

## CISSIE GOOL THE ADVOCATE

by Franny Rabkin

On 4 July 1963, the *Cape Argus* reported that the “Joan of Arc of Coloured Folk” – one of the monikers by which Cape Town councillor Zainunnissa\* “Cissie” Gool was known – had died of a stroke. “Only three weeks ago she was admitted to the Cape Bar as an advocate after gaining an LL.B. degree at the University of Cape Town last year. She died without holding a brief”.

Gool is a well-known figure in the history of South Africa’s liberation struggle. Less widely known is that she is also the first black woman to be admitted as an advocate in South Africa.

Gool was called to the Bar at the age of 65, a grandmother of five. By the time of her admission, she had already had a long and rich political life. She had been a member of the Cape Town City Council for 25 years – a council for which she, as a coloured woman, could not vote, but for which she was returned, election after election, as a councillor – as “the people’s own candidate”.

In a 1962 *Cape Times* article, written on Gool’s LL.B graduation day, Gool is quoted as saying: “I am pleased that I have got the LL.B degree. It is in a sense a personal triumph against heavy odds ... Women should improve their educational qualifications even if they are married and have other

difficulties. Even grandmothers should never stop learning... I have also studied under some of the best professors one could find anywhere in the world”.

She added: “To ambitious mothers and grandmothers I say, ‘Nil desperandum’.”

Though she would have been required to keep chambers upon admission as an advocate, the Cape Bar Council has no record of Gool. Perhaps she had not yet made her application for chambers. It was only a matter of weeks after her admission that she died after all; or perhaps the records have been lost.

But her admission papers, currently stored in the National Archive, include a certificate from the Cape Bar Council certifying that that it “has no objection to the admission of the abovementioned applicant”.

The papers reveal that Gool was admitted on 12 June 1963 before the honourable Mr. Acting Justice Bell. Gool’s attached affidavit states little more than that she is unable to produce a birth certificate, but “according to what my parents had told me I was born on the 10<sup>th</sup> September 1900 which date I have always regarded as the date of my birth”. She further states that she is a “divorcee and a person of full majority in law”.

Attached to the application are her degree certificates – a BA, obtained in July 1932, a master of arts degree, obtained in December 1933, and her LLB certificate, from December 1962.

What is not said is that she is also reportedly the first black woman to obtain a master’s degree from UCT.

With such a short time at the Bar, what kind of advocate she would have made must, by necessity, be a subject of speculation. Every account I have read of Gool talks of her exceptional oratorical skill and her charisma, necessary skills for a lawyer.

Gairoonisa Paleker writes that in 1931, the African People’s Organisation (APO) organised a mass meeting to oppose the Women’s Enfranchisement Act and the Franchise Amendment Bill that collectively sought to weaken the power of the coloured vote in the Cape by giving the franchise to white women only. Gool would have been 34 at the time.

“Cissie addressed the meeting on both occasions, offering a vocal and articulate challenge and followed this with action that sought direct appeal and confrontation. Following her speech in 1931, she led a march to Parliament demanding to speak to Hertzog. Swaying the masses with her eloquence and charm and then taking direct action would remain a favourite tactic throughout her political career”.

Though she moved more radically to the left later, it was in the milieu of the APO, an organisation formed to champion the rights of coloured people, that Gool began her political life. Her father, Dr Abdullah Abdurahman, was its president at the time.

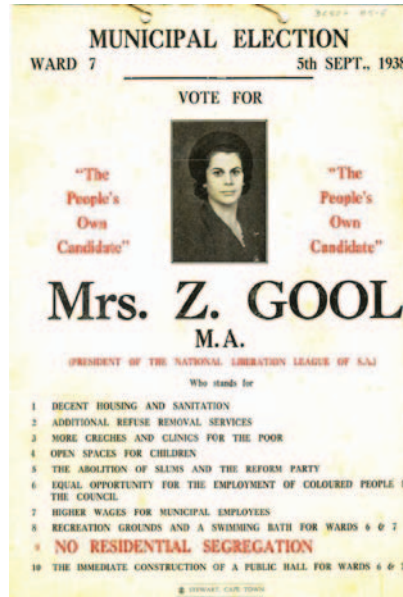
Writer Nadia Davids has written two biographical plays on the life of Gool. In an academic article on these works titled “‘This woman is not for burning’: performing the biography and memory of Cissie Gool”, there is a photo of Gool addressing a crowd. She stands poised and tall in long camel coat, one hand in pocket, the other hand on the microphone stand. To me, it is the stance of counsel in court – one has only to replace the coat for a robe.

The title of Davids’ work is a reference to an anecdote: that when Gool was called the Joan of Arc of District Six, her tart riposte was: “this woman is not for burning”.

Davids describes another photo taken in the late 1950s or 60s, but it is not included in the article. In it, Gool, “the only woman in the frame”, is giving a speech. Men are listening, absorbed. “There is no question about who is in command,” says Davids.

The *Cape Times* reported that Gool obtained her law degree over years, studying part-time, “working early every morning before breakfast.”

“At one stage she found it so exacting that she decided to abandon it. A few years ago, however, she decided to make a



concerted effort to complete the degree.”

During those years of law study, she was in and out of detention – including for participating in the passive resistance campaign in the 1940s, and in the aftermath of the Sharpeville massacre in 1960. She was released from prison in 1950 to attend the funeral of her son Shaheen whom she had lost to suicide. She was “named” under the Suppression of Communism Act and subjected to a banning order, according to an article on UCT’s website.

Her granddaughter, Michelle Kagan, says that during Gool’s detention and solitary confinement in 1960, she fought, and won, the right for detainees to have access to law books – in order to prepare their defence.

Even if Gool’s life had not been cut short by an unexpected stroke, she would likely not have lived to see the end of apartheid or to take a place as a judge in democratic South Africa. Though the Group Areas Act was passed in 1950, she died before the 1966 forced removals that destroyed District Six, leaving Cape Town forever scarred.

Again, one can only speculate what role she would have played, as counsel, in fighting these removals and apartheid’s other unjust laws. She would have joined a profession that George Bizos, Ismail Mahomed, Duma Nokwe, Arthur Chaskalson and Felicia Kentridge had entered a few years earlier. Or she may have had the fate of many of her comrades - she may have been sentenced to a long period in prison or been forced into exile. **A**

\* Although many references to Gool refer to her as Zainunnisa, her admission papers, contemporaneous newspaper articles and her tombstone in Cape Town all call her Zainunnissa.

**Gool’s granddaughter, Michelle Kagan, is an attorney practicing at the New York Bar. She is establishing the Cissie Gool Foundation, an educational not-for-profit. Bursaries will be given to South African women, 38 years old and above, to enrol for an LLB. Those wishing to support the Foundation should contact her at lawkagan@gmail.com.**