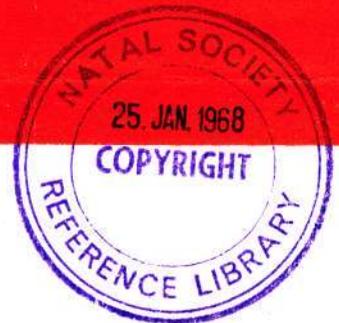


LIBERAL OPINION



KALK BAY

By MARY WHEELDON

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The effects of apartheid on people in the Cape Peninsula was described by Uys Krige two years ago when he spoke on new Government legislation against mixed entertainment. He said:

"We have become the world's best busy-bodies, the world's most fanatical bureaucrats, the world's arch meddlers, most active and expert trouble-makers. Where there was clarity we bring confusion, where order chaos. Where there was quiet harmony and the communion of kindred spirits, we bring . . . clash, conflict, frustration, suspicion, distrust, animosity and resentment."

He also reminded the Government that it would not be long before the Coloured people would be as many as the Afrikaners, and that the majority of the inhabitants of Cape Town were brown, not white.

Some eleven years ago in the early stages of Government preparation for the application of the Group Areas Act to the Cape Peninsula, a petition organized by the Black Sash and carrying 30,000 signatures asked the responsible Minister to leave the Peninsula as it was, claiming that "In the conditions of the Cape Peninsula, which are the result of three centuries of history, it would be impossible to demarcate just Group Areas." Nowhere has the impossibility of reconciling Group Areas proclamations with justice, leave alone wisdom, been more

evident than on this coast. Other paragraphs in the petition stressed the interracial harmony and goodwill that had prevailed throughout that history. A minister of the Dutch Reformed Sendingkerk, who signed the petition, said that he was afraid interracial harmony was what the Government feared most, and one of their main reasons for separating the races. If there was serious friction between the different races Pretoria might feel quite safe to leave things as they were. He is a Cape Afrikaner.

Ignorant of History

The present Government and its well-drilled caucus appear to be dominated by Transvaal elements who are for the most part ignorant of the history, traditions, and social conditions of the Cape. Thus they appear to be unaware of the pain they cause by their surgical operations on this body of living, functioning human society; and of the barbarity of expelling under a Group Areas Proclamation entire populations of original inhabitants from the historic areas of District Six, Kalk Bay, and Simonstown.

I have seen some of the bewilderment, anger, and insecurity that are the result of such proclamations. I live just above the busy, beautiful little harbour that is the centre of Kalk Bay village life and the site of its only industry. The present close-knit fishing community of about 120 families are the descendants of Portuguese, Philippine, Javanese, and Irish seamen who settled here over 150 years ago and later intermarried with English, Dutch and Cape Coloured people. From the beginning, this first settlement on the False Bay Coast had a strong community sense, and over the generations bonds have grown stronger as the people shared common hardships and triumphs in pioneering their trade and establishing their institutions. Among the Catholics, Muslims, and Anglicans of different origins, special traditions and codes of behaviour developed, and they were welded into one family drawing security from their common history. Grandfathers, fathers and sons were trained for no other livelihood but the sea, and very many of the families are inter-twined in blood relationships. Skipper Vincent Cloete, descendant of five generations of fishermen, said their village was "different" because "As a community, living our life together, we think and act and work as a family, suffering together when times are bad and rejoicing together when they are good, always respecting each other. Not only has Kalk Bay been a place that we know as a home, but it has also been like a mother that

holds a family together through familiarity and love."

The fishermen own 31 boats with a total crew of 340. They are line fishermen manning relatively small craft, and they judge shoal movements from the colour of the sea and sky, water temperature and tides, the wind, and the behaviour of sea birds. They are ready at any time to leave for the fishing grounds. Sudden storms mean prompt adjustment of moorings if their boats are not to be battered to pieces.

