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“Think of them, the people who are not free”:
Politics, Poetry, and Political Asylum

On September 28, 1981, the U.S. Immigration and Naturalization Service (INS) issued an order stating that Dennis Brutus should be deported. So began Brutus’s two-year struggle for political asylum that energized and drew strength from the anti-apartheid movement in this country. In many ways, Brutus’s trial was a metaphor for his life: the personal was political and the political was personal. The trial spotlighted the brutality of the South African government, how Brutus’s life of activism had put him at risk of assassination if he were to be deported, and the importance of political organizing in politically motivated cases.

Interviewed for this article, Attorney Susan Gzesh, who represented Brutus from 1982 to 1983, described him as “extremely smart and literate. He had a lovely speaking voice. And he was also very old-school in a certain way. He used to send me flowers at different points in the case. I never had another client who, when we got a favorable something or other, would send me flowers.” She recalled, “he was eccentric . . . an artist” (Gzesh). In Brutus’s 1978 poem “I come and go,” he described himself as “a pilgrim, grubbily unkempt, stubbornly cheerful, defiantly whistling hope . . .” (Stubborn Hope 25). But he was also a champion for justice, dedicating his life to ending oppression. In his poem, “At odd moments,” Brutus recalled how the scars from his bullet wounds at the hands of South African security forces would “twinge . . . and straightway/I am stiffened with resolve/and am aware of my task” (Stubborn Hope 43). His task, taken up in his trial as in his life, was to end South Africa’s apartheid system.

Born in Zimbabwe (then Rhodesia), Brutus moved with his family to South Africa when he was a young child. As an adult in South Africa, he became steeped in anti-apartheid organizing, helping to draft the Freedom Charter, which was foundational for the ideas of the African National Congress (Morgan 371). His core social justice organizing later revolved around sports—in particular, the discriminatory South African policy of barring athletes from the country’s Olympic team due to their race. A founder of the South African Non-Racial Olympic Committee (SANROCC), Brutus led a campaign to exclude apartheid South Africa’s

1 From “Stop,” a poem by Dennis Brutus, Ins. 16–17 (Stubborn Hope 53).
official Olympic team from the Games. In 1964 this campaign succeeded, with South Africa barred from Tokyo's summer Olympic Games (Morgan 372). Because of his activism, Brutus was banned by the South African government, sought to escape South Africa several times, was shot multiple times while trying to escape arrest, and was imprisoned on Robben Island along with Nelson Mandela and other dissidents from 1964 to 1965.

In 1966, the South African government granted Brutus an exit permit to leave the country on the condition that if he returned, he would be imprisoned. His exile began in London; then, in 1970, he immigrated to the U.S. for an academic appointment at the University of Denver. His activism continued in the United States. Over the course of three decades, he gave hundreds of impassioned speeches against apartheid and in favor of divestment and an international boycott of South African athletes. Attorney Gzesh commented that, “Dennis's activism was always very public, always very pointed and always very uncompromising, which it should be.” She noted that he would have “had a very high profile to the South African government” (Interview).

Brutus was at Northwestern University in 1980 when his legal immigration status lapsed. There was a several-month gap between when his passport issued by Britain on behalf of Rhodesia (previously a British colony) was replaced by the new Zimbabwean government. The head of Northwestern University’s Scholars program assisting with Brutus's visa renewal had contacted the INS to inform them of this catch-22 and had been informed that it would be “no problem” to renew the visa later (Gzesh, “The Defense” 174). Gzesh reported that Brutus said those were “famous last words” (174). Two years of litigation and a firestorm of activism followed, ultimately resulting in Brutus being granted political asylum on September 6, 1983.

Part of the Anti-Apartheid Movement

Susan Gzesh, like Dennis Brutus, was committed to social justice. According to Gzesh, “We both agreed that one of the objectives of the hearing was to put the South African government and the apartheid system, and the Reagan administration's cooperation with them, as central focuses in the case” (Interview). Gzesh recalled:

As a young lawyer, even though I was only thirty-two, I'd seen how a particular case could become an important vehicle for political organizing. Dennis's case was clearly one of those. There
were defense committees in different cities. . . . And they were all trying to do what they could to ensure that there was media focus on the case. . . . 1982–83 when we were working on this case was . . . sort of the rev-up time of the anti-apartheid movement. So, Dennis’s case was getting a lot of attention. The case itself became an organizing point for anti-apartheid groups. The immigration service wanted to pretend this was just an ordinary case, but it wasn’t. (Interview)

Even the court space showed this was no ordinary case. Gzesh described how the typical hearing room for political asylum cases was relatively small, about twenty by fifteen feet with seating for perhaps fifteen people. In contrast, Brutus’s trial had to be held in the District Court courtroom which accommodated eighty to ninety people because so many supporters, media, and others wanted to attend. A typical political asylum case might take one to two days; Brutus’s case took five days with him testifying for an entire day (Gzesh, Gzesh, “The Defense” 181).

