

TOTALITARIANISM — GENERAL

1987

~~April 1987~~

MARCH AND APRIL

# Rare way to muzzle student paper

PATRICK BULGER

THE Publications Board has invoked a rarely used section of the Publications Act to censor *Saspu National*, a leftwing student-produced newspaper.

Under Section 9 (2) of the Act, the paper's publishers, the SA Students' Press Union, have to submit a copy of the paper to be published to a committee, which has to clear it before publication. *Saspu* claims a circulation of 50 000.

A similar prohibition has been issued against *Free Azania*, an alternative education publication.

The order has provoked a strongly-worded protest from the Anti-Censorship Action Group, which said it was "an abrupt warning to other newspapers in SA to impose more vigorously a crippling form of self-censorship".

The move is a departure from recent government practice of muzzling the Press through police orders.

A Directorate of Publications spokesman said in Cape Town implementation of the section "does not happen often".

He said he could not disclose the reasons for the order being issued. The reasons were provided to the publishers.

*Saspu* has given notice that it intends appealing to the Publications Appeal Board against the decision.

## Unrest: Funeral crowd broken up

PRETORIA. — A Soweto home was set on fire and "extensively damaged", buses and security force vehicles were stoned, shots were fired at security force vehicles and two people, an unnamed man and woman, were arrested during weekend unrest reported by the Bureau for Information.

In its report for Friday, the bureau said: "In Mafolo, Soweto, approximately 20 blacks set a private home on fire, causing extensive damage. The motive is unknown."

On Saturday the bureau reported: "In Mpumalanga black residential area the security forces had to break up a large gathering of blacks at a funeral, during which incident a white woman of over 18 years of age was arrested."

On Friday: "During a stone-throwing incident in the Isando industrial area in Kempton Park a black man, over 18 years of age, was arrested. Nobody was injured in this incident."

On Saturday: "Isolated cases were reported from the Cradock area (Eastern Province) where unidentified persons fired shots at security force vehicles. In two cases slight damage was caused to the vehicles. The security forces returned the fire. Nobody was injured or arrested."

"In Doringkop cemetery (Soweto) a Putco bus was robbed and extensive damage caused. Nobody has yet been arrested." — Sapa





# ID of 'Mr Z' secret, judge rules

*CRB Tim 3/3/87*

*397*

JOHANNESBURG. — A Commission of Inquiry yesterday ruled against disclosing the identity of "Mr Z", who reputedly helped arrange finance of R100 000 for an advertisement calling for the unbanning of the African National Congress.

The Commission, chaired by Mr Justice G G A Munnik, Judge President of the Cape Province, began hearing evidence here yesterday.

Mr Jimmy McKenzie, senior general manager of Barclays Bank, handed in records of transactions.

Mr Justice Munnik ruled that the identity of the Barclays client — Mr Z — be kept secret, adding the man's identity could be disclosed later if necessary.

He said the Commission did not want unduly to harass any client of the bank.

"I think it would be only right and fair that Mr McKenzie does not refer to the client by name," Mr Justice Munnik said.

He agreed to a submission that Mr McKenzie be helped to give evidence by Barclays' counsel, Mr S A Cille SC.

Mr Cille, who asked that Mr Z's name be withheld, said it was Barclays' policy not to release confidential information on its clients' finances.

Documents handed to the Commission reflected several deposits.

These included a deposit of R100 000, paid on January 7 into the Barclays account of the attorney for the United Democratic Front, Mr Krish Naidoo.

Deposit slips on Mr Naidoo's account were handed in for the period November 1, 1986 to February 20, 1987.

The bank official also read out the dates, but not the amounts, of deposits into Mr Z's account for the same period.

A debit of R100 000 was registered against Mr Z's account on January 6.

This was a "Premier" account, which Mr McKenzie explained had "more status" than a special "Status" account.

There were also the dates, but not the amounts, of cheques drawn against Mr Naidoo's and Mr Z's accounts.

The Commission, appointed by the State President, Mr P W Botha, is empowered to investigate circumstances surrounding the placing of the advertisement.

It will also seek the source of payment for the full-page call to "Let the ANC speak for itself".

The Commission will also investigate whether Mr Chris Ball, the group managing director of Barclays Bank, was "in any way" involved in the financial aspect of the placement.

Three letters from Mr Ball to the relevant branch manager concerning the transaction were dated January 6, 7, and 21.

The controversial advertisement appeared in newspapers on January 8 — the 75th anniversary of the founding of the ANC.

It was issued by the UDF, and National Education Crisis Committee and the South African Council of Churches.

Fifteen other organizations lent their support.

It carried a photograph of the ANC president, Mr Oliver Tambo, and a blacked-out facsimile of the jailed ANC leader, Mr Nelson Mandela.

The inquiry continues today.



## 83 people died in police custody

CAPE TOWN—A total of 83 people died in police custody in 1986, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday in a written reply to a parliamentary question from Mrs Helen Suzman (PFP Houghton).

Asked for their names and the dates of death, he said: 'From a practical point of view I am not prepared to furnish the particulars.'

They were being held on a variety of charges, among them drunkenness, assault with intent to do grievous bodily harm, rape, house-breaking, stock theft, theft, disturbance of the peace, murder, trading in dagga, public violence and robbery.

'In not one of the 43 instances finalised have the presiding officers in their findings laid blame on the South African Police,' he said.

Of these cases, 27 had died of natural causes, 12 committed suicide, three died as a result of shooting wounds when they tried to escape and one was stabbed by fellow-prisoners.

In the remaining 40 deaths the inquests are not finalised yet and I do not

consider it in the interest of justice to furnish particulars regarding these cases,' Mr Vlok wrote. — (Sapa)

3/3/87

# Death of pupils was in 'good faith'

327  
3/3/87  
See POST

JOHANNESBURG — A policeman who shot dead two Soweto schoolboys today pleaded not guilty to murder and cited the emergency regulations in his defence.

Mr Jacobus Johannes Laubscher, 22, also pleaded not guilty to attempted murder for wounding a third child.

His defence counsel said the court was not empowered to proceed against Mr Laubscher because he had been granted indemnity by emergency regulation 11.

Regulation 11 says no civil or criminal proceedings shall be brought against any member of a force who acts in good faith in the interests of the maintenance of public order and public safety.

Mr P A Hattingh, SC, for Mr Laubscher, said the basis of his defence was that the shots were fired during public violence in a state of emergency.

Prosecutor Mr J A Swanepoel said that "good faith" was an important aspect of the regulation and could be decided only after all the evidence had been presented.

The State alleges that Mr Laubscher, a police detective constable with the Riot Investigation Unit at Soweto, was in a white car on August 28, 1985, in Soweto, when he approached the Ibhongo High School.

Spencer Simelane, 17, and George Mbatha, 15, were in the schoolyard. It is alleged he fatally shot

Spencer in the back and George under the right shoulder blade.

The State alleges Mr Laubscher was not in uniform at the time, and had used a service pistol.

George Mbatha, who was arrested by Mr Laubscher on a charge of public violence, was acquitted in a Johannesburg Regional Court.

In September, 1985, Mr Laubscher drove an unmarked white car past Jabula High School in Soweto.

Thuso Godfrey Phuroe, 17, who was on the school property, was shot three times with a police shotgun by Mr Laubscher, according to the State.

After both incidents Mr Laubscher said his car had been stoned by pupils.

CA 11-11815-4/3/87

# Commission looks at 'Mr Z's' accounts

327

JOHANNESBURG. — "Mr Z" was previously the managing director of a company, a witness yesterday told the Munnik Commission during scrutiny of "Mr Z's" bank accounts in connection with an advertisement calling for the unbanning of the ANC.

Records of transactions and overdraft facilities on two accounts held by "Mr Z" — whose identity is being withheld by the commission — were presented by the senior general manager of Barclays Bank, Mr Jimmy McKenzie, to Mr Justice G Munnik, Judge President of the Cape Province.

Mr Z helped arrange payment for the advertisement published on January 8 — the 75th anniversary of the founding of the ANC, press reports alleged.

Mr McKenzie said a bank cheque of R100 000 was deposited into the Barclays account of Mr Krish Naidoo, attorney for the United Democratic Front, on January 7.

A debit of R100 000 was registered against Mr Z's exclusive "Premier" account on January 6.

Mr McKenzie said bank records suggested Mr Z had overdraft facilities of R20 000 on his "Status" account and R100 000 on the "Premier" account.

Mr McKenzie said Mr Z's account was "troublesome" to the extent that his branch manager had to "bring him back into line" regarding his overdraft rate. — Sapa



ARGUS 4/3/87

CITY/NATIONAL

397

## Barclays: Mr Z a 'troublesome client'

The Argus Correspondent

JOHANNESBURG. — A Barclays Bank executive was questioned in the Munnik commission of inquiry about whether "Mr Z", the mystery client who advanced R100 000 to pay for the ANC advertisements, was a "troublesome client".

Counsel for the commission, Mr H F van Zyl, asked Mr Jimmy McKenzie, senior general manager of Barclays, yesterday whether Mr Z was a troublesome client because he had exceeded his overdraft limit on

several occasions.

Mr McKenzie said Mr Z's account had been "troublesome in the sense that the bank had to control it".

He said when a client exceeded his overdraft limit it did not necessarily mean the bank did not wish to continue doing business with him.

Mr Z was the managing director of a company important to Barclays, he said.

When Mr Z opened an account in October 1984 he had a

R30 000 overdraft facility, the commission heard. From January 1985, Mr Z began to exceed this limit and his bank contacted him on several occasions to try to have this reduced.

Once he was R9 000 over the limit.

Later, in September last year, Mr Z opened a premier account with an overdraft facility of R100 000. His other account then had an overdraft limit of R20 000.

Mr McKenzie gave evidence for the second day after he was

subpoenaed in terms of an inquiry ordered by the State President.

On the first day of the commission hearing, bank documents presented to the commission disclosed that a bank cheque of R100 000 was paid into the account of an attorney, Mr Krish Naidoo, who placed the advertisements on behalf of the United Democratic Front.

This cheque was drawn from the premier account of Mr Z.  
(Proceeding)

# ANC probe told of overdraft

1223  
11/11  
13/87  
CART TINKS

## Own Correspondent

**JOHANNESBURG.** — Barclays MD Mr Chris Ball personally authorized the R100 000 overdraft which was used to pay for the ANC advertisements, the Munnik Commission into the funding of the advertisements heard yesterday.

The bank, however, is on record as saying it had no knowledge that the funds would be used to pay for the controversial advertisements.

The commission was told by Barclays Bank senior general manager Mr James McKenzie that Mr Ball had approved the new account for a client known as Mr Z.

The overdraft was granted on January 6 this year and on the same day a R100 000 bank cheque was issued against the overdraft facility on Mr Z's account to pay for the advertisements.

### 'Not a party'

Mr Z's first account at that stage had an overdraft facility of R20 000.

Mr McKenzie told Mr Justice G G A Munnik he had known at some stage that Mr Ball had authorized the second account with a R100 000 overdraft.

But, he added, he did not know if he was informed of this at the same meeting at which Mr Ball assured the bank's executive committee he had not been party to the financing of the advertisements.

"We received assurances from Ball that he wasn't involved in the issuing of the bank cheque and the financing of the advertisements. We accepted that without reservations," McKenzie said.

Later, questioning Mr McKenzie about the meeting at which Mr Ball had given these assurances, Mr Justice Munnik asked: "Did he tell you at that meeting that he personally authorized the cheque?"

Mr McKenzie: "I certainly knew at one stage that he'd authorized that facility but I don't know if it was on January 6."

Mr McKenzie told the commission that Mr Z applied for a premier account on September 22 last year. This was turned down.

He said that up until January 6 this year Mr Z operated only one account at the Simmonds Street branch of the bank. On January 6 another account with an overdraft facility of R100 000 for one month was opened.

Mr McKenzie said the cheque was issued against this overdraft facility. On January 21 the new account was given premier status and the overdraft extended to six months on a fluctuating basis. Mr McKenzie also told the commission that bank cheques could be issued against money clients had in their accounts.

Or, if the account was in overdraft they could be arranged on a secured or unsecured basis at the discretion of the branch manager.

On Tuesday Mr McKenzie testified that Mr Z had exceeded his earlier R20 000 overdraft facility several times in the past and the account had been "troublesome" in that the bank had had to control it.

□ Mr Munnik yesterday described a headline in the Citizen relating to the inquiry as partly misleading.

The judge said he was surprised when he read the headline to the lead story, which said: "ANC ad financed from MD's account".

He said that in the context of the inquiry it was an unfortunate headline. The matter was put in perspective in the first sentence of the story when it was explained that the mystery client, Mr Z, who advanced funds for the ANC ads, was the managing director of a client important to Barclays.

"I think the newspaper should try to avoid this," he said.

Counsel for Barclays, Mr S A Cilliers, SC, said his client strongly objected to the headline.

# Scuffle in court as police arrest inquest witness

AKG 5/3/87 (327)

JOHANNESBURG. — A security policeman walked into court and arrested a witness under emergency regulations as the inquest on journalist Makompo Lucky Kutumela began, the Sowetan reported today.

The man, Mr Kgalabe Kekana, a trade unionist and a regional organiser of the Media Workers' Association of South Africa, was to have testified as a witness in the inquest at Mokopane Magistrate's Court.

The station commander of Mokopane police station was giving evidence when Mr Kekana, who had been sitting outside court, dashed into court with the security policemen in pursuit.

## STATE OF EMERGENCY

A scuffle followed and family lawyer Mr Dikgang Moseneke applied for an adjournment of the hearing.

The magistrate, Mr M B Mabuza, granted the adjournment and the policeman, who identified himself as Sergeant Gouws of the security police, told Mr Moseneke he was detaining Mr Kekana "under the Internal Security Act in terms of the state of emergency". He said he did not need an arrest warrant.

Earlier a Lebowa police constable was stopped by the family attorney from arresting Mr Kekana who, the policeman said, was needed for another case related to the inquest. He left after being told the case had been withdrawn in Pietersburg Regional Court in November.

Mr Moseneke addressed the court after the adjournment and said it was "totally unacceptable that the police should walk in and cause a scuffle in court".

"It amounts to contempt of court because they could have requested an adjournment or guarded all entries to make sure the witness could not escape.

"This is going to impair our preparation for this matter because he is going to be needed to testify."

Counsel for the police, Mr J A Wessels, concurred with Mr Moseneke but said he did not know if it was contempt "as we do not have all the details".  
— Sapa.





# Inquest witness arrested at court

*CPH Times 6/30/77*  
*327*

JOHANNESBURG. — At the start of the inquest into the death of journalist Mr Makompo Lucky Kutumela, a security policeman ran into court and arrested one of the witnesses.

The Sowetan reported that the detained man is Mr Kgalabe Kekana, a trade unionist and a regional organizer of the Media Workers' Association of South Africa.

A police officer was testifying when Mr Kekana, who had been sitting outside court, dashed into court pursued by the security policeman.

The security policeman, who identified himself as a Sergeant Gouws, told Mr Dikgang Moseneke, the advocate representing the Kutumela family, that he was detaining Mr Kekana "under the Internal Security Act in terms of the state of emergency" and that he did not need a warrant for the arrest.

The last moments of Mr Kutumela, who died in police custody less than 24 hours after his arrest, were recounted at the hearing yesterday.

Warrant Officer M M Morare testified before Mr M B Mabuza that when he visited the cell on the morning of April 5 last year, he had found Mr Kutumela still alive and lying on blankets but unable to speak or move. He said another detainee had told him that Mr Kutumela should have been taken to hospital, but the police had ignored all pleas for assistance.

"I went away to arrange for a van to take Mr Kutumela to hospital, but when I returned 10 minutes later he was dead. We covered him with blankets," W/O Morare said.

Cross-examined by Mr Moseneke, he said he had seen two fresh wounds on the head and face of Mr Kutumela. The sergeant on duty during the night had told him the detainee had been assaulted while resisting arrest.

This had not been recorded in the occurrence book, he said.

The station commander, Captain Isaac Lebesse, said he saw eight sjambok marks on the body of Mr Kutumela but did not ask who had caused them "because I knew that all the policemen had been issued with sjamboks".

He said he accepted that the sjambok marks were caused by his policemen. — Sapa

TELL YOUR FRIENDS — TELL YOUR —



Mr Chris Ball

Mr Z

Cap & Tim is  
6/3/12

'said it

101  
327

was for

101

shares'

#### Own Correspondent

JOHANNESBURG. — The managing director of Barclays Bank, Mr Chris Ball, who authorized an overdraft for "Mr Z" after two subordinates refused it, did not know the R100 000 would later finance advertisements calling for the unbanning of the African National Congress.

Mr Ball did not know at the time that Mr Z had told the managers he wanted the money to buy gold shares, according to evidence before the Munnik Commission yesterday by bank manager Mr Ross Field.

After President P W Botha made his allegations against Mr Ball in Parliament in January, the cheque was traced to Barclays' branch in Simmonds Street, Johannesburg, where Mr Field is one of two assistant retail managers.

Mr Justice Munnik asked Mr Field how Barclays Bank's press statement — saying neither the bank nor its staff knew what the cheque was to be used for — could be true if he had noted on Mr Z's account information card that the money was for gold shares.

"I think the statement was made before they spoke to me," Mr Field said.

Mr Justice Munnik: "But how can that be if they said they had made inquiries?"

#### Earlier request

The commission also heard that Mr Ball authorized the new account with a R100 000 overdraft facility after Mr Z's request had been refused by both Mr Field and Mr Neil Garden, chief manager at the Simmonds Street branch.

Mr Field said he had also refused an earlier request by Mr Z on September 22 last year even though the Kharbide group, in which Mr Z had interests, was transferring its multi-million corporate account to Barclays from a competitor.

"He approached me. I think it was on January 5. He wanted R100 000.

"I asked him what it was for and he said for gold shares."

Mr Field said he had told Mr Z he was crazy to buy gold when everyone was into industrials, but he insisted that was what he wanted.

"I went to Mr Garden and said there is no way you can give this funding, and he agreed with me.

"Mr Z said 'no problem, I'll go to Mr Ball'. I said 'it will be fine if you get a letter saying you are entitled to the account'."

Mr Field said he had given Mr Z the cheque after receiving the letter, and again asked him what he wanted the money for.

"He confirmed that it was for gold shares. With authority from my MD I just went ahead and did it."



AFRUS 6/3/87

NATIONAL/INTERNATIONAL

## Ball 'not aware' R100 000 would be used for ANC ads'

JOHANNESBURG. — The managing director of Barclays Bank, Mr Chris Ball, who authorised an overdraft for Mr Z after two subordinates refused it, did not know the R100 000 would finance advertisements calling for the unbanning of the African National Congress.

This was said to the Munnik Commission by Mr Ross Field, one of Mr Ball's two subordinates who declined to grant the overdraft. Mr Field is a manager at the branch in Simmonds Street, Johannesburg, where Mr Z holds two accounts.

### Not identified

One account, an exclusive "premier" account, was opened on January 6, and Mr Z drew R100 000 on overdraft which he said was to buy gold shares.

The commission is chaired by Mr Justice G Munnik, Judge President of the Cape, and was commissioned by President P W Botha to find out who financed advertisements calling

for the unbanning of the ANC. Mr Justice Munnik has ruled that Mr Z may not be identified at this stage.

Mr Field, who has been in his present post for about nine months, began dealings with Mr Z in August or September last year, but knew the man was a client at Barclays before that time.

He also described Mr Z as "very influential". He called Mr Ball "Chris".

He reputedly was at one time a guest of the Indian Prime Minister, Mr Rajiv Gandhi.

Mr Z appeared to be a man who "if he wants to get something done, he could get it done", Mr Field said.

After the furore surrounding the publication of the advertisement on January 8, the 75th anniversary of the founding of the ANC, Mr Z apologised for the embarrassment caused to Mr Ball, Mr Field said.

The hearing resumes on Tuesday. — Sapa.

# Govt can expel 'suspects'

JOHANNESBURG. —  
The government yesterday assumed extraordinary powers to expel from state-run schools coloured pupils and trainee teachers suspected of anti-government activities.

Officials can arbitrarily eject pupils, apprentices and junior teachers caught up in "circumstances of serious unrest" under powers detailed in an official Government Gazette.

Education officials are entitled to expel coloured pupils summarily if "other disciplinary procedures" are deemed inappropriate.

"Such notice of expulsion may, if necessary, be conveyed verbally to the pupil, trainee, apprentice or student teacher concerned by the head of the institution concerned," the gazette says. Pupils evicted face prosecution if found on school premises. — UPI

327 SMC 9/3/87

Altogether, 57 people serving sentences for offences against the "security of the state" were released last year, five of whom had renounced violence, the Minister of Justice said in written reply to Mr Dave Dalling (PFP Sandton).

Parents agree

Greenwood



A total of 2 280 children, of whom 1 880 were black, were imprisoned with their mothers last year, the Minister of Justice, Mr Kobie Coetsee, said in written reply to Mr Dave Dalling (PFP Sandton). — Sapa.

337

337

9/3/87

Six people were shot dead and two injured at police roadblocks in 1986, the Minister of Law and Order, Mr Adriaan Vlok, said in a written reply to Mr Tian van der Merwe (PFP Green Point). (28) (327)  
SMR 9/3/87 ★ ★ ★ ★ ★

# 'Too liberal' editor asserts independence

By Susan Fleming

5/28 9/3/87

A senior Government official has complained to the editor of the upmarket Afrikaans magazine *De Kat* about its "liberal standpoint".

According to the editor of *De Kat*, Mr Johan van Rooyen, the personal adviser on social matters in the Office of the State President, Dr Jannie Pieterse, told him his magazine was too liberal for Afrikaner readers.

"Dr Pieterse told me the magazine had been discussed at a presidential advisory level and that concern had been voiced about where the magazine was going to," said Mr van Rooyen.

Dr Pieterse complained about an article which appeared in the magazine last year on Dr Alan Boesak. He also expressed concern about an analysis on the Freedom Charter written by Professor Johann van der

Westhuizen of Pretoria University's law department.

Mr van Rooyen said he found it most extraordinary that Dr Pieterse had expressed concern about the magazine.

"We believe that we are a very fair and responsible magazine. I stressed to Dr Pieterse that we were an independent magazine and that we were responsible. I also told him we would not be dictated to," said Mr van Rooyen.

## WOULD NOT BE FORCED

The publisher of the magazine, Mr Greg Psillos, said he would not be forced by anyone to change the editorial content of any of his magazines. Mr Psillos is the publisher for the English-speaking magazine *Living* and a new magazine, *Tribute*, which is aimed at black readers.

Mr Psillos said if any Government official again ap-

proached any of his magazines he would insist on being present at the meeting.

"I will not allow an editor of mine to be told what to do by an outsider or to be dictated to."

Mr Psillos said he could not understand why Dr Pieterse had expressed concern about *De Kat*'s so-called liberal standpoint.

"*De Kat* is an independent magazine and we do not believe it is biased. We present all viewpoints — for example in one edition we had one article on Mr Barend du Plessis and another on Dr Alan Boesak. We report on all sides of the spectrum."

In a recent edition of *De Kat* a "tongue-in-cheek" article was published asking people to determine what their own Cabinet should look like.

"There were some very interesting comments in that article and maybe some which people did not like."



CHL 1/11/13 10/3/82

243

329

# PW aide denies warning magazine

Own Correspondent

JOHANNESBURG. —

The State President's personal adviser on social matters, who is said to have "warned" the editor of De Kat magazine about its "liberal standpoint", yesterday denied he had done so.

"I don't know what you're talking about," Dr Jannie Pieterse said. "In my position I'm not supposed to give comment."

He confirmed he had visited the editor, Mr Johan van Rooyen, but said it had been a "personal and not official visit".

Mr Van Rooyen is reported to have said Dr Pieterse visited him and told him the upmarket Afrikaans magazine had been discussed at a presidential advisory level and that concern had been voiced about the magazine's direction.

In particular, he said, Dr Pieterse had complained about the magazine's article on Dr Allan Boesak and an analysis of the Freedom Charter written by Pretoria University's Professor Johann van der Westhuizen.

Mr Van Rooyen could not be reached yesterday but the magazine's publisher, Mr Greg Psillos, said he doubted Mr Van Rooyen had fabricated the story.

# ANC ads: Govt inspectors take papers from attorney

*CAN 6 7/15/87 10/5/87*  
*327*

Own Correspondent

JOHANNESBURG. — Inspectors from the Directorate of Fund Raising yesterday visited the offices of attorney Mr Krish Naidoo, who placed the "Unban the ANC" advertisements early in January.

They confiscated several documents.

By late yesterday the directorate had still not replied to questions on their investigation. The directorate is attached to the Department of National Health and Population Development.

Mr Naidoo's offices were visited late last week after the commission heard evidence that the UDF made three payments of undisclosed amounts into Mr Yusuf Surtee's premier account against which a R100 000 cheque

was drawn to pay for the advertisements.

Meanwhile the Witwatersrand local division Attorney-General, Mr Klaus von Lieres, who has been handed the police investigation into the adverts, said yesterday he had not decided on whether to prosecute.

He said he had studied the police docket and was awaiting decisions by other AGs. Any prosecution, he said, would more likely be in terms of security legislation rather than the Fund Raising Act.

According to Mr Naidoo's lawyer, Mr Amichand Soman, the fund raising inspectors, who identified themselves as Mr J Liebenberg and Mr J van der Walt, spent three hours checking documents.

They said they were acting in terms of Section 30 of the Fund Raising Act, which provides for inspectors to enter and search premises without a warrant.

Mr Naidoo placed the adverts in several newspapers on behalf of the United Democratic Front, the South African Council of Churches, and the National Education Crisis Committee.

Mr Soman said the inspectors "said they would seek the assistance of the SAP if we refused to hand documents over".

"We reserved our rights and did not consent to the search. What action they took would be at their own risk," he said.

"Should we find it necessary to bring an action for damages we may do so," Mr Soman said.



# ANC advert: Boesak's call bugged

CHL TIMES 11/3/87

Own Correspondent

**JOHANNESBURG.** — Bugged telephone call transcripts were produced in the Munnik Inquiry yesterday in which "Mr Z" — Mr Yusuf Surtee — said "my friend Chris Ball was so sympathetic he gave it (the money) to me".

"He's done it for a good cause," Mr Surtee told Dr Allan Boesak's secretary, Miss Thelma Sacco, in one taped telephone call.

Mr Surtee was appearing before the Chief Justice of the Cape, Mr Justice Munnik, to answer questions about his role in the "Unban the ANC" advertisements which appeared in newspapers earlier this year.

He repeatedly told the commission Mr Ball had given him a R100 000 overdraft facility as a personal favour and without being told what it would be used for.

The telephone transcripts were produced by Mr H T van Zyl, who led evidence for the commission. They contained details of four telephone conversations between Mr Surtee and Dr Boesak's office between November 25 and January 7.

In the final conversation on January 7, Mr Surtee and Miss Sacco spoke of a letter Mr Surtee was to pick up in Amsterdam from a Ms Michanek, the secretary of the Swedish Government of Committees.

"Go for one day, she controls all the money," Miss Sacco told Mr Surtee days before he left for India via Zurich and Amsterdam. He was to pick up a letter "to give back to Chris".

Ms Michanek failed to meet Mr Surtee.



Mr Z — Mr Yusuf Surtee

When he returned on January 20, the commission heard, he went to Barclays Bank to apply for a six-month extension of the R100 000 overdraft facility.

He said he went back to the bank because his father needed bridging finance.

Mr Surtee described events of January 2 when he was approached by his childhood friend Mr Azhar Cachalia, national treasurer of the UDF,

who told him he needed money to place some UDF adverts in the newspapers.

"He came to me on a Friday and said he was looking for a loan. He told me he had problems with the UDF account."

Mr Surtee said he went to Barclays Bank on Monday morning, January 5. He spoke to Mr Ross Field at the Simmonds Street branch, telling him he needed a short-term overdraft facility.

"He seemed quite happy to put this to his seniors. I went back to my shop and called Chris Ball's office the next day.

"I saw Chris Ball in his office. He asked me what the money was to be used for. He never heard me the first time so I told him again it was for personal use."

"What did he say?" Mr Jus-

To page 2

From page 1

tice Munnik asked.

"He said: 'You've got it'," Mr Surtee replied. He said Mr Ball did not ask him how he would repay the money.

Earlier the inquiry heard that Mr Surtee had met Dr Boesak in Cape Town in December when Dr Boesak asked him if he could deposit R50 000 in his account from the Peace and Justice Foundation, of which Dr Boesak is a trustee.

"I just did a favour for a friend. I was just the middle man between Boesak and Azhar Cachalia."

"Did you not find it strange R50 000 would be paid into your account, rather than the UDF's or Cachalia's account?"

He said he did not.

The hearing continues today.

POLITICAL comment in this issue by A H Heard, G O King, G E Shaw, A Johnson and B Streek. Posters, headlines and sub-editing by A Henderson. All of 122 St George's Street, Cape Town.



4, lives in fear of her life. Her neighbour  
"We came here to rest only to



# Court bars SAP from seizing copies of Star

*CAPE TOWN 11/3/87. (283) 327 328*

JOHANNESBURG. — Police were yesterday prohibited by the Rand Supreme Court from seizing copies of The Star containing a Detainees' Parents Support Committee advertisement — just as the newspaper's main edition began rolling off the presses.

The temporary order declared that the advertisement did not contravene the emergency regulations.

Mr Justice O'Donovan granted the order about 2pm, after The Star had brought an urgent application shortly before lunch.

Mr D Kuny SC, for The Star, told the court that all references to the release of detainees had been removed from the advertisement before publication.

"The advertisement was amended by deleting all portions appearing to offend the emergency regulations.

"The Commissioner has not withdrawn the threat to seize the newspaper. The matter is under consideration," he said.

The regulations state that a publication may not call for the release of "a" detainee.

**For the advert — See page 7**

Giving evidence, the editor of The Star, Mr Harvey Tyson, said he took up the matter of the deleted portion of the advertisement — the release of detainees — in a front-page editorial. This was because "we cannot believe the legislature intended that the public should be forbidden to debate the issue of detention without trial".

"Not once in 80 years have we been stopped in reaching our readers. We believe we would lose readers if we couldn't give a reliable daily service."

Mr Paul Jenkins, an attorney with Webber Wentzel, acting for The Star, told the court he had twice spoken to the head of the security police in Pretoria, a General Van der Merwe, since the action commenced. He was told the matter was still being considered by lawyers.

The Commissioner has until March 24 to show any reason the order should not be granted finally.

Sections cut from the original advertisement were handed to the court as evidence. They include a paragraph call-

ing on "all concerned people to demand the immediate and unconditional release of the thousands of South Africans incarcerated in cells throughout the country".

"We are delighted that we were able to prove a point, and it's not the point of censorship ... it's extraordinary that we have to deal with basics at this time," Mr Tyson said.

A statement issued by the the SA Police Directorate of Public Relations in Pretoria reads:

"The SAP has as the result of an advertisement headlined 'National Detainees Day Thursday 12 March' and published in the City Press dated March 8 1987 but issued on March 6, 1987 thoroughly considered the matter and also sought legal advice in order to properly carry out its tasks.

"It is the duty of the SAP to maintain law and order and especially during the present state of emergency to ensure all provisions of the emergency regulations are fully enforced.

"In the light of the fact that the legal advisers of the SAP

are of the opinion that the particular advertisement is an infringement of Regulation 3 (1) (h) of the regulations as proclaimed in Proclamation R224 of December 11 1986 all editors were informed that should the particulars or similar advertisement be published the SAP would in terms of Regulation 6 of the said regulations be obliged to seize the publication. This information was applied to the editors in all fairness and in the spirit of co-operation to prevent any possible financial loss to the media.

"It is self-evident that any party not in agreement has the fullest right, and had the fullest right to turn to the courts to protect his rights.

"Comment by the editor of the Star in today's issue of March 10 creates the impression that the newspaper had been delivered to the mercy of the police. The comment completely overlooked the fact that the police's action could at any time be tested in the courts and that the police were fully responsible for any unjustified action and any damage resulting from its actions should a court decide."



# Check to 'authoritarianism'

SM 11/3/87

By Jo-Anne Richards

Police were yesterday prohibited by the Rand Supreme Court from seizing copies of The Star containing a Detainees' Parents Support Committee advertisement — just as the newspaper's main edition began rolling off the presses.

The temporary order declared that the advertisement did not contravene emergency regulations. Reacting to the decision, Editor in Chief of The Star Mr Harvey Tyson said: "The Rand Supreme Court, at instant notice, has provided a check to the headlong rush into censorship and authoritarianism." (See leading article.)

Mr Justice O'Donovan granted the order at about 2 pm yesterday. The Star brought the urgent application shortly before lunch.

Mr D Kuny SC, for The Star, told the court all references to the release of detainees had been removed from the advertisement before publication. "The advertisement was amended by deleting all portions appearing to offend emergency regulations," he said.

Mr Kuny argued that the threat of being taken off the streets had not been removed. Police were still considering the matter.

Regulations state a publication may not call for the release of "a" detainee. The application arose because, having been warned by police that newspapers would be confiscated if they published an advertisement calling for release of "detainees", The Star felt impelled to publish an amended advertisement, even though it believed the original to be legal.

In evidence, Mr Tyson said he took up the matter of the deleted portion of the advertisement in a front-page editorial as "we cannot believe the legislature intended the public should be forbidden to debate the issue of detention without trial". He said two plainclothes police entered The Star building before

the presses started rolling for the first edition and handed him a police order of seizure of copies of the newspaper.

"I said to the lieutenant that I was convinced the advertisement was legal and that certain amendments had been made. He didn't appear convinced, but made no comment. He said he would have to take further instructions."

Mr Tyson testified to continued communication with the police throughout the morning. Two Cabinet ministers and the Commissioner of Police were unavailable. Nor could the Head of the Security Police give an assurance copies would not be seized.

The cost of one day's copies being seized would approach R500 000, he said.

Mr Tyson added: "Every hour, newsprint alone costs R20 000. More than that, we believe our reputation is at stake.

"Not once in 80 years have we been stopped in reaching our readers. We believe we would lose readers if we couldn't give a daily, reliable service."

Mr Paul Jenkins, an attorney with Webber Wenzel, acting for The Star, said he had twice spoken to the head of the Security Police, a General van der Merwe, since the action started. He was told the matter was still being considered by lawyers.

He had invited General van der Merwe to attend the hearing. No members of the police were present in court. Mr Kuny argued that, due to the action's extreme urgency, formal notice to the respondent, the Police Commissioner, had not been possible.

The Commissioner has until March 24 to show any reason the order should not be granted finally.

Sections cut from the original advertisement were handed to the court as evidence.

## Widespread shock at bid to seize Star

By Pat Devereaux

Shock and anger followed yesterday's police attempt to seize copies of The Star which contained an advertisement placed by the Detainees' Parents Support Committee.

Politicians and public spokesmen reacted strongly to the abortive move by police, thwarted when The Star lodged an urgent interdict in the Rand Supreme Court.

The newspaper's legal representative, Mr Peter Reynolds, said the police who arrived at The Star offices with the order would have been acting within their rights — had the advertisement contained matter which contravened the law.

"As it did not, the police ran the risk of acting illegally and facing a claim for damages," said Mr Reynolds.

This view is supported by the interim order which Mr Justice O'Donovan made yesterday afternoon in favour of The Star.

The temporary order declared the advertisement lawful and prohibited the police

from seizing editions of The Star containing the DPSC advertisement.

"If the police had made inquiries about the advertisement before arriving at The Star with their order to seize the newspaper, the need for a court order may never have arisen," said Mr Reynolds.

The Star was congratulated by PFP media spokesman Mr Dave Dalling for standing up to the police and refusing to be intimidated.

Mr Dalling said: "Politics in this country becomes sinister when police try to seize a newspaper purely because they think the advertisement calls for the release of detainees."

He warned the Government to stop intimidating and harassing opposition newspapers.

"If Mr P W Botha cannot get a grip on his Government he should get out now," he said.

A DPSC spokesman accused the Government of being terrified of criticism on the embarrassing issue of detention of political opponents.

"It is prepared to go to any

lengths to stifle such criticism," said the spokesman.

Mr Joel Mervis, official representative of the International Press Institute in South Africa, said: "The seizure of newspapers is an unwarranted intrusion on Press freedom."

The Anti-Censorship Action Group called for resistance to the "total onslaught on freedom of expression" and said they deplored the seizure of any newspaper.

"The attempted seizure of the biggest daily newspaper in the country should make the public aware of the extent of censorship," said a spokeswoman.

She added: "If The Star is threatened with seizure, what source of information is respectable enough to be safe?"

Johannesburg Regional Chairman of the Conservative Party, Mr Clive Derby-Lewis said: "If the Government believes the DPSC is undermining the country they should ban it rather than act against The Star."

The director of the Legal Resources Centre, Mr Geoff Budlender, said the attempted seizure of copies of the newspaper was a graphic illustration of arbitrary power.

"The seizure of newspapers is contrary to any notion of a free Press," he said.

Callers last night praised The Star for its stand.

The Supreme Court gave the police until March 24 to show why the temporary order should not finally be granted.



Out on the streets with the big news after all ... and the lead story yesterday after the Rand Supreme Court decision was the police's attempted seizure of The Star.



# ANC advert: Hearing told of 'money laundering'

The Argus Correspondent

JOHANNESBURG. — The Munnik Commission of Inquiry yesterday heard dramatic evidence concerning the United Democratic Front's "Unban the ANC" advertisements, including alleged money-laundering, suggestions of overseas funding of the UDF and the telephone tapping of UDF patron Dr Allan Boesak.

