

# reality

POLITICS

A JOURNAL OF LIBERAL OPINION

# EDITORIAL

## GOOD LUCK TO THEM ALL

This issue of **REALITY** carries the third and last article in Mr. Alan Tonkyn's "The Student Rebellion". We wish that we could have given these articles a wider circulation, but we could not. Our number of subscribers is limited (partly owing to the lethargy of those who will grieve should we die). Our number of free recipients is as large as we can afford to make it. Our number of non-potential subscribers is quite fabulous.

Those who have read these three lucid and authoritative articles will better understand student unrest and its causes, and no doubt some of them will feel more sympathy for a cause of which they have been doubtful.

It is quite clear that our own protesting students in South Africa have a record of firmness and temperateness that is outstanding, and is equalled, ironically enough, only by those in the totalitarian countries. In these countries as in South Africa, students are fighting for individual liberties. The students of Poland, Czechoslovakia and Spain have much more in common with our own protesting students than they have with those of France and Germany, where protest often spills over into anarchy.

### AUTHORITARIAN

Before we discuss the local and particular nature of student protest, it is illuminating to enquire whether there are any elements common to students' struggles the world over. There are certainly some. One is the rebellion of the student everywhere against the inhumanity of the self-perpetuating society, which wants its citizens to live in a world of change as though there were no change at all, which makes war probable by its belief in its inevitability, which chooses guns before butter and education. Further it makes of education a tool for the perpetuation of itself, and, in order to prevent change, inevitably becomes authoritarian, and in order to ensure a state of non-change, abrogates the rule of law and restricts the freedom of its citizens to write, speak, criticise, organise, and protest. The ideal of non-change, which would fail to satisfy brighter and more idealistic citizens, is given other and seductive names, such as law

and order, the traditional way of life, and, in our own country, racial harmony and "eiesoortige"\*\* development. Thus many of the brighter and more idealistic citizens are seduced, although it must be admitted that some of them also have their own reasons for wanting to be seduced.

It is often claimed by the upholders of "eiesoortige" development that it is in fact **they** who are the apostles of change with their homelands, their offers of territorial independence, their Coloured and Indian Boards, and their new Universities. In their view it is the liberals who are doctrinaire and dogmatic. The truth is that all the rush and hustle of homelands and new Boards and new Universities has but one purpose and that is to perpetuate racial separation and to make it more rigid than ever. The purpose of **REALITY** is to challenge this rigidity, and to prepare the way for humane and fundamental change.

Another characteristic of the self-perpetuating society is its use of its police force, both ordinary and secret, to prevent change. Again this use is justified by the need for law and order, the prevention of agitation, and the protection of untutored people against wicked men who encourage the poor to believe that they are exploited. Those of us who were members of the Liberal Party, or of the banned Congresses, are first hand witnesses of the use of the weapon of police intimidation, which use went beyond all reason and enabled the government to do what laws and courts would have found it impossible to do, namely to punish persons for being the kind of persons they were.

\*\*"eiesoortige" development means development with and according to one's own kind.

## HYPOCRITICAL

Another element which is common to all student rebellions is the belief of the younger generation (or some of them) that the older generation (or some of them) is at the worst hypocritical and at the best self-deceived. The younger generation finds it incredible that it should be called to order by ageing authoritarians whose lives have been lived through an era of the grossest disorder, of two world wars, of Auschwitz and Belsen and Hiroshima and Nagasaki, and now the threat of nuclear destruction and world famine. The "civilized" nations of the earth are shocked, and rightly so, by the horrors of the Nigerian civil war, but too many "civilised" persons who condemn African atrocities, seem to have forgotten altogether the horrors of the two great European civil wars of this century.

In South Africa, student protest, while characterised by these common elements, has indigenous marks of its own. It is largely English-speaking protest because South African English-speaking people, for all their greed and pusillanimity, are not natural authoritarians, and indeed when they become authoritarians, they make very bad ones, and drift inevitably towards the real ones, whether for hope of gain or desire for company, it is hard to say. Because of this relative absence of authoritarianism, English-speaking parents have more non-conformist children, and it is from the ranks of these children that student protestors come forward. When this nonconformity will spread to Afrikaner youth is hard to predict, but spread it will, under the influence of the big city, the film, and probably in time, television.

Another mark of student protest in South Africa is that it is local and national rather than general and cosmopolitan. It is directed against racial injustice and the decline of personal freedom rather than against nuclear armaments. It is directed against the whole idea of Apartheid, whether it is called "eiesoortige" development, or any other fancy name. It is directed against separation in the universities and against racial discrimination of all kinds. It is directed against the declining authority of the courts, and the abrogation of the rule of law, and the right of minor authorities (a right given to them by Parliament) to restrict the freedom of citizens whose nonconformity they deem dangerous and offensive.

## ANTAGONISM

Student protest in South Africa has evoked from the government the same antagonism that the Liberal Party evoked. This antagonism is extreme, and goes beyond reason. Student protestors are not only watched closely by the police; they are also arrested for trivial offences, and cannot rely on police protection from the attacks of their hooligan opponents. The Minister of the Interior, Mr. Lourens Muller, in an attack both unmannerly and unbridled, accused Mrs. Helen Suzman of inciting student protest because she wanted to see bloodshed in the country.

What does one advise students to do in the face of this irrational and — have no doubt about it — dangerous hostility? Is one to advise them to forego their undoubted right to examine and criticise the arrangements of society, to make suggestions for reform, and to condemn and protest against what they believe to be discriminations and injustices? There must be many parents — of the same mind as their sons and daughters — who are strongly tempted to advise their children to walk delicately.

REALITY is unequivocally on the side of students who exercise their rights as members of society.

REALITY does not wish to remind them — as all authoritarians do — that they also have responsibilities. They are exercising their rights precisely because they acknowledge their responsibilities. REALITY does not advise them to be cautious; it advises them only to be prudent, and to take no action solely because of the anger and resentment they must often feel.

What other advice could we give? Do we want a young generation that will never produce another Suzman, another Beyers Naude, another Leo Marquard? Do we want a young generation that will hold all the right principles and be too cautious to live by them? Is that not indeed one of the things of which they believe many of their elders to be guilty?

We send a message of encouragement to NUSAS and its members, and to all students of whatever race or persuasion, who are trying to find a meaning to life, and a purpose to make it worth living. Good luck to them all.

# She, My Fellow Worker

by ANTHONY BARKER

I admire African nurses. I like working with them. I marvel at their resilience in the face of a hundred crippling disadvantages. Where else will you find a group of young people less free to achieve mature status, more bugged by personal problems and yet so cheerful about it?

Nursing is the career which carries the biggest social cachet in African society with the exception, available to only a tiny minority, of a place in Medicine. It attracts the young women themselves by its security, its earning capacity, its significance in society. It also attracts their parents, who are extremely proud of a son or daughter in the nursing profession. Parents are indeed dominant in the drive towards nursing, and regularly plead for their daughters to be found a place in a training school. Nursing's popularity leads to huge waiting lists for African nurse-training schools and long delays between leaving school and the arrival of the happy summons to be at the hospital on such and such a day. This waiting year—it may be more—is feared by parents. It is a time of no earning, a time of indecision, a time of wavering hope. It can so easily turn into a time of destruction of personality; a time of breakdown, of unwanted pregnancy or undesirable association. I believe we should be more careful here about whom we give hope to, if we have no immediate opportunity of realisation of that hope. I believe we should realise that the new probationer, awkward in her uniform is still gasping from the exertion of climbing on board the nursing train, and needs tender handling.