Prior to and during the trial, grassroots support and publicity was generated by the Dennis Brutus Defense Committee (DBDC) based in Chicago with supporting committees in Boston, Austin, Detroit, Minneapolis, Seattle, and Washington, D.C. (Morgan 379). The DBDC issued many press releases. On June 16, 1981, Evanston, Illinois’s DBDC published a letter to the INS from Dr. Gerald Graff, Chairman of the English Department at Northwestern University, requesting Brutus’s political asylum application be granted, noting:

Professor Brutus is one of the most important and widely read poets from South Africa. His national and international reputation as an authority on African life and literature elicits frequent invitations to lecture in the United States and overseas. (DBDC)

Worcester State College (WSC) bestowed an honorary doctorate on Brutus on May 28, 1982, the timing of the award a deliberate act of support prompted by English Professor Merrill Goldwyn and WSC’s Center for the Study of Human Rights (Worcester State University). A March 7, 1982, Chicago DBDC press release publicized statements by politicians supporting Dennis Brutus, including Speaker of the House Thomas (“Tip”) O’Neil who advocated that Brutus’s political asylum claim be granted since he was “an internationally acclaimed advocate of human rights,” whose activism against apartheid South Africa was “important in the elimination of the stigma of racial discrimination throughout the world”
On July 20, 1982, the DBDC of Jamaica Plain, MA publicized a list of thirty-six senators and representatives who supported Brutus (DBDC). The Chicago DBDC’s August 21, 1982 press release condemned the assassination by South African security forces of anti-apartheid activist Ruth First in exile in Mozambique. Attorney Gzesh recalled the DBDC also held a fundraising concert that raised several thousand dollars which were paid to Brutus’s prior counsel (Interview).

The press came out strongly for Brutus with pro-asylum editorials running in the Chicago Tribune, the Los Angeles Times, and an op-ed in the New York Times by Pulitzer Prize winner Anthony Lewis. Gzesh recalled “a huge ad hoc mobilization . . . around the country” with “hundreds of letters going to the judge” (Interview). Brutus’s legal team entered into evidence a letter of support signed by fifty House of Representatives members (Gzesh, “The Defense” 183). Representative Barney Frank of Massachusetts even introduced a bill that would give Brutus legal status to remain in the U.S. (Morgan 387).

In the poem “That people care,” Brutus wrote:

That people care is
more than money
their thoughts, their love, their prayers
this is what gives us strength . . .

That people care
is more to us than weapons—
and that they share
our fight and its anxieties. (Stubborn Hope 53)

His trial provided ample evidence “that people care.”

South Africa’s Brutality on Trial

It was not just apartheid that was on trial in the Brutus case, but also South Africa’s brutality in assassinating its opponents. The two primary issues in Brutus’s legal case were whether it would be safe for him to be deported to Zimbabwe and whether he had a legal right to return to England where he had resided for several years before arriving in the U.S. The latter issue was simply based on British immigration law. Gzesh and her co-counsel called a British lawyer, Richard Harvey, as a witness to explain why Brutus had no legal right to return to Britain. As a humorous aside, Gzesh recalled, “Richard Harvey was great. I remember . . . . after
he got off the plane . . . he was wearing a ‘Free Nelson Mandela’ T-shirt. I remember saying to him, ‘You’re not wearing that to the courtroom! I want to present you as an expert on British law . . .’ He had to be as straight-arrow as possible” (Interview).

