CITY COMMISSION HOLDS HEARING ON NEW YORK TIMES
ADS FOR JOBS IN SOUTH AFRICA

On Monday, January 14, 1974, the New York City Commission on Human Rights held a hearing on a complaint brought against The New York Times for its continued publication of advertisements for employment in South Africa. The complainants, The American Committee on Africa, the African Heritage Studies Association, One Hundred Black Men, Inc., and Judge William H. Booth, have contended since the initiation of the complaint in October 1972 that these advertisements for professional positions in industry and academia were inevitably discriminatory because of the very nature of the legislative policies of apartheid in South Africa. The complainants have claimed 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. Hence advertisements for jobs in South Africa are in violation of the City's Commission of Human Rights laws covering equal opportunities for employment for all the citizens of New York City. Complainants have requested that the Commission direct the Times to cease further publication of such advertisements.
Counsel for the complainants, Douglas Wachholz of the Lawyers Committee for Civil Rights under Law, and Peter Weiss of the Center for Constitutional Rights presented documents and testimony at the hearing which clearly underscored the obvious discriminatory nature of the ads appearing in the Times.

Joel Carlson and Andrew Lukele, former South African attorneys and witnesses with extensive experience and knowledge of the South African apartheid legislation cited laws governing employment, housing, education and every phase of life which would render the situation for a black American applying for a position in South Africa not only intolerable but probably impossible. Witnesses testified that obstacles to successful application for such employment by blacks would begin with the legislation which restricts immigration status to those of pure white descent. Once in South Africa, regulations covering blacks extend virtually from the cradle to the grave, affecting all aspects of employment, in terms of travel, mobility, responsibility and advancement.

During the hearing, counsel for the New York Times objected to testimony based on personal experiences and to any descriptions of apartheid legislation as it is applied in practice. The Commission overruled these objections, supporting the complainants' contention that these testimonies underlined the pervasiveness of the apartheid laws in the life of blacks in South Africa, whether native or foreign-born.
Testimony was also given by a number of prominent black New Yorkers, including Prof. Hugh Smyth, former Ambassador to Syria and Malta, Dr. John Henrik Clarke, Mr. Dick Clark of Dick Clark Associates, a minority hiring consulting firm, Prof. Tilden LeMelle.

These witnesses gave evidence regarding the immediate awareness among black Americans of the discriminatory policies of South Africa and hence, of the inapplicability to that community of such job openings as have been advertised in The New York Times. As some witnesses attested, knowledge of apartheid and the injustices inherent in South African employment came through reading publications such as the Times itself. Statements from black academics and a minority employment consultant stressed that neither they, nor any of their colleagues who represented the professional level at which the advertisements were directed would ever consider application for employment in South Africa.

New York City lawyer Hope Stevens, Chairman of the Uptown Chamber of Commerce, pointed out that no black professional would respond to a South African job advertisement because "there is a universal understanding in the black community, barring that small percentage who neither read nor care, that blacks need not apply." He regarded the advertisements as dangerous because black readers, knowing they were excluded from the positions advertised, could only regard the Times action in publishing such advertisements as provocative.
Priscilla Bassett, a white librarian married to a black micro-biologist, asked by counsel, "Would either you or your husband apply for any post advertised in The New York Times for South Africa?" responded firmly, "Absolutely not. This would destroy our family relationship. We could not live with each other or with our three children."

Under cross-examination by The New York Times counsel, Mr. George Houser, Executive Director of the American Committee on Africa, responded to the question whether in his opinion it would be possible for a U.S. Corporation to place any advertisement in The New York Times for a job in South Africa that would not express discrimination. "In my opinion that would be an impossibility", he stated.

While it was recognized that there were other areas in the world where employment discrimination against certain groups existed, witnesses stressed that South Africa was the only country in which such discrimination was actually legislated.

A further hearing of the Commission of Human Rights will be held on Thursday, January 31, 1974, at 10:00 a.m. at the Commission's offices, 52 Duane St.