

MUSAS

PRESS DIGEST

NUUSBRIEF

Number 4 1967

Press reports and comments on the banning of Dr Raymond Hoffenberg
during July, August and September, 1967

Published by the National Union of South African Students
148 St Georges Street, Cape Town



Press Digest Number 4, 1967 - The Hoffenberg Ban

INDEX

The Banning	1	
No further bannings	1	
Hoffenberg Unlikely to be charged	1	
<u>Reactions to the Banning - A. The Universities</u>		
<u>The University of Cape Town</u>		
Council	2	
Chancellor	2	
Academic Freedom Committee	2	
Staff and Students	3	
Mass Meeting	3	
Second Mass Meeting	4	
Medical Students Protest	5	
Teach In	5	
<u>Witwatersrand University</u>		
Principal and Vice Chancellor	5	
Staff Protest	5	
Academic Freedom Committee	6	
Students	6	
Staff Student petition	6	
<u>Johannesburg College of Education</u>		6
<u>Rhodes University</u>		
Chancellor and Vice Chancellor	7	
Staff	7	
Students	7	
<u>University of Natal, Pietermaritzburg</u>		
Chancellor and Principal	7	
Staff	7	
Students	8	
<u>University of Natal, Durban</u>		8
<u>Stellenbosch University</u>		8
<u>B. Political Parties</u>		
Nationalist Party	9	
United Party	9	
Progressive Party	10	
Liberal Party	11	
<u>C. Other Organisations</u>		
National Union of South African Students	11	
University Teachers Association of South Africa	11	
Civil Rights League	12	
<u>The Banning and the Medical Profession</u>		
Groote Schuur Hospital (Cape Town)	12	
Mass Resignations Threatened	12	
SABC slams doctors	13	
Protest from the UK	13	
British Medical Journal	14	
Protests from the United States	14	
Professor John F Brock	14	
<u>Delegation to the Minister</u>		15
<u>Further Protests</u>		
Letter in the London Times	16	
Pretoria University	16	
Nation Wide signatories	17	
Methodists deplore banning	17	

Editorial Comment

Cape Times (July 31)	17
Star (August 1)	18
Cape Argus (August 2)	18
Southern Cross (August 2)	18
Daily Dispatch (August 3)	18
Eastern Province Herald (August 5)	18
Rand Daily Mail (August 5)	18
Sunday Times (August 6)	19
Sunday Express (August 6)	20
Pretoria News (August 7)	20
Cape Times (August 7)	20
Star (August 7)	20
Die Volksblad (August 8)	21
Die Oosterlig (August 10)	21
The Friend (August 10)	21
London Sunday Times (August 20)	21
Brain Drain (Star, August 16)	22
Full text of statement made by Professor JF. Brock Head of Department of Medicine at University of Cape Town on the banning of Dr. R. Hoffenberg	
	23

THE HOFFENBERG BAN

The following article appeared in the Sunday Times on the July 30, 1967

"A five year ban was imposed this weekend on one of South Africa's leading medical men, Dr Raymond (Bill) Hoffenberg, a gland specialist and distinguished researcher.

"The banning order confines him to the magisterial districts of Wynberg and Cape Town and prohibits him from belonging to any organisation or from attending any gathering, including a social gathering of more than one person. Nor may he write or make any statement for publication.

"He may continue his duties as senior lecturer-researcher at the Medical School of the University of Cape Town at the Groote Schuur Hospital only until the end of the 1967 academic year.

"Dr Hoffenberg, who is an active member of the Senate of the University, is specifically prohibited from taking any part 'in the affairs or activities of any students' society or organisation'.

"Dr Hoffenberg was Acting Chairman of the South African Defence and Aid Fund when it was banned in March last year.

"The banning order requires him to report to the police every Monday. It also prohibits him from entering any African area, factory or printing premises.

"The prohibition on publication means that Dr Hoffenberg, who has had fifty papers published in scientific journals throughout the world, will no longer be able to write articles....."

On September 1, 1967, in a notice in the Government Gazette, the name of Dr Raymond Hoffenberg, of One, Exeter Avenue, Bishopscourt, Wynberg was added to the list of persons prohibited from attending gatherings for five years in terms of the Suppression of Communism Act.

No Further Bannings

General H.J. van den Bergh, Head of the Security Police, was reported in the Sunday Express, August 6 as saying that the Government was not planning a large-scale banning of former office bearers and members of the banned South African Defence and Aid Fund. He said "Every case is treated on its merits. It does not mean that if the movements of a former member of a banned organisation are restricted, that other people who belonged to the movement might be restricted too. It also does not mean that, when former members of a banned organisation are restricted this is done because of their activities or association with that organisation. Sometimes, it depends on their activities after the banning of the movement to which they have belonged. They might have been up to their necks in something else."

Hoffenberg Unlikely to be Charged

In an interview with the Sunday Times on August 6, General H.J. van den Bergh said that it is not likely that a court charge would be brought against Dr Hoffenberg. "Why should he stand trial? It doesn't follow that when a man is restricted, he must appear in court. There have, after all, been many others who have been restricted but have not been put on trial. Incidentally, I don't like the 'banned' that newspapermen use. The correct term is 'restricted.' Dr Hoffenberg is restricted to a magisterial district."

REACTIONS TO THE BANNING ORDER

A. THE UNIVERSITIES

THE UNIVERSITY OF CAPE TOWN

Council

On August 2, the Cape Times announced that the Council of the University of Cape Town was expected to discuss the banning of Dr Raymond Hoffenberg when it met in Cape Town that afternoon. The meeting was the Council's routine monthly meeting.

The following day, the Cape Argus reported that the Council agreed unanimously to seek a modification or rescission of the ban on Dr Hoffenberg. The Council's statement read :

"The Council of the University of Cape Town shares the grave disquiet expressed in many quarters, especially by University staff and students in regard to the ban imposed by the Honorable Minister of Justice, on Dr. R. Hoffenberg. The Council unanimously agreed to seek an interview with the Minister at the earliest opportunity in order to obtain clarity on the reasons for the ban and to seek its modification or rescission in the interests of medical education and research in South Africa."

The report stated that amongst those present at the meeting were four of the five nominees of the State President - Dr. Louis Babrow, Dr. J.F. Burger, Mr. S.F. du Toit and Dr. I.D. du Plessis. The fifth, the Reverend A.J. van der Merwe was absent. The meeting was under the chairmanship of Mr. F.C. Robb in the absence of the Chairman of Council, Mr C. Corder.

In a separate statement, Councillor Mr Leo Marquard said that the banning would be an "incalculable loss to us and to the medical world at large."

Chancellor

The Chancellor of the University of Cape Town, Mr H.F. Oppenheimer said that the ban was "a matter of the gravest concern to all of us". (Star, August 3) He said that he very much hoped to be a member of the delegation to see the Minister of Justice, Mr Pelser. He further added "I associate myself entirely with the statement yesterday by the Council of the University of Cape Town. The ban ... represents an interference of the most serious kind in his life and work, and in the affairs of the University. If the ban is justified, it must be seen to be justified, and it is, therefore, my own earnest hope that the Minister of Justice will accede to the Council's request for an interview." This statement of the Chancellor's was reported in the London Times of August 4.

Academic Freedom Committee

Professor H.M. Robertson, Professor of Economics, and Chairman of the Academic Freedom Committee, made the following statement in the Cape Times on July 31.

"When I saw the report, the first thing I did was to try to get in touch with the Principal, the Deputy Principal and the Chairman of the University Council, but all were absent on holiday.

"Incredulous, I made an appointment to see Dr Hoffenberg. When he showed me the order I was shocked.

"Dr Hoffenberg has been issued with a very severe banning order.

"As far as this University is concerned, a drastic infringement both of Dr Hoffenberg's academic privileges and of the University has taken place.... By Ministerial edict, without any hearings, the University is to be deprived of the teaching services of one of its most distinguished teachers from the end of the year. This a flagrant infringement of academic freedom.

