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ANNUAL REPORT OF THE CIVIL RIGHTS LEAGUE FOR THE YEAR 1979-80  
(presented to the Annual General Meeting, December 1, 1980)

Ladies and Gentlemen,

Once more I have the pleasure of welcoming you to our annual general meeting.

The League has been in existence for nearly thirty-two years. For an organisation such as ours, this may perhaps be regarded as an achievement. Your Committee is very conscious that it would have been impossible without the loyal support of our members, who are distributed all over South Africa and even overseas.

The League has also been strengthened since its inception by the support of its Patrons, a notable body of people who have stood behind us. We have to record with deep regret the death during the past year of two of these, Professor Beinart and Dr Margaret Ballinger, both of whom have helped the League in many ways.

Events during the year

This year has been noteworthy for various issues affecting civil rights. Among them may be mentioned the publication of the Wiehahn and Riekert reports and legislation following therefrom; the creation of the President's Council; the unrest; the various industrial disputes; the renewed resistance to group area proclamations at Paternoster and in District Six; recent hopeful developments regarding housing for squatters in the Western Cape; the schools boycott, and the emergence of POLSTU in Afrikaans universities.

Immorality and Mixed Marriages Acts

One of the encouraging pronouncements of Mr P.W. Botha after assuming office was regarding possible amendments to the Immorality and Mixed Marriages Acts. So far, however, he has taken no action in the matter. This would undoubtedly be a step towards better race relations, and would lead to the granting of freedom of choice in marriage, which is undoubtedly a human right.

"Controlled" squatting?

At the Cape Congress of the National Party recently at Port Elizabeth the Deputy Minister of Development, Dr George Morrison (not previously noted for "liberal" views) told those present that the country would have to learn to live with a certain amount of squatting. The new Minister of Community Development had announced that the Cabinet had appointed a committee to go

into such alternative housing schemes as core, site-and service and self-build projects for black, coloured and Indian squatters, and low-income groups in the country's "white" areas. Experts consulted by the Minister had concluded that squatting was "basically a problem of poverty and not so much one of urbanisation". "It is therefore essential", said the Deputy Minister, "if the problem is to be adequately controlled and curbed, to encourage and assist blacks to build their own homes according to approved plans and under strict control to prevent slum conditions." We would have to learn to live with a certain amount of this phenomenon "as part of the emancipation of the third world".

We commend the Minister and his Deputy for this surprising realism and hope they will take prompt action accordingly. This follows on a previous announcement that 1600 houses for Africans were to be built in Nyanga township.

Recently there has been a suggestion that black women supporting dependants be given the same rights as male migrant labourers. It is to be hoped that the Minister will consider this favourably. But it must be noted that meanwhile, as a result of recommendation in the Riekerk Commission's report, the registration and expulsion of women in urban areas has actually been tightened up.

The proposal to abolish the 72-hour regulation, which was to have been tried out in Bloemfontein and Pretoria, has apparently been shelved owing to opposition in Pretoria. The Minister, however, has said that he is still "committed" to phasing it out. It could be a real step towards the granting of elementary human rights.

So would the proposal of the National Manpower Commission to abolish the "coloured labour preference area" in the Western Cape.

#### The President's Council

There are various points that can be criticised in this latest constitutional device. To be "legitimate", in the opinion of one authority on such matters, such a body should be permanent, representative and elected. In fact, it has been imposed on the country by the ruling political party as a fiat. Its members are to be nominated instead of elected (and the principle of representation also diluted in Parliament). Even more serious is the now notorious deliberate exclusion of blacks from membership.

#### Proposals for Natal

From another angle there has come (encouragingly enough, from Afrikaner academics) a proposal that Natal should be allowed to develop into an autonomous multiracial region with the powers of

the present Provincial Council. This seems a much more helpful idea, and we would like to see it taken seriously by the Government as a first step towards similar evolution in South Africa as a whole.

#### Conscientious objectors

The cases of Peter Moll and Richard Steele, who were imprisoned nearly a year ago for refusing to do military service, and subsequently given repeated spells of solitary confinement for refusing to identify with the Army by wearing military uniform, have caused growing concern, especially in the churches, which are said to be approaching the Government asking that the system be altered to allow alternative forms of national service.

It is suggested that a board of civilian and military people be set up to test the willingness of people applying for alternative service. The principle of the right of the individual to follow the dictates of his conscience (possibly at some cost to himself) should be recognized. Fundamentally, a man's conscience should not be constrained - not even by his church.

#### Detention and Banning

Nearly a year ago the then Minister of Justice was said to be considering the review of the law that allows officials to jail, ban or restrict people without recourse to the courts; but in a shocking new development this year the system is being applied more widely - e.g. to trade unionists active in industrial disputes. It is a deplorable system in any context and may actually add to the unrest, as it certainly heightens the sense of injustice. During the course of the year the League organised a "Week of the Innocent" to focus attention on the plight of the banned.

#### Constitutional proposals to the Schliebusch Commission

It is a sobering reflection that the Government, after spending much time and money on the Schliebusch Commission, can blandly reject or ignore the proposals put forward by a whole variety of bodies such as Inkatha and the South African Indian Council, or such authorities as Professor A.S. Mathews of Durban and Professor W.B. Vosloo of Stellenbosch which call for consultation between all race groups, and constitutional machinery which would give an effective voice to all of them.

Though some measures would inevitably have to be gradual and evolutionary, the repeal of discriminatory laws (including

the pass laws) would be a first step, and a declaration of human rights would serve in some measure as proof of good intentions.

The proposals made by the League to the Commission added the establishment of a free and independent judiciary, and essential rights of the individual such as the right to life, liberty and security of person; the right to basic education; the rights of workers and prisoners; and the right to freedom of thought and opinion, of peaceful assembly and association, and of representation in decision-making at all levels.

It will be interesting to see if the President's Council deals with any of these issues.

### Letters to the Press

During the past year the League has written letters to the Press on the following subjects:

- Conscientious objection (Jan. '80)
- Constitutional proposals (June '80)
- Detention (June '80)
- Fund raising by organisations (July '80)
- State intervention in the meat strike (Aug. '80)
- Freedom of information: the public's right to know (Oct. '80)

### Scholars' Boycott

The position regarding the scholars' boycott is still unresolved. We hope the Government will act decisively to meet the grievances of the scholars, and that the deeper grievances underlying them - results of the whole system of apartheid - will be effectively dealt with. There is no doubt that the deeper causes of the unrest go far beyond mere inadequacies in the educational system, serious though these are.

### Prisoners' right to study

The Minister of Prisons announced in Parliament (Cape Times, 13/5/80) that prisoners serving sentences under the country's security laws would have their post-matriculation study privileges restored. The Minister said a commission had been appointed to investigate the whole question of security-law prisoners.

We commend the Minister's action in this regard.

Kenneth R. Hughes

CHAIRMAN