



Umbutho Wamalungelo Obuntu CIVIL RIGHTS LEAGUE Burgerregtevereeniging

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NEWSLETTER

DECEMBER 1985

League under attack

The Nationalist "reform" Government and its supporters launched an unprecedented attack against the Civil Rights League:

- Keith Gottschalk, the Chairperson, was detained in solitary confinement *incommunicado* for eleven days in Pollsmoor Prison, as one amongst over four hundred State of Emergency and other detainees in the Western Cape;
- Brian Bishop, Vice-Chair, had a teargas bomb of the type issued to the Police force thrown into his house at night;
- Di Bishop, Committee member, and PFP MPC, had her car petrol-bombed, causing some R14 000 worth of damage.
- Further, the Police Brigadier for the Western Cape, Christoffel Swart, banned the League's AGM from discussing any State of Emergency detention, even the detention of its Chairperson!

A few elderly members arriving early for the AGM were somewhat bemused to see a vanload of armed policemen ostentatiously driving around, keeping one side door and the main entrance under surveillance.

Keith Gottschalk commented: "As the League's executive knows only too well, career pressures forced me to take leave of absence from all committee obligations for some time. My activities have been limited this year to merely accepting invitations to deliver addresses and to publish correspondence in the press.

"My detention indicates that the Nationalist Government or its Special Branch is so authoritarian that even this literary activity and oratory must be suppressed."

POLITICAL OPPONENTS PROSECUTED

Dennis Davis, Associate Professor in the UCT Law Faculty, addressed the Civil Rights League's AGM on "Political Trials and Civil Liberties."

"The South African Government uses political trials to delegitimize extra-Parliamentary opposition," he said, "attempting to stigmatize it as criminal".

From the 1956 Treason Trial to more recent trials, striking similarities emerged in the Government's legal strategy.

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POLITICAL OPPONENTS PROSECUTED

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Government rhetorical abuse of the political parties under attack preceded and accompanied treason trials. These government ministers were conspicuously immune from prosecution for contempt of court unlike the late Barend van Niekerk.

The prosecution strategy was to allege that goals such as a universal franchise democracy could only be achieved in South Africa by revolution. Hence those campaigning for such goals should be convicted of treason.

But in attempting to manipulate the law and the courts to smear its opponents, the Government was caught in a cleft stick.

The more law and the judiciary were conspicuously puppets of the regime, the less credibly it could smear political opponents as criminal traitors or "terrorists". The more the law, and the bench were seen to follow "fair" procedures and act independently of the Government, the more credible their criminalisation of the State's political opponents.

But the "fairer" the trial procedures, and the more independent the judiciary and the magistracy, the greater the risks for the regime that its political opponents would be found not guilty by the courts.

Recently some judges in the Supreme Court sought to curb executive authoritarianism. The Western Cape Division of the Supreme Court became the first where judges asserted their right to visit detainees, to enquire if they had suffered assault.

New judicial decisions had reversed earlier executive-minded court decisions on the rights of detainees and prisoners.

(To next column...)

COMMITTEE FOR 1986

Ralph Aitchison

Brian Bishop (Vice Chair)

Mary Burton

Dot Cleminshaw

Noel Cox

Bea Cornell (Secretary)

Doug Cornell (Treasurer)

Dennis Davis

Keith Gottschalk (Chair)

Barbara Grieve

Jack Heeger

Sir Richard Luyt, the League President, is *ex officio* a member of the Committee.

POLITICAL OPPONENTS PROSECUTED

(Continued from previous column)

"Such a contribution, together with that of civil rights lawyers and organisations, is important to ensure that civil liberties and the rule of law work, and are seen to work, to the advantage of the oppressed masses in an authoritarian state.

"This is particularly important at present because the question of human rights is very much on the agenda of popular organisations.

"By campaigning for such rights and the protection of the rule of law we can ensure that such issues remain on the agenda of the South Africa of the future, and are not dismissed as irrelevant ideological obfuscations.

