

# The Right To Public Protest

THERE have been further developments in the extraordinary situation caused in Johannesburg by Dr. Verwoerd's ban on the attendance at meetings of 10 or more Africans. The result of a further application to the City Council to hold a meeting to protest against the 18-year old vote made it clear that the ban had, in effect, deprived all races of the democratic rights of free speech and assembly. The whole result of this has been that in attempting to hold three protest meetings on the City Hall steps on three different issues the Black Sash has lodged a most effective protest against a fourth issue—Dr. Verwoerd's ban on the attendance at meetings of 10 or more Africans. This ban has now been lifted by proclamation in the Government Gazette.

The following is the reply, from Dr. Verwoerd's secretary, to the Southern Transvaal Region's request to Dr. Verwoerd to receive a deputation from the Black Sash:

"On behalf of the Honourable the Minister of Native Affairs, I wish to acknowledge receipt of your letter of 11th August, 1958. He wishes me to inform you that no good purpose can be served by receiving a deputation from your organisation to discuss the ban on Native meetings imposed in certain areas in April, 1958. From the outset the Minister himself desired to restrict the period of the ban to the object for which it was originally imposed. Urgent requests from his Department and other official sources to retain the ban in certain of these areas, could not however be refused by him. In the meantime he had called for a report every fortnight to ascertain when the ban could be lifted in the areas concerned and repeatedly gave instructions that the moment this was deemed possible in any particular area he should be informed as a matter of urgency. As a result the ban was lifted in certain areas on the 27th June, 1958, by Government Notice 938 and he recently issued instructions that the same could now be done with regard to the Witwatersrand and the other areas to which the ban still applies.

"The ban was never aimed at meetings or gatherings of Europeans in connection with matters appertaining mainly to Europeans, although it could not be avoided that the ban affects such meetings held in the open air, as Natives like other races are attracted to gatherings and it is known that third parties have often made use of the presence of Natives to defeat the objects of the ban. There would of course be no question of the ban interfering with a meeting held in a hall, where the organisers would be able to exclude Natives. No ordinary rights of citizens were therefore at stake but the preservation of law and order demanded certain steps which were part of the law of the land since 1927.

"However, as the Honourable the Minister has no desire to interfere with the affairs of Europeans where interference can be avoided without preju-

dice to Native administration, he has given instructions that if such a situation should develop again, permission should not ordinarily be refused when an open-air meeting is to be held in respect of matters chiefly affecting Europeans. For instance unless there were exceptional circumstances warranting such a step, permission would not be withheld in respect of an open-air meeting to protest against votes for the 18-year old, but an entirely different view would have to be taken of a meeting, even if it were organised by Europeans, to protest against the increase of the general tax payable by Natives if this were to be held while there were good reasons for still banning meetings by Natives."

The Southern Transvaal Region have replied to Dr. Verwoerd querying the disturbing overtones to this letter, for it does not give the impression that ordinary freedom of speech has been restored.

The fact that "the Minister has no desire to interfere with the affairs of Europeans where interference can be avoided without prejudice to Native administration," is of doubtful comfort to us; and it is disturbing to be told, "Unless there were exceptional circumstances warranting such a step, permission would not be withheld in respect of an open-air meeting to protest against votes for the 18-year-old, but an entirely different view would have to be taken of a meeting, even if it were organised by Europeans, to protest against the increase of the general tax



(With acknowledgements to Bob Connolly and the Rand Daily Mail)

payable by Natives if this were to be held while there were good reasons for still banning meetings by Natives."

The editor of the Sunday Times headed his leader on this letter, "Dangerous Idea," for its tone is dictatorial, and it seems to contain the assumption that Dr. Verwoerd has the right to decide both when (and if) citizens may hold public meetings, and what they shall be allowed to discuss. If this is the case, freedom of speech no longer exists.

Further, we feel that it is very much in the public interest that the reasons for the "urgent requests" to retain the ban should be ascertained and published, since they must obviously have had reference to circumstances or crises quite other than a strike, which was to have been held so many months ago. We wonder why, in a democratic state, so much secrecy is necessary. Nor does the Black Sash understand the statement, "third parties have often made use of the presence of Natives to defeat the objects of the ban." We find this capable of many interpretations.

Subsequent events have justified our misgivings. The police have now "requested" the City Council to refuse permission for the holding of any public meetings at all on the City Hall steps. They have said that unless the Council agrees to this "request" legislation will be passed to compel them to do so. We are anxiously awaiting the Council's decision.

# This South Africa

## From Letter to Editor, Evening Post.

Returning from the north by car recently I was not a little shocked at an incident which occurred less than 100 miles south of Johannesburg.

Pulling up for petrol, I saw alongside an open van, also taking petrol.

What caught my attention was that the van was surmounted by a sort of home-made cage, such as would be necessary for conveying livestock to market, only, in this case, it was not animals but human beings who were standing packed together, shivering with cold. (It can be cold in the Transvaal).

The African attendant at the pumps was a very civil man, so I asked him: "Whose van is that, and where are the men going?"

Imagine my horror when he replied quite casually, "They are prisoners; some farmer has bought them."

"The faith that is born of knowledge finds its object in an eternal order, bringing forth endless change, through endless time, in endless space."  
—T. H. Huxley.

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