

# CIVIL

Box 3807



# RIGHTS

Cape Town



News Letter

Vol. XVIII No. 3  
Issued 5/4/77

(N.B. No issue in March)

## Thanks for subs - and names

Our appreciative thanks to all members who have sent their subscriptions since our last issue. Receipts for these are enclosed herewith. If you have sent a sub. and do not receive a receipt, please let us know. Subs do occasionally go astray.

Our thanks also to those who have sent us names and addresses of possible members. Specimen news letters are being sent to these (34) persons as soon as possible. Keep up the good work!

## Conscientious Objection

This continues to a live issue in the Press, and we hope that increasing public interest will persuade the Minister to consider introducing alternative forms of national service. It has been reported that the chief of Defence Force administration is prepared to have talks with leading members of the sect which has been most affected by the present compulsion to military service. He admitted to the "Sunday Times" (March 14) that these continuing detentions (which legally could go on till the objector reaches the age of 65) "are becoming an embarrassment to the Defence Force and to the country". The League will continue to press for some alternative, constructive forms of national service.

## Petition on Censorship

A number of signatures to this petition have been sent on to the Pasquino Society. The League was, however, distressed to hear that a decision had apparently been taken to limit the petition to white signatories only, on the inadequate grounds that it "would be rejected out of hand by the Government" if it contained non-white signatures as well. Are the Non-Whites, then, to have a separate system of censorship (by a non-white Board?). We understand, however, that any who still wish to sign the petition may send their names to the Pasquino Society. Meanwhile, some amendments, though not very radical ones, have been introduced in an amended Bill.

Where are these 20 people?

Following on the arrest of the Dean of Johannesburg (who was subsequently brought to court and remanded for about two months), about twenty people all over the country were taken into custody by the police. Our Chairman, Dr Wollheim, made a statement of concern to the "Cape Times" on March 8 about the lack of protest over these detentions. "It is pointed out", he said, "that the normal process of law enforcement in all these cases has been reversed. First an arrest is made and then investigations take place under cover of anonymity and secrecy where the arrested person has no access to family or legal advice. Such a person is in great danger of incriminating himself - perhaps innocently - in order to secure his release.

"The normal process in countries where the rule of law is followed is that the police first investigate cases and only arrest persons when they feel that they have made out a prima facie case against them. At all times such persons have the benefit of expert advice and help if they require it. Furthermore, on arrest such persons must be brought before a magistrate at the earliest possible moment to establish that such a prima facie case actually exists and that arrests are not capriciously made. Arrested persons then also have the opportunity of asking an independent judicial officer to grant bail to secure their release until such time as their trial takes place."

The League called on the Minister and the Government to bring these arrested persons before the courts at once, and upon the public to protest vigorously "so that those held may have treatment at least equal to that of the Dean of Johannesburg".

The Cape Times, in an editorial on March 17, supported the League's protest, and gave a detailed summary of developments regarding the arrests, as far as these were known. It reported the Commissioner of Police as having said on March 5 that the names of the arrested people would not be released "for some time to come". As far as we know, they have not (nearly a month later) been released yet.

The Cape Times commented: "Local politicians never tire of telling us how peaceful and orderly South Africa is. In the light of this, it seems strange that the authorities, after more than a month of having the undivided attention of these people" (now more than two months) "cannot charge or release them ..."

"The least the responsible Minister can do is to issue a full list giving the names of the detainees and the laws under which each is held - and to secure immediate court appearances, or release."

We hope that Members of Parliament and the public will not let this matter rest.

### Municipal franchise

The Cape Town City Hall, which saw the historic meeting on September 14, 1948 of protest against the proposal to remove the Coloured voters from the common parliamentary roll, saw another gathering this week in protest against the institution of the parliamentary voters' roll for municipal matters, which will in effect remove the Coloured voters from the municipal voters' roll in the Cape Province (as well as firms and individuals not on the parliamentary roll, but who are municipal ratepayers). The meeting, though, alas, smaller, was vigorous. The League, which had written to a number of local authorities urging them to make representations to the Government against this change, has so far had a reply from only one - that of Cape Town, whose Town Clerk assured us that the City Council had taken up a strong stand on the matter with the Minister and the Cape Province Municipal Association, and that the United Municipal Executive was acting for all local authorities. He assured us that the Council held the same views as we did. We hope that local authorities will continue to protest against a measure gravely unjust to the Coloured citizens of the Cape.

### SPRO-CAS

We are enclosing with this issue the promised order form for SPRO-CAS publications, three of which have so far appeared. We commend them warmly to our readers.

### A wind of change?

There are stirrings amongst influential Afrikaners. For instance, Dr Jan S. Marais, Chairman of the Trust Bank, told graduates of Pretoria University recently that "we must accept the fact that with every second which ticks past on our clocks, the whole civilised world will be less willing to condone any form of discrimination on the grounds of birth, colour or background". We were, he said, entering a period of a "new meritocracy".

Professor S.P. Cilliers, of Stellenbosch, has put forward a bold suggestion that intensified development of the "homelands" should be accompanied by acceptance of a common society for all

in what are officially termed "White areas", with full citizenship for White, Coloured, Asian and urbanised African inhabitants.

While this cannot be regarded as in any sense a final solution, it would at least be a step towards the common society which we would like to see for all South Africans.

"No compulsion ...?"

The Deputy Minister of Bantu Administration and Development, Dr P.G.J. Koornhof, stated in Parliament recently that it was by no means the intention to force local authorities to accept against their will the establishment of administration boards for the purpose of bringing about greater mobility of African labourers. He added that the Government did not regard an African (sic, according to the Cape Times!) merely as a labour unit. There were, he said, such considerations as residential, social and other needs.

These are admirable sentiments. But it must be noted that the Government press until recently was apparently not informed of them. At least one Transvaal paper stated categorically that the main purpose of the Bill was to prevent such municipalities as Johannesburg from administering the affairs of its African citizens in ways not regarded as conforming to Government policy.

The case of Mr William Booie

Mr William Booie is an African labourer whose wife was endorsed out of the Western Cape. He therefore remarried. He has now been told that while his first wife is living in the Transkei, he will never be able to get a fixed home for his second wife and his five children in the Western Cape. He is "qualified" for a house, having lived here more than ten years. His second wife was born here. But in terms of the law he can only be a tenant in Guguletu ...

Will the new Bill deal with cases like this, Dr Koornhof?

These "blanket" warnings

Miss Paula Ensor, of Natal University, has been warned by the Chief Magistrate of Durban (on instructions from the Minister of Justice) to stop her "communistic activities". The Magistrate was not told what these were and so could not inform her.

Miss Ensor states that her only activities are student ones (she represents her University in NUSAS). Need we comment?