

LIBERAL OPINION



LIBERAL OPINION Subscription is
75 cents (7/6) for 6 issues.

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THE LESSON OF THE TRANSKEI

A VINDICATION OF THE POLICY OF
UNIVERSAL SUFFRAGE

By a Special Correspondent

What lessons can believers in universal adult suffrage derive from last year's Transkeian election? I believe their case is immeasurably strengthened.

An overwhelmingly poor and illiterate electorate managed to surmount the obstacle of a complicated and confusing electoral system, and give an unequivocal rejection of apartheid. They rejected Chief Matanzima's state-aided black racialism and plumped almost solidly for the non-racial democratic policies of Chiefs Poto and Sabata.

We are often told that a qualified franchise will "keep the extremists out of power" and enable the "moderates" to hold sway. There are several difficulties about this argument, not the least of which is that of giving any precise meaning to the term "extremist". Your use of the term depends on your position in the political spectrum. U.P. supporters call the Progressive "extremists", whereas Liberals regard the Progressives as being too conservative. **One man's meat is another man's poison.**

Did universal franchise let the "extremists" in in the Transkei? Whatever one's view of

Chiefs Poto and Sabata, it is impossible to label them "extremists". Both are tolerant and humane men, genuinely non-racial in outlook. Their moderation is in marked contrast to the racial fanaticism of those who presume to be their rulers. And, be it carefully noted, those white electors who support racialists like Verwoerd and Graaff would nearly all qualify for the vote under the franchise system proposed by the Progressive Party. One should never forget that the arch-extremist of this century, Hitler, came to power through the democratic processes of the Weimar Republic's constitution. No one can deny the popularity of Hitler among the mass of the German people, and yet those same people had one of the highest literacy rates in the world. And, on the other hand, one of the greatest statesmen of this century, Nehru, came to power on the votes of millions of illiterate peasants.

Can you expect any electorate anywhere in the world to do more than vote on the very broadest of issues? What percentage of the British electorate would have the faintest idea of the real questions if British entry into the Common Market was the burning election issue? I put forward several propositions about voting behaviour which recent studies bear out; first, that class is the most important determinant of voting behaviour; secondly, that voting is largely a matter of habit; thirdly, that even in the most sophisticated electorates, a high percentage of the voters do not even know what the election issues are or what policies the respective parties stand for; and, fourthly, that the floating voters, i.e., the voters who really determine the outcome of an election, are the least politically conscious of all voters.

Many of the arguments for the limited franchise assume a belief in the rationality of the electorate, and that this quality is the prerogative of those with certain property and/or educational qualifications. This belief in voters' rationality is a hangover from the classical theorists' writings on democracy and has little relevance in the modern mass democracy. To the extent that the average voter thinks, he thinks in terms of ill-digested election slogans.

It seems to me a mistake to argue that political consciousness is a function of social class. Most white South Africans would be amazed at the political consciousness

shown by illiterate peasants and ragged town-dwellers. These Africans grasp the one essential truth about South African politics: that until Africans gain a good share of political power, their social and economic position is not likely to change fundamentally. It stands to reason that people who are bullied by the police, pushed around by bureaucrats and subject to one-thousand-and-one humiliations because of their blackness, will be roused to political consciousness and relate their experience to the present distribution of political power in South Africa. "The system" obtrudes in so many painful ways that they cannot help but develop some attitudes towards it.

In what sense do voters elect their leaders? The leader of a party is normally elected in one way or another, with greater or lesser measure of democracy, by party members, or more accurately, oligarchies within parties. Voters passively react to an image of the leader presented to them. It is highly misleading to talk of the people throwing up leaders. "The People" don't create leaders; men endowed with qualities of leadership thrust themselves forward and "the people" follow. Is it possible to argue that the quality of the leadership is determined by the property and educational qualifications of the electors, i.e., will the leaders elected by qualified voters generally be men of better calibre than those whom the unqualified would elect?

The many distinguished Africans who headed the A.N.C. between 1912 and 1960 make it difficult to accept such a conclusion, particularly when those men are compared with their white counterparts. **Compare, for instance, the calm vision, tolerance and humanity of Lutuli, Matthews or Dr. D. T. Jabavu with the narrow-minded racialism of Malan, Strydom or Verwoerd.**

What mystic and elevating quality does possession of property and educational qualifications bestow on a citizen? Is he a superior being to his penniless and illiterate brother? One's possession or otherwise of those qualifications is determined largely by one's place in the social hierarchy. Because I am white and come of middle-class stock, I can receive full education, find lucrative employment, accumulate property and generally be the object of special state solicitude. If I am black the whole system presses down on me, my opportunities for attaining those qualifications are

1/20th as great as those of my white brother. Why should the Africans now be penalized for generations of deliberate neglect and subjection?