## THE MOTIVES

Motivations for studying nursing are pretty mixed. They are compounded of the search for self-realisation, parental ambition, romantic idealism and just plain dismay in the face of a society which, by and large, slams doors in your face. Twenty probationers, a few years ago, were asked to give their reasons for coming to train; "Why do you want to become a nurse?" Their answers were illuminating, and not altogether flattering to sentimental souls. The majority saw nursing as a useful and secure future 'there will always be a need for me. I shall have work when (sic) my marriage breaks down'. Some were moved by childhood experience 'there

was a nurse (when I was ill) who was dressed in white; she smelled so clean; she was always happy and bright'. A few saw nursing as well paid 'and who does not want money?' and others as a useful service to mankind 'I have read Florence Nightingale's books and I want to help people'. Not one mentioned Christian dedication or responsibility, in spite of the fact that the majority came from overtly Christian homes and many had clergymen as fathers or uncles.

## LIMITATIONS

So far I believe we shall see a close parallel in motivation between the African and the European nursing candidate. The alternatives before African women are, however, much fewer and much less attractive, and of these limitations the young African trainees become rapidly aware. If the future is not to be nursing, where, pray does it lie? Teaching has fallen on bad days, and many that formerly would have gone in for teaching will now nurse. Which means, of course, that some train who have no feeling for the job at all and hate it. This is not surprising, for who would willingly devote herself to the sometimes sordid and often unpleasant task of the nurse unless she had a lively sense of its worthwhile nature? It is — or was — fashionable to talk of the vocation of nursing, and for myself I still believe this is the most valuable motive for becoming a nurse; that you feel you can, within its disciplines, most help your fellow men. Yet other motivations can be just as effective; a scientific motive, an administrative motive, anything you wish. But the reluctant nurse presents her own problem. Disliking the work and despising the achievement, she may only stick at it because there is no other comparable opportunity presenting itself. To such we have a particular responsibility; from such we may not be able to expect quite the same degree of dedication.

It is very much to the credit of the nursing council and a decent compliment to the nurses themselves that they have to master the same

**syllabus as their white colleagues and pass the same examinations. No one would have it otherwise, but it is a big load for the student nurse to bear.**

Her poor educational background has seldom encompassed much in the way of physical science, her English (or Afrikaans) may be imperfect to the point of failure of communication between herself and her teachers. Just try to teach about osmotic pressure or radio-active isotopes to young women who have little idea of the physical properties of matter and less still of mathematics, and you will readily agree. This is not the nurse's fault, and we may not, lordly in judgement, draw any conclusions from this as to the nurse's innate capacity to learn. It is at junior school level that things need tightening up here, and it is going to take an awful long time to do this. That so many do pass, and pass with creditable marks, is evidence of that resilience that I first mentioned.

### **PREGNANCY**

Drop-out rates are fairly high. They are in nursing anywhere, and not significantly different between Europeans and Africans, nor between South African candidates and, say, English students. The reason for the drop-out between racial groups in this country are, however different. Among African students, pregnancy is a major reason for the discontinuance of training. This is, rather smugly, taken as evidence of moral turpitude among Africans, and, generally, chalked up against them. Perhaps here we most need to use our brains rather than our emotions, our understanding rather than our critical faculties. Conventional morals in the matter of sexual conduct have slipped in both groups, with the advantage to the European of a more sophisticated attitude towards contraception. Added to this it must be recalled that marriage as an institution among Africans has been so completely devalued as to be no longer usable coinage at all. 'It is all right for you', say our nurses, 'to talk about getting married, but for us it is no good'. Nor is it. Even if the costly shoals of Lobola are negotiated ("extra for my daughter who is a nurse") she has little to look forward to but a lifetime of separation, based on current ideas of migratory labour. By marriage she trades her own home for the dubious advantage of that of her husband; her man will go away whether or not she is bound to him in marriage, so who benefits? Wage structures are low; if she marries a man of like achievement to herself he and she will expect her to continue earn-

ing, and the child will in any event finish with its grandmother. This bleak prospect is the common lot and heritage of most of our nurses. Small wonder that there is, often seen and sometimes acknowledged, a drive to pregnancy. A child is a comfort; a child is the one aspect of your life that no one can legislate against; a child is my womanly answer to being considered a girl, the stamp of my maturity. Yet with understanding and with tenderness we are forced to watch so many destroy themselves by inappropriate pregnancy so carelessly.

### **PERFORMANCE**

**What of performance? How do our nurses shape in comparison with their white colleagues? Are they comparable; is there really need to pay them the same wage? So I am often asked; so I am always brought up against the problem of our being human beings at all. For we are so fearfully different, each one of us from the other, and it is so easy to see the faults of our neighbour, so hard to see our own. We notice in others what we ourselves so patently lack, and no wonder, no wonder He said to us, "Judge not, that ye be not judged".**

By and large I'd say that in some spheres African nurses put up a less convincing show than European nurses; counting linen and disciplining their juniors perhaps most of all. I say this with the same detachment as I would say that many nurses of European origin find it hard to bear with the unbelievably irritating peasant ways of many unsophisticated African patients. We are temperamentally individuals, so that what makes **me** laugh irritates **you** or goads **him** to wrath — and vice-versa. It is the same when we come to the commonly preferred charge of cruelty against African nurses. 'Man', folks say, 'these Bantu nurses are very cruel to their own people'. Worse, by inference, than Europeans. Now I don't think this is at all true even as I acknowledge that cruelties do occur from nurses to patients. Certainly they do, for nurses are people, and people, as we have had reason to know in the West **are** cruel, often bitterly so. We know that the majority of all men will be kind or cruel within the framework of their society. What is permissible, even praiseworthy, in war would be bestial in peace. Society blesses degrees of human carefulness, human gentleness, so that we tend to live within those degrees for a quiet life if for no other motivation. Such standards vary from African and European cultural backgrounds. We decide, as we

set out to train African girls in nursing, that it will be European standards that we shall adopt. I believe that is quite correct. Yet the achievement of those standards is a hard road for anyone to tread; and a harder one for those to whom it is unfamiliar. I take note of cruel happenings and seek to eradicate them when they occur. I do not think of them as inherently African, nor do I find myself wholly free of the temptations to treat another at a less valuation than I would have set upon myself.

#### MORE HUMAN

Perhaps the real fault in European eyes is the vivid humanity of our African nurses; that they are more human than humans, because less inhibited by convention. They are also more vulnerable, and it is heartbreaking to observe in so many the dawning realisation of those limitations which will be set upon their development by a society which will not recognise them as persons at all.

For our contemporary society will indeed do much for our nurses; it will give greater opportunities for advancement than have ever been offered before; it will improve wages and ameliorate living conditions. All this is very good, representing the fruits of many years of struggle by good-hearted nurses in high places. But that same society that offers so much, suffers itself from an atrophied heart. It cannot, because the electorate as a whole cannot, grant true value to this fine flower of achievement, the African nurse. To society she remains the girl, the non-European, the one perpetually under tutelage, the one with whom society does not sit at meat. Many things, many deep things, must change before she whom we now refer to as The African Nurse becomes quite simply nurse, the beloved helper in our sickness, the one who, coming into the sick room, makes of it a place of calm and of hope.

