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# **Tribute to Kader Hassim**

**APDUSA VIEWS**

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## **Tribute to Kader**

(as delivered by Nina Hassim on 19 May 2012)

Once again it is my sad duty to pay tribute to a comrade. Those of you who were here at Lyov's memorial gathering when I paid tribute to Lyov may recall my saying that those of us who are rationalists and atheists believe that reason and logic should guide our commitments and actions. For us death is final and there are no opportunities to make amends. What we can do is record that persons' life and deeds especially when that person led a life of unwavering principle, loyalty, courage and decency as Kader did.

Kader was a comrade, friend, and husband for over 50 years. He lived and died a committed revolutionary and a fighter for liberation from oppression and exploitation. He believed in freedom and justice. He gave a large part of his life, over 60 years, to the Unity Movement as a member of the Society of Young Africa (SOYA) and The African People's Democratic Union of Southern Africa (APDUSA.) Kader always recorded the lives and the contributions of comrades who died and so we do today. Because the contribution of organisations involved in the liberation struggle, other than the ANC, are being erased by the re-writing of history in SA, it is important to remember the contribution and role of the organisations to which he was committed.

### **Early years**

Kader was born in Dundee to Fathima and Essack or Ishaq. Their children Suleman, Omar, Karim and Miriam were born in India. Hoosen, Kader, Ahmed (Amdi) and Essop, fondly called by their father the little ones, were born in SA. Kader had two names and two birthdays and some people still call him AK or Abdool Kader. When he was admitted as an attorney he was told to choose and he took the name and birthday from the Identity document as this was the simplest option.

Their father managed to send Omar to India to study medicine, and Karrim to Wits. Kader believed this was quite a feat as the family was not well-off. Kader led the younger group and influenced them and he in turn was greatly influenced by Karrim who was a role model for the younger brothers.

Karrim was politicized at a young age and joined the Progressive Forum when he went to Wits, and was an active member of the Unity Movement group at Fort Hare when he studied there.

The Progressive Forum (PF) was an important part of the Unity Movement in Johannesburg and many of its members went on to be active and important members of the structures of the movement. They included amongst others, Karrim, Dr. Limbada, Zulei Christopher and Enver Hassim.

Through Karrim and Limbs (as Dr Limbada was known) Dundee became a part of Unity Movement history. Mass meetings were held and Unity movement speakers came to Dundee. Karrim addressed one such mass meeting when he was 18 years old.

After his father died Kader lived with his mother and Suleman and his wife. Kader, as a result of discord or his own rebellious nature wanted to leave Dundee when he was in Standard 9, and turned to Karrim who was teaching in Umzinto. Kader and Hoosen went to live with Karrim who was boarding in Umzinto. It must have been hard for Karrim on a then teacher's salary to have the two young boys with him, and they sometimes were hungry. Kader matriculated at Umzinto High school.

At various times the younger brothers lived with Karrim and his wife Elma when they lived in Durban. When Karrim escaped from SA into exile Essop helped a great deal in that escape, and while the Security Police suspected they never found out. They had a very strong relationship, as brothers and comrades.

After finishing school Kader came to Pietermaritzburg and lived with his brother Omar at first doing odd jobs for him and then he worked in the leather industry for over a year and boarded with friends. He was active in the leather workers union and

despite his age was a spokesman for them. The issue at the time was the incentive system which would have turned the workers into robots in order to extract the maximum from them. He also studied part-time at Tech. He attended meetings of the ML Sultan Technical Students Society, where many political discussions took place.

Kader belonged to a study group which was connected to the Anti-Segregation Council and the Natal Indian Congress (the NIC). The Anti-Segregation Council was pro-Unity Movement and they were trying to turn the NIC away from the old policy of collaboration with the oppressor. When the NIC leadership did not make non-collaboration their policy they broke with those who were pro-Unity movement. Kader was expelled and this led to the formation of the Maritzburg Progressive Study Circle. Members of this group were people like Mahomed Habib, (Adam Habib's father) T.R Pillay, Essop Haffejee, Amdi, Essop, Shaik Hassan, Vahed Ally, and Frank Sithole.