The central figure in the funding of the advertisements, Mr Yusuf Surtee, told the commission he was approached in January by UDF national treasurer Mr Azhar Cachalia, a childhood friend, for an urgent loan of R100 000 to pay for certain UDF advertisements.

He secured an overdraft of R100 000 from Barclays Bank managing director Mr Chris Ball, saying it was for his personal use. Mr Surtee insisted he never told Mr Ball what the money was to be used for.

Counsel for the commission, Mr H F van Zyl, SC, then handed to the commission four transcripts of conversations held between Mr Surtee and Dr Boesak and Mr Surtee and Dr Boesak's secretary, Miss Thelma Sacco, which had been transcribed by the National Intelligence Service.

In one of the conversations with Miss Sacco, Mr Surtee said he had secured the loan. According to the transcript Mr Surtee said: "You know who our lifesaver is? He is a good man, this Chris Ball ... he is so sympathetic, he gave it to me ... he's done it for a good cause, you see."

Mr van Zyl put it to Mr Surtee: "On the face of it, it would seem that you gave him (Mr Ball) one or other explanation with which he sympathised and this is why he gave you the money."

Mr Surtee again insisted that he had cited personal reasons for the overdraft.

In the rest of his conversation with Miss Sacco, Mr Surtee referred to an arrangement to pick up "something" from a Miss Michanek of Sweden. He said he would prefer to meet her in Amsterdam during a stop-over on his way to India.

Mr Surtee said the UDF had asked him to collect a confidential letter but he failed to do so as he had missed Miss Michanek in Amsterdam.

He told the commission he had asked for an extension for repayment of the overdraft mainly because he wanted to provide bridging finance for his father's clothing store, which had run into financial difficulties.

Mr Surtee's bank account showed that he had received about R91 000 from the UDF and the National Education Crisis Committee. There had been numerous loans to his family's business, most of which were repaid within a few days.



Mr Yusuf Surtee

## "Nothing funny"

Mr van Zyl said: "The overall picture from this account is that, apart from a few credits from the UDF, the account was used to play around between you and 101 Fox Street (his family's business)".

Mr Surtee said he was helping his father with cashflow problems. "We weren't doing anything funny. It was completely legal. They were business transactions."

Early in his testimony, Mr Surtee confirmed he knew the UDF was an organisation which could not receive overseas funds.

The commission asked Mr Surtee whether he had not in fact "laundered" money by accepting R50 000 from Dr Boesak's Foundation for Peace and Justice and then writing three cash cheques for this amount and handing them to Mr Cachalia.

Mr Surtee said he had done so in order to help his friends, Mr Cachalia and Dr Boesak, and not to assist the organisation.

Mr Surtee said in hindsight he may have been used.

One of the tapped telephone conversations between Mr Surtee and Dr Boesak referred to Mrs Winnie Mandela's negotiations over the making of a film on the Mandelas.

It was disclosed that Mrs Mandela had signed contracts with the Bill Cosby organisation and with entertainer Harry Belafonte.

In the transcript Mr Surtee said this was terrible and that the wife of the most important man needed guidance.

A trust fund for the making of the film by the Cosbys was being established. The matter was apparently later resolved.

At the start of the day's proceedings Mr Surtee said he had been able to secure the R100 000 overdraft from Barclays Bank in spite of his poor financial record because he had been influential in bringing important accounts to the bank.

The commission heard that Mr Surtee's total income with perks was worth about R47 000 while the bank estimated his income to be R100 000 a year.

These included the accounts of his businesses and the holding company, Kharbiba, as well as two trust accounts worth a total of R70-million.

One of these was the Equal Opportunities Development Fund Trust, sponsored by Coca Cola and worth R20-million over five years. The other was the Kagiso Trust Account worth R50-million.

Dr Boesak had also transferred his account to the bank.



327 STAR 12/3/87

# Thousands for whom bells toll

By Jo-Anne Collinge

It is midday and the bells of St Mary's, Johannesburg, are tolling to remind passers-by of the thousands in prison and police cells under the state of emergency.

Who remembers the bells ring specially for the detainees, as Archbishop Desmond Tutu promised they would when he left Johannesburg?

A neatly jacketed man smiles secretively when asked why the bells are sounding. "We know why they ring," he asserts. "We know." And he refuses to be drawn any further.

A watch "salesman", told the significance of the tolling bells, comments: "Then probably they'll just go on ringing every day."

Cabinet Ministers have warned there is no definite end in sight to the nine-month-old state of emergency. For thousands of political activists and leaders this means there is no limit to the time they may spend in detention cells. Hundreds — perhaps as many as a thousand — have virtually spent the full nine months of emergency rule in detention.

These include leaders in the United Democratic Front and its affiliates — especially youth,

student and civic organisations — as well as unionists and members of other political groups.

One of the first to be detained was Council of Churches field worker Mr Sandile Lebese (31), held on June 9 under security legislation and soon transferred to emergency detention. Mr Lebese was president of the Mamelodi Youth Organisation and an executive member of the Mamelodi Civic Association. He spent eight years on Robben Island.

With him in Pretoria Central Prison are two leaders of the Catholic community of the city — Father Smangalis Mkhathshwa, secretary-general of the Southern African Bishops' Conference, and Father Hans Hlaletwa, a deacon in the church. Both are based in Soshanguve and played a large part in civic organisation in the area.

Father Hlaletwa (whose grown son Theophylus was detained with him) for years has assisted people of the sprawling Bophuthatswana settlement of Winterveldt with problems of citizenship and pensions. Both Father Mkhathshwa and Father Hlaletwa have spent the full nine months in prison. Father Mkhathshwa, a patron of the UDF, is among a handful of clerics seen as possible successors to Dr Beyers Naude who retires later this year as general secretary of the SACC.

Another nine-month Pretoria detainee is Mrs Martha Mahlangu, elderly mother of executed ANC member Solomon Mahlangu. Described as totally apolitical before her son's death, Mrs Mahlangu has in recent years joined popular organisations and is a member of the Mamelodi Parents' Crisis Committee.

In Johannesburg, leading members of the Soweto Civic Association and the UDF Transvaal region have sat for nine months in the cells.



# Heavy guard for Chris Ball

13/3/87

377

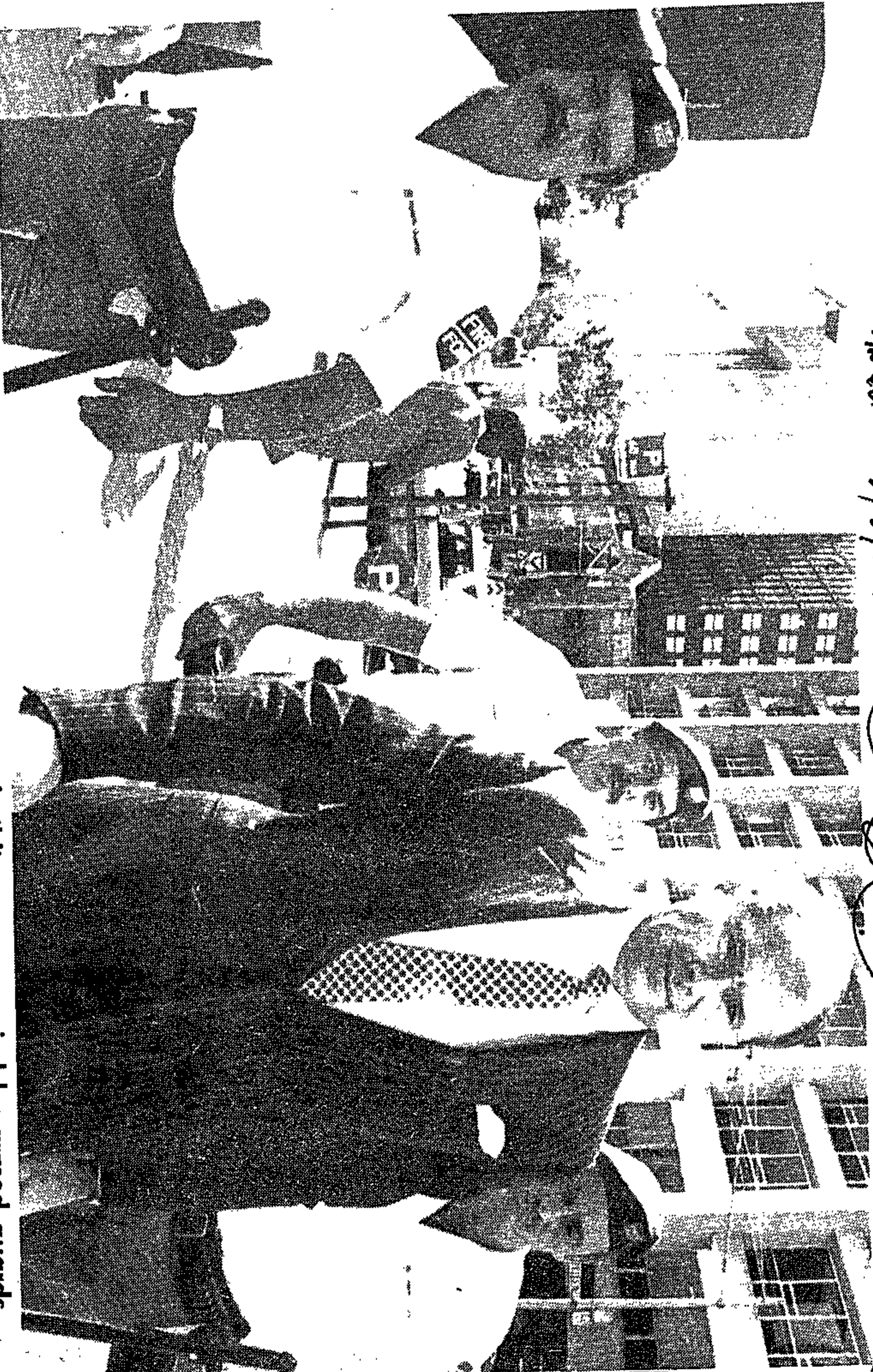
**The Argus Correspondent**  
**JOHANNESBURG.** — The managing director of Barclays Bank, Mr Christopher John Watkins Ball, today began testifying before the Munnik Commission of Inquiry, which was appointed to look into the funding of the "Urban the ANC" advertisements.

Mr Ball was accompanied to the 10th floor of the Rand Supreme Court building, where the commission is holding its hearing, by four armed security guards.

Two of them took up position inside the room, another was stationed at the door and the fourth stood at the end of the corridor.

Mr Ball was represented by Mr S A Cilliers SC. Also at the hearing was Mr Jimmy McKenzie, senior general manager of Barclays Bank.

After being sworn in by Mr Justice Munnik, Mr Ball was asked by the commission's counsel, Mr H F van Zyl SC, to give a brief resumé of his career.



Mr Chris Ball arrives at the Rand Supreme Court building accompanied by armed guards.

## Qualifications

Mr Ball said he qualified as an attorney after leaving school and served his articles in Johannesburg and Cape Town. During the first two years of his articles he studied for a BA degree.

Before completing the degree he wrote the entrance examination to Cambridge University and was awarded a private scholarship to study there. He obtained an MA (Economics) degree.

On his return to South Africa he joined the Johannesburg office of a major London merchant bank and was later seconded to London and New York.

In 1972 "when it became apparent that the shareholders were not prepared to capitalise on their South African investments", he left the bank and was invited to join Barclays Bank by the then managing director, Mr Bob Aldworth.

Two years later he was appointed general manager of Barclays National Merchant Bank.

## Not for London

"In 1978, when I thought I was to be transferred to London, Bob Aldworth called me in and said I was not going to London but to Braamfontein. He asked me to be chief executive of the merchant bank."

Mr Ball held that position from 1978 to 1980 when he was asked to go to London as regional general manager of the Barclays Group for the Greater London Area.

"This was the first job I held in a commercial bank," he said.

"In 1983, when Mr Aldworth left the bank, I was asked to return as managing director-elect of Barclays Bank."



# Heavy guard for Chris Ball

Argus 13/3/87 (100) (88) 377

The Argus Correspondent

**JOHANNESBURG.** — The managing director of Barclays Bank, Mr Christopher John Watkins Ball, today began testifying before the Munnik Commission of Inquiry, which was appointed to look into the funding of the "Unban the ANC" advertisements.

Mr Ball was accompanied to the 10th floor of the Rand Supreme Court building, where the commission is holding its hearing, by four armed security guards.

Two of them took up position inside the room, another was stationed at the door and the fourth stood at the end of the corridor.

Mr Ball was represented by Mr SA Cilliers SC. Also at the hearing was Mr Jimmy McKenzie, senior general manager of Barclays Bank.

After being sworn in by Mr Justice Munnik, Mr Ball was asked by the commission's counsel, Mr H F van Zyl SC, to give a brief resumé of his career.

## Qualifications

Mr Ball said he qualified as an attorney after leaving school and served his articles in Johannesburg and Cape Town. During the first two years of his articles he studied for a BA degree.

Before completing the degree he wrote the entrance examination to Cambridge University and was awarded a private scholarship to study there. He obtained an MA (Economics) degree.

On his return to South Africa he joined the Johannesburg office of a major London merchant bank and was later seconded to London and New York.

In 1972 "when it became apparent that the shareholders were not prepared to capitalise on their South African investments", he left the bank and was invited to join Barclays Bank by the then managing director, Mr Bob Aldworth.

Two years later he was appointed general manager of Barclays National Merchant Bank.

## Not for London

"In 1978, when I thought I was to be transferred to London, Bob Aldworth called me in and said I was not going to London but to Braamfontein. He asked me to be chief executive of the merchant bank."

Mr Ball held that position from 1978 to 1980 when he was asked to go to London as regional general manager of the Barclays Group for the Greater London Area.

"This was the first job I held in a commercial bank," he said.

"In 1983, when Mr Aldworth left the bank, I was asked to return as managing director-elect of Barclays Bank."



Mr Chris Ball arrives at the Rand Supreme Court building accompanied by armed guards.



# Police swoop morning after censor meeting

By CHARLOTTE BAUER

THE precarious state of press freedom was underscored further this week when police threatened to seize the country's largest daily newspaper — the morning after a meeting on censorship had scoffed at the prospect.

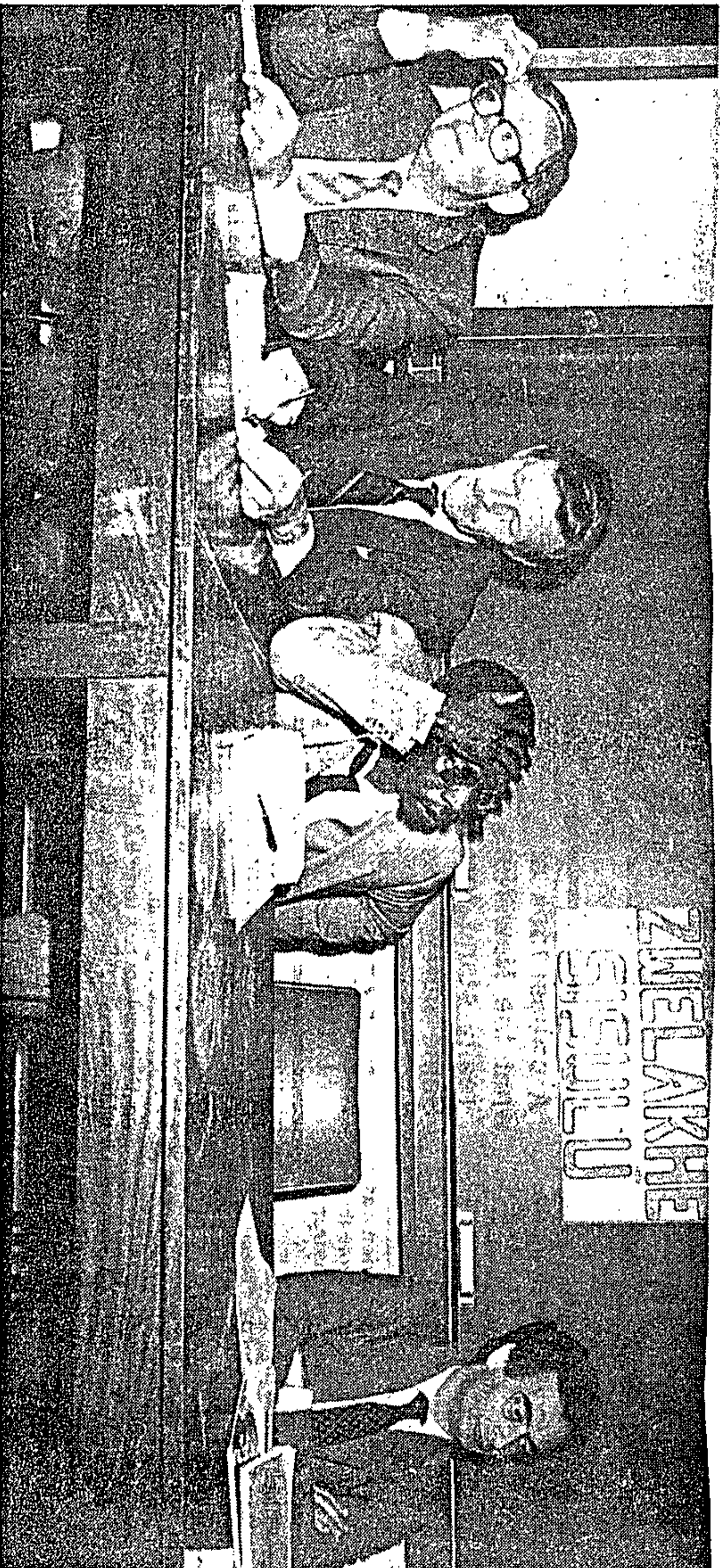
*The Star's* editor-in-chief Harvey Tyson, one of a panel of speakers at the Anti-Censorship Action Group (ACAG) meeting on Monday, shook his head when speakers from the floor expressed doubts that his paper would be confiscated. "I only hope you're right," he said.

On Tuesday morning two police arrived at his newspaper's offices with orders to confiscate any edition carrying a Detainees Parents' Support Committee advertisement calling for the observance of National Detainees Day.

They left after the *Star* assured them the advert had been modified and approved by their lawyers. Later that day, the newspaper brought a successful court application barring the police from seizing the newspaper.

Acag's first public meeting in Johannesburg also focussed on the dangers of newspaper self-censorship.

Perhaps the most powerful reminder of the state's campaign of intimidation against the press and public was the empty chair of New Nation editor Zwelakhe Sisulu at the meeting. Sisulu, who had agreed to be part of the panel of lawyers and journalists speaking for Acag, has been in detention since December.



Detained editor Zwelakhe Sisulu was missing this week when journalists (from left) Allister Sparks, Harvey Tyson and Thami Mazwai and lawyer Geoff Budlender spoke out against censorship.

Picture: SANDY SMIT, Afrapix



# Ball tells of UDF contacts

Capo Times

14/3/87

SHH

327

## Own Correspondent

JOHANNESBURG. — Barclays Bank managing director Mr Chris Ball yesterday disclosed details of his contacts with prominent black leaders.

Mr Ball was answering questions put to him by Deputy Attorney-General of the Cape Mr Francois van Zyl, SC, who led evidence for the Munnik Commission of Inquiry at the Supreme Court here.

He told the inquiry into the "Unban the ANC" advertising campaign that his contacts were with black leaders, who included UDF patrons Dr Allan Boesak and Mrs Albertina Sisulu, as well as Mrs Winnie Mandela.

Mr Ball — who was escorted into the commission by four security guards because of recent death threats made against him — said he had initiated these meetings as he felt it was important to develop links between black opposition and the private sector.

"The commission has interfered with that process — I can no longer do it," he said.

## 'Strategic analysis'

He told the commission he had met exiled ANC leader Mr Oliver Tambo and a group of British businessmen in London last year, and had participated in a panel discussion with ANC office-bearers Mr Thabo Mbeki and Mr Mac Maharaj.

However, he said his call last year for the unbanning of the ANC and the release of Mr Nelson Mandela had been based on "strategic analysis".

"Between the beginning of 1986 and the visit of the Eminent Persons' Group the focus of attention was on unbanning the ANC. It very nearly happened — that is a different world to what we are living in now," he said.

He felt State President Mr P W Botha had attacked him in Parliament "because I was analytical and analysis can cause discomfort to politicians".

Such a position as his on the ANC and Mr Mandela was "not dissimilar from that of Inkatha and the PFP — and I am not a member of either".

"There is a perception that I run up and down to Lusaka to see the ANC. I have never met the ANC in Lusaka."

Mr Ball will come before the commission at a special hearing scheduled for this afternoon.



## Editor hails court decision to prevent police's planned seizure of The Star

By Jo-Anne Richards

Police were prohibited by the Rand Supreme Court from seizing copies of *The Star* on Tuesday containing a Detainees' Parents Support Committee advertisement — just as the newspaper's main edition began rolling off the presses.

The temporary order declared that the advertisement did not contravene emergency regulations. Reacting to the decision, Editor in Chief of *The Star* Mr Harvey Tyson said: "The Rand Supreme Court, at instant notice, has provided a check to the headlong rush into censorship and authoritarianism."

Mr Justice O'Donovan granted the order at about 2 pm on Tuesday. *The Star* brought the urgent application shortly before lunch.

Mr D Kuny SC, for *The Star*, told the court all references to the release of detainees had been removed from the advertisement before publication. "The advertisement was amended by

# Check to rush into 'authoritarianism'

deleting all portions appearing to offend emergency regulations," he said.

Mr Kuny argued that the threat of being taken off the streets had not been removed. Police were still considering the matter.

Regulations state a publication may not call for the release of "a" detainee. The application arose because, having been warned by police that newspapers would be confiscated if they published an advertisement calling for release of "detainees", *The Star* felt impelled to publish an amended advertisement, even though it believed the original to

be legal.

In evidence, Mr Tyson said he took up the matter of the deleted portion of the advertisement in a front-page editorial as "we cannot believe the legislature intended the public should be forbidden to debate the issue of detention without trial".

He said two plainclothes police entered *The Star* building before the presses started rolling for the first edition and handed him a police order of seizure of copies of the newspaper.

"I said to the lieutenant that I was convinced the advertisement was legal and that certain

amendments had been made. He didn't appear convinced, but made no comment. He said he would have to take further instructions."

Mr Tyson testified to continued communication with the police throughout the morning. Two Cabinet ministers and the Commissioner of Police were unavailable. Nor could the Head of the Security Police give an assurance copies would not be seized.

The cost of one day's copies being seized would approach R500 000, he said.

Mr Tyson added: "Every hour, newsprint alone costs R20 000.

More than that, we believe our reputation is at stake.

"Not once in 80 years have we been stopped in reaching our readers. We believe we would lose readers if we couldn't give a daily, reliable service."

Mr Paul Jenkins, an attorney with Webber Wentzel, acting for *The Star*, said he had twice spoken to the head of the Security Police, a General van der Merwe, since the action started. He was told the matter was still being considered by lawyers.

He had invited General van der Merwe to attend the hearing.

No members of the police were present in court. Mr Kuny argued that, due to the action's extreme urgency, formal notice to the respondent, the Police Commissioner, had not been possible.

The Commissioner has until March 24 to show any reason the order should not be granted finally.

Sections cut from the original advertisement were handed to the court as evidence.

## Widespread shock at police attempt to seize The Star

By Pat Devereaux

Shock and anger followed the police attempt to seize copies of *The Star* which contained an advertisement placed by the Detainees' Parents Support Committee.

Politicians and public spokesmen reacted strongly to the abortive move by police, thwarted when *The Star* lodged an urgent interdict in the Rand Supreme Court.

The newspaper's legal representative, Mr Peter Reynolds, said the police who arrived at *The Star* offices with the order would have been acting within their rights — had the advertisement contained matter which contravened the law.

"As it did not, the police ran the risk of acting illegally and facing a claim for damages," said Mr Reynolds.

This view is supported by the interim order which Mr Justice O'Donovan made yesterday afternoon in favour of *The Star*.

The temporary order declared the advertisement lawful and prohibited the police from seizing editions of *The Star* containing the DPSC advertisement.

"If the police had made inquiries about the advertisement before arriving at *The Star* with their order to seize the newspaper, the need for a court order may never have arisen," said Mr Reynolds.

*The Star* was congratulated by PFP media spokesman Mr Dave Dalling for standing up to the police and refusing to be intimidated.

Mr Dalling said: "Politics in this country becomes sinister when police try to seize a newspaper purely because they think the advertisement calls for the release of detainees."

He warned the Government to stop intimidating and harassing opposition newspapers.

"If Mr P W Botha cannot get a grip on his government he should get out now," he said.

A DPSC spokesman accused the Government of being terrified of criticism on the embarrassing issue of detention of political opponents.

"It is prepared to go to any lengths to stifle such criticism," said the spokesman.

Mr Joel Mervin, official representative of the International Press Institute in South Africa, said: "The seizure of newspapers is an unwarranted intrusion on Press freedom."

The Anti-Censorship Action Group called for resistance to the "total onslaught on freedom of expression" and said they deplored the seizure of any newspaper.

"The attempted seizure of the biggest daily newspaper in the country should make the public aware of the extent of censorship," said a spokeswoman.

She added: "If *The Star* is threatened with seizure, what source of information is respectable enough to be safe?"

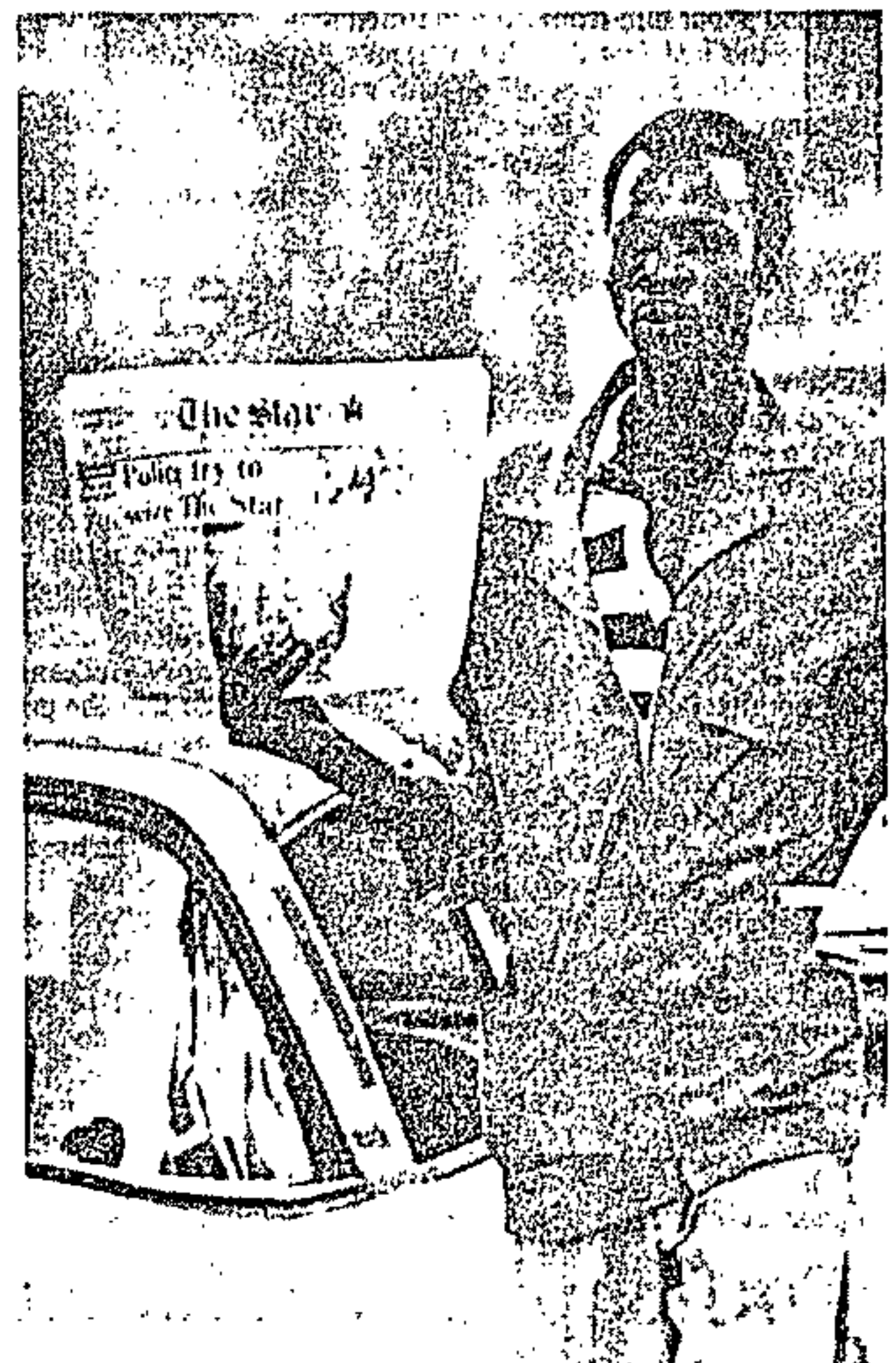
Johannesburg Regional Chairman of the Conservative Party, Mr Clive Derby-Lewis said: "If the Government believes the DPSC is undermining the country they should ban it rather than act against *The Star*."

The director of the Legal Resources Centre, Mr Geoff Budlender, said the attempted seizure of copies of the newspaper was a graphic illustration of arbitrary power.

"The seizure of newspapers is contrary to any notion of a free Press," he said.

Callers on Tuesday night praised *The Star* for its stand.

The Supreme Court gave the police until March 24 to show why the temporary order should not finally be granted.



Out on the streets with the big news after all ... and the lead story on Tuesday after the Rand Supreme Court decision was the police's attempted seizure of *The Star*.



## ... the week's editorials

# The need for rule of law

327  
STAR  
14/3/87

AFTER dramatically suspending normal hearings, the Rand Supreme Court reacted instantly to an urgent appeal by The Star yesterday to restrain the police from seizing the newspaper. This action, and a judgment that an advertisement about detainees was legal, may have deeper consequences than protecting freedom of expression, vital as that is.

The police say that newspapers were always under the courts' protection in this matter — but that is not so. Were it not for the power of the police to confiscate a newspaper *before* any judgment by a court on the legality of any content, The Star would never have insisted on an amendment to the advertisement submitted by the Detainees' Parents Support Committee. The original advertisement, which the police claimed was an infringement of the emergency regulations, was in our view quite legal.

But because of the unchecked power of the police, we had to resort to the device of amending the advertisement and addressing the subject of detainees on page one. Even this perfectly legal action in the public interest brought the risk of

confiscation of the edition. Had the police not hesitated in the face of our move, instant action by the courts could not have stopped irreparable damage to the newspaper. Claiming damages thereafter would have been small comfort.

Now the courts have stopped the security police in their present course. The result goes beyond censorship and beyond politics. Because of the nature of the advertisement, the issue also concerns the fundamental right to oppose detention without trial.

The bottom line for all South Africans must be the right to a public hearing in the face of any criminal accusation. If the emergency regulations are going to prevent people defending this right, then we have nothing left to distinguish us from Marxist regimes.

Perhaps the alacrity of the Supreme Court to grant an order restraining the police will signal to the public the dangers of unchecked power; the dangers of circumventing the courts; and the direct threat to the liberty of every individual when imprisonment without trial not only becomes a regular feature of society but a taboo subject for debate.

FRIDAY MARCH 13 1987



# Police try to confiscate The Star

Police attempted to seize *The Star* this week to prevent the newspaper publishing an advertisement placed by the Detainees' Parents Support Committee (DPSC).

*The Star* brought an urgent application in the Rand Supreme Court on Tuesday seeking an order that the advertisement as published did not contravene the emergency regulations.

Mr Justice O'Donovan granted the newspaper temporary orders ruling that the form in which an advertisement about Wednesday's annual National Detainees Day appeared was legal and restrained police from seizing copies of the newspaper. After the order was granted, four other newspapers on Wednesday published the advertisement. They were the *Sowetan*, the *Natal Mercury*, the *Eastern Province Herald*, and the *Cape Times*.

*The Star* brought its application as a matter of urgency before the main editions of the newspaper were published on Tuesday.

*The Star* stood to lose, in monetary terms alone, R500 000 in sales, advertising revenue, and newsprint costs, quite apart from other inestimable losses if the newspaper was seized, said Editor-in-chief Mr Harvey Tyson.

Earlier two security policemen arrived at the offices of *The Star* with a document ordering the seizure of any edition of Tuesday's newspaper in which the advertisement "National Detainees Day — Thursday 12th March 1987 — 9 months of emergency" placed by the DPSC appeared.

They presented Mr Tyson, with the order which was signed by the Divisional Commissioner of Police for the Witwatersrand, Major-General Mulder van Eyk.

They left to seek legal advice after it was pointed out to them that the advertisement on Page 4 of *The Star* had been passed by the newspaper's legal representatives and was materially different from the advertisement published in *City Press* last week, which resulted in police issuing a warning that it should not be published.

The application was planned after *The Star* was unable to ascertain from the police whether they would act against the newspaper.

The Commissioner of Police, General Johann Coetzee, was "unavailable".

*The Star* also tried to gain the information from a police colonel, but he refused to comment.

The PFP spokesman on the media, Mr Dave Dalling, attempted to con-

tact two Cabinet Ministers, Mr Adriaan Vlok, the Minister of Law and Order, and his deputy, Mr Roelf Meyer. His attempts failed.

*The Star's* legal representative, Mr Peter Reynolds, had earlier said the newspaper would apply for an urgent interdict "unless we get an assurance from the police that they will not unlawfully seize copies of the newspaper".

Mr Tyson said after the police visit that he believed the advertisement to be completely legal. It had been submitted to *The Star's* legal advisers before publication.

The Commissioner of Police, General Johann Coetzee, later announced that the police would oppose a Supreme Court order which ruled they could not seize copies of *The Star* which contained the Detainees' Parents Support Committee advertisement.

However, General Coetzee said police legal advisers believed the amended advertisement published by *The Star* on Tuesday had not contravened the emergency regulations.

He "deplored" *The Star's* action in only informing the police of the court action at short notice.

The Editor of *The Star* said that the only deplorable action was that of the police and that the newspaper had done everything possible to prevent its happening.

The Commissioner of Police's statement said: "The Commissioner of the SA Police, General Johan Coetzee, has ... decided to make the following facts available ...

"On 6 March 1987, the SA Police telexed a message to all editors, informing them that an advertisement under the heading 'National Detainees Day 12 March 1987' in the *City Press* dated 8 March 1987 but issued on 6 March 1987, constituted an infringement of regulation 3(1)(h) of the media regulations. This information was supplied in a spirit of co-operation and was aimed at preventing possible financial loss to the newspapers. A full statement regarding this matter has already been issued.

"On 9 March, the Security Branch received information that this particular advertisement was to be published in that day's issue of *The Star*. Security branch members then visited *The Star's* offices in order to comply with an order of seizure issued in terms of regulation 6 of the media regulations, relating to this advertisement. They were however, informed that the advertisement which *The Star* intended publishing was in fact, an amended advertisement and that the wording



Newsman look on as the Editor of *The Star*, Mr Harvey Tyson (centre right), and senior staff members inspect the first copies of Tuesday's newspaper as it comes off the press.

thereof was different to that of the initial advertisement which appeared in *City Press*. In view of this ... the security branch did not execute the order of seizure and the amended advertisement was referred to police legal advisers.

"A copy of *The Star* was sent to police headquarters and arrived at 10.59 am. Members of the security branch in Johannesburg were in the meantime approached by *The Star* with a request to inform them whether they intended to seize *The Star*.

"It is standard procedure that all matters pertaining to the emergency regulations and in regard to which the SA Police require legal advice are also submitted to a panel of legal experts. It is not always possible to convene this panel at short notice. At approximately 12h00 this panel decided that the second, amended advertisement did not constitute an infringement of the media regulations."

The statement said the police then obtained a second opinion from senior counsel.

"At 13h03 on March 10 1987, Mr Jenkins, *The Star's* attorney ... informed Major-General van der Merwe, head of the Security Branch, that *The Star* had submitted an application ... to the Supreme Court and that judgement was expected at 13h15 ...

"At no stage prior to this telephonic conversation were the SA Police in any way informed of the court application.

"At approximately 13h15 on March 10 1987 the SA Police's legal advisers contacted *The Star's* legal adviser and informed him that it could be accepted that no issue of a newspaper containing the amended advertisement would be seized. At this stage, the court had not yet delivered judgment.

"As a result of the late notice, it was practically impossible for the SA Police's legal advisers to attend the court proceedings in Johannesburg.

"The SA Police deplore *The Star's* actions and have already instructed their legal advisers to oppose the confirmation of the provisional order."

● The Editor of *The Star*, Mr Harvey Tyson, said in response to the Police statement:

"The police were polite but dilatory in their actions. They could needlessly have caused damage amounting to tens of thousands of rands in direct costs, plus much more.

"The deplorable thing about this distressing occurrence is that police should be able to seize newspapers before any judicial test of their legality.

"We did everything required of us — and more — to help the police make up their mind. The presses had to roll (at about 50 000 copies an hour) on first deadline if we were not to suffer serious losses.

"As publishing went ahead *The Star* tried every avenue possible to get a response from the police. When none was forthcoming, we warned the most senior officer we could contact, well before noon, that if we could not get a reply we would have no option but to seek an urgent court order to prevent the police seizing what we were quite sure was a legally published newspaper.

