

PC16/2/1/4/38

# CIVIL RIGHTS



News Letter

(Box 3807, CAPE TOWN)

November, 1959

## Can You Help?

The Treason Trial Defence Fund Fête is to be held in the Cathedral Hall, Queen Victoria Street on Friday, November 27, and we hope all who can will be there.

We have been specially asked to appeal for second-hand books and gramophone records. This stall is being run by the Liberal Party, and books and records can be left at the Party Office, 47 Parliament Street. If you can't deliver them, phone 3-4043 to have them fetched.

## Man's Inhumanity to Woman ...

At the time of writing it seems as if there is to be no further reprieve for Mrs Elizabeth Mafekeng, mother of eleven, President of the African Food and Canning Workers' Union and a vice-president of the A.N.C. Women's League, who has been banished to the wilds of Southey, in the Vryburg district from the home in Paarl where she has lived for thirty-two years, but who was granted a week's respite by Mr De Wet Nel. She is being banished under the Native Administration Act because her presence in Paarl is said to be "injurious to peace, order and the good administration" of the Africans in the Paarl district.

In terms of the Act Mrs Mafekeng's attorney has called upon the Minister to furnish her with the reasons for the order and with a statement of the reasons which induced the Governor-General to issue such an order.

Mrs Mafekeng is to take her two months old baby with her: she must leave her other ten children behind because there are no schools at Southey. Her husband, who earns £4 a week, will have to support family and his 95-year-old father without the £5 a week which his wife had been earning by trade union work. Her three elder children may be able to supplement this a little. When she was handed the order of banishment, Mrs Mafekeng says, "I was told I need not think I would be allowed back if my children were ill".

One cannot help thinking that peace, order and good administration are hardly likely to be enhanced by actions like this. The one gleam of hope in the situation is the fact that it has aroused public interest, and must be making many people realise more vividly that there must be something wrong with a system which can issue in such inhumanity. The "Cape Times" comments:

"Any White mother may belong to any legal organisation she can find time to serve, and work with all the vigour she possesses to

promote its aims. Mrs Mafekeng for doing just this is wrenched out of her family, forced to break up her home, and banished to outer social space. This is both inhumane and tyrannous ... A people who feel they must be saved by these methods, is not worth saving ...

### "Coloured" Facilities

Like the "Cape Times", we can only welcome suggestions for some long-needed facilities for the Coloured community. This is simple justice under the apartheid system. But it is significant that this is countered by the suggestion of separate benches for the non-white in the Public Gardens, segregation in the use of the City Hall (though ironically it is not proposed to make the Eoan Group perform in the old Drill Hall): and equally significant that there have been immediate protests from white people living in the vicinity of some of the beaches which it is proposed to set aside for non-whites. We await with interest the proposals which the Administrator will make as a result of the Commission's report.

### Indian "Rights"

Mr Maree, Minister of Bantu Education, told a Nationalist meeting in Natal recently: "We don't see the necessity to give Indians political rights, because they can get full rights by going back to India." In Indian group areas, however, the Government would be prepared "to give the Indian a certain amount of self-control - under supervision". The "Natal Witness" has pointed out that "by the intelligent application of (this) pons asinorum of politics" South Africa might "at no distant date be left to its true possessors, the Hottentots ... and the Bushmen".

Meanwhile Indian traders in the Transvaal are being crippled by the removal of Africans from their areas, or made to give up their businesses on the pretext that they are to be replaced by African traders. This has already happened in Germiston and in Topville (near Vereeniging) and is likely to spread in the Transvaal. These traders have been given little or no compensation, and in some cases at least have been replaced (says the "Graphic") not by Africans but by Afrikaners.

Indians in Durban too are becoming increasingly concerned about the application of the Group Areas Act, and the holding up of urgent housing schemes. But it is encouraging to know that the Durban City Council is speeding up its housing programme and intends to provide 42,000 houses for Indians.

### Location Trade

Mr De Wet Nel is encountering opposition from his own people in carrying out his policy of keeping trading facilities in urban locations (as well as in the Transkei?) for Africans. The Afrikaanse Handelsinstituut has protested that, instead of trading licences in locations (for Africans) it would prefer trading areas near locations (for whites) "in accordance with the policy of encouraging industries in border areas".

### "Unethical"

Mr Nel quite rightly says that this idea is "unethical". But he adds that "it is against established policy to build up large and established Bantu businesses in locations... When a Bantu trader in a location has sufficient capital to establish a large business, he must move his business to his (?) Bantu area where the necessary facilities exist, among them the establishment of Bantu towns. Another Bantu trader must then replace him." This, he added, would protect white businesses which were at present losing trade to Bantu businesses.

No wonder Mr Nel found it necessary to explain later that no Bantu trader would be "driven out" of the locations, or asked to go until there were "comparable towns, markets and opportunities" in rural areas. As he quite rightly said, this would be "inhuman". But how difficult to have to be continually reconciling one's economic theories with one's conscience. Wouldn't it be simpler - and more "human" - to let economics develop naturally?

### The Tragedy of "Immorality"

There can be few measures passed by the present Government which cause more headaches to itself and its supporters than the Immorality Act. From 1950 to 1957 more than half of the convictions (nearly 2,500 have been convicted) have been of white people. The number of convictions is increasing, and yet a police officer in Cape Town recently estimated that only one in a hundred offenders is discovered and prosecuted. Pressure is brought to bear on the Minister from some quarters to increase the penalties and even to introduce compulsory corporal punishment. But increased penalties have not so far been a deterrent. On the other hand, because of representations about the social stigma following on conviction, the Minister has instructed the Police to exercise particular care in investigating suspected cases, and it has been suggested that the names of those

brought to trial should not be published in the Press. To its credit, one Afrikaans newspaper has rejected this suggestion as opening the door to all sorts of corruption.

All this, of course, is apart from the fact that the same acts labelled "immoral" when performed by people of different races carry no penalty when performed by people of the same race.

As Mr Julius Lewin wrote recently, "The time has clearly come to demand a full inquiry into the operation of a set of laws, degrading to apply, that have already caused so much human misery."

#### C.A.T.A.P.A.W.

The Cape Association for the Abolition of Passes for African Women is calling a meeting in the Banqueting Hall, City Hall on Sunday, November 15 at 3 p.m. to enlighten the public and to register a protest about the imposition of passes on African women. We understand that the speakers will include Advocate Yvonne de Villiers and Mrs Annie Silinga. This is a matter on which African women feel strongly, and which adds to the difficulty of their life in towns. We commend the meeting to the support of our readers.

#### Coercion at Fort Hare

Seven members of the Fort Hare staff have been given notice by the Minister of Bantu Education to leave their posts at the end of this year. The Minister is reported to have stated at Glencoe that he 'disposed of the services' of these people because they were 'destroying the Government's policy of apartheid', and that he 'will not hesitate to sack any member of the staff, white or non-white, who does anything to destroy the apartheid policy'.

In a protest the Council of the University of Cape Town says: "In the absence of any specific allegation of subversive action against any of these officers, it would appear that members of the staff of a university college have been deprived of their posts because of the political opinions they conscientiously hold. A precedent is thus created for the dismissal of South African university teachers for their political opinions... All South African universities are threatened. Academic freedom for all begins to melt away as soon as it is denied even to a few...."

"Moreover, if apartheid is a justifiable policy, it will stand up to rational criticism; but to prohibit rational criticism of apartheid in our universities would be to condemn it in the eyes of every fair-minded person in South Africa and oversea."