# SUNDAY TIMES Daily News AND WITH THE Sunday Tribune

## *Tyranny Over The Mind*

*by Alan McConnell Duff*

(a comparative study of the Communist Press, especially in Yugoslavia,  
and the South African Press)

"The Communist system, as a rule, stifles and represses any intellectual activity with which it does not agree." (Milovan Djilas).

Few people would disagree with Djilas, but few people are in a position to judge the truth of what he says. Living in a non-Communist state one automatically assumes that stifling and repression are evils peculiar to Communism. If repression means banning Shakespeare and Dickens as "decadent influences" (which is the case in China), then we have every right to be indignant. Who is Mao to sit in judgement on Macbeth? This indignation might, of course, be matched by the Chinese on reading that one of their sailors had been jailed for bringing a copy of the thoughts of Mao-Tse-Tung into the Republic. But the Chinese are a hot-headed race. They must be taught that propaganda is poisonous and poetry is not.

If stifling means suppressing a writer's convictions and forcing him to write "State literature", then we have every right to be scornful. Who could imagine Michaelangelo carving a statue (modestly clothed) to celebrate the success of the fifth five-year plan? Who would read Shakespeare if he had written sonnets in praise of the utility of his neighbour's ox-cart? Possibly the truth is that the Communist press is criticised not for being repressive and stifling, but for being openly so. These two evils are all-pervasive.

### RUSSIA AND THE SATELLITES

**Pravda** recently announced that the invasion of Czechoslovakia was an "act of brotherly intervention" and that the Warsaw Pact troops, so many Don Quixotes in armoured tanks, came to answer the call of the maiden in distress threatened by "disruptive forces from within". Nobody was fooled, not even the Communist satellite states where this fairy story was paraded as the truth. As long as this kind of repression exists the Communist Press will live in fear of the facts. Any visitor to Hungary or Bulgaria will immediately be struck by living evidence of this fear.

Foreign newspapers are almost unobtainable on the streets. In the hotels they are available at six times their face value. Those foreigners who are not willing to pay the price of a modest meal for their papers may buy innocuous publications in English which the State turns out at a reasonable price. These are little more than tourist pamphlets. This does not mean that the Communist papers carry no news. On the contrary their coverage is often richer than that of the Western papers. Nor does it mean that the news is always "slanted". Reports on permanent crises, such as Viet-Nam and Israel, carry the Communist bias, but this does not mean that facts are altered, though they may be judiciously "omitted". Finally, one must not assume that the public submissively absorbs and believes all it reads. Milovan Djilas in **The New Class** explains this distinction between private and public opinion.

"A citizen in a Communist State lives oppressed by constant pangs of conscience and the fear that he has transgressed. He is always fearful that he will have to demonstrate that he is not an enemy of Socialism . . . Journalists, ideologists, paid writers, are all engaged in this uplifting of Socialism. In the final analysis all newspapers are official. So are the radio and other media. However . . . even under Communism men think, for they

cannot help but think. What is more, they think differently from the prescribed manner. Their thinking has two faces; one for themselves, their own; the other for the public, the official."

### ON THE IRON FENCE

Yugoslavia's critics, both Eastern and Western, often accuse her of being a fence-sitter. Geographically she certainly is. An uneasy confederation of States wedged between the rusty fringe of the iron curtain on the East and the Adriatic on the West, she lies in a unique strategic position. Her political position too, is unique. There is only one party, the Communist Party, under the leadership of Marshall Tito. Yet Yugoslavia is a free country. Citizens may freely apply for passports and these are usually freely given. Foreign firms may establish factories in the country. The press is Communist but Western papers are sold from most of the kiosks in Belgrade.

In a recent survey **Time** magazine set **Borba**, the second-largest national daily, among the top ten European papers. This suggests that even critical Western eyes do not find the Communist "bias" irksome. It may even be true that the bias is invisible. Yugoslav journalists have one advantage in belonging to a "fence-sitting" nation; that is, almost complete freedom of access to communist and non-communist lands. As a result both **Politika** and **Borba** tend to be NEWS-papers in the strict sense of the word and not vehicles of comment or propaganda.

One question must, I feel, be given an immediate answer. Is there no repression in the Yugoslav press; is it any freer than other Communist presses? It is freer insofar as it often prints news which might be distasteful to the party (e.g. American victories in Viet-Nam). In fact, **Politika** runs a regular daily feature "From the Foreign Press", which includes extracts from articles in papers as different as **The Guardian**, **Pravda** and the **Times of India**. By comparison with South African papers, however, this freedom is limited. Criticism of the Government such as one finds in the **Rand Daily Mail** would be impossible in Yugoslavia. Certain topics are considered "worthy" of criticism; these are perennial aches such as pensions, housing, transport, taxation, and (in Yugoslavia) unemployment. As regards these problems the Party is its own critic, explaining the defects and proposing the remedies. The strongest mark of self-criticism I can remember was a cartoon in **Politika** which appeared at a time when

corruption in the party was being heavily criticised in public. Party administrators, it was claimed, used their party membership as a key to the advantages of capitalism, i.e., a car, comfortable flat, expense account. The cartoon showed the man-in-the-street being interviewed. The dialogue was brief.

**Q. (to the man-in-the-street): "Are you a member of the party?"**

**A. "Yes."**

**Q. "Are you a Communist?"**

This is gnatweight criticism compared to the political cartoons in the **Sunday Times**.

#### **"ANYTHING GOES"**

I should like to conclude with a closer comparison between the largest selling paper in Serbia, **Politika**, and a typical South African large evening daily — which, to avoid an unfair specific emphasis, I shall call the "**S.A. News**".

The words of that old song "Anything goes" typify, for me, the crucial difference between the papers. In South Africa anything which appears in a newspaper is entitled to be considered as news; this extends from a front-page article from London on "Fred the Low Beau" — a breast-nipping robot, to mammoth analyses of the D'Oliviera crisis. A few facts may give us a more solid perspective. The "**S.A. News**" is twice as large as **Politika**. Taking an average number of 34 pages, excluding eight for "smalls", we are left with 26. **Politika** offers about 14. Of these 26 in the "**S.A. News**" nearly 12 pages are devoted to advertisements. That leaves 14 pages of news. In **Politika** there are no advertisements except the "Smals" and an occasional back-page preview of a new book.

We are now concerned with what fills these fourteen pages. In a column by column check I found that **Politika** devotes nearly one-third of its space to foreign news. The "**S.A. News**" offers about 16 columns (i.e., just under two pages—including Fred the Lou Beau). The "yells, bells and knells" section, together with the woman's page, also covers about 16 columns. It is true that most of **Politika's** foreign news is from neighbouring European countries. However, if South African papers are not interested in Europe surely they could acknowledge the presence of their neighbours. Rhodesia does, indeed, occupy regular space but one knows little of Tanzania beyond the fact that mini-skirts are a provocation to amateur Jack-the-Rippers, or of Zambia except that Kaunda's Cabinet ministers like their sun-

downers at midday. As far as internal news is concerned, there is one great difference between the two papers. **Politika** confines scandal to the page devoted to court reports, believing, no doubt wrongly, that there are sufficient provincial papers and "blue" magazines to absolve the country's major newspaper from the duty of printing the "inner truth about Jackie Kennedy".