"Nor is that all. The terms of the order in respect of publications are still being studied. If they prevent the continued publication of Dr Hoffenberg's scientific work, it constitutes a second and perhaps more serious infringement.

"If the order - as well it might - should also prove to interfere with Dr Hoffenberg's full participation in the team-work within the Department of Medicine, which has resulted in many valuable discoveries and has brought international recognition to the achievements of our medical school, a third assault on academic freedom and academic achievement will have been made."

Both the Chairman of the UCT Staff Association, Professor AM Stephen, and the President of the Students' Representative Council, Mr Ian Hume fully associated themselves with the statement.

Staff and Students

Students returning to their classes after the mid year vacation were "stunned" to hear of the banning of Dr Raymond Hoffenberg. This was reported in the Star (July 31). Mr Mike Pokroy, Chairman of the UCT Medical Students' Council commented "reaction here was one of absolute incredulity. It seems the Government is adding to South Africa's brain drain".

Posters condemning the ban appeared on the campus with slogans such as "Why is Hoffenberg banned?" "Who shall teach?" and "Support your University".

The Executive Committee of the UCT Students' Representative Council, was due to meet later that day to discuss plans for a protest meeting, and Mr Hume gave the following statement to the Star :

"This does not affect students alone and while we are determined to protest we think it proper to have a joint protest with members of staff.

The following day about 20 UCT students gathered on the steps of St Georges Cathedral at lunch time to display posters protesting at the banning of Dr Hoffenberg. (Cape Argus, August 1)

At the same time, more than 500 medical students crowded into a lecture theatre at the University of Cape Town's Medical School to endorse a statement condemning the banning and asking that Dr Hoffenberg be allowed to remain in the academic community. The statement called on other Medical Schools and universities to associate themselves with the protest." (Rand Daily Mail, August 2)

Mass Meeting

On Friday, August 4, a mass meeting of more than one thousand students and staff of the University was held in the Jameson Hall. The meeting was organised by the University's Academic Freedom Committee, and was attended by members of Senate and the teaching staff, as well the Principal-designate, Sir Richard Luyt.

The Principal Dr. J.P. Duminy was absent through illness but sent a letter associating himself with a statement issued by the Council of the University.... The meeting was called to endorse the statement registering against the banning in these terms:

"In the first place it will become illegal for Dr Hoffenberg to continue to carry out his teaching duties after the end of the academic year.

"As a result the order deprives his colleagues in a team of co-workers which has done much to advance medicine and medical education, of a valuable fellow member. It deprives the students of an excellent teacher. It deprives the University of freedom of choice and freedom of action in choosing the most effective instructors and providing adequate facilities for the conduct of their work.

"The order does all this, not as the inevitable consequences of a conviction of any crime, but on an unproven, untested, secret assertion of complicity in furthering the aims of communism." (Star, August 4)

Among those at the meeting was Mrs. Margaret Hoffenberg, whose husband in terms of the ban was prohibited from attending. Students and staff arriving at the Jameson Hall, marched through a line of students displaying posters that read "Revoke or Justify".

At the meeting, a message from Mr Harry Oppenheimer, the University Chancellor was read to the audience. The message was in a similar vein to the one he had issued prior to the meeting.

Professor AF Stephen, Chairman of the Staff Association told the meeting: "It is because the nature of Dr Hoffenberg's alleged offence is unknown that we are bewildered and want to know more."

The meeting was also addressed by Mr Ian Hume, President of the SRC, and Professor John F. Brock, Professor of Medicine. (Rand Daily Mail, August 5)

A special edition of Varsity, the student newspaper was distributed on the day of the meeting. In it, Mr Ian Hume said:

"It is deeply distressing to see how often the Nationalist Government, in the pursuit of its policy has had to resort to this cruel bludgeon of a law. In senselessly banning Dr Hoffenberg they are depriving South Africa of a brilliant professional mind and a gentle temperament both qualities which South Africa sorely needs at present. The students of UCT will not sit quietly by while the liberty of a colleague is so rudely snuffed out."

The editor of Varsity made the following comment :

"To Bill Hoffenberg we say this : your banning is the greatest tribute to your love for South Africa. When the iniquitous banning system no longer disgraces the South African statute book, hundreds of banned South Africans will certainly be recognised as valuable citizens. Our protests against this ban should be a protest against the whole banning cult. They should be linked to an affirmation that one day we shall live in a land free from apartheid and free from unjust police-state measures used to prop up an evil system."

Second mass meeting

On Friday, August 11, a second mass meeting of students condemned the banning of Dr Hoffenberg. The meeting was a statutory report back to conclude the SRC's term of office. After the meeting, about fifty students demonstrated outside St Georges Cathedral, Cape Town with protest placards reading "685 banned, no Trial" and "Put end to academic purge". (Varsity August 16)

After the demonstration, a photographer reported that a security branch sargeant seized his film while he was taking pictures of the crowd watching the student demonstration outside the cathedral. "He accused me of taking a photograph of him and said: 'I'm not allowed to appear in print'. I had been taking photographs at the demonstration for a university publication." (Rand Daily Mail, August 12)

Medical Students Protest

A letter signed by 288 UCT medical students was sent to the Prime Minister Mr BJ Vorster asking the Government to withdraw the ban. The letter said "our purpose in writing to you is to draw to your attention the harm which the ban imposed on Dr Hoffenberg has done to our medical school, to medical education in Sputh Africa and indeed to South Africa as a whole.

"Dr Hoffenberg is a senior, responsible and invaluable colleague and member of the Staff, and a research worker of internationally accepted merit.

"He is responsible for much of the academic programme of students in the fourth and sixth years of study; and for many lectures which he delivers in a concise fashion, thereby making a tremendous contribution to the knowledge of Cape Town medical students. "

The letter said that the ban would harm the name of South Africa abroad. (Varsity, August 16)

Teach In

Strong protests against the banning of Dr Hoffenberg were made by speakers at a teach in at the University of Cape Town on August 13. The Teach In was organised by the SRC on "Freedom, Restraint and the Rule of Law". Speakers were Dr Jan Steytler, Dean King of Cape Town, Professor D Molteno, Professor E Axelson and Mr Adan Small. At the teach in Professor Molteno said that to safeguard the rule of law, it was permissible to penalise a man only after he had been judged guilty of breaking a general rule of law. "As long as discriminatory laws exist in South Africa, the rule of law will be non existent here". (Sanspa, August 15)

WITWATERSRAND UNIVERSITY

Principal and Vice Chancellor

Professor ID MacCrone Principal of Witwatersrand University associated himself with the statement made by the Chancellor of UCT, Mr Harry Oppenheimer, condemning the ban of Dr Hoffenberg. Mr Oppenheimer said the ban was a matter of the greatest concern to all, representing an interference of the most serious kind on Dr Hoffenberg's lifem his work and the affairs of the University. (Rand Daily Mail, August 8)

Staff Protest

A petition signed by 172 members of the staff, including 31 professors protesting about the banning was sent to the Minister of Justice, Mr Pelsor. Thepetition, sponsored by the Academic Staff Association of the University, read as follows:

"Mindful of the serious implications for academic and personal freedom that are involved in the restrictions recently imposed on our colleague, Dr R Hoffenberg, of the University of Cape Town, we the undersigned, being members of the academic staff of the University of the Witwatersrand, urgently request that these restrictions be lifted, or, failing that, that charges be laid against Dr Hoffenberg that can be tested in a court of law." (Rand Daily Mail, September 15)

Academic Freedom Committee

The Academic Freedom Committee of the University of the Witwatersrand added its voice to the growing protest against the ban, said the Star (August 2). While issues of personal freedom and the rule of law also arose in this case, the committee said, it wished to protest in particular against the specific infringement on academic freedom which it is understood were involved. A scholar had been prevented from publishing the fruits of his research. The South African scholar had lost his public works, and the University had effectively been deprived of the right to continue the appointment of one of its teachers.

The committee represents staff, students and graduate associations of the University.

Students

More than 150 Wits students were joined by members of staff, senior officials of NUSAS and members of the Black Sash in an hour long poster protest on August 1, 1967. Protestors carried placards reading "World medical authority silenced", "No Trial - No Reasons".

