

CIVIL



RIGHTS



Box 3807

Cape Town 8000

(all political comment by M. Rodger,
News Letter Box 3807, 527 CTC Bldg, Plein St, C.T.)

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Sinews of peace

Our sincere thanks to all who have sent in their subscriptions since the last issue of this news letter. Your generous support is much appreciated.

Are you satisfied?

Occasionally over the years we have received criticisms from members that the news letter is little more than a digest of the Cape Times! In fact, we have always regarded it as a digest rather than a source of fresh information (which the League is not equipped to provide). But it has been suggested that the contents might occasionally be varied with news of activity by the Chairman and/or committee members. Would you agree with this, or have you any other suggestions? To produce ten news letters of the present size in a year is, at present, as much as we can do. But the content might be varied. Comments, please!

As a matter of interest, the news letter has been appearing since March, 1954.

Why only two? (Cape Times, 19/2/81)

It is satisfactory (though it should have happened as a matter of course) that two blacks (Mr B. Mokatle, a member of the Wiehahn Commission, and Mr M.B. Kumalo, chairman of the East Rand Community Council liaison committee) should be included in the "urgent" new draft committee to recast Dr Koornhof's Bills. But surely, in a matter so intimately affecting the black people, the proportion should have been higher. We hope the black citizens of South Africa are grateful for small mercies! A few years ago, such a development was almost unthinkable: we hope this will set a precedent for future appointments. It will be interesting to know the views of the select committee on the constitution on the revised draft legislation.

"Sowetans don't want revolution..." (Cape Times, 18/2/81)

The Centre for Sociological Research at UNISA, reporting on a survey of Sowetan opinion as to whether violence was the most

effective method of securing meaningful change, reported that, after a survey of nearly 475 Sowetans (with educational qualifications ranging from standard six to post-matriculation), though the biggest single response (23%) was from those who saw revolution as the most effective means of securing deep-rooted change, the collective total who voted for non-violent measures as a viable means of obtaining change was greater. These people regarded Dr Nthato Motlana and Bishop Desmond Tutu as the "true leaders" of Soweto.

Progress with the pondoks (Cape Times, 2/3/81)

It is officially stated that over the last five years or so the effect of massive housing schemes in the Cape Peninsula has been to reduce by two-thirds the number of squatters' shacks on the Cape Flats in 1975. The Director of Community Development, Mr Louis Fouche, has said that, given sufficient funds, all remaining squatters in the Peninsula should be rehoused within the next year or two - this particularly in the Divisional Council area. (There is said to be a waiting list of several thousand applicants for Divisional Council houses.)

In the Cape Town municipal area, shacks have been reduced from 7317 in February 1975 to 1360. Shacks are not being demolished till alternative housing has been provided for their occupants.

On the other hand, Mrs Eulalie Stott, the City Council's housing Chairman, says the removal of pondoks has been achieved at the expense of thousands of families, living in grossly overcrowded conditions, who have been on waiting lists for municipal homes for more than ten years, and in many cases have not been able to live together as families.

The only solution is a vastly increased housing programme for which the government will have to provide the funds. We hope the Director General of Community Development will take this seriously

Of course, if District Six were given back to the coloured people it would be a step in the right direction ...

Officialdom and the courts (Sunday Times, 15/2/81)

Mrs Harriet Mtyingizane, mother of four, was born in Stellenbosch.

But for a six-month visit to Transkei in 1970 with her husband, she has lived there all her life. On her return to Stellenbosch her passbook was cancelled and she was ordered to return to Transkei, where she knows no one except her husband's family.

In 1978 she was given a temporary permit to stah in Stellen-

bosch, but this was revoked some months later. After the Athlone Advice Office took up her case in 1980, she was arrested and brought before a Stellenbosch magistrate, who found her "not guilty" of being in the area illegally. But the Administration Board has refused to endorse her reference to show her to be legally in the area, and has only issued her with a temporary permit. Subsequently her house was burnt down by officials and she was again given four days to leave the Western Cape.

Now the court has granted a rule nisi allowing her to remain in the Cape and has directed the Administration Board to show cause on March 18 why it should not endorse her reference book for permanent residence, restore her home and pay costs.

Certainly those Bills of Dr Koornhof's (revised version) are overdue.

It is fitting here to pay tribute once again to the Athlone Advice Office, and those legal practitioners who work with them, for the part they play in bringing these flagrant administrative injustices before the courts.

Broadmindedness - but ... (Cape Times, 3/3/81)

"It goes without saying that people must have the right to criticise the Broederbond, the Freemasons, or any other secret organisation..." (Die Burger editorial, reprinted in the Cape Times, 3/3/81).

The Burger suggests, however, more in sorrow than in anger, that it is "tactless" to be so candid on the eve of an election when it might "damage the National Party"!

Conscientious objection (Daily News, 19/2/81; Cape Times, 19/2/81; Sunday Times, 22/2/81)

We are indebted to one of our Durban members for the statement on his conscientious objection to military service made last year by Mr Charles Yeats, who was recently arrested in Durban for not reporting for such service.

Mr Yeats, who belongs to the Anglican church, refers to the 1978 resolution of the Lambeth Conference which urged all Christians to re-examine their own attitude towards, and their complicity with, violence in its many forms. He emphasised two points:

i) He distinguished between wars which are avoidable and those which are not. In wars where a negotiated settlement is clearly not possible, he was then prepared to do non-combatant service in the medical corps, but not to render any form of combatant service with a good conscience.

ii) In wars where it is possible to negotiate peace (as in South Africa, "by involving representative black leaders in a political settlement"), he felt he could not accept a non-combatant posting to the medical corps.

iii) On the Christian principle of love for our enemies, Mr Yeats is now a conscientious objector to all war.

His request for a non-military alternative has not been granted, and he was arrested in Durban on February 18.

The Civil Rights League, which took up the issue of conscientious objection nearly ten years ago, firmly supports the right of any citizen to follow the dictates of his conscience, on this as on other matters, and is in favour of the changing of the existing law to allow of such freedom of conscience.

Is there any hope? (Sunday Times, 1/2/81; Cape Times, 3/2/81)

The scepticism of the coloured and Asian members of the President's Council about its effectiveness in changing the South African situation is understandable. The Prime Minister has definitely stated in Parliament (says the Sunday Times) that "far reaching recommendations which might clash with traditional and present government policy" will not be tolerated. In particular, he has made it clear that black membership of the Council is ruled out. It looks as if an impasse is inevitable. One wonders just what the Prime Minister hopes to achieve through such a circumscribed device. Of what use are its recommendations if they can be vetoed by National Party caucus and congresses?

Civilised punishment? (Cape Times, 12/2/81)

In Parliament recently Mrs Helen Suzman, expressing her own personal view, called for a commission of inquiry into the abolition of the death penalty, saying that South Africa's executions were not only the highest in the world, but probably higher than all countries in the Western world combined.

We wholeheartedly support this plea, and hope the government will act on it.

Those interested in the racial classification of sentences will find a most informative and thought-provoking article by Professor Barend van Niekerk, of Durban, one of our distinguished legal members, in the January 1981 issue of Reality, to which unfortunately lack of space prevents our doing justice here.

We do not know whether the Society for the Abolition of the Death Penalty in South Africa, which the learned Professor addressed in Johannesburg in 1971, is still active.

(address at that time, Box 114, Overport 4067, Durban)