This exceptionally law-abiding, hard-working, and religious community has been lovingly documented in a remarkable book, "Die Blondom is hul Oesland" by Tommy Carse. He was their policeman for 15 years until the Kalk Bay Station was closed for lack of business. He still lives among the community he respects so highly, and aided the State Information Department in making a delightful film, "The Fisherfolk of Kalk Bay" — with sound tracks in eight languages — which was shown all over the world as a showpiece of "peaceful co-existence" of the races and of Non-White contentment. At one stage the State was clearly proud of Kalk Bay.

In 1911 the Government constructed a safe harbour for the fishermen. Many years prior to this the community had built a Mosque and a Catholic Church, and contributed towards the building of an Anglican Church and two schools. It was only towards the end of the 19th century that white people began to live here. They came well knowing the community they were joining, and attracted by the facilities established by the fisherfolk. It would therefore ill behove them to ask for the founders' removal. But anyway they did not. Nobody has. Only the great god Apartheid. As recently as 1940 the Municipality built 55 flats solely for the fishermen; and a City Council resolution, passed in 1939, said that "in letting flats or houses in the Kalk Bay Scheme, first preference must be given not only to bona fide fishermen but to any widows whose husbands had been engaged in fishing". Naturally thinking themselves secure, the fishermen sank large sums in boats — R124,000 — and some built their own houses in Kalk Bay.

The First Blow

In November 1964 the first blow fell. The Government advertisement announced that it was proposed to declare the whole area between Lakeside and Clovelly for White occupation. Objections in quintuplicate could be sent to the Department of Planning not later than

December 18, 1964. To many in the serenely busy fishing village the whole thing was beyond comprehension. Ratepayers in the area joined with one of the Councillors for the ward, fishermen leaders, Churches, and the Muslim community, to help individuals and bodies to organize their objections. The Cape Town City Council held a special meeting in time to lodge objections concerning the 55 Council flats. Protest meetings were held. The Kalk Bay Residents' Association submitted a detailed memorandum.

At the turn of the year objectors were notified that the public enquiry would be held in Muizenberg Pavilion on January 11, 1965. The nightmare was on the way to becoming a reality. That is how it felt at the enquiry. Almost every face looked as incredulous as stunned. There were about 300 of them, mostly fishermen. Of the 46 organizations and individuals who had submitted objections, many had nothing to add to their written memoranda, but several spoke, including Mr. Lewis Gay, Member of Parliament for the area, and representatives of the City Council, the Institute of Race Relations, the Black Sash and the National Council of Women; but most memorable was the counsel briefed by the Residents' Association, and the fishermen he called in evidence. Outstanding evidence was given by Imam Fischer, leader of the 200 Muslim fishermen, and by the Association's chairman, Mr. Vincent Cloete, whose personal quality was described by one who worked closely with him in the Kalk Bay survival struggle as "a rock of magnificent reliability against which the ugliest racial seas can never prevail". The essence of the residents' case was that in considering a proclamation the Group Areas Board is enjoined by the Act to give prior consideration to existing industries in the area, and to consider "whether or not suitable accommodation will be available outside the area for those disqualified by a proclamation". And there is nowhere suitable for Kalk Bay fishermen to live away from their harbour. It was stressed frequently that most of the Whites in Kalk Bay earned their livelihood up the line and used it purely as a dormitory suburb; and that Kalk Bay was the Peninsula's main source of fresh fish.

Even after the enquiry many were hopeful. It couldn't happen, could it? The Government would surely not cause such hardship as would be the uprooting of this community from their centuries-old home to make room for a few johnny-come-lately White men?

Sick Suggestion

But it did happen; and on July 7, 1967, the whole area from Lakeside to Clovelly, including Kalk Bay and all the beaches, was declared for Whites only. The 400 people living in the flats are given 15 years to get out. But there are 150 living outside the flats whose breadwinners are fishermen, and they, along with another 100 or so non-fishing breadwinners, must all be prepared for marching orders from next July. But already children are no longer permitted to play on the Harbour beach, a beach that Whites don't want. There was a sick suggestion that the beach should be for local Coloureds only. (How enforced? Must the child's address be tattooed on his arm?) An elderly fisherman pleaded for "the armste" who relied on this beach for their annual cheap holiday for the whole family.