Speaking from the protest Miss Margaret Marshall, President of NUSAS said: "We can only assume the Government crackdown is now on students. He has been a valued student advisor and counsellor."

Mr Robin Margo, President of the SRC at Wits complained that "the academic climate in South Africa is deteriorating very rapidly indeed. It is a terrible thing for university people to watch." (Star, August 2)

During the demonstration a few motorists passing by heeded and gave the thumbs up sign, but the majority pushed on towards the comfort of their own homes. (Natal Mercury, August 2)

Staff-Student petition

The Rand Daily Mail of September 2 reported that a petition containing more than two thousand signatures had been signed by University students, lawyers, teachers and ministers. The petition was to be sent to the Minister of Justice.

JOHANNESBURG COLLEGE OF EDUCATION

"The Students' Representative Council has protested against the banning of Dr Bill Hoffenberg, an eminent medical researcher and lecturer at the University of Cape Town.

"A motion passed unanimously by the SRC condemned the banning order as an attack not only of the rule of law, but also of the freedom of the individual.

Charge of Release

"The SRC further called upon the Minister of Justice to revoke either the banning orders on Dr Hoffenberg, in particular, and all those others under banning orders, or to charge them, allowing them the right of defence in a court of law.

"A copy of the resolution was sent to the Minister of Justice. A reply has been received from the Department of Justice stating that the contents of the resolutions have been noted."

RHODES UNIVERSITYChancellor and Vice Chancellor

Dr WJ Busschau, Chancellor of Rhodes University joined other University heads in South Africa in demanding an explanation from the Government on the banning of Dr Hoffenberg. He said "I agree with those who have said the action the Government has taken is a drastic one, and I think the University of Cape Town is right to have asked for an explanation." The Vice Chancellor, Dr JM Hyslop, like his counterpart at Wits University associated himself with the statement made by Mr Harry Oppenheimer. (Rand Daily Mail, August 11)

Staff

A group of fifty five Rhodes University lecturers, among whom were eleven professors, signed a protest against the banning. The protest said "... In so far as the Minister may be thought to have acted with the silent consent of University people or in the name of citizens of this country, we wish most strongly to dissociate ourselves from his action." (Star, August 4)

Students

A student body meeting at Rhodes University passed a motion on the banning and accused the Government of trying to prevent criticism in Universities. The motion was passed by an overwhelming majority and affirmed the student body's belief in human and academic freedom. It resolved to petition the Minister of Justice to charge, or release Dr Hoffenberg and to march through Grahamstown to register protest. (Star, August 9)

The march was held on August 17 and was attended by some four hundred students and forty staff members. They marched in couples and did not have any placards as is the custom at Rhodes. The only thing displayed was the South African flag. (Star, August 17)

UNIVERSITY OF NATAL, PIETERMARITZBURGChancellor and Principal

There has been no report of a statement from the Chancellor of the University Dr GG Campbell. The Rand Daily Mail reported on August 8 that he was not available for comment.

There has been no comment from the Principal of the University, Professor OPF Horwood. At a student body meeting at UNP on August 9, a resolution was passed overwhelmingly expressing concern at Professor Horwood's silence on the banning. The resolution read "That this Student Body notes with concern that all the Principals of English-language Universities with the exception of Professor Horwood have stated their position on the banning of Dr Hoffenberg, and, noting that Professor Horwood has in the past publicly supported the concept of academic freedom, therefore requests him, as Principal of our University, to state the position of Natal University on this matter." (Nux, September 15)

Staff

The executive committees of the Academic Staff Association and the Lecturers Association of the University of Natal deplored the ban. This was reported in the Star of August 11. The statement said :

"We would like to reiterate the substance of previous protests made by the staff of the University about similar actions in the past.

"No university can countenance without the deepest misgivings, such banning orders - they are tantamount to dismissal by external decree and create a dangerous precedent that could be applied to any university teacher who incurs the displeasure of the Government.

"We warn that such State action endangers the very existence of our South African universities."

Students

On Monday, August 28, about 80 students from UNP stood opposite the City Hall for an hour displaying posters reading "Hoffenberg Banned - Unjust", "Prosecute, Don't Persecute", "Use the Courts", "Is this Right?" and "Innocent until proved Guilty".

The demonstration drew uniformed and security police who faced the academically minded protesters together with a small group of "Flower Power" counter-demonstrators. Passers by were largely indifferent to the demonstration but one was heard to comment: "We need men fighting in Rhodesia and the Congo, not standing on street corners." (Nux, September 15)

UNIVERSITY OF NATAL, DURBAN

As the SRC was suspended by the Principal there have been no student demonstrations. UND has the same administrative officials as UNP.

STELLENBOSCH UNIVERSITY

Four students (Mr Arnold Schoonwinkel, Mr Dallas Mason-Jones, Mr Tony Osler and Mr Arnold Geyer) drafted and circulated a petition protesting against Dr Hoffenberg's banning on the Stellenbosch campus. After two days, 200 signatures including 14 lecturers and 2 professors had signed the petition which was sent to the Minister of Justice.

One of the organisers, Mr Osler said that the organisers had spoken to about 700 students and 40 lecturers and that they were overwhelmed by the support they had received - "even from the staunchest Government supporters". Mr Osler also stated that most people although supporting the protest did not sign the petition because they feared they "would suffer academically or professionally."

"Dissatisfaction about the Hoffenberg case in particular, and the law in general, is more widespread than we ever could have supposed."
(Cape Times, September 1)

A statement in the Afrikaans Press that the Stellenbosch petition was a contravention of the University of Stellenbosch's regulations was denied by the organisers.

Rumours of either Security Police or administrative reprisals were rife on the campus. Certain lecturers did not sign the petition because of any embarrassment it might cause for their departmental heads, reported the Star of September 1.

Die Matie (student newspaper at Stellenbosch University) in a front page lead article on September 12, stated that they had discovered that very few students or lecturers are concerned about the banning of Dr Hoffenberg. The article went on to say that the majority felt that the Government would not have banned Dr Hoffenberg without reasons. One person said "The Government and Advocate Vorster have never been proved wrong about this type of thing". Another student pointed out that in cases previously in cases of this nature, similar protest action had been taken, and it had been later discovered that the banned person was a communist or saboteur.

Wim Botha, SRC President, said he felt that the issue had nothing to do with Stellenbosch University and that it was affair for the University of Cape Town. (Die Matie, September 12)

In Die Matie of September 26, a student writing to the Editor expressed his "deep disillusionment at the obvious glee with which Die Matie announced that only 200 students had signed the Hoffenberg petition"...

"The fact is that I do not know why he (Dr Hoffenberg) was banned and neither does any member of the public. And neither for all we know, might he, although one suspects that is unlikely.

"I find it hard to credit how people living in a civilised modern Western country can so readily accept measures which are only acceptable in totalitarian states. I certainly do not think that the argument that 'they know what they are doing' is any argument at all - especially if citizens at large do not."

B. POLITICAL PARTIES

Nationalist Party

The Government would not be intimidated by threats of resignation at the Medical School or at Cape Town's Groote Schuur Hospital because of the restrictions placed on Dr Raymond Hoffenberg the Nationalist Party Prime Minister, Mr Vorster said at Koffiefontein on August 11. (Rand Daily Mail, August 12)

Mr Vorster said the Government would not hesitate to place restrictions on any person if it was convinced that the person promoted the aims and objects of communism. He said he had placed restrictions on persons during his period of office as Minister of Justice, and he did not apologise for his actions.

"The Government does not intend to take orders from these people. If people wanted to resign because of this, let them resign. Any person, no matter who, will be restricted in terms of the Act if the Minister of Justice is of the opinion that circumstances warrant such a step.

"Communism has again reared its head in South Africa and this will never be tolerated by the Government." (Rand Daily Mail, August 12)

Official Government Reply

The Sunday Express of August 27 reported that Dr Hoffenberg received a reply to a letter he wrote to the Government to ask why he had been banned. "The letter just stated that it was not in the public interest to disclose the reasons for my husband's banning" said Mrs Margaret Hoffenberg. "It does repeat that he has been banned for furthering some of the aims of Communism and makes a reference to the fact that he served on the Defence Aid Committee".

