

THREE LITTLE LAWS

IN our July and August issues we printed the first two of this series. Here is the third. The uninformed and the politically apathetic constantly ask our Black Sash members: "But why are you so much opposed to this Government? What have they really done?" This series gives the answer in only one field. There are unhappily many more answers shouting aloud from other recent legislation, not concerned, as these three laws, solely with Dr. Verwoerd's department, or, as it has been called, his Empire.

The Natives (Prohibition of Interdicts) Act and the **Natives (Urban Areas) Amendment Act** are evil things, but they affect individuals. The third in the series has a much wider field, affecting as it does whole tribes as well as individuals. **Native Administration Amendment Act.** This Act amends, in a few clauses which at first sight appear unimportant, the Native Administration Act of 1927. Section 1 of the 1927 Act provides that "the Governor-General shall be the supreme chief of all Natives in the provinces of Natal, Transvaal and Orange Free State, and shall in any part of the said Provinces be vested with all such rights, immunities, powers and authorities in respect of all Natives as are vested in him in respect of Natives in the Province of Natal." The powers referred to are found in the Natal Code of 1891.

It will be noticed that the Cape Province was deliberately omitted from this Section. The original intention having been to allow the Cape Province to break down rather than to perpetuate the tribal system. Dr. Verwoerd has now decided otherwise, and the amending Act extends to the Cape Province the power of the Governor-General as Supreme Chief (which means in effect the power of the Minister of Native Affairs).

The Act extends to the Cape the powers of the Natal Code to punish chiefs for disobedience to the Minister's orders, without intervention of the Courts, and, in certain circumstances, without trial, and to impose collective fines on tribes or individuals without trial.

In addition, it empowers the arrest, detention or imprisonment of Africans "dangerous to the public peace." There is no power by any legal process to stay any act under this Code. Even more than the Prohibition of Interdicts Act it means that an official, authorised by the Minister, can punish an African at any time and the African will have no legal redress of any sort.

Further amendments contained in the Act are:

(1) It gives the Governor-General power to order the removal of a whole tribe, and whereas, under the original Act, such removal had to have the approval of both Houses of Parliament before it could take place, now it will be possible to carry out the removal **prior** to Parliamentary approval.

(2) Under the original Act notice of any such order had to be given to the persons concerned. This protection is now taken away. This is a further step calculated to exclude recourse to the Courts, which in any event have very limited powers under this Act.

(3) Another Section of the Act enables orders under the Act to be effective without serving them personally; it is enough to leave a copy at the person's last place of residence. True, such provisions do exist in matters of ordinary civil process between citizen and citizen, but it is undesirable to extend this to matters involving the liberty of the subject. It can too easily result in arbitrary official action of which the person affected will not be notified in advance.

These three terrible laws coming one hard on the heels of the other, constitute a shocking assault on human dignity. Removal, ejection, fines, banishment, mostly without prior notice and with little or no recourse to the Courts—what a blot on the name of a nation which claims to uphold Western civilisation and the dignity of the human being. All three Acts add up to one thing—ever greater power in the hands of one man, and that man is Dr. Verwoerd.

M.E.F.

FACT AND FICTION

FICTION:

When Mr. Strydom left Jan Smuts Airport for England recently, a man, holding a Vierkleur, was approached by a foreigner and asked: "What is that flag you are holding?" The reply was: "This is our flag, the Vierkleur, which the British took away from us in 1902. We will never rest until it is restored to us."

FACT:

That man believed that he was speaking for the Afrikaner people. Had he ever stopped to think what the Vierkleur was? The historical fact was that in 1899 when the South African War broke the Vierkleur was the flag of only one portion of South Africa. The South African Republic under President Kruger. The Orange Free State had its own flag, the Cape and Natal were Crown Colonies under the British flag. How, therefore, can the Nationalists of the Transvaal claim that the Vierkleur is the flag to which all Afrikanerdom owes allegiance, and how can they seek to impose that flag on the entire country? The Vierkleur is the symbol, not of a national unity, but of a false sentimentalism played upon by Strydom and his clique, bent upon furthering Transvaal domination within the Nationalist Party.

M.E.F.