#### **SCYLLA AND CHARYBDIS**

This may seem too austere for South African readers. Yet the difference is not of content but of proportion. Even party members can smile at that versatile polyglot Donald Duck tussling with his mischievous nephews in Serbo-Croatian. There is a regular feature on women and the home and also a children's page. The difference between the papers lies in design and emphasis. By design, I mean lay-out and organization of articles. In the "**S.A. News**" one must navigate between the Scylla of scantihose and the Charybdis of pantihose to peep at the devaluation of the franc. One must duck under a de-odourised masculine armpit for a whiff of fresh air on Pompidou. While George Gambol, with his drip-dry difficulties, has a sacrosanct throne on the satire page, heads of state must barter with beauty queens for their share of attention. This is a game of hide-and-seek where the reader must count to a hundred and hunt for the news. There are booby traps to distract him. For example, a recent "**S.A. News**" published an account of a fatal plane crash. The photograph of the ruined plane hit the headlines. At the bottom of the page was a second photo of the victim smiling in a swimming costume on Durban beach. This was set next to an article on a bride who wore a see-through mini dress to her wedding, much to her mother's distress. The reader of **Politika** is denied this innocent game. News is assigned to its proper place and even Miss Yugoslavia must be content with a page-six write-up.

The problem of emphasis is more subtle. All news reports have interest, but some are more interesting than others. This is the problem of omission. If one compares Sunday papers the gap expands. Should the comic supplement be 12 pages long while the features section is only 8 pages? The Features section of **Sunday Politika** offers articles on architecture, modern sculpture, foreign art, criminal law, town planning, the history of Belgrade and an interview with Sviatoslav Richter besides the usual film and theatre reviews. The "**S.A. Sunday News**" offers "the

scandal that rocked France" (Alain Delon's problems, plus articles on Julie Andrews, Dean Martin, the Volkswagen and Mafeking Road, gambling and the Comrades Marathon. Surely it is hypocritical of the South African papers to complain, as they recently did, of lack of general knowledge amongst school children, when the parents are being fed on gossip-column snipery and filmstar scandal?

In conclusion I feel it is necessary to right the critical balance. There is no doubt that

the Yugoslav papers are not free to express all opinions and all facts. Criticism is often muffled and obscure. Here the South African papers are immeasurably freer. Yet a newspaper's primary function is to report the news. If the Communists are guilty of stifling and repression then the "free world" papers are guilty of omission, inaccuracy, sensationalism and diffuseness. In aiming to please as many people as possible they run the risk of satisfying none.

# THE STUDENT REBELLION

by Alan Tonkyn

(Part 3 — Conclusion)

## SOME COMMON FACTORS AND SOME COMMENTS

The Student Rebellion is, as I have said, a variegated thing. Students respond to local grievances, and their actions are often dictated by local reactions. We must not make too many generalisations. However, there are certain common factors to be observed in the outbreaks of student unrest. These must be looked at, since they highlight certain facets of our age. In the first part of this article I gave some of the more abstract of these common factors. Let us look at some of the more concrete ones.

It is in the Arts Faculties (and especially in the Sociology Departments) that student unrest usually arises. This can be attributed to the fact that these faculties are often overcrowded with poor facilities. Arts students (and especially Sociology students) often find it hard to obtain jobs on leaving university even if they pass their examinations well. In addition, they are encouraged by their disciplines to criticize society and to think about how to put it right. In both of these activities they face a hostile Establishment that fails to practise what it preaches. Thus university and sociological grievances are fused. Students for the professions and sciences have no trouble finding jobs and feel more immediately "useful" in the "technetronic" society in which they are key figures.

### CONFRONTATION

Everywhere in the world one finds students **confronting** society (usually in the form of riot police) and attempting to effect a link-up with the workers. Both of these elements in the student revolt can be said to stem from the teachings of Herbert Marcuse, a German Philosopher now lecturing at California University. He taught that the tolerance by western society of "Legitimate" forms of protest and free speech was a repressive one which served to maintain the present establishment.

He also endorsed violence saying that: "If they use violence, they do not start a new chain of violence but try to break an established one." Students thus often want **confrontation**, not toleration, though the former is often thrust upon them.

Marcuse also conceived of an intellectual elite that would, by its protests, reveal the inherent violence of established society and would re-awaken the workers, drugged by the benefits of a materialistic society, to their old revolutionary activity. The students can see their weakness, and wish to prevent isolation by linking up with the workers.

This student-worker relationship is unlikely to grow in countries like the U.S.A., Britain and Germany, where the workers are materially well off and where the old worker-intellectual gulf still yawns. However, under more dictatorial regimes, as in De Gaulle's France and Franco's Spain, the younger and more revolutionary workers have often found a common cause with the students.

Also behind the students' desire to link up with the workers is the syndicalist concept of a student as an **intellectual** worker working for the benefit of society and entitled to be paid for his work and to strike. The syndicalist movement is the nearest thing to a radical international students' movement, and syndicalists control most of the national radical stu-

dents' organizations. Despite this, however, and despite the cross-fertilization of men and ideas in the international student scene, there is no evidence of an international "conspiracy" behind the uprisings. (The S.A.B.C. has recently tried to prove an international Communist plot in this regard.) The movements are too amorphous and too disorganised and do not have firm enough leaders to be manipulated by sinister little men from the Kremlin. Besides, the Communist establishment is as much under fire as the Capitalist: both are, in the students' eyes, repressive.

### NO CREED

The student revolt is an age-old one in that it is in the long line of protests against injustice, hypocrisy, oppression and materialism. It is very new in the fact that it usually lacks a positive creed or ideology. Tom Hayden, former head of the American S.D.S. and main author of the Port Huron Statement, once replied to a question about his revolutionary programme: "We haven't any. First we will make the revolution and then find out what for."

This aspect of the revolt gives strength to the students in that men of many creeds can be united under the banner of action. Where the revolt is absurd, lazy, and anarchic, however, it is this aspect which is the cause. The lack of ideology in the revolt leads also to radical student support for men like Che Guevara and countries like Cuba. Che's ideals seem to have been suitably vague and his life to have been suitably mysterious, for students to worship him romantically as the hero of perpetual revolution, of an active Us against Them campaign. Cuba, too, is the revolutionary's ideal country. It has a "system" based on perpetual change and non-materialism. (Fidel Castro is trying to abolish money).

Another feature of the student revolt has been the rise of Anti-Universities throughout the world. Students, rejecting the new and often soulless multiversities, chained to "society" as graduate conveyor-belts, have set up avant-garde institutions in order to re-establish the old atmosphere of a community of scholars probing together the "real" things of life.

Young university lecturers often teach there. At the Anti-University of London, held in a warehouse at Shoreditch, the courses include, or used to include: the sociology of guerilla warfare, anti-institutions, experimental music, underground communications theory and a "poetry anti-course".