United Party

The leader of the Opposition, Sir de Villiers Graaff, told the Acting Chairman of the Council of the University of Cape Town, Mr Frank Robb, that he was prepared to make representation on the Council's behalf to the Minister of Justice in connection with the banning of Dr Hoffenberg, "in the hope of obtaining some relaxation of the Minister's order, or its withdrawal". Sir de Villiers disclosed this at a meeting in Kuruman on August 7, and explained that this was the reason why he had refrained from commenting. However, since the Council had decided to act on its own, he felt he should emphasise once again that the United Party had always opposed the imposition of restrictions on the freedom of individuals by Ministerial decree under the Suppression of Communism Act, and he had always stood for appeal to the courts.

What was important was not whether Dr Hoffenberg was or was not guilty of any offence, but that justice should be seen to be done in every case in which a citizen's freedom was invaded.

When Ministerial action of this kind was taken against a well-known international figure, it undid overnight the work of the Prime Minister in attempting to perform with his outward-looking policies, and inevitably it effected international opinion. (Sunday Times, August 6)

Statement by MPC

Mr F. Botha, MPC maintained that the banning of Dr Hoffenberg was "the latest example of the transgression of the rule of law by the Government" Speaking at a report back meeting in his constituency, Mr Botha said that the Medical and Dental Council of South Africa was the only body appointed to sit in censure on a medical practitioner with the right to deprive him of his livelihood for either having transgressed the profession's determined code of ethical behaviour or for having been convicted in an open court of law. The council had not taken such action against Dr. Hoffenberg (Cape Argus, August 2)

Progressive Party

Dr Jan Steytler, leader of the Progressive Party, said that the country had had enough of the Government's banning and silencing of people without reasons being given. "If South Africa's democracy has to be bolstered by the banning and silencing of outstanding people, then we have already lost." It is impossible to believe that such a man would make himself guilty of irresponsible activities or of behaviour that necessitates his being silenced, stripped of his freedom, and deprived of his livelihood." (Sunday Times August 6)

Mrs Helen Suzman, MP said that she was certain that the man behind the banning was the Prime Minister because "he knows that as long as the stubborn resistance of university students persists, the Government cannot claim complete victory in South Africa." She said that there was nothing haphazard about the incident, and she felt that the reason for Dr Hoffenberg's ban was his activities among the students of the Cape Town University and his influence upon them.

"I am equally convinced that Dr Hoffenberg is no communist and that his main concern has been the attainment of a just society in South Africa, because he is a humanitarian and a man of compassion.

"I am convinced that no charges can be formulated against him as far as communism is concerned could stand investigation in any court of law.

"I am also certain that the banning is part and parcel of a campaign to intimidate which has been carried on by the Government year after year singling out people of influence for banning, house arrest and other restrictions.

"The only heartening thing about this appalling and disgraceful banning of one of the most respected scientists in South Africa is that his own profession has rallied behind him - in marked contrast to the attitude of the legal profession" (Sunday Times, August 6)

Mr Colin Eglin, Cape chairman of the Progressive Party said "Of course there will be those who say 'the Government must have a reason'. We do not concede that any reason can justify the condemning of a man without a trial.

"Without a charge being brought against him, without a trial, without the opportunity to defend himself, Dr Hoffenberg is to join those who have been condemned behind closed doors to a twilight existence of silence and isolation within the community of which he is a part." (Cape Times, August 1)

The banning was decried by Dr Zac de Beer as "the law of the jungle - the sort of thing that happens in the Congo..... A citizen has been savagely penalised without charge or trial". (Rand Daily Mail, August 9)

Liberal Party

Mr Jack Enterhalter Vice President of the Liberal Party said :

"With his ban Dr Hoffenberg joins a distinguished group of liberals whose useful work for South Africa is thwarted.

"The public should not forget that the same fate overtook Peter Brown, former national chairman of the Liberal Party, a man specially beloved by the Zulus of Natal, David Craighead brilliant actuary and former chairman of the Defence and Aid Fund, and Ruth Hayman, attorney and tireless defender of the political accused."

Mr Alan Paton and Dr Edgar Brookes also issued statements.

C. OTHER ORGANISATIONSNational Union of South African Students

In a statement to Sansna (August 1), Mr John Sprack Vice President of NUSAS called on the students of South Africa to protest against this infringement of the rule of law and individual freedom.

"By this latest encroachment on the fundamental rights of freedom of expression and association, the Government have, once again, earned the contempt of the students of South Africa. We will not desert the ideals for which he stood.

"By this mean and cowardly act, the Government has proved once again that it is destroying everything that is decent in South Africa.

"By a stroke of the bureaucratic pen, Bill Hoffenberg, a wise and gentle man, has been turned into an unperson,

"By an act of crass political idiocy, the writings of a medical researcher acclaimed throughout the world have been denied to South Africa."

In a later statement, (Cape Times, August 7) Mr Sprack linked the banning of Dr Hoffenberg with renewed attacks on the National Union. Dr Hoffenberg was Chairman of the NUSAS Advisory Panel. "It is clearly more than coincidence that within a matter of weeks, the Chairman of the NUSAS Advisory Panel, Dr Hoffenberg was banned, my immediate predecessor is being left in doubt as to his passport application and my citizenship has been taken away," said Mr Sprack. "This is patently a new and further phase in the Government's attempt to crush NUSAS. This has and will, meet with the strongest opposition from students concerned with democracy

(Note - Mr John Daniel, immediate predecessor of Mr Sprack had his passport refused)

Mr Clive Nettelton, Regional Director for the Transvaal on the NUSAS Executive said that the banning was arbitrary action of the worst kind. Not only is Dr Hoffenberg prevented from taking part in political activities but his medical career has been cut short. South Africa's contribution to world medicine is not so great that we can afford to silence such an academic.

"The usual disgusting formula of totalitarian action has been followed - no trial, and no reasons." (Wits Student, August 4)

University Teachers Association of South Africa

Professor Sheila van der Horst, Chairman of the Council of UTASA, made the following statement:

"The council is gravely concerned at the implications for South African academic life of the banning without trial of Dr Hoffenberg. This action has caused disgrace and apprehension.... throughout the University world both within and outside South Africa... the practical consequences in the loss of staff and the impediment to the recruitment of persons of high academic attain-

are incalculable ... South African universities are finding it very difficult to attract teachers and research workers of high calibre The banning without trial of members of our Universities increases these difficulties " (Rand Daily Mail, August 7)

Civil Rights League

In a letter to the Cape Times on August 4, Miss M. Rodger, Secretary of the Civil Rights League, said:

"Banning (at least of well known people) have been less frequent in recent months, but this latest one is sufficient to prove, if proof were needed, that the Government's attitude is not, as some may have believed, mellowing because of the peaceful condition of our country, on which Government spokesmen so frequently insist.

"Any defender of civil and human rights against Government policy is liable to be attacked when the Government considers the time opportune."

THE BANNING AND THE MEDICAL PROFESSION

Groote Schuur Hospital (Cape Town)

A meeting was called by the Department of Medicine of the University of Cape Town on July 31. It was closed to members of the public and to the press, but after the meeting, Professor JF Broek who was Chairman of the meeting, issued the following statement to the Press :

"The meeting wishes to express its strongest abhorrence of the reported banning without trial of a respected member of the medical profession, Dr R Hoffenberg.

"In the absence of publicly established legal guilt, it objects to the restriction of his liberty in general, and of his scientific and academic activities in particular.

"The meeting feels that, in these circumstances, any restriction of his right to practise or teach clinical medicine, conduct research or publish scientific articles would be wrong in principle and detrimental to science and medicine" (Cape Times, August 1)

A five man committee composed of doctors at Groote Schuur was elected to consider what action should be taken.

