

ACCORDING to recent reports, the new South African Minister of Justice has declared that he believes in freedom of expression and supports the right of people to protest. He must forgive us for not standing in awe of these fine words. In the first place, he is the new Nationalist Minister of Justice and the extent to which Nationalists have destroyed freedom during their short political rule, is well known. There has been no sign, not even since Mr. Vorster's accession, that the Nationalists intend to reform. On the contrary, we have been told that the English press is to be taken by the throat and that "White Civilization", which means white supremacy, is preferable to freedom of the freedom of the press. In the second place, Mr. Vorster's personal record does not offer the slightest hope that his conception of freedom is in any sense enlightened. It suggests that the "freedom" to which he subscribes would be totally unacceptable in any genuine Western democracy. (His words, uttered since his accession, have been even less reassuring.)

It is a matter for surprise, indeed astonishment, that Mr. Vorster's assurances have provoked no angry denials, no just indignation. We are, surely, a conditioned society with a minute degree of intellectual and moral awareness. A statement which should provoke a vigorous and choleric reaction seems to produce, at most, a sense of weariness and futility. In the absence of such a reaction it is necessary to examine the Minister's statement critically.

Inroads upon Freedom

The authors of Civil Liberties in South Africa, after a comprehensive review of Union Legislation, concluded that destruction of the freedom to express opinions is "substantial and perilous". Among the serious inroads upon this basic right are the Criminal Laws Amendment Act of 1953 and the Suppression of Communism Act. The latter Act does not deal exclusively with Communists because, as is well known, a Communist includes any person whom the Governor-General deems to be a Communist. These two laws, and a host of others, have eaten away at the freedom of expression. There can be no freedom to express opinions unless there is also freedom of movement and the right to associate. Again the legislative encroachment upon these rights has been substantial. To take but one instance from many which crowd the mind, in large areas of the Republic, meetings of more than ten Africans, without a permit, are illegal. The right to protest is both directly and indirectly destroyed by these laws - indirectly because they create a climate in which the individual is afraid to use the remaining legitimate channels of expression. The Minister of Justice must know those laws exist. In the light of these laws, is his statement of beliefs therefore anything other than a piewe of political hypocrisy?

New Face of Apartheid (from page 9)

the state. This is Verwoerd's distinctive contribution to Afrikaner Nationalism. Few of his followers understand what he is doing. It is high time that his opponents should.

UNO in Africa (from page 4)

These are vital questions which the UNO should be getting ready to answer. For it is true that, however remote Angola and South West Africa may be from the power centres of the world, in the mood of modern Africa they can present a threat to world peace, as much as the Congo did.

Like the people of Angola and South West Africa, we look forward to the day when UNO will have the power to intervene effectively to ensure that the just aspirations of a subject people can be achieved - but by negotiation, not violence.

Freedom of Expression (from page 8)

It is not simply in the light of law that we must consider Mr. Vorster's statement. Since he spoke there have been many instances of the now traditional intimidation of the opponents of the Government by the Special Branch. The methods of the Special Branch are well known and include attendance at lawful meetings of law-abiding citizens where notes of speeches are taken. Persons attending meetings have their car numbers taken and are often visited and interrogated by the Special Branch.

Since these activities are rarely followed by prosecutions, we can assume that the investigation of crime is a remote purpose, if it is a purpose at all.

The real purpose is, of course, to intimidate the opponents of the Government. As Brookes and McCauley remark in their book, "an aura of sinister plotting and crime against the security of the state is made by these attentions to hang over their discussions."

Punishment for Beliefs

Mr. Vorster clearly does not intend to abate the activities of the Special Branch. He will also, presumably, justify all other actions of his Government, such as the detention of Liberals during the Emergency, who, as we all know, were being punished for their beliefs, and the banning of the ANC and PAC although the law under which they were banned strikes at the heart of freedom to express opinions. Parallel notions are held in all totalitarian jurisdictions. Indeed it is becoming difficult to distinguish Nationalist and Communist power techniques.

The statement that freedom of expression must be exercised in accordance with the law is illuminating. As we have seen, there is no real freedom of expression under the law. In Nationalist thinking "law" and "right" are synonymous. People will not be allowed to protest in places inhabited by other races and "freedom of expression must not be abused". As we know, "abuse" to Nationalists does not mean contrary to conventional restraints on freedom, which they find hopelessly inadequate, but contrary to Nationalist notions.

Mr. Vorster, in short, believes in the right to protest, provided that content, place and person are approved by the Nationalist Party.