"The judge actually adjourned the court shortly after 1pm so that our lawyers could again seek a decision from the police. We were told none was available. Then the court action continued.

"It is deplorable that we should be placed under the threat we were."

(See Pages 3 and 5.)



# Thousands for whom bells toll



STANDARD 3/84

By Jo-Anne Collinge

It is midday and the bells of St Mary's, Johannesburg, are tolling to remind passers-by of the thousands in prison and police cells under the state of emergency.

Who remembers the bells ring specially for the detainees, as Archbishop Desmond Tutu promised they would when he left Johannesburg?

A neatly jacketed man smiles secretively when asked why the bells are sounding. "We know why they ring," he asserts. "We know." And he refuses to be drawn any further.

A watch "salesman", told the significance of the tolling bells, comments: "Then probably, they'll just go on ringing every day."

Cabinet Ministers have warned there is no definite end in sight to the nine-month-old state of emergency. For thousands of political activists and leaders this means there is no limit to the time they may spend in detention cells. Hundreds — perhaps as many as a thousand — have virtually spent the full nine months of emergency rule in detention.

These include leaders in the United Democratic Front and its affiliates — especially youth, student and civic organisations — as well as unionists and members of other political groups.

One of the first to be detained was Council of Churches field worker Mr. Sandile Lebese (31), held on June 9 under security legislation and soon transferred to emergency detention. Mr. Lebese

was president of the Mamelodi Youth Organisation and an executive member of the Mamelodi Civic Association. He spent eight years on Robben Island.

With him in Pretoria Central Prison are two leaders of the Catholic community of the city — Father Smangalis Mkhathshwa, secretary-general of the Southern African Bishops' Conference, and Father Hans Hlaletwa, a deacon in the church. Both are based in So-shanguve and played a large part in civic organisation in the area.

Father Hlaletwa (whose grown son Theophylus was detained with him) for years has assisted people of the sprawling Bophuthatswana settlement of Winterveld with problems of citizenship and pensions. Both Father Mkhathshwa and

Father Hlaletwa have spent the full nine months in prison. Father Mkhathshwa, a patron of the UDF, is among a handful of clerics seen as possible successors to Dr Beyers Naude who retires later this year as general secretary of the SACC.

Another nine-month Pretoria detainee is Mrs Martha Mahlangu, elderly mother of executed ANC member Solomon Mahlangu. Described as totally apolitical before her son's death, Mrs Mahlangu has in recent years joined popular organisations and is a member of the Mamelodi Parents' Crisis Committee.

In Johannesburg, leading members of the Soweto Civic Association and the UDF Transvaal region have sat for nine months in the cells.

reet,

lis

in the  
ville,  
West,  
rings,

il: Laundry, Dry Cleaning and Dyeing Trade



failed to dampen UCT Rag capers and coins for SHAWCO hailed down upon their heads from Cape Town's ever-generous crowds.

# Chris Ball is quizzed on political attitude

W/E Argus 14/3/82  
327

Weekend Argus  
Correspondent

JOHANNESBURG. — Mr Chris Ball, managing director of Barclays Bank, has been closely questioned about his political views by the Munnik commission of inquiry.

This included his attitudes towards unbanning the African National Congress and the release of jailed ANC leader Nelson Mandela.

The commission, chaired by the Judge-President of the Cape, Mr Justice Munnik, is investigating, among other things, any involvement by Mr Ball in funding January's ANC advertisements.

He has categorically denied any prior knowledge of the "Unban the ANC" advertisements or that he knew the R100 000 overdraft he granted Mr Yusuf Surtee was to be used for this purpose.

On the question of Mr Mandela and the ANC, he said yesterday that last June he wrote an article supporting the unbanning of the ANC after taking part, with four other South Africans, in a BBC debate with two ANC representatives in London.

While he had supported these calls last June, Mr Ball said it would be "very inappropriate" to call for the ANC to be unbanned at this stage. "The situation with the ANC is quite different now."

He said he would "prefer to see a society where all politi-

cal parties were part of the process".

"But given the presence of the Communist Party in the ANC and the issue of violence, it is not possible to talk blandly about unbanning the ANC."

Mr Ball was asked whether his own political views would have influenced his decision to grant the overdraft. He said that as the head of the bank, he had no political views. His job was to run the bank.

Asked whether he would have approved the overdraft if he had known it was to finance "legal" UDF advertisements, Mr Ball said he would have not taken such a decision on his own, but would have consulted his colleagues because of a possible risk to the bank's image.

"The concern with the State President's attack was the innuendo of linking the bank with radicals. We have been called the ANC bank. That is bizarre. There have been attacks on our branches and death threats."

Although he was not actively involved in any political organisation, he was involved in communication over socio-economic issues with leaders of the black community. This communication was essential for the survival of the private sector.

Mr Ball was also questioned about his discussions with, among others, Dr Allan

Boesak and Mrs Winnie Mandela, and about their bank accounts.

He set out to meet Dr Boesak, Mrs Albertina Sisulu and Mrs Mandela as part of a strategy to extend "communication between private sector and groups". He had met a "wide range of black leaders", including Chief Minister Mangosuthu Buthelezi of Kwazulu and other homeland leaders.

He said the commission, "if anything, has interfered with this process . . . I am too much in the spotlight".

Mr Surtee had introduced him to Dr Boesak, who had at first been reluctant to meet him.

Questioned about his knowledge of Dr Boesak's Foundation for Peace and Justice, Mr Ball said that on February 21 he was told that the police had subpoenaed the bank for information about the foundation's account. The validity of the subpoena, which was unconnected to the Munnik commission, was being investigated.

Earlier, Mr Ball told the commission that he had first connected Mr Surtee to the advertisements on January 8 or 9 when he received a telephone call from Mr Surtee. He told Mr Ball he was "involved" with the advertisements.

The overdraft had been approved by Mr Ball on January 6 for Mr Surtee's "personal business use".

## Advertisement calls for a Security Forces Day

The Argus Correspondent

JOHANNESBURG. — A Security Forces Day has been called for Sunday, March 22.

The call came in an advertisement in the Sunday Star.

The advertisement was inserted by the University Freedom of Speech Association and the Victims against Terrorism, and supported by the United Christian Action Signpost Publication and Research Centre, Women for South Africa, the Aida Parker Newsletter and other organisations.



# Ball denies knowing about ad

Cape Times  
16/3/87

Own Correspondent

JOHANNESBURG. — The managing director of Barclays Bank, Mr Chris Ball, finished 10 hours of evidence before the Munnik Commission on Saturday with a categorical denial that he knew the R100 000 overdraft he approved would be used for the "Unban the ANC" adverts.

He said it was "a normal banking transaction".

Mr Ball said he had marked a R100 000 overdraft for Indian businessman Mr Yusuf Surtee, but he had no idea at the time the money would be used for the adverts.

Mr Ball — who arrived at the Rand Supreme Court with four bodyguards after death threats had been made against him — has been prominent among private-sector leaders who have argued for negotiations with the organization which the adverts wanted legalized. Last June he called for the ANC to be unbanned and its leader, Mr Nelson Mandela, to be released.

Since then he had initiated contacts with a range of black leaders within the country. They included UDF patrons the Rev Alan Boesak and Mrs Albertina Sisulu, and Mrs Winnie Mandela.

However, his relationship with Mr Surtee was not a political one.

Mr Ball said he had had "no hesitation" in granting Mr Surtee the overdraft.

He said: "Mr Surtee was an important and valued customer at the bank, a leading citizen of the Indian community, well connected and an extremely close colleague of associates in the Kharbai group."

Towards the end of Mr Ball's evidence on Saturday afternoon, Mr Justice Munnik asked whether Mr Ball's saying that he felt the Kharbai group would back the overdraft, because it would not want to jeopardize its relationship with the bank, was not a form of "blackmail".

The flare-up occurred during an exchange in which Mr Justice Munnik asked: "What would have happened if Surtee had been unable to pay the overdraft?"

Mr Ball replied: "I would have spoken to Surtee to get a suitable response."

"You thought Kharbai would cough up if Surtee could not pay."

"That's correct, it was on the basis of my personal relationship with the group."

Mr Justice Munnik's "blackmail" suggestion prompted Mr Ball to turn to his legal counsel to object.

Mr Ball asked: "Are you seriously suggesting in a public forum and in the presence of the press that I would blackmail clients of the bank?"

Mr Justice Munnik said "no".

Cape Deputy Attorney-General Mr Francois van Zyl SC, leading evidence for the commission, asked Mr Ball whether he considered it a "risk" giving the loan after two managers had already turned down the request.

**MR BALL:** One makes an assessment of people based on one's overall understanding of them. Remember I had no negative knowledge of Surtee's banking relationship with us. I had my own view based on my personal association with the Kharbai group and its position in the Indian community.

**MR JUSTICE MUNNIK:** Well, you did have one piece of knowledge. Mr Garden had the ability to grant facilities up to R400 000 and the matter was referred to you.

**MR BALL:** I did not know he had not granted the facility.

**MR JUSTICE MUNNIK:** So why did he refer it to you?

**MR BALL:** Maybe because they knew I was friendly with Surtee.

**MR JUSTICE MUNNIK:** Surely, Mr Ball, if they're entitled to grant up to R400 000, and it was referred to you, there must have been a problem.

**MR BALL:** I did not enquire if there was a hitch. If I had thought there was

## Ball bodyguards attend inquiry

JOHANNESBURG. — The managing director of Barclays Bank, Mr Chris Ball, was on Saturday escorted by private bodyguards carrying batons into the building where the Munnik Commission is holding its inquiry.

Earlier they accompanied Mr Ball, 48, from his counsel's chambers to a car which whisked him around the corner to the Rand Supreme Court building here.

One security man was seen giving a revolver he carried to a man who did not enter the building.

Two of the men sat in the room where the inquiry into advertisements calling for the unbanning of the ANC convenes.

Mr Ball said that following comments by State President Mr P W Botha in Parliament, Barclays was labelled "the ANC bank". Branch buildings were attacked, and there were "death threats", he said. — Sapa

a hitch, if I had thought that Garden or Field had declined, I would have had a discussion with them and given my view. If they had produced fresh information, I would have had to take that into account.

Mr Ball said the first he knew of the adverts was when he saw them in the press. He said, however, that Mr Surtee had telephoned him after they appeared.

Mr Justice Munnik asked: "Why do you think he phoned you to ask you what you thought of the ads?"

"I told you why. He said he was involved with the ads," said Mr Ball.

"Even if he was involved, why did he phone you to ask you what you thought of them?" asked the judge.

"Mr Chairman, I can't answer that."

Mr Ball was asked whether he then made the connection between the overdraft and the adverts.

"Mr Chairman, there was a link, but I thought that it was Surtee's business. Please remember that at this time this issue was not politically traumatized. It was not my affair whether or not Surtee was involved in the ads."

Mr Ball repeatedly told the commission it was the attack on him by the State President, Mr P W Botha, that made the adverts into a "political issue".

"It was not a political issue at the time. The adverts stated what many political groups were asking for."

As far as he was concerned, he had used his discretion to grant an overdraft facility to Mr Surtee — what he did with it was his business.

Mr Ball said: "It is not for us to police the activities of our customers."

Mr Ball was questioned closely on his political views. He said his call for the ANC's unbanning and Mr Mandela's release had been based on "strategic analysis".

Mr Ball said: "Between the beginning of 1986 and the visit of the Eminent Persons' Group, the focus of attention was on unbanning the ANC. It nearly happened — that is a different world to what we are living in now."

Mr Botha had attacked him in Parliament, "because I was analytical and analysis can cause discomfort to politicians".

A position such as his, Mr Ball said, on the ANC and Mr Mandela, was "not dissimilar from that of Inkatha and the PFP — and I am not a member of either."

Asked why the Barclays statement on the incident had made no mention of the fact he had granted the overdraft facility to Mr Surtee, Mr Ball said his legal counsel interpreted the law on commissions to read that any statement of that nature would have contravened the Commissions Act.

CAPE TIMES  
16/3/87

## Curbs on 'ANC' funeral

JOHANNESBURG. — A suspected African National Congress (ANC) guerilla, killed by security forces six weeks ago, was buried in Soweto at the weekend under severe emergency restrictions.

Mr Nathaniel Mofia's funeral at Avalon cemetery in Soweto on Saturday was attended by about 300 people — the number allowed by police in terms of an order issued on Friday under emergency laws.

On Friday, police issued orders banning political speeches and "flags, banners or posters inspired by the ANC".

The order also ruled that the funeral could not last longer than three hours.

Mr Mofia, 38, and Mr George Mbele, 32, were shot and killed by security forces on January 23.

Police have declined all comment on the circumstances surrounding the shooting, but have said Soviet-made weapons and ammunition were confiscated.

Mr Mbele's family has not said when he will be buried. — UPI

POLITICAL comment in this issue by A H Heard, G Q Kling, G E Shaw, A Johnson and B Streek. Posters, headlines and sub-editing by A Henderson. All of 122 St George's Street, Cape Town.



# Church, State dispute over foreign funds

The Argus Correspondent

JOHANNESBURG. — A showdown between Church and State is looming as the Government steps up pressure against anti-apartheid organisations receiving foreign funds, spokesmen for the organisations have warned.

Reports have been received from around the country of books being inspected in terms of the Fund-raising Act. Church organisations have come in for particular scrutiny.

Police yesterday visited the Johannesburg headquarters of the South African Council for Higher Education (Sached). Sached was inspected late last year by auditors from the Directorate of Fund-raising.

## Taking legal advice

"The police informed us that they would be charging us under the Fund-raising Act," Sached director Mr John Samuel said today. He said the trust would be taking legal advice and believed that it had acted legally.

Sached runs alternative educational programmes at high school and tertiary level. It has nine centres around the country and employs 230 staff members.

Spokesmen for some of the organisations suggested that the State was preparing to test aspects of the Fund-raising Act in court.

They said it was likely the State would clash with churches over the definition of "bona fide religious activities", which are specifically exempted from the requirements of the Act.

## Bodies inspected

Organisations which have confirmed inspections by the Directorate of Fund-raising are: The National Education Crisis Committee, the Church-sponsored Willgespruit Fellowship Centre, the Black Sash Advice Offices in Port Elizabeth and Grahamstown, attorney Mr Krish Naidoo who acts for the United Democratic Front, the Black Lawyers Association and the Institute for Black Research.

Sources report that the following groups have also been inspected: The Natal Organisation of Women, Natal Indian Congress, the Northern Transvaal Advice Office, End Conscription Campaign (Natal), Martizburg Association for Christian Social Awareness, the Ecumenical Action Movement (Team), the Churches Urban Planning Commission and the Foundation for Peace and Justice.

## Excuse

Professor Fatima Meer of the Institute for Black Research said the investigations were being used as an excuse by the authorities to find out more about groups opposed to them.

"I think they just want to know what these organisations are doing with their money."

The Director of Fund-raising, Mr J C Visser, declined to comment verbally and has not yet responded to a telex on the matter.

...eptune velour on  
...ing. Head-rests  
...seats.

Ace offers you the  
go combinations  
ate opens edge-to-  
the entire volume  
ing height of only  
r Toyota Hi-Ace  
ries from the range

ls are available  
actory approved  
r conditioning.

el the power, enjoy  
ore than meets the



TOYOTA

Fine

V

WE

lan

6pm

□ F

It

Ove

□ V

ing

□ T

Air

Last

New

First

Full

Sets

Rise

High

Today

Tom

Low

Today

Tom

Sea F

Sea

Port

Muiz

Sea

Port

New

DF

Mard

(The

Maxi

Minin

Mean

Maxi

Minin

Mean

Mean

Rai

Progr

Sunsh

Preva

Maxi

Maxi

Durba

East

Port

Georg

Uplng

Bloen

Windh

Pretor

Cape

Cape

For

For

For

For

For

For

For

For

For

For

For

For

For

For

For

For

For

Art 71/15 11/3/82 327

# Foreign cash: Sached expects to be charged

Own Correspondent

JOHANNESBURG. — The SA Council for Higher Education, one of the organizations being investigated by the Directorate of Fund-Raising (DFR), was told yesterday to expect charges arising from its foreign funding.

Sached is one of several organizations critical of government that have been visited in the past three months by DFR inspectors.

But DFR chief director Mr J C Visser denied that anti-apartheid funding was now under investigation by government. He said all groups collecting funds from the public were investigated.

Sached director Mr John Samuel said he had been called by a Colonel

Pretorius and told a docket had been opened and that he was to expect charges relating to receiving foreign funds.

The following organizations have told our correspondent they have been visited by DFR inspectors:

- The National Education Crisis Committee (NECC).
- The Black Sash in Port Elizabeth and Grahamstown.
- The Wilgespruit Fellowship Centre.
- The Rev Allan Boesak's Peace and Justice Foundation.
- The United Democratic Front.
- Several small organizations including the Northern Transvaal Advice Office and the Cape-based Montagu Project.



ary, on Monday night.

Picture: AP/TER

*CM Times 18/3/87*  
**Sached: No charges laid**

JOHANNESBURG. — No charges had been laid against the South African Council for Higher Education in connection with foreign funding, its director said yesterday.

Mr John Samuel said he was told by police yesterday that a docket had been opened.

It is believed Sached is one of the groups under investigation by the Directorate of Fund-Raising.

According to reports, inspectors of the DFR, a directorate of the Department of National Health and Population Development, have in recent weeks visited some of the figures and organizations which have emerged during the Munnik Inquiry into the funding of the UDF's "Unban the ANC" advertisements. — Sapa

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprijs  
(GST excluded/AVB uitgesluit)  
Local 45c Plaaslik  
Other countries 60c Buitelands  
Post free • Posvry

Regulation Gazette  
Regulasiekoerant  
No. 4057

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 261

PRETORIA, 18 MARCH  
MAART 1987

No. 10669

## GOVERNMENT NOTICE

### MINISTRY OF LAW AND ORDER

No. R. 617

18 March 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 12 June 1986, as amended, I, Johann Cornelissen van Niekerk, Divisional Commissioner of the South African Police for the Port Natal Division, hereby issue the orders set out in the Schedule.

J. C. VAN NIEKERK,  
Divisional Commissioner: Port Natal.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

(a) in the Magisterial District of Inanda the areas known as—

- (i) kwaMashu, as demarcated and described in Government Notice R. 462 of 1 April 1977;
- (ii) Ntuzuma, as demarcated and described in Government Notice 2651 of 30 December 1977;

(b) in the Magisterial District of Pinetown the areas known as—

- (i) Clermont, as demarcated and described in Government Notice 163 of 23 August 1974;
- (ii) kwaDabeka, as demarcated and described in Government Notice 1049 of 18 May 1979;

## GOEWERMENTSKENNISGEWING

### MINISTERIE VAN WET EN ORDE

No. R. 617

18 Maart 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig, reik ek, Johann Cornelissen van Niekerk, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Port Natal, hierby die bevele in die Bylae uiteengesit uit.

J. C. VAN NIEKERK,  
Afdelingskommissaris: Port Natal.

#### BYLAE

##### Woordskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Regulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) in die landdrostdistrik van Inanda die gebiede bekend as—

- (i) kwaMashu, soos afgebaken en omskryf in Goewermentskennisgewing R. 462 van 1 April 1977;
- (ii) Ntuzuma, soos afgebaken en omskryf in Goewermentskennisgewing 2651 van 30 Desember 1977;

(b) in die landdrostdistrik van Pinetown die gebiede bekend as—

- (i) Clermont, soos afgebaken en omskryf in Goewermentskennisgewing 163 van 23 Augustus 1974;
- (ii) kwaDabeka, soos afgebaken en omskryf in Goewermentskennisgewing 1049 van 18 Mei 1979;



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded/AVB uitgesluit)  
Local **45c** Plaaslik  
Other countries **60c** Buitelands  
Post free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4058**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 261

PRETORIA, 19 MARCH  
MAART 1987

No. 10670

## GOVERNMENT NOTICES

### MINISTRY OF LAW AND ORDER

No. R. 618

19 March 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 12 June 1986, as amended, I, Ernest Stephen Schnetler, Divisional Commissioner of the South African Police for the Eastern Province Division, hereby issue the orders set out in the Schedule.

E. S. SCHNETLER,  
Divisional Commissioner: Eastern Province.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

(a) in the Magisterial District of Port Elizabeth the areas known as—

- (i) New Brighton and kwaZakhele Townships, as demarcated and described in Government Notice 2246 of 11 November 1955;
- (ii) Zwide Township, as demarcated and described in Government Notice 1563 of 1 September 1972, as amended;
- (iii) Walmer Black Township, as demarcated and described in Government Notice 1541 of 31 August 1945;
- (iv) Motherwell, as demarcated and described in Government Notice 615 of 4 April 1986;

## GOEWERMENSKENNISGEWINGS

### MINISTERIE VAN WET EN ORDE

No. R. 618

19 Maart 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig, reik ek, Ernest Stephen Schnetler, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Oostelike Provinsie, hierby die bevel in die Bylae uiteengesit uit.

E. S. SCHNETLER,  
Afdelingskommissaris: Oostelike Provinsie.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Regulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) in die landdrostdistrik van Port Elizabeth die gebiede bekend as—

- (i) New Brighton en kwaZakhele woongebiede, soos afgebaken en omskryf in Goewermenskennisgewing 2246 van 11 November 1955;
- (ii) Zwide woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 1563 van 1 September 1972, soos gewysig;
- (iii) Walmer Swart Woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 1541 van 31 Augustus 1945;
- (iv) Motherwell, soos afgebaken en omskryf in Goewermenskennisgewing 615 van 4 April 1986;

# Police to investigate Natal group's funding

Own Correspondent

JOHANNESBURG — Police yesterday opened a docket on the funding of the Durban-based Community Research Unit (CRU).

The CRU is one of at least 20 groups critical of government currently under investigation by the Directorate of Fund Raising (DFR).

CRU chairman Professor Jerry Coovadia said he was visited yesterday by a member of the SAP Commercial Branch. He was told police were acting on DFR information and that charges were being investigated under Section 2 of the Fund-Raising Act.

Prof Coovadia said inspectors had first visited the unit early in January "after complaints by the 'National Security Council'."

327

19/3/87

RECEIVED  
19/3/87  
SOUTH AFRICAN  
POLICE

20 APR 1987



Copy Tm's 19/3/87

377

# KwaMashu pupils flee after killings

Own Correspondent

DURBAN. — All secondary schools in KwaMashu were deserted on at least one day this week following the killing of seven members of the UDF-affiliated KwaMashu Youth League.

The bodies of the seven were found in a ditch at the side of a road in KwaMashu about 8am on Tuesday. Each had been stabbed several times.

At least six other youths are still reported to be missing.

Sapa reports that police have released the names of five of the boys. They were Bhiki Mgwaba, 15, Mdu Mkhize, 17, Boy Thulani Mkhawanazi, 16, Sphiwe Ndlovu, 15, and Boysie Mbele, 16. The names of the other two victims will be released when their next-of-kin have been notified.

On Tuesday night, many pupils slept in the veld, fearing further attacks and abductions. However, no incidents were reported.

The assistant secretary for the Department of Education and Culture in KwaZulu, Mr E Mvemve, said children had stayed away from school on Tuesday because they apparently feared for their safety.

He said the situation was back to normal yesterday. Primary schools had not been affected.

Meanwhile, the UDF publicity secretary in Natal, Mr Lechisa Tsenoli, said the killing of UDF members and the disruption of a funeral at the weekend would be given a serious consideration by the front.

"It calls on us to meet and discuss the issue with the comrades from the affected area and we will give a full statement after we have investigated the incidents," Mr Tsenoli said.

In Pretoria, meanwhile, police yesterday gazetted "standard" restrictions on funerals for unrest victims in four Natal magisterial districts.

Port Natal Divisional Police Commissioner Johann van Niekerk made the emergency regulation restrictions applicable to seven Inanda, Pinetown, Durban and Umlazi townships. The townships are KwaMashu, Ntuzuma, Clermont, KwaDabeka, Chester-ville, Lamontville and Umlazi township.

According to the orders, funeral services may not be held without the commissioner's prior approval, out of doors, or with anyone but an ordained minister acting as a speaker.

A ban was also placed on joint funerals, public-address systems, more than 200 people attending, banners and posters and proceedings lasting more than three hours.

## DPSC and police differ on subpoena

DPSC member Mrs Audrey Coleman has been served with a subpoena to reveal to the police information about two children who, she has alleged to the World Council of Churches, were tortured by police.

But her husband, the chairman of the Detainees Parents Support Committee, Dr Max Coleman, said there had been no need for police to subpoena her as she had already decided to give the information.

General Johann Coetzee, the Commissioner of Police, said the SAP took the allegations so seriously that he had appointed a senior investigating officer.

As a matter of priority, a brigadier had been instructed to call on the chairman of the DPSC to obtain details of the two complainants to enable the police to investigate the allegations fully.

General Coetzee said it "has been more than 10 days since the police officer requested the DPSC to provide the relevant information and in spite of repeated requests they have been either unable or unwilling to do so".

Mr Coleman said: "Ever since meeting the brigadier appointed by General Coetzee we have at all times indicated our willingness to assist in the investigation.

"The only delay has been occasioned by the apparent reluctance of the officer concerned to meet with us and our legal advisors, which we requested in order to discuss some simple safeguards for our clients."

(1)

322

(2)

SMC  
19/3/82



STAR 19/3/87

## Doctors and patients: a rule of trust

A patient's confidences are the moral responsibility of a doctor and he should feel bound not to reveal a patient's name or details of his ailment, says a spokesman for the National Medical and Dental Association (NAMDA).

Several leading medical men strongly support this stand, even where it conflicts with the demands of the State.

However, this is a moral issue, and both NAMDA and the Medical and Dental Council point out that doctors are not protected if they refuse to reveal confidential information or the names of their patients. Neither the law nor the rules of the South African Medical and Dental Council give doctors protection on this ethical stand.

The issue has been raised again since a reporter of The Star, Jo-Anne Richards, was served with a subpoena demanding she reveal the name of a source — a doctor. If she refuses to do so before a magistrate, she could face up to five years in prison.

If she gave his name, it is probable he would receive a similar subpoena, requiring the names of his patients — who are released detainees. Should he refuse, he would also face jail.

The doctor has indicated he could not ethically reveal these names. Also, his work depends largely on retaining the trust of those consulting him.

Namda said a patient's confidences were the moral responsibility of a doctor and he should feel bound not to reveal a patient's name or details of his ailment.

### 'REVELATION UNDER PROTEST'

"This is especially important at present in South Africa, where patients put their trust in doctors. The revealing of confidences could involve dire consequences for patients, be they detainees or people injured in unrest situations."

The Medical Association of South Africa (Masa), however, said a doctor could reveal professional secrets in a court — but only "under protest after the directive of a presiding officer".

"If there were a complaint to the Medical and Dental Council that he had acted unethically, he would be exonerated by the council," said Mr A Volschenk, legal adviser to Masa. Other than this, a doctor could not divulge information about a patient without his permission.

In contrast, the World Medical Assembly clearly states that "a physician shall preserve absolute confidence on all he knows about his patients, even after the patient has died".

Ethics, they declare in a regulation, remain identical in times of armed conflict and peace. Particularly in times of conflict, "the fulfilment of his medical duties shall in no circumstances be regarded as an offence. The physician must never be prosecuted for observing professional secrecy".

### CONSEQUENCES OF LEGISLATION

On this point, Dr Jonathan Gluckman, a prominent pathologist, wrote to the South African Medical Journal: "Considering the invidious position in which a physician may find himself, perhaps Parliament should re-examine the consequences of legislation which might bring those charged with maintaining law and order into conflict with the physician, whose primary obligation is his professional duty, and his supreme guide is his conscience, all directed to the preservation of health and saving of lives."

Professor John Gear, of the Department of Community Health at the University of the Witwatersrand, said a doctor was ethically bound by the Hippocratic Oath to "protect confidentiality at all times".

A matter of secondary ethics concerned whether he would respond to the needs of the State or take the consequences of retaining doctor-patient confidentiality. "The law is in conflict with ethics in South Africa," he said.

Professor Trefor Jenkins, head of the Department of Human Genetics and the School of Pathology, South African Institute of Medical Research and University of the Witwatersrand, said a doctor who believed it to be unethical to break doctor-patient confidentiality would, in terms of the law, "have to take the consequences".



Reporter Jo-Anne Richards . . . she could face up to five years in jail if she refuses to reveal the name of doctor informant.



Professor discusses threats

# 'SA is not losing its near-war'

327  
19/3/87

By Ramsay Milne, The Star's Foreign News Service

NEW YORK — South Africa is in a state of near-war, external and internal — but it is not losing this war nor is it likely to lose it in the foreseeable future, says a British military expert, Mr John Keegan.

In a wide-ranging discussion of the threats facing South Africa and the conviction of Afrikaners that they could hold out for years, Mr Keegan, a defence analyst and professor of war studies at Britain's Royal Military Academy, Sandhurst, from 1960 to 1986, says the country's defence capability, its armaments production and the training given to the Defence Force "makes white South Africa genuinely a nation in arms".

Afrikaners are determined to resist, he says, and they are carrying most English-speaking South Africans with them.

"They are unshaken by the tendency to compromise on the part of the 'New Nats' — the dissidents within the governing Nationalist Party. The ANC's military efforts are pinpricks. The South African economy has begun to recover from its slump. The country's borders are secure.

"How is it that so few people can confront their enemies with such success and confidence?" he asks.

## Stems from Afrikaner's toughness

Mr Keegan answers his question by asserting that it comes from the Afrikaner's toughness.

"Pioneers who have endured defeat and humiliation on their own territory, they have survived to gain control of their destiny. That is the thrust of a history in which the British — their former colonial masters — not blacks, were the main enemy."

He describes apartheid as being at the root of South Africa's present agony but "it is also the wellspring of strength by which it resists".

## Impressively self-sufficient

In his view, South Africa is, in most respects, now self-sufficient and "impressively self-sufficient at that".

From abroad it needs only oil and much of the demand for energy is being met by the country's enormous coal reserves. Commercially, its exports of strategic minerals, gold and diamonds earn high returns for bulk volumes that are too widely dispersed to be easily interrupted by sanctions. Labour is still plentiful because, he says, most South Africans are reluctant to leave home and work abroad.

Mr Keegan points out that South Africa's defences do not depend solely on weapons or manpower. Their strength is due also to the size and nature of the nation's vast and varied geography.

Pointing out that South Africa is "enormous — bigger than the US east of the Mississippi" — Mr Keegan said that South Africa's borders were even more defensible, with oceans on two sides, deserts and mountains on the other.

If President Botha succeeds, he says, he will have transformed South Africa from an uneasy island of white supremacy into a federation of racial republics, running their own internal affairs but acknowledging the guidance of a central ideological interest.

"And if he fails, South Africa will remain under siege from within and without, its white minority ever more determined to hang on — and better prepared to do so with the passage of each month."

Mr Keegan's comments were published in *US News and World Report*.



19/3/83  
STAR  
(327)

## Inquest report on youth goes to A-G

WORCESTER — A magistrate here found yesterday that the death of a 17-year-old Zwelethemba schoolboy in November was caused by the actions of Constable Michael Luff "in circumstances amounting to an offence".

Mr J.P. Botha said he would send a record of the inquest to the Attorney-General.

The inquest found that William Dyasi died from multiple shot-gun and pellet wounds. Mr Botha found no grounds for justifiable homicide as the youth had been under arrest, making the offence "technically" a punishable homicide.

Constable Luff and Constable Christiaan Geldenhuys had shot a youth in Zwelethemba. Hours later they found William Dyasi wounded and identified him as the person they had shot.

He was arrested for public violence but allegedly broke free and Constable Luff shot him in the back. The constable refused to give evidence which might incriminate him.

# Restrictions imposed on funerals in Durban area

Mercury Reporter

RESTRICTIONS on funerals in most black townships in the Durban area were imposed for an indefinite period yesterday by the Port Natal Divisional Commissioner of the South African Police, Brig Johann van Niekerk.

The restrictions, published in the Government Gazette yesterday, affect any 'ceremonial gathering' relating to a burial in Kwa Mashu, Ntuzuma, Clermont, KwaDabeka, Chesterville, Lamontville and Umlazi.

No forms of services, other than those held at gravesides, may take place out of doors; only an ordained minister of a religious denomination or organisation may act as a speaker; no public address system may be used and no more than 200 people may attend any given funeral or ceremonial gathering which may not last for more than three hours.

No joint funeral or joint ceremonial gathering of two or more specified persons may be held.

Funeral processions may only be carried out in vehicles if they are less than 500 m in distance and may only follow a route approved by the Divisional Commissioner.

No flags, banners, placards, pamphlets or posters may be displayed or distributed.



## French bid to free Albertini is continuing

From JAMES TOMLINS,  
Weekend Argus Foreign Service

PARIS. — Premier Jacques Chirac said here that his Government was "determined to pursue its efforts so that Pierre-Andre Albertini is released and can return to France as soon as possible".

Mr Albertini, a 27-year-old French co-operation lecturer, was given a four-year sentence on March 20 by a Ciskei court for being a hostile witness at a terrorist trial.

Observers here noted that the French conservative government leader puts the blame for the arrest on South Africa and not the Ciskei, which it does not recognise.

Mr Chirac made his point in a letter released yesterday to George Marchais, secretary-general of the French Communist Party, which is spearheading a nationwide campaign in support of Mr Albertini.

So far this campaign has had little support outside the Communist Party and anti-apartheid organisations.

Mr Chirac said his Government had sent an envoy to Pretoria.

Mr Deniau had talks with the South African Foreign Minister, Mr Pik Botha, on March 12.

In his letter Mr Chirac said: "Believe me that I very much regret that these steps have unfortunately, at the present moment, been unsuccessful. However, I can assure you the Government in no way considers that the sentence against Mr Albertini is the final outcome of this affair."

"On the contrary, the Government is determined to continue its efforts in order that Mr Albertini can return to France as soon as possible."

● Last Wednesday a Communist-backed protest march to the South African Embassy attracted only about 3 000 demonstrators, although the organisers claimed 12 000.

327

# Police to investigate charges against Mail

By RUTH BECKER

POLICE are investigating charges against the *Weekly Mail* for possible contraventions of the Emergency regulations.

The *Weekly Mail* has been told the investigation arises from an eye-witness account of a violent clash between security forces and Metal and Allied Workers' Union (Mawu) members at a rally in Durban last year.

The complaint was laid by the SA police directorate of public relations.

The investigation follows last week's banning of two editions of *New Nation* weekly paper. The editions, volume two numbers six and seven, were published in February this year and are banned for distribution.

*New Nation* staffer Gabu Tugwana expressed surprise at the move, particularly as the papers had "been on the streets" for almost a month. They intend to challenge the ban and their lawyers have asked the authorities for reasons for the banning.

*New Nation* is the third newspaper to fall foul of the Publications Act in the last month. A single edition ban was placed on *The Namibian* last month, but later rescinded. As a member of the Newspaper Press Union (NPU), the paper is not subject to the Publications Act under which the ban was imposed.

In the same week the student publication *Saspu National* was ordered to submit copy of future editions to a publications control board. They are appealing against the decision.

Neither *Saspu National* nor *New Nation* are members of the NPU. Their bans have prompted speculation that the government is trying to pressurise papers to join the union, thereby subjecting them to greater control as they would be a minority within the union.

In other action against journalists this week:

● Agence France Presse photographer Walter Dhladhla and freelance journalist Nana Kutumela were held by police for questioning for four hours on Tuesday. They had gone to Duduza on the East Rand to report on the upgrading of the township, but were apprehended by municipal police. Dhladhla said it was not "an unrest situation." He was nonetheless questioned about his motives for being there and taken to the security police at Dunnotar police station, where his passport and contact book were scrutinised and his car searched. His film and an expired press card were confiscated.

● Jo-Anne Richards, a reporter for *The Star* newspaper, has been served with a subpoena in terms of Section 205 of the Criminal Procedure Act. The "205" demands she reveal confidential sources by giving names and addresses of one or more doctors she quoted in a report last September. She faces up to two years in prison if she refuses.

Richards reported the findings of a doctor who had been part of a panel in 1985 which examined 40 released detainees who complained of injuries. The doctor's findings were a collation of his colleagues' notes. He was not named and *The Star* published the allegations alongside the official repudiation.

Last week, *Weekly Mail* reporter Jo-Ann Bekker was told she is facing charges under the Police Act, along with *Eastern Province Herald* editor-in-chief Koos Viviers and *Herald* reporter Debbie March.

The charge relates to a story written two years ago, when Bekker worked for the *Herald*, concerning unrest in Cradock in the Eastern Cape.

They are due to appear in the Cradock magistrate's court on March 31.



Chile Times 20/3/82 327  
**Police oppose  
ruling on paper**

Own Correspondent

JOHANNESBURG. —  
The police have opposed  
the confirmation of the  
rule granted by Mr Jus-  
tice B O'Donovan in the  
Rand Supreme Court on  
March 10 which prevent-  
ed the Commissioner of  
Police from seizing  
copies of The Star carry-  
ing an advertisement  
placed by the Detainees  
Parents Support Com-  
mittee (DPSC).

In terms of the rule is-  
sued by Mr Justice  
O'Donovan, the DPSC  
advertisement as it ap-  
peared in its amended  
form in The Star was not  
unlawful.

By CHRIS STEYN

COMPANIES and employers should solve labour disputes as quickly as possible because drawn-out discussions attract the attention of the African National Congress (ANC), Deputy Commissioner of Police Brigadier Hermann Stadler said yesterday.