In 1960 when the leather workers went on strike it was the earlier work done that made them turn to Unity movement members both for legal and political advice. Mass meetings, which the older workers still recalled many years later, were held. These meetings were addressed by people like Enver Hassim, Zulei Christopher and Shaik Hassan, who was one of the leaders of the workers as well as a member of the Unity Movement in Pietermaritzburg.

## **University**

The next part of Kader's life was productive academically and politically. In 1955 he went to Natal University. He had worked in the factory for about a year and a half and saved money in order to pursue further studies. He registered at the University of Natal Non-European Section. After his first year he received a number of small bursaries which all helped to sustain him at university. He immersed himself in studies and political work

amongst the students. It was a time of intense discussion and work. In 1954 Zulei and Enver Hassim, and Karrim started a study group to train cadres of the movement. In 1955 they formed the Durban Branch of the Society of Young Africa. SOYA made an impact on radical politics in Natal. In SOYA they were given political training which went hand in hand with organizational field work. Kader was very active in the Society of Young Africa. Soyans were expected to study local and international politics in depth. They studied all the literature and conference minutes of the Movement. They attended lectures and study groups on political theory, the French, Russian and Chinese revolutions, Marxism/ Leninism, the rise of Stalin and the purge of the Bolsheviks; also the works of Trotsky and Deutscher who chronicled the rise of Stalin and the purge in Russia. Trotsky's idea of a permanent revolution as society develops from one stage to the next had resonance. The Chinese revolution in particular was of great interest and Kader was a lifelong believer in the Chinese method of struggle and the way they not only conducted themselves but also their revolution. He marveled at the way they adapted as circumstances changed.

They followed events in Africa as the colonial masters handed over the various countries to the local agents in the guise of liberation. There was a time it seemed as if a true anti-colonial/ anti-imperialist stance would emerge. In retrospect the new elite took power and entrenched themselves and neo-colonialism took root and the promise dissipated.

Zulei and Enver had a huge influence on these young people. Apart from political studies they were encouraged to read extensively and so became familiar with great works of literature as well as history and classical music.

The other Soya branches elsewhere in the country were engaged in similar studies.

During the mid to late 50's the students all over SA were very restive. The Universities were going to be closed to Black

students and the effects of “Bantu” and “Coloured Education” were a source of anger. The movement decided that in that tense and heightened atmosphere students should go out to mobilize and form an organisation of their own. Many Soyans became involved. However it was also at the height of the polemic between the different factions or tendencies of the movement. Just to explain – the Unity Movement was made up essentially of two major federal organisations the Anti-Coloured Affairs Dept (Anti-CAD) and The All African Convention (AAC). The Anti-Coloured Affairs Department grouping believed that the students were intrinsically reactionary whereas the All African Convention grouping and the Soyans who were working amongst the students disagreed. This agitation resulted in the formation of the Cape Peninsula Students Union (CPSU). The Secretary of the CPSU came to Durban, and met the students here as the intention was to form a National students body, because most Black students were not interested in Nusas politics which they saw as an extension of ruling class politics. The Durban Students Union was formed to take that process further. Kader was a member of both SOYA and the DSU. He was one of the people who had drawn to the Unity Movement many of the students at the university.

As a result of the political work at the university the students boycotted the segregated graduation, and also picketed the performances put on when the university celebrated its Golden Jubilee celebrations.

A large number of students joined the Unity Movement group and there were often intense discussions between them and the congress, and the Movement people often worsted them in discussions.

When the huge Cato Manor march took place Kader and other students from the DSU and Soya joined the march. The police fired on the marchers and the students were witness to people killed on the corner of Berea Road and Syringa Avenue and even got Zulei’s help to take an injured person to hospital. That day was etched in the minds of all who witnessed it.

In 1958 Kader and Dr Jordan (Pallo Jordan's father) were invited to Fort Hare by Ambrose Pahle a lecturer there to engage with the students on the polemic raging in the movement at the time.

In 1959 Kader was elected as the Editor of the journal "The Soyan", during which time it was issued regularly with interesting and relevant articles dealing with the situation in S.A. and elsewhere.

