

# CIVIL



# RIGHTS



Box 3807

Cape Town 8000

News Letter

Vol. XXV No. 4

Issued 8/5/78

## Arrogance on Crossroads (Cape Times, 3/5/78, 5/5/78)

To those who were hoping that a more humane attitude was emerging with the appointment of Dr Connie Mulder as Minister of Plural Relations and Development, the recent utterances of the Minister himself and of his Deputy Minister, Dr Willie Vosloo, must have come as a severe shock. Dr Vosloo in particular has gone back to the days when opposition was virtually equated with treason in his attacks on the "extra-parliamentary" protests of "the news media, academics, intellectuals, churchmen and humanists" for "purposely conducting a well thought out campaign to discredit the government through extra-parliamentary methods". Just where they could protest, except outside Parliament, Dr Vosloo does not explain. "Extra-parliamentary" has been revived as a term of abuse.

As far as one can judge from press reports, Dr Vosloo does not adduce any evidence of the "well thought out campaign" he denounces.

Dr Connie Mulder, the Minister, though more suave, has declared positively that the government will never condone squatting. Says the Cape Times, instead of showing "a willingness to reconsider some of the most disturbing and potentially dangerous aspects of the apartheid policy, he reaffirmed the following: Squatting could not be condoned and those black people in 'white' areas illegally - the vast majority of squatters in the Peninsula - would be 'removed', blacks in the Western Cape, even those who are permitted to be in the area, could not own, build or buy homes; there would be no black man with South African citizenship (and therefore full rights and equal opportunities) when the policy was taken to its full and logical conclusion.

"These, then, are the realities of government policy ..."

No one has ever asked Dr Mulder to tolerate squatting as a permanency. But the citizens of Cape Town are justified in asking that he should not deprive the squatters of what homes they have until something better can be provided to replace them. To move nearly twenty thousand people without such provision being made

is not only inhuman but dangerous. The bitterness it will create will bedevil race relations in the Peninsula for years and may cause a crisis situation.

We hope for all our sakes that the Minister will be persuaded to think again and that the Deputy Minister will exercise more judgment and discretion in his public utterances.

Whitewashing ...? (Cape Times, 6/5/78)

It has now been announced that the Department of Community Development is to spend R9 million to "improve" District Six so as to "stimulate redevelopment". This will involve moving about 500 coloured-flat dwellers in the area - and apparently some whites as well.

While the living conditions of those moved will no doubt be improved, and while the intention to rehouse the coloured flat dwellers as a single community (in some "suitable piece of land" still to be acquired) is sensible, this action will not erase from the public mind (and particularly the coloured mind) the injustice that was perpetrated by declaring District Six a white group area. It remains to be seen whether even the proposed rehabilitation will persuade whites to live or trade there - which so far they have not done.

The power of officialdom (Cape Times, 29/3/78)

Mr Justice J.H. Steyn, executive director of the Urban Foundation, is reported to have told an international symposium on forensic medicine recently that even if South Africa's "very special circumstances" might justify some departure from the rule of law, the exclusion of the courts from certain areas of the regulation of society's affairs could have a detrimental effect on the quality of government.

The judge said that "exclusion of the right of access to the court tends to lead to the consolidation of power in the hands of officialdom - and too much power already reposes there".

He warned doctors that expert witnesses called by the State were not required to establish the State's case against an accused but to give findings "objectively and scientifically". Even in a civil dispute, he said, the expert witness may not align himself with the plaintiff or the defendant, "no matter how just he may deem a given cause to be".

"No greater harm can be done to the administration of justice and to the interests of South Africa itself than by malleable courts served by malleable practitioners," said Mr Justice Steyn.

In partnership the legal and medical professions could bring greater rationality to every aspect of the administration of

justice. What was required, he said, was a forum for the discussion of joint areas of concern.

"I believe that in the striving for the establishment of a just society a nation needs the wise intervention of the court of law as an ultimate arbiter in areas of dispute between the citizen and the state."