Mass Resignations Threatened

The Sunday Times of August 6 reported that a crisis had arisen at Groote Schuur Hospital over the Government's ban. Many senior and junior members of the department of the hospital staff had threatened to resign unless the ban was withdrawn. The article written by political correspondent, Stanley Uys, said "This would bring the hospital to a stand still. The threat of mass resignation is, I learn, specific - it is contained in two letters sent to the University Council. These letters reflect the determined views of most of the senior members of the Department of Medicine and virtually all the junior members. Such action is unprecedented at any South African hospital."

The following day, the Superintendent of Groote Schuur Hospital, Dr J Burger and Mr Frank Robb, Acting Chairman of Council of the University of Cape Town, disclaimed all knowledge of threats of a mass resignation by specialists and doctors at the hospital because of the banning. They were commenting on reports of two letters sent to the University Council. "There may have been letters in the post, but I know nothing about them. I certainly did not see any", said Mr Robb.

Dr LAPA Munnik ~~MBC~~ in charge of hospitals said that it would be a great pity if any of the medical staff at Groote Schuur did resign but he was confident that the hospital would be able to adjust to the loss.
(Star, August 7)

However, on August 8, a report in the Rand Daily Mail stated that Professor JF Brock had confirmed that "a large part" of the staff of his department has said they wished to give 3 months notice in protest against the banning. He said he has received "a most moving offer of resignation", but he indicated that he would try to dissuade the staff from resigning. He said that in his opinion strikes by doctors were not consistent with the Hippocratic ethic and mass resignation was "an inappropriate method of protest". Professor Brock's views are given in a statement which he issued after a meeting with Dr Munnik and Professor B. Bromilow-Downing, Dean of the Medical Faculty.

Professor Brock said "I am very gratified at the dignified, but nevertheless impelling protest which has been made by my university and my department at the hospital.

"Part of the unpublicised protest has been a most moving offer of resignation after 3 months notice of a large part of the staff of my department.

"The men who have made this gesture are all, for their age, in the upper echelons of academic and professional achievement and the significance of this very moving gesture must not be underestimated."

SABC Slams Doctors

"Current Affairs", the nightly SABC political commentary, said that "the intensive campaign to whip up emotions over the banning of Dr Raymond Hoffenberg, of Cape Town, has now reached the stage where the interests of the community are threatened by a cultivated protest action. The most recent of the unpleasant developments in the organised agitation is the news that doctors at the Groote Schuur Hospital propose resigning en masse if they don't get their way. If this is the sample of the spirit of protest which progressive thinkers are so eager to arouse in South Africa, balanced people can hardly be blamed for thinking that this country might be better off without protest. By getting themselves mixed up in this way with a political agitation, the doctors in question are blotting the reputation of an esteemed reputation ... Now a group has taken up a weapon that must lead to anarchy ... a protest in which the sick become the pawns in a political agitation certainly exceeds the scope proper to citizens for making their opinions known ... If any further proof were needed that the various professions should keep out of political agitation, then the present agitation by this group of doctors is the final answer". (Cape Times, August 8)

Protest from the UK

Sixteen medical professors of the Universities of Oxford, London, Nottingham and Belfast - all of whom have trained South African graduates - signed a letter of protest at the banning. The letter also contained the signatures of 24 medical graduates doing post graduate work in Britain.

One of them, Dr Ralph Wright, who trained at the Universities of Cape Town and Natal, and is Assistant in the Nuffield Department of Clinical Medicine, Oxford, said in a covering note that many of signatories "are people of moderate and conservative views. This is clearly not a protest by left-wing critics of the South African Government's policies".

The letter reads :

"As members of the medical profession, we wish to express our strongest protest at the banning of Dr R Hoffenberg.

"This ban has been imposed without stated reasons or open trial, on a man who is known to many of us to be of the highest personal integrity. We associate ourselves with Professor JF Brock's condemnation of this action.

"Dr Hoffenberg's international reputation as a physician, research worker and teacher would render him an asset to any country. His banning is likely to aggravate the loss of university teachers from South Africa where the shortage of skilled doctors is already serious." (Rand Daily Mail, September 1965)

British Medical Journal

By its five year ban on Dr Raymond Hoffenberg, the South African Government has deprived the world of medicine of the services of a distinguished doctor. This was stated in an editorial in the British Medical Journal headed "Sentence without Trial". "No research worker can hope to maintain his integrity without freedom to associate with colleagues, to travel and publish his findings." The ban on Dr Hoffenberg, had "excommunicated" him from professional life.

A letter in the journal from 18 eminent members of the medical profession stated that his medical integrity was not in question. "We must, therefore, assume that he is being persecuted for his humanitarian work". (Rand Daily Mail, August 25)

Protests from the United States

Forty five South African trained medical men who hold professorships, fellowships and other important posts at Universities and hospitals throughout the United States and Canada signed a letter to the Cape Times protesting at the banning of Dr Raymond Hoffenberg. All the signatories were former students and faculty members of the medical school of the University of Cape Town.

Their letter reads :

"We, the undersigned, express our dismay at the recent banning of Dr R Hoffenberg.

"Dr Hoffenberg's achievements as clinician, teacher and research worker have been marked by humanity, integrity and a high degree of excellence which he has justly received world recognition.

"It is inconceivable that a man of this stature can be suppressed in so arbitrary a manner and his considerable talents dispensed with. Both the citizens of South Africa and his colleagues throughout the world are entitled to an explanation.

"We agree with Professor Brock when he refers to these bannings as highly irregular and undemocratic procedures.

"If the information at the disposal of the Minister is of a nature to warrant such stringent measures, it must surely be sufficient to require that specific charges be brought against Dr Hoffenberg in the courts.

"We urge the Minister to follow this course. Only in this manner can he avoid discredit to South Africa, particularly within the scientific circles of the world where Dr Hoffenberg is so well known." (Cape Times, August 30)

Professor John F Brock

The Head of the Department of Medicine at Groote Schuur Hospital, Professor John F. Brock, issued a statement condemning "forthrightly and with all the authority I can command, the banning of Dr Hoffenberg.

Professor Brock disclosed that he had some time ago sought the reasons for the withdrawal of Dr Hoffenberg's passport in October, 1965, but had not been able to obtain them.

"The highest administrative officials of the Republic and the (Cape) province were unable to get information for me about the nature of Dr Hoffenberg's alleged misdemeanours.

"This is indeed an extraordinary situation in a democratic country. The Minister (of Justice) is given information by officials, the accuracy of whose information cannot be checked by the highest officials outside the Minister's immediate pyramid, nor the duly constituted courts of the country."

Professor ^{Brock} emphasised that his statement was a personal one but he said he had both the freedom and the duty to speak publicly.

Outlining Dr Hoffenberg's various achievements Professor Brock said that he had won acclaim and high regard throughout the world by his research.

From numerous press reports it would appear that Professor Brock has been instrumental in organising most of the protests emanating from the University. He will also be a member of the delegation which has asked to see the Minister of Justice on Dr Hoffenberg's behalf. The full text of Professor Brock's statement issued soon after the banning appears as an appendix to this digest.

