

CIVIL



RIGHTS



Box 3807

Cape Town 8000

News Letter

Vol. XXIX No.11
November 4, 1982

Our loss

We regret to announce the death recently of three valued members of long standing, Canon Frederick Findley, Professor Hansi Pollak and one of our Patrons, Professor Monica Wilson. Professor Wilson and Canon Findley had been members for nearly twenty-five years and Professor Pollak for nearly twenty. We extend our sympathy to their families and friends.

Things that matter

We make no apology for devoting a large part of this issue to the question of influx control in the Western Cape. This is certainly one of the fundamental issues that face us today and we hope the government is facing the need for reform here. It should be of concern to all of us, especially in Cape Town.

Swoops on "illegals" (Cape Times, 15,20,26/10/82, 2/11/82 et al.)

About 2,200 people are reported to have been arrested for pass offences in the Western Cape since September 27 and more than R50,000 in fines had been imposed before the end of September. We do not know the latest figures.

The "offence" of which these people have been guilty is coming to the Western Cape "illegally" and not being in possession of the necessary "documentation".

A Black Sash organiser has commented on the fact that many of them were arrested at bus stops, showing that they were economically active. It may be assumed that those not already employed were seeking employment to support their families and themselves.

Comment from one man not so arrested speaks for itself. "This is very bad," he said. "But we can do nothing because this is the government. They come here twice a week and take the people away. But after the fines are paid the people come back because they have nowhere else to go."

"If they cannot pay the fine we make a collection. Everyone helps. But we are getting too much tired of these raids."

and have not got these people to establishing them before there is any new legislation.

... will not accept this kind of treatment forever."

Our Chairman, Mr Brian Bishop, has commented: "We are creating an impossible situation for our children by making life unbearable for black South Africans." He appealed to all Capetonians to visit the Langa courts and "share in solidarity the suffering of these women and children".

Decentralisation ...? (Cape Times, 7,11/10/82)

Dr Koornhof has recently told a Nationalist congress that influx control measures alone will not work. He now proposes rapid development to create in the "homelands" the jobs and conditions that blacks seek in the "white" areas.

What would the Minister think if he himself was limited by law to earning a living and supporting his family in, let us say, a Cape, Transvaal or Free State dorp - whatever conditions might be "created" there for him?

Why do they come? The practical side (Cape Times, 28/10/82)

A research worker in 1979 found that, even if they spend nine months of the year in jail, blacks who leave Ciskei to work "illegally" in Cape Town are likely to triple their incomes, while those from Transkei will more than double their incomes.

Another research worker has said that "as urban unemployment starts to rise, so the incentives for coming to the city will decrease."

Why, then, does the government not allow economic forces free play?

Democracy ...? (Cape Times, 28/10/82)

It is significant that local trade unions and community organisations have raised the question of democracy. The general secretary of the Boilermakers Society, a man (says the Cape Times) not noted for his militant views, has said that while a certain degree of influx control was necessary, it would have to be agreed to by the people concerned and not imposed on them. These organisations believe, says the paper, that no solution is possible without the active participation of the black community.

We would respectfully urge that the government should explore this alternative to its present policy of institutionalised violence.

Apartheid and finance (Cape Times, 29/10/82)

We commend the decision of the Cape Town City Council that in future clubs and organisations wanting grants or loans from the Council must open their membership to all race groups. Bodies not so

open will henceforth have to put forward reasons acceptable to the council. The proposer of this step said that "with talk of political reform the fashion, the council had a responsibility and a duty to bring about changes in attitudes, giving strong leadership, example and challenges to those hesitant to make the required changes.

Abrogation of justice (Cape Times, 19/10/82)

At a service of support and prayers for banned people organised by the League recently, Professor John Reid of UCT said that it was the "fundamental right" of a person to know of what he was being accused and the evidence against him.

"A society", he said, "which deliberately abrogates justice to its members is a society that is already at war with itself, and a society at war with itself must eventually fall."

A shocking re-ban (Cape Times, 30/10/82)

Banning without trial is at all times a shocking procedure. When a five-year ban on a person like Rev. Beyers Naudé is renewed, it may fittingly be described as it was by our Chairman, Mr Bishop, as "nothing but the spite of inadequate men".

We are sure Mr Naudé has the prayerful support of our members and we hope the Minister may yet think better of this action.

A matter of conscience (Cape Times, 20,26/10/82)

It is reported that the question of conscientious objection to military service is at present being considered by the Minister of Defence and the Chief of the Defence Force.

The plan is said to include three categories of objectors: non-combatants, non-militarists within the SADF and non-militarists outside the SADF - the last category to serve twice as long as the others.

We hope that these proposals will be accepted by the government and the Defence Force Act amended accordingly. The present system of putting objectors in prison - in theory, at any rate, repeatedly - is highly undesirable in principle and a waste of good human material in practice.

/21/10/82)

"Instructions"...? (Cape Times, 25/10/82; Natal Mercury, /

The Minister of Law and Order is reported to have told Mrs Helen Suzman, M.P. that he was preparing to issue instructions relating to the conditions under which detainees were held and interrogated, as he had promised earlier this year in parliament.

It would be interesting to know (i) how much he, the

responsible Minister, knows about conditions of detention;

(ii) what changes are likely if, as he assured Mrs Suzman, every case receives his personal and careful scrutiny before people are restricted.

From the evidence given in court by officials concerned in the interrogation of Dr Neil Aggett, prompt and drastic revision of the conditions at present in force is urgently needed.

No wonder the Methodist Conference has called for a judicial inquiry into deaths in detention and the abolition of detention without trial. The Conference called for safeguards for detainees, including controls on the manner of interrogation, immediate access to detainees by legal representatives, and notification to families of the fact and place of detention.

State to take second place? (Cape Times, Natal Mercury, 17/10/82; Cape Times, 23/10/82)

It is significant that, after considerable debate, the General Assembly of the Presbyterian Church of South Africa at its meeting recently decided to continue to marry mixed couples and to quote banned literature from the pulpit in defiance of the government. The State, said the Assembly, had to take second place to God where scriptural justification existed. The Church would, however, continue to warn such couples of the "full implications and consequences" of their union.

We do not know how many other churches have adopted this stand, but we hope they will do so. A free choice in marriage is a fundamental human right, and one on which no authority has the right to dictate to the people concerned. If, knowing the present legal position, they decide to ignore the law, the choice is theirs.

After considerable debate, however, the General Synod of the Nederduitse Gereformeerde Kerk has decided that the Mixed Marriages Act and the Immorality Act should be retained.

"Civil Rights and the University"

We intend to print in pamphlet form the address given by Dr Stuart Saunders to our annual general meeting on September 15, 1982, and hope this will be ready for circulation early next year.

Copies will be sent to all recipients of this news letter.

MOYA

P.S. URGENT Please urge any Africans known to you who are presently entitled to rights under Sections 10(1)(a) and 10(1)(b) of the Urban Areas Act to apply for their Reference Books to apply for