

22/4/66

Mr. Chairman Ladies & Gentlemen

LP  
Natal

Mr Chairman, you have already spoken of the banning of Heather Morkill and Ken Hill. I should like to add a few words. After a period in which the Party had been left alone, these two bannings came as a great shock to me & to many of us! Why were these two banned? Because they <sup>were deemed to be</sup> ~~furtherring~~ the aims of Communism, I presume. In what kind of fevered mind can Heather Morkill & Ken Hill have been deemed to be furtherring the aims of Communism? I shall reply to that - only in a mind that is afraid of any change in the status quo, any change in the nature of our present society, and any change in the shocking disparity between white and non-white ~~earnings~~ privileges. Both Heather Morkill & Ken Hill were advocates of change, & what is more, they advocated it clearly & persuasively & well. In addition to that Ken Hill wrote two open letters to the Minister of Justice, protesting against the many bannings of party members on grounds that could not be substantiated, ~~protesting~~ and none will be substantiated.

I myself, were I a man of power, would respect an opponent of this kind, who stood up openly & put his case, who fought fearlessly for what he thought was ~~due & right~~ <sup>and who by conviction & temperance</sup> ~~was utterly opposed to violence.~~ <sup>was utterly opposed to violence.</sup> who was once a member of the ~~Observatory~~ <sup>Observatory</sup>, which would have plunged the country into civil war had Hitler been more successful, apparently does not respect a fighter of this kind.

I have no doubt that Dr Casel de Vel, our Ambassador in London, ~~will~~ will if he thinks it expedient, give a second assurance to Mr. Jo Grimond that the LP in SA is free to pursue its own destiny. And I ask myself, what kind of man is

this, who can give an assurance of this kind when he knows that the leadership of the Party has been decimated? ~~What kind of a man is this liberation ally?~~

Do not only... it is embodied in the Lib. Party... also no it is embodied in... USAS, & the... when that... accomplished... of the... are still in... this... on the... of... the... & the... Party.

These Ministers & this Ambassador see Communism wherever they wish to see it. They remind me of those ~~types~~ <sup>types</sup> in a certain Parliamentary Debating Society, who, if I were to move "There are seven days in the week ~~would~~ <sup>oppose it on the grounds that I was</sup> ~~oppose it on the grounds that I was~~ <sup>these are the people</sup> ~~who would argue that they believe in the rule of law, but would be~~ <sup>willing to destroy</sup> ~~it in order to~~ <sup>preserve it.</sup> Communists ~~who would argue that they believe in the rule of law, but would be~~ <sup>servility</sup> ~~it in order to~~ <sup>preserve it.</sup> ~~fight with the rule of law, it is only because they want to preserve the rule of law~~ there is only one ~~thing~~ <sup>thing</sup> as the cynicism of those in power, & that is the ~~guiltibility~~ <sup>guiltibility</sup> of those who put them there. Twenty years there would have been an outcry over these banners but not now. Even up at the University, even there in the university common rooms, there are those who say that Ken Hill must have <sup>been</sup> up to something, that the Minister doesn't ban people for nothing, that ~~that oh! there must have been something, that~~ there's never smoke without fire. But what they ought to be saying is, if Hill has done anything ~~reasonable~~ illegal, bring him before the courts, & declare him innocent or guilty. That's what people ought to be saying, ~~not that the Minister knows something, but that~~ <sup>nobody knows anything</sup> ~~nobody knows anything~~ <sup>Ken Hill has been tried in a court of law, that nobody is safe</sup> ~~nobody, Nationalist, Liberal, Communist, is safe~~ when there is no rule of law, that no citizen is secure, no opponent of the government is secure, & no advocate of change is secure, where there is no rule of law. And people ought to remember that this same rule of law has been fought for for centuries, at Magna Carta, <sup>at the passing of</sup> ~~the~~ <sup>Statute of</sup> Westminster, & at the ~~grant~~ <sup>enactment</sup> establishment of habeas corpus, & at the ~~passing~~ <sup>enactment</sup> of the American Bill of Rights. The rule of law has been destroyed not only for those who are banned & banished & detained, but for every

rights. This rule of law is the protection of every citizen against the power of the State, for the State has not only the duty to rule men but also to protect men. <sup>It is with a sense of encouragement that</sup> ~~with what hope~~ one reads of what

Mr. Justice Corbett said last month in the Supreme Court, that Security Police were not entitled to use third degree or to subject a detainee to any form of assault or to cause his health or resistance to be impaired by inadequate food, lack of sleep, living conditions or the like. Why do such words need to be said? Why does the possibility of the use of such methods need to be considered? How I wait upon the day when one of our judges will condemn solitary confinement of detainees <sup>in any confined space</sup> & the refusal to allow ~~such prisoners~~ <sup>reading matter, food or any other diversion that might save them from grave mental harm.</sup> ~~to receive~~ Such measures should be used only where the prisoner is dangerous, & even then only for that period, & the prisoner should be closely observed & taken out of confinement when the danger is past.

