

HY 177 7212e =5

â\200\230McCrystal, who has been asked to

g for the National Party in Natal,

ports -decentralisation as suggested by
of Minister â\200\230of Sport.

people have also been a.p- :

Dr McOrysâ\200\230laal
ï\201ld made no decisio

- nhofâ\200\231s statement,

; wouk!weigbi,twreï\202my aw

â\200\234â\200\234I believe there should fiEee
-decentralisation - -of----*. %

S

power and - support 'ln B
* general principle what Dr
- Koornhof and Mr P. W ;
â\200\230Botha, Minister of Def
ee,Dbave said.â\200\235 - sq;id

D3
week tli\201zgp ï\201mr â\200\230to Soï\201th
-ty il ko

be a con-

federal constitution- based
on largel,y wtonombus
units.

MrBoï\202u saiql aÂ«canton-â\200\230

fakr sotution, "

Dr McCrystal denied he
" given support in .
private to the United Par- -
tyâ\200\231s call for talks along the
lines of the South West
. African Turnhalle con-
ference.

- â\200\234I ' do favour debate on
how we can decentralise
power, but have not said I
would favour â\200\234Turnhalle
talks in Natal.â\200\235 ;

.. The Amanzimtoti seat
has been held by Mr
George Bartlett of the
United Party since it was
. created in 197â\200\2304

mu

" The entrepreneurlal

NATAL will press ahead with its
plan for 2 Turnhalle conference as

'3 way o of the racial logjam â\200\224

jrres jve of the Governments

attitude, Mr Stainbank,

Yo In the -~ next days, senior
members of the United Party will meet
leaders of other race groups ut the
plan to â\200\230them, he told a mi i
Pietermaritzb g held to help
ohc&es for a political P arty.

Refused

s A "Wlthout â\200\230them we canâ\200\231t succeed. In
pamcular we needâ\200\231 the support of
KwaZulu. 1 Belie

agrega We must put

Mr Stain! nbank refusÃ©d to
in a brief interview. af-

: lt {s thought probable that

e o! the leaders w

whom the U rechy will meet th

Tumhalle was
- the 'Pumhalle plan â\200\224

what the â\200\230Goyernme

. Governnie nttrs downwewil b
gk R i B gOvemxng Soutlr Africa. :

to the Province was passed
s last session.

tion of power,
at the Councxl
As

ere has
ime Mimsters off
of Finance and
onalist Party,

, has. dis:mssed out of hand the"ka\200\230

AI.KS WITH NATAL BLACK I.EAD ERS

By BILL KRIGE

possiblility pf Natal being 3 Ã©ranwd ,"
— autonomous. powers

' Yesterday Mr Stambank s;ajd that

Exco was determl ned to press on with

ahead % he said.

â\200\230Roï¬\202en

â\200\230ï¬\201m;â\200\224warï¬\201s he: gmphasxi¬\201;

' not â\200\230Wlsh to premdge any p0551b1e
â\200\230response from the Prime â\200\230Minister to
Na&alâ\200\231s request He. and dther mqmbÃ©rs

,'_ .Jblems

of EXC vd heen encoura.ged by tï¬\201e

very favourable responseq-â\200\224, pa articularly
. from whitesâ\200\235 10 the idea of a. Turnhalle

type solution to the counv r's racial proâ\200\224 .

Earher â\200\234the: leader of the Oppomuon

Â£ ' .".Su* de Villiers Graaff, â\200\234urgedâ\200\235 people noy to

flock to the: ruling party.n in- the belief
that it was not doing '3 bad job of

) " â\200\234The .Govenment has dong a rotten
job]8!;[(1"_18 worse: job now,â\200\231 he '
Sir i lieved it was

iry for a- new. mxï¬\202ï¬\202lo of. tlw,:rpad

" party to be formed in order to take over
â\200\234from. â\200\230the . - Government whose po cies

were le dxng â\200\234memtably to violence.â\200\235

" the Governmentâ\200\231s

The

THE CITIZENSHIP

.issue hangs like an al-
batross around the neck; a f
tustan . policy. To
transform millions of
citizens into foreigners, in
the land of their birth and
_without their own consent,
~ is contrary to essential
. principles of ' justice and
morality. But
The compulsory deprivation -
tion of their citizenship
which black citizens of
South Africa required at
birth, was first attempted
for Transkei last October,
and is now proposed for
Bophuthatswana in
. December.

_These proposals are part

of a political scheme to
turn all 18 million
Africans â\200\224 more than 70
percent of the total
â\200\230population â\200\224 - into
statutory foreigners, and
to set up
Bantustansâ\200\235 in only 13
percent of the countryâ\200\231s
-~ entire territory, the size
and boundaries of each
. being unilaterally decreed
+ by an all-White Parlia-
~ ment. .

