

2. MORE VIOLENCE

The appearance on our political scene of the extreme right-wing Afrikaner Volkswag with its neo-Nazi trappings is disturbing enough — but no more so than other things which have been happening recently and which have enjoyed none of the hostile Press and Television cover which the Nationalists have thought it proper to afford the Volkswag.

Some years ago scarcely a week would pass without there being an attack on the home, office, motor-car, protest stand or public meeting of individuals or organisations which the Government regarded as being of 'the left'. In one of those attacks Rick Turner died. Neither in his case, nor any others, was anyone ever caught. Then, with the departure of Mr. Vorster, things seemed to improve. There was even a trial in Cape Town, and some of the hit-men went to gaol. Now it seems all to be starting again, and spreading.

There has recently been a spate of attacks on the homes, cars and offices of opponents of the Government in Johannesburg, following much the same pattern as in the past. But at the University of the Witwatersrand, once a bastion of liberal tolerance, where anyone could expect to express controversial views without interference, there have been incidents of violence whose origins seem to range from the ethnic to the religious to the political. What could be more in conflict with the traditions of that great institution than that its campus should have come to this unhappy pass?

On the broader political front, in Johannesburg and other centres, supporters of the United Democratic

Front have been harassed and manhandled while going about the perfectly legal business of collecting signatures and support for their petition against the new constitution. The deep divisions in Zulu society have again expressed themselves in violent terms. In early May, at a UDF meeting in Empangeni, Mr Archie Gumede, vice-President of the UDF, was knocked unconscious by, and had to be rescued from, a group which invaded the platform at a meeting he was addressing. Mr. Gumede's commitment to non-violence could hardly be stronger or his record of service to the cause of black liberation more honourable. That a man with his views and record should, at the age of 70, be treated in this manner is a disgrace to all of us. Elsewhere on the political spectrum students at the University of Zululand are reported to have marked Republic Day by staging a march on their campus which culminated in the burning of an effigy of Chief Buthelezi — an inherently violent and highly provocative act if ever there was one.

Political violence which once used to be almost exclusively the prerogative of the antecedents of the Afrikaner Volkswag (one of which was the Nationalist Party) is now threatening to become endemic in other levels of our political activity. Not much can be done to persuade the Volkswag (one of which was the Nationalist Party) is now threatening to become endemic in other levels of our political activity. Not much can be done to persuade the Volkswag to see the dangers of this. Its leaders subscribe neither to the principles of non-violence nor those of rational argument. But this does not apply in the other areas where violence is increasing and we are entitled to demand firm action from leaders on all sides now, to ensure that their supporters practise what they preach. □

by DAVID UNTERHALTER

THE HOEXTER COMMISSION AND THE INDEPENDENCE OF THE JUDICIARY

The South African Government frequently claims its critics are unjust. Whatever the disfigurements wrought upon society by the byzantine legislative intrusions of apartheid, the judiciary remains independent of executive control. Judges usually affirm their independence as a self-evident feature of judicial office, unsullied by the taint of political partiality. Lord Diplock is perhaps representative, 'the administration of justice in our country depends upon respect which all people of all political views feel for the judges, and in my opinion that aspect depends upon keeping judges out of politics.'¹

The legitimacy of the judiciary in South Africa is rooted in this assertion of political neutrality. Confidence cannot rest upon proud assertions. Doubts as to the independence of the judiciary have been publicly aired, but caution prevails. Critics have generally made two claims. First, certain judges have been appointed on the grounds of political affiliation above merit and seniority. Secondly, certain judges are curiously vigorous in upholding the claims of the state in arguable cases where the rights of individuals are at stake.²