I put forward another proposition: any group of the population which is excluded from the franchise is unlikely to find that large sums of money will be appropriated for its education, social welfare, etc. The unrepresented group tends to become the Cinderella of the society as a whole. Political history is rich with examples which confirm the tendency for neglect of unrepresented groups. Nowhere is the tendency more strikingly confirmed than in S.A. The conclusion one draws is that the vote is an essential instrument for the upliftment of the underprivileged.

An old argument is that an educational qualification will act as an incentive for illiterate people to obtain education for themselves and their children. This seems to be an insult to our presently unrepresented citizens. Have they shown any need of an outside stimulus like this where education is concerned? Do not the African peoples thirst for education? Look at the resentment aroused by Bantu education. Does the magnificent effort by the Indians to secure education for themselves suggest any apathy on their part? If the educational facilities are there, the unfranchised will not need any prodding to avail themselves of the opportunities. But with a qualified franchise will those educational (or other) opportunities ever be equal to those available for the represented?

TWELVE MILLION OUTLAWS

(A COMMENT ON SOUTH AFRICA'S BANTU
LAWS AMENDMENT BILL OF 1964)

by a Lawyer

Do you remember learning at school about the outlaw? He was a person whose crime put him outside the protection of the law. He could not sue in any court, nor had he any legal rights which could be enforced, but he was personally liable upon all causes of action. If he showed himself in the market or temple

he could be arrested by anyone and cast into prison without means of defence.

Certain provisions of the Bantu Laws Amendment Bill show you how close to the outlaw the settled urban African will be brought when the Bill is passed by Parliament.

It is proposed, in section 8, to establish a local labour bureau in every prescribed area, and to have it managed by a municipal labour officer. Section 46 says that every urban area is deemed to be a prescribed area.

This officer can refuse to sanction the employment of any African in his area and can cancel any contract of employment if he is satisfied that it is **not in the public interest** that the contract should be entered into or be continued.

In other words, whether or not a person should work for another is made to depend upon the discretion of an official whose opinion as to **the public interest** is the fact that will decide whether a man or woman may earn a living in a town with a particular employer; and to challenge that opinion in a court of law is well nigh impossible.

If an official decides to cancel an African's contract of employment, the African may be referred to a so-called **aid centre**. There he may be offered suitable work, but he may also be required to leave the area together with his dependents. He can appeal to the Chief Bantu Commissioner, whose decision is final, but this does not suspend the removal order unless a Bantu Affairs Commissioner, in his discretion, allows him to remain until the appeal is decided. Here again, it is the choice of an official whether the person stays in the area to arrange for his appeal or leaves without being able to safeguard his interests in this vital matter.

At the moment certain Africans may lawfully reside in urban areas. Section 10 (1) (a) (b) and (c) of the Native Urban Areas Act gives this privilege to Africans who have since birth resided continuously in a town, or who have worked there continuously for one employer for not less than ten years, or have lawfully lived there for not less than fifteen years. The wife, unmarried daughter and young son who does not yet pay tax are also protected if they ordinarily reside with the husband and father.

The new Bill provides that the labour officer may exercise the powers I have described above in respect of Africans who have this privilege. It goes on to say that if such an African is ordered to leave the area he is no longer deemed to be permitted to remain in the area. This means that the right that Parliament gave to persons who were born in an area, or who have lived or worked there for a long time, is taken away because an official says so.

Some of the detail of the law is to be filled in by regulations not yet promulgated. Thus the State President is given power to provide for the detention of Africans in the areas to which they have been ordered and to provide for the compulsory detention at youth centres of Africans between 15 and 21 years, who have been ordered there.

Some years ago there was an arrangement between the Department of Native Affairs and the Department of Justice. A circular was sent out with the suggestion that Africans arrested for pass offences should not be brought before a magistrate, but should be hired out as labourers. This was the system that Africans described as "being sold to a farmer". Untold numbers of men were missed by their families and returned months later from service on farms. This led to court applications, and the outcry was so great when these applications told the public what had happened, that the Minister of Native Affairs said in Parliament that the arrangement between the two departments of State was at an end.

