

Liberalism and Democracy

By JACK LEWSEN

CRITICS of the Liberal Party (be they Nat., U.P. or Progs.) make the common (and, from their point of view, convenient) mistake of assuming that the Liberal Party's acceptance of the unqualified franchise is the *be all and end all* of our policy. This is a drastic oversimplification. Our aim is a full nonracial democracy for South Africa. This, of course, must include universal franchise, but it also includes those parliamentary procedures and those legal, constitutional and traditional safeguards for individual personal liberties, without which universal franchise can

This article, though written by a leading Party member, is not an official statement of Liberal Party views. We hope it will provoke discussion in these columns.

become the path to dictatorship, totalitarianism and, in a multiracial society, racial domination and chauvinism.

In fact the real difference between our policy and the policies of the three other political parties is that, while we place our faith in democracy in the framework of law and civil liberties — as well as in equal political rights — our opponents fear it, and would thus honour it in name only while so evading it by rigging its procedures as to ensure that effective power would, for at least the foreseeable future, remain in the hands of the white minority.

The Nationalists would retain merely the skeleton form of parliamentary democracy by rigidly restricting voting rights to the minority of whites in the vast mixed areas (ficticiously called "white areas") and by promising (as compensation) exclusive voting rights for Africans in the Bantustans — which are so utterly dependent economically on the white areas as to render any political power nominal.

The United Party offer only token representation to non-whites, but go on to allege that they would expand these rights to something less than equal rights under a racially demarcated federal system.

The Progressives, while claiming to uphold democracy, in fact restrict it to its antiquated form of a class oligarchy where only privileged groups — comprising the better educated and wealthier — would exercise full franchise. They claim of course that by making education compulsory all persons would ultimately qualify for the vote, but they overlook the fact that for many years to come the white sections of the population would retain effective power by being the preponderate majority of the privileged voting class. Moreover before equality of voting strength between white and non-white is reached, the whites could use their voting strength to postpone any further sharing of power.

The reasons for preferring the democratic to the oligarchic or authoritarian forms of government are summed up in simple terms by E. M. Forster in his essay *Two Cheers for Democracy* as follows: Democracy, he says, "is less hateful than other contemporary forms of government . . . (because) it does start from the assumption that the individual is important and that all types are needed to make a civilisation. It does not divide citizens into bosses and the bossed . . . and people get more of a chance under democracy than elsewhere." These are not considerations which the Nats., United Party or even the Progressives are prepared to acknowledge in a practical manner. In fact they even reject the classic political definition of democracy — which is *government of the people for the people by the people*. For this definition *cannot in practice be restricted to government of the people by a section of the people for the benefit of that section*.

Yet this is precisely what is implicit in the policies of these three major parties. They do not accept that the whole of the people should govern; they are in agreement that certain groups and sections in South Africa are not fit to participate in government, and by their different disenfranchisement techniques ensure that these be excluded. In doing so they divide the people into "bosses and the bossed", and the right to govern becomes the monopoly of a privileged section. Each of these parties would indignantly deny

that their motive is "baasskap", but what other purpose can they have in limiting the power of government to privileged groups if it is not to protect the interest of the privileged, i.e. *the whites*? Their fear is that under a total democracy the established privileges and rights of the present ruling group would, in the process of sharing, be jettisoned; and their power to boss eliminated. They, therefore, devise policies which would keep the bosses in power for the foreseeable future.

Unlike the Nats., the United Party and the Progressives are prepared, however, to dilute the ruling group with some admixture of "reliable" (i.e. politically conservative) non-whites. They are not prepared, however, to risk total democracy which they neither trust nor understand. They infer that because the white minority in South Africa have used political power to dominate over the non-whites, full enfranchisement would reverse the procedures and pass the tyranny of government from the minority of whites to the majority of blacks. This, of course, could never happen under the safeguards of a true democracy, because the virtue of democracy is that it is the only form of government evolved by man which does not permit either minority or majority tyrannies. It is irrelevant to cite the happenings in Ghana and the Congo. Where a Government can lock up its opposition, as in Ghana, freedom is destroyed and there is no democracy despite universal franchise. Likewise there was no democracy in Lumumba's Congo Government, where universal franchise was used to bring about mob-rule to pay off old scores against the previous ruling white minority.

In its proper and full form, democracy is *government in the open by free people through discussion*. Democratic institutions must, therefore, ensure that all the people are free; i.e. free to participate in government, free to criticise and free to change the government in power. Universal franchise is thus only one of the freedoms guaranteed under democracy and is no more important than the other freedoms; i.e. freedom of speech, assembly, criticism, movement, association; freedom from arbitrary arrest, etc. — which

together constitute democratic "civil liberties" under "the rule of law". Whatever people may call their government, there is no democracy if these freedoms are not guaranteed. In most democratic countries the liberty of the individual is enshrined in and guaranteed by the constitution itself, while in England it is as effectively guaranteed by the long-established practices, conventions, institutions and traditions of a freedom-conditioned people. In any true democracy, the right to invade these freedoms lies beyond the sovereignty of parliament or the powers of the executive and the only time they are ever restricted is in times of genuine national peril or disaster — such as war — and then only by consent of parliament for the minimum period of time necessary to combat those perils.

So long as individual freedom exists there can be no danger whatever of either a majority or minority tyranny, and the people are never divided up into bosses and the bossed. *In fact the right of the majority to make laws is no greater than the right of the minority to criticise them, and government is thus not simply government by the majority, but government by the majority with the consent of the minority — for consent to be governed is only given to a majority by people whose freedom is ensured.*

Transkei Subversion Charges Against Liberals

ON SEPTEMBER 4, 1962, Peter Hjul, Chairman of the Cape Division of the Liberal Party, was fined R200 (£100) in the Umtata Magistrate's Court, on being found guilty of subverting or interfering with the authority of the State or its officers. Mr. Hjul was prosecuted in terms of the Proclamation 400 of 1960, the "emergency regulations" introduced in the Transkei at the time of the East Pondoland disturbances. As a director of Selemela Publications (Pty.) Ltd., owners and publishers of the fortnightly independent news-review *Contact*, Mr. Hjul was held responsible for an article that had appeared in *Contact* on 28 December 1961. It