### THE DANGERS AND THE HOPE

The thinking South African student and his more rebellious counterparts in Britain, America and Europe do share certain things. They share an awareness of the corrupting power of a materialistic society and they share a dislike for a hypocritical Establishment that lays down values to which it does not adhere. "Love thy neighbour" conflicts as much with apartheid as it does with the arms race. However, when it comes to means, and even ends, they soon part company. The South African student is a liberal-conservative (the ideas are **not** mutually exclusive), his fellows overseas are usually genuinely revolutionary. The former wishes to refurbish and to use the traditional liberal vehicles such as a free press, and a truly representative Parliament in order to re-establish and conserve the traditional liberal concepts of freedom and tolerance. The latter often regard these liberal vehicles and concepts as the weapons of a "repressively tolerant" society smothering all real opposition: all must be overthrown and society rebuilt. The former is still waging the battle to have men of all races admitted to the traditional realms of academe and to the organs of liberal government on a basis of merit. The latter feel that the established universities and organs of government have become tainted parts of the bourgeois "system" and must thus be changed completely and suddenly. The former wishes to admit all men to the old hierarchy: the latter wants no truck with hierarchies. I wish to look critically at the "Student Rebellion" from the point of view of the former, since I feel that it has value.

The dangers of the student revolt seem to me to lie in the possibility of its ushering in either mob-rule and left-wing intolerance, or a new period of repressive reaction. The French Sociologist Raymond Aron, writing in the magazine "Encounter", has described a meeting of one of the post-revolutionary assemblies that for a while ran many of the French Universities. It was not an edifying spectacle. "Democracy" often became a show of hands, and "consensus" a roar of disapproval.

Since Marcuse evidently defines "liberating tolerance" as tolerance only of the left wing, and sees the need for an elite to arise in order to tell people what they **really** desire, a situation could arise, at least in the universities, whereby a left-wing totalitarianism would develop. Intolerance, mob-rule and violence do not belong at a university, and must be kept at bay if we are to avoid an "Animal Farm" situation.

The radical student revolt, because of its disorganisation and inherent weakness, is unlikely to become enormously powerful. However, it could, by its excesses, excite a dangerous right-wing reaction. Such a reaction is even often understandable. For example, those students in Britain who disrupted the proceedings of impartial Parliamentary Committees on University affairs sitting at their universities deserve to be evicted from an academic community.

The "little men" from amongst the middle class and the workers have shown themselves historically to be ready to call on an Augustus, a Hitler, a Mussolini, and a Powell when they feel their material prosperity to be threatened by chaos. The British public, traditionally very generous in financing students' grants, could well become tight-fisted and intolerant of students. Moreover, I am not convinced by Marcuse's conception of student violence as not starting "a new chain of violence". A modern society founded on the victory of civil violence from right or left is an insecure one. Violence kills all chance of disinterested learning and of real freedom in the State.

#### **"TALKING SHOP"**

At the university level the student movements overseas seem dangerous in that they could lead to arts faculties becoming mere trendy "talking shops" studying with-it, endlessly and fruitlessly "discussable" subjects like those of the London Anti-University. There is evidence that the quality of thought produced by the "Revolution" is not very high. Raymond Aron quotes one young philosophy lecturer at the Sorbonne as saying: "The philosophy of tomorrow will be terrorist: not a philosophy of terrorism but a terrorist philosophy allied to an active policy of terrorism." Quite apart from the frightening idea of a "terrorist" university, the contradictions contained in the words themselves are inane. This may not be the best revolutionary thinking, but it is unlikely that much work of any value for mankind could be done amidst the fervour of perpetual upheavals in University and State. Sensibilities which should be delicately alive would begin to respond only to the grossest stimuli. Arts degrees and the study of the Arts and Humanities could be seriously devalued if the delicate teacher-taught relationship is broken up and if curricula are merely put up for auction. Even in the old communities of scholars the authority of older, wiser scholars was willingly submitted to by the younger students. This must still happen if universities are to survive.

The student leaders striving for power within their institutions must realise that they are often inexperienced, and that student representatives come and go, and often do not represent the bulk of student opinion. It is difficult to base any real student power within the Universities on these slender supports. They must also realise that if they pull large bodies of students into the streets they could endanger the precious critical detachment of the university and the freedom of its members from political manipulation. The Hitler Youth is a reminder of the terrible danger of students becoming the mere tools of politicians. Students should be concerned with political matters, but should retain their independence.

However, I trust that the student unrest will never reach such proportions as to produce the results I have mentioned. They are dangers that must be borne in mind. There is a hopeful side to the Student Rebellion.

#### **THE HOPES**

Within the Universities it could force the Administrative authorities to consult with students on matters which vitally concern the latter, and to appoint students to administrative committees where their special knowledge could be useful in running student affairs. Although the old "community of scholars" is gone forever, student agitation could force governments to improve facilities and increase staff members, thereby enabling the universities to fulfil better their rôle of free critical agents within and for society. The University must not become, as the students see that it is becoming, a mere squalid graduate factory.

On a wider front many of the student protests could help men to start thinking and acting as they have never thought or acted before, in order to prevent the spiritual and physical disasters for which we seem to be heading. **Something** must turn the tide of greed, of selfishness, and of moral apathy which seems to be the hall-mark of our age. Aloof Governments, both Communist and Capitalist, could become more aware of their obligations to their citizens. Long-term planning and thinking could replace the short-term grab and the war of petty prestige. However, if the student rebellion itself is a selfish and thoughtless thing, as it often seems to be, then it will become part of an anarchic age and not a stay against it.

**Reform is slow, dull hard work. It demands a programme, not simply action. It involves experience, not simply sensation. When asked to take a stand, I must agree with General de Gaulle when he said: "Yes to reform; No to bed-wetting!"**

**W. A. De KLERK**, a leading Afrikaans author, playwright and poet who farms in the Paarl district, surveys the comedies and ironies of the South African Scene.

## LAUGHING AT OUR PERFORMANCE

The present South African scene, in spite of — no, more correctly because of — the current confusion of tongues to which the internecine struggle between *verligtes* and *verkramptes* has come, and the equally deadly nature of attitudes generally, provides a field of rewarding richness for the comic eye.

In this respect it could measure up to the Athens of Aristophanes, the Czarist Russia of Chekov, or the Great Britain of G. B. Shaw. Writers like Athol Fugard have indeed in plays like "The Blood Knot," given us an indication of what might be done. Unfortunately, censorship being what it is in our country, it may be some time before writers, paraphrasing Oliver Cromwell, can use all their skill to paint our picture truly like us, remarking all these roughnesses, pimples, warts, and everything as we see ourselves.

All sorts of fascinating things have been taking place of late. There has, for instance, been Mr. Hans Abraham, who, according to some Press reports, was, at a tribal meeting in the Transkei, declared an honorary Bantu.

True enough, this was subsequently corrected to read: an honorary headman. Well, as far as one knows, all the Transkei headmen are Bantu. So Mr. Abraham must in fact also be an honorary Bantu. Good for him. This is progress indeed. All sorts of vistas are being opened to us. Now we can look forward to the day when Basil D'Oliveira (or anyone like him) will be declared an honorary Springbok.

### IRONY

Does this sound facetious? In all honesty, it is not meant to be. What I have, in fact, been pointing out here is that the heart of the comic, like the heart of the tragic, is found in irony: the strange way in which things work out differently from what our enormous and heroic rationalities have been promising us.

Consider another little scene which was enacted some time ago on a smallholding in the Western Transvaal. A fine woman has two sons who have been sent home from school. She has no husband and is rather upset by everything. It appears that the two boys have been stealing pumpkins.

Subsequently she receives a letter to the effect that one of the boys can return to school,

but the other will have to go. It so happens that the unlucky one is rather dark-skinned. His presence at the school has been embarrassing the community, although his identity card shows him to be White.