"Business has no option but to take security precautions," Brig Stadler told a lunch hosted by the Tygerberg Chamber of Commerce and Industrial Association in Parow.

He said that to counter terrorism, companies and employers should:

□ Try to solve labour disputes

as quickly as possible because long-drawn-out discussions attracted the attention of the ANC, which appeared determined to attack businesses involved in labour disputes.

□ Maintain a good working relationship with their staff so as to avoid possible sabotage in the workplace or a situation in which

workers called for action against the company.

□ Improve security. "This must include protection for employees. If workers are convinced that security measures are for the good of all and are not simply to protect the interests of the capitalists, much can be gained," Brig Stadler said.

He said that for effective counter-measures to predict terrorists' actions, businesses should be in close contact with police anti-terrorist units and security organizations.

"The ANC is committed to disrupting the South African economy. This means businesses will become a more important target for terrorism. Business has no other option than to accept the risks and invest in their own security."

Director of Cape Town Chamber of Commerce Mr Allan Lighton said yesterday, in response to Brig Stadler's comments, that he believed city businessmen were "well aware" of the security situation "and members are taking the necessary steps".

Brig Stadler said the ANC/SA Communist Party alliance had attacked a wide range of targets in South Africa.

Last year terrorists were responsible for 229 acts of violence.

Between 1976 and February 1987 terrorists were responsible for 656 incidents of terror, in which 145 people were killed.

# Security warning to city businesses

Cape Times 20/3/87

327



CAP Times 20/3/87

327

# Sash 'not told' of ANC ad funding

Own Correspondent

JOHANNESBURG. — Mrs Sheena Duncan of the Black Sash, giving evidence before the Munnik Commission, said she was not told who would fund the "Unban the ANC" advertisements when asked whether she would support them.

Neither was the Black Sash asked to make any contribution towards the funding, Mrs Duncan — director of the Sash's Transvaal advice office — told the inquiry yesterday.

The commission is sitting in the Rand Supreme Court under the chairmanship of Cape Chief Justice Mr Justice Munnik. The dep-

uty Attorney-General of the Cape, Mr Francois van Zyl, SC, is leading evidence for the commission.

Mrs Duncan said she had been approached by Mr Derek Hanekom before last Christmas and asked whether the Black Sash would add its name to the list of supporters of the advertisements.

"And I said: 'Yes, certainly, the Black Sash could support it, because it contained nothing that we as an organization have not said many times before'."

The commission later heard that five days before the advertisements appeared, UDF national treasurer Mr Azhar Cachalia had said there was a "shortfall" in the UDF's funds and that he was pessimistic about

raising the R100 000 at short notice.

According to an affidavit submitted to the commission by attorney Mr Krish Naidoo, who placed the advertisements for the UDF, Mr Cachalia had told him on

January 2 that he would, however, try to obtain the funds.

"During the early part of the afternoon of January 6, I received a call from Cachalia, who said that he had a bank cheque for R100 000."

Mr Naidoo said he was first approached on December 21 last year by Mr Murphy Morobe, acting publicity secretary of the UDF.

"He advised me that the UDF had decided to have adverts inserted in a number of newspapers throughout the country which would call for the unbanning of the ANC."

He said he had then visited the offices of The Star in Johannesburg and SA Associated Newspapers (SAAN — now Times Media Limited), whose lawyers decided the advertisements were not illegal. He also found out that the advertisements would cost a total of about R100 000.

On January 29 he again spoke to Mr Morobe, who said he should contact Mr Cachalia who would arrange the financing.

The hearing continues today with Mr Cachalia due to give evidence.



**MINI  
STORAGE**  
NATIONWIDE®

All your Storage needs under your own lock and key

**934 0259**

CAP Times 20/3/87

## Report cases of ill-treatment, SA nurses told

Medical Reporter

PROFESSIONAL nurses aware of physical or mental ill-treatment of detainees should take action, including reporting the matter "through appropriate channels", says the South African Nursing Association.

Stating its policy on the responsibilities of nurses during "civil unrest", the association says in Nursing News that it upholds the principle that all persons, whether involved in hostilities or not and regardless of all considerations, should receive protection and care if wounded or ill.

Nurses were "bound to hold in confidence" any information given by a patient "except for example, in acts of terrorism" or when instructed by a court of law.

### REFUSAL OF ENTRY

Police "without appropriate documentation" could be prevented from entering any health facility unless authorised by law and any other person "deemed to be a threat to the patient's safety" could be refused entry.

The association condemns "torture, mutilation, cruel treatment or murder" and any other humiliating or degrading treatment.

## Bank closed Mr Z's account

The Argus Correspondent

JOHANNESBURG. — Volkskas Bank closed the account of Mr Yusuf Surtee, the "Mr Z" who paid for the "Unban the ANC" advertisements, because he was consistently overdrawn and refused to grant him an overdraft without security.

Mr Johannes Greyvenstein, manager of the bank's Sauer Street branch here, told the Munnik commission of inquiry into the financing of the advertisements that, in hindsight, Mr Surtee's account had not been operated "normally".

The commission heard earlier that Barclays Bank granted Mr Surtee an overdraft of R100 000, used to pay for the advertisements, without security. He had an overdraft facility of R30 000 on another account, which was later reduced to R20 000.

### Asked to be told

Mr Greyvenstein said Mr Surtee asked him to contact him whenever there was not enough in the account to meet withdrawals.

"I couldn't see my way clear to phone him every time he was overdrawn and, in October 1986, I told him I could no longer do it and closed the account."

The bank manager said Mr Surtee had had two accounts at Volkskas, one of which was opened in August 1980 and lapsed in 1985 and another opened in June 1985 and closed by the bank in October 1986.

Mr Surtee was granted an overdraft facility on the first account after putting up investments, two insurance policies and shares as security. The facility rose from R2 500 in 1980 to R16 000 in August 1983, and was brought down the next month to R10 000.

The commission heard that Mr Surtee's account was originally well controlled but last year he issued cheques and debit orders without having money to cover them.

Mr Greyvenstein agreed with Mr Justice Munnik that this was not normal procedure. "Normal procedure is that there are always funds in the account, but that is how the account was run."

(Proceeding)



Munnik inquiry told of Mrs Mandela's 'gift' for ANC ad

# Winnie's R62 000 for UDF

JOHANNESBURG. — Mrs Winnie Mandela gave the United Democratic Front R62 000 to help to repay a R100 000 overdraft that financed advertisements calling for the unbanning of the African National Congress.

The national treasurer of the UDF, Mr Azar Cachalia, told the Munnik Commission he asked for her help in the second or third week of January. She was "very sympathetic and supportive" and identified completely with the content of the advertisements, which appeared in newspapers on January 8.

Mr Cachalia said he received the money, in banknotes, on January 23 "very much as a gift".



Mrs Winnie Mandela

In previous hearings Mrs Mandela had been referred to as the "person" who was the benefactor. Mr H F van Zyl, the advocate who is presenting evidence to the commission, asked Mr Cachalia to disclose the "person's" name. Mr Cachalia said he had obtained Mr Mandela's consent to disclose her name.

In January Mr Cachalia had "expressly asked" for Mrs Mandela's assistance. "In hindsight, if I had asked her I would probably have been able to raise the full amount," he said.

Mr Cachalia also considered using R50 000 promised by Dr Allan Boesak to the UDF for the organisation's normal business affairs to help pay for the ANC advertisement.

## "Large resources"

Dr Boesak was in charge of several trusts and had access to "considerable resources," Mr Cachalia said.

The money had to date not been received from Dr Boesak.

Mr Cachalia described his request to Johannesburg businessman Mr Yusef Surtee, to provide the initial R100 000 that paid for the advertisement.

He knew Mr Surtee reasonably well. Mr Surtee was not a UDF member.

"Mr Surtee is an influential and resourceful person. I would not have asked him where he was going to find the money."

Mr Surtee told him he would "try his best to raise the money."

Mr Surtee later approached the managing director of Barclays Bank, Mr Chris Ball, to ask him for a R100 000 overdraft facility "for personal use". — Sapa. ● See Page 2.

# Judge steps down in Star case

SPR 2/3/87 (327)

Argument in The Star's "seizure" application against the Commissioner of Police began all over again yesterday afternoon after the Rand Supreme Court judge hearing it recused himself.

The matter is now being heard by the Deputy Judge President of the Transvaal, Mr Justice G Coetzee.

Mr Justice L le Grange was asked to recuse himself by Mr P J van R Henning SC, counsel for The Star, on the ground that he had prejudged the issue before the completion of Mr Henning's argument. Counsel for the Commissioner opposed the move.

The Star had applied for confirmation of a order which declared a Detainees' Parents Support Committee advertisement in the newspaper to be legal.

They had not asked for confirmation of a further section of the order which prohibited the police from seizing copies of The Star carrying the advertisement on March 10.

This section had become academic, but The Star wished the court to confirm their correctness in bringing the application to court.

The police opposed the confirmation.

Before recusing himself, Mr Justice le Grange said he had put to Mr Henning certain difficulties he had with The Star's case so they could be dealt with. He denied he had shown bias.

He had consulted the Judge President, who felt it to be his duty to continue, unless he personally felt he should recuse himself.

"I am not unmoved by the lack of confidence which Mr Henning has expressed in my approach to my judicial task, and if he engendered a similar apprehension in the minds of the applicants, they may have good reason to think justice cannot be seen to be done.

"Therefore, I shall recuse myself and another judge will hear this case," he said.

**LESLEY COWLING and  
JO-ANNE RICHARDS**

Mr Justice le Grange said he regarded the application as a reflection on his personal ability to weigh the facts carefully and without bias.

In his application, Mr Henning said he had gained the impression that the judge had pre-judged the issue by making a finding on the credibility of evidence by the editor of The Star, Mr Harvey Tyson.

Mr Henning said he had tried unsuccessfully for 25 minutes to argue his case when the case resumed yesterday morning.

The judge appeared, from the questions he put to counsel, already to have decided the newspaper's case was not an impressive one.

"We noticed that the other side was rejoicing and this supported our impression," he said.

Counsel for the Commissioner of Police, Mr C Visser SC, denied that the Commissioner's legal team had "rejoiced".

The hearing continues.



airfield today.

*Mr. Tap 21/3/87 (327)*

### **Funeral rulings to stay**

PORT ELIZABETH. — The Divisional Commissioner of the SA Police in the Eastern Cape, Brigadier Ernest Schnetler, yesterday announced an indefinite extension on the restrictions which were placed on the funerals of "unrest victims" during June last year.

marriages. — UPI

*cap 7/15 21/3/87*  
**Judge withdraws** *283 327*

JOHANNESBURG. — Mr Justice J L le Grange yesterday recused himself from hearing the application by The Star newspaper against the Commissioner of Police after a surprise development yesterday morning.

Counsel for The Star, Mr P J Henning SC, asked the judge to recuse himself on the ground that he had gained the impression that the judge had prejudged the issue by making a finding on the credibility of evidence by the editor of The Star, Mr Harvey Tyson, before The Star's counsel had concluded argument.

Mr Justice Le Grange said that if this lack of confidence "engendered similar apprehension in the minds of the applicants they may have good reason to think that justice cannot be seen to be done". — Sapa



CAP 7/10/87 21/3/87

# Boesak funds for 'ordinary UDF business'

JOHANNESBURG. — Mr Azhar Cachalia considered using R50 000 promised by Dr Allan Boesak to the United Democratic Front for normal business, to help pay for the advertisement calling for the unbanning of the ANC.

Mr Cachalia, national treasurer of the UDF, appeared yesterday before the Munnik Commission of Inquiry here into the advertisements and their funding.

The commission has heard that R50 000 of the R100 000 came from Dr Boesak's Peace and Justice Foundation.

The central UDF administration received R50 000. The Western Cape region got R50 000.

The money was used for "ordinary UDF business", and not put in a bank account.

Asked what it was used for, Mr Cachalia said he was advised this did not fall within the commission's terms of reference.

The additional R50 000 was needed "for no specific purpose" in January, Mr Cachalia said.

## R72 000 in January

He also told the commission that Mrs Winnie Mandela, wife of jailed ANC leader Mr Nelson Mandela, gave R62 000 to help repay the R100 000 overdraft.

Mr Cachalia said the UDF had about R72 000 in early January but "it was a matter of debate" whether the UDF, as an affected organization which could not receive money from abroad, could use these funds for the advertisements.

Mr Cachalia rejected a suggestion by Mr Justice Munnik that the UDF

was involved in laundering money through the account of "Mr Z" — Yusuf Surtee.

"The UDF is a democratic organization — it is not the Mafia," he said.

Asked where he expected to find the R100 000 to fund the advertisements, Mr Cachalia said he had approached Mr Surtee because he "is an influential and resourceful person". He was under the impression Mr Surtee would approach "one or other trust".

Mr Cachalia said it was "possible" he had told Mr Surtee the money was needed for the advertisements.

## Overdraft facility

He disclosed that he received R6 000 from the National Education Crisis Committee (NECC), R3 000 from Soweto Civic Association and R20 000 from the Federation of Transvaal Women, to repay the overdraft.

Mr Justice Munnik said he could not understand why these cheques had been made out in favour of Barclays Bank and not Mr Surtee, who had obtained the overdraft facility from the bank's MD Mr Chris Ball. Mr Cachalia said that arrangement had probably been made by Mr Surtee.

He said the UDF's contribution had been made by a private individual in the "second or third week of January".

"The person was sympathetic and supportive, and identified completely with the sentiments of the adverts," Mr Cachalia said. He later disclosed the donor was Mrs Winnie Mandela.

Asked about the letter Mr Surtee was to have picked up from Swedish labour organizer Ms Elisabeth Mechanik, Mr Cachalia said it was a letter to rearrange funding arrangements for UDF affiliates. — Sapa, Own Correspondent

# News courtesy of the IPLC

203 317 263 349  
By TONY WEAVER

THE problems of reporting political events under the state of emergency were highlighted yesterday in an exchange between the Cape Times and the official government censor agency, the Interdepartmental Press Liaison Centre.

The Cape Times telexed the liaison office of the Prisons Services on Thursday with a series of questions relating to more than 100 emergency detainees thought to have been on hunger strike for over a week.

The Cape Times received the following telex back from the IPLC. It is reproduced here verbatim:

"1) Your telex dated 19 Maart was regard to elegend hunger strike at Victor Vester Prison refers:

"2) The replay of Presons Sevors is as follows:  
"The report submitted by you falls within the ambit of regulasions 3 (1) of the regulations promulgated by proclamation R224 of 11 Desember 1986.

## Transmission went wrong

"Athorisation published is there for grantad."

A spokesman for the Prisons Services yesterday said he did not know what had gone wrong with the transmission. The final paragraph, he said, should have read: "Authorization can therefore not be granted for publication."

The Cape Times is therefore unable to publish further details of the hunger strike.

● In a statement yesterday the Progressive Federal Party spokesman on Law and Order, Mr Tian van der Merwe, said: "These detainees have not been convicted by a court of law but are in prison at the whim of the government. Sixteen of these prisoners are under 18 years of age, eight are under 16 and six are over 50 years of age. Is the plight of these detainees leaving Mr Vlok 'cold'? (Mr Adriaan Vlok, Minister of Law and Order)."

(Report by T Weaver, 122 St George's Street, Cape Town.)



Cape Times 21/3/87 327

# Ban on anniversary meetings

By CLARE HARPER

**PROHIBITIONS** were imposed last night — the eve of the anniversary of the 1960 Sharpeville massacre — on any meetings of the Azanian Peoples Organization (Azapo) or the Azanian Students Movement (Azasm) commemorating the shootings at Sharpeville or Uitenhage, in 1985.

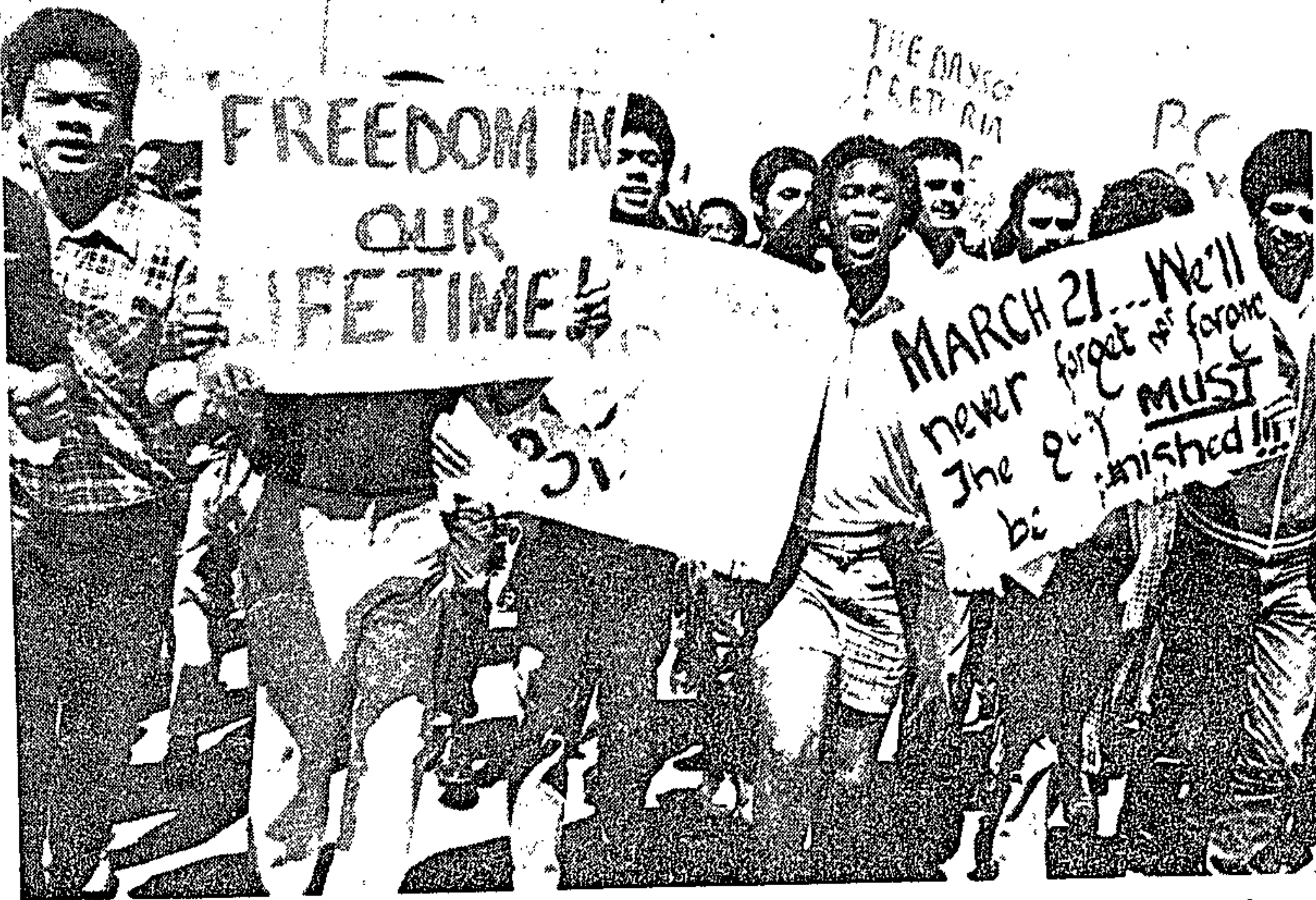
The ban, issued by the Acting Divisional Commissioner of Police, Western Province Division, Brigadier Nicolaas Acker, prohibits gatherings "convened", "organized" or "held under the auspices" of Azapo and Azasm commemorating "any incident of unrest" on March 21, 1960, at Sharpeville, or on March 21, 1985, at Uitenhage.

It further bans the commemoration of the death of any person who died in any of those incidents or in security action connected with any of them.

The order covers the entire Western Province.

Today is the 27th anniversary of the Sharpeville massacre when 69 people were shot dead by police. The once obscure Vaal township became a household word throughout the world.

Hundreds more were injured — many shot in the back — when police opened fire on the crowds gathered around the Sharpeville police station demanding arrest for not carrying their passes.



University of the Western Cape students yesterday marched around the campus after a lunchtime mass meeting commemorating the shootings at Sharpeville in 1960 and Uitenhage in 1985. Dr Allan Boesak addressed the meeting.

And on March 21 in Uitenhage, a quarter of a century later, police fired on mourners on their way to a funeral. The official death count was 21, with scores injured.

Yesterday, before the ban, about 2 500 University of the Western Cape students attended a mass commemorative meeting addressed by Dr Allan Boesak and some 30 000 pamphlets were distrib-

uted to Peninsula schools by the Western Cape Student Congress in commemoration of the Sharpeville and Uitenhage killings.

Western Cape UDF secretary Mr Ebrahim Rasool said in a statement: "Sharpeville symbolizes one of the real issues of this election period, namely the fact that the majority have no say in the decisions that govern them in their

own land.

"The peaceful crowds shot at in Uitenhage and Sharpeville taught us the violence of apartheid. On this anniversary our people feel the occupation of their townships, mass detentions and bannings."

The 1960 carnage caused a chorus of condemnation against the South African government under Prime Minister Dr H F Verwoerd, and editorial attention

by the world's press was among the most serious and powerful reaction against South Africa's racial policies and actions.

South Africa's first state of emergency was declared, nine days after the shooting, in 86 of the Union's 300 magisterial districts.

Nine days later, on April 8, the government outlawed the African National Congress and the Pan-Africanist Congress.

Cape Times 21/3/87



# Quiet anniversary of two massacres

Cape Times 23/3/87

327

THE 27th anniversary of the Sharpeville massacre passed quietly in South Africa.

In Soweto, three commemorative meetings were scheduled, but reporters could not get through to the venues. There were no reports of unrest.

In Cape Town, police effectively banned any "Heroes' Day" ceremonies on Friday night.

The townships of Port Elizabeth, where 21 people died in a confrontation between police and funeral mourners 25 years after Sharpeville in KwaNobuhle, were also reported quiet.

In Durban, a police spokesman said there were no incidents of unrest. Captain Bob Sanker said it was "all quiet".

The UDF and Azapo had called for the ringing of church bells, the turning on of motor car headlights for one hour, and five minutes of special prayer in churches to commemorate Hero's Day.

At Sharpeville police shot and killed 69 blacks on March 21, 1960, and wounded another 150 in a confrontation between security forces and blacks protesting against the so-called "pass laws", the required document

for all blacks to have in their possession at all times.

The law was repealed last April.

Twenty-five years later to the day, in Uitenhage police shot and killed 21 people as a crowd of some 3 000 people marched to a funeral.

Our London Correspondent reports that a weekend of picketting and fundraising by the Anti-Apartheid Movement (AAM) marked the anniversary there.

Shops selling South African goods were picketted. The Mayor of the North London borough of Haringey presented a petition containing thousands of signatures to the manager of a Sainsbury supermarket in the area.

Other AAM groups formed pickets at Shell petrol stations, handing out leaflets to motorists.

On Saturday a picket was mounted outside the South African Airways offices as part of a campaign against tourism and travel to South Africa.

Sapa-AP reports that several Royal Dutch Shell's petrol stations in Copenhagen were damaged early on Saturday morning during protests against the Dutch-British-owned company's trade with South Africa, police said.

There were several peaceful demonstrations around the country where leaflets were handed out.



SOWE

## Leader to face judge

THE case of Alexandra community leader Mr Moses Mayekiso, charged with sedition or alternatively subversion, has been referred to the Rand Supreme Court.

Lawyers representing Mr Mayekiso said yesterday that the matter will now be heard at a "future date". Mr Mayekiso's case was postponed in the Randburg Magistrate's Court yesterday.

### **Custody**

Mr Mayekiso, Transvaal secretary of the Metal and Allied Workers' Union, has been in custody since June last year.

## Received instructions

He said he received instructions from the regional general manager of Barclays Bank, Mr Bob Hood, to open an account for Dr Boesak.

Mr Hood contacted him after having been approached by Mr Chris Ball, managing director of the bank.

Mr Ettisch said his bank was close to Dr Boesak's home and it was felt it would be more convenient for him to open an account there.

One of Dr Boesak's clerks, Mrs Lucille Fester, was a former colleague of his. She had told Dr Boesak that his branch was a small one and that having an account there would be to his advantage, Mr Ettisch said.

## Account transferred

Dr Boesak opened his personal account at the Kuils River sub-branch on September 16 last year.

On September 24 the Foundation for Peace and Justice, which Dr Boesak heads, opened an ordinary account, a No 2 account and a bursary account.

In October a savings account was transferred from Nedfin Bank in Bellville. On December 29 a trust account was opened.

Mr Ettisch said he was instrumental in transferring the account to his branch.

## No specific instructions

He could not say if there was a lot of activity in the foundation's accounts; they were normal accounts and money came in and went out regularly.

He had not issued specific instructions to monitor these accounts.

He could not remember if Dr Boesak said there would be substantial cash withdrawals from the account.

He examined a telegraphic transfer handed to him by Mr H F van Zyl, SC, who was leading evidence.

He agreed that a transfer of R50 000 was made from the Bellville branch of Barclays to another branch in Simmonds Street, Johannesburg.

He explained that a client wishing to make a telegraphic transfer had to apply at a branch and have his account debited accordingly. Alternatively, the client could hand in a cheque at the particular bank.

Mr Ettisch said a cheque drawn on December 2 could have been the telegraphic transfer credited to the account of Mr Yusuf Surtee in Johannesburg. At the end of that day the account of the foundation on which it was drawn was R56 516,73 overdrawn.

## R100 000 cheque

Mr Ettisch telephoned Miss Thelma Sacco at Dr Boesak's office and told her the account was overdrawn. She came in with a cheque for R100 000, drawn on the World Alliance of Reformed Churches, to correct this.

About that time amounts of R21 276, R22 000 and R28 000 were drawn from the account.

The only major deposit from overseas was on January 9. It was for 20 000 Deutschmarks — R21 974.

On November 21 the NG Sendingkerk paid R50 000 into the ordinary account of the Foundation for Peace and Justice.

(Proceeding)

Staff Reporter

AN account held by Dr Allan Boesak at the Kuils River sub-branch of Barclays Bank came under the spotlight of the Munnik commission today.

The commission, which has moved from Johannesburg to Cape Town, is holding an inquiry into the funding of African National Congress advertisements in newspapers.

Dr Boesak, moderator of the World Alliance of Reformed Churches and patron of the United Democratic Front, is expected to appear before the commission later.

Mr John Ettisch, manager of the Kuils River office, testified that Dr Boesak had had an account with Barclays bank but closed it after "a nasty experience" at a branch in the northern areas.

ANC ads: Kuils River manager gives evidence

Boesak banks for job



37 5/2 24/3/87

## Six charged with sedition

Randburg magistrate Mr J Kotze yesterday remanded six Alexandra community leaders, including Metal and Allied Workers' Union General Secretary Mr Moses Mayekiso (38), until March 31.

Mr Mayekiso, also leader of the Alexandra Action Committee, Mr Richard Mzameni Mdakane (28), Mr Paul Ndlovu Tshabalala (21) and Mr Obed Kopeng Bapela (28) face charges under the Internal Security Act with sedition, alternatively subversion.

A second case, in Mr Steven Tutu Morake (23) and Mr Aaron Tuka Vilikazi (21) are appearing, was postponed to April 24.

All six men were refused bail at their last appearance on February 23.

Mr Michael Beea (45), chairman of the Alexandra Civic Association charged with sedition, is on bail of R2 000 and is due to appear in court on May 25.

## Businessman beaten in Soweto

JOHANNESBURG. — A West German-born businessman was punched several times in the face near Soweto's Maroka police station on Friday night after being forced to a halt by three cars.

Maroka police said they had opened a docket into the assault. "At this stage we don't know who is responsible," the branch commander at Maroka police station, a Captain Jooste, said yesterday.

Industrial Personnel Consultants MD Mr Gunther Fabé, 51, said he was driving an employee home from his Johannesburg office when his car was stopped by three vehicles — one with a siren — on the Old Potchefstroom Road soon after passing through a police roadblock near Baragwanath Hospital.

He said about 10 white men in civilian clothes approached his car and ordered him to open the boot.

Mr Fabé told police in a statement: "I opened the boot and turned around. The man grabbed my tie with one hand and started hitting me in the face."

Mr Fabé, his face still badly bruised and swollen, said in an interview yesterday that he would ask the German Embassy to complain formally to Law and Order Minister Mr Adriaan Vlok about the assault.

Mr Fabé has lived in SA for the past 19 years.



# Police chief *CAR 71/13 24/3/87* 'sought power *203 327* to seize Star'

JOHANNESBURG. — The Commissioner of Police was seeking legal advice on the content of an advertisement placed by the Detainees Parents Support Committee in The Star with the one intention of finding out if he had the power to seize the newspaper, Mr Sydney Kentridge, SC, told the Rand Supreme Court yesterday.

The police were empowered by emergency regulations summarily to seize any infringing publication, he told Mr Justice Coetzee.

He was arguing that The Star had on reasonable apprehension brought application for an urgent interdict against the police on March 10.

The commissioner yesterday filed for punitive costs against The Star for having applied for the interdict without adequate reason.

## First printed copy

Mr Kentridge, who joined The Star's council, Mr P J van R Henning, yesterday, said there was evidence that police action was not always reasonable.

On March 10 two police officers had been in the offices of The Star. One returned to his superiors on learning that the advertisement differed from one placed the previous day in City Press.

The other waited for the first printed copy of the early edition and took it to his superiors who were seeking legal advice on its contents.

"A man who does not go to court in the face of that threat would have to have his head read," Mr Kentridge said.

If the police got advice that the advertisement was illegal they would have seized the newspapers and incurred several thousands of rands' cost to The Star.

The case proceeds today. — Sapa

# Quiet funeral for youth leader

Mercury Reporter

THE president of the UDF-affiliated Hammarsdale Youth Congress, Mr Vusi Maduna, was buried in Mpumalanga near Pinetown yesterday amid stringent restrictions placed on his funeral.

Mr Maduna, 23, a first year BA student at the University of Natal, was quietly buried by his family and relatives.

The number of mourners had to be fewer than 200 as required by restrictions imposed on the funeral last Friday.

Mr Maduna was stabbed to death and set alight by a mob in Clermont township, near Pinetown, a week ago.

The week before his death he was involved in talks to put an end to political violence between the Hammarsdale Youth Congress members and Inkatha Youth Brigade in the township.

Two of seven youths killed in Kwa Mashu last week were buried in Chesterville at the weekend.

There were Bheki Mgwaba, 15, and Boysie Mabele, 16.



327  
Cape Times, Tuesday, March 24, 1987 3

# Boesak to give evidence today

Staff Reporter

DR Allan Boesak will give evidence before the Munnik Commission into the financing of ANC advertisements today when the commission moves to Cape Town for a two-day sitting.

Mr Justice George Munnik, Judge President of the Cape, will also hear evidence from a number of local Barclays Bank managers.

The commission was established by President P W Botha last month after Mr Botha linked Barclays Bank MD Mr Chris Ball to the funding of newspaper advertisements calling for the unbanning of the ANC.

Mr Ball has strenuously denied knowing anything about the advertisements until they appeared in the press on January 8.

It has emerged in evidence that Mr Ball granted Johannesburg businessman Mr Yusuf Surtee a R100 000 overdraft facility which Mr Surtee used to finance the advertisements.

## Personal favour

Mr Surtee has repeatedly told the commission that Mr Ball gave him the overdraft as a personal favour, and without being told what it would be used for.

At an earlier hearing of the commission in Johannesburg, transcripts of bugged telephone calls between Mr Surtee and Dr Boesak's office were produced as evidence.

In one call, Mr Surtee told Dr Boesak's secretary, Ms Thelma Sacco, that "my friend Chris Ball was so sympathetic he gave it (the money) to me".

The commission will sit from 9am today at the Customs House on the Foreshore.

discharged. The case was

## Jail term for ANC member Patel

SM 25/3/88 By Toni Younghusband

A Johannesburg man, Vijaydave Patel (41), was yesterday jailed for an effective five-and-a-half years for belonging to the banned African National Congress and taking part in its activities. He was also found guilty of possessing a banned publication.

Patel, who appeared in a Johannesburg magistrate's court, was originally charged with participating in terrorist activities by undergoing military training in East Germany and Angola, but was acquitted on these charges.

Patel was jailed for an effective 18 months for belonging to the ANC. For possession of a banned leaflet he was jailed for a further 12 months and for taking part in the activities of the ANC, including the attempted recruitment of two people, Patel received a three-year sentence.



Armed 28/3/87

# Search for witness stops ANC ads inquiry

## Staff Reporter

THE Munnik commission, inquiring into the financing of newspaper advertisements calling for the African National Congress to be unbanned, did not sit today — and may have finished its business in the Cape.

When yesterday's hearing closed Mr H F van Zyl, who is leading evidence, said he was trying to find a witness.

Commission secretary Mr A van den Bergh said today the

witness had not yet been found.

The commission is investigating the financing of the advertisements, published in January. It was appointed by President P W Botha last month after he linked Barclays Bank managing director Mr Chris Ball to the funding.

The commission yesterday heard evidence from Dr Allan Boesak, patron of the United Democratic Front and president of the World Alliance of Reformed Churches, and Mr J Ettisch, manager of a Barclays sub-branch at Kuils River,

where Dr Boesak held several personal and church accounts.

Dr Boesak said he was not aware of the decision to place ANC advertisements in newspapers and he was not asked to help finance them nor consulted about them.

But he told the commission he was "pleasantly surprised, but surprised" when his secretary, Miss Thelma Sacco, told him on January 8 about the advertisements.

Dr Boesak said he was in New York at the time.

"That was the first time I heard about the advertisements. I had no knowledge about them whatsoever," he added.

UDF national treasurer Mr Azur Cachalia, who placed the advertisements, had not asked him for financial assistance. By the time he arrived home from America in January it was common knowledge that the UDF was responsible for the advertisements.

He arranged with his bank to transfer R50 000 to Mr Yusuf Surtee's account. The money had been requested to help families of detainees.

He could have paid the contribution directly into the UDF's account, but the organisation had been declared an affected organisation and he feared the Government would ban it.

Paying the money to Mr Surtee and asking him to pass it on to UDF treasurer Mr Azur Cachalia would circumvent this, he said.

Archbishop Desmond Tutu introduced him to Mr Surtee, the man who originally paid for the advertisements, in Johannesburg two years ago when Senator Edward Kennedy arrived.

He approached Mr Surtee to serve on a small trust fund for Mrs Winnie Mandela.

## Planned film

Mrs Camille Cosby, wife of American comedian Bill Cosby, planned to make a film on the life of Mrs Mandela and profits would be placed in a fund for bursaries.

"The trust has not been started. Mr Surtee said he would think about it."

He knew Mrs Mandela well and used to see her often, but had not seen her for several months.

Dr Boesak described Mr Surtee as a "very resourceful and decent" person.

He did not know if Mr Surtee was a member of a UDF affiliate.

After being introduced to Mr Ball, they agreed they would meet later. They had dinner in Cape Town and discussed the general political situation.

Last month Dr Boesak went to Johannesburg to address businessmen at Mr Ball's home.



Picture: HANNES THIART, The Argus

**MUNNIK COMMISSION:** Dr Allan Boesak chats with his wife Dorothy, left, Mr Matt Esau, personal assistant to Archbishop Desmond Tutu, and the Rev Syd Luckett after yesterday's hearing in Cape Town.



## Munnik Commission

# Boesak 'knew nothing' of ads

327  
CAPT. TIMPS 25/3/87

## Mrs Cosby plans Winnie film

Staff Reporter

CAMILLE COSBY, wife of American TV comedian Bill Cosby, is planning to make a movie on the life of Mrs Winnie Mandela.

This was disclosed during yesterday's sitting of the Munnik Commission into the funding of the ANC advertisements.

Dr Allan Boesak, who gave evidence before the commission, said he had asked the man who took out a R100 000 overdraft to fund the advertisements,

Mr Yusuf Surtee, to serve with him on a trust which would administer the proceeds of the proposed film.

The profits would be used to promote equal education.

The only problem is that calypso singer Harry Belafonte has a similar scheme in mind.

Dr Boesak told the commission he had visited the Cosbys in New York to discuss the matter and was confident that the clash between Mr Belafonte and Mrs Cosby could be resolved.

## More workers join rail strike

CAP. TIMPS 25/3/87

JOHANNESBURG. — The first major rail strike in South Africa escalated yesterday as SATS reported that up to 11 000 workers were out on strike at Johannesburg stations, cargo depots and Jan Smuts Airport.

The illegal strike, triggered by the dismissal of a worker accused of theft, entered its 12th day yesterday with little hope of an early settlement.

"We cannot be sure, but we think there are between 9 000 and 11 000 men out at present," said Mr Tienie van den Berg, a spokesman for SATS.

"We will continue negotiations (today), but at this moment we don't see any light at the end of the tunnel."

"We have never had a strike on the railways before. At this stage no one has been dismissed, but they are not actually allowed to strike."

Mr Van den Berg said transport workers were forbidden to strike because railways and airports were considered essential services.

The government on Monday enacted

special legislation giving SATS the right to dismiss strikers.

The Bureau for Information confirmed yesterday that police had dispersed about 250 strikers with teargas on Monday. There were no injuries or arrests.

A spokesman for the SA Railways and Harbours Workers' Union (SARHWU) said it was difficult to say how large the strike had become because of the rate at which it was spreading. He said workers at Standerton had joined on Monday.

SATS is refusing to meet the Cosatu-affiliated SARHWU, as it is not recognised, although it claims to represent the majority of those on strike.

