

# CIVIL



# RIGHTS



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News Letter

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## Sinews of peace

Subscription time is here again. Please give the enclosed memo. your kind attention - and if you do not agree with its contents, please let us know. We do occasionally make mistakes!

## Comment on the Koornhof Bills (Cape Times, 13/1/81)

The Minister cannot, we think, complain of lack of interest from the concerned public in his proposed Bills. We respectfully commend, among other representations, the recent statement of the Chairman of Fingo Village (Grahamstown) Ratepayers' Association, in which he endorsed a decision by the Urban Councils' Association to make representations to the Minister on the Bills he proposes to bring before Parliament this session. Said Mr Zondeni:

"We have a share and claim to this country. Not only is it the land of our ancestors, but we contributed to the progress and advancement of the country ... We therefore claim that we should have a place in South Africa, not to be discriminated against, as the legitimate sons and daughters of South African soil."

Urban blacks, said Mr Zondeni, were here to stay, not merely as temporary sojourners. He therefore appealed to the government to elevate the status of community councils to one equivalent to normal recognised municipalities, and to speed up the recognition of 99-year leasehold. (He might have added, including the Western Cape, which as far as we know is still excluded from this recognition.) This, he said, would promote urban residential stability and enable people to improve their homes without fear and uncertainty.

## Erosion of human rights (Cape Times, 27/1/81)

The body, Lawyers for Human Rights, is to make representations to Parliament on the proposed Community Development Bill, which they say will, far from eliminating hurtful discrimination, in fact further erode basic human rights. The proposed legislation, they say, does not "recognise the fundamental right of a

citizen in the land of his birth to live and work in the place of his choice; it will lead to increased unemployment, poverty and overcrowding and crime - especially in the homelands".

The lawyers are to protest against the extensive powers vested in the executive branch of the state, and a provision in the Bill which excludes the jurisdiction of the Supreme Court in matters governed by that Bill.

The lawyers further state that

\* the people intimately affected by the proposed legislation have not been granted the opportunity to participate in its design and will not be instrumental in its enactment.

\* Existing influx control laws are applied in a racially discriminatory manner, causing profound indignity and subjecting black people in urban areas to bureaucratic control in nearly every aspect of their daily lives.

\* Instead of eliminating hurtful discrimination, the proposed Black Community Development Bill would perpetuate and extend the discrimination inherent in the existing system of influx control.

\* Criminal law is being overburdened as an instrument of administrative control of living conditions and employment opportunities for black people.

\* Vested rights under section 10 of the Black Urban Areas Act are not entrenched in the draft Bill and will instead be replaced by tenuous privileges based on administrative discretion.

The Minister has stated he is still considering the draft Bills, and we hope he will take note of these weighty representations. The League also submitted its views in November, 1980.

#### Elementary ... (Cape Times, 12-13/1/81)

Mr Willem de Klerk, editor of the Transvaler, is becoming increasingly realistic in his thinking. In an article recently in an Afrikaans Sunday newspaper he is reported as saying that

\* Numbers and force would not be able to ensure the survival of the Afrikaner.

\* Numerically the whites were insignificant compared with the blacks, and Afrikaners were a minority in terms of the other race groups in South Africa.

\* The difference between the trained and the unskilled would recede.

\* Force would not solve the problem. It could only be the answer for a short time. The Afrikaners would not be able to withstand the onslaught of a "liberation war" permanently.

It was, said Mr de Klerk, "completely out of the question" to deny urban blacks and black states participation in South Africa's



political processes, and "for the coloureds and Indians we have not yet had an answer". The time of "consolation prizes" was obviously over.

The problem, said Mr de Klerk, was to find a political settlement which would be acceptable for all races, and in which the political rights of all peoples, including the whites, were built in. He advocated a confederation of states with communal citizenship and the removal of discrimination resulting in equal opportunities in training, labour, competition and wages. Group rights, he said, would be respected in all ways, for example in own education.

Mr de Klerk will not be popular with the Kappiekommando, but we hope his views will be taken seriously by the Prime Minister and his colleagues.

#### Scrapping apartheid

##### In libraries (Cape Times, 22/1/81)

The City Council of Port Elizabeth decided in April last year to open its ten libraries to all races. It has taken legal advice and has been informed that no permit is necessary for this.

The libraries in Cape Town have been open to all for many years.

We hope the same policy is being implemented in other centres.

##### In liquor licences (Cape Times, 10/1/81)

A proposed amendment to the Liquor Act provides that licensees who have not "international status" will be able to make their own decisions about serving those whom the Cape Times refers to as "so-called non-whites". Says the paper, "For once, the government is living up to its professed attachment to the free enterprise system and allowing people to find their own level in society ... There is a long way to go yet in removing offensive provisions from a wide range of apartheid statutes. But the proposed clause eight is an excellent start..."

##### ... and among nurses (Cape Times, 21/1/81)

The South African Nursing Association, which has hitherto had separate bodies for white, Indian, coloured and black nurses, has now decided (at separate conferences) to embody the principle of non-racialism in its constitution. Nurses of all races will be elected to its seven regional boards, which will in turn elect representatives of all races to the central board. Membership fees and privileges will be uniform for all members.



... but not yet in sport" (Cape Times, 17/1/81)

But the Department of National Education apparently still allows the Cape Town City Council to open its sporting facilities to all races only "on an interclub basis", which has been described by the City Council as "a positive step in the right direction but not all we wanted".

Blows to press freedom (Cape Times, 22, 31/1/81)

There has been widespread condemnation of the action of the Minister concerned in banning the two Johannesburg newspapers Post Transvaal and Sunday Post. In this, it is some small consolation to note that the editors of such Afrikaans newspapers as the Burger, Beeld, the Transvaler and the Volksblad have expressed vigorous condemnation of this action. The Transvaler described the black newspapers as "an extremely necessary barometer of the turbulence in the community which it was difficult for whites to gauge". It must be asked, said the paper, how democracy could be served if mouthpieces of the left-wing sections of the community are gagged.

It will be interesting to see the recommendations of the Steyn Commission of Inquiry into the Media, which has received a considerable variety of representations, mostly in line with these views.

The Minister of Justice, Mr Kobie Coetsee, has given a wholly specious reply to Opposition attacks in Parliament on the banings. The government, he says (Cape Times, 28/1/81) did not ban the papers: the owners had been informed that the papers would be banned if they reappeared after the closure caused by the strike and so had decided to cease publication!

Mr Coetsee repeated the allegation that the papers concerned had been "promoting revolution". The government, he said, had decided, after more than a year of watching them, that drastic action was unavoidable because of "revolutionism, activism and far-left radicalism".

Catholic Archbishop J.P. Fitzgerald has condemned the "apparent ruthlessness" of the banning, which he says will "breed a sense of hopelessness and distrust in future promises" in the tens of thousands of readers of both newspapers.

With all the information he apparently had at his disposal, why did the Minister not charge the papers with their alleged crimes in open court?