At some point, he went to live with Mr. Abbas Allie at 30 Lorne Street, who became like an older brother and friend and Kader became a part of his family. The conditions he lived in were very simple – the house had a corrugated iron roof which also covered the yard in which Kader had a very small room also of iron if my memory serves me correct, with a bed and bookshelf, where he slept and worked. In summer it was very hot and he would sleep on the veranda of the house which faced the street. Mr. Allie lived in straightened circumstances but Kader was happy there. He also shared this tiny room with Essop, who had come to Durban to study, for a while. Kader did very well at university and decided to do law and came up to Pietermaritzburg intending to be articled to Mr. Manning but before the term for the new academic year started he decided to study for the LLB degree. He received a number of small bursaries on account of his academic record and through Mr. Allie who played bridge with a Mr. Motala he got financial assistance from the latter. But what was so typical of his family was that when he phoned Miriam and asked for her help she immediately agreed and gave him a fixed amount annually to complete his LLB. He completed the degree with a number of distinctions, and was offered a scholarship to go and study overseas. When he asked senior comrades if he could take up the offer he was told that the movement required him to remain in SA, a decision he never regretted. He was too loyal to harbor

regrets. The struggle always took precedence over everything else.

It is ironical that some of those who stopped him from going themselves eventually left the country.

During 1953 – 1961 Kader attended all the conferences of the All African Convention and the SOYA and later Apdusa meetings and conferences.

In 1961 he was articulated to Enver Hassim at A.Christopher and Co.

Period 1961 – 1963 was important

## **Background**

By 1958 the split in the Unity Movement had finally occurred and this had a devastating effect on many of the organisations. The polemic ranged over many issues mainly the land question and the language question which gave rise to much heated debate. The result was that the AAC and the anti-CAD split. In retrospect it seems the increased intensity of the repression made those, whose leanings were rather more petit-bourgeois or middle class, than revolutionary, look for a way out. It was not a formal decision but that was the end result.

The split in the organisation now complete, the All African Convention grouping or the Tabata wing was freed of the debilitating ideological battles and embarked on a new course. At the end of 1959 it was decided that a new organisation under the wing of, and affiliated to the movement would be started. Previously the form of organisation was federal. No-one could join the organisation directly, except via one of the federal organisations which were affiliated to it. It became apparent that conditions warranted an organisation which would allow individuals to join the movement directly. Apdu – the African People's Democratic Union was formed in Cape Town in December 1960. Kader was in Cape Town and attended that



meeting. APDU evolved into APDUSA - The African People's Democratic Union of Southern Africa.

In January 1961 the founding of APDUSA took place at a meeting on Chapman's Peak, it was an extended Head Unity Committee meeting of people from all over the country. The struggle of both the landless peasants and the workers was stressed and it was argued that the liberatory struggle could only proceed if both these sectors were involved. In its constitution APDUSA emphatically stated that "the democratic demands and aspirations of the oppressed workers and peasants shall be paramount...."

The APDUSA branch in Durban was a large one. Many people joined because the Movement had been active against the Indian Centenary celebrations promoted by the Nat government. Others joined because of a group of part-time organisers in the rural and urban areas who worked with Karrim. There were branches in Pietermaritzburg and Dundee as well.

A decision was taken to have a national newspaper. This was called Ilizwi Lesizwe. It was printed in Durban and Kader spent a lot of time assisting Enver who was in charge of seeing to the printing, layout, cutting, pasting and artwork of the paper. This helped when the group in Pietermaritzburg had a fully functional press in the 1980's and 1990's.

In 1962 the first APDUSA conference was held in Cape Town over Easter. A delegation was sent to Cape Town. The car Kader and others were traveling in overturned near Laingsberg. No-one was seriously injured.

