

# CIVIL



# RIGHTS



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News Letter

## Salute to Courage

Patrick Duncan has died in London at the age of 48. Many a time many of us disagreed with him, sometimes fundamentally; but none could deny his sincerity, his generosity, his courage and his uncompromising adherence to his beliefs. In all these things he has left us an example to follow. We extend our deep sympathy to his wife and children.

## CAFDA

"Cape Town's Conscience" is holding its annual general meeting (the 23rd) on Monday, 26th June, 1967 at 4.15 p.m. in the Assembly Hall of the Mutual Building in Cape Town, and the guest speaker will be Dr R.E. van der Ross. All are welcome to what promises to be a most interesting evening.

## Rights removed by the "Terrorism Bill"

We are indebted to the Press Service of NUSAS for the text of this Bill and for a number of salient points in it. Mrs Suzman described it in Parliament as "the most far-reaching powers ever asked for by the Government". We agree wholeheartedly with NUSAS in our opposition to a measures which provides -

- \* that a police officer may order the detention without trial for an indefinite period of anybody holding information relative to an offence under the Bill (Sect. 6(1));
- \* that the number of people under such indefinite arrest and the conditions under which they are being held need not be released - not even to Parliament (Sect. 6(6));

(The Minister apparently was not prepared to give an assurance in Parliament that even the next of kin would be informed of the arrests.)

- \* That any person found guilty of an offence under the Bill must be given a minimum sentence of five years' imprisonment where the death penalty is not given (Sect. 2(1)(c), Sect. 3);
- \* that in a number of instances the onus of proof is laid on the accused instead of on the prosecution (Sect. 2(1)(b),(c),(1));

\* that no court of law shall pronounce upon the validity of any action (arrest, detention, interrogation) under Section 6, or order the release of any detainee (Sect. 6(5)).

The only mitigating features appear to be that

\* Any detainee may at any time make representations in writing to the Minister relating to his detention or release (Sect. 6(3)). Apparently, however, he is not necessarily entitled to be told why he is detained.

\* If circumstances permit (!), a detainee shall be visited in private by a magistrate at least once a fortnight. (Sect. 6(7)).

NUSAS comments that "repressive measures of this nature are not the way to deal with terrorism ... only the establishment of a just society in South Africa will eliminate the danger of terrorism".

### Freedom and Christianity

Delivering the annual Academic Freedom lecture at the University of Cape Town recently, Rev. C.F. Beyers Naude gave his audience a message both courageous and challenging. The freedoms which all true democracies held dear, he said, "formed an intrinsic part of the Christian faith". Policies which lessened the freedoms of any section could not be reconciled with Christianity and the Christian conscience. Speaking as an Afrikaner, he said the history of the Afrikaner proved that where rights which he regarded as basic were denied him, he was determined not to rest till they were granted to him. "And will not exactly the same process repeat itself on the part of all the groups in our country who hold legitimate grievances of freedoms and rights being denied them by the very same people who, until a very short time ago, were the victims of similar forms of discrimination?"

He urged his listeners to -

- \* find a faith you can live by;
- \* share your viewpoints and convictions with your fellow students of all cultures and races;
- \* create and cultivate dialogue. Always try to understand the other student's point of view, but never try to win him over by any compromise on principle on your part;
- \* live with a vision of service; the service you could render your fellow men in need. Discover the areas of such service in as well as outside South Africa; (Mr Naude said they should support the Prime Minister's indications of a new reaching out to Africa.)

\* "lastly, I would call upon each and every one of you to remain seekers after truth. Never be afraid to follow truth; that truth which can always pass the highest test of justice, love and freedom.

Rather be afraid of all communities where truth is feared, evaded, distorted or suppressed."

### Removing racial friction?

A new Coloured township at Slangkop, near Kommetje is planned by the Divisional Council, to accommodate the 1,500 families living in the Fish Hoek-Clovelly-Noordhoek-Kommetjie complex. These people work in the Fish Hoek area, and it is reported that the Fish Hoek white community are pleased to have them settled near at hand. But Kommetjie thinks differently. Its inhabitants argue:

- \* We do not want a Coloured township on our doorstep;
- \* No employment for Coloured people in our area;
- \* The township is too near the Kommetjie beach and will encourage Coloured people to frequent the beach and village; (there is however, apparently to be provision for a road link to the beaches of Witsands and Soetwater and the closing of the present road by the lighthouse, in a white area.)
- \* Kommetjie is traditionally a white area;
- \* It will result in the destruction of all the indigenous flora and fauna in this area;
- \* Imhoff's Gift has always been under White ownership; there will be racial friction;
- \* The site is too distant from Coloured hospitals, the University College, etc., and will retard the development and rehabilitation of the sub-economic groups;
- \* Coloured people would have to be transported through a White area (Fish Hoek);
- \* It will destroy the natural landscape of the Atlantic coast road system;
- \* It will create unpleasant social conditions and traffic hazards on the approaches to Kommetjie; and
- \* The Whites in Kommetjie are being hemmed in by Coloured people."

Christian? ...

The Divisional Council, apparently, has the courage to decide to ask the Administrator to approve the scheme in spite of this opposition, and declares its intention of providing all necessary amenities so that "there should be no reason why the development

of the sub-economic groups should be retarded in any way".

The Cape Times (5/6/67) comments on the objections: "It would be difficult to find anywhere in the world a more comprehensive and unashamed statement of repugnance and prejudice by representatives of one community against another... this naked advertisement of sectional dislike shows complete basic failure in the bettering of human relations in South Africa. ... The saddest fact of the situation is that those who are making the objections hardly realize that the tone of them is crushingly humiliating for another group of human beings. The precautions to which they appeal are the sort of precautions which are canvassed in support of dozens of apartheid acts of Parliament and ordinances by the provincial councils ... there seems to be no feeling among these people that they should begin to re-examine their own sense of justice, their compulsive reactions, or their blinder racial attitudes. They have been confirmed in this by the policy of race separation, and their prejudices have been hardened by its practice. We are, in fact, confirming race contempt daily as proper behaviour..."

#### Morality through legislation ...?

The Minister of Justice is reported (Cape Times, 3/5/67) as saying recently in Parliament in reply to a question that of the 252 men convicted under the Immorality Act in the year ended June 1966, 240 were Whites. Of the 236 women convicted, 148 were Africans, 80 Coloured, 4 White and 4 Asiatic.

Apart from the somewhat ticklish question how the numbers of men and women could be different, these figures surely go to show that "immorality" (i.e. miscegenation) is not prevented by legislation. The Cape Times comments that the percentage convicted is said to be "but a drop in the ocean" of actual cases - not to mention the growing list of suicides, ruined lives and reputations, the invasion of domestic privacy, the breaking up of many a stable relationship between people of different colours - and the wastage and misuse of police manpower - all with so little success!

#### Tailpiece

"Ideas can be injected into a mind and become so solidified and petrified there that they become immune to the leavening of reason, logic, or human justice."

Jane Duncan, in "My Friends from Cairnton".