

## STATEMENT

On

### DETENTIONS AND BANNINGS

SACBC Plenary Session, 8 February 1975

The Catholic Bishops' Conference of Southern Africa in Plenary Session on February 9<sup>th</sup>, 1975, while recognising that countries may at times need security measures outside normal legal procedures, voicing a common concern, wishes to protest against the present excessive use of banning, restriction and withdrawal of passports and residential permits, for undeclared reasons which may in many cases be only legitimate difference of political attitude.

Recently our Government leaders have made promises of détente to the outside world which should be made effective at home. We wish to urge the repeal or drastic revision of laws permitting such action, and also of laws by which people may be detained incommunicado indefinitely and without recourse to courts, or, when it is intended to bring them to court, to be so held without opportunity of bail. This amounts in some cases to long and serious punishment imposed on people whose guilt remains unproved and where in some cases no crime is subsequently proved.

The sense of need to use so many procedures outside ordinary law courts emphasises again the evil and danger of discriminatory legislation to which we, as other religious bodies, have frequently drawn attention and the unbearable sense of frustration and deprivation of normal human rights under which so many people in the country live. Countries with just laws based on the consent of citizens do not need to use such means.

We wish to add a special appeal that as long as the present legislation is in force, it should be required that those held in special forms of detention independent of courts should be periodically visited by a judge. It appears to us to put too much burden upon magistrates as officials of their department to expect them to feel wholly free to criticise its policy and manner of acting.

We note with regret the reports of young men who are fleeing the country. Speaking of the phenomenon of political refugees in the large numbers in which they are now to be found, Pope John XXIII voiced a universal Christian conviction when he wrote:

“Such expatriates show that there are some political regimes which do not guarantee citizens a sufficient sphere of freedom within which their souls may breathe humanly; in fact under such regimes the lawful existence of such a sphere of freedom is either called in question or denied. This is undoubtedly a radical inversion of the order of human society, since the reason for the existence of the public authority is to promote the common good, a fundamental element of which is the recognition of this sphere of freedom and the safeguarding of it.” (From “Peace on Earth”)

We wish to appeal in the name of Christ to all our people, and to others in sympathy according to their beliefs and convictions, to do all they can to alleviate the sufferings

caused in all the situations mentioned and to assist the families, which suffer so much economically and emotionally.