

ASSOCIATION BY PERMISSION

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THERE is, at the time of my writing, a proposed law before the South African Parliament called the Native Laws Amendment Bill. By the time this article is published, it may have become an Act. There seems almost no chance that Parliament, with its overwhelming Nationalist majority, will refuse to pass it, for the Bill represents the feelings of the majority of Afrikaner Nationalists.

We are growing used to harsh laws in South Africa. They all have one common purpose, and that is to separate the races from one another, and especially to separate white people from non-white. But this Bill is the most extreme of all, for it attempts to control by law all association between the Africans of the country and the people of other races.

Not every South African accepts the doctrine of apartheid. In fact many of them have stoutly resisted it and openly declared their opposition to it. As might be expected in a colour-bar country, most politically conscious black people reject apartheid, while most white people accept it. But nevertheless there were, and are, small and vigorous groups of white people who reject it, just as there are large and unawakened groups of black people who either do not question it or passively accept it.

We have, for example, the non-political Institute of Race Relations, an honoured organization with mixed membership and *ipso facto* holding mixed meetings, dedicated to the cause of good race relations, believing in contact and exchange of ideas, many of its members enjoying inter-racial friendships. It goes without saying that the Institute has opposed apartheid, and, in fact, it has from time to time made vigorous anti-apartheid statements.

There is the Christian ecumenical inter-racial fellowship of Wilgespruit near Johannesburg. It believes in a Christian unity transcending denomination and race and practises it too. In general its ecumenicity is confined to the English-speaking and the African churches, because the Afrikaans-speaking churches believe in and practise apartheid.

There is also inter-racial association in the English-speaking

churches themselves, where white and black priests and ministers frequently meet together, in synods and other conferences, although mixing at the lay level is so infrequent as to contribute no challenge to apartheid at all. And here we might mention as examples two priests who have always regarded apartheid as a denial of all that Christianity stands for, and who have consequently incurred the disapproval of the Government, namely, the Bishop of Johannesburg and Father Huddleston.

There are the International Clubs in Durban and in Pietermaritzburg, which practise no colour-bar. And also a number of smaller organizations, Jazz Clubs, Writers' Clubs, and the like, which do likewise.

As might be expected, more aggressive and out-spoken opposition to apartheid is found in political groups, and these would all be described in modern language as being to left of centre. Most left is the white Congress of Democrats, which regards itself as a sister organization of the African National Congress (ANC) and the South African Indian Congress (SAIC); it is confined to white people for political and practical reasons, but is utterly opposed to racial discrimination. The ANC and SAIC are confined to Africans and Indians respectively, but are both actively opposed to apartheid. The SAIC in general co-operates easily with white persons; and if it sometimes does not, it is not for racial reasons, for from racialism and nationalism the South African Indian has nothing to gain. The ANC also in general co-operates easily with white persons; and if it sometimes does not, this might on occasion be for understandably racial reasons, for the African is tempted to seek his security in African nationalism.

To the right of these groups stands the non-racial Liberal Party, whose reason for coming into existence was the strong belief of some South Africans that the future lay in racial co-operation in the same political group, no matter whether some of its members were voters and some not. In a country of racialism and nationalism, the Party sets itself to think in new categories that are non-racial and non-nationalistic. It regards "racial harmony through apartheid" not only as a dream, but as a lie as well, and on specific issues does not hesitate to co-operate with the Congresses.

To the sum of these organized activities, political and non-political, must be added those of a number of people, some of whom are members of these organizations, and some of whom

are not, who entertain people of all races in their homes, and who are learning to do so because of their new experience. Some of these gatherings are decorous, some downright jolly; some have liquor, some do not, because of the law forbidding liquor to Africans; some are constrained, some are free as air. These gatherings, when they attract the attention of the Nationalist Press, excite contemptuous and angry comment. To anyone who knows Afrikaans, the Johannesburg newspaper poster reading "Bont gejol in Goudstad neem toe" (Piebald goings-on in Golden City increasing) carries unmistakably the implication that such fraternization is indecent, flagrant, and dangerous.

And that is the point. These inter-racial gatherings, even the most demure, excite anger, disgust and fear amongst the Nationalists. In April, 1957, young University students, picketing a Nationalist meeting to protest against University apartheid, were told "gaan slaap met jul kaffermeide," which means, plainly translated, "go and sleep with your kaffir girls." Any active protest against apartheid arouses anger of a frightening kind, so full of hatred on the part of some, that one understands the real height of white arrogance and the real depth of white fear. It is a venomous anger, a thwarted fury, that there should still, after nine years of Nationalist rule, be people who do not believe in apartheid, and who actively resist the will of the Government; and to make it worse, a will that is so clearly to be identified with the will of God Himself.