In 1961, Dr Neville Alexander returned from Germany where he had studied. When he set about recruiting people from the movement, Kader and Pat Naidoo refused to join or assist him. There was little talk of guerilla warfare in the open but that was the underlying theme. In conference Kader led the attack and Neville was suspended without the real reasons being openly

discussed. This protected the organisation and prevented the security branch from learning what was happening. Neville had come from overseas as a member of a left-wing group. His allegiance had changed from the internal leadership to one outside the country. Later Neville and his group were detained, charged and sentenced. Their aim was guerilla warfare, similar to the Cuban struggle, to fight the apartheid state.

Kader himself never shied away from the possibility of armed struggle, but at this juncture it was not feasible as the organisation was in its infancy and a lot of organizational and political work had to be done. Ventures such as these would have been disastrous under the circumstances. In any case it required strong political leadership internally and could not be successful if the highest degree of loyalty, discipline and commitment was not forthcoming.

I.B. Tabata soon after left the country quietly and crossed the border to undertake a journey into Africa. His mission was to seek help from Africa to assist the struggle in SA. He traveled extensively, returning, I think, December 1962. Kader was among those who fetched him at an out of the way station when he returned.

Mr. Tabata was offered help abroad and it was apparent that the struggle had entered a new phase and the reason for the formation of APDUSA became clearer. The leadership believed that SA was in a pre-revolutionary phase because of the intensity of the resistance to Nat rule. Karrim's group of part-time organisers who went into the rural areas and peri-urban areas made great strides although it was never exactly clear what the basis of the discussions and recruitment was about. One could only surmise that in the atmosphere of the 60's it was a call to arms. What is clear is that a large number of people were recruited.

A sizable area of the Transkei was pro- APDUSA. Robin Kayser's thesis outlines the history of the time. In the rural areas of the Eastern Cape there were huge organisations like the Kongo, and the Makhuluspan who were preparing to take on the

state. There were brutal banishments and bannings as well as detention of 100's of people.

Some of the young people realized that a new form of struggle was on the cards. A few, including Kader, approached the leadership and asked whether they should go into exile to get training. The answer was a resounding NO! Their job was to remain in the country and study, recruit and train for APDUSA.

During this period many clandestine meetings were held. In 1963 Jane Gool and Tabata (leading members of APDUSA) fled to Swaziland. Meetings were held there and in Newcastle that few people knew of, and which the security police never found out. At these secret meetings the way forward was being planned.

A number of other people also went into exile.

### **House Arrest and Banning orders**

In 1963, when he finished his articles Kader, together with V.S Rajah and Pat Naidoo came to Pietermaritzburg and set up practice. Their purpose was two-fold – to work professionally and do political work in the APDUSA branch. However as the first year was tough financially both VS and Pat left and Kader remained. APDUSA was a vibrant organisation and people like Tim Pillay, Nithia Naicker and Amy Govender who had joined some time before became loyal stalwarts of the organisation. Apdusa political work ranged from Edendale where some members worked at the hospital, as well as in what was called Sewerage farm where the Indian municipal workers lived near the dump, and in town. Many pamphlets were printed and given out, the organisation was known and respected, but soon the police had information on the groups' activity and when pamphlets were distributed the members were picked up. Groups would go to different areas and would all end up at the police station. It was a test of how quickly pamphlets could be handed out before they were arrested and the pamphlets

confiscated, or how many could evade the police. This went on for about a year. There was a sizable group at first but events unfolded at such a rapid rate that with police intimidation some became fearful and while they still supported Apdusa, stopped coming to meetings or doing organizational work.

In May 1964 three of the members Tim, Kader and myself were called before a magistrate and warned not to take part in political activity.

In June 1964 Kader was house arrested and banned. He was only 29 years old, probably the youngest house arrestee at the time, especially as most restricted people had banning orders and were not house arrested as well.

It was difficult as he was locked up from 6pm till 6 am weekdays and weekends from Sat 2 pm till Monday morning. If a public holiday intervened he could not go out, and long weekends when there were public holidays merely increased the time he was confined to the flat. No visitors were allowed.

When his landlord offered him a house to rent in Mountain Rise, though still house arrested, he could garden and spend time outside which he could not do in the flat. He had to get permission from the police for any changes to his life and movements, for example to see the plot in Newholmes, or to be in Durban for the birth of a child or when he moved from Mountain Rise.