The National Union of Railway Workers, which claims 12 000 members yesterday said it would put aside its differences with SARHWU to "unite in action". — Sapa, UPI and Own Correspondent.

## Titanic dinner to aid ferry orphan

Own Correspondent

LONDON. — The Titanic's last dinner is to be served next month on the 75th anniversary of its sinking to raise funds for eight-year-old Martin Hartley, who was orphaned in the Zeebrugge ferry tragedy.

The R75-a-head guests will have oys-

ters, salmon, duckling and Waldorf pudding in the event organized before the ferry disaster by Mr Alan Fox, 49, a builder of Belper, Derbyshire.

He hopes to raise R900 and said yesterday: "It's right that the memory of one disaster at sea should help the victims of another."

By HILARY VENABLES

UDF patron Dr Allan Boesak told the Munnik Commission yesterday that he knew nothing about the UDF's decision to place newspaper advertisements calling for the unbanning of the ANC.

In evidence before the commission in Cape Town yesterday, Dr Boesak said the first he had heard of the advertisements was when he phoned his secretary, Ms Thelma Sacco, from New York on January 8 — the day the advertisements appeared.

He said he had not been consulted about the advertisements, had not been asked to fund them and was "surprised" to hear they had appeared.

Dr Boesak said he had been approached by the national treasurer of the UDF, Mr Azhar Cachalia, in December last year and asked to give R50 000 to the Transvaal UDF for the relief of emergency detainees' families.

He had drawn a cheque for the amount from the bank account of the Bellville South Sendingkerk's Foundation for Peace and Justice and sent it to Johannesburg businessman Mr Yusuf Surtee.

Asked by Cape Deputy Attorney-General Mr Francois van Zyl SC, leading evidence for the commission, why he had not deposited the money directly into the UDF's account, Dr Boesak replied: "It was a time of a number of attacks on the UDF by cabinet ministers. I did not know that, since the UDF was considered an affected organization, it would not be banned and the money confiscated by the State."

### 'Ball gave it to me'

Dr Boesak said Mr Cachalia had subsequently approached him for an additional R15 000 — also for detainees' families — but Dr Boesak had not yet been able to provide this amount.

Dr Boesak said he had flown from New York and met up with Mr Surtee in Amsterdam on January 10, just before the two flew to New Delhi for a conference.

Mr Surtee had told him he was supposed to have picked up a letter from Swedish labour organizer Ms Elizabeth-Mechanik in Amsterdam, but that he had not seen her.

Asked whether he had also had an arrangement to meet her in Amsterdam, Dr Boesak said he had met Ms Mechanik on a number of occasions, but did not meet her in Amsterdam, nor was he under the impression that he was supposed to meet her.

Mr Surtee had told him during their trip to India that he had been given a R100 000 overdraft from Barclays Bank to pay for the advertisements.

"He told me he went to the bank to get an overdraft or loan or something to give security to the newspapers. In his way of speaking he said 'Chris Ball gave it to me'."

Dr Boesak had considered this a "perfectly normal business transaction".

Dr Boesak was also questioned about transcripts of bugged telephone calls between Mr Surtee and Ms Sacco in which Mr Surtee appeared confident that he and Dr Boesak could make some arrangement to repay the overdraft.

Dr Boesak said Mr Surtee might have made the statement on the basis of their friendship.

However, he and Mr Surtee had not discussed the matter in detail.

"I was pretty confident the UDF could raise the money through its affiliates," Dr Boesak said.

"I might have said (to Mr Surtee): 'Don't worry, the UDF will find the money,' to put his mind at ease."

Dr Boesak said Mr Surtee had introduced him to Mr Ball last year. He had met Mr Ball on a number of occasions since, and had discussed with him the UDF and the situation in South Africa.

Mr Van Zyl asked the commission to stand down yesterday afternoon, saying he wished to call additional witnesses.

It will be known this morning when the commission will reconvene.



## But don't go near the water

Own Correspondent

PORT ELIZABETH. — A multiracial volleyball tournament will go ahead on King's Beach — as long as the black competitors don't go for a swim between matches.

And Coca-Cola, which withdrew its sponsorship at first, is now back on tap because the tournament will be open to all races.

Mrs Linda Mee, secretary of the Eastern Province Volleyball Association, confirmed yesterday that SA Bot-





The launch of the UDF on August 19, 1983

## UDF -- but not silent

FOUR United Democratic Front Western Cape executive members emerged from hiding to give SOUTH an interview. They told MOIRA LEVY that the UDF was surviving the state of emergency.

### THE ALLAN BOESAK COLUMN

## Biko film shows world that truth cannot be avoided



THE ghost of Steve Biko is back to haunt the government.

This was my overall impression after I was recently invited by Sir Richard Attenborough to view scenes from his latest film based on the lives of Biko and Donald Woods. The film depicts a particular chapter of South African history during the seventies in which the character of Biko looms large.

The film is not so much about Biko but how he influenced the lives of middle-class Woods family. Attenborough agrees that the Biko story must still be told. The two most powerful scenes in the film were the Soweto violence of 1976 and the portrayal of a Biko during those fateful days before his death in September 1977.

I sat there and thought -- I've seen this all before. But there I sat, rivetted and overwhelmed.

The children of Soweto against the might of the State, the now famous scene of the shooting of Hector Peterson, and then the scene of Biko, battered and

naked, being loaded into a police van for that fateful trip to Pretoria. There are no policemen in sight, only their voices and that of the doctor who examined Biko.

Denzil Washington, the American in the role of Biko, obviously took great care to change his accent to sound like a black South African. The Afrikaans and South African English accents are true to life. Attenborough's sensitivity and ability to create the correct atmosphere, is very evident.

I saw the film in the raw, with music still to be added and the final dubbing still to be done. The final product will probably be more powerful.

To me it is more than just a film. It is clearly not directed at South African blacks, but at cinema audiences in the rest of the world. It will show them through the eyes of a middle-class white family a little about the situation in South Africa and make it much more harder for those who can influence their governments, to avoid the truth.

WITHIN 10 days of last year's declaration of a state of emergency the national executive of the UDF had already held its first committee meeting.

The UDF claims it has been silent - but not silenced by the state clampdown.

National structures have continued to operate in spite of detentions and harassment, according to Graeme Bloch, Mountain Qumbela, Ebrahim Rasool and Cheryl Carolus.

Faced with state repression, the UDF has responded by evolving a new style of operation. The Front is working closely with the Congress of South African Trade Unions (Cosatu), the National Education Crisis Committee (NECC) and the South African Youth Congress (Sayco).

UDF and Cosatu, in a joint campaign, fought down R10 bus fare increases on the Cape Town-Ciskei route, and won a promise that the companies would in future negotiate with the township organisations before proposing any further increases.

Qumbela said UDF and Cosatu would continue to hold regular meetings, and negotiations were presently under way with taxi owners who were threatening a fare increase.

The UDF members also said they saw the importance of sanctions in isolating the Botha government.

The UDF is currently re-negotiating its strategies within the sanctions call. "We have to look at where sanctions may be more effective."

Acutely aware that it is the chief target of the state's attack, that compared to the first emergency, this time around the government has set out to systematically dismantle the UDF, the executive concedes that it

has been hit hard, particularly by the press curbs.

"At every executive committee meeting we wonder who will still be with us next time," Ms Carolus said.

"One of the biggest adjustments we still have to make is the realisation that on the propaganda level we have not been that effective."

But the executive is confident that it has learned a lesson from the earlier crackdown, claiming: "We have emerged in a better state after our initial setbacks, with deeper organisation."

Ms Carolus pointed to the re-emergence of the United Womens Congress (UWCO). "We are again giving emphasis to organising women."

Graeme Bloch welcomed what he said was the appearance for the first time of tight, well-disciplined organisation among the students of the Western Cape. "For the first time we see the whole education section coming together."

"We have been able to consolidate the growth of Sayco, and help to patch up the NECC. We feel confident that in the near future we will have a functioning NECC again."

Ebrahim Rasool said the UDF had to find a way of coping with things that have become illegal since the second state of emergency was declared. It was forced to work both out in the open and in a less public way.

"UDF has come out of this period more directed. The systematic state clampdown has forced us to become more conscious of what is possible and what is not, and we are learning how to operate under this kind of repression."



# 'The lowest level of a military junta...

ARKANS 26/3/87

327

WHILE white South Africans focus on the coming general election, the rest of the country has begun to live under an insidious new political system. It should be, but is not, a central issue in the May 6 campaign because it gives us a more lucid glimpse of what lies ahead than any Ministerial utterance.

For all practical purposes South Africans who are not white are being governed by what Cape Town City Councillor Dr John Sonnenberg told the council late last year was "the lowest level in a military junta". It may sound incongruous to whites, but the facts about the Joint Management Centres system are well documented and many details have been confirmed officially.

The PFP's national director, Mr Neil Ross, for instance, revealed in the Divisional Council last year that

JMCs were a form of police and SADF "shadow government" at local and regional level, with the power to intervene surreptitiously in local affairs at their own discretion. And the system entails the execution by the uniformed services of an essentially political programme which is often directed against the lawful political opponents of the National Party.

Mr Ross revealed that the scheme was known as a "strategy" to combat "revolutionary" situations and it began

in 1983 with the "unrest". It has spread to the furthest corners of the country, usurping the functions and powers of elected public representatives at the discretion of bureaucrats and military and police decision-makers.

White South Africans do not know much of this new development, of course, for the sprawling JMC network directs its energies — behind closed doors — to black, coloured and Indian areas. They liaise with local and regional authorities — characteristically through bureaucrats rather than elected representatives — in every part of the country, though the Cape Town City Council has refused to co-operate.

## Links at every level to police and military

In response to the statement made by Mr Ross on JMCs, the State Security Council confirmed that these bodies were linked at every level with the police and military, and at the top with the State Security Council, but claimed it was merely a coincidence that the chairmen of all 12 of the main JMCs (there are scores of "mini-JMCs") happened to be senior police or SADF officers.

They make judgments on township political life, they identify what — in their opinion — constitutes a "revolutionary threat" (and judging from banned public gatherings, the UDF and its affiliated bodies are the chief victims) and they can get the Treasury to release funds for building projects and other major undertakings which, in their judgment, are required — even if the elected local authority thinks otherwise or has different priorities.

What has all this to do with May 6? A great deal, for it sets a precedent; it shows what the NP's response is to its own political failure



ISSUES

By Hugh Robertson

among people who are not white, and what the police and military response is to that failure. Where the NP has failed, where its local black authorities have lost communal respect and authority, where the central government faces a serious challenge to its power but has no adequate political response, the men in uniform have quickly attempted to fill the vacuum.

But while the NP's political failure has been long apparent to South Africans of colour who daily have to live with the consequences of it, it is not widely recognised by whites. Indeed, there can be no doubt that the NP will win on May 6 comfortably and will thus continue to hold power. What is equally obvious is that in spite of holding power, the NP will remain as incapable as it has been for almost 40 years even to begin credibly to address the country's fundamental problems.

Add to this the fact that these problems have now evolved into a crisis which can no longer be ignored or dealt with by way of palliatives and fanciful constitutional daydreams and one begins to see what the implications are for whites of the precedent being set by the police and military in "black" South Africa.

How will the NP react to the paradox of holding power but at the same time being powerless to resolve the crisis? How will the police and military react? How will the NP react when its failure is finally hammered home on the anvil of unfolding events?

And how will the police and military react?

Just as there can be no doubt that the NP will win the coming election so there appears to be no doubt that the NP's response to its political ineptitude will be more and more repression and the diminution of democratic rights.

## A pattern that is now irreversible

That pattern has been set since the 1960s and it is now almost certainly irreversible. Repression, by its very nature, goes hand-in-hand with the ascendancy of uniformed power in civilian situations. It is the classic answer to political failure and perhaps before we realise it, the whole of South Africa will be at "the lowest level in a military junta."

Some people appear blithely unconcerned about the prospect: Frequently nowadays one hears the sort of argument that "it would be better to have the army and police taking over and getting things sorted out than having some imperious geriatric clinging to power without having the answers."

But, sadly, the NP's failure is white South Africa's failure. The same issues which have caused the *broedertwis* in Afrikanerdom, divide English-speaking whites, too. And the divisions do not stop at white political parties. They permeate the churches, cultural bodies and the bureaucracy, including the police and military.

In the final analysis, the police and SADF will have to come to terms with the same realities which the NP political bosses now are unable to. Their track record inside the "lowest level of a military junta" does not inspire confidence that they will do so any more readily.

(Comment by H S Robertson, 122 St George's Street, Cape Town)



# Funeral is restricted to 200 people

Pretoria Bureau

The funeral of an official of the Mandela United Football Club, who died last week, has been restricted to 200 mourners in terms of the emergency regulations.

Mr David Skhosana (25) of Orlando West is to be buried tomorrow at the Avalon cemetery. He was shot outside his home on February 26 and died at the Lesedi Clinic last week.

A service will be held at his home. The procession will leave for the cemetery at 1 pm.

The restrictions were published in the Government Gazette yesterday by Soweto's divisional commissioner of police.

Mr Skhosana was allegedly shot by members of a vigilante group, the Makabasa gang.

(10)

(322)

SMC 27/3/87

11/12-5/13/87  
**Sebina on list** (327)

TOM SEBINA, information officer for the African National Congress, has been banned from being quoted by South African newspapers. W/Mad

According to a report in the *Sowetan* newspaper, the ban was imposed over the weekend by Minister of Law and Order Adriaan Vlok. Sebina, 50, is based in Lusaka.



# 'Pre-censorship' for one paper; ban for another

By DAVID NIDDRIE

THE student publication *Saspu National* has been ordered to submit all copy on future editions for pre-publication censorship.

In terms of a ban imposed last Friday, no future editions may be published without the content first being cleared — or cut — by a publications control board. A similar ban was imposed on *Free Azania* (Focus on alternative education) at the same time.

Although a ban under Section 9 (2) of the Publications Act has previously been imposed on *National*, it was never actually implemented — the newspaper won on appeal before the Publications Appeal Board.

The only South African publication to have submitted copy for pre-publication censorship was the now-defunct SACC newspaper *The Voice*. At the time, the Appeal Board was chaired by Lammy Snyman. Even under his conservative influence there was official unhappiness at the decision to switch from *de facto* to *de jure* pre-publication censorship.

The latest use of Section 9(2) is the fourth all future editions ban on *National*, but the three previous orders were overturned on appeal, as were all orders against individual editions which *Saspu* chose to contest.

In addition to the bannings, *National* has, since its formation in 1980, experienced:

- The detention of its first two editors. Both were subsequently banned.

- The current detention of two fulltime *Saspu* workers, as well as of a number of distributors and writers

- The destruction of its office, and

all its equipment in a mysterious arson attack shortly after the imposition, on June 12, of the State of Emergency.

A statement from the editorial staff yesterday said the latest banning order could not be seen in isolation from "the intensifying onslaught against the entire progressive movement". Nor could it be seen, they warned, as separate from "ongoing attacks on the press, in particular the alternative press".

*National* had aligned itself with the struggle for "non-racialism and democracy", they said. "Clearly this is why it has been banned."

The order on *National* was coupled with a single edition ban on *The Namibian* — despite the fact that, as a member of the Newspaper Press Union, it is not subject to the provisions of the Publications Act under which the ban was imposed.

When *Namibian* staff queried the ban — of an edition which featured on its front page a picture of a South African military vehicle "parading" two corpses — they were told it would be "rescinded".

The bans come just two weeks after an obviously irritated President PW Botha abruptly cancelled a meeting with representatives of the mainstream press, in which he was due to discuss the expansion of the powers of the Media Council — specifically in relation to its control over non-NPU publications, the "emerging" and "alternative" media.

At an earlier government-press meeting, Minister of Information Stoffel Botha reportedly indicated that the government would like to see the mainstream media in the NPU assume responsibility for disciplining all publications. After an initial ambivalence a number of NPU papers — particularly those owned by SAAN and Argus — expressed extreme reservations.

Immediately after the cancellation of the February 13 meeting, Nasionale Pers MD Ton Vosloo slammed this reluctance by the English-language press to police the media, and accused English-language papers of employing "journalists who have been punished in court for deeds of subversion and terrorism".

He added that the "well co-ordinated onslaught" on South Africa was daily visible in the columns of the English-language press.

While his comments earned him a sharp reply from *Cape Times* editor Tony Heard, the fact that Vosloo chose to distance himself so explicitly from the position of the English-language press groups on the "alternative" media, could portend a more direct assault on the alternative media, similar to that directed last week at *Saspu National*. — Agenda Press Services.

# De Jonge's refuge cost SA, Dutch taxpayers R1-million

## The Argus Correspondent

PRETORIA. — Klaas de Jonge's stay in the old Netherlands Embassy building in Pretoria has cost Dutch and South African taxpayers over R1-million.

The total cost to the Dutch taxpayer has been R490 000 since De Jonge took refuge in the building 20 months ago. Added to the at least R600 000 his stay has cost the South African taxpayer in police salaries alone, maintaining De Jonge's bolthole has cost well over R1-million.

The cost to the Dutch was revealed in the Dutch Parliament recently, according to Mr W M Kloppers of Linbro Park, Sandton, who quotes a reply given by Minister Hans van den Broek of External Affairs in the second chamber of Parliament.

## Allowance

"Minister van den Broek revealed the following figures: In 1985 the Dutch spent R60 000 on salaries (two Dutch policemen guard de Jonge); R25 000 on travel expenses and accommodation and R30 000 on legal consultations and miscellaneous.

"In 1986, R200 000 was spent on salaries; R109 000 for accommodation and R63 000 for travel expenses and miscellaneous.

"In addition Mr de Jonge has for the past 10 months received a monthly allowance of R300 from the Dutch Social Affairs Department for his keep."

● The Argus Foreign Service reports from The Hague that a revelation by Klaas de Jonge that he planned to escape last October has caused anxiety in the Dutch Parliament.

Mr de Jonge said in a radio programme that his attempt had been scuppered "in a rude way" by Dutch embassy staff acting on Ambassador Hugo Carsten's instructions.

## Instructions

Dutch MP Meindert Leerling, a member of the small Protestant party, RPF, has asked Holland's Foreign Minister Mr Hans van den Broek how it was possible for a cassette tape containing Mr de Jonge's statements to have been smuggled out of the embassy.

Mr Leerling also wants to know what action Mr van den Broek plans to take against Mr de Jonge. The Foreign Ministry recently issued instructions to prevent the embassy fugitive from contacting the Dutch press.

It is not yet clear whether Mr de Jonge's cassette tape was smuggled out of the embassy before or after these instructions were given.

It is known that the tape was first sent to a left-wing Amsterdam pirate radio station called *Base Line*. It was then passed on to Radio Hilversum's national broadcasting corporation, Veronica.



## Detainee wrote affidavit before police arrived

By CARMEL RICKARD

ATTEMPTS to chip away at the state's powers of detention continued in the Durban Supreme Court this week with an application for the release of detained attorney Yousuf Vawda.

Vawda's case was unusual in that the application, brought by his brother Dawood Vawda, was supported by an affidavit made by the detainee before he was picked up on January 12.

At the time he made the statement, Vawda was in hiding as he believed the Security Police were looking for him in order to detain him under the Internal Security Act.

He detailed his political history, outlining the organisations he supported or belonged to and stressing that none of these activities was illegal or subversive.

Vawda said he was unable to go on living the life of a fugitive and had decided to resume his normal life. He instructed that if he should be detained, his brother was to use the affidavit as the basis of an application for his release.

The police replied by saying they had information he was a member of a secret ANC cell which had used him to gather information "of strategic importance to the ANC in its terroristic activities".

As with several similar Section 29 cases in recent months, argument was over whether the police had satisfied the law by giving enough information to justify the detention.

Judgement was reserved.

327  
2/4/87  
W/14/11

# 4 freed from Island

JOHANNESBURG  
Five ex-members of the ANC were released on Wednesday after 18 years in jail.

They are Mr Silas Motsepe Mogotsi, 46, of Soweto, Mr Lennox Dlamini, 52, of Bulwer, Mr Matthews Ngcobo, 49, of KwaMashu, Mr Patrick Mathanjana, 45, of Langa and Mr Lawrence Phokanoka of Pretoria.

All except Mr Phokanoka were released from Robben Island. He had been transferred to Diepkloof Prison.

The five and seven others were convicted in 1969, under the Terrorism Act for conspiring to use violence to overthrow the government.

Mr Mogotsi said the sentences ranged from five to 20 years. Amos Lengise of Transkei was still in jail.

"Our morale is very high," he said. — Sapa



ka. — Sapa

*Am. Times 27/3/87*  
**Restriction**

**on funeral**

PRETORIA. — Police imposed emergency-regulation restrictions on the funeral of a man who was shot dead recently by "a group of people" in Orlando West, Soweto. The restrictions on Mr David Skosana's funeral were ordered by Soweto Divisional Police Commissioner Andries van Zyl in a special edition of the Government Gazette. — Sapa

UNREST

## Emergency's effects

Government intends keeping its steel grip on the townships despite the fact that the number of unrest related incidents has dropped off markedly. The Bureau for Information has announced the State of Emergency will continue for the foreseeable future.

In February last year, 90 people died in unrest-related incidents, compared to 16 deaths this February. In January, 34 people died as a result of political violence, according to bureau statistics.

The number of unrest incidents also decreased — from 2 611 in February 1986 to 250 last month — the lowest since December 1984, when 240 incidents were reported by the bureau.

The bureau's figures are slightly lower than those released by the SA Institute of Race Relations, which says 40 people died in political violence in January, and 21 last month.

One of the reasons for the discrepancy is because the bureau distinguishes between "unrest" and "terror." Also, its death count does not include the independent homeland states.

Stone throwing accounted for 53% of last month's incidents, while petrol bombing made up 16%.

In 1984, 19,6% of unrest-related deaths

were caused by the "necklace" method of execution, but in 1986 about one in three people who died in unrest were victims of the necklace, which implies this grisly form of execution is still in wide use.

The number of "injuries" also decreased from 279 in February 1986, to 46 in February this year — the lowest since the unrest began in September 1984.

According to the Race Relations Institute, conflict within black communities has replaced security force action as the main cause of fatalities. The bureau's figures confirm this: of the 101 injuries during January and February, six were caused by members of the security forces, who were also involved in two of the 50 deaths during the first two months of the year.

Areas mostly affected by political violence are still Soweto, the Witwatersrand and the eastern Cape.

Death counts during each of the five six-month periods since the political violence began released by the institute confirm the violence is abating: September to February 1985 — 188; March to August 1985 — 492; September to February 1986 — 565; March to August 1986 — 955, and September to February 1987 — 187.

However, a bureau spokesman admits the decline in unrest statistics reflects only "visible unrest." He says countrywide research has shown the present stability would not be possible without the State of Emergency.

Meanwhile, tensions are running high in the black township of KwaMashu near Durban where the bodies of nine students from the local high school, aged between 15 and 17 years, were found. They had been shot and stabbed to death. The youths were allegedly active in the local United Democratic Front youth league.

The bureau, however, says that the "sporadic intensifying" of violence should not be automatically interpreted as a change in the political climate. The incidents, it says, have to be seen in context.



39/3/87

32

8/1/87

# Cosatu break news of ban

CONGRESS of South African Unions (Cosatu) officials went to Soweto's Jabulani Amphitheatre yesterday to tell members of the ban on the meeting planned to launch the living-wage campaign.

Business leaders voiced the fear that repeated bans on union meetings could hurt industrial relations.

The meeting was banned on Friday by Law and Order Minister Adriaan Vlok. An urgent Supreme Court application by Cosatu on Saturday to have the ban overturned was unsuccessful.

Cosatu officials agreed with police

HAMISH MCINDOE and  
THEO RAWANA

outside the venue that people arriving for the rally — unaware of the dismissal of Cosatu's appeal — would be turned away by them rather than by the police.

Assocom executive director Raymond Parsons said yesterday that repeated bans on union meetings would inject a complicating factor into the collective bargaining process.

Seifsa executive director Sam van Coller said the ban would make it difficult for the collective-bargaining process to function satisfactorily.

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprijs  
(GST excluded/AVB uitgesluit)  
Local **45c** Plaaslik  
Other countries **60c** Buitelands  
Post free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4064**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 261

PRETORIA, 31 MARCH  
MAART 1987

No. 10686

## GOVERNMENT NOTICE

### DEPARTMENT OF JUSTICE

No. R. 664

31 March 1987

#### ASSIGNMENT OF CERTAIN POWERS, DUTIES AND FUNCTIONS OF MINISTER OF LAW AND ORDER TO MINISTER OF JUSTICE

It is hereby notified that the State President has under the powers vested in him by section 26 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983)—

- 57/10686  
327  
31/3/87
- (a) assigned the administration of the provisions of the Public Safety Act, 1953 (Act 3 of 1953), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of section 5A of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987;
  - (b) assigned the administration of the provisions of the Affected Organizations Act, 1974 (Act 31 of 1974), which entrust to the Minister of Justice any power, duty or function, the administration of which provisions was by Proclamation R. 30 of 1984 assigned to the Minister of Law and Order, to the Minister of Justice with effect from 1 April 1987; and
  - (c) assigned the administration of the provisions of the Internal Security Act, 1982 (Act 74 of 1982), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of sections 29, 45, 50, 50A, 71 and 72 (c) of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987.

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN JUSTISIE

No. R. 664

31 Maart 1987

#### OPDRAG VAN SEKERE BEVOEGDHEDE, PLIGTE EN WERKSAAMHEDE VAN MINISTER VAN WET EN ORDE AAN MINISTER VAN JUSTISIE

Hierby word bekendgemaak dat die Staatspresident kragtens die bevoegdheid hom verleen by artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983)—

- (a) die uitvoering van die bepalings van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikel 5A van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het;
- (b) die uitvoering van die bepalings van die Wet op Geafekteerde Organisasies, 1974 (Wet 31 van 1974), wat aan die Minister van Justisie 'n bevoegdheid, plig of werksaamheid toewys, die uitvoering van welke bepalings by Proklamasie R. 30 van 1984 aan die Minister van Wet en Orde opgedra is, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het; en
- (c) die uitvoering van die bepalings van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikels 29, 45, 50, 50A, 71 en 72 (c) van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het.



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded/AVB uitgesluit)  
Local **45c** Plaaslik  
Other countries **60c** Buitelands  
Post free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4064**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 261

PRETORIA, 31 MARCH  
MAART 1987

No. 10686

## GOVERNMENT NOTICE

### DEPARTMENT OF JUSTICE

No. R. 664

31 March 1987

#### ASSIGNMENT OF CERTAIN POWERS, DUTIES AND FUNCTIONS OF MINISTER OF LAW AND ORDER TO MINISTER OF JUSTICE

It is hereby notified that the State President has under the powers vested in him by section 26 of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983)—

- 67/10686  
327  
31/3/87
- (a) assigned the administration of the provisions of the Public Safety Act, 1953 (Act 3 of 1953), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of section 5A of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987;
  - (b) assigned the administration of the provisions of the Affected Organizations Act, 1974 (Act 31 of 1974), which entrust to the Minister of Justice any power, duty or function, the administration of which provisions was by Proclamation R. 30 of 1984 assigned to the Minister of Law and Order, to the Minister of Justice with effect from 1 April 1987; and
  - (c) assigned the administration of the provisions of the Internal Security Act, 1982 (Act 74 of 1982), which entrust to the Minister of Law and Order any power, duty or function, excluding the provisions of sections 29, 45, 50, 50A, 71 and 72 (c) of the last-mentioned Act, to the Minister of Justice with effect from 1 April 1987.

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN JUSTISIE

No. R. 664

31 Maart 1987

#### OPDRAG VAN SEKERE BEVOEGDHEDE, PLIGTE EN WERKSAAMHEDE VAN MINISTER VAN WET EN ORDE AAN MINISTER VAN JUSTISIE

Hierby word bekendgemaak dat die Staatspresident kragtens die bevoegdheid hom verleen by artikel 26 van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983)—

- (a) die uitvoering van die bepalings van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikel 5A van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het;
- (b) die uitvoering van die bepalings van die Wet op Geafekteerde Organisasies, 1974 (Wet 31 van 1974), wat aan die Minister van Justisie 'n bevoegdheid, plig of werksaamheid toewys, die uitvoering van welke bepalings by Proklamasie R. 30 van 1984 aan die Minister van Wet en Orde opgedra is, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het; en
- (c) die uitvoering van die bepalings van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), wat aan die Minister van Wet en Orde 'n bevoegdheid, plig of werksaamheid toewys, uitgesonderd die bepalings van artikels 29, 45, 50, 50A, 71 en 72 (c) van laasgenoemde Wet, met ingang van 1 April 1987 aan die Minister van Justisie opgedra het.

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprijs  
(GST excluded/AVB uitgesluit)

Local 45c Plaaslik  
Other countries 60c Buitelands  
Post free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 262

PRETORIA, 1 APRIL 1987

No. 10691

## GOVERNMENT NOTICE

### DEPARTMENT OF JUSTICE

No. 750

1 April 1987

#### GATHERINGS PROHIBITED UNDER SECTION 46 (3) OF THE INTERNAL SECURITY ACT, 1982

I, Hendrik Jacobus Coetsee, Minister of Justice,  
hereby—

- (1) under section 46 (3) (a) of the Internal Security Act, 1982 (Act 74 of 1982), prohibit any gathering in the Republic during the period 1 April 1987 up to and including 31 March 1988, except any gathering for the purposes of a *bona fide* sport occasion or which takes place in a cemetery for the purposes of a funeral or which is held within a building; and
- (2) under section 46 (3) (b) of the said Act, prohibit any gathering in any building wheresoever in the Republic during the period mentioned in paragraph (1), if such gathering is a gathering organized, convened or held or otherwise brought about—
- (a) to advise, encourage, propagate, advocate or promote the non-attendance or opposition to the attendance of any school, college, university or other educational institution by any person; or
- (b) to advise, encourage, instigate or incite, except in so far as it is not forbidden in terms of section 65 of the Labour Relations Act, 1956 (Act 28 of 1956), any person to leave his work or service or not to return to such work or service, or to delay or impede it.

The prohibitions contained in paragraphs (1) and (2) shall not apply to any gathering expressly authorised by me, or, subject to the provisions of section 46 (3) of the said Act, by the magistrate of the district in which the gathering is to be held.

H. J. COETSEE,  
Minister of Justice.

337—A

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN JUSTISIE

No. 750

1 April 1987

#### BYEENKOMSTE VERBOD Kragtens ARTIKEL 46 (3) VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982

Ek, Hendrik Jacobus Coetsee, Minister van Justisie, verbied hierby—

- (1) kragtens artikel 46 (3) (a) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), enige byeenkoms in die Republiek gedurende die tydperk 1 April 1987 tot en met 31 Maart 1988, behalwe enige byeenkoms vir die doeleindes van 'n *bona fide*-sportgeleentheid of wat in 'n begraafplaas plaasvind vir die doeleindes van 'n begrafnis of wat binne 'n gebou gehou word; en
- (2) kragtens artikel 46 (3) (b) van genoemde Wet, enige byeenkoms in enige gebou waar ook al in die Republiek gedurende die tydperk in paragraaf (1) vermeld, indien daardie byeenkoms 'n byeenkoms is wat gereël, belê of gehou word of andersins teweeggebring word om—
- (a) die nie-bywoning of verset teen die bywoning van enige skool, kollege, universiteit of ander opvoedkundige inrigting deur enige persoon aan te raai, aan te moedig, te propageer, te bepleit of te bevorder; of
- (b) behalwe vir sover dit nie ooreenkomstig artikel 65 van die Wet op Arbeidsverhoudinge, 1956 (Wet 28 van 1956), belet word nie, enige persoon aan te raai, aan te moedig, aan te stig of aan te hits om sy werk of diens te verlaat of nie daarheen terug te keer nie of om dit te vertraag of te belemmer.

Die verbodinge in paragrawe (1) en (2) vervat, is nie van toepassing nie op enige byeenkoms wat ek, of, behoudens die bepalings van artikel 46 (3) van die genoemde Wet, die landdros van die distrik waarin die byeenkoms gehou staan te word, te eniger tyd uitdruklik magtig.

H. J. COETSEE,  
Minister van Justisie.

10691—1



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded/AVB uitgesluit)

Local 45c Plaaslik

Registered at the Post Office as a Newspaper

Other countries 60c Buitelands  
Post free • Posvry

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 262

PRETORIA, 1 APRIL 1987

No. 10691

## GOVERNMENT NOTICE

### DEPARTMENT OF JUSTICE

No. 750

1 April 1987

#### GATHERINGS PROHIBITED UNDER SECTION 46 (3) OF THE INTERNAL SECURITY ACT, 1982

I, Hendrik Jacobus Coetsee, Minister of Justice,  
hereby—

- (1) under section 46 (3) (a) of the Internal Security Act, 1982 (Act 74 of 1982), prohibit any gathering in the Republic during the period 1 April 1987 up to and including 31 March 1988, except any gathering for the purposes of a *bona fide* sport occasion or which takes place in a cemetery for the purposes of a funeral or which is held within a building; and
- (2) under section 46 (3) (b) of the said Act, prohibit any gathering in any building wheresoever in the Republic during the period mentioned in paragraph (1), if such gathering is a gathering organized, convened or held or otherwise brought about—
- (a) to advise, encourage, propagate, advocate or promote the non-attendance or opposition to the attendance of any school, college, university or other educational institution by any person; or
- (b) to advise, encourage, instigate or incite, except in so far as it is not forbidden in terms of section 65 of the Labour Relations Act, 1956 (Act 28 of 1956), any person to leave his work or service or not to return to such work or service, or to delay or impede it.

The prohibitions contained in paragraphs (1) and (2) shall not apply to any gathering expressly authorised by me, or, subject to the provisions of section 46 (3) of the said Act, by the magistrate of the district in which the gathering is to be held.

H. J. COETSEE,  
Minister of Justice.

337—A

## GOEWERMENSKENNISGEWING

### DEPARTEMENT VAN JUSTISIE

No. 750

1 April 1987

#### BYEENKOMSTE VERBIED KRAGTENS ARTIKEL 46 (3) VAN DIE WET OP BINNELANDSE VEILIGHEID, 1982

Ek, Hendrik Jacobus Coetsee, Minister van Justisie, verbied hierby—

- (1) kragtens artikel 46 (3) (a) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), enige byeenkoms in die Republiek gedurende die tydperk 1 April 1987 tot en met 31 Maart 1988, behalwe enige byeenkoms vir die doeleindes van 'n *bona fide*-sportgeleentheid of wat in 'n begraafplaas plaasvind vir die doeleindes van 'n begrafnis of wat binne 'n gebou gehou word; en
- (2) kragtens artikel 46 (3) (b) van genoemde Wet, enige byeenkoms in enige gebou waar ook al in die Republiek gedurende die tydperk in paragraaf (1) vermeld, indien daardie byeenkoms 'n byeenkoms is wat gereël, belê of gehou word of andersins teweeggebring word om—
- (a) die nie-bywoning of verset teen die bywoning van enige skool, kollege, universiteit of ander opvoedkundige inrigting deur enige persoon aan te raai, aan te moedig, te propageer, te bepleit of te bevorder; of
- (b) behalwe vir sover dit nie ooreenkomstig artikel 65 van die Wet op Arbeidsverhoudinge, 1956 (Wet 28 van 1956), belet word nie, enige persoon aan te raai, aan te moedig, aan te stig of aan te hits om sy werk of diens te verlaat of nie daarheen terug te keer nie of om dit te vertraag of te belemmer.

Die verbodinge in paragrawe (1) en (2) vervat, is nie van toepassing nie op enige byeenkoms wat ek, of, behoudens die bepalings van artikel 46 (3) van die genoemde Wet, die landdros van die distrik waarin die byeenkoms gehou staan te word, te eniger tyd uitdruklik magtig.

H. J. COETSEE,  
Minister van Justisie.

10691—1

# ANC ad probe halted

Cape Times 11/4/87 Staff Reporter

THE Munnik Commission into the financing of the ANC advertisements has come to a standstill because a key witness is "not available", according to the secretary of the commission, Mr A van den Bergh.

Mr Van den Bergh would not disclose who was being sought to give evidence, and said the commission's position was "uncertain at this stage".

He did not know when or if the commission would sit again, saying Mr Justice George Munnik, Judge President of the Cape, was still "studying documents" to decide whether any other witnesses should be called.



## Man cleared of possessing ANC booklet

CAPE TOWN — The secretary of the Atlantis Residents' Association was acquitted in the Wynberg Magistrate's Court yesterday of possessing a banned African National Congress (ANC) pamphlet.

Mr William Cloete (20) was said to have been in possession of the pamphlet at a roadblock in Mitchell's Plain on June 10 last year.

The magistrate said the State had failed to prove the pamphlet belonged to him.

Mr Cloete said he had driven an Atlantis Residents' Association vehicle to buy "June 16" T-shirts.

He said the pamphlet could have been left by other passengers who were in the vehicle.

The pamphlet was entitled "Mandela and Our Revolution".

# Govt relaxes restrictions on some funerals

(327)

Pretoria Bureau

STAR

The Government yesterday extended the two-year long ban on outdoor meetings for a further year but relaxed the ban on funerals taking place in cemeteries.

However funerals, particularly in the black community, are still regularly restricted in terms of the emergency regulations.

The relaxation on funerals was because "it is hard for people to have to apply to the magistrate when they want to bury someone", according to a source in the Department of Justice.

The previous two bans on outdoor gatherings were made by the Minister of Law and Order. This week, however, those administrative powers were transferred to the Minister of Justice who yesterday issued the latest ban.