Law or prejudice? (Cape Times, 1/5/78; Argus, 10/4/78)

It is reported that the S.A. Akademie vir Wetenskap en Kuns is likely to open its doors to blacks, and we share the satisfaction of several prominent Afrikaans writers (and the newspaper Rapport) about this long overdue move.

It has, however, been pointed out by Mr Jan Rabie (who, with six other members of the Akademie, resigned over the colour bar) that the situation should never have arisen, as there was no mention of colour in the Akademie's constitution. It was shameful, he said, that writers like Mr Adam Small, who had made a big contribution to the Afrikaans language, had been prevented from becoming members.

How many other bodies are there in South Africa which, on matters like this, are ruled not by law but by prejudice - or an unwillingness to invite action by the government?

It is deplorable, for instance, that such a body as the Spartan Harriers, which has hitherto had no colour bar in its constitution, should have had a proposal to introduce one - although we are glad to have heard verbally that this proposal was in fact defeated.

The A.S.B. moves (Argus, 10/4/78; Cape Times, 5/4/78)

The Afrikaanse Studentebond, with only one dissentient vote, has approved in principle the opening of universities to all races - including their admission to all student activities. This, says Argus, is "another little pointer to a new mood of realism which, allowed full scope, could work wonders in race relationships in a field in which closer contacts and understanding are most necessary".

It is progress too - though all too slow - that 745 Indians have been allowed to enter former white universities this year.

But when will our government see the wisdom of allowing our universities to choose their students themselves?

Wasting time, money - and people (Cape Times, 30/3/78, 6/4/78, 10/4/78)

The Minister of Plural Relations and Development in Parliament recently, in reply to questions, gave figures so shattering

\* Stellenbosch (cont.) "The real opposition in this country is the black people.- it is they who we have to come to terms with." - 4 -

as to be almost incredible. For the Bantu Commissioner's Court at Langa alone, there were 10 074 convictions under the pass laws during 1977. The Minister of Police stated that during 1977 224 308 blacks (32 970 of them women) were arrested for offences relating to reference books and influx control. At Langa, an average of 46 pass law cases were heard every day of last year. This harassment requires, says the Cape Times, a huge bureaucratic machine required to push African people around, a task both unproductive - except to swell the prison population - and unpleasant... Even assuming that a significant number were found not guilty, the strain placed on the prison administration, which already has its hands full dealing with real criminals, is ludicrous. Is this policy of harassing and badgering people who fail to carry bits of paper around, asks the Cape Times, really the best method of stimulating a sense of loyalty among people essential to the development of South Africa?

The Government, we are told, has budgeted for a daily average prison population in South Africa of 101 600 during the 1978/9 financial year, an increase of 4 300 prisoners daily over the previous year. It has estimated that these prisoners will cost the government R236,45 every day, compared with R227,37 last year. The total budget for the current financial year is increased by R11,4m. over 1977. The daily prison population is estimated at 4 500 whites, 600 Asiatics, 21 000 coloured people and 15 300 blacks (increased respectively by 400, 100, 1 600 and 2 200).

Is comment necessary?

#### Quotes from Stellenbosch (Argus, 22/4/78)

It was reported recently that four members of the Stellenbosch University S.R.C. had resigned because they were dissatisfied at its neutral rôle in politics. Some of the reasons they gave to an interviewer are of interest:

\* "I see a university as a place that should have a critical rôle in society ... If students don't question what their church leaders, politicians say, they are working towards stagnation in the field of political thought in South Africa."

\* "It is no longer a political privilege for the young to differ and criticise: it is their duty. ..."

\* "The main rôle of the S.R.C. is to do everything it possibly can to stimulate critical thought and discuss relevant problems in an academic and responsible way."

\* "Stellenbosch is the heart of Afrikaner leadership ... I feel it will be a very sad day when Stellenbosch decides it has nothing to say about the political situation."

NOYA