1985: Report from the Chair

REVIEW OF HUMAN RIGHTS

FROM EARLY 1984 TO DATE THE TOLL OF INSURRECTION IN SOUTH AFRICA IS:

- 860 killed, including 15 policemen and soldiers
- 4 126 injured - a quarter being policemen
- 7 509 detained without trial
- 25 000 or higher charged with political crimes
- 937 assorted premises destroyed - usually by fire - including:
 - 520 shops and factories
 - 239 beerhalls and bottlestores
 - 178 government offices - such as "Development Boards"

Repression Monitoring Group

IN VIEW OF THE STATE OF EMERGENCY
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SEVEN DAYS A WEEK

FROM 8 a.m. UNTIL MIDNIGHT

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SITUATION AND ASSISTS VICTIMS OF
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FORUM OFFERS SIMILAR HELP

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Your 1986 subscriptions are now due.

Help us to keep up the League's work.

The League's AGM observed a minute of silence in memory of the bereaved, wounded and detained.

These statistics, compiled by the Government, SA Institute of Race Relations, and the Detainees' Parents Support Committee, are reported in the WEEKLY MAIL of 8 November, and RAPPORT of 27 October 1985.

The State President, referring to a shorter period, gave slightly lower statistics, in a speech reported in the CAPE TIMES of 19 October. His Office's statistics referred to 15 policemen and soldiers killed and 514 civilians killed by the "security forces" and "action by members of Development Boards".

That is, the Government's statistics indicate that for every one policeman killed by civilians, police shot 34 civilians.

By contrast, during all the demonstrations associated with Britain's year-long miners' strike, civilian casualties were not higher than police casualties. And prolonged debate

LEAGUE HOUSEKEEPING

The Chair expresses his appreciation for the commitment and hard work of committee members. During 1985 your Chair had to take seven months leave of absence to establish himself in an academic post at another university, and was unavoidably detained for another fortnight.

This meant that the burden of running the League's activities fell upon the two Vice-Chairs - Brian Bishop and Ted Keen, and other committee members. The League will join me in paying tribute to Di Bishop, Ted Keen, Mary Livingstone and Oscar Wollheim, who are now stepping down from the Committee, for their immense contributions to the Civil Rights League over the years.

The Chair has been confidently able to leave administrative

matters in the hands of our competent Secretary and Treasurer Bea and Doug Cornell respectively.

We welcome Dennis Davis and Margaret Ellsworth as new committee members.

Sir Richard Luyt, League President, welcomed all new members, especially young members, at our AGM. During 1986 the Committee will attempt to arrange quarterly public meetings or symposia on human rights topics, such as the education crisis, and the state of emergency.

The League urges all members to encourage new persons to join as members during 1986. Under Government attack, this must be our top priority for survival of the League.

REVIEW OF HUMAN RIGHTS (From Page 3)

over police action occupied British politics. This indicates that South African Police are not applying the policing doctrine of democratic countries, arrest alleged offenders with the minimum force possible.

Civilised policing methods are no substitute for government by consent of the governed. But they are an indispensable part of political reform.

Security Branch use of torture, the increasing incidence of assassinations of government opponents, both at home and abroad, and secret service tactics of disinformation and provoking violence between rival political parties have all received attention in previous newsletters.

The League cannot emphasise too

strongly the consequences for all South Africans, even long after the present government has fallen from power, of secret service dirty tricks campaigns.

Black Rhodesian army units dressed in ZIPRA uniforms while attacking ZANLA insurgents or their village sympathisers; then dressing in ZANLA uniforms while similarly attacking ZIPRA insurgents and supporters. The defeated soldiers of the *ancien regime* boast how this delayed by another year Z A N U coming to power as the Zimbabwean Government, so that yet more thousands of persons died and were maimed, both black and white.

Second, to so aggravate the history of hostility between ZAPU and ZANU made it more difficult for ZANU to respect ZAPU as either coalition partner or Parliamentary Opposition. This merely makes life more difficult for all Zimbabweans. ■

Public statements and lobbying

Public statements by the League protested against the police summary execution of stone-throwing children and child bystanders.

