

# CIVIL



# RIGHTS



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News Letter

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## Humanising detention? (Cape Times, 19/3/82)

The Detainees' Parents Support Committee has been informed that police investigations regarding eleven detainees being held under Section Six of the Terrorism Act have been completed and the information forwarded to the Attorney-General. The police are now waiting for the Attorney-General either to charge or to release the people concerned. Meanwhile the detainees are being allowed visits from relatives, and also reading materials.

## Detention and justice (Cape Times, 12/3/82)

The Association of Law Societies, however, remains concerned at the omission from the Rabie Commission report of recommendations aimed at preventing injuries and deaths in detention, and has recommended the following:

- \* Family, next of kin and a lawyer should be informed immediately of detentions.
- \* A detailed code for the treatment of detainees should be drawn up and uniformed police should be present at interrogations.
- \* The uniformed branch should keep full records on detainees, with contemporaneous notes on all stages of detention - covering medical examinations, interrogations and the physical and mental health of detainees.
- \* Private doctors nominated by the Judge-President should have access to detainees at two-day intervals.
- \* Senior magistrates should be present during interrogations.

The commission, said the association, had failed to introduce safeguards to ensure that persons were not detained unjustifiably. Nor had it dealt adequately with the lack of provision for payment of compensation to detainees by the state.

The association felt the Rabie Commission had failed to propose remedies for the following aspects of detention:

- \* The detainee had no right to know the reasons and conditions for his detention.

- \* No rules governed interrogation methods. Nor was any limit placed on the duration of solitary confinement. Detainees did not have the right to ask for clarification of their position.
- \* There were inadequate safeguards against misuse of detention provisions.

Housing needs - the facts behind the squatters (Cape Times, 13/3/82)

The Minister of Co-Operation and Development, Dr Piet Koornhof, stated in Parliament a few weeks ago that there is a housing backlog of about 160,000 houses for black people in South Africa, but projects have been planned for only 14 279 units, approved by the National Housing Commission "pending the allocation of funds". The Minister could not give figures for houses built by administration boards from their own funds and loans from the building societies as these were "not readily available".

The Minister has also informed Parliament that the revised Black Local Authorities Bill is to go to a parliamentary select committee before the second reading. This Bill provides for the establishment of local committees, village councils and town councils for blacks and for the appointment of a director of local government. This Bill is the first of a trilogy which, says the Minister, aims to develop "a stable and humane dispensation for urban blacks".

An Opposition spokesman in Parliament has said that the Bill does not represent any major advance on the status quo in that it excludes so-called "illegal" blacks, does not come to grips with the question of freehold rights for blacks, and makes inadequate provision for the financing of black local authorities. The Minister, however, has said that the government is "investigating possibilities" on the financial issue.

While we feel that it is valuable for the Government to investigate any aspect of the question that may contribute towards a peaceful solution, we would urge that the abandonment of the concept of "illegal" blacks is fundamental. Until the Government is prepared to move on this issue, there can be no real advance towards a "peaceful solution".

Natal and Kwazulu (Cape Times, 8/3/82)

The Report of the Buthelezi Commission of Inquiry into the Constitutional, Political, Economic and Social Development of Natal/Kwazulu is one of the most important documents to be published in South Africa for many years, setting forth as it does the hopes and expectations of political reform expressed by Zulus in Natal and elsewhere.

It is significant that the idea of independence such as that granted to the Transkei and Ciskei - political separation, even with equitable partition - has been rejected by 70 per cent of blacks both in Natal/Kwazulu and on the Witwatersrand. Clear majorities among all black groups want a unitary system and universal franchise, although clear majorities among all black groups would support elected white, coloured and Indian leaders sharing decision-making with elected black community leaders in a consociational body.

One important recommendation by the Commission is that schools in the area should be open to all races with a single controlling administration. The Commission saw the existing inequalities in available education as a major source of discontent. The Commission has pointed out that in Natal sixty per cent of those entering school were people who, if they reached a level of literacy at all, would not be able to sustain it. The existing inequalities in available education were recognised as a major source of discontent and therefore of potential destabilisation in the area, and this must affect Natal as well as Kwazulu.

The Cape Times comments: "Let us hope that the Buthelezi report will stimulate a debate on national priorities ... Let us hope that Natal's sense of urgency is infectious."

Professor Lawrence Schlemmer, secretary of the Commission, says it would seem that blacks expect moves towards equality with whites, as opposed to simply improvement in their circumstances - specifically, educational reform, material improvement, better housing and the abolition of influx control. Failing this, social unrest might develop on a large scale.

We hope that Mr P.W. Botha - relieved now at least of the Treurnicht albatross - will take the Commission's report seriously and begin to move in the right direction, not only in Natal/Kwazulu but in all South Africa.

A common voters' roll? (Cape Times, 3/3/82)

In the Cape Provincial Council two local Provincial Council-

lors have called - but unsuccessfully - for the restoration of the municipal franchise to all races on a common voters' roll. They pointed out that the management committees which replaced the franchise "are purely consultative and advisory, they have no meaningful decision-making powers and have consistently been rejected by the communities which on the face of it they were intended to serve". The seconder of the motion said, inter alia: "I say 'on the face of it' because it is apparent to all that the establishment of the management committee system in conjunction with the removal of these communities from the municipal voters' roll constituted a major deprivation of rights intended primarily to cater for the selfish interest of an apartheid-geared white community."

Have we not learned anything since then?

Harfield Village disintegrating (Cape Times, 22/3/82)

To those who travel daily by train from the southern suburbs Harfield Village is a familiar sight - a decent, respectable suburban area. Two years ago it was declared white under the Group Areas Act. At that time, eighty per cent of its inhabitants were coloured. Now, there are 50 families left who have been told they must move by the end of March. Many of them were born and brought up there. Now, says the Cape Times, "rows of streets are empty, houses and shops are boarded up ... Thousands of former residents have already been moved to the Cape Flats, an area with one of the highest crime rates in the world. The rest are waiting ... In some cases they have nowhere to go. Residents say that when white families move into vacated houses, they leave again after a month, to be replaced temporarily by another white family, whereas the coloured families "really want to live here".

Said one inhabitant, "Where else do the poor have to move away from the cities and business, while the rich people carry on staying close to the towns, right on the transport routes."

We hope that the glimmerings of sanity (not to say humanity) which, all too slowly, have been dawning on the authorities about District Six will dawn likewise about Harfield Village.

But alas! the glimmerings are evanescent. The Department of Community Development is now offering eighty-two of its renovated two-bedroomed houses and twenty town houses for sale to whites - at prices ranging from R31 030 to R51 080.

We sympathise with the City Councillor for the ward, who has commented that "no decent white Capetonian" would ever move into the district in the present circumstances.