

CIVIL



RIGHTS



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News Letter

Help the Institute!

The S.A. Institute of Race Relations is holding its annual street collection on Saturday, April 22. We need not tell our readers how valuable is the work the Institute does. If you can spare an hour to hold a box, please phone 66-6645 or write to 5 Long Street, Mowbray. If you can't, we know a donation would be greatly appreciated.

Fluoridation and civil rights (Cape Times, 17/3/78)

The arguments for and against the fluoridation of public water supplies are being brought to public notice again on account of a statement by the Minister of Health that this is again being considered as a measure of preventive medicine (i.e. to prevent tooth decay in children). The Cape Anti-Fluoridation Society has made a vigorous protest to the Minister giving details of the dangers to health in general which are involved in this process (already tried and discarded by West Germany, Sweden and Holland and under critical examination in Britain).

While the League as such has not taken sides in this matter we would urge our members to acquaint themselves with the arguments against such a step - which, being a form of compulsory mass medication, deprives the individual of his right of choice. Further information is available from the Cape Anti-Fluoridation Society, 45 The Albany, Oak Avenue, Kenilworth 7700.

Squatter misery

The Athlone Advice Office in a supplement to its annual report gives details of the drastic demolitions of squatter villages in the Cape - Modderdam, Werkgenot, sections of Potsdam and Kilarney, Unibell. "The object", says the report, "is to 'tidy up' and to relieve the area of large numbers of dependants and illegal workers or would-be workers, in order to ease local unemployment and enforce the law. The effect has been widespread misery ... families broken up, legal workers in theory returning to their appointed bachelor bunks; some wives and their children squeezing in wherever they can; other wives plus the unemployed forced to take their problems to where they will only be worse. In sum a vast increase of unhappiness.

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this minor alleviation, how long³ will be necessary on more fundamental issues? And how much time is left for peaceful change?

Not banned for preaching (Cape Times, 17/3/78)

Amid the general uncertainty about what may or may not be done by banned people, it is cheering to note that the charge brought against Rev. Theo Kotze, of breaking his banning order by preaching in a church, has been withdrawn. Presumably it was decided that Mr Kotze was free to preach because he had not been specifically barred from doing so. One would like to know how many other banned ministers are precluded from preaching or attending services, and whether Mr Kotze is regarded as breaking his banning order if he sits in a pew instead of occupying the pulpit. The bringing and subsequent withdrawal of the charge suggests that the security police are by no means clear on the matter. Did they, perhaps, use Mr Kotze as a test case?

Banned "Outlook" (Cape Times, 11/3/78)

On March 10, 1978, the office of the Government Printer confirmed that the November, 1977 issue of "Outlook" had been banned. It was not clear from the press report whether the journal was banned for possession, or only for circulation.

If the latter, it seems singularly useless to stop the circulation of a journal which must have reached its subscribers some months previously. But it is almost more futile if the banning is based on its contents. Subjects dealt with, such as the bannings and detentions of October 19, 1977, have been reported and criticised in detail in most of our newspapers, none of which have to our knowledge been banned. Why pick on "Outlook"? This is a serious interference with the right of free comment and criticism in South Africa and, as such, an ominous portent.

The inadequacy of inquests (Cape Times, 21/3/78)

The inquests on Steve Biko and Dr Haffnerjee, though strictly according to law and providing legally impeccable verdicts that no person can be held responsible for the deaths of the two detainees, leave a very unsatisfactory impression. As the Cape Times points out, they show the inadequacy of inquests as a means of investigating the detention system (which of course is not their purpose). The findings of the two magistrates concerned are legally correct but, from the point of view of justice, highly unsatisfactory. For the sake of South Africa's legal reputation we would once again call on the government to institute a thorough inquiry by a judicial commission into the whole system of incommunicado detention

without trial and the possible part played by torture in the interrogation of detainees. Until such an inquiry is held, judges are justified in refusing (as they sometimes do) to accept evidence which has been obtained during detention.

A disgrace ... (Cape Times, 1-2/3/78; Burger (in Cape Times), 2/3/78) Commenting on the recent release of Mr Percy Qoboza, the Sunday Times says that Mr Kruger, Minister of Justice, stated that he personally decided to release Mr Qoboza. "This", says the paper (Mar. 12, 1978) "after a period of 4½ months in jail although he was convicted of no crime, nor accused of breaking any law, nor sent for trial, nor permitted to face his accusers, nor allowed the right of cross-examination, nor given access to counsel - in short, his incarceration was the arbitrary exercise of power."

Says the paper: "Is that how we are to be ruled? The Minister will decide when a man is to be locked up, and when he is to be released? Is the Minister infallible that he is given this right to command the lives of men? ... All South African newspapers now live under the shadow of the threat that they can be shut down, and see their editors jailed, if the Minister of Justice sees fit. No charges need be brought, no trial held, no conviction obtained in a court of law ..."

Professor van der Vyver of Potchefstroom is quoted by the Sunday Times as saying that the system is a disgrace to Western Civilisation, run by men who don't understand that civilisation.

It is not before time that Mr Kruger has announced his intention of taking "additional measures to ensure that people who are detained in accordance with the country's security laws will enjoy (!) greater protection". Visits by retired legal experts and district surgeons once a month, to report to the Minister himself, are better than nothing: but we still maintain that the reinstatement of habeas corpus would be more effective. We have still to hear of any government spokesman giving any convincing reason why this should not be done - and it would certainly carry more weight with those countries which at present condemn South Africa for its policy of detention without trial.

We await developments with interest.

TO THOSE WHO HAVE RECEIVED ANOTHER "REMINDER" WITH THIS -
PLEASE GIVE IT YOUR ATTENTION! OUR THANKS AGAIN TO ALL
WHO HAVE PAID THEIR SUBSCRIPTIONS.