

INSTITUTE OF CURRENT WORLD AFFAIRS

JCB-18: Sabotage Act, a review

January 30, 1963
1239 Arcadia Street
Pretoria, Transvaal
Republic of South Africa

Mr. Richard Nolte
Institute of Current World Affairs
366 Madison Avenue
New York 17, New York

Dear Mr. Nolte:

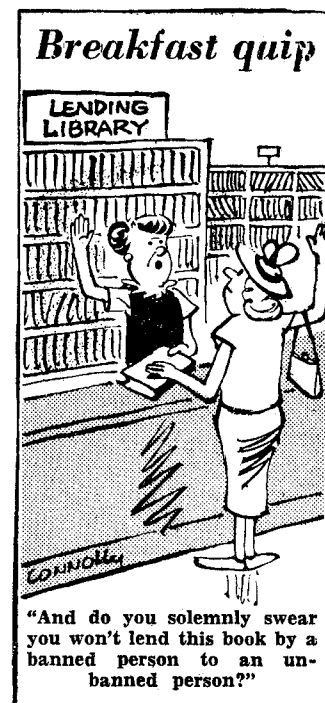
On July 30th last year 120 South Africans became the country's first "unquotables". Their names appeared on a list of banned persons who, under the provisions of the recently passed General Laws Amendment Act (JCB-11) can no longer have their words published or quoted in South Africa. The list, released by the Department of Justice, included 82 men and 20 women; 52 Europeans, 35 Africans, 9 Coloureds and 6 Indians. At least 6, including Patrick Duncan, Ronald Segal and Oliver Tambo, were known to be out of the country.

The list contained few surprises since most of the banned people were already known. But the application of the "no-quote" rule became pretty intricate and the Minister of Justice, Mr. B.J. Vorster, was immediately called upon to reconsider the law and clarify its use. He is the only one who can make qualifications.

Exceptions to the rule

He gave Members of Parliament permission to quote banned persons when this might be necessary in the course of a debate on legislation. But he has not yet made clear whether the words of a banned Cape Town City Councillor can be included in minutes of City Council meetings. (Newspapers are not allowed to print his speeches).

A Professor on the banned list was given permission to appear before his class and at University staff meetings. His students are allowed to take notes at his lectures and reproduce them on examinations. But then can not disseminate them in any manner without courting prosecution. Nor can the Professor publish any of his notes, even if they are of a technical nature related to his particular academic field, without express permission of the Minister.



Books written by a banned person before the Sabotage Act became law can be circulated by public libraries to their members, but members can be prosecuted if they, in turn, loan them to anyone else. Existing copies of Albert Luthuli's book, Let My People Go, published before the passage of the Act, were allowed to be sold but no further copies can be imported.

Newspapers were given permission to publish statements made by banned persons who appear in court, whether they are lawyers or defendants. But only "as long as it is not abused by creating a forum for such persons who might, by that means, get around the intentions of the Act and the order. If there is any abuse by a newspaper, periodical or person, it might lead to the concession being withdrawn..."

Thus a terrible onus is placed on the press to decide what can or cannot be printed. Reporters must continually check a list of over 100 names to be sure they don't inadvertently quote a banned person. They must also be the judges as to what might constitute an "abuse" of the Minister's concessions.

Newspaper reports of the trial of Nelson Mandela (JCB-20), leader of the banned African National Congress (ANC), held recently in Pretoria, included only fragments of his testimony and none of his lengthy and eloquent summing-up. The papers explained that it was impossible under the stipulations of the Act. A senior official in the Justice Department told me that the English press tried to give a false impression by this statement. "They were free to publish the trial's proceedings. The Minister has made this very clear." But when I suggested that if they did print what Mandela said they might be "creating a forum" for his political beliefs, he agreed. "The papers were probably right - they could have gotten into trouble over it." The page in the London Observer containing Mandela's closing defense was cut out before the paper was distributed here.

Die Vaderland summed up the effect of the law: "As far as the press is concerned banned people virtually do not exist in South Africa."

