FOR IMMEDIATE RELEASE

Contact: George M. Houser
212-532-3700

January 9, 1974

NEW YORK CITY COMMISSION ON HUMAN RIGHTS HOLDS HEARING ON COMPLAINT AGAINST THE NEW YORK TIMES FOR SOUTH AFRICAN JOB ADVERTISEMENTS

Date: Monday, January 14
Time: 9:30 a.m.
Place: Human Rights Commission
52 Duane Street, N.Y.C.
6th Floor

The New York City Commission on Human Rights will hold a hearing on Monday, January 14 on a complaint brought by several organizations charging The New York Times with discriminatory practices. The complainants, The American Committee on Africa, the African Heritage Studies Association, One Hundred Black Men, Inc., and Judge William H. Booth, former Chairman of the City Human Rights Commission, charge that The New York Times has violated and continues to violate the provisions of the New York City Human Rights law, by publishing advertisements for employment in the Republic of South Africa. The complainants contend that it is well-known that the law in South Africa creates a system of deliberate discrimination in employment and in all other aspects of life based on race and color; that the purpose and effect of all these laws is to deny blacks the opportunity to obtain and hold jobs in South Africa on an equal basis with whites. All advertisements for employment in the Republic of South Africa therefore express, directly or indirectly, implied limitations and discrimination as to race and color, and the publication of such advertisements by The New York Times aids employers and employment agencies in their unlawful discriminatory practices.

President: William H. Booth / Vice-Presidents: Robert S. Brown / Elizabeth Landis / David Robinson / Secretary: Dorothy Hibbert / Treasurer: Jay Jacobson
Executive Director: George M. Houser / Staff Associate: Richard Leonard / Executive Assistant: Kay Anderson / Research and Literature: Jennifer Davis / Henry Lieberg
Membership and Finance: Marvin Rich / Annie King / Minnie Kelson / Secretary: Emily Paine / Washington Office On Africa: Edgar Lockwood / Chicago Literature Center: Eileen Hanson
The complaint against the Times was first filed in October, 1972, and it called on the New York City Commission on Human Rights to issue an order preventing The New York Times from continuing to publish such advertisements.

The Commission subsequently found probable cause for a human rights violation and on June 6, 1973, a hearing began before the Commission. The Times argued that the Commission lacked jurisdiction in the case and that its First Amendment rights would be violated by curbing employment advertising for South Africa. The Commission ruled against the Times and the newspaper then petitioned the New York State Supreme Court to prevent the hearing. Justice Samuel J. Silverman upheld the Commission and directed that the hearing be held.

Commenting on the Times' arguments on jurisdiction, Justice Silverman noted that "...the advertisement does appear in a New York newspaper...and no doubt residents reading the advertisement against the background of general information in this country about South Africa's racial policies, will believe that it makes a very substantial difference whether an applicant for employment is white or black."

Positions in South Africa which have been advertised in The New York Times generally fall into two categories: executive positions in business and university posts. Both types of positions are closely controlled by South African legislation and are either closed to blacks, and therefore to black Americans, or are available only on a clearly discriminatory basis. Complainants have set out in detail the framework of South African law which would effectively bar American blacks from living and working on an equal basis with whites in South Africa. This legislation includes:

*Proclamation No. 329 of November 1, 1957, which implements the Group Areas
Act No. 77 of 1957 and prohibits any black employee from holding a position "as a chargehand, executive, professional, technical or administrative employee, manager or supervisor" in any prescribed urban area.

*The Bantu Laws Amendment Act of 1970 which provides that the Minister may, after one month's notice, prohibit blacks from employment in (a) a specified area, (b) a specified class of employment, (c) a specified trade.

*The Bantu Labor Act, the Bantu Settlement of Disputes Act, the Bantu Building Workers Act, which all lay down special and restrictive conditions for the employment of black workers.

*The Bantu (Urban Areas Consolidation) Act which controls entry of blacks into towns and segregates the areas in which they may live, thus inter alia limiting black access to jobs.

*The Reservation of Separate Amenities Act enforces segregation in all public places, and on all public vehicles including "any train, tram, bus, vessel or aircraft" and which specifically applies to all persons, whether resident or visiting South Africa, and would thus apply to all black Americans.

The complainants' case will be supported by the calling of a number of witnesses, including prominent Black academicians and businessmen, former senior diplomatic officials and South African lawyers.