The League got the Leader of the Parliamentary Opposition and an Opposition frontbencher to question the Minister of Defence on the SADF use of herbicides in Northern Namibia.

At the League's urging, Parliamentary Opposition spokesmen drew the Minister's attention to the congenital defects in Vietnamese infants, and chronic illhealth of US veterans, caused by US defoliants such as Agent Orange. The USA Government has agreed to pay out over R100 million of damages to those chronically incapacitated by these herbicides.

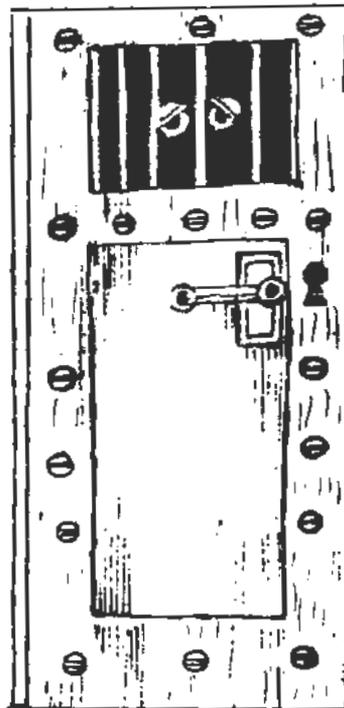
The Minister of Defence, Magnus Malan, acknowledged awareness of these reports, and claimed the herbicides the SADF sprayed alongside Namibian borders and roads did not affect persons.

Committee News

Throughout the year committee members publicised League protests through the media over the education crisis and deprivations of human rights, and contributed reward offers for finding the assassins of the Government's political opponents

Committee members joined protests over specific issues with other organisations concerned with human rights. These include the Black Sash, Conscientious Objectors' Support Group, Detainees' Action Committee, Detainees' Treatment Team, End Conscription Campaign, NUSA5, the Repression Monitoring

Sometimes League protests elicited a Government response. Your Chairperson protested in the CAPE TIMES teletexts over the detention without trial of Gareth Rossiter, a St. Joseph College schoolteacher, in cell 248 in Pollsmoor Prison. The Government responded by putting your Chairperson in cell 250.



With acknowledgements to MZWAKHE

Group. Committee members delivered invited addresses in Port Elizabeth and Johannesburg to some of the above organisations' national congresses.

The League proposed the founding of the Movement Ad Pacem, to provide a civilian alternative service to military conscription.

The Hanover Park Crisis Relief Office organised a Concert against Detention to raise relief funds for state victims, and invited the Chairperson to perform his praise poem to the Resistance.

Previous League Newsletters summarised some of this activity. The League also exchanged publications with the Lawyers for Human Rights, based in Johannesburg.

SUBSCRIPTIONS DUE

Since last year your League has faced approximately 16 per cent inflation in its costs, mostly of a printing and secretarial nature. Projecting current income and expenditure, the League would incur a shortfall of of R500 during 1986, if membership fees remained at their present level.

If your League allows for the effects of further inflation and further speeches by the State President, prudence suggests the League should anticipate a rise of at least 20 per cent in its costs during 1986.

Your Committee felt that the minimum membership fees for students, pensioners, unwaged, low waged and other members of limited means should be held down to a minimum of R2 for one more year.

The League can do this provided the fees for ordinary membership are raised to at least R7 per year. (In fact the League can only keep the minimum this low if most members continue to donate a higher amount than this minimum).

Last, your Committee decided that as a token of the League's appreciation, all members paying R20 or more per year would be called Donor Members.

MEMBERSHIP FEES MINIMA

(Including Pensioners and other members of limited means; students, unwaged and low - waged members.)

DONOR MEMBERSHIP

at least R20

ORDINARY MEMBER

at least R7

PENSIONER MEMBER

at least R2

All membership fees are due for renewal on 1st January 1986.

The League immensely appreciates members who renew before that date, rather than afterwards. This enables the League to benefit from the interest, promptly pay our printing bills, and above all, avoid incurring the expense of ever-higher postage on reminder letters.

Please post your membership renewal fees now to:-

CIVIL RIGHTS LEAGUE

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