

Human Touch

PASS LAWS

Chief Public Prosecutor of Pretoria, A.R. Klein, has resigned from his job in protest against the pass laws, thus swelling the ranks of conscientious objectors who have been resigning as a result of unjust laws which include the Group Areas Act. Yet we have been told by Koornhoff that "Apartheid is dead" and the pass laws would be 'abolished'. All these are the lies of the "new dimensions" of Botha's constellation.

CONSTELLATION

The concept of a constellation of states, which was dreamed up to hold the exciting possibility of transforming the entire Southern Africa into a power house of economic development and stability now exists in the minds of those whose little world is rounded with a sleep like the latest upstart-in-cheap-tricks, Gatsha Buthelezi. What an exit has made from those who thought he had something up sleeve!

Those who ignore our call for unity under the umbrella of the Freedom Charter, must know that they are designing their own downfall, because separate salvation is not possible anymore for anybody in our country, which is the product of the common labour of all its peoples. That wealth is not to be utilised by and for the interests of the white minority only.

JAIL

Life in South Africa for the black man is to jail and back through the pass laws, which since 1963, now affects even African women. At the time of his resignation the Pretoria Attorney-General was in charge of a case involving five young blacks charged with moving from one town to another without the correct pass.

GENEVA 1963

The International Commission of Jurists in Geneva in 1963 published an illuminating report called **SOUTH AFRICA AND THE RULE OF LAW**, which contains all the relevant information on the subject. General Circular Number 23 of 1954, issued by the Secretary for Native Affairs to subordinate and police departments, and with the agreement of the Secretary for the Justice Department, reads in part:

1. It is common knowledge that large numbers of Natives are daily arrested and prosecuted for contraventions of a purely technical nature.
2. These arrests cause the state large sums of money and serve no useful purpose.
3. The Department of Justice, the South African Police, and this Department have therefore held consultations on the problem and have evolved a scheme, the object of which is to induce unemployed natives now roaming the streets in the various urban areas to accept employment outside such urban areas.

POLICE REACTION

The result of this circular was that the police immediately went into action against Africans who were assumed to be both 'unemployed' and to be 'roaming the streets' of the city, they 'induced' them to accept employment outside the urban areas. They were sent to prisons and then to farms - for a simple thing like forgetting your Reference Book in the office or your employment place in the jacket a few metres away, like Nelson Langa, who worked for the Johannesburg City Hall as a Street Cleaner, who at the time of his arrest was prominently wearing the Johannesburg Municipality badge CED 10729 and, furthermore, held a broom in his hand, but who, to the members of the South African Police, was notably unemployed (Comrade Ruth First, Farm Labour Scandal).

MOVEMENT

The right of the African to move freely within South Africa is non-existent, despite the fact that he is a South African national.

The control of the movement of Africans throughout South Africa is effected by the 'pass system'. "A pass is a document required for lawful movement into, out, or within a specified area which must be produced on demand of a specified person, failure of demand constituting an offence". The 'pass system' is of ancient vintage in South Africa and was once described by a Nationalist Party spokesman as being "as old as civilisation in our country". Historically, passes for blacks in South Africa could be traced back as far as 1809, when the Governor of the Cape, Earl Caledon, issued a proclamation pro-

hibiting 'Hottentots' from moving from one district to another without a pass issued by a magistrate.

Pass laws were to be found in the pre-Union legislation of all the colonies and were retained after Union. In 1952 the existing pass laws were replaced by a statute with the misleading title Bantu Abolition of Passes and Co-ordination of Documents Act, which did not in fact, repeal the pass laws, but rather co-ordinated them by providing for the carrying of a 'reference book' instead of 'passes' and extended the existing laws by requiring women to carry reference books as well. In terms of this Act every African over the age of sixteen must be finger-printed and furnished with a reference book and failure to produce it on demand constituted a criminal offence, punishable by a fine not exceeding R20 or imprisonment not exceeding one month. In 1975 the Appellate Division held that the law does not require an African to carry his reference book on him all the times, and that he should be given a reasonable opportunity to fetch it when it is demanded, under police escort if necessary. 1974 - 1975 there were 386,414 prosecutions under the pass laws.

1978 there were 26,131 convictions in Johannesburg Pass Courts for offences relating to reference books and influx control.

In an interview with a periodical, the President of SWAPO, Comrade Sam Nujoma said:

"Our moves on the diplomatic front, where we are supported by the socialist countries, the Soviet Union in particular, and the other progressive forces, have led to the isolation of the South African regime in the international arena. However, it is important that the diplomatic pressure against the apartheid regime, including economic sanctions, should be continued.

"It is an open secret that the objective behind the imperialist political intrigues is to delay the Independence Day for Namibia. By refusing to carry out the UN plan for Namibia approved by the Security Council (Resolution 435), the imperialist forces are acting in defiance of world public opinion. Under the circumstances the patriots of Namibia have no alternative other than to intensify the armed struggle.

"To undermine confidence in SWAPO the enemy makes wide use of the following tactics: reports of details of Black South African soldiers and the racists' puppets dressed in SWAPO army uniform break into the homes of 'suspects', mostly after midnight, kill whole families and set their houses on fire.

"These killings are in fact a daily occurrence. Here is a recent instance. A police squad broke into the house of a petty trader who was very much respected by his fellow villagers and known for his pro-SWAPO sympathies. They shot him dead and then fired at his wife who was holding a baby in her arms. The baby was killed and the mother badly wounded. They thought her dead too and left after thoroughly searching the house for money".

CHIEF LUTHULI

In the words of our leader, Chief Luthuli, who became the President of the African National Congress in 1952 and who was later awarded the Nobel Peace Prize:

"Who will deny the fact that thirty years of my life have been spent knocking in vain, patiently, moderately and modestly at a closed and barred door?

"What have been the fruits of moderation? The past thirty years have seen the greatest number of laws restricting our rights and progress, until today we have reached a stage where we have almost no rights at all..."

What do you think?

1. When writing for DAWN avoid foreign language phrases.
2. Put statements in positive form.
3. You must realise that we are fighting for national democracy in South Africa, for which we have adopted the Freedom Charter.
4. Use simple language so that we too, with little education must understand what you have written. You must talk to us like one of us, which you are.