The proclamation produced plenty of protests from individuals, the newspapers, the Black Sash, the Institute of Race Relations and others. Church protests culminated in a meeting of the executive committee of the Peninsula Church Council which called on Christians of every Church to press by every legal means for the suspension of the Group Areas Act as implemented in the Peninsula.

Representatives Silent

The four Coloured Representatives in Parliament and the Council for Coloured Affairs were silent. Party leaders who had been nominated to stand for Coloured Representation in Parliament (before the "Improper Interference" Bill thwarted all such non-National Party political communication across the colour line) protested at the "unchristian persecution of the Coloured people" and issued a challenge to Mr. Tom Swartz, chairman of the Council for Coloured Affairs, and to the Coloured Representatives in Parliament, to remind the Prime Minister of his plea to the world "to test the country's deeds and principles against the standards of morality and Christianity".

Since this article was started Simonstown has been declared a White area. Another 5,000 Cape citizens are to be uprooted from traditional homes and occupations and reduced to the status of segregated peasants.

Who Moves ?

Who are these people the Government is moving from their homes? Many of their ancestors were settled in Kalk Bay and Simonstown before the Afrikaner nation was founded. Compared to any South African immigrant of the

last ten years, all of them have a prior claim to a share in the booming South African economy and all that it should mean in terms of job opportunities, education for children, health facilities and old age pensions. They have worked productively for their country and they do not belong to the East, Europe, or independent Africa, any more than Van der Merwe does.

These are a few answers I got when I asked people in the fishermen's flats what they thought about the Proclamation:

"Why do you ask me about the South African Government's latest moves? It has nothing to do with me: I am not a citizen. I was only born here."

"I think it must have been wonderful to have lived here 100 years ago. My great grandfather lived in such an interesting time and was free to use his skill and better himself. Nobody was frightened and we all had the same legal rights."

"I really can't understand why they want to move us but I have heard it is because the Government is afraid of the Africans."

"You could call it a challenge. Our few families against the Government and the rest who don't care. We stand to lose our living and friends: they have nothing to lose or gain. They really want us all to be begging on our knees and to be like the lovable fool Gamat with his skolly children. We didn't care what they thought when they left us alone, but now we really know our place."

"We are better men than those who made this plan to move us and that is some comfort."

The Prime Minister has warned the world of the consequences of taking a man's home from him. How then can his Government implement an Act which is achieving the removal of thousands of South Africans from their homes? (Reprinted from the **South African Outlook**, October, 1967.)

AUTHORITY AND FREEDOM

by ALAN PATON

The 1967 Edgar Brookes lecture on Academic Freedom, delivered at the University of Natal, Pietermaritzburg

I would have preferred the title "Freedom and Authority" which has a swinging trochaic rhythm giving promise of music to come, but I did not use it because it would lay me open

to the charge that even in the title I put freedom before authority, so I chose the title "Authority and Freedom," and I don't like it so much because although it has an iambic rhythm, it does not swing, being ruthlessly cut off before it can make any music at all. I know what these deep psychologists would say (i) this man is an authoritarian, because he puts authority before freedom, or (ii) this man is a coward, and is obviously sucking up to the big chiefs or (iii) this man is a cheat, because he obviously means the opposite. The answer is none of these. The answer is that this man is an alphabetarian and puts his subjects into alphabetical order. The question as to why he chose on this particular occasion to be an alphabetarian is utterly fascinating, but it is not the subject of this lecture.

We have been talking of these things as though one might conceivably be preferred to the other. But that is not the case. They are not alternatives, they are not opposites, in fact they are both essential to something which is more fundamental, and that is life, not only personal life, but also life in community. And what is more, we can live fully only when these two are present together, not only in our personal lives, but in our social and community life also. If freedom destroys authority, then the result is chaos; and if authority destroys freedom, the result is slavery.

