

PC 16/2/1/4/37

# CIVIL RIGHTS



News Letter

October, 1959

(Written for the Civil Rights League by Maggie Rodger, 527 C.T.C. Building, Cape Town)

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## "Not a Political Issue"

We cordially support the statement of the Anglican clergyman who said, in convening a meeting of Coloured families threatened with ejectment from the homes in Sea Point in which some of them have lived for over a hundred years, that this was not a political issue and that he was "concerned with the humanity of the matter".

The Civil Rights League is concerned with the "inhumanity" of any infringement of human and civil rights, and has always refused to attack, or identify itself with, any political party as such. At the same time it must be pointed out that there is a tendency in certain circles (a tendency much exploited by the present Government) to regard any criticism of government measures or attitudes as "political". It is our duty as citizens to protest against any act or policy which is unjust or immoral, and to awaken public opinion so that such protests may be effective. Under present circumstances, when so much infringement of civil rights is not only protected but enjoined by law, it may be the only thing we can do: and sometimes at least it has some effect.

## Living under Permit

We are greatly relieved that the Deputy-Minister of the Interior and the Commissioner for Coloured Affairs have now announced that the Coloured people in Sea Point will not be turned out before other accommodation is available for them, and that our new Mayor is to ask the Deputy-Minister to stop all evictions under the Group Areas Act until housing for the people concerned can be provided. But we cannot but feel, like the "Cape Times", that "tyranny... is still tyranny, even when sugar-coated". It is entirely wrong that any of our citizens should feel - as thousands of the Coloured community in the Cape Peninsula do - that they have no security in their homes, and that at any moment the sword of Damocles may fall. As the "Cape Times" says, "the real affront to decent human feelings and decent race relations is in this tyrannous irruption into people's lives".

## The Segal Case - and others

It has been stated by Mr Segal and others that the ban on him

is an attempt to muzzle "Africa South". The statement by the Minister of Justice on the subject quotes from a number of articles published in that periodical (not written by Mr Segal) as justification for the ban. The Minister also refers to speeches made by Mr Segal himself, in some of which he supported the proposal for a boycott of Nationalist products - which, as the "Cape Times" points out, may be foolish but is not criminal. Moreover Mr Segal has denied that he made speeches in the terms alleged (but of course he is given no opportunity of putting forward such denial in a court of law). The "Cape Times" comments;

"... The Minister's course is obvious. It is to prosecute Segal, establish in court the accuracy of his police reporters and persuade the court that the ministerial interpretation of the words is correct. But Mr Swart does not do that. He has it both ways. He refuses to prosecute and to discharge the burden of proving his case; but he takes administrative action for which he has to convince only himself that... his interpretation of the words is correct. Mr Swart obviously has not a case which he can take to court ..."

One of our members recently, shocked by the statement in our Annual Report that the Minister of Justice had banned over 160 people since 1954, urged that the League should press for the appointment of a judicial tribunal to hear appeals from people who fell under such bannings. This case certainly shows very clearly the need for such a tribunal.

### Freedom to Travel

The Minister of External Affairs, though he informed his constituents at Williston some two months ago that "in all countries, reasons are never given for refusal of passports" (à propos the refusal of a passport to Mr Beukes to go to Norway), stated in the same speech that Mr Segal's passport had been withdrawn from him because in the previous year he had "bitterly attacked his fellow Whites in South Africa" in the United States". Mr Louw said that in the United States itself, in the previous year, about 60 passports had been refused in the public interest.

Mr Louw, however, refrained from mentioning that in June, 1958 the United States Supreme Court had ruled that Americans cannot lawfully be denied their right to travel because of their beliefs or political associations.

Our newspapers have not hesitated to point out these shortcomings of Mr Louw. But we are sorry to see that the "Argus" has supported Mr Louw's statement that, on account of the troubles in Sweden caused

by the vagaries and vicissitudes of the Golden City Dixies, he hopes this will be the last time that a Coon Carnival company will go abroad.

