

However, it would be a great mistake to think that the Government will be easily deflected from its course. Some of the weapons it intends using to try to get its way have already been revealed. We have already mentioned that the 30-year urban leasehold has been made subject to proof of acceptance of homeland citizenship. Now the four Provincial Councils have introduced draft legislation, at the request of the central Government, which ostensibly protects the interests of homeland citizens employed by the Provinces. In the past these people, as South African citizens, enjoyed certain privileges denied to foreigners. Now, if they take out homeland citizenship, they will be regarded as foreigners but will continue to enjoy the same privileges as before. But what if they don't take out homeland citizenship? There is no assurance that they will continue to enjoy their present special status. In fact, the contrary. The Minister of Bantu Development has hinted darkly that African people refusing to identify with a homeland will be regarded as people with **an ulterior motive** . . . . . and they may not be allowed to enter White South Africa. Does he not perhaps mean that they may not be allowed to stay there, for after all that is where most of them are living already?

The conditions of the 30-year leases, the draft provincial

ordinances, the Minister's vague but threatening statements, all amount to an attempt to blackmail Africans in "White South Africa" into taking out homeland citizenship. If the attempt were to succeed and all Africans were to comply, hey presto, according to the Nationalist book, White South Africa would really be white—or nearly so. There would still be all those troublesome Coloured and Indian people to be dealt with but those 8 or 9 million Africans, although still living where they always did live, would have been transformed into citizens of somewhere else. They would have renounced their claims to a greater share in the land of South Africa and to a fair share of the vast wealth they have helped to create in the 87% of the country Pretoria likes to regard as white.

Most Africans rightly reject this fraudulent solution to South Africa's problems. Nor do we think they will be blackmailed into accepting it. The Very Rev. Desmond Tutu, Dean of Johannesburg, has described the homeland citizenship legislation as the robbing of the African people of South Africa of their birthright. That is exactly what it is—an act of robbery. □

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# FURTHER DOWN THE SLIPPERY SLOPE

In this issue we publish extracts from the Christian Institute's recent report on detention and political trial in South Africa. The report is not up to date. It would be impossible to produce such a thing. What is up to date today is out of date tomorrow. Detentions are frequent; new ones keep coming to light; new trials start, and old ones go on and on. But the Christian Institute report is not up to date for another reason. Two pieces of legislation passed in the 1976 session of the South African Parliament were not in force when it was compiled. They are the Parliamentary Internal Security Commission Bill (better known as PISCOM) and the Promotion of State Security Bill (better known as the SS Bill). Before these two Bills became law, their names were changed to make them sound less offensive, but their contents remained the same. In our next issue we hope to carry a legal analysis of them.

There are people who maintain that we are still governed under

the Rule of Law in South Africa. We don't think so. According to their argument if a law has been passed by Parliament then anything done within its terms is done within the Rule of Law. We subscribe to the more conservative view that any law which confines or punishes a person without having brought that person expeditiously before an independent court, is a breach of the Rule of Law. At what point South Africa abandoned the Rule of Law, according to our definition of it, is a matter of opinion. Some people would say with the Suppression of Communism Act, in 1950. Others would say with the passing of the original Sabotage Act, in 1962, and the beginning of house arrest. Certainly we have been moving away from it, with gathering momentum, since 1948. We have moved from the banning provisions of the Suppression of Communism Act, to house arrest, and from there, first to 90-days detention, then to 180-days detention, then to the Terrorism Act's indefinite detention, and now to the State Security Act.

The earlier Acts were said to be aimed at Communists, but were in fact used against opponents of apartheid with a wide variety of views. The later Acts were said to be aimed at "saboteurs" and "terrorists" but their definitions were so wide that they could be used against anyone. One might ask, if the 90-days detention law in fact provided for an endless succession of 90-days detentions, without release, and if the Terrorism Act defined "terrorism" so widely that almost any active opponent of the Government could be convicted within its terms of **some** offence, will things be any worse under the State Security Act? The answer is, we don't know, but we think so. Pretence has been abandoned. The Act is certainly aimed at what used to be called "Communists" or "terrorists", but it is also, as the Minister has told us, aimed at more or less anyone who rocks the

apartheid boat. It provides, too, for detention without trial for a year—or two?

As the Christian Institute report testifies, many people in South Africa have been detained, in solitary confinement, for many days. Many have been broken by the experience, some have died during it. \*Joseph Mdluli was detained, in apparent good health, one day in March, and was dead the next day. At the time of writing no inquest has been held, so nobody knows why.

The 1976 security legislation entrenches and extends all previous abuses of what we regard as the Rule of Law. It may help damp down opposition to Government policy for a while, but as a longterm investment it is likely to be disastrous.□

**\*It was announced in Parliament on 11-6-76 that four police officials are to appear in Court on a charge of culpable homicide arising from Mr Mdluli's death.**

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## NUSAS

NUSAS is going through a very tough time. During the past year a number of universities have voted to disaffiliate from it, the most recent being Pietermaritzburg, always a loyal supporter in the past. Only Cape Town and Wits now remain affiliated—and they only as the result of narrow victories for their pro-NUSAS students in recent votes.

It is a gloomy picture—but not all that gloomy. UCT and Wits are by far the largest of the English-language universities and the fact that they still vote for NUSAS after its experiences of the past few years is no mean achievement for that organisation. And Pietermaritzburg, having voted to disaffiliate, has now elected a new Students' Representative

Council two-thirds of whose members are NUSAS supporters.

As the calls go out to White Africans to come into the laager we hope that Black South Africans, still hoping to see their White fellows come to their senses, will take some comfort from such small signs as these. They, and the recent dramatic increase in support for the Progressive Reform Party in the Durban North election, show that there is still a body of opinion within the White South African community, perhaps even a growing one, which refuses to be bluffed, bullied or cajoled into supporting apartheid or any other white supremacist doctrine.□