It is this anger that lies behind the Native Laws Amendment Bill, whose clear purpose is to bring all association between Africans and non-Africans under Government control. Whether the association was demure or jolly, political or religious, public or private, it will be subject to the scrutiny of the Government. This Bill is intended to correct a flagrant abuse, namely, that while the Government is busy putting people into separate areas, separate races, separate schools and universities, separate occupations, here are individuals who flout the ideology itself. This must be clearly noted; it has become a grave offence, not only to break the laws, but to flout the ideology. That is why the Government is to a greater and greater degree passing "blanket" laws which most people may safely ignore, but which a minority disobeys at its peril; these "blanket" laws give sweeping powers to Ministers and officials, but, of course, the assurance is always given in Parliament that these powers will never be used, and that in any event, they carry terror only for

the subversive and the revolutionary.

The anger of the Government against those persons or associations who encourage inter-racial co-operation is not due entirely to personal revulsion, or to outraged authoritarianism, or to determination to carry out the grand separation plan. It is possible to hear from highly educated and responsible Nationalists the reasoned argument that the African is a child who must be protected from dangerous and unsuitable ideas which sentimental or misguided or irresponsible agitators try to implant in his mind, ideas of equality and freedom. Our Nationalist leaders have openly condemned the articles of the Declaration of Human Rights adopted in San Francisco in 1949. Our Minister of Native Affairs has gone even further and, speaking to the students of Stellenbosch University, appealed to them not to be carried away by the belief that they as individuals could improve race relations on their own initiative by contact with non-European students and liberally-minded people. They must stand firm, he said, and not allow themselves to be immersed in the insidious so-called broad-minded attitudes.

In other words, the Government disapproves utterly of political association between Africans and non-Africans; and it is this particular issue, rather than the other important issues of church and school and club and places of entertainment, which concerns us here.

The implications of the Bill for the political organizations of which I have written are far-reaching. The Minister of Native Affairs may, with the concurrence of the local authority, "prohibit the holding of any meeting, assembly, or gathering (including any social gathering), which is attended by any Native, in any urban area outside a Native residential area," if he considers that such meeting is likely to cause a nuisance, or is likely to be undesirable having regard to the locality in which the premises are situated. And he may by notice to any person, prohibit that person from holding or organizing or arranging such meeting.

It may be argued—it may even be promised—that the Minister will be reasonable in his interpretation of "nuisance" and "undesirability." But bearing in mind his address to the students at Stellenbosch, and bearing in mind the anger with which many of his supporters greet the idea of inter-racial meetings, it seems inevitable that he will bear down heavily on meetings of a political nature, for they, in addition to being

disgusting and "unnatural," are also dangerous.

It is not, however, only the co-operative activities of left-of-centre political organizations that are threatened. It is the whole ideal behind co-operative activity that is in danger. What hope can there be for a relatively orderly solution of African problems, if the last bridges between white and non-white people are destroyed? If these bridges are destroyed, there can be one way only by which the majority of the people of South Africa can bring about a change in the political set-up of the country, and that will be by violence and revolution. And revolution, when at last it is successful, could very well result in the replacing of white domination by black domination, of white repression by black repression, of white injustice by black injustice, and in the final destruction of what the Nationalist is so anxious to preserve, the Afrikaner people.

It is these clouds of uncertainty and anxiety that hang so heavily over our country, but there are still those, both black and white who, having no desire to replace one kind of tyranny by another, have sought co-operation with one another, and with the other smaller racial groups in the country, so that disaster may be averted.

It is the frustrating irony of our present politics that the Government in its desire to stave off the dangers of the future, should have in nine short years intensified racial antagonisms, and should have gone far in persuading *racial groups other than its own* that harmonious co-operation is utterly unrealizable, and that white and black interests are irreconcilable, except where each are pursued separately. The Government has succeeded in infecting many English-speaking South Africans with its politics and its fears, so that many of these now begin to think that irreconcilability is inevitable, and they either leave the country or give their support, sometimes with bitter reluctance, sometimes with shameful consent, to the ruling power. And sometimes with the doomed feeling that even though they do not choose it, they are being forced into an all-white fortress whose safety is at the best problematical.

The Government has also succeeded—but not to the same extent in my opinion—in infecting African people with this belief in irreconcilable interests, and those infected either accept the apartheid ideology or alternatively, regard the expulsion or subjection of the white man as the only solution.