This is carrying paternalism too far. The Department of External Affairs, in this instance, undoubtedly "acted with great propriety and patience" and was "put to trouble and expense" on behalf of the Golden City Dixies. But what is it there for, if not to act on behalf of South African citizens in need in a foreign land? Does this not apply to Coloured citizens? What would have happened if a band of volkspelers had got into similar trouble? Would Mr Louw and the "Argus" have felt the same way?

This all goes to confirm that the doctrine of a passport being a privilege and not a right is a thoroughly pernicious one, and the sooner it is discredited and abandoned, the better.

### Threats ...

We can understand the Government being annoyed about Mr Beukes managing to get to Norway - and, even more, managing to get to the United Nations. But it is most unseemly for a Deputy Minister to say, as Mr P. W. Botha said, that "he will be sorry if he returns". The Government, no doubt, is within its rights legally in punishing Mr Beukes (or any other citizen who succeeds in getting away without a Union passport) under the "Departure from the Union Regulation Act" (1953). But will a threat like this do anything to retrieve the Government's reputation abroad, where Mr Beukes has already been given publicity by the Government that he could never have got if he had been allowed to use the passport which (be it noted) the Government originally granted him?

### Getting "tough" with the (overseas) Press

Mr Eric Louw, says the "Star", has been getting 'tough' lately. First he refused a visa to the Assistant Foreign Editor of the Stockholm paper 'Dagens Nyheter' (who apparently had written critically of South Africa). Then the South African Information Service refused a foreign Press identity card to Mr George Clay of the London "Observer". Next, Mr Henry Barzilay, a free-lance radio and TV film freelance who has spent eleven years in South Africa, was served with a ten-day deportation order. The "Sunday Express" reports that proceedings have been started against four other overseas news representatives.

Mr Barzilay has been given no reason for this, and it has meant his closing up his radio recording business at considerable loss.

The "Cape Times" comments that such such deportations in this

country, as in others (Russia, Egypt, Ghana and Iraq) can only "confirm everybody in their worst ideas of the countries concerned", and adds, "... nothing which Barzilay could do will do this country a fraction of the harm that has been done by his expulsion."

### ... and our own Press?

Meanwhile the ever-ready Mr Botha, Deputy Minister of the Interior, has told a Nationalist Congress in Pretoria that legislation is being drafted (based on the 1957 report of the Cronje Commission) "to control undesirable publications in the Union". And at Villiersdorp a few days later he accused the English-language Press of "trying to get a stranglehold on Nationalism" and "exercising its dictatorship over the English-speaking people".

No wonder the S. A. Society of Journalists, whose Council has protested against the deportation of Mr Barzilay, felt it necessary to "pledge ourselves to resist any attempts by the State to interfere with the freedom of the Press in South Africa", and to "call on our fellow journalists throughout the world to support us in our fight to retain freedom of expression in our country".

### More control?

The Director of Library Services in the Cape, Mr Theo Friis, has recommended that the Government set up a national library council to centralise library systems in the Union and to advise the Government on library matters. The Southern Transvaal branch of the S.A. Library Association has unanimously opposed what it describes as "threatened censorship of reading matter".

Mr Friis has protested that he had no such idea in mind and was merely proposing "a system of co-operation and co-ordination" which would not interfere with the identity or autonomy of any library.

We do not question his sincerity. But the trouble is that the Government, if it once introduces such a system, might make a use of it that would horrify Mr Friis. It would not be the first time that a seemingly innocuous measure was modified afterwards to introduce a thoroughly undesirable authoritarianism.

### The Right to Defence

The long-drawn-out Treason Trial has used up nearly all the money raised to defend the accused and maintain their dependants. The Cape Western Regional Committee is organising a Mammoth Bazaar in the Cathedral Hall on Friday, November 27. We commend this to the support of all our readers. Convener, Mrs N. Barnett (phone 3-6575).