House Arrest - Instant Jails

In October, the first of a new kind of ban was issued: the house arrest. It restricted Mrs. Helen Joseph to her home for five years except for those hours she had customarily used in "gainful employment". That is, she must remain in her home alone on all public holidays, weekends from 2:30 PM on Saturday to 6:30 AM on Monday, and daily during the week from 6:30 PM to 6:30 AM. She must not attend any gatherings nor communicate in any way with "listed" persons. She must report to a specified police station between

12:00 noon and 2:00 PM every day except Sundays and public holidays, a walk in her case of three miles every lunch hour. As a banned person she may no longer be quoted.

There need be no formal charges, no trial, to place a person under house arrest. No court found Mrs. Joseph guilty of a crime. She had been acquitted with the others in the Treason Trials. The Minister placed her out of circulation because he decided that the evidence presented to him by the Special Branch warranted such action.

Mrs. Joseph was a founder of the Congress of Democrats (COD), a pro-Communist group started in 1953, and a member of its national executive committee. She has been national secretary to the Federation of South African Women, an organization closely allied with COD which has actively demonstrated against the Government's racial policies. She is honorary secretary of the Human Rights Welfare Committee which assists people who have been banished (generally chiefs and sub-chiefs who have been removed from their tribal area because they were considered a source of trouble - a practice in use in South Africa since Smuts was Prime Minister). Mrs. Joseph had been restricted under an earlier banning order. When it expired in April she made an extensive trip through South Africa visiting some 70 of the banished Africans. She has written a book entitled If This Be Treason which gives the personal stories of the accused at the Treason Trials (1956-61). Unless the Minister gives his permission, it will not be seen or read here.



"She was not deliberately picked to be the first one," a Justice Department official

Mrs. Joseph on one of her daily walks to the police station.

told me. "Her previous ban had expired and since the house arrest order was ready, we used it; we had to start somewhere.

"We avoided the courts because if a banned person were tried in court the State would have to reveal its source of information, and then that source would dry up and the lives of informants might be endangered."

The public has been reassured repeatedly that Mrs. Joseph would not have been restricted unless there was a good reason, but this reason has never been made known, either to the public or to Mrs. Joseph herself.

After two weeks of sporadic criticism and concern, other house arrests followed. By the end of the year 20 people were under house arrest and public interest had declined to the point where the announcement of the last ones received scant mention on the inside pages of Johannesburg newspapers.

Eight of the twenty are under 24 hour house arrest. They are:

Mrs. Sonia Isaacman Bunting: part time employee of the pro-Communist New Age until it was banned two months ago. A Treason Trialist and listed Communist. Mother of three children.

Mr. Michael Harmel: 47, a Johannesburg journalist who wrote weekly for New Age and was one of the editors of its predecessor, Guardian until it was banned in 1948. In 1955 he became Principal of a private Indian High School at Fordsburg. A listed Communist.

Mr. Jack Hodgson: 52, a Johannesburg wholesaler, national secretary of COD before it was banned. Was national secretary of the politically active veterans group, "Springbok Legion", after World War II. Treason Trialist and a listed Communist.

Mr. Moses Kotane: 57, secretary of the Communist Party until it was banned in 1950, member of the ANC executive until it was banned in 1960. One of the few South Africans to attend the Bandung Conference in 1955. He was sentenced in 1952 for contravening the Suppression of Communism Act because he did not adhere to the regulations of his ban. Treason Trialist.

Mr. Alex la Guma: Cape Town journalist who was on the staff of New Age. President and executive committee member of the now-banned South African Coloured People's Congress. Treason Trialist.

Mr. MacDonald Maseko: Johannesburg lawyer's clerk. He was a member of the banned ANC and vice-president of Dr. Ambrose Swane's section of the Swaziland Progressive Party.



Mr. Tom Nkobi: Johannesburg. Former national organizer for the ANC.

Mr. Alfred Nzo: Johannesburg agent for New Age and executive committee member of the ANC. One of 12 arrested in March 1961 for participation in the "All-In" Conference which the Government considered to be an ANC-PAC front.