## OUTDOOR GATHERINGS

According to a special Government Gazette issued in Pretoria yesterday, Minister of Justice Mr Kobie Coetsee banned all outdoor gatherings except bona fide sports meetings and funerals in terms of section 46 (3) of the Internal Security Act of 1982.

He similarly prohibited indoor gatherings for organising sports in educational institutions or for organising strikes forbidden in terms of section 65 of the Labour Relations Act which forbids a strike or lock-out when a dispute is being dealt with by an industrial council or conciliation board.

Special permission for gatherings may however be obtained from Mr Coetsee or a magistrate.

Section 46 (3) of the Internal Security Act empowers the Minister to ban any gathering if he "deems it necessary or expedient in the interest of the security of the State or for the maintenance of the public peace or to prevent the causing, encouraging or fomenting of feelings of hostility between different population groups..."



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 262

PRETORIA, 4 APRIL 1987

327

No. 10702

## GOVERNMENT NOTICE

### MINISTRY OF LAW AND ORDER

No. 791

4 April 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 12 June 1986, as amended, I, Wietze Hermanus Steyn, Acting Divisional Commissioner of the South African Police for the West Rand Division, hereby issue the orders set out in the Schedule.

W. H. STEYN,

Acting Divisional Commissioner: West Rand.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of Benedict Ngaoketse MOSHOKE, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area”—

(a) in the Magisterial District of Vereeniging the area known as Sharpeville Township, as demarcated and described in Government Notice 1921 of 1 December 1967, as amended;

(b) in the Magisterial District of Vanderbijlpark the areas known as—

(i) Sebokeng Township, as demarcated and described in Government Notice R. 822 of 13 May 1977, as amended;

## GOEWERMENTSKENNISGEWING

### MINISTERIE VAN WET EN ORDE

No. 791

4 April 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig, reik ek, Wietze Hermanus Steyn, Waarnemende Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Wes-Rand, hierby die bevele in die Bylae uiteengesit uit.

W. H. STEYN,

Waarnemende Afdelingskommissaris: Wes-Rand.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Regulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) in die landdrostdistrik van Vereeniging die gebied bekend as Sharpeville woongebied, soos afgebaken en omskryf in Goewermentskennisgewing 1921 van 1 Desember 1967, soos gewysig;

(b) in die landdrostdistrik van Vanderbijlpark die gebiede bekend as—

(i) Sebokeng woongebied, soos afgebaken en omskryf in Goewermentskennisgewing R. 822 van 13 Mei 1977, soos gewysig;

(ii) Evaton woongebied, soos afgebaken en omskryf in Goewermentskennisgewing 322 van 4 Desember 1967, soos gewysig;

(iii) Bophelong woongebied, soos afgebaken en omskryf in Goewermentskennisgewing 1759 van 9 September 1955, soos gewysig;

(iv) Boipatong woongebied, soos afgebaken en omskryf in Goewermentskennisgewing 1325 van 28 Augustus 1959, soos gewysig;

NOT REPRODUCED IN 1980.  
9/11/81 6/4/87 (322)  
**Slabbert faces charges**

JOHANNESBURG. — The former PFP leader, Dr Van Zyl Slabbert, is to be charged with possession of banned literature. On his return from Swaziland last November, police found a banned ANC publication, "No Easy Walk to Freedom", in Dr Slabbert's vehicle. The matter was referred to the Attorney-General of the Transvaal who has decided to prosecute. A hearing is set down for May 15, probably in Barberton.



# UDF in court over affected funds ruling

By CARMEL RICKARD, Durban

A CHALLENGE to last year's declaration of the United Democratic Front as an "affected organisation" opened yesterday in the Supreme Court, Durban with an action brought against the state president, the government of the Republic, the ministers of justice and of law and order and the registrar of affected organisations.

The declaration, issued by State President PW Botha on October 9, 1986, has prevented the UDF from receiving foreign funds.

The court action has been brought by the UDF, the Durban Housing Action Committee, the Natal Organisations of Women and UDF executive chair Curnick Ndhlovu.

In affidavits, Ndhlovu said the chief sources of UDF funding were the Swedish labour movement and Novib, a church agency in the Netherlands.

It was of crucial importance to the UDF that they should be free to receive financial assistance.

Ismail Mahomed, SC for the UDF, said the state president had to comply with certain preconditions before a declaration of an organisation as "affected" was valid.

These were that the minister of justice had to appoint a committee of three magistrates; this committee had to make a "factual report" on the organisation in question and then the minister of justice had to give consideration to this report.

The UDF claimed the declaration was not valid because not all these technicalities were observed: the committee of magistrates was appointed by the "wrong" minister and the "wrong" minister considered the magistrate's report.

327

*Cape Times 8/4/87*  
**12 held after union meeting**

**327** Staff Reporters

POLICE held 12 people for several hours at the weekend to "check the legality of documents they had", after a Paper, Wood and Allied Workers' Union meeting in Athlone.

The group, 11 men and a woman, were "requested to accompany police" to the Nyanga police station about 5.30pm on Sunday, after they had met at the Kismet Cinema in Athlone to discuss 1988 wage negotiations, a police spokesman for the Western Cape, Lieutenant Attie Laubscher, said.

He said police had wanted to "check the legality of documents in their possession" and had allowed the group to go after the papers were "found to be OK".

A union spokesman said police questioned a shop steward about the meeting.



METROPOLITAN

## Unseen play banned, actor held — Baxter to appeal

Staff Reporter

THE Baxter Theatre is to appeal to the Directorate of Publications against the banning of *Kwanele*, a play which was to be previewed on April 21.

It is the first time that a play at the Baxter has been banned before performance.

The theatre received a telegram telling them the play had been declared undesirable in terms of Section 47 of the Publications Act. No reasons were given.

The banning followed the detention of a member of the cast, David Tshambula, who was held under the emergency regulations.

When he was arrested a copy of the script was confiscated. He was released on Thursday.

Speaking for the Baxter, Mrs Yvonne Williams-Short said it was

the first time a play had been banned without being seen by the Publications Board.

"Usually the board does not censor a play until it has received a complaint during the run. A member of the board would then see the performance and we would be advised which sections to alter or delete."

*Kwanele* was devised by the Nyanga Theatre Group and directed by Warren Nebe. The play reflects township life.

The cast has been in rehearsal for six months.

The play was to be previewed at the Baxter Studio in two weeks and booking had already opened.

"Bookings have been closed since Friday and all advertisements have been removed," said Mrs Williams-Short.

# Universal franchise 'is answer'

By Jo-Anne Collinge

No person who claims to be a democrat can duck and dive the question of universal franchise — democracy begins with offering an equal vote to all adults, former Progressive Federal Party MP Dr Alex Boraine said last night.

Dr Boraine, now director of the Institute for a Democratic Alternative for South Africa (Idamasa), was addressing a meeting of almost 500 people, hosted by the Five Freedoms Forum and the Anti-Censorship Action Group (Acag) in Johannesburg's Selborne Hall.

In South Africa, he said, a system of one person, one vote meant black people would be in the majority at all levels of government. White South Africans needed to be reassured that this did not necessarily mean racist rule.

## UNDEMOCRATIC

Dr Boraine said undemocratic practices extended far beyond the purely constitutional matters. They were to be found in:

- Economic life, characterised largely by monopoly capital. "So-called free enterprise has ensured whites end up on top of the heap and blacks below."

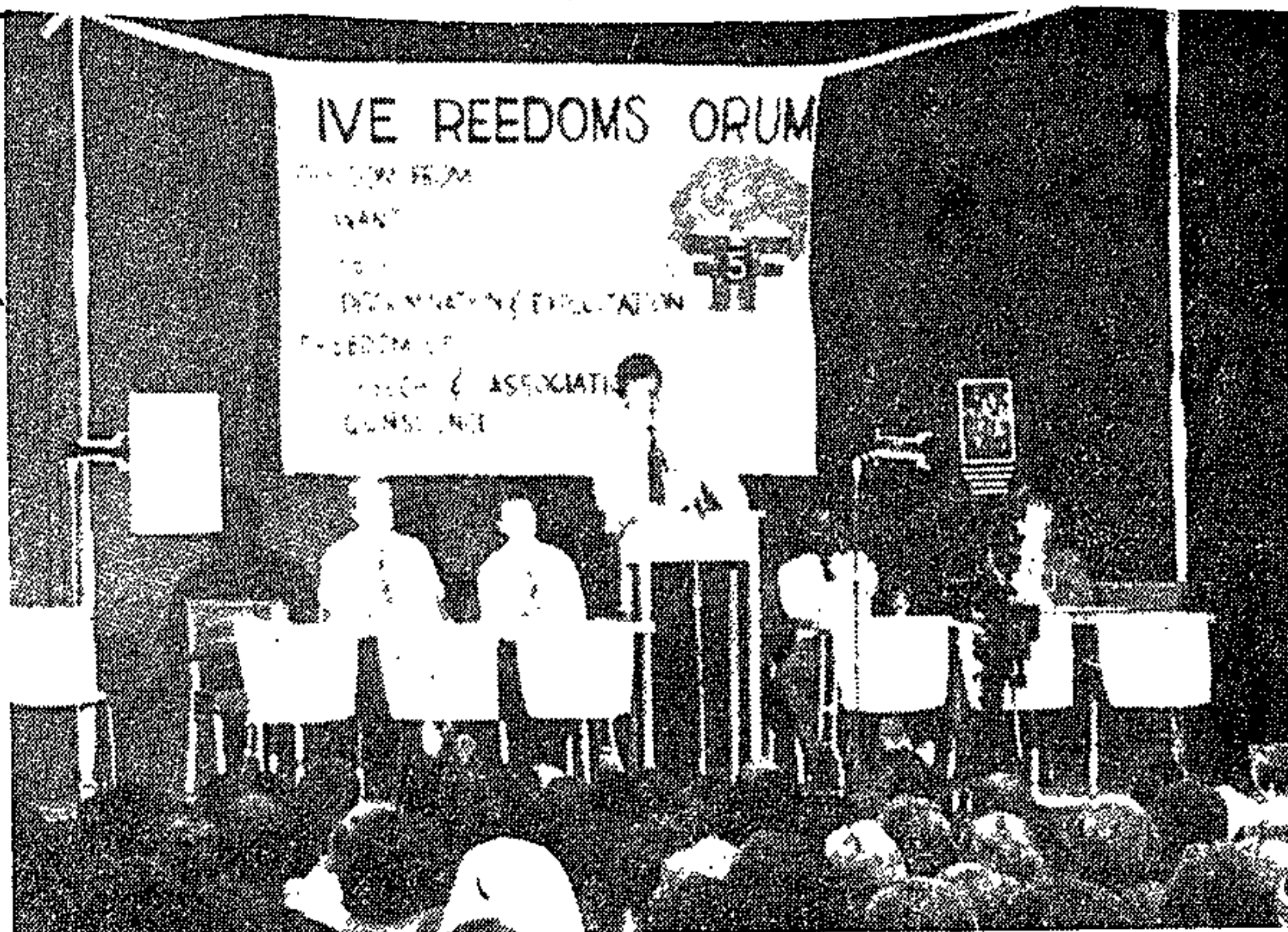
- The civil service. Black people were in many ways "subject to the whims of the civil service almost from the time they wake until they go to sleep".

- The legal system, where presiding officers in courts were often white civil servants and where the few independent judges "can do nothing about laws made in a Parliament with no black representation".

- The media, which had been so decimated by official and self-censorship that the public had become too ignorant to make real choices.

- The police and defence force, which were seen by the majority as part of an oppressive system.

"There are those who wonder whether there will be a military coup. It's not necessary — it already happened under (State President) P W Botha," Dr Boraine said.



Mr Fink Haysom addressing the Five Freedoms Forum and the Anti-Censorship Action Group's meeting at the Selborne Hall in Johannesburg last night.



8/4/87

327 5792

# Brother seeks release of 'abducted' man

Pretoria Bureau

An urgent application for the release of Mr Ebraim Ismael Ebrahim (49), who was allegedly abducted at gunpoint by the South African Police from Swaziland last December, is being heard in the Pretoria Supreme Court today.

Mr Ebrahim, address given as Umgugu Reserve, Swaziland, is described by police as a top ANC official.

The hearing of the application was postponed twice last month and Mr Justice J Kriegler ordered that costs be reserved.

The applicant is the detained man's brother, Mr Essop Ebrahim, who wants the court to declare his brother's detention unlawful in terms of section 29 of the Internal Security Act and to order his immediate release. Alternatively he is asking the court to restrain the South African Police from assaulting his brother or interrogating him further.

The Minister of Law and Order, Mr A J Vlok, says in papers before the court that the detention is lawful. He says he cannot confirm or deny the alleged abduction of Mr Ebraim Ebrahim but denies any involvement by members of the South African Police.

## TAKEN FROM HOME

According to papers before the court, Mr Ebraim Ebrahim, also known as Roy and Ahmed Zaheer, was abducted at gunpoint from his Swaziland home in the presence of his employee, Mr Dumisane Zwane, a Swazi national, on the night of December 15 1986.

He was abducted by two black men in civilian clothes who said they were "working for the South African Police".

His hands were tied behind his back with a rope and he was taken to his own car which was driven away by the kidnappers. The car was later found abandoned about 40 km from Umgugu Reserve, on the way to Manzini.

In an affidavit before the court, the arresting officer, Brigadier J H Cronje, commander of the security branch in the Northern Transvaal, says he arrested the detainee at his office in Compol Building in Pretoria on December 16 1986.

He says he did not know the circumstances under which the detainee had arrived in the city.

## VALUABLE INFORMATION

Brigadier Cronje says he has reason to believe that the detainee can provide the police with valuable information concerning weapons caches, the identity of ANC terrorists in South Africa and where they may be found.

According to "reliable information" available to him, says the brigadier, the detainee was among the chief organisers of acts of terrorism in South Africa and is currently chairman of the Regional Military and Political Council of the ANC.

In his application for the release of his brother, Mr Essop Ebrahim argues that his brother's detention in terms of section 29 of the Internal Security Act is unlawful because it was not preceded by a lawful arrest.

He says the treatment of the detainee in the course of his detention is unlawful because "it does not leave unimpaired his right to physical and mental health".

He adds that, in detention, his brother has reached a state of physical and mental agony and exhaustion. "Further interrogation upon him would amount to torture," he says.

# Rally in support of jailed pupils

Cape Times 19/4/87  
Staff Reporter

HUNDREDS of school, college and university students converged on the Sports Centre at UCT yesterday to attend a Western Cape Students Congress rally in support of seven pupils due to go to jail this month for public violence.

Thirty-six buses were to have brought the students to UCT, but none of them arrived on campus. The reason may not be disclosed in terms of the emergency regulations.

A police liaison officer for the Western Province, Lieutenant Denise Benson, would not comment on why they did not arrive.

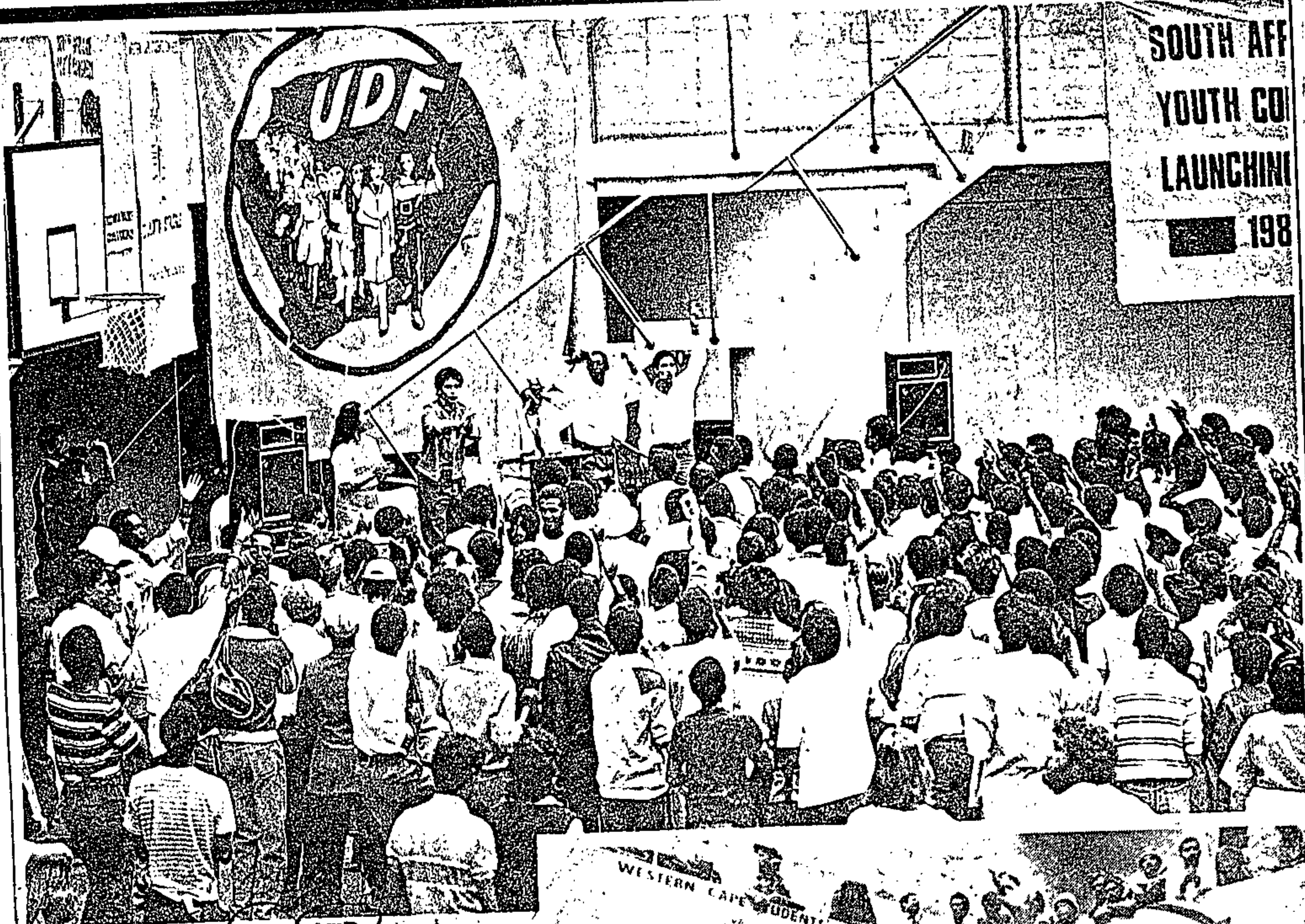
UCT student Mr Victor Steyn, chairman of Students of Young Azania, was detained on his way to lectures at UCT. Police have confirmed his detention.

At most about 600 students attended the rally, although some 3 000 had been expected, according to SRC president Ms Carla Sutherland.

Among several congresses represented at the rally were the newly-formed SA Youth Congress (Sayco) and the SA National Students Congress (Sansco), who hosted the meeting.

● The UCT SRC last night condemned the continued detention of Mr Vusi Khanyile, chairman of the NECC and special assistant to the vice-chancellor, Dr Stuart Saunders, "in the strongest possible terms". Dr Saunders also released a statement of protest yesterday.



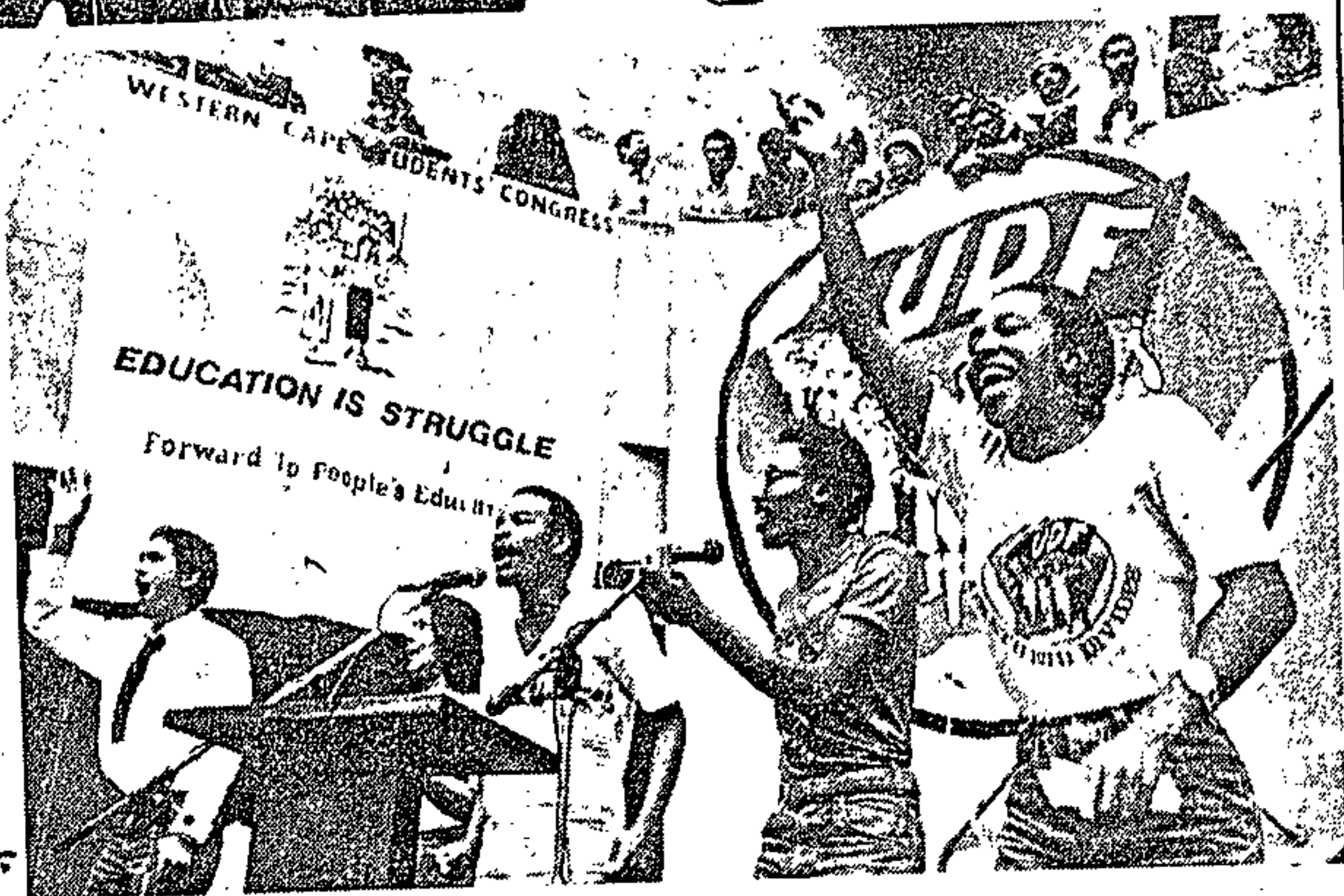


Picture: ALAN TAYLOR

**STUDENT PROTEST** ... Hundreds of students converged on the UCT Sports Centre yesterday to attend a Western Cape Students Congress rally in support of seven pupils due to go to jail this month for public violence. **ABOVE:** Mrs Farieda Omar (left) and student speakers, who declined to be named, at the rally yesterday. **RIGHT:** Cheryl Carolus (right) enjoys a singing break at the rally. Mrs Farieda Omar, in the background, is the only other person on stage who gave her name to the press.

□ Report — PAGE 3

Picture: GUY TILLIM



*9/4/87*



# Assocom urges stand against curbs on Press

By Michael Chester

The Association of Chambers of Commerce (Assocom) has urged business leaders to close ranks and take "the strongest possible stand" against gags on the Press and government moves to make the State the prime source of news.

The lack of information, Assocom says, has contributed to the pullout from South Africa of a number of overseas firms.

The association has also warned that the concealment of full information on the state of the nation will mean that voters at the May 6 general election will be forced to mark their ballot papers with their opinions shaped only by what they are permitted to know — and by rumour.

Assocom's remarks are contained in a special report entitled "Censorship — the Economic Effects" carried in the association's latest quarterly review.

Assocom says government gags have been the influence behind some of the recent pullouts by international companies.

"While many of the disinvestment withdrawals from the country have been the result of political pressures, particularly in the US, other enterprises pulled up their stakes and trekked partly

because their managements did not know what was really happening in South Africa," it says.

"They were assailed by conflicting rumours which undermined confidence at a time when the economy was suffering a prolonged recession and returns on investment were not regarded as adequate for a perceived political risk."

Assocom regrets the breakdown in talks between President P W Botha and the Newspaper Press Union because it believes open-line communications are a basic ingredient of business confidence.

"A free flow of information is essential to the conduct of business," the report argues.

"The Government has claimed that it has been compelled to restrict the flow of 'sensitive' news to safeguard national security.

"While national security must always be of overriding importance in every State, a clear conception of what constitutes a threat to national security is necessary. And, even when some aspects of perceived national security are involved, restrictions on information should be applied with more flexibility."

The report adds that "the non-reporting of events does not mean that undesirable activities have ceased; they have merely been screened from view."

(Report by M F Chester, 47 Sauer Street, Johannesburg.)

5/11/87  
327



# Publication of UPE magazine stopped

327  
8/14/87

By BARBARA ORPEN  
UNIVERSITY of PORT  
ELIZABETH authorities  
have stopped publication  
of a special protest edi-  
tion of the student news-  
paper, Upen, due to have  
been distributed on the

campus today.

But while authorities have said publication was stopped because there was no longer a Students' Representative Council — under whose authority the newspaper previously fell — students maintain that the newspaper has been banned.

They see the move as "blatant censorship" in the light of the fact that the newspaper came out strongly in support of the SRC, which resigned last month in protest against lack of top-level representation.

The special edition of Upen was compiled during the holidays and bore a front page lead with the headline: "Achtung! Your SRC has resigned. Why?"

Other articles included student opinions on the resignation of the SRC, an exposé of the problems in administration which led to their resignation and an article on the row which developed over Mrs Alida Heunis, wife of

Cabinet Minister Mr Chris Heunis, being invited to a President's Club tea party on campus.

Students said today the edition had been compiled to give students an informative background to the events leading to the SRC's resignation and to "get them thinking again".

While Mr C Opperman, assistant registrar of student affairs, acknowledged he had been party to stopping the publication after a telephone call from the printers, Nasionale Media Bpk, he said this had been done because of a technicality and not because of the contents of the edition.

However, students believe that the contents were too "radical" for the authorities. They said they had been told that because some of the articles had mentioned names of administrative staff, there could have been legal implications.

# Clamps on funeral

By SY MAKARINGE

POLICE have imposed restrictions on the funeral of Mr Benedict Mashoke (20), an emergency detainee and member of the Vaal Students' Congress who died in police custody in the Eastern Transvaal about two weeks ago.

The funeral of Mr Mashoke, of Sebokeng, has been planned for tomorrow.

According to a special *Government Gazette* issued this week by Brigadier Hermanus Steyn, acting Divisional Commissioner in

the Western Transvaal, the date and time of Mr Mashoke's funeral must be approved by the police before it can be held.

The number of people attending the funeral cannot exceed 200 and only an ordained minister of a religious denomination or organisation can act as a speaker.

Brig Steyn has also banned the use of a public address system and the distribution of, among others, posters and flags. The funeral procession must follow a specific route to be approved by the po-

lice and mourners must use vehicles from the place where the service will be held to the graveyard.

The funeral service must be held indoors except at the graveyard.

Lawyers acting for Mr Mashoke's family have applied for the necessary permission.

Mr Mashoke, who was found hanging in his cell on March 26, was detained under emergency regulations in September last year. He was held at Vereeniging Police Station where he was last seen on March 24 this year.

327  
Mrs Louwman  
18/4/87



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4075**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 262

PRETORIA, 10 APRIL 1987

327

No. 10713

## GOVERNMENT NOTICE

### MINISTRY OF LAW AND ORDER

No. R. 873

10 April 1987

NOTICE BY THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.—PUBLIC SAFETY ACT, 1953

Under the powers vested in me by paragraph (a) (ix) of the definition of "subversive statement" in regulation 1 of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 224 of 11 December 1986, as amended, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby identify for the purposes of the said definition the act specified in the Schedule hereto as an act which has the effect of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency.

I further determine that, unless the context otherwise indicates, a word to which a meaning has been assigned in the said regulations shall, where used in the said Schedule, have a corresponding meaning.

Signed at Pretoria on 10 April 1987.

P. J. COETZEE,

Commissioner of the South African Police.

### SCHEDULE

To participate in any campaign, project or action aimed at accomplishing the release of persons, or of persons belonging to a particular category of persons or of a particular person, detained under section 28 or 29 of the Internal Security Act, 1982 (Act 74 of 1982), or regulation 3 of the Security Regulations, in so far as such participation in any such campaign, project or action consists of any one or more of the following acts, namely—

- (a) the signing of, subscribing to or other act in support of a petition or other similar document in which the Government or a member or representative of the Government is called or is purported to be called upon by the signatories, subscribers or supporters thereof or thereto to release the said persons or person from such detention;

## GOEWERMENSKENNISGEWING

### MINISTERIE VAN WET EN ORDE

No. R. 873

10 April 1987

KENNISGEWING DEUR DIE KOMMISSARIS VAN DIE SUID-AFRIKAANSE POLISIE.—WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by paragraaf (a) (ix) van die omskrywing van "ondermynende verklaring" in regulasie 1 van die regulasies afgekondig kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), by Proklamasie R. 224 van 11 Desember 1986, soos gewysig, identifiseer ek, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby vir doeleindes van daardie omskrywing die handeling in die Bylae hierby uiteengesit as 'n handeling wat die uitwerking het om die veiligheid van die publiek of die handhawing van die openbare orde te bedreig of die beëindiging van die noodtoestand te vertraag.

Ek bepaal voorts dat, tensy dit uit die samehang anders blyk, 'n woord waaraan in genoemde regulasies 'n betekenis geheg is, dieselfde betekenis het waar dit in genoemde Bylae gebruik word.

Geteken te Pretoria op 10 April 1987.

P. J. COETZEE,

Kommissaris van die Suid-Afrikaanse Polisie.

### BYLAE

Om deel te neem aan 'n kampanje, projek of aksie wat daarop gerig is om die vrylating van persone, of van persone wat behoort tot 'n bepaalde kategorie van persone of van 'n bepaalde persoon, wat aangehou word kragtens artikel 28 of 29 van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), of regulasie 3 van die Veiligheidsregulasies te bewerkstellig, in soverre sodanige deelname aan so 'n kampanje, projek of aksie een of meer van die volgende handelinge behels, naamlik—

- (a) die ondertekening, onderskrywing of ander handeling ter ondersteuning van 'n versoekskrif of dergelike dokument waarin daar deur die ondertekenaars, onderskrywers of ondersteuners daarvan 'n beroep op die Regering of op 'n lid of verteenwoordiger van die Regering gedoen of gedoen heet te word om bedoelde persone of persoon uit sodanige aanhouding vry te laat;

- |   |  |
|---|--|
| <p>(b) the calling, either orally, in writing, by telegram or in any other way whatsoever, upon the Government or upon a member or representative of the Government to release the said persons or person from such detention;</p> <p>(c) the signing of, subscribing to or other act in support of, a document in which the detention of the said persons or person is protested against or disapproved;</p> <p>(d) the filling in of a coupon or other similar document intended to be used for purposes or in support of a call upon the Government or upon a member or representative of the Government to release the said persons or person from such detention;</p> <p>(e) the wearing in public of a sticker or any article of clothing or the exhibition in public of a poster or sticker depicting a slogan protesting against or disapproving of the detention of the said persons or person or supporting the release of the said persons or person from such detention;</p> <p>(f) the attending of a gathering held in protest against the detention of the said persons or person or in honour of the said persons or person or in support of the release of the said persons or person from such detention; or</p> <p>(g) the performance of any act as a symbolic token of solidarity with or in honour of the said persons or person.</p> | <p>(b) die doen van 'n beroep, hetsy mondeling, skriftelik of per telegram of op watter ander wyse ook al, op die Regering of op 'n lid of verteenwoordiger van die Regering om bedoelde persone of persoon uit sodanige aanhouding vry te laat;</p> <p>(c) die ondertekening, onderskrywing of ander handeling ter ondersteuning van 'n dokument waarin daar teen die aanhouding van bedoelde persone of persoon geprotesteer of waarin die aanhouding van bedoelde persone of persoon veroordeel word;</p> <p>(d) die invul van 'n koepon of dergelike dokument wat bedoel is om gebruik te word vir doeleindes of ter ondersteuning van 'n beroep op die Regering of op 'n lid of verteenwoordiger van die Regering om bedoelde persone of persoon uit sodanige aanhouding vry te laat;</p> <p>(e) die dra in die openbaar van 'n plakkertjie of kledingstuk of die vertoon in die openbaar van 'n plakkaat of plakkertjie waarop 'n slagspreuk verskyn wat teen die aanhouding van bedoelde persone of persoon protesteer of dit veroordeel of die vrylating van bedoelde persone of persoon uit sodanige aanhouding ondersteun;</p> <p>(f) die bywoning van 'n byeenkoms wat gehou word uit protes teen die aanhouding van bedoelde persone of persoon of ter verering van bedoelde persone of persoon of ter ondersteuning van die vrylating van bedoelde persone of persoon uit sodanige aanhouding; of</p> <p>(g) die verrigting van die een of ander handeling as 'n simboliese teken van solidariteit met of ter verering van bedoelde persone of persoon.</p> |
|---|--|

CONTENTS			INHOUD		
No.	Page No.	Gazette No.	No.	Bladsy No.	Staatskoerant No.
<b>GOVERNMENT NOTICE</b>			<b>GOEWERMENTSKENNISGEWING</b>		
<b>Law and Order, Ministry of</b>			<b>Wet en Orde, Ministerie van</b>		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 873 Public Safety Act (3/1953): Notice by the Commissioner of the South African Police .....	1	10713	R. 873 Wet op Openbare Veiligheid (3/1953): Kennisgewing deur die Kommissaris van die Suid-Afrikaanse Polisie .....	1	10713



# Censors ban 3 WM films

THREE films due to have been screened at the Weekly Mail Festival of South African Cinema have been banned at the last minute by the Publications Control Board.

They are: *Choosing for Justice*, Hugo Cassirer and Nadine Gordimer's film about Allan Boesak and his role in the resistance to institutionalised social violence, racism and injustice; *Reasonable Men*, a "political" music video featuring the Kalahari Surfers and a confused PW Botha being suffocated by the national flag, by Robyn Aronstam and Neria Cohen; and *No Middle Road to Freedom*, Kevin Harris' documentary dealing with the history of the ANC and reflecting on violent tensions in the polarised South African community.

However, the festival organisers will appeal the censors' decision as a matter of urgency which may mean that these films will still be screened.

The ban has been greeted with bewilderment by the film community as all three films have shown previously at other festivals in Durban and Cape Town.

# TED draws up 'anti-guerrilla' school strategy

AN emergency plan to combat guerrilla attacks on white schools has been launched by the Transvaal Education Department with the co-operation of the Joint Management Committee system.

The plan, outlined in three confidential documents distributed to all TED school principals and selected heads of departments, seems to indicate that the shadowy JMC web has extended beyond the townships and into the heart of white society: the government school.

If implemented, it will take the militarisation of white schooling significantly beyond cadet and youth preparedness programmes.

One of its provisions is the increased use of young teachers who have completed their national service in implementing the proposed civil-military alert system.

The plan includes frank instructions on "When may I shoot", how to drop and roll away in the event of a handgrenade attack, what to do when your principal is abducted by "terrorists" and how to avoid the distribution of "undesirable reading matter".

The 40-page "Emergency Plan for Colleges, Schools and Hostels", warns that "the present situation facing our country has made it essential that an EMERGENCY PLAN make provision for the protection and safeguarding of children, staff and black workers."

A second document, stamped "secret" and entitled "Memorandum to Heads of Education Institutions" states that the SA Police and SA

By GAVIN EVANS

Defence Force will provide the necessary protection, "but for day-to-day safety of children entrusted to their care, teachers and parents will have to assume greater responsibility."

For "selected parents and education officials" this includes carrying firearms — with the proviso that "as far as possible pupils should not be aware of the firearm."

The document states that the decision to carry firearms must be made by the principal after consultation with the mini-JMC or the SAP.

A third document entitled "Life or Death" begins with the following disclaimer: "The heading could equally well have been 'When may I shoot?', as this is a very topical question."

It states that "one cannot casually shoot someone else", but goes on to stress that "certain circumstances justify and legalise squeezing the trigger."

The *Weekly Mail* addressed several questions on the plan to the TED in Pretoria. Director of education, Dr. HP Bredenkamp, said: "The security measures that were responsibly implemented at schools by the department in the interests of pupils and staff and for the protection of property are, by their very nature, not given publicity. The department therefore would prefer not to comment on this sensitive and confidential matter."



STP 10/4/81

# 75 mineworkers detained

UMTATA — The head of the Transkei Security Police, General Leonard Kawe, confirmed yesterday that about 75 Transvaal mineworkers had been detained under the Public Security Act.

General Kawe said the men had been detained because of their activities at the funeral of one of their colleagues at Mqanduli.

The service at the funeral included speeches and songs, and the actions of the mineworkers were felt to have been undermining the authority of the State, he said.

The men were arrested at a roadblock after the funeral.

It was not known at the time that the men were all mineworkers, but it would have made no difference, General Kawe said. — Sapa.

