

# CIVIL RIGHTS



News Letter (Box 3807, Cape Town) April, 1958

(All comment in this issue by Maggie Rodgor, 527 C.T.C. Building, Cape Town)

## How we grow

We are pleased to report that our appeal has now brought us over 100 new members. We welcome them all, and hope they will not mind our not writing to thank them personally. Carry on the good work!

## Assault on our Liberties

In its "Survey of Race Relations in South Africa 1956-57" the Institute of Race Relations shows that race relations have deteriorated during the year, and the liberty of all citizens - white, coloured and black - has been further curtailed by legislation. For instance,

Access to churches, schools, hospitals, clubs, places of entertainment and refreshment are all curtailed under the Native Laws Amendment Act and the Group Areas Amendment Act.

The Group Areas Amendment Act also limits the right to own property.

The Separate Universities Bill threatens to complete the undermining of academic freedom begun by the Bantu Education Act.

Job reservation limits the right to work.

The Nursing Act threatens to place us outside the international pale.

A smaller pamphlet entitled "The Assault on our Liberties" by the Institute's President, Mr Donald Molteno, Q.C., has just been issued (price 2/6). Though we have not yet seen it, we unhesitatingly recommend it to all our readers. The Institute has sent us the following brief summary of its contents.

"... Legislation since 1948 has progressively encroached on the historic liberties of South Africans, usually in the name of apartheid (though the same tendency was observable previously). Africans have always been the greatest sufferers, but many whites would be shocked to discover how largely they are to-day at the mercy of administrative government.

"Before 1948 the Africans had already been deprived of freedom of movement, residence, property, personal privacy, occupation, and equality before the law. Asians had already lost their freedom of movement and of property.

"Since 1948, legislation has narrowed still further the civil liberties of the African and Asian groups. It has also encroached increasingly upon that of the Coloured and European groups.

"All racial groups have been deprived of property rights by the Group Areas Act, of freedom of vocation and employment by the Industrial Conciliation Act of 1956, of personal freedom as well as privacy of person, home and correspondence by the Suppression of Communism and Criminal Laws Amendment Act of 1953, and of freedom of assembly and association by the Native Laws Amendment Act 1957 and other Acts.

"Freedom of thought, conscience and religion are gravely menaced by the Native Laws Amendment Act, which contains the notorious "church clause", by the Bantu Education Act, the Separate Universities Bill and by the Suppression of Communism Act.

"The latter also places freedom of speech and press at the mercy of Cabinet Ministers, who have additional powers under the Criminal Laws Amendment Act of 1953. Freedom of movement has been curtailed for all groups under the Departure from the Union Regulation Act of 1955.

"The abolition of habeas corpus for Africans was achieved by the Natives (Prohibition of Interdicts) Act. An African can now, under the amended Native Administration Act, be banished from his home by the executive without a hearing, and confined to any area, however small. Mr Moltene points out that there is complete power here to institute a system of concentration camps, in which individuals would be confined indefinitely without trial.

#### What we can still do

"Although the government has laid the legal groundwork for controlling the rights of freedom and assembly for all races, Mr Moltene stresses that very many inter-racial activities are still legal. Inter-racial public and private meetings for religious, political, social or business purposes are not yet forbidden. Multi-racial entertainment in private homes is still legal, although it could be forbidden at any time. Multi-racial political parties, religious bodies, or organisations such as the S.A. Institute of Race Relations are also still legal.

"Mr Moltene believes that with goodwill universal civil rights can be guaranteed in a multi-racial society. He believes that this will be achieved by 'a reformed system of government capable of providing a framework for inter-racial co-operation between our various

peoples. To be workable, it would have to recognise the stubborn fact of group differences of outlook, would have to be based on agreement between representatives of the various groups, and would have to provide safeguards against the domination over the others of any one group'."

#### It can happen in Cape Town!

One of our members reports the following incident recently. "Three women of Crawford heard that they would have to move soon. Knowing nothing of passes they went to Nyanga to look for a place to live. One of them was carrying her baby, aged about five months. They were arrested and the baby sent home to the father. That was on Thursday, 6th March. I heard about it on Saturday 8th and called up the police in Cape Town, where they had been taken. I was told that the woman was not there and presumed that she had been released. I was not told that she had been moved to Wynberg.

"On Sunday evening the baby's father, whom I did not know, came to me. He has been temporarily retrenched from his work and had tried all ways to find the £3 fine. The 'criminals' were in Wynberg and he arrived there just in time to release his wife before 10 p.m., lock-up time. This woman, suckling her child, had been kept four days without her baby and arrived home with swollen glands. The baby would not take a bottle and had had to be fed with a teaspoon."

Our correspondent urges us to "prevent the recurrence of such callous actions, the sort of thing no decent person would do to a dog". We are doing our best, together with others. We hope all our members will help us by bringing any such cases to our notice promptly.

#### He NOT to vote

We do not ally ourselves with any political party, but we publish here an extract from a manifesto issued (in both languages) by the Nationalist candidate in the Maitland constituency. He asks:

"ARE YOU AGAINST:

1. Compulsory SCHOOL ATTENDANCE BY THE COLOURED AND NATIVES ?
2. MIXED UNIVERSITIES ?
3. REPLACING THE COLOURED ON THE COMMON ROLL ?
4. THE UNITED PARTY SENATE PLAN ?
5. SOCIAL INTEGRATION ?"

After listing Nationalist aims, he urges voters to "VOTE NATIONAL, and make certain that the European civilisation will be maintained and extended"! At least he shows us where his Party stands!

### White Man's Fear

"Ilanga laso Natal", speaking of the fear that underlies so many election appeals, says: "... it springs from politically guilty conscience .. If this fear gnaws at the hearts of some of our legislators it means they are not happy about the laws they put in the Statute Book for the African people. There would be no fear of these supposed black hordes if the laws governing them gave them opportunities to progress side by side with their white countrymen. There would be no fear if these black people were not hemmed in by restrictive laws passed in the name of self-preservation by people who should be guiding the non-Europeans along the road to happiness and contentment."

### Africans and the Election

"Imvo Zabantsundu", discussing the question of possible "mass action" by the Africans at election time, said recently: "The feeling has been expressed that the elections are one battle which non-whites should keep out of and, in our opinion, should have nothing to do with as we have no vote. At the same time it must be pointed out that for eight million people to sit back and fold their arms when some two million privileged people decide their fate by going to the polls, is straining human aspirations to the utmost... One important point ... is that it is essential and important for whatever party wins to realise that the country's stability is threatened without the co-operation of eight million Africans." The paper, however, considers that the Africans "would be ill-advised to stage public demonstrations, however peaceful" at election time, "as the temper of a country as a whole during election time is anything but stable."

### The Need of the Children

The stopping of school feeding has created an urgent need. In Peninsula primary schools (all races) there are 41,244 children of whom 18,756 need this help urgently. So far the Peninsula School Feeding Association is feeding 8,100. 2d a day (or 10/- a term) feeds one child. Every penny received goes for food - nothing is taken for administration. Please help the hungry white, coloured and African children by sending any donation you can to the Association at Box 1000, Cape Town. More information from Mrs Leon Policansky, Hon. Secretary, phone 6-4361 or the Chairman, Mr George Young, c/o Cape Times. Treasurer, Mr J. A. Simpson.