

CIVIL



RIGHTS



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Cape Town

News Letter

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Contempt of Parliament?

Since our last issue a formal acknowledgment has been received from the Speaker of the House of Assembly of the letter sent to him about Senator de Klerk's speech at Potchefstroom. The Speaker, however, expressed no opinion as to whether this speech constituted contempt of Parliament or not.

The Chairman of the Select Committee on the National Advisory Council Bill has written to say: "The Select Committee carefully considered the report in the newspaper and the typed speech of the Minister ... The Select Committee on the National Education Advisory Council Bill finds that its work has in no way been affected by the alleged remarks."

We are still of the opinion that the Minister's speech was highly improper under the circumstances, and we hope that the Opposition members in Parliament will take up the points which we made when the second reading debate comes on.

Apartheid in sport

Senator de Klerk has meanwhile been distinguishing himself in other fields. The Metropolitan Motor Cycle and Car Club, by way of helping non-white racing drivers, planned to include in its race meeting an event for non-white drivers only. The Club made inquiries from the Divisional Council, the Zone Board, Group Areas and the R.A.C., none of whom anticipated any difficulties. Bending over backwards, however, the Club also wrote to Senator de Klerk "requesting his permission to hold the event". The Minister replied that "the Government cannot give its blessing to the proposal that non-white teams participate in the race meeting, and would rather that your club did not include the above event ..."

Consternation ensued. Great disappointment of the Metropolitan Motor Cycle and Car Club, which had been anticipating a big increase in its "gate"; even greater disappointment among Coloured racing drivers, who had been preparing their cars for the event. Even the "Burger" considered that "in this Cape

situation there is a case for flexibility", and urged that the race be reinstated. Finally the Club decided to hold the race.

The moral here - and it deserves wider recognition than it gets - lies in the fact that the proposed race was, in fact, a perfectly legal one. Much though he would no doubt have liked to, Senator de Klerk could not forbid it. He could only exercise what one might call immoral suasion. And credit goes to the Club for reversing its decision, but it should never have had to do so. It need not have asked the Minister's permission.

It is worth noting that the Government all too often does employ just these tactics, intimidating people into observing apartheid when there is no legal obligation to do so. Let us by all means find out whether such things are legal or not: but, if they are, let us not be intimidated.

SASA Conference

In this connection we note a report in the "Graphic" that the South African Sports Association proposes shortly to call a conference on the implications of the Group Areas Act for sporting bodies, and we hope that the findings of this conference will be made widely known.

The next step

Senator de Klerk, however, could not leave well alone. He has now made a statement on inter-racial sport in which he has reiterated that the Government will not allow "mixed" sporting teams either to come to South Africa from elsewhere or to represent her abroad.

Again there has been consternation among sporting authorities. It has already been stated that South Africa will not be allowed to compete in the Olympic Games if her team is chosen on racial lines. Now there are fears that she may be excluded from all other fields of international sport, and much ingenuity is being exercised to find a way out of the impasse which will satisfy both the Government and the international sporting bodies.

Senator de Klerk may well have exposed the Achilles heel of apartheid.

The right spirit

We are again indebted to the "Graphic" for the news that the South African Chess Federation has agreed to allow an Indian chess player to participate in its Open Chess Championship at the Wilderness - if he can find a place to stay.

The Hippocratic oath in practice

The "Graphic" reports, too (we do not know why these items seem to have been omitted from our local press) that the South African Medical Association intends to insist to the Minister of Health that non-white doctors in Provincial and State hospitals should receive the same salaries as white doctors. It is stated that in the Transvaal the non-white doctor of a certain grade is paid R94 per month while his white colleague on the same grade is paid R300. We hope this recommendation will be effective.

Unity in defence

When Mr Fouché, Minister of Defence, stated in Parliament recently that "All South Africans should stand together and throw in their weight", he was asked by Mr M. W. Holland (a Coloured representative): "When you speak of standing together, do you include the people we represent?"

Mr Fouché: "I am speaking of White unity, of Whites."

Comment is superfluous. But we commend to the Minister the suggestion of the "Cape Times", that to arm all sections of our population without discrimination would not only strengthen our forces, but would take the wind out of the sails of any prospective aggressors.

The Press Code

The "Cape Times" has stated emphatically on more than one occasion that the Code of Conduct adopted by the Newspaper Press Union is not a substitute for - or a device against - government censorship, and that it in no way makes it easier for the Government to introduce such censorship should it decide to do so. In our view, for the N.P.U. to adopt such a code has weakened its moral position towards possible censorship, and if it is not intended to stave off censorship, we have still to learn what is the purpose of introducing it.

One valid criticism of the Code is that it is not acceptable to the South African Society of Journalists. At a special congress in October, 1961 this body rejected any form of Press control, enforced or voluntary. In January, 1962, senior representatives presented a memorandum to the N.P.U. in which they rejected the proposed code. The Society is now holding a secret ballot to find out whether its members intend to sign the Code, and whether they are in favour of signing a declaration refusing to sign it. The result will be awaited with interest.

What is "subversion"?

Mr Vorster, the Minister of Justice, has on several occasions in the past few months uttered threats of stern measures against "subversive elements", agitators and others. One would have thought that he already had ample powers under existing laws, but he has stated that he will introduce legislation this session "to make it easier to maintain law and order". Measures already taken include the expansion of the security police and the police reserve and the intensification of border patrols - not to mention the provision for increased defence expenditure in the Budget.

But Mr Vorster carries the Government's passion for control further than this. At the opening of the National Law Conference he made the somewhat sinister suggestion that consideration should be given to whether members of the legal profession who through "subversive activities" were furthering the aims of communism should be allowed to continue practising in South African courts.

From the press report it is not clear what "subversive activities" the Minister referred to. But we hope that the legal profession will refuse to be stampeded, and will make full use of the Minister's undertaking to consult it before introducing any legislation affecting its members. The Minister's definition of "subversion" might well be unduly elastic, just as is the statutory definition of "communism". For instance, what of a legal man who defends persons accused of treason, or persons who are assisted by such organisations as the Defence and Aid Fund? What of legal men who serve on bodies opposing apartheid, or even on our own League's committee? We are beginning to approach a state of affairs when opposition to the Government is almost regarded as treasonable, and criticism of apartheid almost equally so. Mr Vorster will be well advised to let the legal profession continue to manage its own affairs.

Trade Union progress

One really encouraging piece of news is the report that the Trade Union Council of South Africa is to admit African trade unions to membership. As was pointed out at the Council's conference recently, this is a first step towards government recognition of these unions, and will certainly introduce a new element of sanity and realism into trade union affairs.