

CIVIL



RIGHTS



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News Letter

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If you were banned (Argus, 22/5/82, 24/2/84)

The Minister of Law and Order, replying to a question in parliament by Mrs Suzman, said that the number of people under banning orders had "dropped to twelve" by the end of 1983 - the lowest for many years.

Mrs Suzman commented that "even one banning is one too many". In any country where there was real freedom, she said, people could not be restricted unless they were charged in court and convicted.

It is worth recalling that under a banning order, people are not allowed to

- * be with more than one person at a time.
- * Leave their magisterial district.
- * Leave their homes between 6 p.m. and 6 a.m.

All this, without their being convicted in a court of law of any offence whatsoever.

If you observe the Week of the Innocent you will have some idea of what this means in practice. (May 21 - 27)

Political rights and peace (Cape Times, 3,9/4/84)

said a speaker in Parliament recently: "It must be made quite clear that for as long as South African blacks are discriminated against and are denied full participation in the land of their birth, they cannot view the peace initiative with anything but suspicion."

Apartheid, said a speaker, was the cause of rising defence budgets.

While welcoming "Western involvement" in defending southern Africa, said the speaker, we could only expect it if South Africa "put its own house in order" - if we show that our own relationships in our own country with our own people are as they should be ... We need to bring about the political changes in South Africa which will result in the entire community, including the blacks, being supportive of our search for peace".

What are the obstacles to this?

Apartheid, and, in particular, the pass laws.

To abolish these, or even to modify them, will require both moral and political courage.

For the sake of South Africa, we hope the government will take at least the first necessary steps soon.

About time, too! (Cape Times, 2/4/84)

We are glad to learn from the press that, at last, woman teachers in the Cape Province are likely to be allowed to continue their careers after marriage. Till now, they have had to resign their posts on marriage and have been reappointed on a temporary basis only.

We sympathise with the M.P.C. who commented: "One can only ask why they have taken so long to remove these restrictions..."

Votes for women ... (Cape Times, 20/3/84)

It is interesting to learn that, as reported in the Cape Times, "thousands" of coloured and Indian women could hold the balance of power in some constituencies in the elections next August for the new House of Representatives and House of Deputies. They form the majority of the $1\frac{1}{2}$ million coloured and $\frac{1}{2}$ million Indians who are now to be entitled to the parliamentary franchise.

We hope some of them are sufficiently interested not only to vote, but to stand for election. In so doing they could set an example to white women.

Mixed Marriages and Immorality (Cape Times, 27/3/84)

It is at least a step in the right direction that the Moderator of the Ned. Geref. Sendingskerk should try to persuade the government to abolish in South Africa the Mixed Marriages Act and Section 16 of the Immorality Act, which have been abolished in SWA/Namibia.

If it can be done in South West Africa, why not here? We can think of few changes that would be more beneficial to our social and political life.

The effects of jail (Cape Times, 6/4/84)

The Hoexter Commission has re-emphasised what has been known for a long time - that so many of those who crowd our jails are in fact not criminals, but "the needy victims of a social system

of influx control..."breadwinners who have landed there for minor technical offences. A year ago, more than half of the 560 334 people in prison were awaiting-trial prisoners who had landed in prison as a result of influx control. "The reason for this virtually unstemmable influx", says the Commission, "is poverty."

This, says the Commission, "breeds in many blacks ... contempt for the administration of justice in general and the criminal courts in particular ... imprisonment as a punishment is consequently losing its power as a deterrent."

Legal aid (Cape Times, 6,9/4/84)

It is interesting that the Hoexter Commission should have shown concern about the high costs of legal aid and the need for its subsidization by the state. If it is accepted that "however modestly lawyers may charge for their services in litigation, the cost will still be too high for the average citizen to bear", there is certainly a need for greater state subsidization. Interestingly, the same comment is made, in passing, about medical services.

The Commission has urged the need for a "comprehensive legal aid scheme" for accused people of limited means and for the review of the means test applied by the Legal Aid Board to make legal aid more widely available.

Removals (Cape Times, 28/3/84, 3/4/84)

We support the stand of the Cape Town Chamber of Commerce expressing its "extreme concern" at the government's decision to move established black communities from Langa, Guguletu and Nyanga to the new township of Khayelitsha, which the Chamber says would heighten tension, create unnecessary conflict and "ignore the basic rights of an already restricted society to choose where to live or work", which the President of the Chamber has described as "severely inimical to the interests of the economy of the Western Cape". The uprooting of those already living in Langa, Guguletu and Nyanga would, says the president, be "unwise in the extreme".

To end forced removals, said an Opposition speaker in Parliament, would save money, improve race relations and improve South Africa's image abroad .

pass laws - a vicious circle (Cape Times, 19/4/84)

Professor Michael Savage has told the Carnegie Inquiry that more than 17 million people have been arrested or prosecuted under pass laws and influx control regulations since the beginning of this century. The decline in numbers in the last ten or fifteen years or so, he says, is due to new methods of pass law enforcement and the progressive tightening up of influx controls. He lists, among new pressures on the people of the homelands, the government's failure to provide black housing in white areas, resettlement policies, the creation of black dormitory towns behind homeland borders yet close to white urban areas, threats of legal action against the employers of illegal labour and repatriation of illegals as some of the measures outside pass arrests which control the movements of blacks.

"The more efficient influx controls become," says Professor Savage, "the more necessary it has become for people to violate them."

Crossroads - and King Canute (Cape Times, 21,22/3/84, 5/4/84)

Dr Koornhof has told Parliament that there are at present 30 000 "illegals" in Crossroads.

These people come from Ciskei and Transkei because they need work to support themselves and their families. They have come to Cape Town because they cannot find such work in their home districts. Even moving "legals" to Khayelitsha is harsh. To send them back to their homelands, where they would probably starve, is worse. To remove their shelters when the Cape winter is upon us is inhuman.

The Minister has said he is prepared to consider appeals from people who claim to qualify for permanent residence rights if such claims have already been made, if they were bona fide Crossroads residents up to December 31, 1978.

What of those who have come since - and whose need is equally great?

We cannot but feel that the Minister will find himself compelled to relax this attitude.