

CIVIL



RIGHTS



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News Letter

"Squatters and Human Rights"

We would remind our readers of our annual general meeting on Monday, October 13, 1975 in the Metropolitan Hall. This promises to be a most interesting evening. Bring your friends. In addition to two speakers there will be a slide show illustrating the conditions of squatters. Our annual report is enclosed.

Families and migratory labour

National Party congresses have not in the past been remarkable for their liberalism. It is therefore encouraging to read (Cape Times, 18/9/75) that a delegate in the Free State proposed a motion calling on the Government to scrap a 1945 law which prevented African women from joining their husbands in urban areas.

Mr W.A. Cruywagen, Deputy Minister of Bantu Administration and Development, agreed with the mover's sentiments and said the Government was "looking at" the law, which "could not always remain and was receiving attention". He pointed out, however, that to allow wives freely to join their husbands would "exacerbate" the already serious housing shortage.

Mr Cruywagen's fellow Deputy Minister, Mr Punt Janson, confronted with a request at the Party's Natal congress that the migratory system should be expanded to allow Xhosa and Shangaan workers to come to Natal (Cape Times, 26/9/75), told the Congress that "the migratory labour system is, at heart, not a good system". "The liberals say it but even a liberal can sometimes be right(!)" But although he said that Black fathers could not be stopped from working in towns to feed and educate their families, he, too, warned against the "almost insuperable difficulties" of allowing Black wives and children to join fathers working in "White" urban areas.

But the facts are unanswerable. The men come to the towns because there is a demand for their labour and they need to earn money for their families. They have a right to family life within reach of their work. And the effects of this system on African women and children, as well as on the men themselves, are devastating. Undoubtedly it is a gigantic task, but we would urge

the Government to tackle it with courage and realism. As a first step, let officials be instructed to stop bulldozing squatter homes and evicting women and children to the "homelands". It will take time, but, given determination, the problem can be solved.

Detention and "security"

To us who are concerned about the system of detention without trial, it is some small satisfaction that several members of the Government have felt it necessary to reassure their own followers about the necessity and the rightness of this procedure. The Prime Minister told the Natal Nationalist congress (Argus, 27/9/75) that because "it took time to plot against the State, to form organisations to overthrow the State by violence and to make the necessary preparations to undermine a government" the Minister of Justice had to ensure that investigations were thorough. Mr Vorster added that "the actions of the Minister were not arbitrary, because he operated in terms of laws passed by Parliament" - a non sequitur which he, like his Minister of Justice, seems to regard as entirely convincing.

Senator Denis Worrall, speaking at a Nationalist gathering at Rondebosch (Argus and Cape Times, 27/9/75), strongly condemned protests against detention, using similar arguments to those of Mr Vorster, and even declaring that the Principal of Witwatersrand University, by taking a leading part in public protest, was "doing great harm to university autonomy and academic freedom" - a sinister suggestion.

We find these arguments singularly unconvincing. Even if it were necessary for people to be detained, need they be held incommunicado, sometimes for weeks or months, in many cases without the families even knowing what has happened to them? This, as the Sunday Times points out (20/9/75), in spite of the explicit assurance given by Mr Vorster during his term as Minister of Justice that next of kin would be informed of all detentions. In some cases, such as that recently of Miss Megan Riley, they are released (in her case after fifteen days of solitary confinement) with no charge brought against them. Some of those held in September-October last year are still detained, some of them to appear as State witnesses. No one knows what happens to them during their detention.

It is laid down in the Act that if circumstances permit, a magistrate may visit a detainee once a fortnight. One of our members, writing to the Cape Times (27/9/75), asks pertinently: "Who decides whether circumstances permit? Supposing for argument's sake you

a detainee who has been assaulted - is the security policeman in charge of your detention going to decide that circumstances permit? Why has the normally available right of our judges to visit any prisoner wherever he is held been specifically excluded from the operation of the Terrorism Act?..."

We support wholeheartedly the call for the repeal of this Act, and, until repeal is possible, the following ameliorations, suggested in the letter we have quoted:

- * set up a judicial tribunal to review detentions within hours of arrest, and to review at regular stages thereafter;
- * allow judges to make unscheduled visits to detainees, and permit publication of their reports;
- * allow the International Red Cross similar facilities;
- * When irregularities are revealed by these reports, face up to them frankly, with full investigation and punishment of offenders. (A motion to be put to our annual meeting is enclosed.)

Neither Mr Vorster nor his Minister of Justice has given a convincing reason why any of these provisions should interfere with necessary investigations, by legitimate means, into possible plots or crimes against the security of the State.

A White Utopia? (Cape Times, 20/9/75)

It is reported that the South African Bureau for Racial Affairs (SABRA), at its annual meeting in Stellenbosch recently, decided to investigate a proposal to establish new towns for Whites only, with imported White immigrant labour to replace our own Black and Brown workers. It was not stated where it was proposed to locate such towns. It will be interesting to see if anything comes of this latest idea for what the Bureau's Director called "our future and the maintenance of our identity". It would at least have the merit of allowing the rest of South Africa to develop along more natural lines ...

A new basis of censorship?

In an article in the Sunday Times (28/9/75) Mr Shepherd Smith, editor of Scope, says that in South Africa today there are 17 500 publications on the banned list, and that in 1973 only 282 out of 1283 films were approved unconditionally.

Mr Shepherd Smith attributes these extraordinary figures to what he calls "the differing standards and ways of life of the different population groups" - a matter of heritage, of upbringing, of background, of outlook. Whose particular way of life, he says, are the censors going to uphold ?

Mr Shepherd Smith suggests that if we must have censors (though he himself is completely opposed to censorship in any form), each group might be allowed its own censors on a language basis - English-speaking and Afrikaans-speaking censors for their respective writings (he does not suggest any basis for the African languages).

He says, convincingly, "There exists a diversity in South Africa which is at the same time one of the strengths of our nationhood ... and one of its weaknesses, if we allow it to become so. We may not repair that weakness by over-emphasising our differences. But we certainly won't repair it by trying to smother one legitimate outlook on life by the fostering of another, or by the foisting of social mores that are repugnant to some people by virtue either of their narrowness or their permissiveness!"

The idea might be worth trying - with the addition of restoring the right of appeal to the courts against the decisions of the censors.

"Verligte" changes?

It has been interesting to follow the recent utterances of government spokesmen on the future status of the Coloured people. While one may be tempted to view these with some cynicism as an exercise in political egg-dancing, the fact remains that Cabinet ministers have been telling their followers that changes in White attitudes to, and relationships with, the Coloured people are inevitable. The recommendations of the Theron Commission are awaited with considerable interest - especially, no doubt, by the Coloured people, who are not likely to be satisfied with token representation in the Senate or even the appointment of a Coloured Minister of Coloured Affairs. The repealing of such legislation as the Group Areas Act and the Immorality Act, the abolition of job reservation, equal educational opportunities and, of course, equal political rights are likely to be insisted on by the Colour Representative Council. Probable developments in South/West Africa will strengthen their case.

The League would certainly support them in these demands, not perhaps to be achieved overnight, but certainly with the least possible delay. It is interesting that TUCSA, at its recent conference, expressed itself vigorously on such issues.