

CIVIL

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RIGHTS



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News Letter

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Police raids and detentions

On Sunday, October 24, 1971 police raids were conducted simultaneously in six towns in South Africa. Among those affected were an Anglican Bishop, a number of members of the staff of the University of Cape Town, and a number of students at various centres. It is reported that considerable quantities of papers were removed, although some of them at least were returned the following day. In addition, it is reported to date that at least twenty people (one of them White) have been detained. A police official has stated that they (or some of them) would be brought to trial as soon as possible, but so far this has not happened. Meanwhile one of the twenty has died as a result of jumping (according to reports) from a tenth storey window at the Security Police headquarters in Johannesburg. Another, who was in a Pretoria hospital reported to be seriously ill, has been moved to a jail prison.

Not unnaturally, there has been considerable public concern and an intensification of the call for the appointment of a judicial inquiry. The Prime Minister is today reported as having said that the procedure prescribed by law had always been and was still followed whenever a person died, whether in police custody or otherwise. For this reason he saw no reason for the appointment of a special judicial commission to inquire into any case.

The Security Police, he said, were at the moment engaged in "a comprehensive and serious investigation in connection with terrorism and sabotage", and it might be expected that in the course of the investigation more persons would be detained. It was, he said, the lawful task of the police to combat terrorism and sabotage, "and they will fulfil this task irrespective of any agitation on the part of certain newspapers and individuals to incite feeling against the police and to cast suspicion on their activities". The police, he said, "have strict instructions to act within the provisions of the law and, in spite of great provocation, considering the seriousness of the matter, they in fact do so".

A bad law ...

The Prime Minister says - and of course we accept his word - that an inquest will be held into the death of Mr Timol, and that the results thereof will be submitted to the Attorney General "for further action". But in view of the unsatisfactory results of the inquest on the late Imam Haron, and the number of unanswered questions left even in the mind of the magistrate who dealt with the case, we submit with respect that "the procedure prescribed by law" is not sufficient for justice to be seen to be done. It is laid down under the Terrorism Act that any commissioned police officer above the rank of Lieutenant-Colonel, if he believes a person to be a terrorist or withholding information relating to terrorists, may arrest, without warrant, and detain such person for interrogation for an indefinite period. It is expressly stated in the Act that "no court of law shall pronounce upon the validity of any action taken under this section, or order the release of any detainee". No one except State officials has access to a detainee, and thus detained people are at the sole mercy of the State, in the privacy of a prison cell or interrogation room. As the Cape Times rightly points out, even in a war situation such as that at present obtaining in Ulster, there is an independent review body for detainees and other safeguards such as access to legal representatives. Says the paper, "An independent tribunal headed by a member of the Bench of this land is needed to sift every shred of evidence about the movements and experiences of (Mr Timol) since his arrest last week".

The League has repeatedly called for a review of such cases and of the provisions of the Act. The very least that should be done is to permit detainees access to legal and medical advice. This could not but strengthen the position of the police in any legal steps they take to secure information. Until detained persons can be brought to trial, they should appear before a judge of the Supreme Court at least once a week. This would help to place our administration of justice, as it should be, above suspicion, and would increase public confidence in it and in our police force - who, as we know, have a difficult and responsible task. It might even contribute to eliminating terrorism ...

A judge's view

We support the view of Mr Justice Margo in the Supreme Court, Pretoria that, in view of public disquiet over the happenings of the week-end, doctors of the patient's family's choice should be allowed to examine Mr Mohamed Essop, at present in the Pretoria

Prison Hospital.

Detention - why?

It was reported this week (Cape Times, October 27) that a brother and sister, Alfred and Gwendoline Wilcox, had been released by the Security Police after being detained, incommunicado, for more than eight months. Their brother is one of the accused in the trial now being held at Pietermaritzburg under the Terrorism Act, but they have not been asked to give evidence there. The police have evidently taken all this time to make up their minds whether to call them as witnesses or not. Now, having been released, they have been banned from attending meetings for five years. All this without any charge being brought against them and, presumably, without anyone except state officials having access to them ...

Those SANLAM lifts

SANLAM, which has recently removed apartheid notices from its lifts (something, we are glad to say, which is not common in Cape Town buildings), has given the explanation that this was done because "people just took no notice of them and just got into the first available lift". And yet, as the Cape Times comments, "for several months one of the country's largest Afrikaner-controlled business concerns has operated mixed lifts without the bottom falling out of the social order". The paper suggests that similar risks might even be taken with our beaches, post offices, libraries, taxis, buses, restaurants - the use of which, it says, "in any event ... should be questions of personal choice rather than of statutory regulation".

Over to the Government

The Archbishop of Cape Town told a recent meeting of the Synod that the future policy of independent church schools on admission of non-white pupils would depend on the school councils. In view of the frequent gibes of government spokesmen about the "hypocrisy" of Anglicans who plead for the abolition of apartheid but keep their schools White, it is interesting to find Mr Blaar Coetzee, Minister of Community Development, quoted in an Afrikaans newspaper as saying that the daughter of a Coloured priest at Athlone was refused a permit to attend St Cyprian's School because "suitable schools" (presumably not church schools) were already available in the area in which she lived. We hope the councils of the schools concerned will continue to apply for permits when needed. After all, the daughter of a Malawian

Ambassador was pictured recently playing quite happily with her White schoolmates in Pretoria ...

Dialogue - first steps

It is heartening to see, at last, the beginning of dialogue between Afrikaner intellectuals and Coloured leaders. Heartening, too, that, to judge by the reports, the dialogue was frank. Gone - we believe for ever - are the days when either side hid its real feelings. For this, at least, South Africa should be grateful to the Government for establishing the Coloured Representative Council. When, we wonder, will there be real dialogue, with real results, between the Coloured, Indian and African people and the Government itself?

Mr Sonny Leon, leader of the Coloured Labour Party, sees a multi-racial convention as the only alternative to race confrontation. We agree with him. It is noteworthy, too, that discussions have taken place between him and Chief Gatsha Buthelezi.

No Black M.P.'s ?

On the other hand, it seems to us regrettable that Sir De Villiers Graaff should draw such a dogmatic line between White representation for Blacks and Coloured representation for Coloureds. And yet he says (quite rightly) that all races in South Africa have a common destiny. Does he believe that Black South Africans will accept "White political control" permanently?

Equal pay ?

Recent increases in Coloured teachers' salaries (Cape Times, Oct. 16) have risen from 54% to an average of 72% of those of correspondingly qualified White teachers. In June, 1971 the Minister of the Interior announced acceptance of the principle of equal pay; yet the Minister of the Interior can still blandly affirm that further increases "will be in accordance with circumstances and when justified" - whatever that may mean. In particular teachers complain that in paying a smaller percentage of bonus again this year to Coloured than to White teachers the Government is still maintaining the "principle of the gap". No wonder so many Coloured teachers leave the profession and emigrate to Britain, Canada or Australia. Particularly in view of the shortage of teachers of all grades, this is a tragic price to pay for the implementation of apartheid.

HAVE YOU PAID YOUR SUB. THIS YEAR? IT'S NEARLY OVER!