Besides Mrs. Joseph, eleven others are under 12 hour house arrest:

Mr. R.I. Arenstein: Durban attorney. Treason Trialist and listed Communist whom police suspect of being behind much of the previous subversive anti-Government activity in Natal.

Mr. Lionel Bernstein: 42, Johannesburg architect. Treason Trialist and listed Communist. His wife is on the banned list.

Mr. Brian Percy Bunting: 42, Editor of Spark. Editor of New Age until it was banned. Former Member of Parliament (elected as Native Representative and later expelled because a Communist cannot serve in Parliament). Editor of Guardian and its predecessor, Advance. Edited the Springbok Legion magazine after the war. His wife is under 24 hour house arrest.



Mr. Cornelius Juda Fazzie: East London. Executive member of the Banned Pan African Congress (PAC) and the last to be house-arrested in 1962.

Mrs. Rica Hodgson: Former national secretary of COD (replacing her husband, Jack, when he was banned from that office). A listed Communist. Her husband is under 24 hour house arrest.

Mr. Nathaniel Impey Honono: Umtata, Transkei. Managing Director of Prosperity Insurance Company which was featured in an August issue of the Digest of South African Affairs as a significant African business concern. In 1955 he was dismissed as President of the Cape African Teachers Association because of his opposition to the Bantu Education Act. The Teachers Association was associated with the Non-European Unity Movement.

Mr. Ahmen Mohamed Kathrada: Leader of the Transvaal Indian Congress and former youth leader for

Jack Hodgson, 24 hour house arrest and Brian Bunting, 12 hour. Both have wives under house arrest with them.

the South African Indian Congress. Recently secretary of the Mandela Defence Committee. Treason Trialist.

Mr. Duma Nokwe: First African admitted to the bar. Secretary General of the ANC when it was banned. Under prosecution for furthering the aims of an unlawful organization (the ANC). He shared a law office with Walter Sisulu. Treason Trialist.

Mr. Walter Max Ulyate Sisulu: 50, Treasurer of the ANC when it was banned, now faced with charges of inciting people to strike on Republic Day, 1961. Has travelled in Russia and China. A Treason Trialist.

Mr. Jack David Tarnish: 41, Cape Town businessman previously arrested for writing signs on public property. Was involved a few years ago in a London fight with Sir Oswald Mosley's supporters. A listed Communist.

Mr. Cecil Williams: 53, Johannesburg theatrical producer. A vice-chairman of COD and national chairman of the Springbok Legion until 1953 when it was banned. A listed Communist.

Since these arrests have taken place, Mr. Kotane and Mr. Nokwe have left the country to set up offices in Algeria to help with the freedom cause. Mr. Williams, who fled the country earlier, is now reportedly touring the Soviet satellite countries.

All of the twenty have been banned before at one time or another. Some of them were members of the Communist Party before it was banned in 1950. Half of them were tried for treason and acquitted in the Treason Trials. Many spent time in jail during the 1960 "emergency". The Justice Department has watched most of these people closely over the past ten years but has been unable to curtail their political activity effectively, it would seem, without this drastic action.

The Minister justifies his actions....

The Minister of Justice has offered four principal arguments in defence of his house arrests:

- (1) He abided by the 'rule of law'. He acted only in accord with the powers conferred on him by legislation passed by Parliament;
- (2) There was no mystery about why a person was placed under a ban. "The person is actually supplied with the 'reasons' why action is taken against him."
- (3) He did not usurp the powers of the courts since every restricted person had recourse to the courts; and
- (4) Under the circumstances of increasing threats to South Africa's security (there are African leaders who say South Africa will be invaded in 1963) house arrest is quite 'humane'; much better than serving time in prison.

His use of words like 'rule of law', 'recourse to courts', 'reasons', and 'humane' has been challenged as being quite different in context than what is generally understood.

"The rule of law", said the Hon. O.D. Schreiner, former Judge of Appeals, "means that life, liberty, property, freedom of speech and movement of the individual should not be restricted by State action without good reason." He concluded that "restricting a person for five years on the grounds that it is an 'emergency' is not such a reason.

