

PC16/2/1/4/36

CIVIL RIGHTS



News Letter

September, 1959

Our Brains Trust

Please note the special notice enclosed with this regarding the CHANGE OF DATE of our Annual Meeting and the following Brains Trust. We regret the short notice given of this, but it was due to circumstances beyond our control.

Education by Edict for Uniformity

Speaking recently in the Transvaal, the Prime Minister said that the Government "would introduce legislation to enforce a national education policy". There should, he said, be uniformity because "the nation could maintain only one ideal in the sphere of education". While he has since disclaimed any desire to remove primary and secondary education from the control of the Provinces, he stated that "national institutions and provincial authorities would have to adjust themselves" to the "new educational ideal" which the Government would lay down by legislation. There has been widespread criticism and protest at the implied threat to the right of parents to choose the education of their children, and it has been conjectured that one object of the proposed legislation will be to enable the Government to "discipline" Natal - with whose Provincial Executive it is at present proposing to go to law in order to impose upon Natal an official whom neither the Executive nor the public want. It has also been generally assumed that the Prime Minister was referring to "Christian National" education as the system he intended to impose. This has since been denied with great emphasis by a Nationalist Congress in Natal; but we cannot help wondering if they really know the Prime Minister's mind. We quote from an article by Miss Christina van Heyningen (lecturer in English at the University of Natal) a pertinent comment. She says: "One has only to read the Onderwysersunie journals to see how deep-dyed in Christian-National Education they are. In the Transvaal, with... their vociferous protests that they intended no compulsion still wet on their lips, the Provincial authorities abolished parental choice; in the Transvaal to-day officials decide what your child's home language is and kraal him off accordingly... In the Transvaal a teacher may not even lend or give a child a book that is not on the official list - and that is a short and biased one. In the Transvaal text-books are being used in which mistakes and distortions of fact abound... It is no use the Government pre-

tending that the cat they had in the bag was not Christian National Education for the entire Union. Dr Verwoerd let it out, and it's no use his followers shushing it back again."

The "Pretoria News" comments: "Even if the suspicion that the plan aims at bringing rebellious Natal to submission and enforcing Christian National Education on that province is unjust, the dangers to the nation are grave. A national education policy will further undermine the provincial system without which Union could never have been."

Nor can we be blamed for being suspicious when we read such sentiments as those expressed by a writer in "Die Kerkblad", the official organ of the Geref. Kerk in South Africa. Pleading for "free Christian education", he says: "In the Transvaal it is going well apparently. At least this is the impression. The state schools are well organised, effectively indoctrinated and beneficially influenced (italics ours), one does not observe much of a fight Elsewhere it is not going so well..."

And Dr Verwoerd himself is reported to have said on the occasion already referred to: "We whites cannot maintain ourselves in South Africa if we do not see that our knowledge remains the greatest." Another cat?

Educating the African in "his own areas"

We are grateful to the Institute of Race Relations for drawing attention to a statement made by the Minister of Bantu Education in the Senate at the end of the Parliamentary Session, when most people were concerned with the more blatant pieces of legislation then being pushed through Parliament. He said: "... it is our policy to restrict primary, but particularly post-primary, education in the urban locations, but not in the Native areas; preference is given to the Native areas in regard to the establishment of that type of school." It was, he said, the intention to make lower primary schools available wherever there were Bantu children of school-going age. In other words, in the urban areas schooling is to be provided from Sub A to Standard II only, in order to supply the "general needs" of the Bantu. In the "Native areas", higher primary (Std III to Std VI) and post-primary (after and including Std VII) will be given "at the places where the process of development has to be stimulated". The "Cape Times" comments: "African children whose parents are working in the cities have exactly the same human rights as other children in South Africa or in any civilized country to go as far as their talents and

State facilities can take them in their education. They also have the right to live with their parents and enjoy as full a home life as possible while going to school. To refuse them this right or in any way to follow a policy of restricting it is unjust, immoral and unspeakably mean. In addition, the Minister himself mentioned the necessity of keeping children off the streets and away from tsotsi-gangs, but nullified this admission by saying: 'This is not a function of education; it is a social function'."

In order to get some idea of what this means in practice, let us try to imagine what would happen to white children in the cities if they left school after Std II and had to spend the rest of their lives with that educational equipment.

Farm Labour

Mr Maree further said: "As regards the farm schools, we have made it compulsory that where the farmer wants these facilities (!), part of the school instruction of those children on the farm of the European farmer must be training in the normal activities on the farm, to sharpen in their minds the fact that education does not mean that you must not work with your hands, but to point out to them specifically that manual labour, and also manual labour on a farm, is just as good a formulative and development level as any other subject is. In order to do this, we create the opportunity so that if there is any farmer who has a farm school on his farm and who wishes to make use of the school children under the supervision of the teacher to assist with certain farm activities, this can be arranged in a proper manner to fit in with the curriculum and the plan of development which is envisaged or provided for that farm school." (italics ours)

As the "Cape Times" says: "It is scarcely necessary to add any further comment to proposals which so scandalously and blatantly explain themselves.

Habeas Corpus

It is heartening to note that an increasing number of cases are being brought before the Courts in which Africans are detained as labourers on farms against their will, and often ill-treated as well, and that the Courts are ordering the release of such labourers. We quote some details of the working of Johannesburg labour bureaux recently published by the Black Sash:-

* The sentences for Africans who fail to pay their taxes vary from £1 (or seven days) to £5 (or one month). But if sent to a farm, they

serve from three to six months - which amounts to a hard labour sentence of six months.

* Africans, including juveniles aged 15 and 16, are arrested in homes or streets in connection with reference books. They are taken to a police station and entered in the records as "reference book inquiries". After being handed to the Bantu Affairs Department labour bureaux, they are sent to farms. No charge is laid against them and they do not appear in court.

* Africans have virtually no means of assisting their arrested children, relatives or friends - their requests for information at the labour bureaux and courts meet with no success.

Under these circumstances it seems hardly necessary for the Transvaal Agricultural Union congress recently to ask the Minister of Justice "for strict enforcement of the pass laws and for the detention of non-European trespassers on farms and not in prisons".

Legal Aid

The Secretary for Justice in his 1958 report made the extraordinary statement that legal aid to the poor is not justified except in cases of capital crimes "because our whole legal system is designed to prevent the conviction of an innocent person, whether he is defended or not, and that is the duty of judicial officers and prosecutors ... to ensure that no miscarriages of justice occur". On similar grounds he argues against the retention of the jury system.

We are glad that the Continuation Committee which is re-organising the Legal Aid Bureau has challenged this view, pointing out that "if one accepts the principle that a man is innocent until he is proved guilty... it is surprising that the unlimited resources of the State should be brought to the assistance of the prosecution while the defence is more or less forgotten about ... if lawyers are not necessary, neither should have them, but if they are necessary, t. i both sides should be equally equipped."

Freedom of Religion

In a recent issue of his diocesan magazine the Bishop of Pretoria comments forcefully on a recent Government decision to deny sites in urban locations after the end of 1960 to "unrecognised" Churches. He says: "Who 'recognises' Churches? Who are we to say which Church is recognised by God and which is not? ... No one has the right to prevent the adherents of such bodies from worshipping according to the dictates of their consciences... When religion is allowed freedom of expression, we can be confident that Truth will ultimately prevail."

D O N ' T F O R G E T O U R B R A I N S T R U S T ! M O Y A