DELEGATION TO THE MINISTER

At the Council meeting of the University of Cape Town on August 2, a decision was reached for the Council to seek an interview with the Minister of Justice, Mr Pelsler, to make representations about the banning of Dr Hoffenberg. (Cape Times, August 3)

An editorial in the Cape Times of the same day said:

"Presumably if its (the Council) deputation is not satisfied with the Minister's information, it will be asked for the banning to be rescinded at once. We believe that the deputation should go straight to the Prime Minister who still keeps security operations in his hands. We also believe the deputation should be as strong as possible"

Several days later, Mr Frank Robb, Acting Chairman of the UCT Council, announced that members of the deputation would be: The Chancellor of the University, Mr Harry Oppenheimer; the Principal and Vice-Chancellor, Mr J.P. Duminy, the Chairman of the Council, Mr Clive Gordon and Prof JF Brock, Professor of Medicine. (Cape Times, August 7)

That evening the Cape Argus reported that the Minister of Justice had not yet agreed to see a deputation from the University of Cape Town in connection with the banning. An official at the Minister's office said that Mr Pelsler had received a request from Dr JP Duminy, asking him to meet the deputation. Mr Pelsler had replied, asking Dr Duminy to set out in full and in writing the representations he wanted to make. When the Minister received these details he would consider receiving a deputation. (Cape Argus, August 7)

Replying to this in an editorial on August 9, the Rand Daily Mail, said:

"It is almost incredible that Mr Pelsler, the Minister of Justice should have responded to a request for an interview by a top-level University of Cape Town deputation in such a peremptory and discourteous manner.... There could scarcely be assembled four more eminent citizens to wait upon the Minister. But to their request to see him, the reply is: put it in writing, State your reasons for wanting an interview. When that has been done your request can be considered. This is preposterous. Who does the Minister think he is? He forgets he is a servant of the public with an obligation to make himself available if a responsible approach from responsible people is made to him. Furthermore, it is unlike the quiet, discreet Mr Pelsler to behave in this way. Is it not more probable that he responded as Mr Vorster told him to do? We must bear in mind that the Prime Minister has kept internal security under his own wing....."

But whoever was responsible, the reply was inexcusable.... That's the way it goes. The Government ... says in effect: We have made our decision, there is nothing further to discuss ... we want no complaints. How's that for democracy?"

A report in the Star of August 24 indicated that it would be unlikely that Mr. elser would meet the delegation. It said "Reportes in the Transvaal Afrikaans newspaper have indicated that the Minister will not discuss the controversial banning with any group. He will probably reply in writing to Dr Duminy telling him that it had been found necessary to ban Dr Hoffenberg and that was that. This was foreshadowed by the Prime Minister, Mr Vorster, when he spoke at Koffiefontein earlier this month and said that it had been found necessary to ban Dr Hoffenberg because it had been established in terms of the Suppression of Communism Act that he had been promoting the aims of Communism."

After several weeks, it was reported in the Rand Daily Mail and Cape Times that the Minister of Justice had said that he at no stage had expressed unwillingness to discuss the banning with the deputation "in so far as it affects the university's functions."

Mr elser said that he had replied in writing to Dr Duminy concerning the request to meet the university's delegation. "All I can say at the moment is that I have not closed the door."

Dr Duminy confirmed that a letter had been received. However, Mrs Margaret Hoffenberg, wife of the banned man, said she had not been informed about this development. "I am absolutely in the dark about it. Dr Duminy has not contacted us since my husband was banned." (Rand Daily Mail, September 13)

There have been no further press reports concerning the deputation.

FURTHER PROTESTS

Letter in the London Times

On Thursday, August 17, the following letter, signed by 27 signatories including Sir Robert Birley, former Visting Professor of Education at Witwatersrand University appeared:

"This ban means that he cannot teach at a university after this year, and that he can no longer play any part in the welfare work which has owed so much to him. Nothing he writes may be published, and he may attend no social gatherings, which is interpreted as being more than two persons together. He is removed from the world of medical science.

"In view of these extreme restrictions, we cannot avoid asking : Why has he not been charged with a criminal offence? How can the South African Government evade this question?

"If they do there will be only one possible conclusion - that they know it to be impossible to bring a charge against him successfully. And if this is so, what do they expect the rest of the world to think?"

Pretoria University.

SANSPA reported (29/8/67) that a "mild sensation" had been caused by the protest of 23 members of the University of South Africa and one from the University of Pretoria against the banning. The petition was delivered to the Minister of Justice and asked that Dr. Hoffenberg be allowed to continue lecturing at the Cape Town Medical School and that he be allowed to continue publishing the findings of his research.

Nation Wide Signatories

On August 28 and 29 a full page advertisement appeared in the Cape Times and the Rand Daily Mail carrying the names of over 800 signatories, to the following statement:

"In the interests of justice, we, the undersigned, wish to place on record our total opposition to the morally reprehensible practise of banning without prior trial which is currently being applied to Dr Raymond Hoffenberg and others, and urge you, the South African public, to join in voicing our dismay at the flagrant violation of human rights being suffered by our countrymen."

The signatories included many well-known citizens from throughout South Africa.

In the weeks following the appearance of the advertisement, hundreds of people wrote into the Cape Times associating themselves with the protest.

Methodists Deplore banning

The banning without trial of Dr Raymond Hoffenberg was condemned by the Cape Town circuit of the Methodist Church of South Africa at its quarterly meeting in Cape Town. In a motion carried by a majority of a group of about fifty church leaders, the meeting resolved to express through the newspapers the fact that it "deplores the banning of Dr Hoffenberg and upholds the right of every individual to have access to the courts of law".

The meeting also resolved to send a letter to the Chancellor of the University Mr Harry Oppenheimer to inform him of their stand against the ban. (Cape Times, August 8)

Meanwhile the Anglican Bishop of Johannesburg, the Rt Rev Leslie Stradling, said that while protests were at times essential, in the main the era of protests against the Government's race policies had passed. Bishop Stradling said, in fact, he had more than once found it necessary overseas to defend the South African Government against "ignorant and malicious representation. The Bishop said that he was opposed to protest not only because it is bound to be ineffectual. "If that is all, it might still be our duty to go on making them. Such protests, however, harden the opposition and make it impossible for us to have any chance of influencing them to the good. What I believe we should be doing is to bring Christian pressures to bear in the actual situations in which we are". (Star, August 2)

In an editorial on August 2, the Star replied "God help South Africans if they learn to stay silent in the face of wrongs."

EDITORIAL COMMENT

Cape Times (July 31)

"...That Dr Hoffenberg should be publicly punished and restricted without any recourse to the courts and with no explanation is a bad enough reflection on the state of civil rights in this country. That South African medical science should be faced with the severe loss of the services in such a casual way, and our reputation before the world and in international scientific institutions be further damaged, adds to the need for expressing grave national concern. All bodies from university and medical authorities to our political leaders should demand that the Government should immediately attempt to defend the banning by some court action, or immediately rescind it. For our own part we suspect that Dr Hoffenberg may be the victim either of some extraordinary blunder or some obscurely directed campaign to illustrate a point of propaganda. In the absence of an adequate explanation of the ban, both this newspaper and a very large group of South Africans will continue to suspect so...that the students of NUSAS admire Dr Hoffenberg."

or seek his advice is no more excuse for Security Police intervention than it would be for such intervention in the Studentebond for that bodies addiction to odd advice and encouragement from certain fervent Nationalist figures in university, official and public life..."

Star (August 1)

"There are two grave objections to the banning One is its arbitrariness. He is under social and academic arrest of a severe order, and nobody can ever find out for certain why. Thus nobody knows what to avoid doing to escape a similar fate ... This is accustoming the public to the sinister methods of Communism, not guiding them along non-Communist paths ... If Dr Hoffenberg is a political skellum, there would be a case for restricting his political activities, not his academic ones. But the banning system is incapable of making that distinction. It must stop everything or nothing. So it restricts a man who was doing some very sophisticated research on glands, of value to the Atomic Energy Commission and to medicine in general. If South Africa eventually loses out to Communism it will be because of brain bans like this."

Cape Argus (August 2)

"... The eerie secrecy about official actions of this kind is as detrimental to the functioning of the public service as it is to public confidence that South Africa is not a police state, especially when it touches the freedom of the individual, and we believe that the papers in such cases should be made available for review by a special panel consisting of, say, two or three retired judges empowered to report direct to the Prime Minister on whether severe limitations of a man's freedom are really justified or not."

Southern Cross (August 2)

The basic reactions of Christians is "to hold that a man is probably innocent of any offence until he freely admits guilt, or is proved guilty beyond any reasonable doubt. In the case of the typical banning case in South Africa, the misdeeds of the banned are not even specified".