Section 12 (4) of the Bill has a curious provision. It allows a Bantu Affairs Commissioner or an officer managing an aid centre "to make representations that no criminal action be preferred" against an African in respect of certain offences related to the pass laws. It also empowers such official to "make such order as may appear to him to be just in regard to the placing in employment of such African".

What does this foreshadow? A return to "being sold to a farmer"?

Let me follow up what can happen to the African ordinarily protected by birth or long residence or long employment in a town.

Section 61 of the Bill deals with idle or undesirable Africans. Among the descriptions of an idle person is this one: an African who

has been required under any law to depart from the area concerned within a period specified in terms of such law and not to return to such area within a period so specified, and who has failed so to depart. This seems to me to include an African required by a labour official to leave an area upon cancellation of an employment contract.

Thus the chain is completed. The African protected by Section 10 (1) (a) (b) and (c) of the Native Urban Areas Act, may lose job and home because the labour official so decides, may be ordered out of the area, because the aid centre official so decides, may lose the appeal because the official called the Chief Bantu Affairs Commissioner so decides, and may thereby become an "idle person" if he does not leave the only place he may have known as home.

What happens to him then? An official who believes him to be an idle person may arrest him without warrant and may detain him for 72 hours before bringing him before a Bantu Affairs Commissioner to give a good and satisfactory account of himself. If he fails to do this, he will be declared an idle or undesirable person. He may then be sent to a place indicated by the Commissioner, and this may include a farm colony, where he will perform labour. If the African agrees, the Commissioner may approve his entering into a contract of employment and may order that he "be detained in custody pending his removal to the place at which he will in terms of that contract be employed".

Worst blow of all. If the African is declared an idle or undesirable person, he forfeits forthwith any right which he may have acquired under Section 10 (1) (a) (b) (c) of the Natives' Urban Areas Act to remain in a prescribed area.

Is such an African not outside the protection of the law? Does his right not depend upon the decision of an official? Can he plead in a court of law? Is he not personally liable to banishment upon the order of the official? And if he shows himself in the market place, will he not be seized without warrant and cast into prison? And what defence does he make if he must leave before his appeal is heard? And who may he ask if he may stay to prosecute his appeal, save an official?

SPORT IN S.A.

(South Africa's position in international sport becomes an increasingly burning issue. In this article a contributor sets out some of the background to this controversy.)

Official South African sport is as corrupted by racialism as are the policies of the Government. Only the sporting bodies are worse hypocrites than the Government, since they pretend, for the sake of membership in international sporting bodies, that they would put sport before apartheid if only it was legal to do so.

In fact, multi-racial sport IS legal in South Africa and it is a lie to say it is not. What most people do is to confuse POLICY with LAW, so that while it is against Government policy to play multi-racial sport, it is not against the law. Bodies such as the South African Olympic Council (S.A.O.C.) play upon this confusion to create the impression overseas that they are powerless against the Government's dictates.

South Africa's position in international sport is becoming tenuous. While some overseas sports bodies seem willing to continue their support for racial discrimination, most now realise that there is a serious breach of standards—moral and sporting—in the constitution of the official South African sports associations.

The South African Olympic Committee is a case in point here. It is controlled by an all-White body with subordinate Non-White bodies. It refuses to allow any Non-Whites to participate in its national trials or championships. Instead Non-Whites are given separate competitions at separate times and places.

Yet the S.A.O.C. pretends to the International Olympic Committee that it does its best under the circumstances. The I.O.C. has ordered it to comply with the Olympic Charter regarding non-discrimination in sport, failing which it will be expelled before the Olympic Games in Tokyo in October this year.

There is every indication that South Africa will not attempt to meet the I.O.C.'s requirements. In the first place the affiliated bodies resent being told to abandon their racist practices. In the second, the Government regards this as an issue of national pride and has indicated it would be displeased if any concessions were made.

South Africa will most probably not be represented at Tokyo. As compensation we have been given the South African Games. The White section was run in March and the Non-White in April.

The torch symbolising the spirit of these games appropriately went out before the start of the White Games.

Peter Snell, the New Zealand half-mile world champion, ran in the Games, even though he had been told this meant supporting sports-apartheid.

The Non-White Games presented a sorry picture. The athletes participated by virtue of their being sponsored by the mines.