Although the Minister acts under legislation passed by Parliament, this doesn't necessarily mean that the 'rule of law' is maintained; a law itself can infringe on the 'rule of law'. This is especially true in South Africa where Parliament is sovereign and can pass any law. No court has the authority to test the validity of Parliamentary Acts. Parliamentary routine gives a facade of democratic respectability, but a Government measure is virtually sure of passage once it is introduced. Thus the Minister acts in accordance with laws which he and his party colleagues have themselves created.

The only 'reasons' for house arrest ever given a prisoner have been the words of the law itself: that the person has been "engaged in activities which are furthering or may further the achievement of the objects of Communism." Nothing more nor less.

While a banned person has 'recourse to the courts' it is in a very limited way. The orders issued by the Minister cannot be contested on their merits because where legislation gives the Minister power to make orders the court is not concerned with whether or not the orders are just or moral in a democratic sense but merely whether or not they have been issued properly. Thus the only grounds on which a banning order can be challenged is that the Minister made a mistake, did not think about what he was doing, or acted out of spite.

Mrs. Bunting in Cape Town and Jack Hodgson in Johannesburg both applied separately to the Supreme Court for an order to set aside their 24 hour house arrest. The Judge-President of the Cape denied Mrs. Bunting's application. She had not been able to show that the Minister misused the power given to him. The Judge knew no more than she did about why the Minister had placed her under arrest but even if he did know the discretion would still be the Minister's and not the Court's.

However, because of a technicality, Hodgson's application was upheld. The Judge-President in Johannesburg accepted the contention that since the word "place" in the Sabotage Act was not clearly defined, the Minister could have "made a mistake". As the law now stands the word "place" could mean anything from a province to a clothes

closet. The court ruled that until such a time as the word could be defined more specifically it would be assumed that it did not mean a three room apartment. Thus Hodgson and Harmel (under the same kind of ban) are free to leave their homes until new bans are placed on them. The Justice Department has appealed the case and, since Parliament is now in session, it is very likely that there will be an amendment soon.

For those whose home is now a jail, house arrest is not 'humane'. It is not, as the Minister stated, an alternative to prison since there has been no trial or sentence. And house arrests present very real problems which a prison sentence would not entail.

Grocery shopping, home repairs, etc. are the prisoner's responsibility although his actions are so greatly hampered. In some cases where persons are under 24 hour house arrest the family's income is severely curtailed (The Minister has the authority to provide funds to such people if he thinks their case warrants it). Since Harmel and Hodgson have had no bona fide employment for years and yet seemed to live well, according to the Government's view, it should present no financial problem to place them under 24 hour arrest. The Minister eventually allowed them out for three hours a day to look for work.

Michael Harmel had to break his ban to help an injured African lying helplessly near his property. He broke it to carry the man to his house and later to an ambulance. In this instance the Minister looked the other way. Walter Sisulu was charged in court for breaking his ban when, at his mother's death, he allowed a friend to visit him who allegedly came to sympathize. He was given permission to attend the funeral.

Mr. Nokwe and Mr. Sisulu, who shared the same law office during their working hours, could not talk to each other since they both were banned. The Minister was more tolerant in other situations. He allowed one of the house-arrestees with a toothache to visit his dentist. Children of banned parents have been allowed to entertain their friends in their yards, although in several cases the police have visited their homes to check on them.

Where husband and wife were both banned, the Minister has allowed them to talk to each other, which moved Tony Delius to write:

"The official mind is not as rigid as rumour would have it....it is even capable of foreseeing certain domestic difficulties which might arise if a husband and wife were forbidden to deal in the small conversational change of the conjugal state - to point out perhaps that the toast was burning or suggest it was time to put the cat out. Such provision vindicates our claim to be a nation where Christian values do not go by the board even in difficult times....(But) we are afraid the wider world will not be convinced. There are still a number of countries where a man does not need ministerial permission to talk with his wife...."

....to get rid of undesirables....