The second main issue was whether Brutus could be deported to Zimbabwe. In asylum cases, one must prove that “the government is either unable or unwilling to protect you from forces that are after you” (Gzesh). Gzesh described it in this way:

The chief issue . . . was the question that at the time Dennis’s case was going to trial, Zimbabwe had a government that was friendly to him and so why couldn’t he go back to Zimbabwe? . . . And now remember, we’re facing a Justice Department with a government that has full diplomatic relations with the apartheid government in South Africa. We had to prove that . . . in the frontline states, the countries bordering South Africa . . . where there were governments friendly to the African National Congress [ANC] and the anti-apartheid forces . . . South African security teams would go in and kill people. . . . And . . . that was a hard thing . . . It was an unusual factor to have to talk about in an asylum case. It wasn’t that the Zimbabwean government was hostile to Dennis Brutus, it was that they would not have been able to provide him sufficient protection. (Interview)

Gzesh offered several types of evidence to show the brutality of South Africa’s international assassins and the legitimate fear Brutus would have if forced to return to Zimbabwe. First, her team obtained an affidavit from “a former member of the South African security forces who had reformed or quit and was willing to say that yes, they did do those raids” (Gzesh). In addition, she described how two prominent ANC members had been killed by South African forces in bordering states: Joe Nzingo Gqabi, shot dead in his yard in Zimbabwe, and Ruth First, editor of one of the publications for which Brutus had written, killed by a letter bomb in Mozambique just one year before Brutus’s trial. Gzesh recalled, “when you have an American judge who’s just kind of a regular person, the idea that an established government is sending hit squads to bordering countries is kind of appalling and kind of almost unbelievable. I think that was probably the trickiest issue . . . How was [Zimbabwe] going to be hostile to Dennis Brutus? No, it wasn’t the government, it was that they couldn’t protect him from incursions of South African security forces” (Interview).

Gzesh discussed how one of her most helpful advisors on Brutus’s
case, Albie Sachs, a prominent South African lawyer, was also a key witness on the dangers of living in exile in the bordering states as he lived in Mozambique:

I needed Albie as an expert witness to testify both about the nature of apartheid in South Africa and why Dennis’s activities were considered illegal . . . But even more important was his [own] experience of . . . being in exile in a frontline state . . . his friendship with Ruth First and her assassination. And so, he delivered this testimony about what happened to Ruth First and Judge Schwartz asked him directly, and I remember this, saying “Aren’t you afraid yourself?” And Albie testified, “Yes, I think about it every time I start my car.” Albie’s testimony was prescient and horrible. (Interview)

Five years later, a car bomb went off when Sachs opened his car door in Mozambique, blowing off his right arm, damaging his vision in his right eye and sparing his life only because he turned to greet a neighbor who had called out to him a second before the bomb went off (Gzesh).

Brutus’s poetry also played a political role in his trial. Gzesh introduced nine published volumes of his poetry over the objections of the government’s attorney who claimed they were irrelevant. To establish the relevance of the poetry, Gzesh elicited testimony from Brutus that “all his books were banned in South Africa, that possession of his poetry was a crime there and that all his poetry dealt with the experience of apartheid” (“The Defense” 183).

**The Legacy of Dennis Brutus’s Case**

When asked about the legacy of the case, Gzesh discussed how that was a big question that involved two things: the legacy of his activism and the legacy of the anti-apartheid movement of which he was an important part in the U.S. She highlighted the importance of “Understanding—and we’re seeing this today—that the U.S. government in certain periods is not averse to using its power over non-citizens to try to silence them and get rid of them or not let them in in the first place. They’re doing that at a level now that is extraordinary and cruel . . .” (Interview).

Noting how the executive branch has sought to “ban Muslims, to bar people from entering the country, to destroy the system of political asylum and refugee claims,” Gzesh observed:
Sometimes the federal courts are intervening in ways where we’re able to push back [on] the abandonment of the United States as a place for refugees and people applying for political asylum and the racist use of immigration law against Muslims in particular. I don’t know if it’s going to spread to be anti-Asian with the Trump administration’s trying to scapegoat [the] Chinese. (Interview)

Underlining the need to fight back, Gzesh continued:

As we have always said as civil rights lawyers, the need to “make the Constitution speak the truth” is something that is really at risk right now. And so, the fact that we did Dennis’s case in the Reagan administration, that we won it [in opposition to] the wishes of the administration, is a lesson that I think is important now . . . You have to take these cases up and litigate and organize—both—in order to get victories in difficult times. (Interview)

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As for Brutus, he knew that his task was to write poetry and organize—both. He remained “stiffened with resolve,” never looking away from the suffering of others, always living his life as part of broader human rights movements (Stubborn Hope 43). Appropriately, Worcester State University named its human rights center after Brutus, calling it the Dennis Brutus/Merrill Goldwyn Center for the Study of Human Rights. It is fitting to end with Brutus’s own words:

Stop.
Now.
Stop thinking of other things.
Think only of this—
of people dying
dying by the gun,
the boot,
the fist.
Think of them,
the people who are not free,
who will give their lives to be free. (Stubborn Hope 53)
Works Cited