The question now is: to which school can he be sent? The only school prepared to take him, it appears, is an English-medium school in another centre. But the child is Afrikaans-speaking, and according to law he must be sent to an Afrikaans-medium school.

What now happens is that the mother is visited one day by a deputation of high-ranking dignitaries. They have come to ask her to sign a document agreeing to her son being sent to an English-medium school. The meeting is duly and solemnly opened by prayer. Thereupon the mother is subjected to some gentle persuasion to sign the document. She resists, however. The climax is reached when she, deeply moved by everything which has taken place out here on her little farm, accuses her visitors of wanting to make a liberalist of her son. That she could never allow.

What the outcome of the whole matter is, has not yet been made public.



"HE HAD A TERRIBLE CHILDHOOD —  
HIS PARENTS FISHED ON SUNDAYS!"

Irony presenting us with heaven-sent opportunities — I say "heaven-sent," because this sort of thing is, in fact, divina commedia — to giggle at our own performance is apparent everywhere. If we could look at it all with a comic eye it would redeem us from tragedy.

To give another example, there has never been anything quite like the ultra-conservative, in the person of Mr. Barry Botha, using arguments against the establishment which are hardly to be distinguished from those once used by the ultra-liberalists.

When Mr. Botha has occasion to complain bitterly of the abuse of power in the form of the Government's employing the Special Branch to investigate the activities of his group, he is speaking the same language as those who were so easily locked up for their Leftist tendencies. Mr. Botha is also quite sure that the telephones of verkrampers are being tapped. In fact, he has no doubt that freedom generally is going down the drain.

Seen from the angle of the Establishment, things may even be funnier. After many years and much effort to meet the attack from the Left, the most insidious, the most embarrassing attack has come — from the Right.

### DUAL CITIZENS?

There seems to be no end to this sort of thing. Think for a moment of the new thought, which may soon take shape in the form of legislation, that all South African Bantu will in future have their own certificates of citizenship. It has carefully (and always solemnly) been pointed out that this does not mean that these Bantu will lose their South African citizenship. No, we are assured, there will be no change as far as their present status is concerned. But they will also have their own "nationality," i.e. their own citizenship.

The news raises nostalgic memories of the twenties and the thirties, when it was a firm plank in the political platform of the National Party: No more double citizenship! At the time South Africans were South African citizens, but also British subjects. This was, perfectly correctly, felt to be an unreal and impossible situation. Now, 30 to 40 years later, we are having it all over again. The only difference is that it is the pattern.

This is also, more or less the case generally: those who were some quarter of a century ago still militantly opposed to all forms of colonialism, have now discovered themselves to be the new colonialists. When

Coloured school children (the Coloureds not really being part of the South African nation) dutifully sing "Die Stem van Suid-Afrika," honour the flag, the head of State, etc.; when the coming Coloured "parliament" accepts certain strictly confined powers from the true power in the land; when the Coloured nation generally takes part in the Festivals of the Republic on the periphery, this raises all sorts of memories with the discerning.

They remember the days, not so long ago, when Afrikaans children dutifully sang, or listened to, "God Save the King," honoured the Union Jack, and quietly took part in the various festivals or occasions of Empire.

*Mutatis mutandis*, the same could be said of almost all the other "nations" living within the wide embrace of the South African State. Mr. Matanzima, for instance, is resembling more and more a kind of latter day John X. Merriman, owing allegiance to, and paying respect to the true centre of things; not quite there where he finds himself to be.

A great deal more should cause us to hesitate, ponder, and perhaps smile. We are, for example, dedicated to the destruction of communism within our own ranks. And yet we have so much in common with the communists. There are things like "personality worship": the increasing measure in which all sorts of public places and institutions are being named after political figures who might easily be entirely forgotten some few years after they have gone.

### PURITANISM

There is the prevalence of puritanism, which has reached the point where a farmer might be prosecuted for doing necessary farm work on a Sunday. The human body is here almost as suspect as in Soviet Russia. There is the general suspicion of the artist. The writer should employ his talents to give us patriotic literature. In any event the community should only read or see what some few enlightened souls decide is good for them.

There is the tremendous proliferation of bureaucracy, so that one may well speak of our plethora of *radelose rade* (boards at their wit's ends). Ask any farmer about this.

Last but not least, there is our utter dedication to, our religious belief in, an Idea, by which we promise final order, complete security, a future state of happiness for all survival. This, whatever its religious over-

tones may be, is rationalism. As such it is also humanism.

Finally, of course, there is the question of revisionism: the verligtes being revisionists, the verkramptes being the upholders of the true faith. Like the other revisionists the verligtes just cannot help themselves. Life and its facts decide in the end, not theories.

One could go on for a long while in this vein. But enough has been said. What needs repeating is that a mature society should increasingly be able to discern these ironies which lie at the heart of both comedy and tragedy.

With respect to the Sestiger movement we shall only start giving South African literature its true dimensions when we have fully rediscovered the tragic, but especially, the comic eye.

(Reprinted from the "Rand Daily Mail" with the author's permission. Cartoons — "Rand Daily Mail".)



"It is a serious state of affairs when one politician accuses another politician of getting involved in politics!"

## How Judges Differ

By A Lawyer

Parliament enacts statutes in South Africa and the Courts interpret these laws. In so doing the Judges endeavour to ascertain the intention of the law giver. In certain cases that have been considered by the Courts there have been interesting differences of view expressed and these are in a way examples of the conflicts of opinion among thoughtful people concerning the central problems of the community.

The first case is the **Minister of Justice versus Hodgson**. In this matter there had been served on Jack Hodgson a notice in terms of the Suppression of Communism Act prohibiting him from absenting himself from the three-roomed flat which he occupied in Hillbrow, Johannesburg. The Minister of Justice had signed the notice, in terms of powers given to him by the Act, to prohibit a person who advocates the objects of communism from absenting himself from any place. It was argued that the word "place" in the Act did not mean a house or flat but an area which includes a number of different places of residence. It was further submitted that a person so confined would be worse off than one serving an ordinary prison sentence because under prison regulations there is provision for adequate exercise for the prisoner, adequate feeding, bathing and so on. One of the Judges

said that "confinement to his flat must undoubtedly cause much hardship and inconvenience if not misery to the Applicant".

When the case was first heard Mr. Justice Trollip held that Parliament could not have intended the word "place" in the Act to mean a flat, but must have intended a unit of space larger than a residence, dwelling or house, from which a person could be prohibited from absenting himself but within which he could change his place of residence.

### HARSH INTENTION

The Minister appealed and three Judges upheld the appeal. Mr. Justice Dowling after analysing the legislation, held that "any place" includes a house or residence. He said:

"The contention that the legislature could not have intended to make such a harsh provision falls away in the light of

the fact that the provisions of the Suppression of Communism Act are clearly intended to be harsh."

He said that the draconic intention of the Act gives effect to the intention to suppress communism by isolating and insulating or quarantining the prohibited person from contacts with other people. In the result the prohibition was held to be valid in law.

The next case is **Rossouw versus Sachs**. Sachs had been detained under the ninety-day law. This is Section 17 of Act No. 37 of 1963 and it provides for the detention in custody for interrogation of people suspected on reasonable grounds of having committed any offence under the Suppression of Communism Act or the offence of sabotage, or for interrogation of people who may have information about these offences. They may be detained until they reply satisfactorily to all questions but such detention is not to be for more than ninety days on any particular occasion. No person may have access to them without the consent of the Minister of Justice and no Court may order their release.