Daily Dispatch (August 3)

"... In the absence of any official statement, the impression could be formed overseas that Dr Hoffenberg has been banned simply because his opinions are not liked by the Government, and that South Africa therefore, is no longer a democratic country"

Eastern Province Herald (August 5)

The political correspondent on the newspaper suggested that the banning was well-timed "coming at a stage of division and petty squabbling within the ranks of the Nationalist Party. Within the next few weeks, the first of a series of Nationalist Party congresses will be held and it is not beyond the bounds of possibility that he (Dr Hoffenberg) is nothing more than a victim chosen to help heal the breach between the Verkramptes and the Verligtes"

Rand Daily Mail (August 5)

"... At the stroke of a pen in a bureaucrat's office Dr Hoffenberg's career and most of his personal life have been destroyed."

"It is sometime since a person of Dr Hoffenberg's eminence has been touched although a steady trickle of bannings of obscure non whites continues to be recorded, almost unnoticed, in Government Gazettes. The total of bannings has risen to 683, which puts us on a par with Iron Curtain countries, banana republics, black dictatorships and such non democracies as Spain, Portugal and Greece."

"In the submissive atmosphere that prevails the Government may have thought it could get away with this banning with little or no reaction. Perhaps like others, it believed the era of protest had passed... This, again and again, is the point of protest. Silence is seen as an acquiescence and thus encourages further attacks on civil liberty. And when protest is well founded and well expressed, ... it has a power that causes even autocrats to pause.

"To all who know him, Dr Hoffenberg is a loved and respected figure, a self-cultivated and immensely talented man. Ironically it is his unlimiting labour for good though sometimes unpopular causes, and his unwavering dedication to western values that have brought him into conflict with an Establishment much less committed to such values.

"There is no question of Dr Hoffenberg having committed a crime of any kind even in terms of the many curious and complicated political laws that a suspicious government has put on our books. If so, he must be brought to court and charged accordingly.

"Nor can he be regarded as a dangerous person for he is allowed to continue teaching at a university until the end of the year. But it is no protection to be innocent of anything that can be shown to be a crime. Official disfavour is enough to trigger the cowardly act of banning.

"No reason has been given, of course, nor is likely to be because it cannot stand the light of day. Our guess is that the ban stems from Dr Hoffenberg's ties with students for they have sought his advice and encouragement in their pathetic rear guard struggle for academic freedom and freedom from race discrimination on the campus.

"We call on all who have faith in the Western way of life, especially trial in the courts under the rule of law to join the growing chorus of dissent so that it rocks the air. Arbitrary bannings are uncivilized. The Government must be told so in terms it can understand. This means protest by everyone who still cares."

Sunday Times (August 6)

"...The decision has been taken in secret, without trial, and imposed arbitrarily. The nation is therefore left to speculate on what it is all about; and in order to discover the truth the best we can do is attempt to draw inferences from the known facts.

"It could be inferred, for example, that the Minister of Justice would not impose a ban of such severity unless he had good reason to do so.

"It could be inferred that Dr Hoffenberg's activities must have been very illegal indeed to warrant this severe penalty.

"On the other hand it could be inferred that illegal activities of such magnitude would be brought before the courts.

"It could be inferred that, given a choice, the Minister would prefer punishment to be inflicted by the courts, when justice is not only done, but seen to be done, rather than in secrecy by people sitting in judgement in their own cause.

"As the Minister did not take the matter to court, it could be inferred that he had no case to bring to court. And if he had no case to bring to court, it could be inferred that Dr Hoffenberg's activities were not so serious as to justify the harsh ban imposed on him."

Sunday Express (August 6)

"Why should Dr Hoffenberg be singled out now? Perhaps, instead of retaliating over Defence and Aid, the Government is trying to silence him because of his involvement in student affairs.

"If so, it is acting just as badly. Students are entitled to consult anyone they like - and to act on that advice, if they so desire. If it is liberal advice that they happen to get, there is nothing wrong with that.

"Cape Town, is, we may remind the Government, a liberal university and there is no law to say that either the university or its students should be other than liberal in outlook.

"Could it be that there are other reasons for restricting Dr Hoffenberg? If there are then the Government should come out into the open and say what they are No man should have his life and livelihood destroyed in this manner without there being recourse to - or the chance of redress from the court.

"However, in the intolerant and inyielding atmosphere in which we live in South Africa today, it would serve no purpose to ask the Government to charge Dr Hoffenberg - or free him from the restrictions.

"Such appeals fall on deaf ears."

Pretoria News (August 7)

The most powerful argument, the Pretoria News noted had nothing to do with Dr Hoffenberg's achievements or world opinion. "It is simply that the ban is wrong, a gross invasion of the fundamental human rights that should be sacrosanct in any democratic country except in time of war or grave national emergency."

Cape Times (August 7)

"The Government has hitherto offered little or no detailed justification for the great number of bannings it has imposed on persons, restrictions by ministerial edict and without any chance of defence in the courts. It has relied on some undoubtedly spectacular successes by the Security Branch to act as a blanket justification for all its mounting number of actions in this field. But the Government would be well advised to pay greater heed to the gathering public disquiet and suspicion about these unexplained and intested deprivations of the liberty and earning capacity of individuals. Dr Hoffenberg's case because of its very prominence, once again brings into question the whole system of banning under which some 600 persons have been arbitrarily condemned to heavily penalised lives, or forced out of the country on exit permits, if they are lucky. We may remind the Government that its effort to explain the ban on Mr Ian Robertson a little over a year ago gave no grounds for confidence in this undemocratic procedure of by-passing - or perhaps even dodging - a court hearing and its subsequent opportunity of defence for a citizen implicitly accused of subversive activity. The Government already has enormous legislative powers for controlling both subversion, and the courts are bound by these. Its charge against Dr Hoffenberg, if it has any, should be brought before the courts in the shortest possible time - or the country will be left suspecting that it has no charge at all that it dares submit to public and impartial test."

Star (August 7)

"There was a time when the public assumed that the police, and the Minister, 'must know something' when a prominent person was banned. That confidence was punctured last year when the then Minister of Justice was persuaded, unwisely as it turned out, to disclose his reasons for banning the President of Nusas, Mr Ian Robertson.

"For when the Minister's "Facts" were examined, they were nearly all wrong, Mr Robertson had never been to Swaziland, and when the Minister corrected this to Bechuanaland it was shown that he had never been there either. He had only been an ex officio member of Defence and Aid and had never attended a meeting.

"The banning of Dr Hoffenberg must be seen in this context. If the police "know something" have they got their facts right this time? It is in the nature of these powers, and the main criticism of them, that they cannot be tested. The Government will not say anything, and in the light of the Robertson affair, it is unlikely to be drawn out of its secrecy again."

Die Volksblad (August 8)

"It is not possible to argue on the merits of the ban. What we do know is that the Government has a very clean record in this regard."

Die Oosterlig (August 10)

One can believe that the State's case is above all suspicion. But even if the rule is silence, there is certainly something to be said for making an exception where it is regarded as in the interests of the country. We are convinced that if the reasons for Dr Hoffenberg's restrictions were announced, few would have the courage to dispute them."

The Friend (August 10)

"It is apparent that supporters of the Government do not comprehend the gross cruelty involved in a banning order; otherwise surely there would be evidence of Nationalist questioning about the moral and political wisdom of silencing people and virtually destroying their lives at the stroke of a pen."

London Sunday Times (August 20)

"Mr Vorster has finally lost patience with his inability to write all the newspapers all the time, and has threatened to heap this chore too upon his overburdened security men. Likewise, the frontiers of the common restriction order have been pushed to more daring, nonsensical and outrageous limits than ever. With the banning from normal work and society of Dr Raymond Hoffenberg, a leading medical scientist, it seems possible that the Minister of Justice has gone further even than some of its supporters can tolerate. It is a grotesque breach of academic freedom".

Brain Drain

Almost every major newspaper drew attention to the effect of Dr Hoffenberg's ban on the "brain drain". This point was also raised in numerous letters.

Typical of these was an editorial which appeared in the Star of August 16

"No one quarrels with the large sums of money South Africa is spending to attract immigrants. It is hardly possible, in a country with an economy standing as fast as ours, to import too many skilled workers.