Doctors in South Africa and abroad have a strong code of ethics requiring that they do not disclose confidential information entrusted to them by patients.

However, the SA Medical and Dental Council, like the British Medical Council and World Medical Assembly, directs that in a court of law "professional secrecy may be contravened only under protest after direction from the presiding judicial officer".

A previous article in The Star created the unintentional impression that the local medical body differed from the world body on this point.

The issue of confidentiality was raised since a reporter of The Star, Jo-Anne Richards,

## Doctors may disclose secrets if judge orders — Medical Council

was served with a subpoena demanding she disclose the name of a source — a doctor. If she gave his name, it is probable he would receive a similar subpoena requiring the names of patients — who are released detainees. Both could face imprisonment if they refused.

The Medical Association of South Africa (Masa) abides by the Medical Council rule, which means a doctor would not be considered unethical if he gave

information, if directed to in court.

Mr A Volschenk, legal adviser to Masa, has stated that "when directed as such in a court, a doctor has no choice but to reveal information regarding his patient, and in the circumstances his actions could not be regarded as unethical".

But it is apparent, as noted in the previous article in The Star, that there is a strong body

of medical opinion which feels that in the South African situation the moral issues do not stop at whether or not a doctor will be considered unethical by revealing information in court.

In some medical quarters it is felt that in certain circumstances a doctor should maintain confidentiality, even if a court demanded information. This is particularly so when the information concerns those detained without trial, and whose situation is not monitored. Detainees have very little protection against being detained.

Should a doctor be subpoenaed to give information in court about a patient, he receives no legal protection if he decides to keep silent.



# Barclays chairman questioned

Cape Times

11/4/87

327

## Own Correspondent

JOHANNESBURG — Barclays could, with hindsight, have produced a fuller press statement disclaiming any involvement in the placing of the "Unban the ANC" advertisement, which possibly would have avoided incorrect interpretations.

This was said in affidavits by the chairman of Barclays, Mr Basil Hersov, and a non-executive director, Mr Thomas Chapman, at the final sitting of the Munnik Commission yesterday.

The one-man commission, heard by the Judge-President of the Cape, Mr Justice G Munnik, was called by the State President, Mr P W Botha.

In Parliament Mr Botha had claimed that the managing director of Barclays, Mr Chris Ball, had been linked to funding the ANC advertisements which appeared in January.

Mr Chapman and Mr Hersov both replied to questions in affidavits.

They were asked why the Barclays statement released after the State President's announcement in Parliament had not mentioned that Mr Ball had granted the overdraft facility to Mr Yusuf Surtee used to finance the advertisements — especially since the State President had said it was Mr Ball and not Barclays which had advanced the money.

"I wish to state that in my view," Mr Chapman said, "Mr Ball and Barnat are indivisible when publicly mentioned and Barnat by 14h00 had buildings damaged, customers disturbed at the allegation and the staff had become restless.

"The bank needed to act quickly and to state, in the context of the advertisements, that at the time Mr Ball and the staff had been involved, they had no knowledge of an advertisement being the purpose of the transaction.

"We believed this to be the relevant response to the situation which we faced."

A number of affidavits from representatives from organizations who were approached to endorse the advertisement were also put before the commission, including one by Mrs Albertina Sisulu.

She said she was approached by UDF's acting publicity secretary, Mr Murphy Morobe, in early January.

He showed her a copy of the advertisement and asked her whether the Federation of Transvaal Women would support it.

Mrs Sisulu said she, on behalf of the federation, agreed to contribute R20 000 towards the cost of the advertisement.

Sister Brigid Flanagan, who is employed by the South African Catholic Bishop's Conference, said she was approached and asked if the conference would endorse the advertisement.

She said conference president, Archbishop Dennis Hurley, and the vice-president, Bishop W Napier, both agreed without hesitation because the advertisement simply called for the unbanning of the ANC.

"Our organization did not finance nor promise to finance the advertisement," she said. "There was no question of money put to me in connection with this advertisement."

The assistant general secretary of Cosatu, Mr Sydney Mafumadi, and the president of the Southern Transvaal African Chamber of Commerce, Mr McBain Charles, said in affidavits their organizations were approached to support the advertisement but made no contribution toward the cost.

The chairman of the National Taverners Association of South Africa, Mr Cecil Tandi, said he had also agreed on behalf of his organization to support the advertisement.



CONFIDENTIAL 11/4/87

# Reporter won't reveal source

JOHANNESBURG. — A reporter of the Star, Ms. Jo Anne Richards, appeared before a magistrate yesterday, in terms of a subpoena under Section 205 of the Criminal Procedure Act, to provide information about allegations of ill treatment of detainees.

She refused once again to reveal her medical source in the face of a possible jail sentence; but submitted a sworn statement for consideration by the police.

She says she cannot disclose the name of the doctor who supplied her with the details of alleged abuses unless he unconditionally releases her from an undertaking not to reveal his identity.

After discussions with the senior public prosecutor, the State agreed to postpone the matter until April 24.

Section 205 provides for a prison sentence of up to five years for failure to supply the information demanded by the police.

The case arises out of an article in The Star on September 29 last year when Miss Richards reported on a preliminary study undertaken by a panel of six doctors who examined 47 released detainees showing signs of injury and mental disorientation.

This preliminary study was overtaken by a wider study by about 30 doctors which was referred to at the congress of the National Medical and Dental Association (Namda) last week.

Professor Selma Browde told 500 delegates that 72% of the detainees examined alleged they had been physically assaulted while in detention. Of these, 97 showed signs of injury. — Sapa



CAPE TIMES 11/4/87

# Govt to act against foreign ~~2012~~ funding 397

KURUMAN. — After the May 6 election, the government was going to take steps against people receiving foreign funds to undermine South Africa, the State President, Mr P W Botha, said yesterday.

"I have already started (taking steps)," he told an audience of 1 300 in the Kuruman City Hall.

"I am rather astounded that the ANC is allowed to travel about Europe and make propaganda while locally, murder is being committed against innocent people. But over there, these people are allowed into decent company.

"They are being fed with money for terrorism and propaganda from foreign sources.

"After May 6, we are going to take steps against people who received funds from abroad in order to undermine South Africa," he said.

Mr Botha also warned terrorist forces preparing to attack South Africa, and neighbouring states allowing preparations for such attacks, not to cry when they had to pay for their "irresponsible deeds".

He told an information meeting which was later converted into a public campaign meeting, that the warning about the imminent terrorist onslaught aimed at disrupting the elections had been issued by the Minister of Foreign Affairs, Mr Pik Botha, with his approval and foreknowledge.

The information had been made available by the country's security and information services.

"I am issuing a friendly warning and I hope it will be taken to heart, also across the borders.

"The government can simply not shirk its responsibilities in this area and we are not planning to do so."

Mr Botha said that the government, through various measures such as the state of emergency, had limited the onslaught and aggression against the country.

## Similar situations

"As long as such undermining elements continue to murder people and cause unrest, for so long will the state of emergency be maintained."

He was pleased to note that there was no political party or independent against the state of emergency.

"I welcome this and if they support it now, then it means we were right and we must have your support.

"We have been proved right that it was in everybody's interests — also in the interests of the media who have their role to play.

"But I say to the opposition media, that if the communists take over, you will have nobody to attack any longer and you will simply have to march to their tune."

The National Party stood for reform which meant renewal and life. It also stood for the principle of the recognition of a community life for each of the population groups.

If apartheid meant the removal of people's rights then he was not for it.

"I am not prepared to lead a party or the country which continues to deny people their rights," Mr Botha said.

Mr Botha referred to similar situations in foreign countries where the existence of groups was recognised.

In the British government, there was a secretary of state for Scotland and a Scottish Office which administered a number of Scottish "own affairs" such as health, education, agriculture, housing and economic development.

Similar situations existed for Wales and Northern Ireland.

Mr Botha was given a standing ovation and few questions were asked. — Sapa

(Report by P Claessen, 801 Nedbank Centre, Strand Street, Cape Town)

# DETAINÉES: HEAVY GOVT CRACKDOWN

W/L ARGUS 11/14/87 (322) 228

Weekend Argus Reporters and Sapa

**THE Government has slapped a ban on all activities supporting the release of detainees.**

The move, announced in a special Government Gazette by the Commissioner of Police, General Johan Coetzee, has attracted heavy opposition criticism.

General Coetzee proclaimed in the gazette it was illegal "to participate in any campaign, project or action aimed at accomplishing the release of persons ... detained under Section 28 or 29 of the Internal Security Act, 1982 ... or Regulation 3 of the security regulations".

The proclamation last night is in terms of the Public Safety Act, 1953, (Act 3 of 1953) and Proclamation R224 of December 11 1986.

It now makes it illegal to:

■ Call, "either orally, in writing, by telegram or in any way whatsoever", for the release of detainees;

■ Sign or subscribe to, or support, a petition in which a Government member is called on to release detainees;

■ Fill in a coupon or similar document "intended to be used for purposes or in support of a call upon the Government or upon a member or representative of the Government" to release detainees;

■ Wear a sticker or any article of clothing or to exhibit a poster "depicting a slogan protesting against or disapproving of" detention or supporting the release of detainees; and,

■ Attend a gathering held in protest or in honour of detainees as well as "the performance of any act as a symbolic token of solidarity with, or in honour of" detainees.

Mr Colin Eglin, leader of the PFP, said: "This is more than censorship. This is a denial of fundamental political rights. Once you make regulations that are not seen to be moral, you destroy respect for the rule of law."

"This is the kind of regulation which will bring law into disrepute in South Africa. No regulation is going to change the PFP's attitude and that is that detention without trial must be scrapped. We will certainly continue to say so."

## "Universal rejection"

The new regulations "strike at the heart of the reasons for the existence of the Detainees Parents Support Committee," said Mr Max Coleman, DPSC Press spokesman.

"They interfere with expressions of the universal rejection of a detention system which removes an individual's right to access to law in the courts to defend his or her innocence."

"It blocks criticism of the State's use of the detention weapon to neutralise and harass its political opponents and it yet again illustrates the manner in which the Government moves to plug any gaps in their legislation."

An example of this was to remove the right to call for the freeing of children in the Free the Children Campaign, he said.

The organisation will meet its lawyers soon to examine the implications of the regulations.

■ PFP MP for Houghton Mrs Helen Suzman said:

"I have been against detention without trial since it was first introduced in South Africa in 1963. I have no intention of diverging from that now. I'm against it on principle. It is a total abrogation of the rule of law," she said.

Mrs Suzman, the PFP Law and Order spokesman, said: "I cannot allow it (the new ban) to affect my general election campaigning."

She said the PFP hoped to challenge the validity of the new regulations through the courts.

(Reports by I Steyn and J McLennan, 122 St George's Street, Cape Town, and S Thomas, 626 Mutual Building, Harrison Street, Johannesburg.)



**PRETORIA —** All activities aimed at supporting the release of detainees have been banned by the Commissioner of Police, General Johan Coetzee, under the emergency regulations.

In a special Government Gazette last night, General Coetzee made it illegal "to participate in any campaign, project or action aimed at accomplishing the release of persons detained under Section 28 or 29 of the Internal Security Act, 1982, or Regulation 3 of the security regulations."

The move drew widespread condemnation and is likely to be challenged in court.

The proclamation makes it illegal to call, "either orally, in writing, by telegram or in any way whatsoever", for the release of detainees.

It is now illegal to sign or subscribe to or support a petition in which a Government member is called on to release detainees.

The filling in of a coupon or similar document "intended to be used for purposes or in support of a call upon the Government or upon a member or representative of the Government" to release detainees is illegal.

It is now against the law to wear a sticker or any article of clothing or to exhibit a poster "depicting a slogan protesting against or disapproving of" detention or supporting the release of detainees.

So is attending a gathering in protest against detention or in honour of detainees or "the performance of any act as a symbolic token of solidarity with or in honour of"



**General J COETZEE**

detainees.

● The former leader of the Progressive Federal Party, Dr Frederik van Zyl Slabbert, today slammed the ban as "the most disgusting thing I have heard in a long time".

"If ever there was an example of the most totalitarian bullying going on at a time when we are supposed to have so-called elections this is it," Dr van Zyl Slabbert said in a statement.

He added: "I find it extraordinary that we can ac-

tually take the whole of this situation seriously when people are detained without trial and it is then regarded as an offence when others ask for their release and that they should be given a fair hearing in a court of law."

● Dr Beyers Naude, general secretary of the South African Council of Churches said the move was "an unmistakable proof of a Government afraid to face and admit the truth".

In a statement Dr Naude said: "This new Government onslaught is directed primarily against the Detainees' Parents Support Committee."

"These severe and totally unwarranted restrictions undoubtedly are unmistakable proof of a Government afraid to face and admit the truth."

● The veteran PFP MP for Houghton, Mrs Helen Suzman, said today she would ignore the ban.

"I have been against detention without trial since it was first introduced in

● Turn to Page 7

**to see**

**it's illegal to support detainees now**

327

11/4/88

30.

# Outcry over new move on detainees

● From Page 1

South Africa in 1963. I have no intention of diverging from that now. I'm against it on principle. It is a total abrogation of the rule of law," she said.

Mrs Suzman, law and order spokesman for the PFP, added: "I cannot allow the new ban to affect my general election campaigning."

● Commenting today on the regulations, Mr John Malcomess, PFP MP for PE Central, said the Politburo in Moscow "would have been proud to have been the author of these restrictions".

"It would appear that to call publicly for the ending of detention, which is a plank of the PFP's platform, is now illegal."

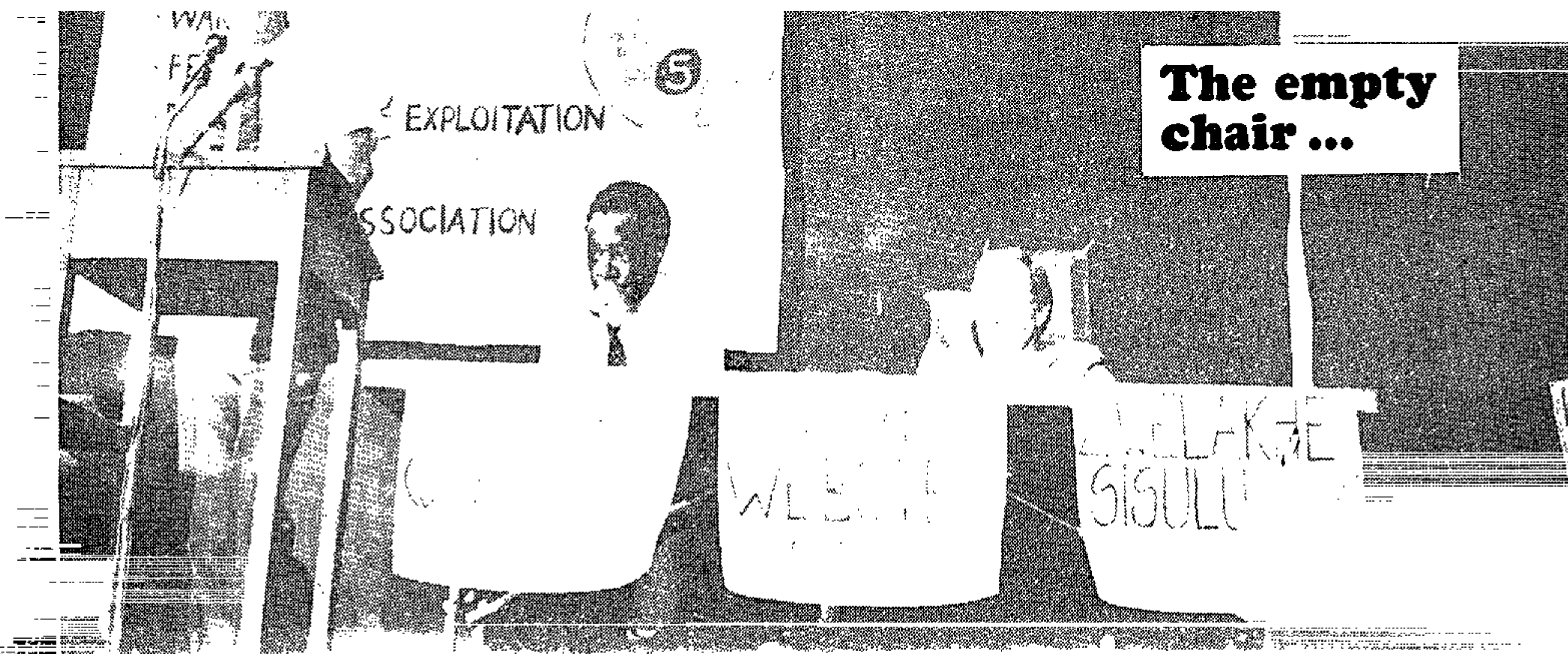
"It would even seem that no one can ask anyone for help in obtaining the release of a detainee and that if I am asked I am forbidden to write to the Minister pleading a case with him."

"As we've said, we are fighting an election with one hand, or both hands, tied behind our backs."

● Reacting today, a spokesman for the Detainees' Parents Support Committee, Mr Max Coleman, said the new regulations "strike at the heart" of the reasons for the existence of the DPSC.

(Report by Sue Thomas, 626 Mutual Building, Harrison Street, Johannesburg, and P Cull, 19 Baakens Street, Port Elizabeth.)





**The empty chair ...**

with the chair left empty for *New Nation* editor Zwelakhe Sisulu, Alex Boraine makes his point with Percy Qoboza and David Webster in attendance at the weekly meeting.

# LIGHT IN TUNNEL NOT RAY OF HOPE

327  
242  
City Press  
12/4/87

SOUTH Africans faced news blackouts similar to the one in what was then Rhodesia shortly before independence and are not aware of what is happening in their own country.

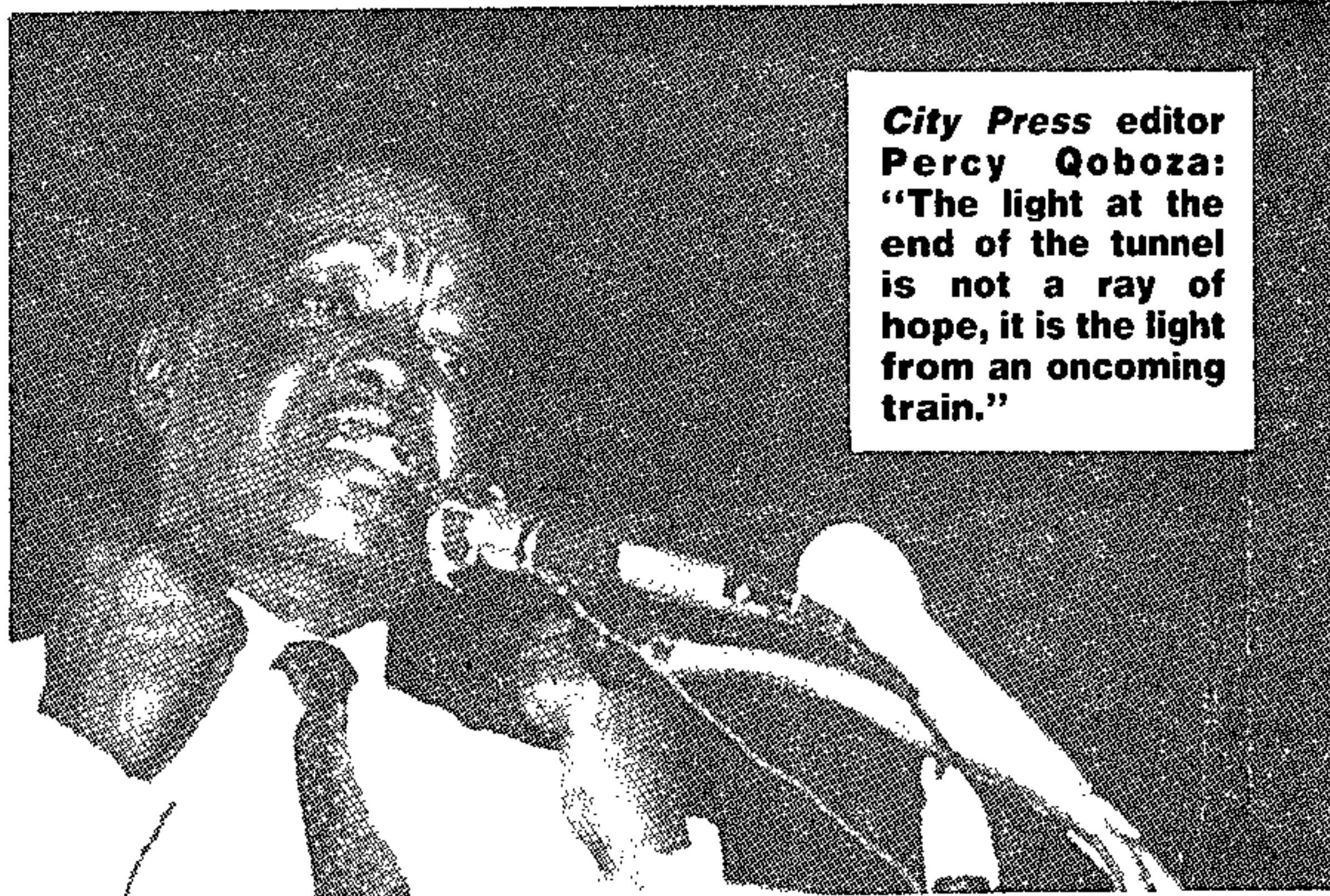
This was said by various speakers at a public meeting held at the Selbourne Hall in Johannesburg this week.

The meeting was attended by over 800 people, including students, professionals, academics and activists. It was the first meeting of the series, organised for each week until the elections, by the Five Freedom Forums and the Anti-Censorship Action Group.

Speakers who addressed the meeting on "The Blindfold Election," told the gathering that the emergency has invaded civil liberties to a tremendous extent and was directed at stifling apartheid opponents and retaining white power.

*City Press* editor Percy Qoboza said the prevalent state of emergency has not helped, but served to withhold the truth from the public.

"As a result, the light at the end of the tunnel is not



**City Press editor Percy Qoboza:**  
"The light at the end of the tunnel is not a ray of hope, it is the light from an oncoming train."

## Special report: SANDILE MEMELA

a ray of hope as most whites tend to wish. In fact, it is a light from an oncoming train," said Qoboza.

Qoboza added that during the May 6 elections, whites had to ask themselves why blacks were not given the right to vote.

"It is apparent that the government has deprived the majority of their right to vote, because they have learnt that they are far

more intelligent than the frightened lawmakers," said Qoboza.

Qoboza lambasted the Press for doing what he called the "government's dirty work" by exercising self-censorship.

"For the last 12 years, newspapers have tried to make the government happy. All we find in front pages today are reports that emanate directly from the Bureau of Information,"

said Qoboza.

He added that the State President was not informed about basic information that was common knowledge to Soweto children, or what was truly happening in the area.

"The government is misinformed about the true state of affairs in the townships. Are white people going to be hoaxed by the government half-lies that they are fed with?" he said.

He concluded by saying that in the end the government had to negotiate with the true leaders of the people.

"The first step for them to take is to board a civil train to Lusaka - and not send war planes to the area.

"None of the homelander leaders, or councillors they uphold, are in a position to stop the country from being torn apart," said Qoboza.

Nicholas Haysom, prominent civil rights lawyer from the Centre for Applied Legal Studies at the University of the Witwatersrand, said the emergency has curtailed civil liberties to retain inequality and injustice.

"The emergency is a political measure to repress civil liberties in an attempt to retain the status quo.

"Dissenting political voices are restricted and people in the country have no idea of the extent of the atrocities committed by security forces in black townships," said Haysom.

Former PFP Parliamentarian and member of the Institute for a Democratic Alternative for SA, Alex Boraine, said more Members of Parliament were losing faith in the parliamentary system as a system of change.

"We are living in dark, desperate days and are witnessing lights going out in the country.

"The present government cannot govern peacefully, justly and rightly until it is based on the consent of the people.

"The new South Africa that most people aspire to, can only be built if more whites accept one-person, one-vote.

"Whatever mandate the government wishes to get will not provide the solution to the country's problems as it does not come from all the people in the country," said Boraine.



Cape Times 13/4/87 327

# NP criminalizing extra-govt opposition

Political Correspondent

THE Nationalist government was determined to criminalize all opposition working outside government-sponsored structures, Dr Van Zyl Slabbert said last night.

The former leader of the PFP and current head of the Institute for a Democratic Alternative for South Africa (Idasa) was reacting to President P W Botha's announcement at the weekend that his government planned to cut off more organizations' access to money from abroad.

"The government is only looking for captive and compliant clients, which is typical of a society gripped in such a totalitarian drift," he said.

"This is a straightforward attempt to criminalize the legal activities of citizens not participating within structures set up by the government — they select the structures and the clients."

The pattern was similar to that followed in authoritarian states in Latin America and in Hitler's Germany before World War II.

Dr Slabbert said the latest funds threat could affect a number of organizations, including churches, trade unions and groups providing international aid.

It would also hurt Idasa, but the organization and what it stood for would continue "no matter what".

"The pathetic thing is that the government thinks it can use the law to control all forces of dissent."

Dr Slabbert said he found it "odd" that the South African government was going through a process of "legal pretence" in criminalizing legal opposition.

(Report by A Johnson, 122 St George's St, CT.)

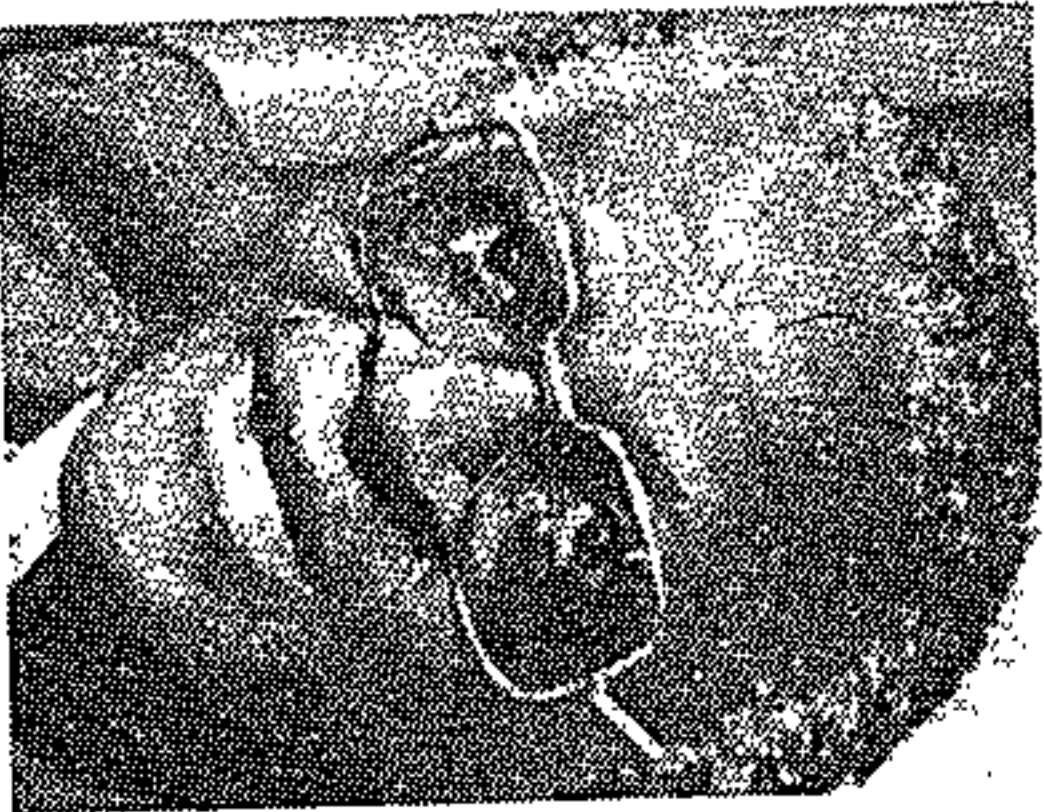


# Bishops plan to defy detainee ban

CAP. Tuis  
13/4/87

327

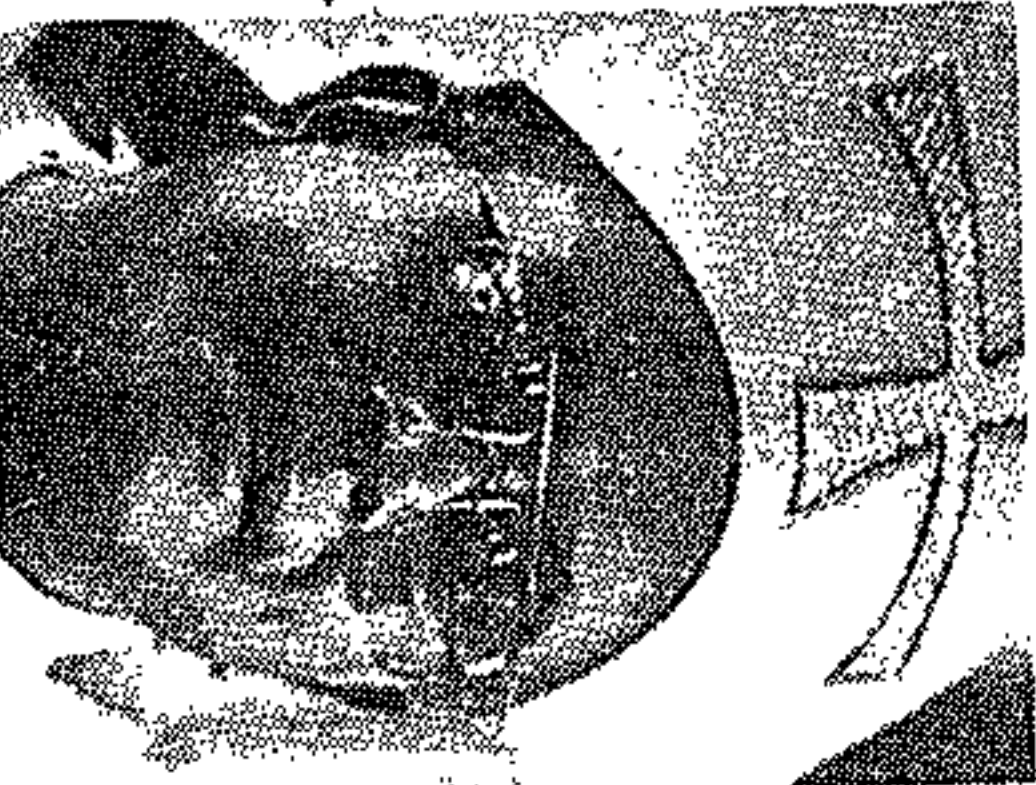
188



Archbishop Tutu

All joint actions calling for the release of detainees held in terms of emergency or security legislation have been outlawed according to new prohibitions in a special Government Gazette. —

PAGE 3



Archbishop Naidoo

By PETER DENNEHY

**AMID a storm of protest at the latest clamp-down on protest against detentions, Archbishops Desmond Tutu and Stephen Naidoo, the Anglican and Catholic Archbishops of Cape Town, said yesterday they would defy the new regulations.**

A leading legal academic said yesterday the ban would make it extremely difficult to bring court applications for the release of detainees.

The leader of the Progressive Federal Party, Mr Colin Eglin, said he would today ask President P W Botha to revoke the regulations.

Mr Ken Andrew, chairman of the PFP's federal executive, said the PFP was seeking legal opinion "on what the chances are of getting the regulations thrown out in court".

"While we wait for the opinion, we'll go on saying what we believe, irrespective of the regulations."

Mr Peter Gastrow, PFP MP for Durban Central, said: "South Africans now have no right to point fingers at other countries which are labelled police states or banana republics."

The two archbishops of Cape Town will conduct a service for detainees in St George's Cathedral today at 1pm, according to a spokesman for Dean E L King. Archbishop Naidoo said yesterday he was "absolutely outraged" that the regulations appeared to prohibit praying publicly for detainees.

"This I cannot accept. Certainly in this diocese, we will not accept it. The state is trying to take away our right to decide for whom we shall pray. With regard to public prayer, we will not accept it."

"These regulations bring the whole system of law into disrepute, they make nonsense of law," he said. Archbishop Tutu was yesterday reported as saying it was "quite unacceptable" that "they are trying to tell us we cannot even pray for detainees".

The PFP MP for Houghton, Mrs Helen Suzman, said she would ignore the ban aimed at activities supporting the release of detainees.

Mr Eglin, said yesterday: "It is my intention to contact the State President and ask him to intervene personally with a view to having the regulations repealed."

Mr Eglin said the new regulations were "an interference in the electoral process". They would not mute the PFP call of "charge or release", he said.

Mr Max Coleman, spokesman for the Detainees Parents Support Committee, said from Johannesburg it was obvious the government was "extremely embarrassed" by the continued detention of children. About 1 500 of the present detainees were children, he said.

Professor Dennis Davis, acting head of the department of commercial law at UCT, said the new regulations would make it extremely difficult to approach the court for the release of a detainee.

## 'Totalitarian bullying'

A former leader of the PFP, Dr Van Zyl Slabbert, said the new ban was an example of "totalitarian bullying".

UDF spokesman Mr Murphy Morobe said his organization "does not see its way clear to advise its members and affiliates to conform to this totally ridiculous restriction".

Last December the Black Sash initiated a "Free the Children" campaign, selling Christmas cards with detachable portions imprinted with protests and addressed to Mr Botha.

Mrs Mary Burton, national Black Sash president, said yesterday her organization would not stop working towards an end to the detention system.

A spokesman for the Free the Children Alliance in Cape Town, who did not wish to be named, said the alliance had been due to be officially launched next Monday.

"It grew out of a vigil for the children at the end of January in St George's Cathedral. Thirty organizations took part, and about 15 of them have since been working in the alliance," she said.

The chairman of the Unrest Monitoring and Action Committee, Mr Jan van Eck, said the government, which eliminated more and more methods of peaceful protest, would have to take the blame if more people resorted to violence to change the status quo.

Durban's Archbishop Denis Hurley said: "It's an outrageous attempt to silence all comment on detentions. If it's as bad as it sounds, I think it will be unworkable. If forced on the masses, the chances are it will be disregarded."

(Reports by P Dennehy, 122 St George's St, CT, and M Vengras, 12 Devonshire Place, Dbn.)



NATIONAL/INTERNATIONAL

# Bodies funded from overseas braced for crackdown

The Argus Correspondent

JOHANNESBURG. — Community, church and political organisations which receive funds from overseas are bracing themselves for a crackdown after the warning sounded by President P W Botha.

Addressing a public meeting in Kuruman on Friday, Mr Botha said steps would be taken after the election against people who received foreign funds. He said "communist" elements were being fed with foreign capital for propaganda purposes. Steps against such people had already begun, he warned.

Dr Frederik van Zyl Slabbert, former leader of the Progressive Federal Party who now runs the Institute for a Democratic Alternative for South Africa (Idasa), said the Government was "criminalising" legal activities.

"I have no doubt there is going to be this kind of tightening up on all forms of opposition of which the Government does not approve. It is determined to allow opposition only from organisations it is prepared to sanction. It has set itself on the road of wanting to control everything, including opposition and dissent, and so it has continually to extend its powers of coercion."

Dr Slabbert said he expected Idasa to be affected by the clampdown.

## LAUNCHED ATTACK

Last week the pro-Government newspaper, The Citizen, launched an attack on Dr Slabbert, claiming he was conducting "extra-parliamentary political activities" with "massive" overseas funds.

The Government recently demonstrated its concern over "anti-establishment" organisations being funded from abroad by declaring the United Democratic Front an affected organisation to stop it receiving foreign funds.

Reports have been received from around the country of the inspection of books in terms of the Fund-Raising Act, with church organisations coming in for particular scrutiny.

Organisations and individuals which have confirmed inspections include the South African Council for Higher Education (Sached), the National Education Crisis Committee, the church-sponsored Wilgespruit Fellowship Centre, the Black Sash advice offices in Port Elizabeth and Grahamstown, attorney Mr Krish Naidoo, who acts for the United Democratic Front, the Black Lawyers Association and the Institute for Black Research.

(Report by C Ryan, 47 Sauer Street, Johannesburg.)



# The Star

## 'Police State' label now firmly sticks

IF YOU have a bumper sticker that says *you are safe enough* you are safe enough. (Sadly, nothing is normal in our society any longer.) If you have a sticker on your old car saying "My other car belongs to my ex-wife", you're allowed your little whimsy.

But if you have a deeper message that reads "Free the Innocent"; or "No prison without trial", you could be in dead trouble. You might be detained for questioning about where you got it or whether you distributed it, or even face a charge with a maximum penalty of R20 000 or 10 years in jail.

Now different interpretations are being made of this terrible and stupid decree. But who knows any more? To be safe one must be able to read the minds of at least three men. If the Government is not sure of what it is doing, it should scrap the police order — and many others.

South Africa has already grown accustomed to suspension of normal rights. But now we have reached the stage where you may not even object to the suspension of the thousand-year-old rule of justice on which our country was founded. You may no longer demand that people in detention be accorded the universal right to defend their innocence in a public court.

Even in the worst totalitarian times of Argentina — when people were disappearing into torture chambers or being murdered — the dictators did not prevent people holding protests against detention. Yet it has happened here.

South Africa's standards of justice and freedom have reverted to where they were in Germany 50 years ago, or to feudal Britain 800 years ago. And the disingenuous explanations of the Minister of Law and Order help not a bit. If anything they make the State

look incompetent as well as increasingly fascist.

It is interesting that the new orders issued by the authorities now give the police the power which The Star disputed they had when they visited this newspaper weeks ago with a confiscation order.