When Cecil Williams fled the country, the Minister announced that no-one under house arrest need flee. The Government would help them to go; would even "give them ample time to pack their things and get their affairs in order before leaving." He also took the occasion to offer suggestions to anyone else who might be dissatisfied with the way things are in South Africa. "And I say to some who were not born in this country: nobody is keeping you here. If you cannot keep the laws why do you not go to some other place where there is milk and honey, and if you want my help in getting there I will give it with pleasure."

This offer was again repeated by the Minister of Transport, Ben Schoeman, to the Rt. Rev. Knapp-Fisher, Anglican Bishop of Pretoria, when that clergyman said:

"To let such things (house arrests) pass without protest would be inconsistent with loyalty to Christ and with genuine concern for the country - for both the victim and perpetrators of this injustice." Silence, he concluded, would lead to the conditioning and blunting of conscience and conviction.

Mr. Schoeman made it known "to Knapp-Fisher that we are fed up with political bishops in our country.....We don't need to be saddled with them." He also referred to Archbishop de Blank of Cape Town, recuperating from a heart attack in England, "and we hope he stays there!"

Frank Waring, Minister of Information, remarked that as an Anglican Church member he too was fed up with the "extraordinary self-righteous sincerity" with which the Bishop and other "Christian leaders clothe their political outbursts which give them publicity and newspaper headlines, when they are so ill-equipped to give opinions on matters of government."

....and especially liberals, the worst of the lot!

The attack on anyone and everyone who expressed qualms over house arrest centered especially on the liberals whom the Minister equates with Communists. "Experience has taught me that if you tread on the toe of a Communist somewhere in the Republic of South Africa, all liberals throughout the Republic cry because you have done so. I must therefore out of necessity look for a relationship. Otherwise I cannot understand why it has developed exactly this way."



He severely criticized the current of liberalism in English-medium Universities which still foster ideas of multi-racialism. He referred to the election of Albert Luthuli as honorary President of the National Union of South African Students (NUSAS), the election of a banned Coloured student to the Students Representative Council at Wits, and the election of an African as the Head Woman Student at the University of Cape Town. He warned the Rand Daily Mail (which follows more or less the Progressive line) and other newspapers that if they continue to air their liberal ideas they "will come up against something!" "Liberalism is a greater danger to South Africa and the Europeans than Communism. You can make a law against Communism but you can't make a law against Liberalism."

The struggle of the future "is that of the Right against the Left, of conservatives against liberals. The gloves are now off. It is a fight to the finish."

Die Transvaaler and other Nationalist papers picked up the Minister's lead and also linked liberalism and communism together because both wanted "removal of the colour lines" and "one man - one vote". They are "common enemies of South African Nationalism and must be removed."

Leaders of the Liberal Party answered the attack by pointing out that according to the Nationalist's brand of thinking the Prime Minister and a snowman are alike because both are white. They claim there is equal evidence to conclude that Nationalists and Communists are alike because both believe in the importance of the State above individual rights and both were authoritarian. The belief of liberals in adult franchise, in equal opportunity for all regardless of race, were also shared by democracies all over the world. Thus, if the South African Government didn't believe in these things, could it rightly call itself "a bastion of Western democracy"?

Editor Lawrence Gander, of the Rand Daily Mail, refused to be intimidated and warned the Minister of Justice in a front page editorial: "Communism has never had wide support among non-Whites in South Africa. You are giving it the stature of a mass movement."