The many racially oppressive Acts which the Government has

passed, have revolted, or wounded, or disgusted, or depressed, or angered people like myself, according to the state of our minds and souls. But somehow the Native Laws Amendment Bill seems the most terrible of all. It is like the closing of the last door, the pulling up of the last bridge into the white fortress, behind whose battlements the white people of South Africa will spend the rest of their historical span; we, the white people of South Africa, are sealing ourselves off from the rest of our continent, and indeed from the rest of the world, leaving open only the sea-lanes to Europe, the continent we have already rejected.

Even though this is doomful writing, I do not feel doomful at the moment. This Government has forced us before this into one alley after another, but we, its opponents, have not ceased to oppose them. What is to be done now, by the Liberal Party which is itself an inter-racial Party, and by the Congresses which have always sought to establish an inter-racial opposition? The political activities of these bodies have, as is to be expected, been largely concerned with opposition to the Government and to apartheid. How under this new law is such resistance to be maintained?

There can be no doubt that, even with the drastic penalties of the Criminal Laws Amendment Act¹ in mind, the idea of disobedience has been alive in the minds of many opponents of the Government. Just as church leaders have openly stated that they cannot accept the exclusion of any person from a church on grounds of race, just so other persons, some churchmen and some not, cannot accept the right of the Minister of Native Affairs to forbid political or social association with Africans. There is no bravado about this, for no one can contemplate lightly the serving of a long prison sentence. One would do it only because it would be the only thing to do.

How far would the Government go in sending citizens, some prominent, some humble, to prison? The Government has certainly been astonished and shaken by the determination of many church leaders to disobey any law that is against conscience. Would the Government bring the Archbishop of Cape Town, or one of the Catholic Archbishops, or one of the Moderators of the Free Churches, before a Criminal Court? I doubt it. In fact, when faced by such possibilities, the Minister of Native

¹ If any person disobeys a law *by way of protest*, he may be sentenced to three years' imprisonment or £300 fine or ten lashes or any two of these, and if he organizes such protest, to five years or £500 fine or ten lashes or any two of these.

Affairs, under pressure from the Prime Minister, grudgingly amended the Bill twice. Neither of these amendments satisfied the churches, but it is important to note that they were made.

I said that I doubted whether the Government would bring a high church dignitary before a criminal court. It therefore seems possible that if the Government pushes through the Bill, they will ignore church activities altogether; and will in fact be able to remind us of their earlier assurance that none but subversive characters would have anything to fear.

Would the Government take criminal action against persons who believe in, and practise, inter-racial political and social association? I think this is far more probable, because in the view of this Government, such association is dangerous and means the final downfall of white, and therefore Christian, civilization in South Africa. What is more, they will hope to persuade Russophobes in America and empire-clingers in Europe that such association is subversive.

Let us be quite clear about this. Two fundamental freedoms are at stake, the freedom of worship and the freedom of association. For people like the Bishop of Johannesburg, the two are well-nigh inseparable, but for many white Christians freedom of worship means nothing more than mere physical togetherness in a building called a church. Now association for political and social purposes is not mere physical togetherness; it implies some more intimate relationship, some communication of ideas, and is therefore more dangerous to an Apartheid State.

Therefore it would be possible for the Government to ignore the physical togetherness of Christians, even if it did constitute a "nuisance" in some lily-white street, and even to ignore—with inward gnashing of teeth—the Bishop of Johannesburg, and having thus granted the freedom of religious association, to pick off one by one those who practise other kinds. This is what I fear may happen, but what I hope will not happen. I hope that this foolish Government will be persuaded by this fanatical Minister to stamp out all kinds of togetherness; a campaign of civil disobedience would then assume considerable proportions, and—let us put it frankly—thousands of Christians, after having swallowed several camels, would strain at the gnat of physical togetherness in a building called a church. Make no mistake about it, the stage is set for the play, if only the Minister does not rewrite the script.

If however, the worst happened, and church services and

church functions were excluded from the Bill, disobedience would be of a more limited kind, but it would still be inevitable. When free association, whether religiously based or not, becomes an article of faith and a pattern of life, there are bound to be those who cannot obey the law and who would rather be punished than obey it. I regard myself as one of these.

For who or what am I, that my whole life should be ruled by laws external to myself? One is not only affirming high principles here, one is also affirming oneself, one is affirming the rights of individual man. What the Nationalist thinks to be a local crisis of national survival is, in fact, a world-wide crisis of individual survival, and of the survival of individual freedom. And one would like to strike a blow for it before one dies, having enjoyed it at least in part during one's own life, and having passionately desired it for others.