Application was made on behalf of Sachs for an order declaring him to be entitled to receive during his detention an adequate supply of reading and writing materials and in the Cape Court he was declared entitled to these by Mr. Justice Van Winsen and Mr. Justice Banks. The Security Police appealed against this judgment to the Appellate Division and the appeal was upheld by five Judges, the result being in effect that Sachs was found to be not entitled to the reading and writing materials claimed. The Cape Court had expressed the view that the individual has the right to an adequate supply of reading matter and writing materials and that to deprive a detainee of that right "amounts in effect to punishment. It would be surprising to find that the legislature intended punishment to be meted out to an unconvicted prisoner". The Appellate Division disagreed with this. It held that the detention was designed to induce the detainee to speak. It distinguished between necessities and comforts, saying that a detainee was entitled to the latter only as a matter of grace. Mr. Justice Ogilvy-Thompson said:

#### "PSYCHOLOGICAL COMPULSION"

"I am very conscious of the fact that, for detainees who may broadly be classified as intellectuals, the deprivation of reading matter or writing materials during their detention may approximate to the application of a form of that very

psychological compulsion so emphatically repudiated by Counsel for Appellant. But, after meticulous scrutiny of the language of Section 17 in the light of the circumstances whereunder it was enacted and of the general policy and object of the Section, I have come to the conclusion that it was not the intention of Parliament that detainees should as of right be permitted to relieve the tedium of their detention with reading matter or writing materials."

The third case is that of **Schermbrucker versus Klindt N.O.** Schermbrucker was being held under the ninety-day law and his wife brought an urgent application to Court regarding his detention. She asked that he be allowed to come into Court and personally inform the Judge of what was happening to him. Mr. Justice Snyman held that the Court did not have this power and on appeal to three Judges Schermbrucker failed to persuade them otherwise. The matter was then argued in the Appellate Division and here too Schermbrucker failed. Mr. Justice Botha held that to bring the detainee before the Court would interfere with his detention and defeat the purpose of Section 17 of the Act. He would be brought out of isolation and into contact with the outside world, there would be an interruption of his detention and of the interrogation designed to induce him to speak and any interference with that detention which might negative the inducement to speak was likely to defeat the purpose of the legislature.

Mr. Justice Trollip agreed that the appeal should be dismissed because, to bring the detainee to Court, even if his detention continued there, would result in the detention not being at the place selected by the detaining authority. The Judge also held that there were other procedures which Schermbrucker's legal advisers could have followed to place his complaint before the Court.

#### THE DISSENTING JUDGES

There were two dissenting judgments. Mr. Justice Rumpff held that the legislation did not give the Police the right to exercise either physical or psychological force upon a detainee in their methods of interrogation. He said that it was in the interests of the State that there should be a lawful compliance with Section 17 of the Act and therefore a Court should not be prevented from deciding whether such lawful compliance was in effect taking place. A detainee could therefore apply to Court for a declaration that his detention was unlawful because he was subjected to interro-

gation by unlawful means. He discussed the basic right to have evidence produced in a Court of law and quoted the following from a writer on the law of evidence:

**"The whole life of the community, the regularity and continuity of its relations, depend upon the coming of the witness . . . All society, potentially, is involved in each individual case . . ."**

The Judge concluded that the lower Court should have ordered Schermbrucker to be brought before it to give his evidence.

Mr. Justice Williamson held that Schermbrucker's appeal should have been allowed. In the course of his judgment he commented upon Rossouw's case and disagreed with the view that the object of the ninety-day law was to place in the hands of the Police a method of inducing detainees to speak. He held that the essence of the provision was that the de-

tainee be prevented from having access to any outside person during the time he is being interrogated so that the information he would give should not be influenced by information prematurely communicated to him by others who had been interrogated. The Judge said:

**"It was, in my view, unnecessary and I think respectfully, manifestly wrong in modern times to impute the extraordinary and unprecedented intention to Parliament of legalising a system of compelling persons to speak."**

Parliament is the supreme law giver in South Africa and these cases show how great are the differences that can arise when Judges seek to interpret the will of Parliament. These cases concerned the basic rights of individuals as well as the need to assure the security of the State. There would be less ambiguity if the individual's rights were enshrined in the clearest of language in a Bill of Rights.

## **The Futility of Hanging**

**By David Welsh**

Fundamentally the death penalty is a moral issue: whether you are an abolitionist or a retentionist the question you have to ask yourself is "Can I square this with my conscience?" In my case the answer is "No, I cannot." As I shall show there is also a wealth of statistical data, sociological and criminological evidence all of which point to the conclusion that the death penalty does not have any of the great deterrent powers which defenders say it has.

My basic premise is that any and every murderer, rapist, armed robber or what have you is a fellow human being, and, however degraded or wicked a monster he is, society cannot evade a moral obligation to try and redeem him. There is no absolute moral law which says that murder or any other crime must be punished by death. Justice can be done without using the death penalty. Down the centuries men's ideas of punishment have changed. Concepts of what kinds of punishment were appropriate to particular types of crime have changed too. We no longer burn heretics at the stake, or break every bone in the robber's body. The human conscience rejects such punishments because they are too cruel: but where and how does one draw the line between punishments that are too cruel and those that are not? The answer depends on your own moral sensitivity. To me the death penalty, whatever form executions may

take, is too cruel for any civilized society to tolerate. The murderer's victim usually dies a sudden death; he has no long agonising wait. The murderer himself, if he is arrested, endures a court trial, possibly an appeal, and a period of waiting while the executive reviews the case. It may be three, six or, exceptionally, nine months after his trial before he is finally executed. However cruel, brutal or wanton his crime may have been, it cannot warrant him being subjected to an ordeal of this kind. The state ought not to repay cruelty with even grosser forms of cruelty which affect not only the condemned man but his family as well.

### **"LOVE THINE ENEMY"**

To say this does not mean I am reserving all my sympathy for the criminal and none for his victim. I, too, am no less appalled by the brutality of which criminals are capable. If you read the Minister of Justice's speech in the

capital punishment debate in Parliament you will see that he refers to some truly horrifying cases. But it does not follow that enemies of society should be repaid in kind. To "Love thine enemy" may be a difficult command, but this is the principle which a civilized society should incorporate in its system of punishment.

**Retentionists claim that the death penalty has a deterrent effect which is greater than that of any other punishment. To rest one's argument entirely on this point, as many do, is morally and statistically questionable.**

Early in the nineteenth century an English judge is reported to have told some unfortunate: "You are to be hanged not because you stole a sheep, but in order that others shall not steal sheep." I recognize that deterrence must form part of any system of punishment, but where the death penalty is involved it seems to me that the usual principle is that every human being is an end in himself and that it is wrong to justify a person's execution on the ground that others will thereby be deterred from committing the same crime.

Statistically the argument about deterrence has not been demonstrated. The most thorough study to date, that of the British Royal Commission on Capital Punishment (1949-1953) concluded after a meticulous examination of figures from some sixty judicial systems that "there is no clear evidence in any of the figures we have examined that the abolition of capital punishment has led to an increase in the homicide rates, or that its re-introduction has led to a fall." Virtually every criminologist of repute in the world supports this finding. The abolitionist does not say that capital punishment has **no** deterrent value at all: all he claims is that its power as uniquely effective deterrent has not been proved and that the experience of countries where the death penalty no longer exists suggests that non-capital forms of punishment are equally effective deterrents.