The Language of Slavery

It sometimes happens that in rebellion against authority, people assert the belief that there can be an absolute freedom, a freedom which knows no authority. Yet that is not the way we are made. It is striking that man, in order to express the highest states of freedom, uses the language of slavery. When we hear great music, we say that we are spellbound. When we hear a great speaker, we say the speaker held us, we may even add, in the hollow of his hand. A great actress enthralled us, literally hold us in thrall. A book grips us. A song captivates us. I think it was the Americans who introduced to the English language the expression "I am sold," presumably into some kind of captivity. It is strange, is it not, that the common element in all these bondages, is the experience of being free? The music, the play, the book, may make us weep, may fill us with that indescribable mixture of pain and joy, but what makes us weep and dance and laugh is not just the music and the play and the book, it is because something rises in us to meet them, it is because we are being glad to be what we are,

we have been caught up into a kind of bondage which is perfect freedom.

I believe with all my heart that it is that kind of freedom that authority should make it possible for us to enjoy. It is that kind of freedom which parents should give to their children, schools to their pupils, and churches to their members, and Universities to their students, and finally States to their citizens. The framers of the American Declaration of Independence tried to capture this extraordinary idea in words, and held it to be a self-evident truth, "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the pursuit of Happiness."

Free to Live

What were they trying to say? I think they were trying to say this—that man should be free to live the kind of life for which his nature and gifts equip him, that as a child he should be as happy as he might be, that as a child he should be protected from all cruelty and corruption and exploitation, that his home should be preserved in so far as the State can do so, that he should never go hungry, that he should never be separated from his father or his mother unless it is for his own protection, or because of their dereliction, that he should be educated so far as his environment permits, whether he is clever, dull, deaf, blind, crippled, that in his pursuit of truth and knowledge no impediment should be placed in his way, that when he grows up no opportunity for the exercise of his talents should be denied him, that he should be protected against gross loss caused through sickness, disablement, and also—I believe—against gross loss caused by criminal acts of others, that he should be free to worship or not worship as he wishes, that he should be free to speak and associate and publish so long as he breaks no law of the country, that no punishment or restriction should ever be imposed upon him except by a court of law, that in his declining years he should be preserved from hunger, squalor, neglect, and harassment, that finally his body should be buried decently, without the present inhuman provision that if he is buried free, no person may attend his burial except the representatives of authority.

I am not saying the State must make us happy; it cannot do that. But it can guarantee our liberties, and with that guarantee as our protection we can make of our lives what we can and will.

The history of this extraordinary dialogue between authority and freedom is the history of man himself. It can never cease until man ceases.

Loud and Clear

It can be heard loud and clear today in the United States of America, where some voices urge that the only way to rid the country of racial trouble is to create more opportunity, and others urge that the only way to do it is to return to segregation. Some voices urge that the only way to achieve world security is to crush Hanoi and the Viet Cong, and others urge that the way to return to sanity is to stop the bombing. And there is the strange phenomenon of the hippies and the flower children. Why do you think they are there? Are they there because they are mad, or are they there because the world is mad? Many of them have opted out of organised society altogether. Is this phenomenon merely grotesque, or is it telling us something important about our own world? I believe the latter to be true. They have opted out of a world where men—or too many men—believe that the use of force will solve problems of the utmost complexity. Twice within my lifetime, the continent of Europe, the home of Western Civilisation, erupted into war. Once in my lifetime a man equipped with absolute power attempted the extermination of an entire race. Do not think I am sneering at Western Civilisation, for I am not. I am concerned—as many of you here are also—to conserve all that is worth while in it. But I am utterly astonished by those white people who derive such satisfaction from sneering at the tribal conflicts in Africa when their own forefathers waged in this very century two tribal wars on a scale never before known in the history of man. (When I speak like this, some white people are unspeakably angered and call me a traitor to the white race. I am not a traitor to any race. What I try to be is to be loyal to the highest values of that civilisation into which I was born. And if some regard me with contempt, which of us is to be pitied? they or I?)

