

The very weapons they chose will be called into question, and the stage of "violence to property", which has followed naturally from "non-violent action", itself the successor to constitutional pressures, perhaps brought to an end. The new phase will perhaps follow the violent pattern already set by the PAC at Paarl, Queenstown, Bashee Bridge. Or this will be mixed with political strategies within the apartheid framework that the crushing of organised opposition outside it makes permissible. Perhaps the lesson in chief that has been learned is that the sabotage tactics that lost the battle that began with the launching of Umkonto weSizwe in 1961 must be changed for others that will more quickly bring about the end of terror, bloodshed and white baasskap in South Africa.

The Editors' apologies are extended to subscribers who have received no issues of The New African since July, 1964. Renewals will not be invoiced until subscribers have had the number of issues owing to them. Please send changes of address or new subscriptions to The New African, 12a Goodwins Court, off St Martins Lane, London WC2. Constant South African Security Police harassment, and intimidation of successive printers of The New African in Cape Town have made it necessary for the magazine to be printed and published in London.

'Obscenity' on Trial

THE NEW AFRICAN CASE

A LEADER OF THE CAPE PRESBYTERIAN CHURCH who blushed and said "That is a leading question" when asked in court if he had ever inadvertently used the word "damn" as an expletive, was the key State witness in a case that ended in a director of *The New African* being fined last November for publishing an obscene article.

The title of the "obscene article" was given on the charge sheet as "The Fugitives Can Themba". In fact, it is a short story by Can Themba, set in a Johannesburg shebeen. According to the evidence of Detective-Constable T. Zandberg, of the Security Police, some of the words used in the dialogue are blasphemous and/or obscene.

(Some of us who attended the proceedings were relieved to hear that Const. Zandberg himself never uses these words, although to his regret he has heard them on the lips of others.)

The South African Government has various ways of suppressing written matter that it considers undesirable for any reason. It can forbid the publication of the words of certain people, or of political journals, under the Suppression of Communism Act. It can prevent the sale, distribution or display of matter published overseas, or their import into the country, under the Customs and Immigration Act. It can cause the banning of publications through the agency of the censorship board set up two years ago. Or it can bring a charge against writers or publishers in the courts.

THE SECURITY POLICE HAD BEEN LOOKING for a chance to get at *The New African* ever since it first came out. They had raided its offices at the end of 1963, removing the entire contents. Four months later the last file was reluctantly returned. Another raid followed almost immediately, and this time the police also visited the home of Mrs. J. N. Block, a director of Insight Publications (which published *The New African*) and took 700

copies of the March issue, just printed. The remaining copies they got from the office and the post office, already addressed and stamped.

Then nothing was heard for seven months.

In October they acted. They called for Mrs. Block at her home and drove her to their headquarters to take fingerprints. She was told when to appear in court, and that she would be charged with publishing an obscene article.

This is only the second time a publication has been charged under the Publications and Entertainments Act of 1963. The first was the University of Cape Town student newspaper,

What it has cost

Lawyers' fees and fines in this case have come to R1,000 (£500). The appeal will cost at least another R500 (£250).

The principles involved and the possibility that a dangerous precedent may be set, mean that the appeal must be fought with every weapon we have.

It will be expensive, but we hope readers, understanding the need, will help us with donations.

We cannot engage counsel until we have the money. And R300 of the fine has still to be paid.

Please send a donation to The New African Fund, 12a Goodwins Court, off St. Martins Lane, London, WC2.

Varsity, which published a light-hearted article called "How to Seduce a Freshette". The university, and particularly its Students' Representative Council (whose official organ *Varsity* is) is not a supporter of Government policy. The S.R.C. and the editor of *Varsity* were both acquitted in the courts.

The New African was not so lucky.

The State's case rested largely on the evidence of Comdt. C. S. Scott Shaw, Moderator of the Cape Presbytery of the Presbyterian Church. He is also Army Chaplain for his Church. He said in evidence that 14 churches and some preaching stations fell under his presbytery. He believed that the language used in the short story was offensive and would have a lowering effect on those who read it. The words objected to were of the kind used by "certain low types". He hoped the soldiers under his spiritual guidance did not use many of them. They were not low types.

THE COMMANDANT'S EVIDENCE WAS ALL the prosecution needed. The Act, as the Public Prosecutor pointed out, was not concerned with the literary merit or integrity of the article or its writer, or with the general tone of the publication or the quality

of its readership. If any part of any publication was offensive to any section of the community, then it was objectionable by definition. This was offensive to the Cape Presbyterian Church.

The defence called Uys Krige, prominent Afrikaans writer and literary critic. Mr. Krige pointed out that other publications, in English and Afrikaans, published overseas and in South Africa, used similar words.

He did not find any of the language offensive. It was used in the dialogue to give immediacy to the situation and to reflect the personalities and emotions of the characters.

The Magistrate, Mr. W. F. van der Merwe, found Mrs. Block guilty in her capacity as director and as a servant of the company. He said the article was undesirable within the meaning of the Act. An article was undesirable if it proved to be blasphemous or offensive to the feelings of any section of the population. South Africa was a religious country, and subser-vience to the Almighty was the corner-stone of the constitution.

He sentenced Mrs. Block to a fine of R300 (£150), or three months' imprisonment, in her capacity as director. He fined the company R300.

An appeal has been lodged.

The End of Non-Violence—I

First phase of an unfolding programme

MATTHEW NKOANA

A DEBATE IS GOING ON in various world circles as to how South Africa can or should be liberated. Summing up its theme was a question posed recently by a journal of international affairs, which asked: "Can Southern Africa be liberated without a violent struggle?"

In Africa, however, the most urgent question is not whether or not there should be a violent struggle in Southern Africa, but rather how such a struggle can be waged effectively for the quickest results with the least possible loss of life.

After an exhaustive analysis of the objective conditions which have prevailed in our country for more than three centuries, we of the Pan-African Congress (outlawed in South Africa) decided as early as 1958 that the South African question cannot be resolved other than by force. Having come to that conclusion, we set about the task of mounting sufficient force to liberate ourselves.

The world debate concerns not only the ethical or moral basis of force as a solution to the South African question, but also the wisdom of embarking on a course whose end results some believe would defeat the very ideals which inspired it.

Deep-seated in Western philosophy is the proposition that the end does not justify the means, or that the means can defeat the end. Thus while apartheid is roundly condemned in the words of a British representative at the United Nations as "morally abominable, intellectually grotesque and spiritually indefensible", coercion for its abandonment is equally strongly rejected in an incredible ambivalence.

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