The banning order was for 5 years and was renewed in 1969. Throughout his banning he still took part, sometimes by proxy, in the affairs of the group. He was careful and was ready at any time to leave the room if he was raided. Those were tough times for him and probably one of the reasons that he was receptive to Leonard Nikane when he came back into the country.

### **Terrorism Trial**

Sometime in 1969 Nikane came to see Kader and asked for financial help for the people who had entered the country to do political work and recruit for training. Kader, usually so

measured and thoughtful agreed. He was probably tired of the lonely and stultifying years of house arrest. This activity gave him something concrete to do. The people in the Transkei were receptive to the people who had come back, inspite of the conditions in the country, primarily because the AAC had been the dominant organisation there. They survived for 6 months without being detected, at a time when there was naked fascism. Detention of people who were politically involved could take place without recourse to the law, first for 90 days and later indefinite detention.

Kader managed to send messages to Nikane and others as soon as he realized that the security police had discovered what was happening.

He was detained under the Terrorism Act on the 17<sup>th</sup> February 1971 and was charged in June 1971. Originally he was kept in Greytown. Then at the old prison next to the old gallows.

A few words about his detention. While he was not violently physically assaulted he did undergo the usual sleep deprivation and psychological torture - this included threats, degradation and obscenities and one always expected the worst.

He was worried about family and friends. Once a gun was laid where he could see it, and he admitted in an interview that he even thought of suicide. The security police also confronted Kader with one of Karrim's organisers, who wanted to assault him.

Just before he was charged he was set up by the security police in a very cruel way. It was simple entrapment. While he was at the old prison a warder offered to help him escape. We were sent messages for money to assist in this escape and to pay the warder. The conduits were, if my memory is correct, Goolam Subedar and a telephone caller who tried to intimidate me. It is unclear whether the security police were in it from the beginning or got wind of it after the offer was made. At any rate they did and then pulled in people for interrogation. They were furious with Kader and threatened him. However they could do very

little because unknown to them the hero of this affair was Morgan Naidoo, who came to see me and told me not to do anything and that saved Kader because the arch torturer Swanepoel told Kader that if he had tried to escape he would have shot him. Knowing Rooi Rus Swanepoel that is quite likely!

The trial itself dragged on for nearly a year. It was a strange mixture of truth and the bizarre. There were a few memorable moments but the trial was notable for the extreme bias of the judge, who never accepted that torture was routine or saw anything wrong with the camp the security police set up in Mkambathi forest to torture and interrogate the peasants and others from the Transkei.

At the end of the trial Kader was sentenced to 21 years but because some of it was concurrent his effective sentence was 8 years.

From Pietermaritzburg they were taken to Leeukop prison and from there to Robben Island.

### **Robben Island 1972 - 1980**

Robben Island is a bleak cold place. Kader said Leeukop was so cold, unpleasant and over-crowded, that he was happy to go to Robben Island. It was a relief to be away from the police. But no sooner there than events unfolded rapidly. At first he was with the Namibians - SWAPO members who were warm and loving and also with some of the older ANC prisoners. (He was put in the single cells for supposed leaders only later.) The prisoners decided that as there were 2 lawyers, Kader and Vusani (accused No 2) they wanted them to draft a petition of grievances. The job fell to Kader. Fifty prisoners signed the petition. Here I must add that a myth, spread by a former comrade, according to which the petition was written on cement sacks is groundless

since foolscap paper was used, Kader having plenty of writing material as he was working on his appeal. As far as the prison authorities were concerned the petition was treason and Kader was immediately put in isolation or solitary confinement as punishment. He managed at the next visit to get word out about his predicament and when the urgency became apparent, lawyers and counsel went to see him and took his plight to court. This was a ground breaking case, never before had anyone taken on the prison authorities this way. I must mention here that it was through the work of his counsel the late Dr Peter Hunt and Mr. Dison that the power of the prison authorities came under scrutiny. Never again could some-one be thrown into solitary on a whim or withhold the handbook or regulations for the treatment of prisoners from prisoners. Judge Diemont dismissed the argument that he had no jurisdiction over the prison authorities as there was nothing in the regulations that allowed or disallowed prisoners recourse to the court, and while he could not force the prison authorities to allow prisoners to study, or take away the right of the officer commanding regarding privileges, he asked them to use their discretion. The most important thing was that he ruled that the order of solitary confinement was invalid because there was no fair hearing. Kader was immediately freed from solitary, after having spent just over 6 months in solitary confinement.

