

course, have no triuck with the rule of law. The rule of law presupposes a society ruled by consent. There will be peace in South Africa only when the social order commands the loyalty and respect of the people of the country. Such a social order will only come after apartheid has been defeated. When it does, the Government of the day will have no need to fear civilised standards of legal practice.

Smear

"The Liberal Party is cleverer than the United Party and much cleverer than the Progressive Party . . . it has fetched its weapons from the camp of the Communist . . . the Liberal Party wants to do battle with us in the Transkei . . . it uses all the weapons with which Communism fights: treachery, murder, conflicts, lies, false reports and the creation of incidents . . . it is a deadly sting . . . we shall have to restrict the Liberal Party."

All this was part of a tirade in Parliament by a prominent Nationalist speaking during the second reading debate on the Transkei Constitution Bill. This member, Mr. Cas Greyling, is known best for the extravagant incoherence of his speeches, but this time for once he did express a dominant theme in recent Nationalist Party propaganda.

Liberalism has never been a popular idea among adherents of narrow Afrikaner Nationalism, and the South African Liberals' clear call for a fully integrated non-racial society has made them an obvious target among the declared enemies of apartheid.

For years, however, the abuse and criticism was spasmodic and was directed more against well-known and outspoken individuals than against the Party. When the idea came under fire the target was "liberalism". But last year the attack became more concentrated, and from February this year it has been directed right at the Liberal Party. After the exaggerated menace of Poqo—used by the Minister of Justice to ease his latest General Law Amendment Act through Parliament—organised

Liberals are high up among white racialism's favourite bogeys.

The reason for this attack and the inspiration behind it will have to be sought in the dingy corridors of Nationalist thinking. Fear of any group of people who see hope in the breakdown of the colour bar is an obvious motive. So too is the resentment of any White South African who will not go behind the barricades. Cape Liberal leaders Randolph Vigne and Peter Hjul were banned, said Party President Alan Paton, because they refused to move into the white laager.

DIE BURGER

Not so long ago the official version of the liberal danger was that liberals "wittingly or unwittingly" assisted communists. In its editorial comment at the time of the banning of Peter Hjul, Cape Town Nationalist newspaper Die Burger expressed a different view. Explaining that the focal point of Liberal Party policy is universal franchise, it said that, with the slogan "one man, one vote", Liberals were attempting to outbid the communists and were building up "Bantu pressure". This, it warned, was bound to bring Africans into direct conflict "with the overwhelming majorities among the other population groups". Then, with peculiar disregard for the record of its own Party during the last war, it compared this "urge for a sell-out" with the actions of pro-Nazi traitors in Holland and Norway in 1940.

THE PAARL INQUIRY

From the editorial columns of Die Burger and the banning edicts of the Minister of Justice, the attack quickly entered a new phase.

Liberals had been accused of having wrong ideas and of exerting wrong influences. Then on February 28, before the one-man commission of enquiry into the causes of the Paarl riots in November last year, counsel for the police, Mr. Jan Steyn, and the pro-Government Emigrant Tembuland Chief Kaiser Matanzima

both implied that Liberals had been involved in murder and other violence in the Transkei. Challenged on his insinuations a few days later, Mr. Steyn said: "When I used the phrase 'persons who are referred to as liberals' the persons are, in fact, described by the deponent as members of an organisation called the Liberal Party. There is no evidence to suggest that in this case they were Europeans."

None of this evidence has, however, been made public; neither have the reasons behind an allegation made later in March in a special interim report by the Paarl Riot Enquiry commissioner, Mr. Justice Snyman.

In this report, which was mainly a warning about the danger of the Poqo movement, Mr. Snyman said: "Although the objectives of Poqo are aimed particularly at the Whites, it would appear that there are Whites who use the Poqo movement for their own purpose. Communistic agitators have been mentioned in this connection as well as White people who, according to the evidence, pretend to be liberals and even members of the Liberal Party . . . It is remarkable that visits to the Transkei Territory by certain Whites have time and again been followed by murderous assaults on tribal chiefs, headmen and others by bands led by members of Poqo."

Mr. FRONEMAN

With this clause of the report to work on and forgetting the important word "pretend" in it, Nationalist Party M.P. for Heilbron, Mr. G. F. van L. Froneman, was able during the budget debate nearly to reach the vehemence of Mr. Greyling's earlier tirade. Referring to a challenge by the Leader of the Opposition calling on the Minister of Justice to try Peter Hjul in court and there attempt to prove that the ban was justified, Mr. Froneman asked: "Who are those people (Hjul and Vigne)? Do you know that the Snyman report points to those people on whom a limitation has been placed as possibly being connected with the undermining activities of Poqo. The report says that strangely enough, if those people move about in a certain area of the Transkei

a murder is committed there the next day . . . I want to put it this way that the liberals and the Poqo have the same objective to-day."

A similar accusation by implication was made in the same debate by the Minister of Justice. Trouble in the Transkei was, he said, caused by people from outside: "Who sends them? Certain Whites, as is stated in this report. And if action is taken against those Whites, and it suits the Leader of the Opposition to do so, he issues pious statements to the press."

This evasion of the challenge was later criticised by Sir de Villiers Graaff.

Finally, in the Senate Debate on the Transkei Constitution Bill on May 13th, Mr. de Wet Nel, Minister of Bantu Administration and Development, announced that there was a "White brain" behind the killings and unrest. He went on to make the extraordinary statement that he knew who the people responsible for the killings were and "wished he could reveal their names".

So do we. In fact, we feel there is a clear duty on Mr. Nel to reveal these names at once. If he will not do so voluntarily, perhaps 90 days' detention for questioning will persuade him to do so—or to admit that there is no basis for his allegations whatsoever.

Apartheid and the Law No. 3

By a Lawyer

SOLD TO A FARMER AN IMPLICATION OF THE BANTU LAWS AMENDMENT BILL, 1963

In 1959 the public was told something of an arrangement that had been made between the Department of Justice and the Department of Bantu Affairs in regard to a scheme for the employment of petty offenders. In his general circular No. 23 of 1954, the Secretary for Bantu Affairs said in effect that Africans arrested for offences such as failure to pay tax and contraventions of Section 10 of Act No. 10