<sup>A judge is not only an interpreter of the law, he is also a custodian of the highest values of a society.</sup>

(4)

I do not hold any august office,  
I am not a judge, I am only a member of the Liberal  
Party. But on behalf of that party I condemn utterly  
the use of any method which leads to the damage  
or destruction of personality, the loss, the pain,  
the fear, the brokenness, that characterizes so  
many that have endured it. Many of us are tempted  
to think bitterly of our rulers, but I hope that  
if I were ever in a position of comparable power,  
I should resist the temptation — which I would  
certainly experience — to be cruel to those who have  
been so cruel to others.

One reflects with irony that a Government  
which is so concerned to suppress Communism, should have  
imitated so closely the Communist techniques  
of banishment, detention without charge, long periods

(5) (4)

380,000

of solitary confinement, & merciless interrogation. And this at a time when there is evidence that the USSR is retreating, though slowly, from the use of such methods. We in the LP are often accused of furthering the aims of Communism. But how does one better encourage subversion & sabotage than by silencing those who express their opposition clearly & openly, people like Heather Morrell & Ken Hill?

[Here refer to others unable to be here tonight - Peter Leaver, Selby Msimang, E.V. Mahomed, Hyacinth Obhenye, Dempsey Noel, Jean Hill, Christopher Shabalala, Michael Ndlovu, Elliott Ngadi, John Acheson, Enoch Mnguni. - to all these and to Heather Morrell & Ken Hill this meeting sends <sup>warm greetings and it's</sup> <sup>is</sup> gratitude for past services & hope of services to come.] [Mention a service we can render]

(6)

I want to deal with one other use, ~~and abuse,~~  
of what appears to me unfettered power. ~~That is what Mr.~~  
~~Voster has, unfettered power, she is, like all of us, totally~~  
~~unfitted to possess it.~~ I refer to the banning of the Defense  
South African Defense & Aid Fund. It is now  
an offence to further its aims, & I shall not commit  
that offence. Mr. Voster said when banning the Fund,  
that it had, in South Africa, made money available  
to the <sup>banned</sup> Communist Party & the banned A.N.C. These  
were some of the reasons that he gave for banning  
the Fund some time than a month ago. We are still  
waiting for the proof of this allegation. Mr. Voster,  
speaking under the misapprehension that I had said  
I would take action against him, said he would  
love me to do it. Well I wouldn't love to do it.  
Any person intending to take such action against  
Mr. Voster should be sent immediately to a

(7)

mental institution. The law makes it virtually impossible for any person, no matter how grievously he has been detained, to prove that a ~~no matter how grievously~~ he has been slandered by ~~Mr. Vorster, would have any hope in bringing a~~ Minister <sup>acted in bad faith</sup> ~~successful action against him.~~

Why ~~does~~ <sup>the voters</sup> ~~an electorate~~ give such unfettered power to one man? Because they are ~~preserving~~ civilisation, they would say. Yet any civilisation that gives such power to one man, that gives away the freedom that our forebears struggled to hard to achieve, ~~that requires in~~ the ~~abrogation~~ of the rule of law, ~~also~~ <sup>then</sup> ceases to be a civilisation. We boast of our wealth, our prosperity, our technology, our armed strength, but civilisation is not ~~based~~ founded on these things — it is founded on civil liberty & the rule of law, on the recognition of the worth & dignity of individual men.

(8)

- perhaps all of you -  
I know that many of you have felt these recent blows very deeply. Some of you heard our National Chairman speak in Durban last night, & were ~~reassured~~ & encouraged by his ~~speech~~ address, & by his bearing at this time. He said something that is worth repeating, & he tells me that he does not mind if I should pick up any of the pearls that he has thrown before me, ~~a piece of an offer~~, I thought, which could have been more happily put. Before I throw these pearls before you also, I should like to say ~~two or two~~ <sup>one</sup> introductory thing.

I also feel these two recent bannings very deeply. Never would I say to you, where one is struck down, ten will rise up, because I don't believe it. Nor would I pretend that our Party is as strong and vigorous as ever it was. Nor would



"My Bonny used to lie over the Ocean",

listening to the songs,

the warmth of the laager, sitting round the cheerful fires, and  
 the <sup>laagerites</sup> Afrikaners, <sup>Singing</sup> or perhaps <sup>"Serie Slavans"</sup> the English <sup>laagerites</sup> "My Bonny  
 lies over the ocean" & the Jewish <sup>laagerites</sup> "Israel, naughty Israel",  
 & the <sup>Dutch</sup> ~~laagerites~~ <sup>laagerites</sup> "Nolland, ~~naughty~~ <sup>vegraderlike</sup> Nolland." I could go on  
 at length, but will conclude with the <sup>Song</sup> ~~prayer~~ <sup>prayer</sup> of  
 the Transkeian laagerites, reminiscent of the <sup>prayer</sup> <sup>Hamors</sup>  
 of ~~the great~~ St. Augustine, "God, make us independent,  
 but not just yet." I feel it deeply that neither  
 Markill & Ken Hill have been banned, but there  
 is one thing that I would find unendurable, & that  
 would be if I had to ~~separate~~ draw aside  
 from them because they were heading for trouble.