The Officer Commanding did not come out of the case favourably but accepted the decision without showing his displeasure. But, and here I don't know the full details, Kader, sometime later was sent to Leeukop. This time the prison authorities eventually admitted to an "administrative error" and wanted payment for his return to Robben Island which Kader refused. Eventually they sent him back to Cape Town by military plane.

He said his time on Robben Island was one of learning. He did formal studies and completed the BCompt degree. He learnt to play the guitar, read music and skip. He played table tennis. In

1974 he was the singles champ and doubles champ with A.Mlangeni. Because of his family medical history he believed he came out fitter than if he had remained outside prison, and that prison gave him extra years of life.

Prison was not always rosy or happy. Because he had stood up to the authorities over the petition there was residual envy on the part of the ANC. Mandela had for years maintained that prisoners could not use the court to take on the prison authorities, and had been shown to be wrong.

In discussions, Kader would not let them get the upper hand on political and other issues affecting the prisoners. There was a time when he was estranged from some members of the ANC in the single cells and they refused to lend him books. A few brave ANC people, who respected him, did break that embargo. When the BC members came to Robben Island they put a stop to this. They made his life tolerable. They were a source of comradeship. His was the last cell and the nearest to them and messages were sent through him.

Kader persevered through it all and he never ever regretted that period of his life. He believed that once you have endured prison you would never fear prison.

He was released on the 5<sup>th</sup> April and banned once again on the 9<sup>th</sup> of April 1980.

### **Next Period - after release from prison**

When he was released he was not re-admitted as an attorney having been struck off the roll whilst in prison. Morgan gave him a job in his office.

He met Ishana Samuels, who ran The South African Council for higher education (SACHED) an NGO which worked in the education field as an alternative to the apartheid government educational system. He assisted Sached in many ways and often gave advice. Kader had sent Lyov to work with Ishana at Sached when he failed his first year in order to give him purpose and



direction, and they later married. Through Sached he met and worked with various members of the trade unions and assisted during the Sarmcol strike.

SACHED Pietermaritzburg had a policy of working with all political groups which irked the members of the ANC. The ANC tried to take over, were thwarted, and went to the head of Sached, John Samuels, who closed the office down. Kader stood by them as an attorney and comrade especially when threats of violence were made against them and when they were intimidated and threatened by the actions of John Samuels when he closed the office down. At the time, Ishana and Lyov lived in this house, and Kader re-enforced the security here to protect them from petrol bombs.

When Kader was released he discovered that APDUSA was virtually dead, its members dispersed, and almost apolitical. This was the inevitable result of the mass arrests before the trial and the fear that the ruthlessness of the state and the draconian laws of the time instilled. He started to get people to regroup. When the banning order was withdrawn on the 28<sup>th</sup> April 1982 he could do political work openly. The organisation was revitalized, old members brought in and new members recruited. Contact was made with other people in other parts of the country. The printing of pamphlets and the re-printing of the literature went on apace. In this period Kader started a fully functional press for the organizational work. He was assisted by professional printers - Prithi from Ace printers, and Victor Pillay. Jerry, Chetty and Selva gave of their time and expertise, they were always ready to help and taught Tim, Essop and Jay. Kader believed that the organisation should be self-funded and independent. The members gave donations and an annual braai helped to maintain the press and pay for the organisation's needs.

Kader knew that the organisation could not work in isolation and so overtures were made to other political groups, there was a lot of camaraderie between the Azapo and BC groups, some trade unions as well as SACOS, Sached and other left-leaning

individuals. He was one of the founders of Lawyers for Democracy, which was an alternative to the Congress led legal groups. He also worked with members of SACOS - the South African Council on Sport.