Events are at the moment in the melting pot, but it is safe to say that the will to resist apartheid *in toto* or apartheid in certain particulars, or alternatively, the will to resist further encroachments by the State upon human liberty, is as strong as it has ever been in South Africa. But resistance, in which I include disobedience, is more complicated for a member of a political organization, and in particular is very complicated for members of the Congress movements, who have already lost heavily by bannings under the various Acts, and by the arrests in December, 1956 of 156 persons on charges of High Treason. The effect of such losses has been very great, and the choice therefore confronting the Congresses and the Liberal Party, is between disobedience to the impending law or adaptation to it for the sake of the Party and the cause, or some course partaking of both.

Adaptation is now likely further to be complicated by another impending development which has been strongly rumoured, nothing less than the banning by the Government of the ANC, and the possible arrest and deportation of two thousand Congress members. This would, of course, be a logical accompaniment to the Native Laws Amendment Bill.

The banning of the ANC would be a disastrous action, because it would confirm the drift towards the white-black irreconcilability of which I have written. Many Africans would take it as the final proof that total apartheid, with its pipe-dream of separate but equal, certainly does not offer to the African people separate and equal political rights. There would follow, either

an overt substitute for the ANC, or an underground movement which might perhaps be directed towards nothing else than revolution and the final ejection of the white man from South Africa.

It should, I think, be noted that while the most determined opposition to the new Bill has come from the English-speaking churches and from political and non-political inter-racial organizations, it has also been opposed in Parliament by the official Opposition, the United Party.

The United Party is in the same position as many Christian laymen, in that it is defending a principle which it has conspicuously failed to observe in practice. The outstanding crime of the United Party has been, in view of the destruction of race relations by the Nationalist Party, its failure to do anything at all to keep any kind of link whatsoever with the leaders of non-white opinion. The United Party, tarred to some extent with the same brush as the Nationalists, and to some extent susceptible to their propaganda, has done literally nothing to arrest the drift towards a more and more complete white-black irreconcilability. Its leaders, white persons, of course, literally know nothing of any kind of non-white political leadership. Its leader-in-chief, Sir de Villiers Graaff, visits all parts of the country, where he meets his party officials, but never one non-white person. Therefore it would appear that the Native Laws Amendment Bill has very little practical significance for the United Party, although naturally one is always grateful for the spirited opposition that some of its members offer in Parliament.

One thing is certain, however, that history will say that the United Party abdicated from responsibility at the moment of crisis, and while no one believes that a United Party Government could ever have been guilty of Nationalist excesses, yet many believe that by consent they have contributed to them. It is frequently remarked that the United Party is much more spirited in Parliament than it is outside it, and this is true. In Natal, for example, the United Party opposition to the infamous Group Areas Act has been almost non-existent, and observers suppose this to be due to the fact that politically it is not useful or advisable to take up the cudgels on behalf of unenfranchised people.

One must here extol the part played by the small Labour Party in opposing the Native Laws Amendment Bill. It is their

representatives and those of the Liberal Party who have been the true upholders of democratic values and human freedoms in Parliament. It is a matter for regret that the representatives of Labour should have found themselves unable to draw nearer to the Liberal Party; it would have been a ray of light upon an otherwise impenetrable scene, had two fractions of the splintered opposition been able to regroup.

It is an extraordinary thing that the Nationalists, having earlier laid the grand foundations of apartheid, should now need to pass laws to prevent people from even speaking to each other (if I may by exaggeration make clear the real purpose of the Bill). It would appear that people still insist on communicating in spite of the walls and the barriers. It would appear that the only way to stop the holes and leaks is not by patching here and there, but by erecting further walls even more massive and forbidding. It would appear that Apartheid so contradicts such fundamental laws of creation that in the end it will have to control, not a few areas or a few schools or a few occupations, but the creation itself. And that attempt is, in fact, what we are witnessing.

There can only be one end to this madness, *if it persists*, and that will be for the fanatics of apartheid to seize absolute control, to abolish parliament or to use it as a pretence, to order that the courts should interpret not laws, but intentions, and to inflict the death penalty on those who will not conform.

Will South Africa end up like that? I do not think so. I do not think that the Afrikaner Nationalist will really consent to it. But he had better wake up, for he has consented to too much already. The sooner he realizes that laws like this one lead straight to white-black irreconcilability, and that white-black irreconcilability leads straight to Afrikaner destruction, the better for us all. Perhaps our determined opposition and our readiness to pay for it, will convince him sooner than anything else.