

# CIVIL



# RIGHTS



Box 3807

Cape Town 8000

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## News Letter

### Casuistry

The Report of the Van Wyk de Vries Commission on our universities, presented to Parliament during last session, is a ponderous document which includes a number of highly tendentious and questionable assertions. (References are to paragraphs of the Report) For example:

\* That South Africa is, and always has been, multi-national and that our universities have therefore "settled into shape in the social order based on the principle of multi-national separate development" (3.2).

\* That because there is "a bond between the university and the nation", the universities "must of necessity follow a distinctively South African of development". The bulk of the evidence quoted by the Commission on this point has been (on its own admission) translated from Afrikaans, and represents the viewpoint of "the majority of the universities" (6.25), with which the Commission declares itself in agreement. The views of the English-speaking universities are, indeed, quoted, but only to be dismissed. "It has been adequately demonstrated", says the Commission, "that in the dissenting cases the interpretation of these concepts (of university autonomy and academic freedom) is fallacious" (6.25). In fact, this has merely been asserted.

\* Another, almost more serious, assumption of the Commission is that "it is unthinkable that two different views of the nature of the university can exist side by side in South Africa. The state and other spheres of societal relationships should at all times accept the correct definition of the university" (4.20) ... there is no room in any country for more than one conception of the function of the university, especially not in South Africa ... the university has ... the responsibility to keep within the structure of principles of the state and society ... The state interferes with the freedom of the university only when it is no longer freedom with responsibility but licence, aimed at destruction" (6.6c). Licence, says the committee pontifically, "manifests itself in agitation for and against all manner of things that do not belong

on the university plane at all".(6.6c)

University autonomy

We commend to our readers a book just published (through Juta's) by the Students' Representative Councils of the Universities of Cape Town and the Witwatersrand, entitled "The Open Universities in South Africa and Academic Freedom" (see Cape Times leading article, 30/12/74), which is pertinent in connection with the Commission's controversial views on "academic freedom". The Commission defines this as "freedom in respect of academic matters", and limits it so as to exclude, for instance, participation by students and teachers "actively in the political field in an extra-parliamentary way". Nor does the Commission apparently regard this "freedom" as infringed by the removal of the right of autonomous universities to decide for themselves "without any interference from outside" who may teach, who may study and what may be taught under their auspices. The Cape Times comments, "The fact that they may NOT freely make such decisions, they may not admit students on academic grounds alone, without regard to race, colour or creed, is the chief reason for the outbreak of agitation among the universities when Government restrictions were imposed on them. They have been protesting ever since. But peaceful protests, it seems, are what Mr Justice Van Wyk de Vries was referring to when he spoke of participating 'actively in the parliamentary field in an extra-parliamentary way'."

The book refers to such restrictive legislation as the Suppression of Communism Act, the Criminal Law Amendment Act and the Terrorism Act, which it says "seriously limit frank and open discussion and make it difficult, for instance, for a member of the staff to embark on discussion of such topics as civil disobedience and the theory and practice of communism", and to the banning and detention of students and staff members without trial.

Says the Cape Times, "Clearly, if any body or institution has acted consistently beyond its capacity, it is not the universities but the Government itself. The universities have only reacted, relatively mildly, to almost unlimited 'interference from outside'."

### The Athlone Advice Office

The Annual Report of the Athlone Advice Office for 1973-4 can hardly be called a cheering document, revealing as it does that the "new era" of the Bantu Administration Boards has resulted, not in making things easier either for Africans or for their employers, but, on the contrary, in a more rigid application of the law. It is still extremely difficult for married couples to live together, or to have their families with them. The report notes, however, that African wages have risen and that the authorities "merit appreciation for encouraging employers to pay proper wages and to allow workers reasonable time off"; and officials of the Labour Department in Cape Town "conscientiously investigate all wage complaints brought to them and take trouble to help workers to get money due to them".

The Advice Office (operated jointly by the Institute of Race Relations and the Black Sash) tries continuously (though all too seldom successfully) through its legal advisers to get permission for married couples to live together in Cape Town. The report says that only one couple who came to the Office for help was successful in 1974!

The Office is now in Long Street, Mowbray in offices belonging to the Christian Institute, and welcomes interested visitors.

### 'Adopt' Bantu pupils

One of our revered members, Mr W.G.A. Mears, chairman of the Bantu Scholars' Fund, appealed recently (Cape Times, 13/12/74) to public bodies, churches or private individuals to 'adopt' a Bantu scholar for 1975 so as to enable him/her to obtain secondary education. The cost of this at a local high or secondary school is given as approximately R45 and at a boarding school about R110 p.a. The Bantu Scholars' Fund, says Mr Mears, has approximately 250 applications for 1975 and only about half the money needed to help them all.

We wholeheartedly commend this good cause to our readers. The address of the Bantu Scholars' Fund is Box 294, Rondebosch and we know the Fund would welcome (and make good use of) any donations, large or small.

### Government and the squatter problem

Last issue of this news letter referred to the almost impossible task faced by the Cape Town City Council in housing the squatters in the Peninsula, particularly while the Department of

Community Development insisted that half of any houses built by the City Council be reserved for people moved under the Group Areas Act. We welcome wholeheartedly the decision of the authorities to claim only 25% instead of 50% of such houses. This, says the Cape Times (31/12/74) "represents a victory for humanity over ideology and will give the hard-pressed and often criticised City Council room to manoeuvre". The paper says: "In the midst of plenty the plight of squatters is a rebuke to all who lay claim to civilised standards. The relief which will be afforded them as the increased number of houses becomes available for non-ideological purposes is a major step in the right direction. But it is not enough. What is still required is for the Department to waive its claim to the remaining 25 per cent. In the present circumstances ideology, and the harshness that flows from it, must take a back seat. If the relegation is permanent, so much the better."

We entirely agree - and we hope the Minister of Community Development does also.

#### Hopeful signs at Krugersdorp (Sunday Times, 1/12/74)

Recently several Cabinet Ministers have expressed the view that everything possible should be done to eliminate practices "which cause offence and serve no purpose". A member of the Nationalist-controlled town council of Krugersdorp, Mr "Mike" Smuts, has apparently been responsible for persuading that council to do away with certain hurtful "apartheid" practices. He mentioned 'Whites only' notices on public benches, the restriction of Blacks to only one day a week at the local game reserve and racial segregation in the new library. We are not told how many of these practices have been eliminated, but Mr Smuts's attitude is healthy and will, we hope, be followed by other municipalities. "It is no use paying lip service to change," he said. "Let's find out what the Blacks regard as offensive and we can tell them what we think is offensive. In other words, consultation."

We hope Mr Vorster and Mr "Pik" Botha approve.

#### Apologies

We apologise to any who have sent subs and not yet had a receipt. Our Auditor is very busy and has not yet been able to let us have our books back!

Let's make 1975 a good new year!

MOYA