A lot of political work was done against the Tricameral Parliament and the next wave of arrests took place. Kader was detained on the 21<sup>st</sup> August 1984 with several of the NIC members. They were released by the court on a technicality on the 7<sup>th</sup> September 1984. Kader immediately went into hiding in Durban. Some of the NIC members went to the British embassy but Kader remained in hiding. He told City Press 23<sup>rd</sup> September 1984 that it was not a life and death issue and that he did not “want to give Britain the opportunity to be the champion of South Africa’s oppressed people.” He gave himself up on the 8<sup>th</sup> October 1984 and was released on the 18<sup>th</sup> October 1984.

Apart from the old Soyans and Apdusans the other group who had remained committed in the main to the Unity movement position were the former Anti-CAD people in the Western Cape. Ideologically they seemed to be closer to the position of Apdusa. Because of past differences there was hostility to meeting to discuss co-operation, but when the younger people in Cape Town also wanted a larger more widely represented political organisation this hostility disappeared. Many meetings were held and these initiatives resulted in the formation of the New Unity Movement in 1985. (NUM) Just prior to this Kader went to see the old leadership in Harare. Most agreed with the idea of forming the New Unity movement. However when Tabata wanted to know what their contribution would be and was told that it was ideological and theoretical as it was necessary to keep the internal organisation free from problems that might arise between those in exile and those in the country for security and other reasons, he and Jane Gool became antagonistic. As a result Cape Town Apdusa did not join the New Unity Movement.

The NUM however did not measure up to the original promise. Once again ideological problems surfaced. The split of 1958 was re-lived; agreements and policy were undermined. There was a lack of clarity on major theoretical issues as well as financial matters. To this day money is still owed to Apdusa for work done or literature supplied.

In the end APDUSA Natal was forced to break relations with the Western Cape grouping and the organisation was once again on its own. However he maintained cordial and comradely relations with several individuals in NUM. This breakdown of trust was a bitter blow and Kader concentrated all his energy on APDUSA Natal. He interacted at all levels spreading the ideas of the organisation as well as writing extensively on events. Apdusa Views was almost entirely his work. There are many gems in these writings. When an issue of Apdusa Views was banned he appealed and won.

Many wide ranging and important topics were dealt with. He wrote amongst other things about the attack on freedom of expression, ANC support for dictators, the abuse of cultural practices, racialism, and fascism. He wrote about the family of Trotsky who had survived the Stalinist purge and so showed the international link and solidarity.

As early as 2005 he wrote *The Judiciary in Crisis*, an indictment of Judge Hlophe and the way he behaved, the misuse of the judiciary, the use of transformation and racialism to further narrow interests. The saga of Judge Hlophe is still unresolved after all these years.

Before he died he was thinking of writing about the appointment of Judge Moegoeng, it would have dealt with the threat the ANC poses to the Judiciary.

In 2009 when he was already very sick he undertook a major defence of the organisation and its leading members. An academic, Ciraj Rassool, had ingratiated himself with Jane Gool who provided him with material which he used as a basis for a thesis. This thesis was an unwarranted besmirching of the

history of an important and principled organisation and its founders and leading theoreticians. Kader sought help from others to rebut that vilification. When none was forthcoming he spent many months, though ill, and completed the Rebuttal of Ciraj Rassool's Denigration of Tabata which was posted to the website in April 2010. It was a labour of true loyalty to the founders of the movement and one which he did with precision and care and is of historical significance.

In April 2011, though ill, he dealt with the spectre of fascism and whether those who did not support the ANC and the DA should abstain from voting, which is what usually happens. The times called for a new approach to fascism and corruption which is the dominant contradiction in society at present. He received some brickbats as this was an entirely new proposal from this section of the liberatory movement. He did not deviate, as he believed that whilst the dominant contradiction was corruption and had to be addressed, the principal contradiction remained that between capital and labour, and defended that position.

