

# in this issue . . .

EDITORIAL:	1. Banning . . . . .	2
	2. Silverton . . . . .	3
	3. The Peter Moll Case . . . . .	4
	4. Judges . . . . .	4
ON BEING BANNED by Peter Brown . . . . .		5
FROM U.S. CONGRESSIONAL RECORD: . . . . .		6
LEST WE FORGET by Selby Msimang . . . . .		7
REVIEW OF E.L.T.I.C. Reporter by Marie Dyer . . . . .		8
LESSON FROM THE RHODESIA CONFLICT by Tom Lodge . . . . .		9
PROVINCIAL SYNOD OF THE CHURCH OF THE PROVINCE OF S.A. by Ron Nicolson . . . . .		13
THE IMPULSE TO PUNISH by J.G. Riekert . . . . .		15
COVER PHOTOGRAPH: THE BANNED		

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## EDITORIALS

### 1. BANNING

In this issue we reprint Mr Peter Brown's article on banning written for the SUNDAY TRIBUNE on 9 December 1979. It is impossible to read this article without feelings of intense anger. For ten years the South African Government shut Mr Brown off from the world. Why they take such action, the banned person seldom knows, because the Minister of Justice is not obliged to give any reason for a banning.

However just before the expiry of his second ban of five years, Mr Brown was summoned to meet the Minister who quoted one incident out of the past as a reason why the ban had been renewed, an incident which, writes Mr Brown, "to the best of my knowledge had never happened."

Then how did the Minister come to believe that it had happened? The answer is that he was told so by the Security Police. The Security Police can get a person banned for no other reason than that they don't like him or her. We have no doubt that many people were banned for no better reason than this. How on earth could one find any other reason for the banning of Heather Morkill, Ken and Jean Hill, Elliott Mngadi, and others?

We can guess why all these people were banned. They were banned because they had an ideal for the future of South Africa that was anathema to the Government, the Broederbond, and the Security Police. They were banned because they opposed any form of racial discrimination, because they believed in associating freely – both socially and politically – with any South African of whatever kind or condition who shared their ideals. Lastly they were banned because they believed profoundly in the rule of law, and that the power to touch the liberty or the property of any person was the function of the Courts and their presiding officers, and could not be assumed by any other body or person.

It was a Parliament controlled by the National Party that gave to the Minister of Justice the power to ban from public life, and to a great extent from any kind of social life, any person whom he deemed "to be furthering the aims of Communism".

It made no difference whatever if the person concerned was anti-Communist or totally unenthusiastic about Communist doctrine. If the Minister thought the person concerned was "furthering the aims of Communism" that

was enough. And what did "furthering the aims of Communism" mean? It meant simply a belief in free association and the rule of law, and a rejection of the doctrines of statutory racial separation. In many cases it meant simply a total rejection of the National Party.

Should the Minister of Justice of any self-respecting country have the power to impose such grave penalties on any person, without recourse to a court of law? The answer is No. *There is nothing in the Christian gospel, by which the Government sets such store, which gives any sanction to such a power.*

Has any person whatsoever, whether a Minister or anyone else, the moral right to cut off any other person from ordinary human association and intercourse? The answer is No. Such a power is repugnant to all morality.

Mr Brown writes that the practice of banning "has hurt many people and it has hurt South Africa most. I'm not

talking about her world image. I'm talking about the fact that it has taken out of active public involvement in our affairs a host of people who, given a chance in the past twenty-five years, might have made a decisive contribution to the cause of peaceful change."

Our Prime Minister has declared himself in favour of a new and better deal for all our people, and has appointed a Commission to examine the security legislation. That is good, but we wish the Commission would work a bit harder and faster.

One thing is essential. The Security Police should be subject to the surveillance of Parliament. General van den Bergh was a law unto himself. He, with the late Dr Verwoerd, and the ex-Prime Minister Mr Vorster, did more damage to the reputation of South Africa, and to the rule of law than any other persons. It is now time for the rule of law to be restored. □

## 2

# SILVERTON

The right response to the horror of the Silverton hostage tragedy is not simply an intensified hunt for urban terrorists. It is, more importantly, an intensified effort to eliminate the causes which drive men to such terrible extremes.

We all know what those causes are.

They stem directly from the fact that the policies under which black South Africans labour are policies composed for them by white South Africans alone. Almost without exception black South Africans reject those policies, either wholly or in part. But they have no real means of changing them.

The Schibusch Commission, supposedly trying to find a new constitutional framework to keep us all happy, is still an all-white body. Operating from that base what earthly hope has it of producing anything to which most black South Africans could feel any commitment?

Yet, if the threat of growing urban terrorism is to be turned back, it is essential that we should produce soon a constitution and policies to which black South Africans can feel they have a commitment.

Given the record of successive white-controlled governments over more than 300 years this task is one of daunting difficulty. And for the Nationalists the first step may be the most difficult of all – to admit that apartheid, or whatever else you like to call it, has been a total failure in achieving what it was supposed to achieve, the promise of a secure future for Afrikanerdom in Africa. If this admission could only be made, the main psychological obstacle to working out a new plan for the future with representatives of all black opinion would have been removed. And the next difficult step for white South Africa could be taken.

This would be to release from whatever restrictions now confine them all opponents of the Government, so that they could play their part in creating a new order here. Zimbabwe has shown that this can be done, even when it seems too late. It is not yet as late here as it was in Zimbabwe. But it is very late. If urban terrorism is not to grow the process must be started soon of drawing the ANC and the PAC into overt and legal political activity. White South Africa shunned the great capacity for reconciliation which men like Albert Luthuli, Z.K. Matthews and Robert Sobukwe possessed. It cannot afford to go on much longer spurning the talents of Nelson Mandela and others like him. □