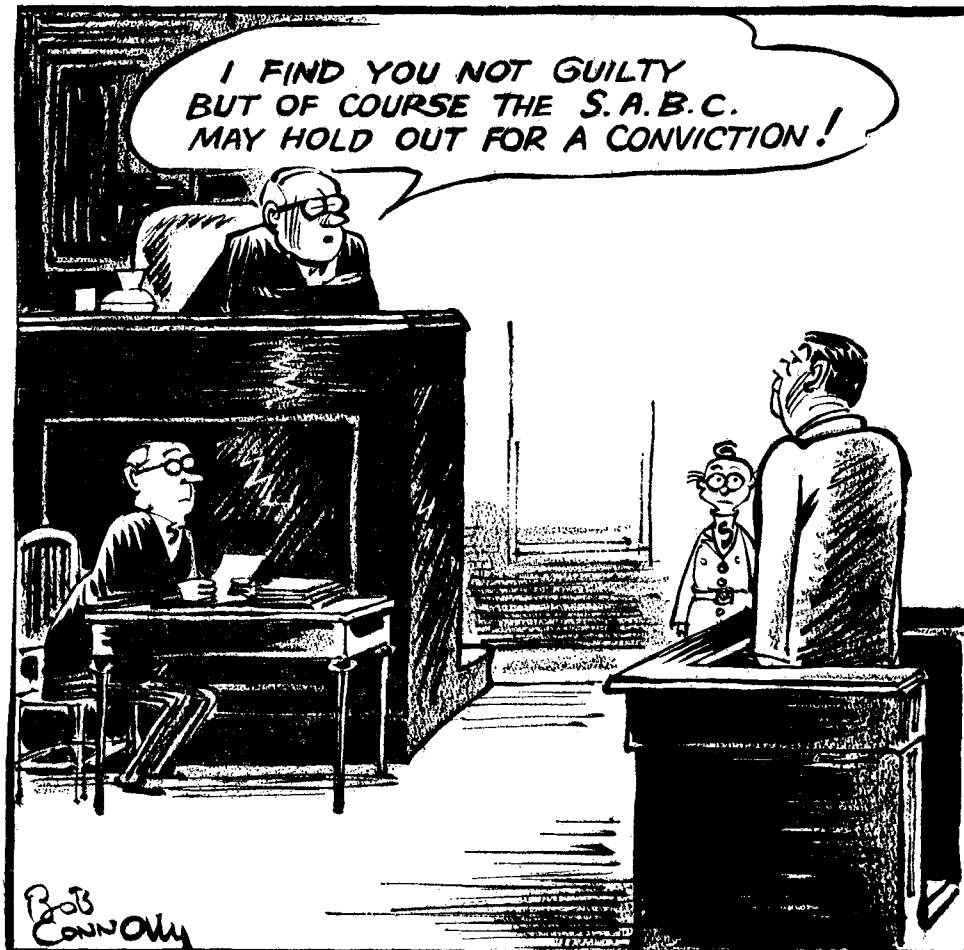
"Take care.....in your desire to discredit liberal critics of the Government, see that you don't over-inflate the role of Communism in the political struggle here, creating for it an importance it could not hope to win for itself. Do not persuade the non-Whites that their struggle is the same thing as the Communist struggle. Do not hand to the Communists a monopoly of fighting for the rights of non-Whites. For if you do these things....you will have sealed South Africa's fate....having delivered a great country into the hands of the Communists."

Trial by SABC

The supposedly objective and independent South African Broadcasting Corporation (SABC), which controls all broadcasting in the Republic, also joined in the fight. They arranged a series of programs to give the "correct facts" and "authoritative information" on matters concerned with sabotage; to inform the public so that they could more effectively counter the "onslaught on our Western and Christian way of life." It announced that the authorities had made available official information which would show the extent to which Communism is effective in South Africa.

The over-all theme of the broadcasts was that any South African who refused to believe that a Communist threat existed in the country was endangering himself, his family and his countrymen. Anyone agitating for social and legal reforms was a Communist or a Communist supporter. Those who called attention to poor social conditions were somehow responsible for creating them.

It considered significant that the political parties most hated by the Communists were the Nationalist Party and the United Party, leaving a definite impression that the Progressives and Liberals were, at the least, Communist sympathizers.



One program was devoted to Mrs. Joseph. It reviewed all the evidence presented against her at the Treason Trial (where she had been acquitted), listed her associations with left-wing groups, and left the impression that if she was not a Communist, she certainly was a crypto one.

It reassured the public that house arrests were imposed only after a thorough investigation.

