

2016/2/17/30



ANNUAL REPORT of the Civil Rights League for the year 1973-74
(presented at the Annual General Meeting, October 7, 1974)

Ladies and Gentlemen,

In reviewing the past year we have to mention, with deep regret, the death in March of our Patron and former Chairman, Dr Leo Marquard, and more recently of Ex-Senator William Ballinger, who have rendered outstanding service to the cause of civil rights in South Africa, and will both be greatly missed.

We have, however, pleasure in recording that the following have honoured the League by joining the ranks of its Patrons: Archbishop B.B. Burnett, Dr Ellen Hellmann, Professor A.S. Mathews, Rev. C.F.B. Naudé and Dr Alan Paton. We further record with pleasure the bestowing by our University of an honorary LL.D. degree on another Patron, Mrs M.L. Grant.

During the year there has been a regrettable deterioration in the legal position as regards civil rights, and the League has concerned itself with several issues in this regard. It has written to the Press on a number of issues such as the Affected Organisations Bill, the Riotous Assemblies Amendment Bill, detention without trial, the report of the Commission on the University of the Western Cape, the release of political prisoners, the Schlebusch/Le Grange Commission's report on NUSAS and the Defence Further Amendment Bill (conscientious objection). The League has also taken certain matters up with Ministers concerned and has submitted a memorandum to the Select Committee on the Defence Further Amendment Bill.

Legislation

a) Affected Organisations Act: This enables the Government, after declaring an organisation "affected", to prohibit it from receiving any funds from overseas, irrespective of their proposed use. This could cause serious embarrassment to organisations such as NUSAS, the Christian Institute and the Institute of Race Relations, much of whose activity is social rather than "political" (a term not defined in the Act).

b) Riotous Assemblies Amendment Act: This enables the authorities to ban any "gathering" of two or more persons, at any place, if such gathering is "suspected" of posing a threat to peace and order. Furthermore, a magistrate may now ban any gathering in his district for 48 hours, and the Minister has even wider powers. Against this grave invasion of the rights of property /private and association there is no appeal to the Courts.

d) Publications Bill: This measure provides, inter alia, for the abolition of the right of appeal to the Courts against decisions of the Publications Control Board. The League has previously made representations to select committees against this, but although the last Commission did not recommend it, it is included in the present Bill. The general principles of the Bill have been widely opposed by writers, both English and Afrikaans. Prominent members of the Press have also expressed their opposition to it.

In this connection it is noteworthy that the National Press Union, apparently in an attempt to stave off such legislation as regards the press, has introduced a new Press Code, but without consultation with the S.A. Society of Journalists, who are understandably indignant.

Such legislation interferes not only with the freedom of authors to write, and of newspapers to publish, but also with the right of the public to know, and is gravely retrogressive, because it may interfere with the public's right of access to information, and the right to conduct research and publish material.

Banning and detention

Figures given by the Minister in reply to questions in Parliament show that, though receiving less publicity, these procedures are still in considerable use. The League has repeatedly protested against these violations of the Rule of Law, and commends the opposition to them by the Opposition Parties in Parliament. The League urges the Minister to do away with these practices, to review all existing banning orders, to lift them except if really justified, and not to impose such penalties, except after fair trial in open court. As our speaker at last year's annual general meeting said: "The idea of danger from allowing ordinary procedures to operate is an undemocratic and unacceptable one". It is a large part of the League's function to build up an enlightened public opinion about this.

Defence and conscientious objection

Recently the South African Council of Churches passed a somewhat controversial resolution calling on its member churches to suggest to their members that they should consider the rightness of taking part in war in defence of an unjust society. This has provoked vigorous reaction, especially from the Minister of Defence, who promptly introduced a Bill making any such suggestion punishable by ten years' imprisonment and/or a R10000 fine. The

Bill was referred to a select committee.

The League has opposed the Bill as removing the right and duty of the individual to think out and decide on for himself such an issue of conscience. It will be recalled that four years ago a Conference called by the League strongly advocated this, as being in accordance with the practice in most civilised countries today. We hope that wiser counsels will prevail and that the right of the individual, both to discuss such issues and to opt out of military service, and substitute other service to the State, if he has genuine conscientious objections, will be established.

Release of political prisoners

One of the points made by African leaders when discussing the desirability of dialogue between black and white is that, before it can be meaningful, political prisoners should be released. "Our real leaders are on Robben Island", they say. This stand has been supported by NUSAS, and seems to the League to be a realistic one, judging by all past experience, especially that of the Portuguese recently in Africa. We would also urge the Government to discontinue the practice of imposing a five-year ban on such people as Dr Robert Sobukwe and others when they are freed.

The Schlebusch/LeGrange Commission

We have not had an opportunity of studying the monumental report of the Commission of Inquiry into NUSAS, the Christian Institute, the Institute of Race Relations and the now-defunct University Christian Movement. But it seems clear that, as suspected from the beginning, NUSAS was the real target. The Prime Minister has referred the report to the Attorney General for a decision whether or not prosecutions should be instituted. We may be pardoned for considering that the Attorney General's opinion could have been sought in the first place. If he declines to prosecute, the Prime Minister can declare NUSAS an "affected organisation". It would be interesting to have the Attorney General's comments on this elaborate witch-hunt.

Co-operation with other organisations

The League continues to co-operate with such bodies as the Institute of Race Relations, the Black Sash, the National Council of Women, NUSAS and the Students' Representative Council, and some staff members of the University. We welcome representatives of these bodies at our meetings and appreciate their co-operation. During this year we have also established what we hope will be a

a fruitful contact with the Trade Union Council of South Africa. We hope to find avenues of co-operation with more members of the Parliamentary Opposition as time goes on, and we number among our members several City Councillors.

Membership

We have enrolled a number of new members this year, but our original supporters have naturally, in twenty-six years, dwindled considerably. We would urge our members to be more active in enlisting their friends, in addition to the loyal support they themselves give us. In particular we would like to increase our Afrikaans-speaking membership, and that among interested Coloured and African people, of whom we have only a sprinkling so far.

The Wind of Change

Things are moving in South Africa. The League has always believed that change would come when the Coloured, African and Indian people began to speak for themselves, to demand their rights as citizens: and - in large measure because of the separate development machinery - they are increasingly doing so. At the time of writing the Coloured people are making uncompromising demands for equal citizenship and a voice in Parliament. Their economic status is rising rapidly and they are increasingly taking their share in the country's economic life. "Petty" apartheid is becoming more glaringly incongruous by the day. The African people are making their voice heard through industrial action, and the move towards organised trade unions is growing. African leaders are leaving the Government in no doubt as to their demands for their people, though still mainly in the framework of the homelands.

There is - though all too slowly - a growing sense, too, among the white people of the injustice - and the absurdity - of apartheid. Where it is not legally enforced, it is more and more beginning to disappear. If mixed sport is acceptable, why not mixed audiences at Nico Malan and City Hall? Why not mixed travel on trains and buses? Why have laws against these things? Even job reservation is crumbling under the pressure of economic reality...

Let us work to spread the leaven of friendship and equality, so that it may work while yet there is time.

OSCAR D. WOLLHEIM
Chairman