in 1983, Sachs joined the Ministry of Justice as Director of Research. His research were wide ranging - on

family law, maritime law, copyright law, the rights of women, etc.

He was also part of the Constitutional Committee formed by Oliver Tambo during 1986-87 to start working on the foundation for a new constitution for South Africa. Sachs helped to establish the Legal Department of the ANC, and was part of the team who drew up a Code of Conduct for the organisation. Apart from constitutional principles, he also advised on human rights aspects for the ANC.

He was also involved in the publication of two books on culture - one on murals, and the other, "Song for Samora", on a children's dance school.

On April 7, 1988, as he was about to go for a run on the beach, Sachs was car-bombed. He lost his left arm, his heel was shattered, his body and face severely lacerated and his greying hair turned black with shock. He described this trauma in "The Soft Vengeance of a Freedom Fighter" - a triumphant celebration of his fight for life and recovery. After being treated in Maputo, he was transferred to London for further treatment and therapy.

His younger brother, John, also an ANC supporter, worked in the Immunology Department of the London hospital and supported him through his recovery period. John Sachs is still in London and part of the ANC Health Group.

After his discharge from hospital, Sachs had nothing - except his underpants and bandages he arrived with in London - and had to start re-planning his life. He visited Maputo to complete his run on the beach - an important therapeutic part of his recovery - but because his safety could not be guaranteed, he felt it was advisable not to settle in Maputo again. During his visit, attempts was made for him to meet the man who was arrested for planting the car bomb, but it did not materialise.

After his return to South Africa, there was another attempt to arrange a meeting between him and the South African agent who planned the bombing, but he felt it would be too strained. He says that he can understand that somebody can kill in a rage, but he found the cold, impersonal planing of the assasination of somebody you have never met, very chilling. With time and as his life took on new direction, the curiosity lessened.

In 1989 he accepted an invitation from Columbia University in New York to teach at the Law Faculty and International Affairs. During this time he wrote "Soft Vengeance".

At the beginning of 1990 he was part of an ANC group who met South African lawyers in Harare. This meeting, organised by IDASA, filled him with optimism and hope, especially when hearing Afrikaans spoken by people who shared his beliefs in freedom and human rights. He subsequently met with a group of South African writers at Victoria Falls, which he also describes as a very special and emotional experience.

In October 1990 he became director of the South Africa Constitution Studies Centre at the Institute of Commonwealth Studies in London, a position he still holds. This gave him the opportunity to do a lot of writing on a wide range of topics - law, gender, culture. The latter subject is important to him, because he is concerned that with too much theory and too little cultural influence, an empty, sterile society will be created.

According to Sachs, he became convinced at 23 that he will return to witness a new constitution and democratic government in South Africa - and has never wavered from this conviction. He is therefore totally convinced and optimistic that a society in which people will feel free and where the needs of all South Africans will be met, will be realised in the near future.

He is proud of the ANC and the kind of people who run the organisation. During the struggle years he saw qualities of tremendous moral courage in his comrades. He is confident about the future, because he believes the ANC has a very stable core with appropriate values and a willingness to work with others. The present mass action, he says, is a form of referendum for the ANC to show their support - an opportunity which was denied them when Pres. De Klerk got his mandate in March, which resulted in the Nationalists taking a much more hard-line attitude in negotiations.

Since his return to the country at the end of 1990, Sachs has written "Protecting Human Rights in the New South Africa" and the recently published "Advancing Human Rights", which deals with affirmative action. He is also a member of the ANC National Executive.

Prof. Albie Sachs is divorced and the father of two sons, aged 21 and 22. His ex-wife works for the ANC in Johannesburg. He lives in Cape Town.

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Sources: Sachs, Albie: The Soft Vengeance of a Freedom Fighter, Grafton Books, 1990.

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Interview in Cape Town, 4/9/92.