Responsibility

Whenever in our own country a person speaks in defence of freedom, he is always reminded—and sometimes sharply—that where there is freedom there must be responsibility. There can be no doubt of that, it is absolutely true. But it is equally true that authority also has its responsibilities. It was Acton who said

that the supreme duty of the State was to make it possible for man to lead the good life. It is the State that is or should be the guardian of justice. If I were the head of State, I would have one guiding principle, and that would be to make no law that would deprive any man, woman, or child, of those human rights which I enumerated above.

My State would safeguard jealously the rule of law. The rule of law means that the State is not the arbiter when a man is deemed to be deserving of punishment. The rule of law means that a person—such as one of your own students—cannot be punished because he holds certain ideas, only because he breaks certain laws. And it is to me a grievous thing that so many people today accept it as right and proper that a man should be punished—and drastically punished—because he holds certain ideas and cherishes certain principles. And it is to me even more grievous when University authorities adopt this view also, and attribute their troubles to outside agitators whose identity is never revealed.

My State would not only administer justice, it would be merciful also. I read to you famous lines that were not written by a starry-eyed idealist but by the greatest of all comprehenders of the human condition.

The quality of mercy is not strain'd,
It droppeth as the gentle rain from heaven,
Upon the place beneath; it is twice blessed.
It blesseth him that gives and him that takes:

'Tis mightiest in the mightiest; it becomes
The throned monarch better than his crown;

His sceptre shows the form of temporal power,

The attribute to awe and majesty,
Wherein doth sit the dread and fear of Kings;

But mercy is above this sceptred sway,
It is enthroned in the hearts of Kings,
It is attribute to God himself
And earthly power doth then show likest God's

When mercy seasons justice.

I wish that such mercy were shown more often in our country, and I think particularly of some who have been banished, and now want nothing more than to return to their homes and their people and die in peace.

Task of Authority

Must I still declare which I put first, Authority or Freedom? What I will say is that I believe

that the task of authority is to guarantee our freedoms. Authority is a means, and freedom an end, and they are therefore hardly to be compared. When Authority becomes an end, as it did in Hitler's Germany and Stalin's Russia, then freedom dies. One of Authority's weapons in preserving freedom is law-and-order. But when law-and-order becomes the end, then Freedom dies. Freedom is best preserved by distributing and balancing authority, but when Authority becomes monolithic, then freedom dies.

You at this University have a duty to remind us that man was not made to obey, he was made to be free, and he must learn that he cannot be free if he cannot also learn to obey. Authority is not God, it is the instrument made by man whereby he creates that law and order which will enable him to be free.

And the noblest kind of man is he who can both obey and be free.

And the noblest kind of country is the country that enables its people both to obey and to be free.

May our country be that kind of country, and may we, by our work, our devotion, our criticism, our pursuit of truth, help it to be that kind of country.

I salute you all, and wish for you that your lives may be purposeful, for it is when we have purpose that we are free.

A FRANCHISE SYSTEM FOR DIVIDED COMMUNITIES

by **KEN HILL**

(A suggestion in reply to the article by Prof. G. D. L. Schreiner in our last issue.)

The following system was devised primarily for South Africa with its present (1967) intense racial divisions and antagonisms. It is designed to achieve, as far as possible, the following not entirely compatible aims:—

- (a) Adult suffrage with absolutely equal voting powers for all voters, hence majority rule.
- (b) The maximum chances for party political divisions to develop over principles of government rather than over other group interests, hence no classification of voters by race, religion, status, wealth, etc.

- (c) Maximum chances of excluding "demagogues" and extremists of any group from Parliament.
- (d) Some degree of proportional representation, combined with the advantages of constituency representation and reasonable stability.