The scheme to deprive
millions of black -citizens
of their birthright, as well'
as their share and stake in

the built-up wealth of the -

country which blacks have
toiled and laboured for
generations to create, is a
blatant example of racial
discrimination enforced by
legislation.

If the six sepms :

â\200\234independent

By W&hW%ERING; â\200\230an advocate of

statutory foreign

the Supreme Court and formerly Professor
of Law at the University of Durban-Westville

pockets of land comprising

' Bophuthatswana are granted independence, it is in

the highest degree unlikely that this fragmented

- . Bantustan will be accorded

international recognition
by any of the Western
countries of the Free
World to which South
Africa claims to belong.

A noted legal author, Dr
Martin Wolff, has written
that deprivation of nationality, if made purely
on racial grounds, is a
violation of international
law. He described such a
deprivation as inconsistent with tenets of
humanity and morality.

- Agreement

In 1975, three Law
Lords in the House of
Lords,
agreed with - these
views. A law which
deprives a section of the
citizen body, singled out
on racial grounds, of their

. citizenship, constitutes so
grave an infringement of
human rights that the
courts of Britain ought to
refuse to recognise it as a
law at all. X

In the light of President
Carter's expressed concern
for human rights, it is to

be expected that this viewpoint will likewise be that

.expressed their

" of the Carter Administration.
tration.

Insistence by the South
African Government on
the compulsory deprivation of rights of

citizenship, notwithstanding the declared ob-

jection of Chief Mangope and the Bophuthatswana .

Cabinet, would be a clear test as to whether the terms of the homeland in-

dependence are truly bas-

ed on voluntary consent,

or are a product of duress and compulsion.

- The letter addressed to Minister M. C. Botha and referred to in the House of Assembly debate, is the political litmus paper by

. which the presence or absence of voluntary consent on the part of the hom-

eland government may be judged. { Although homeland in-

" dependence was granted to -
- Transkei and is now pro-

posed for Bophuthatswana in the name of separate freedoms and the self-determination of peoples, empowering = legislation negate these claims.

For the free will or

voluntary consent of the

South African citizens who are to be affected by it is

- excluded. There is no free

choice for each individual

citizen deprived of - his

birthright. The deprivation

" of citizenship and of the

share and stake in a built-up wealth of the country is based on compulsion of law enacted by a Parliament in which

blacks do not participate.

Bophuthatswana ' faces yet another serious obstacle to international

recognition. This is the fact that its proposed territory consists of six

â\200\230- separate pieces of land

embedded within the geographical area. of the Republic. » o

- Differences

The size and borders of

each of these land pockets are determined by virtue

â\200\230of an Act of Parliament in

which no black citizen take part. Only citizens classified as white, comprising less than one-fifth of the

population, have the right

to elect or be elected as MPs: in the Cape Town Parliament, which alone has sovereign law-making powers over the whole geographical area of the

* Republic . and all its inhabitants, - both the

voteless majority as well

as the privileged and enfranchised minority.,

. These six pockets of land cannot be truly equated with islands in the

sea. There are manifest differences between a pieces of land, whose borders

are man-made and decreed by Parliament,

and islands created by

nature, and surrounded by

â\200\230water and not the territory of another sovereign independent state.

Under international law, a state has rights over its territorial waters which

â\200\230are quite different from

â\200\230rights over land.

Access to a state over:

the sea is obviously very different from. access through and across the

-of another independent state. Can anyone seriously suggest that the land surrounding

each of these six pieces is to be treated as territorial waters? :

- The mere posing of this question shows up the hollowness of the com-

parison between these six ' pieces of land and islands existing in the ocean, :

In 1951, the then Prime Minister, Dr D. F. Malan,

â\200\234had this to say on â\200\234full in-

dÃ©pendenceâ\200\235:

â\200\234South Africa is an independent country, recognised as such. Constitutionally she stands on a footing of equality with . other in-

' semi-independent

and

ers

dependent nations. 3
â\200\234But .n one vital respect she differs from them all and that is, within her embrace and even actually within her borders, she is compelled to harbour territories = entirely depen-

. dent on her economically

znd largely also for their defence, but belonging to, and governed by, another country ... as long as this is tolerated by South Africa, there can be no real equality, nor even full .independence for her.

A
: <

And no one can blame her if, under such circumstances, she herself relegated to a position of inferiority and in fact to the position of a third class country . . .

Where in the world is there' another independent state which would allow the existence, inside its own territory, of territor-

- ies controlled by a foreign government?

Dr Malan was referring

to the territories then

known as the High Com-

mission Territories, but a

glance at a map of the six. |

pieces of land comprising

Bophuthatswana shows how forcefully his remarks apply to them.

Indeed the reasoning applies far more strongly to the proposed territory of Bophuthatswana, =

feels |