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# CIVIL



# RIGHTS



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News Letter

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### "Stupidity"? (Cape Times, 26/4/84)

We commend the statement by the Minister of Health, Dr Nak Nak van der Merwe, that emergency treatment should be given to anyone immediately at any provincial hospital irrespective of race or colour.

But we deplore the fact that it should have been necessary to make it. Whose fault is that?

### "Democratizing" black education (Cape Times, 12/5/84)

Because of the recurring difficulties in the black education system, we hope the government is in earnest about certain proposals recently announced by the Minister of Education and Training in Parliament. These involved the creation of liaison committees at all black secondary schools to improve communication between student representatives and educational authorities, and between educational bodies at national and regional levels and those on the community level. Pupils, said the Minister, needed a representative body, elected by themselves, to speak to the authorities on their behalf.

We would suggest that such a system might be of value in white, coloured and Indian schools as well.

### Causes of armed conflict (Cape Times, 29/5/84)

Because it is highly relevant to the issue of civil rights and because of the importance of its content, we reprint here a letter by our own Chairman, Mr Keith Gottschalk, recently published in the Cape Times. It reads as follows:

"The Civil Rights League calls on all South Africans to make the Republic's anniversary a time of solemn reflection.

"The Republic's early years marked the introduction of banning and house-arrest orders, and detention without trial of suspects, witnesses and political opponents. The apartheid policies which deprived Africans of citizenship culminated in

depriving them of South African citizenship itself. An act undreamed of at the time of the republican referendum.

"The stream of pass law "endorsements out" grew beyond the wildest fear into the  $3\frac{1}{2}$  million forced relocations and deportations; into mass removal of entire categories of people as administrative routine.

"The government's banning of the largest black political parties, prior to the Republic, triggered off driving them underground, and the consequent spiral of violence.

"Imaginative, far-sighted action can reverse this. All of us must pressure the government to extend the series of negotiations with Frelimo, the MPLA and Swapo to include negotiations with banned South African political parties, for a cease-fire and decriminalization of their legitimate political activities.

"To so remove the causes of armed conflict is the first step away from militarization on both sides, and towards democracy."

Human needs and rights (Cape Times, 18,19/5/84)

Our Cape winter to many of us involves not more than temporary discomfort or inconvenience. For this reason we need to take seriously the appeal of the Western Province Council of Churches, after the recent storms, for donations of food, clothing and money for squatters left destitute by these conditions. Such gifts may be taken to the Western Province Council of Churches offices at 126 Chapel Street, Cape Town. We are sure the W.P.C.C. would be glad to have a reserve in hand for future emergencies. Donations may also be sent to the Red Cross for Suurbraak, which has been sorely hit by floods.

"A fair, just South African society? (Cape Times, 19,20/4/84, 1/5/84)

At the recent conference at UCT of the Carnegie Inquiry into Poverty, Professor Francis Wilson named influx control, land use and citizenship as the three key issues. "Without radical land reform, citizenship for all and scrapping of influx control", he said, "we are playing games if we think we can achieve the fair and just society we all dream about. One of the major questions we face", said Professor Wilson, "is how to increase jobs, so that the people in the reserves will have work in the future."

The pass laws, said Professor Wilson, are a key part of the legal administrative apparatus aimed at maintaining white domination in South Africa. "The more efficient influx controls be-

come, the more necessary it has become for people to violate them. It has been stated in Parliament that of nearly 283000 black people who appeared in commissioners' courts last year, less than one per cent had legal representation.

The Hoexter Commission in its recent report said that a separate legal system for blacks was "unnecessary and repugnant". Will the government take action to remedy this?

"White justice"? (Cape Times, 10/5/84)

During a recent debate in Parliament a speaker quoted the report of the Hoexter Commission as stating that "the average standard of criminal justice administered in the commissioners' courts compares unfavourably with that of the magistrates' courts. When an unrepresented accused is charged in the commissioner's court with an alleged contravention of an influx control measure the proceedings are generally characterized by undue haste and a disregard for procedural rules. Such tendencies are entirely subversive of proper justice."

The speaker said that during February 1984 one court handled 1755 cases relating to curfew and trespass at the average rate of 84 per day. The general level of sentences handed down was R20 or 40 days on a plea of guilty.

We have not seen any response by the Minister to the raising of this issue in parliament. No wonder the Member asked him "Are you not ashamed?" and "What are you going to do about it?"

Civil liberty and press freedom (Cape Times, 19/4/84)

We agree wholeheartedly with Mr Harry O'Connor, former editor of the Eastern Province Herald, in a dispute with the Port Elizabeth City Council about the public's right to know. In South Africa, he says, "press freedom has been under periodic attack and constant threat throughout the years of authoritarian Nationalist rule..."

"What needs urgently to be far more widely understood in this twilight of south African civil liberty is that the press in this country has as proud a record as any of service to the people, especially in recent times..."

"What is imperative to grasp is that the rights of the press are indeed the rights of the public. To attack the press, therefore, is to seek by overt action or by intimidation to restrict the rights of the people."

"Without any doubt, it is on the ability of the press to continue to serve the public as it has that the strongest hope for salvation of democracy in South Africa must depend."

The road back (Cape Times, 20,26/4/84, 9/5/84)

Commenting on present unrest in black schools, the Cape Times, unanswerably we think, links this up with the question of the franchise. "Without proper political rights", says the paper, "blacks are vulnerable to the whims of white authority ... Unless the Botha administration is prepared to restore South African citizenship to blacks, as a starting point, (our italics), and to enter into open-ended negotiation with representative leaders, it is difficult to see how endemic unrest can be avoided." This, after all, was the point at which the government, in 1948, began to move away from democracy. It is the first essential step towards returning to it.

Other necessary steps would follow if the franchise were extended to all on a basis of equality - reform on the crucial issues listed recently by Professor Francis Wilson - land reform, citizenship for all and scrapping influx control.

A proper inquiry (Cape Times, 8/6/84)

The police divisional commissioner for the Western Province, commenting on charges laid by workers after a recent Western Cape Development police raid in Brackenfell, has said that any complaints against the police by workers alleging that they had been assaulted would receive "proper investigation". Nobody need fear, he said, that justice would not take its course.

He was reacting, says the Cape Times report, to an earlier statement by the General Workers' Union that 35 workers had been assaulted after being arrested during the raid and would lay charges of assault. The union also claimed that while in police cells over the weekend these people had received no medical treatment. The Divisional Commissioner said it was "strange" that no complaints of whatever nature had been made by detainees during their detention, though they had been visited at least once every hour.

But, in all the circumstances, is it so strange?

Perhaps they felt that discretion was the better part of valour.

We commend the divisional commissioner's decision to institute a proper inquiry.