### PASSION

Some 95% of murders are crimes of passion and, by definition, are not premeditated. Most premeditated murders are committed under some great emotional stress and the possibility of subsequent execution is seldom considered. I would venture the claim that the particularly brutal murders and rapes which stir up the public's wrath are invariably committed by people who are mentally deranged in some way or another. One must concede that some proportion of would-be murderers, rapists or armed robbers are deterred from

committing these crimes by the possibility of punishment; but the evidence strongly suggests that this category of potential criminals is equally deterred by non-capital forms of punishment. Since Beccaria's Treatise on crime and punishment, written over 200 years ago, criminologists have emphasized that what deters the criminal is not so much the type of punishment but the possibility that he will be caught.

South Africans tend to rest comfortably on the belief that our country is "different" because it has a large non-white population which is "just emerging from barbarism" (the Lansdown Commission Report, 1947). Thus Captain J. A. L. Basson (United Party M.P. for Sea Point) said of Mrs. Helen Suzman in the parliamentary debate: "She does not realize how little it means for one Bantu to kill another Bantu and there is only one deterrent for him and that is death." The good Captain spoke with that unbounded confidence which springs from deep ignorance of the subject. If he implies that some Africans have some innate racial propensity to violence this is obviously nonsense: normally traditional tribal societies were not characterized by high homicide and rape rates. To be sure life under Shaka was not secure for his subjects, but this was because he was a tyrant. A picture of more traditional societies was provided by Colonel Maclean in his account of the Xhosa tribes on the Cape Frontiers in 1858 which makes it clear that homicide and the shedding of blood were rare except in times of war. Similar views of tribal society were expressed by the Commission of Enquiry into Assaults on Women (1914). Despite this one cannot deny that Africans, especially in the towns, do commit crimes of violence of scale. In 1950 3.6 Africans per 100,000 were convicted of murder; by 1960 the figure had risen to 10.06 per 10,000. Something like ten murders are committed a day in South Africa. Ninety-five per cent. of the executions in South Africa are for the crime of murder. The number of executions over the past five years exceeds, on an average, 100 annually. These are disturbing figures: South Africa has the fourth homicide rate and, as far as available figures indicate, the highest execution rate in the world.

### NO ANSWER

The Minister of Justice has expressed his concern at this state of affairs, but he confesses that he does not know what to do about it. I can assure him that retaining the death penalty or using it even more extensively will

not make the slightest difference to the crime rate. Savage penalties are no answer to violent crimes whose causes are embedded in a complex of sociological factors. It seems that in some of South Africa's urban locations and townships what criminologists call "the sub-culture of violence" has taken root. Members of those sub-cultures are deviants from law-abiding norms for whom violence has become a way of life. Violence is glorified and stressed in inter-personal relations; it becomes woven into the very fabric of those communities. (See: Wolfgang and Farracuti: *The Sub-culture of Violence*, *passim*.) Hanging is no answer to this problem: it deals only with effects and does not and cannot tackle the root causes. It is quite possible that hangings aggravate the situation because if the state itself is a party to violence this can only strengthen the cult of violence in these subcultures. Hanging diminishes regard for the sanctity of human life: as John Bright said: "A deep reverence for human life is worth more than a thousand executions in the prevention of murder; it is in fact, the great security of human life. The law of capital punishment, whilst pretending to support this reverence, does in fact tend to destroy it." This may sound like "sickly sentimental humanism" but it contains the germ of what

may be an important sociological truth.

The prophets of doom, like Judge Leslie Blackwell, tell us that the abolition of hanging would be followed by a tremendous upsurge in the number of murders, rapes and other former capital offences. All the speakers who opposed Mrs. Suzman's motion in Parliament assumed that this would happen but not one of them could tell us why, not one of them could substantiate the argument that the death penalty is a uniquely effective deterrent. Mrs. Suzman's formidable case — and remember that she was asking only for a commission of enquiry — went unanswered. If we abolished the death penalty the murder rate would continue to rise; if the death penalty were reimposed it would make no difference. All I am saying is that the incidence of violent crime is not significantly affected by the presence or absence of the death penalty. This fact has been established by numerous criminologists working in the United States of America.

We have to face the fact that there is something seriously wrong with our society: the enormous crime rate is an indication of a rooted alienation among large sections of the community. To believe that the death penalty gives us protection is a snare and a delusion. I believe that it degrades any society that uses it.

## Some of Our Contributors —

**Dr. Anthony Barker** is the doctor in charge of the Charles Johnson Memorial Hospital which is a mission hospital in Northern Natal.

**Mr. Alan McConnell Duff** is temporarily lecturing in the English Department of the University of Natal, Pietermaritzburg. He lived and taught in Yugoslavia for some years and plans to return there.

**Mr. David Welsh** is a lecturer in the School of African Studies at the University of Cape Town. He has written several articles against capital punishment.

**Mr. Alan Tonkyn** is an Honours Student in English at the University of Natal, Pietermaritzburg.

# This South Africa

The results of this malnutrition can be seen not only in disease and stunting, but in death rates. Leary and Lewis report on death rates in a typical African reserve in Sekhukhuni-land: "At least 50% of all children born alive fail to reach their fifth birthday . . ."

*Prof. John Reid in a paper on malnutrition.*

Critics of the international associations of the Round Table organization have been answered by its president, Mr. Arrie Oberholzer.

Among other things he said, "Let us emphasize, first and foremost, Round Table is a non-political, non-denominational movement, and we are in full agreement with the official policy of the highest legislative and executive authorities in the land."

Well, that's reassuring enough. There's no better way of keeping out of politics than by agreeing with the government.

*From Harry O'Connor's column, Rand Daily Mail.*

According to the Deputy Minister of Bantu Development, Mr. Vosloo, "there is one thing that the Bantu does not like and that is to be treated unfairly."

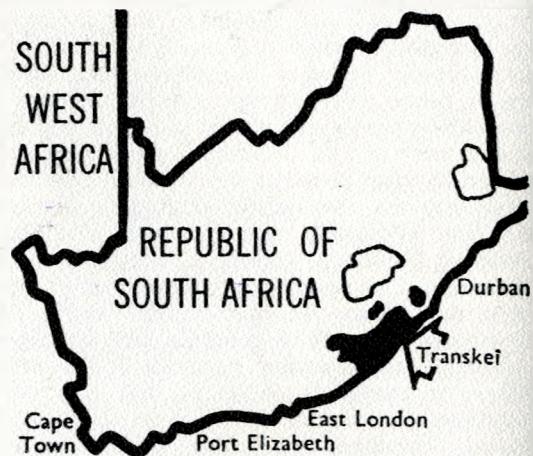
How fortunate for so many people, then, that there is so little "the Bantu" can do about it . . .

*From Harry O'Connor's column, Rand Daily Mail.*

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"The National Party policy is clear: A Government of the people and for every people in the people's own country."

*The Minister of Bantu Administration and Development,*

Mr. M. C. Botha.

"Let me put it very clearly that there is no question of anybody being appointed to the Group Areas Board if he is not a known Nationalist."

*The Minister of Planning, Mr. De Wet.*

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