Much worse than having them banned would be  
 if there had ~~not~~ <sup>were</sup> ~~been~~ <sup>not</sup> such persons at all. It is

~~And now for my second introductory point.~~  
 hard to be outside the laager, it is hard not to be on  
 the hand-wagon, it is hard to be detained in the class-room

X

(11)

when everyone else is playing in the yard, it is hard not  
~~to~~ to have a Helen Szymon, though in fact we  
do have her, and we share her, not with a few  
thousand people in Naughton, but with a few  
million people in South Africa. But it would  
be harder still for us to be inside the larger, because  
~~and harder still to be on the hand-wagon, because~~  
we would then know ourselves to have been  
false to our beliefs, as so many people are who  
are here <sup>already</sup> <sub>be - I do not suggest it is - because they have been strung together by a different hand</sub> <sup>Now for Dr. Brookes's pearls, and if the necklace looks brighter, it could</sup>

Whatever may be our present condition,  
& whatever may be our future condition, we should  
remember four things. The first is, that whatever  
happened or will happen, the members of the CP of  
SA joined it because they believed that the  
things it stood for were just a night. Some of us  
have paid heavily for those beliefs, but I have

never encountered one <sup>of those who paid, so heavily,</sup> ~~of them~~ who jettisoned <sup>or her</sup> his beliefs. ~~Some did jettison their beliefs, but never one of those who had paid.~~

The second reassurance is this - that world opinion is on our side. It is a fashion here to sneer at world opinion, & one cannot think of a fashion more foolish or dangerous. Our ideals are the ideals after which the world is groping. The United States will pass through many trials, but after the passage of centuries it has rejected altogether the policies of segregation, here called apartheid, & later separate development, but really segregation, a foul body with a spot of eau de-cologne. The segregation or separation of any person on the grounds of his colour is offensive to the overwhelming majority of the human race. ~~The laws~~

The third reassurance is this, that the movement of history is not in the direction of racial separation. If it had been, there would <sup>never</sup> have been an Afrikaner people, in whose veins flows the blood of so many progenitors. Now, might I also, would there not have been a Cape Coloured people either. Here in our country are two living disproofs of a policy that far from being rational, can ~~only~~ <sup>only</sup> exist because it is kept alive by bannings, banishments, detentions, & cruel laws. Now does the movement of history show any sign of changing its course. Now does the establishment of the League of Nations & the United Nations (though we may sneer at them both), and the invention of nuclear weapons, preclude anything less than the growing interdependence of men and nations, or their complete destruction.

only

There is one last reason why we should not believe that the war we fought has been lost. Mr. Vorster may win the battles, but he cannot win the war. That is why he persecutes his enemies so unrelentingly & so mercilessly. Reckoned in material terms, what power have Heather Morkill & Ken Hill? Between them they could not have bought a second-hand helicopter, & I doubt if either of them could do anything with a gun. But they had an idea, & ~~the idea had to be remorselessly crushed.~~

The idea was so terrible to the government that it had to be crushed remorselessly, the idea that South Africa belonged to all her peoples, & that all her peoples are entitled to render her service, enjoy her benefits & participate in her government.

Who doubts in this dark hour but that that day will come?

There is one last reason why we should not believe that the war we fought has been lost. Mr. Vorster may win the battles, but he cannot win the war. That is why he persecutes his enemies so unrelentingly & so mercilessly. reckoned in material terms, what power have Heather Morkill & Ken Hill? Between them they could not have bought a second-hand helicopter, & I doubt if either of them could do anything with a gun. But they had an idea, & ~~the idea had to be remorselessly crushed.~~

The idea was so terrible to the government that it had to be crushed remorselessly, the idea that South Africa belonged to all her peoples, & that all her peoples are entitled to render her service, enjoy her benefits & participate in her government.

Who doubts in this dark hour but that that day will come?

**Collection Number: AD1169**

**Collection Name: Alan Paton Papers, 1952-1988**

***PUBLISHER:***

*Publisher:* Historical Papers Research Archive, University of the Witwatersrand

*Location:* Johannesburg

©2016

***LEGAL NOTICES:***

**Copyright Notice:** All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

**Disclaimer and Terms of Use:** Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of paper documents and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document forms part of the archive of the South African Institute of Race Relations, held at the Historical Papers Research Archive, University of the Witwatersrand, Johannesburg, South Africa.