"But while the satisfactory general inflow is being maintained, at the highest level the movement is in the wrong direction. South Africa is losing more scientists and university staff than are being imported. Witwatersrand University, for example, has in the past ten years lost 80 staff and gained 40 from overseas, and other Universities report a similar "brain drain". The President for the Council for Scientific and Industrial Research, Dr Naude reported last month that 7 out of 10 post graduate students who are overseas for further study, do not intend returning.

"These are losses the country cannot afford. Four things at least need to be done. Salaries must be made comparable with those overseas, which in some cases are two and three times as high; there must be better

laboratory equipment; library facilities must be improved, and finally, there must be an end to existing political infringement into university autonomy such as so tragically occurred in the case of Dr Hoffenberg.

"All these things, the Government, and only the Government, can put right. If the nation's universities are not better subsidised the positions will persist in which we gain skills at the lower levels and lose them at the high."

Footnote : The articles covered in this digest by no means represent the entire press comment on the subject.

FULL TEXT OF STATEMENT MADE BY PROFESSOR JF BROCK, HEAD OF DEPARTMENT OF MEDICINE AT UNIVERSITY OF CAPE TOWN ON THE BANNING OF DR R HOFFENBERG

I must condemn forthrightly, with all the authority I can command, the undemocratic and unjustified action of the Department of Justice in issuing a banning order to Dr R Hoffenberg, a senior, responsible and invaluable colleague and member of my staff, and a physician and research worker of internationally accepted merit.

I, as one of the professors in the medical faculty, am primarily responsible to the university and have both the freedom and obligation to speak publicly on matters affecting medical teaching and research and the world wide principles underlying university life and thought.

I am speaking therefore on behalf of some 76 specialist physicians and some 50 non-specialised doctors of the Division and Department of Medicine who are directly responsible to me for their hospital and university studies.

Outstanding

Dr Hoffenberg has the rank of full time physician and senior lecturer in my department. He is responsible to me for the organisation and much of the allocation, supervision and marking of the work of our medical students in the wards of the Department of Medicine. He has done this with distinction and to my entire satisfaction.

He is an outstanding consultant physician, and a considerable part of the ward work for which I am responsible has been delegated to him. It is carried out with the greatest efficiency and devoted care. He is responsible for all the diagnostic isotope work of the Department of Medicine in hospital diagnosis and research and is a highly respected consultant to other departments in the same matters.

He is an expert in endocrinology and metabolism and is consulted by all departments of the hospital in his expert field. His researches have won him acclaim and high regard throughout the world.

Passport Confiscated

Only recently before the banning order became operative, I asked on behalf of the hospital and the university that he should be allowed a temporary travel document to attend a meeting of the International Atomic Energy Agency in Vienna to which he had been invited. His expert knowledge, wisdom and judgment would take many years to replace if he were to leave South Africa.

Dr Hoffenberg reported to me in October 1965 that his passport had been confiscated. Although I know Dr Hoffenberg to be a man of liberal, humane and unambiguous opinions, I have never had any reason to believe, directly or indirectly, that he has ever indulged in illegal activities. He gave me his assurance in the latter point and I undertook to explore the reasons for the apparently unjustifiable withdrawal of his passport which must, if continued impair his efficiency in research and in services to the sick public. No modern physician, much less a research worker, in South Africa, can remain efficient in his work if he cannot widen his experience abroad.

Reasons Sought

By correspondence and interview I sought reasons from the top administrative officials of the Republic's research and hospital structure in Cape Town and Pretoria and from members of the Cabinet. Everywhere I was met by sympathetic understanding (for which I was grateful), but I gained no information. The highest administrative officials of the Republic and the Province were unable to get information for me about the nature of Dr Hoffenbergs alleged misdemeanours.

It appears that the highest among them cannot get even confidential information about members if their own staff who have been similarly treated.

This is indeed an extraordinary situation in a democratic country. The Minister is given information by officials the accuracy of whose information cannot be checked by the highest officials outside the Minister's immediate pyramid nor by the duly constituted courts of the country.

Sole discretion

The Minister has the sole discretion for deciding whether the information given to him is correct. He then has to decide in terms of the Suppression of Communism Act whether he is satisfied that the individual "engages in activities which are furthering or may further the objects of communism". Most authorities would regard this as a highly subjective opinion.

I abhor communism as much as does the Minister, but I presume we would have to allow that one of the objects of communism is the welfare of the people of a given state. The Minister, Dr Hoffenberg and myself must surely all be guilty on this account. The Minister's subjective judgement cannot be challenged by anybody except presumably the Prime Minister and the Cabinet. This subjective opinion cannot be tested even in the highest courts of the land. The Minister does not inform the individual of the sources or nature of the information on which he has arrived at his subjective conclusions.

Cannot reply

The accused cannot reply because he has no charges to which to make a reply. More specifically he is prohibited from making a reply.

These highly irregular undemocratic procedures might conceivably be justified in a given case for a limited period while further inquiries are being instituted, and particularly in a state of emergency. I am prepared to believe and accept that our Republic is at present in a state of emergency. The further inquiries should, even in these circumstances, have limited duration and should then be tested in the duly constituted courts of the country.

Dr Hoffenberg's passport was withdrawn early two years ago and he has frequently been visited by security officials, but apparently in this time the security officials and the Minister have been unable to elicit any information which could be made public or tested in the courts.

On dislike

I can only conclude that the Minister and his security officials are either inefficient or they are wrong; I should prefer to believe the latter. I suspect that the banning is based on nothing more than dislike of Dr Hoffenberg's opinions, which he has never hidden. I hope the Minister will accept the challenge and test his subjective judgement through the highest courts of the land. If I am wrong in my subjective judgement, I shall be the first to apologise.

I am criticising him only because he will not give me information on which to base the more objective opinions which I should like to form and hold.

I believe that the Minister and myself are both devoted and loyal South Africans; I know that I am and I believe that he is. I myself believe in a number of things which I think the Minister would fully agree with. I believe that South Africa is passing through difficult and perilous times, if not an emergency; I believe that South Africans should close their ranks and labour for the welfare and progress of our Republic provided they do not have to sacrifice points of deeply-held principle such as freedom of thought. I personally would prefer firm government to anarchy, and I believe we could easily have anarchy in South Africa if we did not have firm government. I believe, however, and I hope that the Minister might agree with me, that firm government is not inconsistent with freedom of opinion and ordinary justice.

S.A.'s reputation

In the matter of this banning, I am less concerned with Dr Hoffenberg than with the reputation of my country. Dr Hoffenberg's reputation in the international field of science and medicine is quite secure and will not be adversely affected by the subjective judgement of one of our Ministers. If he were to leave South Africa he would be snapped up immediately for a high position.

It is we who would be the losers and I am astonished that the circumstances of this banning order appear to be aimed at achieving just this loss. It is difficult not to feel resentful at the apparent folly of cutting off our nose to spite our face. It makes me deeply sad for the country which I love.

Most heinous

Among the very bad principles involved in this banning order the most heinous is the apparent immediate ban on the publication of scientific articles and the implied ban after the end of the 1967 academic year on the ordinary professional and academic activities of Dr Hoffenberg. The first would appear to be inconceivable in a democratic state. The second would be conceivable in a sane community only after formal charges of illegal action have been sustained by the highest courts of the land. I will not comment further until the impression has been confirmed. I understand that the Council of my university is seeking legal interpretation of these obscurities.

Open Responsibility

I should like to make it clear that I am making this statement on my own responsibility as Professor of Medicine and Head of the Division and Department of Medicine at Groote Schuur Hospital. I have informed my university and the Medical Superintendent of the hospital that I am making a statement but have not consulted either.

I hold, for a period of three years, the responsible position of President of the College of Physicians, Surgeons and Gynecologists of South Africa, but this important medical body is not implicated in my opinions. That College, together with the S.A. Medical and Dental Council, and the Medical Association of South Africa, will be asked to consider and report upon the propriety of the action taken by the Minister against a respected member of our profession. For the moment, I am speaking on my sole responsibility.

My good faith in the matter should, I think, be apparent. I am South African born and bilingual.