The final broadcast featured an ex-Kenya European, now employed by the South African Information Service, who was introduced as "a writer and broadcaster on East African affairs." He told of the decay of civilization in Kenya as the Black man rises politically. "The Press softened up Kenya. It eroded White endeavor. It rotted morale... South Africa should welcome any measure which will strengthen the hand of the security forces in fighting powers of disruption and chaos which have engulfed those less fortunate countries to the north."

(According to reports on the radio and in the major newspapers, even the ones considered to be liberal, all countries to the north are full of "disruption and chaos". The public here has been completely conditioned to the idea that nothing good could possibly happen in a Black-dominated state.)

But there is no politics on the SABC

Alan Paton, leader of the Liberal Party, requested equal time to reply to the attacks on liberals. He was, of course, turned down. The station could not allow political views to be expressed. Dr. P.J. Meyer, Chairman of the SABC said the Radio Corporation was an independent body established by Parliament and not even an unofficial State department. However, he emphasized that it was their duty to keep the public informed of dangers that beset the country inside and outside.

Mr. Leo Marquard, retired publisher with the Oxford Press, replied "In view of the close similarity between the views expressed by the SABC and the Minister of Justice, there seems no apparent need to make the SABC a department of the State. One is reminded of an old verse:

"You cannot bribe or twist,
Thank God, the British journalist;
But seeing what, unbribed, he'll do
There's no occasion to!"

The Communist List

After the big build up, the announcement came that a list of the Communists in the country would soon be published. The list of 437 names that was released on November 16th was a sensation! Not that



it revealed any vital information, but that it was 12 years old! Those named were members of the Communist Party when it was banned in 1950. (113 more names were not included because the people concerned had applied to the Government to have their names removed and these cases are still under consideration).

Time moves on. Some on the list are no longer alive. At least 55 no longer live in South Africa. Many have had no connection with Communists or the Communist Party for years (some had even resigned before the Party was banned). And there were a number of embarrassing mistakes.

On the list was Habakuk Shekwane, a cane furniture manufacturer who had been financed by the Government's Bantu Investment Corporation and who was a showpiece for the Department of Information. His name was quickly removed from the list.

When all was considered, there were probably about 100 people on the list who were still alive, still in this country and had some connection with Communism. One editorialist was led to remark



Mr. Habakuk Shekwane
Communist turned
Capitalist

"If this constitutes the 'Communist menace' then it shakes confidence in the efficiency with which the menace is being met."

"Those people who have become Communists since 1950 when the Communist Party was banned have been taken care of in other ways," the Justice Department official explained. Then why was the list published if it was incomplete? What was the purpose in making an obsolete list public? The answer I received was not very clear. "There was considerable pressure on us to publish a list since many knew of its existence. We would have liked to have had more time to prepare it."

During the last few months of 1962 acts of sabotage have rapidly increased in the Republic (JCB-19). They have added emphasis to the Minister's warnings. He has moved against the threats as he sees them by banning orders, "routine" road-checks, threats and prosecutions.

Further restrictions

The banned list has grown considerably since the first 102 names were announced and bans have been strengthened against those persons already restricted:

- Barney Desai, President of the Banned South African Coloured People's Congress, was banned from attending a Cape Town City Council meeting to which he had been duly elected by one of the city's wards.

- a six-month ban was proclaimed on "any gathering at which the arrest, custody, trial or conviction of any person of any offence... is protested against or expostulated or at which in any manner objections are raised thereto..."

- New Age, pro-Communist weekly, was banned and the possession of any of its issues made an offence. (Under the Sabotage Act no new newspaper can be registered for publication without a deposit of \$28,000, the deposit to be forfeited if the Minister bans the paper. Proprietors of New Age were prepared, however, and started another weekly before the deadline. Now most of the New Age staff work for Spark, named for a Trotskyite newspaper published in Cape Town in the '30's.)

- The Government has made it impossible for New Africa, a well-written, leftish review, to continue publication unless they pay a deposit of \$14,000, a sum they would then lose if the Minister bans it.

