

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

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

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

Mr. FRONEMAN

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

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

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

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

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

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

Apartheid and the Law No. 3

By a Lawyer

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

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

of Act No. 25 of 1945 (being in an urban area without permission), if so arrested between 2 p.m. on Sundays and 2 p.m. on Fridays, should not be charged immediately after arrest but merely detained by the police. They should be removed under escort to the district labour bureau and handed over to the employment officer at times to be arranged between him and the South African police. The employment officer was to sign a roll, prepared by the police in respect of Africans sent to the labour bureau, which was to serve as a receipt for the prisoners handed over. The Africans were to be offered employment, priority being given to farm labour, and if any declined they were to be returned to the police for prosecution.

This scheme apparently led to the most widespread abuse, and families in areas such as Alexandra Township, near Johannesburg, when their menfolk disappeared, began saying that their husbands and fathers had been sold to a farmer.

In some cases applications to court were made by members of affected families, one of these matters being that of Dorcus Sadika, who petitioned the Supreme Court at Pretoria for an order calling upon a farmer to produce the body of her husband to the court and to show cause why her husband should not be released from the farm. The labourer was in due course released by order of the judge.

Among the affidavits filed with this petition was one by the released man in which he said under oath that at the farm labour bureau the official in charge said that the arrested men had to wait for farmers who wanted "boys" to work for them. When he protested the official struck him across the face and said that it was not for him to choose. Later he was taken into an office with others and ordered to place his thumbprint on a document, which he did.

The affidavit also gives a description alleging dreadful conditions of work and virtual imprisonment on the farm to prevent escape.

When several such applications to court

led to serious criticism by the public and in the press, the Minister announced in Parliament that the scheme had been discontinued.

Section 17 of the Bantu Laws Amendment Bill now proposes to give legislative sanction to something that may lead to the same abuses. It proposes to amend the Native Labour Regulation Act, No. 15 of 1911, by providing in Section 28 bis that an African arrested or convicted on a charge of contravening the Urban Areas Act or the Passes Act may be detained in a depot established by a labour bureau. Such depot is to be managed by an approved officer, who is given the powers of a magistrate to impose suspended sentences, a depot being a place where a court may be held.

This is what sub-section 5 says:—

"The officer . . . may . . . in respect of any Bantu convicted and detained in a depot . . . if such Bantu agrees to enter and enters into a contract of employment with such an employer and for such a period as such officer may approve, permit such Bantu to enter into employment in accordance with the terms of that contract, and if he deems fit, order that such Bantu be detained in the depot pending his removal to the place at which he will, in terms of that contract, be employed."

In view of the unfortunate history of these so-called voluntary contracts of employment, what safeguards are there to prevent the African in detention at a depot from having his thumbprint forcibly impressed on a paper that he does not understand to be a contract whereby he engages himself to work for a farmer?

The Bill takes away any right of any African to be in any urban area if officials consider that the supply of labour is such that Africans should be moved out of that area. Failure to obey an order to move is an offence exposing the person concerned to conviction and in due course to the procedure described above.

Is the future to be that whole communities may one day be sold to farmers?