

CIVIL



RIGHTS



Box 3807

Cape Town

Vol. XV No. 3
March 15, 1968

News Letter

Improper Political Interference

The Report of the Commission on the Prohibition of Improper Political Interference Bill, which has now been presented to Parliament, contains no real surprises. It proposes the abolition of the present representation of the Coloured people of the Cape in Parliament and the Provincial Council at the end of the term of office of the present representatives; the re-organisation of the proposed Coloured Persons Representative Council to give it 40 elected and 20 nominated members, and increased powers; the establishment of a Coloured Affairs Commission to "liaise" between that Council, the Coloured Affairs Department and the Minister; and the establishment of a similar Council for Indians.

The report also considers that legislation against "improper interference by one race group in the politics of another" is desirable and should prohibit

- * active participation in the party political activities of another group;
- * the existence of political parties with mixed membership;
- * financial assistance by political parties across the colour line;
- * aid to any political party from foreign sources of funds.

The Report recommends that the original Bill (which made far more extensive provision for the prohibition of any multi-racial organisation that in any way touched on politics) be not proceeded with.

Opportunity was given for discussion of the Report in Parliament, but the Bill has not yet been introduced.

The Government was apparently at pains to emphasise the "positive" aspects of the Commission's report, namely the establishment of the Coloured Council, and the recommendations regarding the prohibition of "mixed" political parties were not discussed. The only reference to them was by the Prime Minister, who is reported to have said that legislation on this point would be introduced, but the details were not yet fully worked out.

MOYA

The "Pretoria News" commented: "... no dispassionate observer can doubt for a moment that it is no more than 'bassskap' apartheid dressed up to look respectable ... We find the spectacle unedifying and we see these recommendations as no more than a reflection of the old fear of racial domination that lies at the root of most White political thinking in South Africa and an expression of White determination to retain all real political power at all costs".

A Nationalist Don Quixote?

Perhaps because the nettle is too thorny, the Department of Planning has passed back to the Cape Province the allocation of separate amenities for the different racial groups in the Cape Province. At any rate, the Province can hardly produce any solution that is worse than those already put forward by the central Department, which will no doubt now be considerably revised.

It is a hopeful sign that the Administrator of the Cape, Dr J.N. Malan) has stated in the Provincial Council that "the Coloured people have not had a fair deal", particularly in beach facilities, and that he hopes to find 'a second Cape Town' along the coast for the Coloured people.

It is perhaps expecting too much to hope that the Administrator will persuade the Government to reverse its Group Areas decisions regarding Kalk Bay and Simon's Town, but he may at any rate be able to permit the Coloured people to use those and other accessible beaches.

But we wonder whether Dr Malan has faced the reason for the unfair deal he recognises. The conclusion is inescapable that the Coloured people have been so treated because they have no vote of any value and so can be ignored by policy-shaping politicians. And we wonder if Dr Malan would go so far as to consult Coloured people's opinion. Do they want "a second Cape Town" - or would they prefer to remain in the one they have helped to build over three hundred years?

Nevertheless, more power to Dr Malan's elbow and to his stimulation of the Government's conscience.

The cost of apartheid

It was recently reported that the George Town Council turned down the offer of the Coloured Development Corporation to build a business complex for the Coloured people in the town's Coloured group area on the candid argument that it would harm White interests for the Coloured people to gain control of so large a business outlet.

The Prime Minister recently told his supporters in a Transvaal district that complete apartheid in shops was not practicable. He might have added that it would injure White vested interests! Local authorities cannot escape this sort of dilemma. And if such development is not allowed, how can "separate development" ever become viable?

"Coloured" Culture and Recreation

The "Cape Herald" commends the Minister of Coloured Affairs for having established a "Council for Culture and Recreation" for the Coloured people, but adds the justifiable comment: "It is a pity that the entire Council consists of white people... we do feel it strange that the Minister did not feel it possible, at the outset, to demonstrate his faith in our people by putting at least a few on the Council ..."

Among the frequent letters to the press complaining of the "unsavoury behaviour" of non-Whites in Sea Point and elsewhere it is refreshing to find one, signed "Experienced" (but why this anonymity?) saying that "there should be at least two parks between Bantry Bay and Mouille Point where non-White servants could meet on their free afternoons to knit and pass the time of the day with their friends". Culture, recreation and education would all reduce the "skolly" element.

Judges and banning

Like the "Cape Times", we find unconvincing the arguments of the Minister of Justice in reply to the notion of Senator Pilkington Jordan asking him to transfer his restricting powers under the Suppression of Communism Act to a panel of three judges of the Supreme Court. Subversive activities, said the Senator, should be defined as crimes and tried in open court, and the panel of judges should determine on facts whether the proposed banning was justified. The Minister would then only give executive effect to the judges' decision.

Says the "Cape Times": "The Minister's argument that a suspect's denial of the allegations against him would put a judge in the position of having to call for evidence is in fact a tacit admission that if justice is to be assured, there is really no substitute for a trial. This is what a lot of people who care for the values of Western civilisation have been saying for a long time ..."

We would be interested to know the Minister's definition of the "democracy" which he considers his banning powers help to preserve.

Justice and Power

We are indebted to one of our members for an interesting and challenging summary of an address given by the Rt Rev. B.B. Burnett (present Secretary of the Christian Council of South Africa) to a Faith in Action conference at Grahamstown nearly five years ago, from which we quote some salient points.

"... the problem of justice is really the problem of power. ... The power of collective egotism and fear will not yield to exhortation and sublime and high-minded "solutions"... No nation or any other group which enjoys privilege and power will sacrifice itself for another. Group selfishness is too strong. Likewise, no man, even a good man, should be given power that is unbounded by the rule of law. The Christian will seek to restore the rule of law in our land because he knows what is in Man. For the same reason in a mixed society the rights of minorities need to be protected by entrenchments... The art of politics which seeks just solutions is the art of balancing power, whether this means balancing the power of the legislature and the executive by the judiciary, or the balancing of the power structures of classes, economic interests or racial groups... to think that when apartheid is removed the just society will be around the corner, is an illusion because the problem of power will remain. For the problem of power always condenses around group interest and loyalties. The solutions sought by idealisms frequently produce other or greater evils, because of a failure to take evil seriously... Charity and philanthropy towards those who are denied justice are no substitute for justice ...

"Racialism is a deep-seated corruption of collective man, and it is not confined to white people. It is an expression of group egotism and a solidarity in sinful prejudice... Racialism is a kind of idolatry ... Because it is idolatry it will not disappear with education .. It is repentance more than enlightenment that is needed ... The problem of racial and other group loyalties will always be with us. There is no complete solution to it ... We should as far as possible protect men by law from the worst effects and the disadvantages of group prejudices, frankly recognising the ways in which evil perverts collective Man.

The "Dark Ages"

We hear little of "pass raids" these days, but they still go on. A Johannesburg magistrate recently compared police pass raid methods to 'the press gang system in operation during the Dark Ages when men were given no opportunity to produce their reference books