The mechanism

- (1) Constituencies to be very large so that, as far as possible, each is fairly representative of all the sizeable population groups.
- (2) Each constituency to elect four Parliamentary representatives, voting as a whole with each voter possessing four votes.
- (3) Constituents wishing their representatives to make special pleas for them with the Government to have the right to approach any or all of their four representatives and the latter to be obliged to act if so approached.
- (4) A voter to be permitted, if he so desires, to make **one** of his four votes a negative vote against **one** candidate, and to distribute his (three or four) positive votes as he pleases. E.g. he may give one vote each to three or four candidates, or all his votes to one candidate.
- (5) A candidate who receives negative votes totalling 20% or more of his positive votes to be automatically disqualified.
- (6) The four candidates, if such there be, not disqualified under 5 who receive the four highest totals of positive votes (negative votes not being taken into account) to be declared elected.
- (7) In the event that less than four candidates so qualify, elections for the constituency to begin ab initio, and such re-election to be completed within three months. Should again less than four qualify, all who qualify at the re-election to be declared elected and their number made up to four by nomination by the Supreme Court, after due consideration of representations publicly called for from constituents.

How it would work

- (1) A majority group even as high as 80% of the constituency is unlikely to be able to elect **four** "demagogues" of its group. Imagine (for easy calculation) that there are 100 voters in the constituency. Then the twenty voters from the minority groups can threaten to use 20 negative votes against one agreed "demagogue" A, and put up their own candidate B. The majority group must then give 101 positive votes to A to

ensure his election. In that event they can **average** only

$$\frac{320 - 101}{3} = \frac{219}{3} = 73 \text{ votes each}$$

for their other three "demagogues". If now at the last minute the minority groups give 74 or more positive votes to B (and in fact 6 or less negative votes to A) then B will be one of the successful candidates. The majority group could counter these tactics by using negative votes against B. 15 such negative votes will disqualify him at 74 or 75 positive votes, but since he could get 80 positive votes they must now use 20 negative votes. But the minority group could in fact now disqualify one of the demagogues other than A with 20 negative votes. The result, a re-election, would be needed (only 3 candidates qualify). A repetition would lead to Supreme Court nomination of one representative, almost certainly not a majority group "demagogue". Hence the majority group would leave B alone in the re-election, and he would be one of the successful candidates, unless he were a particularly detested "demagogue" of the minority groups. In this last event the Supreme Court choice would almost certainly be a moderate of the minority groups. Thus the most likely outcome is one moderate of the minority groups and three "demagogues" of the majority group—not a bad result for such a one-sided constituency.

- (2) In practice, of course, there would be other candidates and rivalries within the majority group. An independent who aroused little opposition in any group and enjoyed a moderate measure of support would stand a good chance; for the rival parties, playing guessing games against each other, would be unlikely to organise negative votes against him. Political parties which commanded some following in all groups might also have good chances of getting some representation in the same way. In most constituencies the majority group party would not command more than 70% of the votes. This position is very much more favourable to minorities than command of 80% of the votes by the majority group. It now needs 151 of 280 votes to **ensure** the election of the favourite "demagogue" of the majority and at least one of their candidates will therefore get less than 44 votes. Some other candidate

should be able to get 44 votes without being disqualified. The majority group may well opt for putting up **reasonable** candidates to get all four seats. This would not be a bad outcome.

- (3) It may be expected that most voters will vote according to their feelings despite the plans and injunctions of the political parties. This will have just the desired effect: the exclusion of the worst "demagogues". Clearly **minority** group "demagogues" will have very little chance. This would seem to be highly desirable, for some measure of majority group "demagogue" rule is inevitable, and the effect of a "demagogue" of one group on one of another is to make the latter even less reasonable. "Demagogues" are the worst possible representatives for minority groups.
- (4) The manner in which the system will lead to a **rough** proportional representation of **sizeable** groups should now be clear. But

very small groups and small parties would stand little chance of getting any representation in Parliament. Hence the instability of some systems with thoroughly proportional representation will be avoided.

- (5) Should the basis of bitter division change in time (e.g. from race to class or religious belief) the system will automatically adjust itself to meet this new situation on the same lines, without taking any official cognisance of any divisions of these kinds.

Possible Disadvantages

- (i) Will blackballing not embitter election campaigns more than ever?
- (ii) Would the system not lead to rather colourless "reasonable" Parliamentary representatives manipulated from outside by the "strong" "demagogues" of their parties?

Perhaps the colourless "reasonable" party men would in fact be led from within Parliamentary by colourful independents! What then?