

# CIVIL



# RIGHTS



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News Letter

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## Removing "black spots" (Cape Times, 14/4/82)

Dr Piet Koornhof, Minister of Co-operation and Development, recently told Parliament that there were still about 75 black areas in South Africa which were "scheduled to become white" in "consolidation of the independent and other national states". "The removal of people", he said, "is a very sensitive and complicated matter..." He mentioned one "black spot" in the Himeville district of Natal from which 69 families had been removed during the last two years at a cost of R54 153.86, and that R516.03 had been paid per family in compensation.

And all to implement an ideology which violates one of the most important of human rights - that of choosing where one wishes to live ...

## Playing together, but not eating together in Parliament (Cape Times, 14/4/82)

The Government has again refused to allow the entertainment in the parliamentary dining room of guests who are not white, although during the last year it has amended the Group Areas Act to allow sportsmen of all races to play sport, eat and drink together without a permit.

(The Government has further announced that it intends to amend the Blacks (Urban areas) Consolidation Act this year to allow whites to enter black townships to play sport.)

The Prime Minister said that the matter of the parliamentary Dining room was raised annually, but nothing had changed (he did not specify what might have changed!). Only cabinet ministers and the Leader of the Opposition are allowed to take guests of other races into the parliamentary dining room.

So much for verligtheid ...

MOYA

Closed facilities (Cape Times, 14/4/82; Sunday Times, 28/3/82)

The Cape Town City Council has again been refused permission to allow the use of its halls and facilities to all races, with the ponderous argument that "in the absence of new or more detailed motivations a further submission of the council's original request seems without object".

The Council's argument seems to us unanswerable; as a matter of justice, all ratepayers should have equal use of municipal facilities ...

Meanwhile it is interesting that the Durban City Council is considering opening part of its beaches and swimming pools to all races. We look forward to learning the Council's eventual decision - and the reaction of the Government.

The "banning" steamroller (Cape Times, 14,15/4/82)

Mr Nicholas "Fink" Hayson, a Johannesburg lawyer and former President of NUSAS, held in solitary confinement for about five months, was recently released and promptly banned for three years under the Internal Security Act. His banning order may make it impossible for him to continue his legal research and teaching and to practise law, by prohibiting him from entering an educational institution or a court. He is required to report to a police station once a week, is prohibited from attending social gatherings, may not be quoted and may not publish any material.

The authorities might almost as well have kept him in prison. At least he would have been fed there.

We hope that the Association of Law Societies will, in the words of the Cape Times, "stand as one man against onslaughts on their profession by government use of the banning mechanism, which" (it is no exaggeration to say) "means civil and professional death".

Detention without trial is bad enough. Banning might almost be regarded as worse, because it lasts longer. To employ both techniques against people who have not been proved guilty of any offence might be fittingly described as barbarous.

Safeguards for detainees? (Cape Times, 15/4/82)

The Cape Western Monthly Meeting of the Quakers recently quoted in the press the safeguards for detainees suggested by the Association of Law Societies of South Africa. These included:

- \* Family and next of kin and a lawyer should be informed immediately of detentions.
- \* A detailed code for the 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<sup>at</sup> two-day intervals.
- \* Senior magistrates should be present during interrogations.
- \* Emergency legislation should be brought into effect for limited periods only - when a serious threat exists to law and order.
- \* Warrants for detention should be issued by high-ranking police officers and should be confirmed by the Judge President within 14 days.

Like the Society of Friends, we wholeheartedly support these suggestions "for the sake of all the people of this country".

#### Military service (Cape Times, 22,25,26/3/82)

The Defence Amendment Bill, now before Parliament, to extend the period and scope of military service has raised again the issue of alternative forms of national service for genuine conscientious objectors.

Though we fear there is little likelihood of the Government (preoccupied as it is with the idea of 'total onslaught') considering this idea favourably, we would again urge them to do so. Really constructive national service in the civilian field is at least as important for the good of our country as service in the armed forces.

Significantly, the Cape Times comments on the Defence Amendment Bill:

"If they want such sweeping powers of conscription, there is an onus on the government to demonstrate rather more convincingly to Parliament why they are needed. There is evidently no imminent threat of conventional invasion. It may be deduced, thus, that the extra manpower is needed in the government's view for the maintenance of national security. . . Would not genuine reform measures go much further in securing internal peace than continued reliance on the use of force?"

### The Government's dilemma

The Cape Times further points out that "the country is indefensible ultimately on a whites-only basis, as this Bill proposes; but that "you cannot ask people to risk their lives in the armed forces unless you are prepared to give them citizenship rights on the same basis as everyone else; until (the so-called coloured and Indian groups) have been enfranchised on a basis acceptable to them it would be folly to talk of conscription... The same considerations apply with even greater force to the black African majority ... the Prime Minister should nail his reformist colours to the mast in a courageous declaration of intent. This could give everyone something to defend."

### Conscientious objectors (Cape Times, 22/4/82)

During the parliamentary debate on the Defence Budget, the Leader of the Opposition on April 21 issued a statement regarding an investigation by himself on behalf of his Party which, though not yet complete, calls for

\* Alternative service, for a longer period, for genuine conscientious objectors and, if need be, just as exacting and dangerous;

\* A statutory tribunal representing the churches, the Defence Force, and the judiciary, to distinguish genuine conscientious objectors from shirkers and draft-dodgers;

\* A parliamentary select committee, assisted by the churches, the Defence Force and the judiciary, to draft legislation giving effect to these proposals.

Dr Slabbert expressed the concern of his Party that there was no provision for genuine conscientious non-militarists whose conscience forbade them any participation in any army, saying that the harshness of existing practice towards such people "has caused considerable concern amongst most churches"... such conscientious objectors ought to be more productively employed than is presently the case," he said.

This has always been the attitude of the Civil Rights League.

### Significant?

According to the counsel for Dr Neil Aggett's family, an Inspector of Detainees who had come specifically to check on the treatment of Terrorism Act detainees was told he could not visit Dr Aggett because he was "out of his cell under investigation", and that, just 14 hours before his death, Dr Aggett reportedly made a statement alleging that he had been assaulted on January 4.