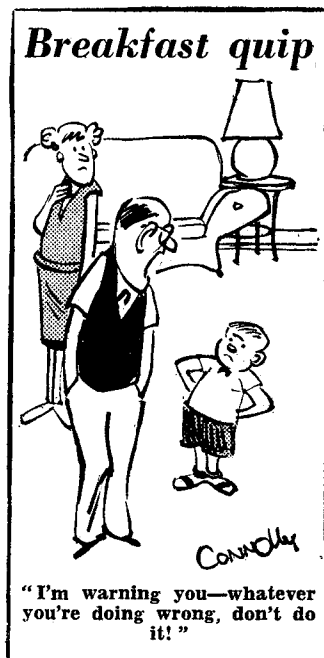
- The South African Institute of Race Relations had to cancel an international conference on human relations when the Government refused visas to the distinguished speakers invited from abroad. The Prime Minister had announced earlier that he was opposed to such a conference which he considered to be nothing more than an attempt to embarrass the Government.

- The Minister of Justice will introduce legislation in this session of Parliament to ban automatically and absolutely from the bar all lawyers he suspects might hold Communist beliefs. Representatives of the Bar Council are opposed to the idea, believing that they have sufficient authority already to take care of those guilty of misconduct and that the Minister already has ample powers to deal with anyone he considers to be a danger to the State. They stress that the right of admission to the bar should be determined by established conduct rather than by mere belief.

The Minister disagrees. He believes a person with Communist beliefs is already a threat even before he does anything. He feels strongly that the Government must control the legal profession if Communism is to be controlled. And he is in a position to do something about it.

- Lately he has been distributing "warnings" (the number has not been disclosed) to people who must abandon their present activities and associations if they want to avoid house arrest.

Warnings which have come to light have been delivered to Miss Molly Anderson, 25, secretary in the Johannesburg office of the South African Congress of Trade Unions (SACTU) (also convicted of distributing literature of an unlawful organization, the ANC), Mrs. Diana Schoor, 19 year old actress and Miss Ann Nicholson, 22 year old art student. All three were members of COD before it was banned.



While they were warned to stop what they were doing, it was never made clear just what they could and could not do. Miss Nicholson wrote to the Minister for clarification and was rewarded with a letter beginning "Mr. Nicholson, Dear sir," and merely quoting that part of the Sabotage Act which states that the Minister has the power to curtail the activities of anyone whom he feels may be doing injury to the State.

The latest "warning" made public by the recipient was delivered just a few days ago to the secretary of the Liberal Party here in Pretoria. (Another was delivered at the same time to a Liberal Party official in Cape Town but he has not made it public)

Mrs. Hain was told that she was taking part in activities calculated to further the aims of Communism.

"I have done nothing which could further the aims of Communism," she said in her only public statement. "The Liberal Party has always been an enemy of Communism. We feel that the way to fight it is to stamp out the places in which it breeds."



Mrs. Adelaine Hain

Mrs. Hain, the mother of four young children and a neighbor of ours, spends most of her time doing social service work among non-Europeans in trouble.

Liberal Party members have been saying for some time that it is their opposition and not the dangers of communism which the Government wants to subdue, and Mrs. Hain's warning seems to give some support to their belief.

The latest edict, proclaimed just after Christmas, further restricts "named" people. It forbids anyone on any list compiled under the Suppression of Communism Act (presumably those on the first two lists) from being an office bearer or a member of (a) 36 listed organizations, including those in the Congress Alliance (Natal Indian Congress, SACTU, etc.) as well as the pan-African political groups in the High Commission Territories: the Basutoland Congress Party, the Swaziland Progressive Party and the Bechuanaland Peoples' Party; and (b) "any organization which in any manner propagates, defends, attacks, criticizes or discusses any form of State or any principle or policy of the Government of a State, or which in any manner undermines the authority of the Government of a State...."

This covers just about all the groups, professional, social, religious, business, who might at some time comment on Government or Government policy. No clarification of this edict has yet been given.

Sincerely yours,

James C. Brewer
James C. Brewer

Cartoons by Bob Conolly