

PC16/2/1/4/10

CIVIL RIGHTS



News Letter

(Box 3807, Cape Town)

October, 1957

Apologies!

The Secretary regrets that owing to her absence on holiday this month's News Letter has been unavoidably delayed. We must apologise to those of our members who have sent in their subscriptions and have not yet received receipts. This is due to our receipt book being in the Auditor's possession for our annual audit.

That 'Church clause'

Many of our readers must have been concerned, as we were, to read recently in the press that the statement had been made in Port Elizabeth that the Presbyterian Church of South Africa, at its General Assembly in Kimberley, had approved of the 'church clause' of the Native Laws Amendment Act, except for "one aspect, which might lead to a final breach between church and state"- the fact that no appeal was allowed against any decision of the Government or Municipality.

Such readers will have been relieved to learn from subsequent statements, made by the Moderator of the General Assembly and also by other prominent Presbyterian ministers, that the Assembly had never approved of the 'church clause'. "What the Presbyterian Church has said", said Rev. André de Villiers of Durban, "is that it does not like the 'church clause', and what it likes least of all is the power given to the Minister of Native Affairs as the arbiter in the vital question of facilities for worship for the Native people." The resolution passed by the Assembly had stated that the Church considered that such grave questions as the right of attendance of Africans at certain churches, affecting the rights of worship, should not, in the interests of justice, be left to the Minister without giving to the people concerned a right to obtain the view of an independent body or tribunal. Dr R. H. W. Shepherd of Alice, former Principal of Lovedale, further pointed out that there already existed laws to deal with any "nuisance".

Because public memory is short, it is as well to reiterate

(i) that the original Bill laid down that any "church, school, hospital, club, institution or any place of entertainment" established outside Native residential areas after January 1, 1938

must seek the approval of the Minister of Native Affairs before allowing Africans to attend any of its functions;

(ii) that the statements made by Dr Verwoerd, Mr Swart and others at the time when the Bill was before Parliament made it quite clear that the Minister's intention was to limit all contact between the races to that of "guardian and ward", and that the Bill was intended to enable the Government to prohibit and render punishable any mixed meetings and gatherings;

(iii) that it was only on account of vigorous public protest that the clause was modified to say that the Minister and the local authority might take action if a "nuisance" was created;

(iv) that if he had not been misguided enough to include the churches, Dr Verwoerd would very probably have succeeded in destroying all freedom of inter-racial association.

The U. P. too!

Mr Munro of Port Elizabeth might well ponder the recent statement of Mr D. E. Mitchell, Natal Chairman of the United Party: "The Government has gone so far with the 'church clause' that it may be necessary to entrench our religious freedom. We are giving this serious consideration."

"Christian National" Education and the 'Conscience Clause'

In the Orange Free State Professor O. C. Erasmus of Bloemfontein, head of the department of the philosophy of education in the University of the Orange Free State, has said that for the realisation of the Christian school in practice the abolition of the 'conscience clause' is necessary. This, he says, would enable the "Christian parent of the Covenant" (Verbondsouer) to remove the non-Christian teacher from education, and to see that the Christian doctrines were taught to "Verbondskinders" from "reformatory convictions" instead of the so-called "neutral" religious education. He urges "the strict selection of teachers on the basis of Christian norms, and the purification of the syllabuses of "all non-Christian content, such as especially the evolutionary idea." Syllabuses should be re-compiled from the Christian-religious point of view ("basic motif").

In the Transvaal Professor J. C. Coetzee, discussing the 'conscience clause' in government schools, says that while the 1953 Ordinance forbids the teaching of a particular dogma or doctrine distinctive of a peculiar sect, it provides an opening for the Reformed creed because this is "not distinctive of a particular sect - this is the creed of the three Dutch-Afrikaans churches", and that "within the framework of the Transvaal public school system, "Reformed" parents can by means of their School Committees secure "Reformed" religious for their children. He further urges that such parents should secure control of school committees and so ensure that the "right" sort of teachers are appointed to the schools. To do the Professor justice, he regards this as a temporary measure until it is possible for such parents to obtain government help for their own (presumably private) schools!

Language in the Transvaal

The Transvaal Provincial Council has had before it an Education Draft Amendment Ordinance which provides for the granting of absolute powers to the Executive Committee to change or determine the language medium of a provincial school, and declares that single-medium schools are considered preferable to the province. The Administrator, Dr Nicol, has stated that this is a result of the Van der Bijl School decision, and is to enable the Education Department and the Executive Committee to "implement mother-tongue education with immunity against interference or legal action" as against parallel-medium education.

The Home and School Council, representing more than 100,000 parents, has sent a letter to all Transvaal M.P.C.'s taking "the strongest exception to this vesting of dictatorial power over our children in the hands of one man".

African Comment

An African writing in "Golden City Post" in August said:
"The United Party conference is over, and the 'key to freedom' has been put into the lock - where it stays jammed. One question I'd like to ask the keymen: Which non-European

'rights' are you promising to safeguard? How can you safeguard something that doesn't exist?

We cannot help feeling that the thing which would, in the long run, be of the greatest value to the United Party and to South Africa would be if all ranks in the Party could establish personal contact with non-whites and learn really to know what they were thinking.

The American Way

It was interesting to hear from Dr R. E. van der Ross, in his recent address on race relations in the United States, that one thing which had particularly struck him was the emphasis there, not on the racial or national origin of the citizen, but on the fact that he was an American now. We might well ask ourselves what we are doing to make our non-white citizens eager to call themselves South Africans.

Illegitimacy and Juvenile Delinquency

In a leading article, "The World" recently discussed the findings of the conference of administrators of non-European affairs with regard to the problem of delinquent youths. The paper rejects as inadequate a suggestion made that the registering of 'lobolo unions' (customary marriages) and the introduction of tribal systems in the towns would solve this problem. It says:

"Many of these stray youths are illegitimates ... It is a sociological fact that illegitimacy among Africans, as among Europeans, is the product of misery and poverty. Give Africans a living wage, give them opportunities to improve their skill and social standing, and illegitimacy will be considerably decreased..." The paper refers to the "oft-times almost brutal application of the pass and influx control measures", and says, "African youth, like all African people, want back their right of freedom of movement. They want to be able to work where they like and to do the job they are interested in. They do not want to be regimented. And, let there be no mistake about it, no measure or measures will help, so long as these factories of juvenile deviates are allowed to function as they do."