The Indians and Coloureds have withdrawn from the soccer, leaving only the "Bantu" soccer body. This is representative of only a very poor section of Non-White soccer.

The non-racial weight lifting federation refused to participate in the Games. This has left the Games without any weightlifters of note. They were also unable to find any swimmers to take part.

All this farce has been carried through in an attempt to present a front of fair play: it is nothing of the sort.

The recognised national body in soccer is the Football Association of South Africa (F.A.S.A.) with its professional affiliate the National Football League (N.F.L.). The non-racial soccer body is the South African Soccer Federation (S.A.S.F.) and its professional affiliate, the South African Soccer League (S.A.S.L.).

F.A.S.A. practices apartheid, though it has been left with only its "Bantu" affiliate now.

It has membership of the Federation of International Football Associations (F.I.F.A.), from which it was expelled from 1962 to 1963 for its practice of apartheid.

It was reinstated last year when it assured F.I.F.A. that it was doing its best for Non-White soccer—within the limits of the law.

The non-racial S.A.S.F. stands as evidence that F.A.S.A. is willingly practising apartheid.

Members of F.A.S.A. have done everything they can to break the S.A.S.F. and the S.A.S.L.—even persuading local authorities to expel them from grounds. In the Transvaal the S.A.S.L. only have use of a ground by virtue of a petition to the Chief Justice which is pending.

The S.A.S.L. teams are very popular. They draw the biggest crowds in the country to their games. Yet they, and all the non-racial sport-

ing bodies, have the odds weighted against them.

The racist sporting bodies can count on the support of the Government and local authorities whenever they want action taken. The racist bodies have the money and other means to make it very attractive for Non-Whites to join bodies affiliated to the White organisations.

The only thing the non-racial bodies can hope for is that the international organisation will stop encouraging racial sport.

The Americans have planned a swimming team to tour here; the Welsh are sending a rugby team in May; the M.C.C. tour South Africa next summer; some European countries will receive a racially chosen athletics team in August; Arsenal Football Club will tour this winter; **and all these teams will actively and knowingly be supporting apartheid in sport.** The teams they play against will be racial and the people who watch them will be divided into racial groups.

While overseas sports teams continue to collaborate in this way there is little chance of apartheid breaking down in sport.

The main fight against this sports apartheid is being carried out by the South African Non-Racial Olympic Committee (S.A.N.R.O.C.). The chairman, Mr. John Harris, was banned under the Suppression of Communism Act in February. The previous chairman, Mr. Denis Brutus, was also banned for his work in sport.

THE REPORT OF THE U.N. COMMITTEE OF EXPERTS ON SOUTH AFRICA

PUBLIC STATEMENT, APRIL 21st, 1964, BY THE NATIONAL CHAIRMAN, PETER BROWN

The United Nations Committee of experts which has put forward to the Security Council its proposals to help resolve the South African problem has produced a most encouraging and sensible document.

It is quite clear from its proposals that the Committee does not regard white South Africans or the industrial economy of South Africa as expendable. It is looking for ways which will make it possible for us to come together and work out together a future course which will satisfy the aspirations of all South Africans and give them an opportunity to develop together the great economic and human potential of our country.

The Liberal Party gives its unreserved support to the proposal for the declaration of a political amnesty followed by the calling of a new National Convention. To us this seems the essential first step towards building a stable future for our country on the basis of agreement between all sections of our community. Delegates should not go to the Convention to grind any particular political axe, but determined to find a solution to our country's problems which would give reasonable security to all South Africans and hope for the future to those who at present have none. No doubt there would have to be give and take on all sides, but how else will we resolve peacefully the vast problems which confront us?

The United Nations Committee has shown South Africa a way out of her dilemma. I make this urgent appeal to political leaders of all persuasions and of all groups to respond to it, to rally to the call for a new National Convention and to go to that Convention determined to find a solution. The only alternative to the holding of such a Convention that I can see is growing isolation from the world, growing violence and racial tension in South Africa and the implementation of international sanctions at some time in the future. The growing deterioration which will result from these combined pressures will lead to a new National Convention some day, of that I am convinced, but where it would then take place against a background of bitterness and resentment, a National Convention held now, after the declaration of a political amnesty, would, as the Committee says, take place in an atmosphere in which "fear and bitterness could be set aside" and a "new confidence created".

In the nature of things the first response to this new initiative must come from white South Africans. I hope for the future of us all that they are big enough to respond without unnecessary delay.