

PC16/2/1/46



# CIVIL RIGHTS

News Letter

June, 1957

## It pays to protest

The Native Laws Amendment Bill has now passed into law - and even in its amended form it is, in all conscience, obnoxious enough. But it has been amended to some small extent as a result of the vigorous a sustained protests made by the Churches and other interested bodies. Can anyone doubt that, without those protests, Dr Verwoerd would have had the complete authority he originally asked for?

The Separate University Education Bill, too, has passed its second reading. But here again there have been important modifications. The provisions relating to Fort Hare and the Natal Medical School have been postponed; and the Bill as it now stands has been referred to a select committee. It is quite possible that it may not even be passed in the 1958, pre-election session of Parliament - in which case it would lapse and have to be introduced afresh.

These things point to the importance of organised protest. This is not the function of churches and welfare organisations, which have their hands full with their normal work. It is the function of the Black Sash and the Civil Rights League, which exist for that purpose. But these organisations need far more support. The public meetings and protest marches have shown that the thinking public is beginning to realise the need for opposing evil and oppressive legislation. Don't you know anyone who feels that way and has never done anything about it? Get them to join us!

We quote from the Annual Report of the National Council for Civil Liberties in Britain, just received:

"Our liberties can easily be lost if there is no effective body of people organised to preserve and extend them. If the fight to preserve a liberty has to be fought only by those directly concerned, then that fight is lost."

## New Crimes for Africans and non-Africans

Dr Verwoerd has now introduced into Parliament the Native Laws Further Amendment Bill. This Bill, according to the "Cape Times", gives "a long list of new offences". It gives the Minister power, as regards Africans, to deport without trial Africans who were not



born in the Union; "to tighten control on Natives from the Protectorates working in urban areas ... to declare as an undesirable inhabitant of the Union any Native not born here whose presence is by reason of his activities, or on any other ground, deemed by the Minister not to be in the general public interest" and to deport him. It lays down that Protectorate Africans (previously exempted from this requirement) must obtain permits to remain in urban or proclaimed areas.

Non-Africans, moreover, are being steadily drawn into the orbit of the Minister of Native Affairs. Under this Bill,

- (i) employing an African who has no pass or reference book will become a crime punishable by a £10 fine, or 30 days (in the past, employers had two weeks in which to register a worker, and the employment of an African without reference book was not a crime).
- (ii) The same punishment will apply to anyone who employs an African whose reference book shows that he is still employed by someone else.

### The other Caesar

Just to prove to us that (in spite of apartheid) we are all "brothers under the skin", the Minister of the Interior is also introducing a "simple little Bill" enabling him to deprive of their citizenship South African citizens not born in this country whose presence or activities he deems undesirable. The "Cape Times" says that in the new Bill such a person "ceases to be a South African citizen if he becomes a prohibited immigrant for purposes of admission to the Union. A person can be declared a prohibited immigrant for all sorts of reasons and the declaration is entirely within the discretion of some politician or official. Any person who is deemed by the Minister to be an undesirable inhabitant of or visitor to the Union' can be declared a prohibited immigrant and, if he is a South African citizen, he would lose that citizenship. The politicians are now proposing to arm themselves with power to inflict the heavy punishment of deprivation of citizenship, without trial, without hearing the accused, without any possibility of appeal, without even the presentation of an indictment.'

In Nationalist circles it is already being said that the Bill could be used to deprive such people as Father Huddleston or Rev. Michael Scott of their South African citizenship.



Permits in urban areas

Recently a gathering of 7,000 Africans outside the Johannesburg City Hall supported a seven-man deputation of Africans from the western areas who came to protest to the Mayor against the permit system, because "it denies us the right of any human being to live peacefully at home, and to provide protection and security for our families". The Press reported that the deputation was given a send-off by 20,000 people in Alexandra Township. The Mayor later told a press conference that he was prepared to ask the City Council to issue exemption certificates to African women who had been born in the city, worked there for ten years, or who were the wives or children of this class of resident; or who could show that they were in permanent employment and therefore were needed in the city.

This proposal can hardly be called over-liberal when one looks at the question from the African point of view. "Ilanga lase Natal" reports a statement recently made by a prominent African in Durban. He said: "Restrictions imposed by the Union's laws on the movement of Africans in urban areas have given rise to a terrific amount of illegitimacy. Almost every family in these areas has one or more children born out of wedlock. There are families with six or more members, all illegitimate. What makes the position even more deplorable is that the poor women breeding these large numbers of children with different fathers are left helpless by the man responsible to maintain and educate the children while working for under-breadline wages. The whole state of affairs demands serious review ..."

Contact between man and wife in the urban areas, said the speaker, is almost impossible. "The question of lodgers' permits has been complicated recently by new instructions from the heads of the Native Affairs Departments. They are alleged to have ordered that no females may get permits to reside in an urban area unless they have completed ten years in continuous employment or fifteen years in the employment of different employers in such an area. The result is that municipalities are obliged to arrest hundreds of our womenfolk for their presence in the locations without lodgers' permits, for which they cannot qualify by reason of this stringent stipulation... The irony of it all is that the African leaders are not consulted before such legislation is passed. These regulations, it is said, are in the best interests of the African people ..."



As regards the incidence of illegitimacy, the Durban Bantu Child Welfare Society has confirmed to "Ilanga" the seriousness of the position. "In the slums of Cato Manor alone, with a population estimated at 20,000, more than a third of the children are illegitimate. Thus the Society ... is daily confronted with the problems of abandoned children and hundreds of underfed boys and girls, thousands in need of education and more with dangerous diseases."

### The Art of the Possible

Clearly the most important matter here is the denial to so many thousands of our urban population - people who come to our cities because we need their labour - of the fundamental human rights of a decent home and a secure family life. But is it not time that the Government and the people of our country began to realise that when a law cannot be enforced, it is probably a bad law? The more stringent these regulations become, the larger the army of police and officials needed even to attempt to enforce them - and the less successful the attempt is. Certainly "the whole state of affairs demands serious review" ...

### Local Self-government

The incident of the deputation to the Mayor of Johannesburg has provided another example of how the Nationalist mind works. Both from Nationalist town councillors and from the Department of Justice have come suggestions that in future the Mayor should not receive deputations from Africans in the "European" area of the city, but should see them in the locations only. The Mayor, we understand, has so far, quite rightly, refused to be dictated to or to deny access to himself to any body of the city's inhabitants. But does not this foreshadow another "little Bill" to limit municipal authority and transfer it to the Minister of Native Affairs and the Police?

### How we grow

We welcome to the ranks of our readers from this month five hundred members of the Black Sash, and trust they will find our News Letter both interesting and useful.