## **Health**

Kader grappled with ill-health for a number of years. It started a long time ago when he was quite young and was diagnosed with impaired glucose tolerance and became diabetic in time. About 1987 he had a heart attack which left some damage to his heart, but he carried on doing the things he had to do. The only concession he made was that he worked as a lawyer for half a day only to conserve his energy and time for political work. The last years of his life were extremely stressful medically. He lived with renal failure staving off the inevitable dialysis. He had a number of operations as he feared having a debilitating stroke and he also underwent surgery for 2 fistulas for dialysis. The later were a failure in many respects. He had a lot of discomfort which he stoically lived with. He had to have a catheter urgently inserted for dialysis. Dialysis did not prolong his life and shortened it, yet he was still trying to write on relevant and important topics.

## **Ideology**

Kader was a Marxist-Leninist who followed the anti-Stalinism of Trotsky. He believed in the struggle of the workers and peasants for a better life, which would inevitably mean socialism. The primary contradiction, following from this was between capital and labour. The political landscape of SA had changed once the negotiated settlement had been reached and one would have to engage in a new form of struggle that would result in a more equitable re-distribution of wealth. This struggle has nothing to do with the kind of rhetoric emanating from Cosatu. Cosatu represents the employed working class whose interests they protect above all others. The new struggle would have to come from outside that vested arena.

His abiding interest was China. If anything Kader was a Maoist in thought and deed. I found a letter he wrote recommending reading material on China, in which he talks about the misunderstanding of China's struggle. The Chinese successes and their ability to re-invent old ideas and try new methods both of struggle and development fitted in with his beliefs.

I have tried to indicate what his belief system was. His loyalty to ideas and principles was unwavering. He went through many ups and downs in the single-minded pursuit of putting these into practice, yet he never gave up. Apart from his loyalty to the organisation, the other trait he had was his willingness to try to bring people together, and what sometimes prevented full co-operation was that he would not tolerate unprincipled or opportunistic behavior.

The other important thing about Kader was that he was very aware that the times had changed after 1994, and that the old demands were no longer relevant, for example the franchise was a reality and one's program could not demand what had been attained. Changes in approach had to be made to accommodate the new conditions in order to engage in a new fight for a better world. These were the issues that he was grappling with when he became sick.

## **Personal Traits**

Kader lived a relatively austere life; he lived simply, dressed simply and above all was a loyal member of the organisation. Nothing was too great or small to do for his ideas and ideals. When called upon to make personal sacrifices he never hesitated.

He gave his all to everything he did. While he was not technically minded he spent a lot of time teaching himself or being taught how to use the new technology that came as a result of computers and the internet. He took on the production of Apdusa views of which he was the editor. He mastered the technology and wrote, set out the articles and sent them off as well as updating the website.

The website is his lasting legacy as he understood the new technology would revolutionise methods of storage and wanted a permanent record for future generations and scholars. He made contact with others in the field and there are collections in the Alan Paton Centre as well as Digital Innovation South Africa. (DISA.)

On a professional level he was careful and meticulous and always had the best interests of his clients uppermost in his mind. When he retired he started an Apdusa help phone line to assist people with legal problems, who could not afford fees. This only stopped when his health deteriorated.

Kader fought all forms of discrimination and was especially sensitive to slights or when he felt that principles were being compromised. Hence his case against the prison authorities, the removal back to Cape Town from Leeukop, the appeal against the banning of Apdusa views. His refusal to appeal to the Law society to re-instate him as a lawyer was taken on principle. They had struck him off unfairly, they should rectify the injustice. They had to be forced to do the honourable thing.

He had many friends and acquaintances and people respected him for his sterling qualities. He never failed people in need. Kader was difficult at times. Because he never failed to give his all, he sometimes expected more from others. If they fell short he would react. Yet he never expected from others what he did not give in greater measure himself.

APDUSA has always punched higher than its size mainly due to Kader's unstinting contribution on many levels. He had the ability to get to the heart of an issue and to put it in perspective and give direction to resolving problems.

Many people will miss his input on a wide range of issues.

Kader's life had run its full circle. His illness had really become a burden. We can truly say:

Fear no more the heat o' the sun,  
Nor the furious winter's rages;  
Thou thy worldly task hast done,  
Home art gone, and ta'en thy wages; (William Shakespeare)

Thank you