We wrote at the time: "If we publish it (an advertisement calling for the release of detainees) today, we shall be heavily penalised, irrespective of whether we are within our legal rights."

Legal rights have very little to do with the South African way of life at the moment. As we said *before* the latest decrees were made:

"How can any fair-minded person, even in a state of emergency — even in a state of war — support the idea that no one can call for the release of detainees? Shades of Emily Hobhouse! To what depths have some so-called representatives of nationalism sunk."

"... The Star certainly does appeal for a whole review of the detention system, and of all the dangerous as well as restrictive regulations."

"We trust that every candidate in the coming election who believes in fair play and justice will also condemn indefinite detention of thousands of people who have committed no crime."

"We hope that voters, if only for their own long-term safety, will support any such call to return to rule of law. Unless action is taken very soon to change the current official approach, it will have to be acknowledged that South Africa has finally fallen into the category of Police State."

The Minister of Law and Order denies the fact, but if the words of the latest draconian decree mean anything then, alas, we can no longer deny that awful charge ... even in the midst of a general election.

**'Desperate attempt to stamp out protest'**

# New curbs bring Govt under fire

By Adele Baleta

The Government came under fire at the weekend as political and religious leaders condemned the new restrictions which effectively squash any activity aimed at supporting the release of detainees.

The regulations published in a special Government Gazette on Friday were described as draconian and a desperate attempt by the Government to stamp out peaceful protest for the release of detainees.

The Commissioner of Police, General Johan Coetzee, issued an order which makes it illegal to:

- Incite or encourage anyone to support a call for the release of detainees. This includes making a statement, written or oral or by telegram.
- To encourage others to sign or support a petition in which a government member is called on to free detainees.
- To fill in coupons to be used in support of a call on the Government to release detainees.
- To attend or advertise a gathering which would honour detainees or protest their detention.
- To perform any act as a symbolic token of

## Critics slam govt's muzzle on calls to free detainees

In further reaction to the new clampdown — which outlaws any call for the release of detainees — legal, political, religious and trade union leaders said the Government had committed itself to the slippery road to totalitarian dictatorship by stripping away the remnants of democracy.

They said the new regulations — which make even some T-shirts and bumper stickers illegal — meant time was fast running out for public protest against the "serious undermining of liberty".

One legal expert said there were severe implications for several basic freedoms — including that of religion.

Dr Beyers Naude of the SA Council of Churches called on the Progressive Federal Party and independent candidates to withdraw in protest from the May 6 general election.

Other political and legal spokesmen said electoral freedom would be restricted.

Media lawyer Mr Peter Reynolds said the definition of a subversive statement had been extended.

He said it was now illegal to make a statement, written or oral, which might incite anyone, in support of releasing detainees, to:

- Sign a petition.
- Call on the Government orally or in writing to release detainees.
- Sign any document in which the detention of a person is protested against or disapproved of.
- Fill in coupons to be used in support of a call on the Government to free detainees.
- Display stickers or wear clothing calling for the release of detainees.
- Attend a gathering held to protest against detention: newspapers could no longer publish reports announcing such meetings and organisers could not announce them or encourage attendance.
- Perform any act as a symbolic token of solidarity or in honour of detainees: newspapers could not publish reports or advertisements inviting people to attend even a church service in honour of or in solidarity with detainees.

It would be an offence for a minister to invite his congregation to pray to indicate their solidarity with detainees.

solidarity with or in honour of detainees. Newspapers may not publish reports or advertisements inviting people to attend meetings for detainees.

The regulations also ban stickers, posters and T-Shirts depicting a slogan protesting detention or supporting the release of detainees.

Mrs Sheena Duncan, a spokesman for the Five Freedom's Forum, said: "Children in detention will never be forgotten and the campaign is seeking legal advice to find ways to challenge the regulations.

"If this move by the Government does not turn the white electorate away from the National Party, then they deserve the tragedy that will happen in this country."

Mrs Duncan said the Five Freedoms Forum would continue to stand for freedom from fear in a country where there was wholesale detention of people without trial.

Mr P Camay of the Council of Unions of South Africa said: "This type of action is that of a frightened government in retreat."

PFP MP for Houghton Mrs Helen Suzman said she would ignore the new regulations.

"I have been against detention without trial since it was first introduced in South Africa in 1963. I have no intention of changing now."

The United Democratic Front believed the banning was calculated to frustrate a proposed campaign for the release of detainees which was to be launched under the banner of the Campaign for United Action.

The restrictions would not stop people from expressing their grievances against a system which was unrepresentative and bordered on the verge of illegality, the Azanian Peoples' organisation said.

### DEATH BLOW

Dr Max Coleman of the Detainees' Parents Support Committee said the regulations were intended to strike at the very heart of the DPSC.

"We have no intention of abrogating our right to fight against detention without trial," he said.

Former leader of the official opposition, Dr Frederick Van Zyl Slabbert said: "I find it extraordinary that we can actually take the whole of this situation seriously when people are detained without trial and it is then regarded as an offence when others ask for their release and that they should be given a fair hearing in a court of law."



# 'SCRAP LAW BANNING PROTESTS'

327  
14/4/87  
Sengwana



A MOTHER whose child is detained, Mrs Pinkie Sengwana (right), and another relative of a detainee observe a moment of silence. This was during a tea party at the Civic Centre Methodist Church in Braamfontein on Saturday.

AN urgent call was made to President P W Botha yesterday to scrap the ban on campaigns for the release of detainees. The ban was announced at the weekend by the Commissioner of Police General Johan Coetzee.

Mr. Colin Egin, leader of the Progressive Federal Party, made the call in a letter which was delivered to the office of Mr Botha at Tuin Huis. He asked Mr Botha to have the ban withdrawn.

Mr Egin yesterday also announced that the PFP was briefing lawyers to advise the party of its rights and on the validity of the order.

In his letter to Mr Botha he said the

new regulations constituted a serious limitation on the ordinary democratic right of South Africans to dissent from and to express the disapproval of the actions of the executive branch of government in a peaceful and constitutional way.

• Independent, candidate for Helderberg, Dr Denis Worrall, said yesterday he was shocked at the Government's clampdown on protest against detentions.

He said in a statement the Government's action was curbing the public's right to protest in the election campaign against detentions as a norm.

Report by T Wentzel and F S Esterhuysen, 122 St George's Street, Cape Town.



# PFP rejects explanation of restrictions

Political Correspondent

THE Opposition today rejected the police explanation of the latest ban on campaigns to release detainees as "entirely unsatisfactory".

There have also been strong British and American protests against the ban.

A spokesman for the Department of Law and Order in Pretoria said today that the regulations would not be redrafted.

The Commissioner of Police, General Johan Coetzee, has given the impression that the ban is not as wide as it was interpreted to be at first and that it does not affect the rights of individuals to press for the release of detainees.

## LIMITATION OF RIGHTS

Mr Colin Eglin, leader of the Progressive Federal Party, said the general's reply was no substitute for his request to President P W Botha to have the notice withdrawn altogether.

In a letter he sent to Mr Botha yesterday Mr Eglin said the ban constituted a serious limitation on the ordinary rights of South Africans to dissent peacefully and it interfered with the electoral process.

Mr Peter Gastrow MP, the national chairman of the PFP, who is a barrister, said General Coetzee's interpretation and opinions were irrelevant.

What counted were the words of the ban and the interpretation which a court would give to them.

The present wording was so wide as to include T-shirt campaigns and specific calls for the release of detainees.

## SOLE RIGHT

"General Coetzee's interpretation cannot water down the effect of the regulations.

"They have to be scrapped or amended.

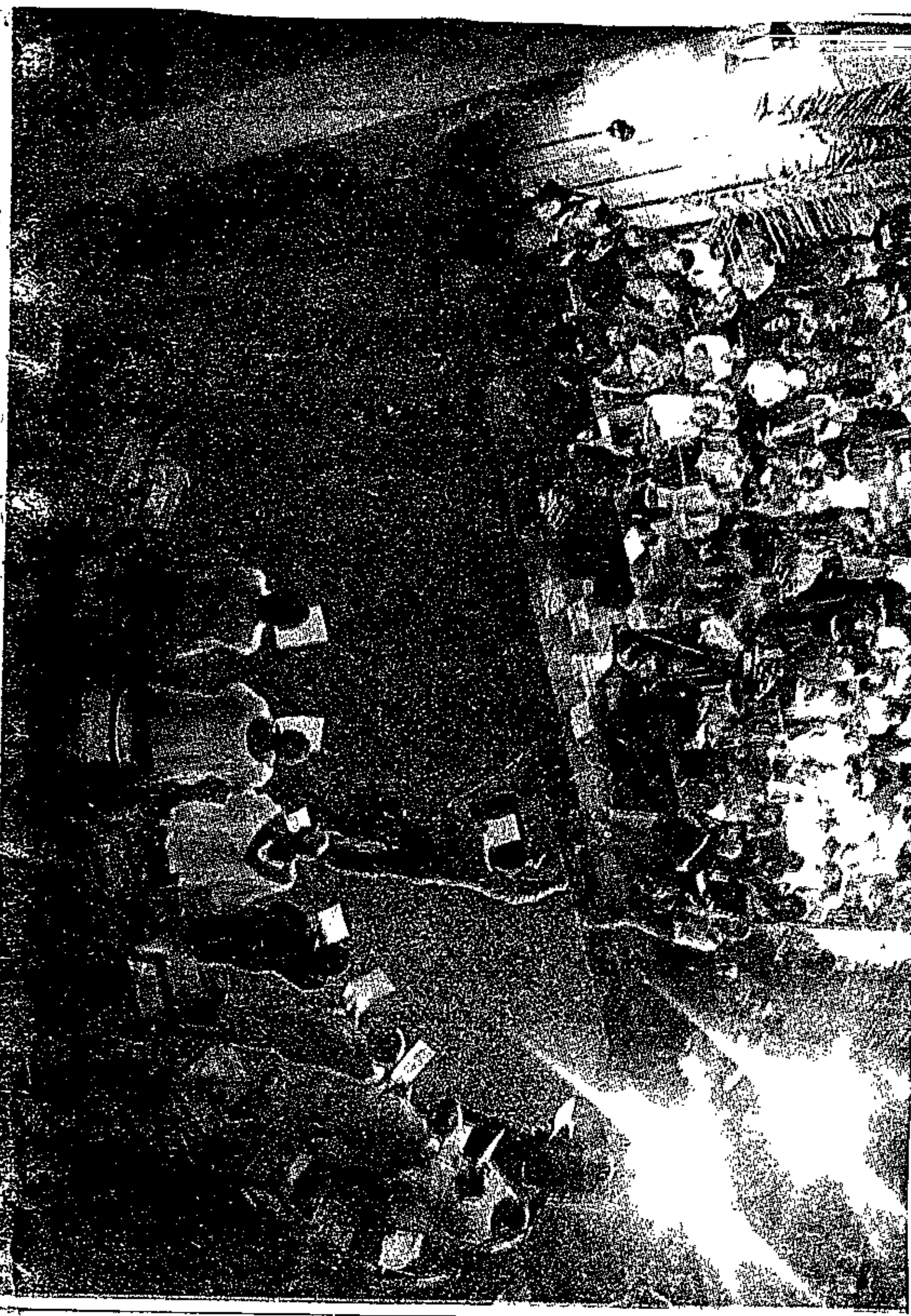
"One danger of a rule by decree is that the person administering such a decree can assume that he has the sole right of interpreting and applying the decree and not the courts," Mr Gastrow said.

The British Foreign Office has condemned the ban as an attack on the democratic right of free expression.

In a hard-hitting statement it said the new restrictions "cannot substitute for necessary and fundamental reforms" in South Africa.

"Her Majesty's Government has always deplored detention without charge, and has called

(Turn to Page 3, Col 7)



Picture: PETER STANFORD. The

**DETAINEES' SERVICE:** The congregation of more than 1 000 stands for the singing of the hymn 'Nkosi Sikelel' iAfrika during a service for detainees at St George's Cathedral which was addressed by Anglican, Catholic, Jewish and Ned Geref Sendingkerk leaders. Archbishop Desmond Tutu also read a message of support from the Archbishop of Canterbury.

## PFP rejects explanation

(Cont. from Page 1)

on the South African Government to end such detentions."

The Foreign Office recalled the EC's "grave concern at the growing, very serious, abuses of human rights in South Africa" which earlier this year drew particular attention to detention without charge, particularly of young people and children.

"These new restrictions appear to constitute a further serious curtailment of the democratic right to free expression," the Foreign Office said.

The US ambassador, Mr Edward Perkins, attended a service in St George's Cathedral yesterday. He said in a statement before the service that the new ban simply pointed to the erosion of fundamental civil liberties in the country.

In his statement General Coetzee said the notice was not intended to infringe on the right of a detainee or any other interested party to make representations regarding such a detainee's release or to submit any application to this effect to

"The notice is not intended to prohibit prayers for the release of a detainee during a bona fide religious gathering.

"The notice is not intended to prohibit a person at a bona fide gathering during an election campaign, from adopting a standpoint in regard to the release of detainees.

"In accordance with the preference to paragraph (A) of the definition of 'subversive statement' in Regulation 1 of the media regulations, the notice prohibits the making of a statement in which members of the public are incited to participate in a campaign which is aimed at the release of security detainees through the commission of the acts specified."

(Report by T. Wentzel, 122 St George's Street, Cape Town).



# Churchmen condemn ban

By HILARY VENABLES

FOUR prominent Cape Town churchmen yesterday addressed a service in St George's Cathedral to condemn the new government order banning protest against detentions.

Dr Allan Boesak, Archbishop Desmond Tutu, Archbishop Stephen Naidoo and Rabbi Selwyn Franklin called for nation-wide defiance of the restriction.

They addressed a lunch-time service for detainees in a packed St George's Cathedral.

The service was attended by the United States ambassador, Mr Ed-

ward Perkins, who condemned the restrictions in his first public comment on South African affairs.

Mr Perkins said in a statement released before the service that the new regulations "simply point to the erosion of fundamental liberties in this country".

The Western Cape branch of the UDF said it would "actively ignore" the new curbs as "a duty to our brothers and sisters, and particularly the children in Pollsmoor and Victor Verster".

Dr Boesak told the congregation of about 1 500 that the service was "just the beginning".

"My plea is for all South Africa's people to rise up and revolt against

this ban to show that our concern, our love, for those in detention will not be stifled," he said.

Archbishop Tutu described the government order as "blasphemous".

"I say to the government: You are not God. You may be powerful. You may be very powerful. But you are not God. You are mere mortals. Beware when you take on the Church of God. You will come a cropper."

He said he would not stop calling for the release of detainees inside or outside the church.

Archbishop Naidoo and Rabbi Franklin echoed the call for South Africans to continue to press for the release of detainees, in spite of the ban.

"We are here to state very clearly we will not accept this," Archbishop Naidoo said. "We will campaign for the rights of the innocent as long as we have breath in our bodies. We will stand up for this no matter what the cost."

□ The Presbyterian Church of Southern Africa condemned the ban yesterday as an attempt "to silence the voice of compassion and justice".

General Secretary of the PCSA, Mr I C Aitken, said the restriction "denies our rights as citizens and our obligations as Christians" and urged all Presbyterian congregations "to pray for the welfare of prisoners and especially detainees at this time".

(Report by H Venables, 122 St George's St. CT.)

**Boesak challenges Heyns to speak out**

DR ALLAN BOESAK yesterday challenged the moderator of the Ned Geref Kerk, Prof Johan Heyns, to openly condemn the new ban on opposition to detentions.

Speaking at a service for detainees at St George's Cathedral, Dr Boesak, moderator of the Ned Geref Kerk's "daughter church", the NG Sendingkerk, said people had been told the NGK had turned over a new leaf.

He challenged Prof Heyns to speak out.

"You say you are against the system and that it cannot be defended on the basis of the Gospel. Our people can't live on those words alone."

The NGK should tell the people who sat in their pews on Sunday, the people who governed the country, that they were wrong.

"Tell them not in private but in the open that they are wrong," he said.

Prof Heyns said from Pretoria yesterday there had been "many different interpretations" of the new regulations.

He was expecting a phone call from the Minister of Law and Order, Mr Adriaan Vlok, and did not want to comment until the matter had been clarified.

(Report by H Venables, 122 St George's St. CT.)

**Protest ban 'contempt for basic rights'**

Political Correspondent

THE regulations to ban protest against detentions demonstrated the government's "blatant contempt" of the public's basic democratic rights and its religious freedoms, Dr Denis Worrall said yesterday.

The independent candidate in Helderberg said he was "deeply shocked" by the latest government move.

"This attempt to silence all forms of protest and even comment against detentions was issued at the height of an election campaign — not by the government but by the chief of police."

"Neither the Minister of Law and Order, nor any other government minister, made the slightest effort to explain to the public why these harsh measures were necessary."

Dr Worrall said the latest regulations were "just another example of the serious estrangement" between the NP government and the man in the street.

"As Minister of Police, the late Mr John Vorster was highly apologetic when he asked Parliament in 1963 to authorize detentions without trial."

"Today the responsible minister (Mr Adriaan Vlok) belatedly claims that there was an 'unnecessary fuss' about the issue, while at the same time he apparently expected the public to simply accept his personal interpretation of the regulations," Dr Worrall said.

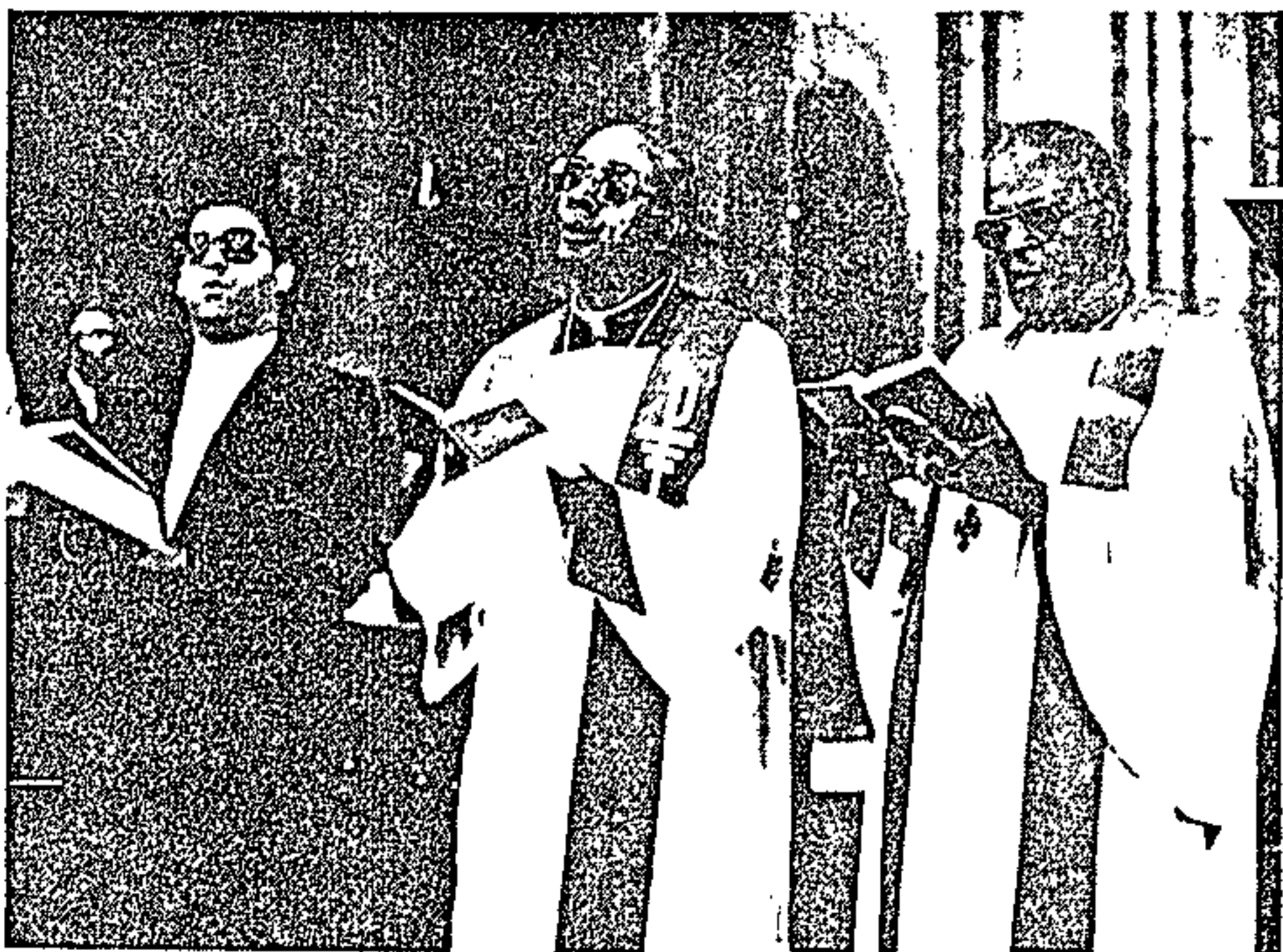
□ Our Correspondent reports from London that British media yesterday gave huge prominence to the defiance to the clampdown on expressions of support for political detainees.

BBC radio and television and Independent Television broadcast lengthy reports on the attacks on the new restrictions launched by Bishop Desmond Tutu, Dr Allan Boesak and Dr Beyers Naude.

BBC television said the church leaders had deliberately broken the new laws when the ink was hardly dry. Millions of British viewers saw film of Bishop Tutu condemning the restrictions as dictatorial and inhuman.

Serious newspapers also reported the restrictions prominently, along with Mrs Helen Suzman's warning that she would not be silenced on detention without trial.

(Report by A Johnson, 122 St George's St. CT, and I Hobbs, 32/33 Hatton Garden, London.)



**JOINT SERVICE...** From the left: Dr Allan Boesak, Archbishop Stephen Naidoo and Archbishop Desmond Tutu lead the singing of the hymn "Sing we a song of high revolt" during yesterday's service.

Picture: JOHN RUBYTHON

APR 15 1987

## Arresting attire: Pupil freed

CAMOUFLAGE CHIC can get you into trouble — especially if it is the real thing.

When Sizamile High School pupil Ms Pascalena Nomuntu Mgayiya, 19, of Nyanga, stepped out of a Claremont second-hand clothing store at the weekend, she had no idea her purchases were the combat fatigues or battle shirt and trousers of the now-defunct Railway Police.

That's how she was dressed in Nyanga on Sunday morning when she was picked up by police and held overnight.

Police confirmed her arrest.

Yesterday she was released without being charged.

In terms of the Police Act, it is an offence, punishable by a maximum fine of R200, to wear "any uniform or distinctive badge or button of the Force or anything so closely resembling any such uniform, badge or button as to be calculated to deceive".



## Malan to reveal

### 'ANC plan'

CANL Times 14/4/87  
SOON

Own Correspondent

JOHANNESBURG. — The Minister of Defence, General Magnus Malan, indicated yesterday that he would soon disclose details of the alleged ANC plan to violently disrupt the May 6 white election.

Gen Malan was reacting to criticism that government leaders were not prepared to brief the leaders of the opposition parties in Parliament about the alleged plans, but had briefed 35 foreign envoys.

A spokesman for Gen Malan said the country would be told more of the ANC plans "at the appropriate time".

A spokesman for the Minister of Foreign Affairs, Mr Pik Botha, who made the original allegations at an election rally last week, said yesterday Mr Botha had merely fulfilled his duty as Foreign Minister to inform the public of messages he had sent to neighbouring states, and to ask foreign diplomats to warn these states.

(Report by M du Preez, 11 Diagonal St, JHB)

## Miners down tools after shootings

JOHANNESBURG. — At least 400 workers downed tools yesterday at the Goldfields-owned Zincor processing plant near Springs in protest against the shooting of five members of their union at the weekend.

A spokesman for the National Union of Mineworkers (NUM) said about 600 workers went on strike at the plant because they suspected mine security was involved in the shootings.

A statement released by Goldfields said: "Some 410 workers at Zincor failed to report for the Sunday night shift and the main shift this morning."

"The Zincor management is communicating with representatives of the workforce and has requested a return to work."

A Johannesburg newspaper yesterday morning reported that six men armed with a shotgun and a pistol burst into the hostel at Zincor and fired on workers before fleeing the premises.

Four of the injured men had leg wounds and the other was shot in the stomach. East Rand police are searching for the gunmen, the report said.

Zincor has been the scene of fierce clashes between NUM and members of the rival Inkatha-backed United Workers Union of South Africa.

Last month two NUM members were killed in what management described as "faction fighting". The union alleges the clashes were instigated by mine security. — Sapa

## Matie launch for new alliance

Political Correspondent

A NEW alliance — the United Stellenbosch Front (USF) — will be launched on the Matie campus this evening.

Keynote speakers at the launch will be Dr Van Zyl Slabbert, head of the Institute for a Democratic Alternative for South Africa, and Dr Allan Boesak, president of the World Alliance of Reformed Churches.

USF organizer Ms Tanja Hichert said yesterday the front would aim at the co-ordination of "progressive organizations" in Stellenbosch around social and political issues.

The launch will begin at 7pm in the Sanlam Hall of the Student Union.

(Report by A Johnson, 122 St George's St, CT.)



## Oppose clampdown on campaigning for release of detainees — church leaders

# New curbs condemned

327  
M/4/87  
SMA

Local and international reactions to the new regulations which make it a crime to call for the release of, or show solidarity with detainees, have been unanimous in their condemnation of what is being seen as a serious curb on freedom of speech.

And the Anglican, Catholic, Jewish and Ned Geref Kerk Sendingkerk leaders today urged their followers to oppose the Government's clampdown on campaigning for the release of detainees.

Various legal experts have also pointed out that the wording of Friday's emergency order was at odds with the interpretation which the Minister of Law and Order, Mr Adrian Vlok has subsequently tried to place on it.

The British Government has attacked the regulations in a hard-hitting statement issued by the Foreign Office yesterday saying the new restrictions "cannot substitute for necessary and fundamental reforms" in South Africa.

The Foreign Office recalled the EEC's "grave concern" expressed at "the growing, very serious, abuses of human rights in South Africa" which earlier this year drew particular attention to detention without charge.

"These new restrictions appear to constitute a further serious curbing of the democratic right to

## Police chief clarifies detainee regulations

The controversial notice issued last Friday banning campaigning or petitioning for the release of state of emergency detainees was not intended to prohibit prayers for the release of a detainee during a bona fide religious gathering, the Commissioner of the SA Police, General Johan Coetzee, said last night.

In a statement released by the SAP's public relations division the general said he was speaking as a result of media reports regarding the notice issued by him on April 10.

He said the notice was not intended to infringe on the right of a detainee, or any other interested party, to make representations regarding such a detainee's release or to submit any application to that effect to an appropriate court of law.

free expression," the Foreign Office said.

The United States Ambassador to South Africa, Mr Edward Perkins, in a statement issued in Cape Town yesterday, said the new regulations "simply point to the erosion of fundamental liberties.

"It is sad that a Government which claims to uphold the values of human dignity, and which portrays itself as secure and strong, should be so intimidated by the peaceful protestations of its citizens that it declares those protestations to be illegal."

Mr Perkins said the US Government had repeatedly deplored

Nor was the notice intended to prohibit prayers for the release of a detainee during a bona fide religious gathering.

"The notice is not intended to prohibit a person at a bona fide gathering during an election campaign from adopting a standpoint in regard to the release of detainees," the statement added.

It went on: "In accordance with the preface to paragraph (A) of the definition of 'subversive statement' in regulation 1 of the media regulations, the notice prohibits the making of a statement in which members of the public are incited to participate in a campaign which is aimed at the release of security detainees through the commission of the acts specified." — Sapa.

the "jailing of South Africans without charge and without trial".

"We will continue to use the resources at our command to protest against these actions," he said. The leader of the PFP, Mr Colin Eglin, in a letter to President Botha yesterday, said the regulations seriously limited the democratic right of South Africans to express their disapproval of Government actions in a peaceful and constitutional way, and he called on Mr Botha to have the Commissioner of Police, General Johann Coetzee, withdraw the regulations as a matter of urgency.

"As the principle of detention without trial is one of the matters at issue between the parties con-

testing the election of the House of Assembly, the regulations constitute a significant intrusion into the electoral process.

Office bearers of the Presbyterian Church of Southern Africa yesterday protested "on behalf of the PCSA". Their statement said it saw the new regulations as an attempt to "silence the voice of compassion and justice and to silence those who would speak on behalf of the voiceless.

The statement urged members of the church to pray be name for those who are detained.

Free The Children Alliance spokesman Mr Alan Jackson said last night the new regulations were "an invasion of individual

liberty and criminalises legitimate protest."

"The Detainees Parents Support Committee has been working for the release of detainees since 1981 and the Free the Children Alliance since November 1986 without violence arising from the campaign.

"The Free the Children Alliance will not be intimidated."

A Johannesburg advocate who cannot be named for ethical reasons, has pointed out that the emergency order was at odds with the interpretation which the Minister of Law and Order, Mr Adrian Vlok tried to place on it.

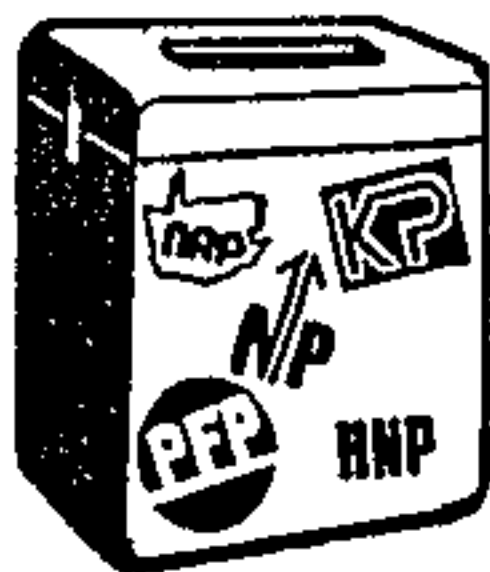
In making a statement about the intended meaning of the law, Mr Vlok was trying to interpret the regulations in a way not borne out by the wording of the regulations themselves, he said.

And the question remained whether the Commissioner had the power to promulgate such a wide order, he said.

Professor John Dugard, of the Centre for Applied Legal Studies at Wits University, said however it was interpreted, the order created a great inroad into the freedom of speech.

For a protest to be of any value, it had to be organised, "so what is the value of Mr Vlok saying it was not intended to apply to individual calls for the release of detainees?" — Sapa, The Star Bureau and Religion Reporter.





**ELECTION  
1987**



# Foreign pressure won't deter us, says De Klerk

Star 14/4/87

## Red peril tactics 'show up failure'

The Government's fears of communism and the black majority were an admission of the failure of its policies, New Republic Party leader Mr Bill Sutton said last night.

Speaking in Benoni, he said that after 39 years in power, a government should be able to stand on its record of prosperity and brotherhood. "Instead, voters are told of communism and the danger of being swamped by a black majority.

"Why must we be afraid of communism and the ANC? If normal black political participation was allowed, the ANC would be organised right out of South Africa." — Sapa.

(Report by K Daniels, 626 Mutual House, Harrison Street, Johannesburg.)

CAPE TOWN — Foreign pressure would not prevent the Government from maintaining stability, the Minister of National Education, Mr F W de Klerk, said in Cape Town yesterday.

At a meeting of about 300 people in support of the National Party MP for Vasco, Mr Keppies Heyns, Mr de Klerk referred to criticism by the US Ambassador, Mr Edward Perkins, of the Gov-

ernment's latest regulations forbidding protest at detentions.

Mr Perkins said in a statement released at a Cape Town protest meeting against the curbs that his government abhorred detention without trial.

"We don't like detention without trial," Mr de Klerk said. "We don't favour it. We would prefer not to have such regulations and laws on our statute books.

"But we abhor terrorism. We abhor execution without trial by necklace.

"If we want to deal with terrorism and other dastardly acts, we need special powers. We can't fight that type of onslaught with legal niceties."

Later, Mr de Klerk said, when asked if the Government had too much power, that it would not make excuses for acting strongly and effectively against those bent on revolution, destabilisation and terror. — Sapa.

(Report by G Smith, 801 Nedbank Centre, Strand Street, Cape Town.)

## Scott attacks detention edict

CAPE TOWN — The latest government edict restricting protests and campaigns about detention was "the ultimate in totalitarian censorship", said Mr John Scott, Progressive Federal Party candidate for Simon's Town.

"Now you cannot even complain when one of your loved ones disappears into limbo. We are a Christian society and we may not even ask for the release of people convicted of no crime."

An election meeting of nearly 200 people applauded loudly.

Mr Scott amused his audience with some comic references to what he called Mr P W Botha's Desert Island Disc — the "sound sheet" or disc issued by the National Party in support of "why you should vote NP".

"'English on the flip side,' it says, and by the time you've turned it over you've totally flipped," quipped Mr Scott.

(Report by D Lautenbach, 122 St George's Street, Cape Town.)

ARGUS 15/4/87 (257) (322) HONS —

# Foreign envoys threaten to boycott Pik's summons

## The Argus Correspondent

DURBAN. — Foreign Affairs Minister Mr Pik Botha came under fire again today for "attempting to use the ANC as a red herring to draw attention away from real issues and for dragging foreign envoys into the white elections".

Foreign diplomats reflected "extreme displeasure" today at Mr Botha's tactics and some were threatening to find reasons to "be busy with other matters" to avoid the summons to be briefed on the ANC.

Mr Botha has claimed that the Government issued the regulations banning calls for the release of detainees because of

ANC violence, including neck-lace murders.

Objecting to condemnation of the new regulations by the United States and Britain, Mr Botha said he would be calling in the envoys to inform them of ANC tactics.

## CONFUSION

Mr Ray Swart, PFP foreign affairs spokesman, said Mr Botha was using red herrings.

"Everyone knows about and is opposed to ANC violence. He is clearly dodging the issue.

"The regulations are causing confusion and concern inside and outside South Africa.

"Mr Botha mustn't use the smokescreen of fulminating against the ANC to avoid the issue."

Foreign diplomats were loath to be quoted by name today but they indicated "extreme displeasure" at Mr Botha's action, accusing him of pulling them into the election process to score points.

They also accused him of being misleading and deliberately avoiding the point.

They said they would issue statements after today's meeting.

(Report by B Cameron, 85 Field Street, Durban.)



President rejects opposition call for repeal of new curbs

# PFP challenge on detainees

## Political Staff

THE Progressive Federal Party has consulted its legal advisers with a view to challenging the legality of the tightened-up ban on detainees and to ascertain the party's rights in the light of the new restrictions.

The PFP's strategy committee is also meeting today, according to Mr Colin Eglin, the leader of the party.

The new ban has led to a further clash between President P W Botha and Mr Eglin, following the latter's call for the repeal of the ban.

Mr Eglin said the ban constituted a serious limitation on the rights of South Africans to peaceful dissent and interfered with the electoral process.

Mr Botha rejected the letter and challenged Mr Eglin to

state whether his party was misleading the public by saying the curbs intruded on a free election or whether the PFP was about to embark on a "road to civil disobedience".

Mr Botha said he was not prepared to intervene with the Commissioner of Police.

He pointed out to Mr Eglin that his own earlier statement — that the matter would in no way affect the PFP's attitude on detention without trial or stifle the party's call for the charge or release campaign — clearly defeated Mr Eglin's arguments both in the Press and in his letter that the notice constituted "a significant intrusion into the electoral process".

Mr Botha said he had informed Mr Eglin that he was not prepared to allow South Africa to slip into the hands "of the forces of destruction and disorder".

Mr Eglin said Mr Botha's statement had taken the matter no further and would certainly not convince anyone.

The regulations were vague and uncertain in law and this meant that the right of citizens to protest and to campaign in a peaceful, constitutional way was subject to the discretion of Government officials.

Mr Eglin said this was "totally unsatisfactory" and could best be remedied by repealing the regulations altogether.

● The Detainees Parents' Support Committee (DPSC) has indicated that it will also challenge the regulations.

(Report by C Robertson and R Green, 216 Vermeulen St, Pretoria; R Norton, 626 Old Mutual Building, Harrison Street, Johannesburg; and T Wentzel, 48 St George's Street, Cape Town.)

● Detainees and police intend to meet on Monday.

# Detainees and police intentions

NR645 15/4/87

By Staff Reporter SUE LUPTON

327

COMMISSIONER of Police General Johann Coetzee's interpretation of the clamp-down on detainee support action has "no force of law" and if the proclamation has been misinterpreted it must be redrafted, according to a leading academic lawyer at the University of Cape Town.

The Government Gazette notice on Friday apparently outlawing all joint action calling for the release of detainees provoked a storm of protest and resistance from religious and political leaders.

General Coetzee replied to criticism, saying the notice was not intended to prohibit any move to have detainees released.

It was intended to ban

statements inciting people to participate in campaigns for the release of detainees.

Professor Dennis Davis of the UCT commercial law department criticised the new regulation because:

- The prohibition was vague;

- The commissioner did not have the power to prohibit these activities because they were not subversive;

- The statement by General Coetzee was an acknowledgment that the regulation was hopelessly vague and could be interpreted as prohibiting legal activities;

- His statement spelling out the intention of the regulation had "no force of law" and;

- The regulation should be redrafted if the Commissioner thought it had been misinterpreted.

Professor Davis said he believed the Commissioner deliberately drafted regulations vaguely hoping they would be obeyed in their widest sense. The outcry against Friday's proclamation forced him to define a narrower interpretation.

"This shows that if South Africans shrugged off their apathy, we could succeed in fighting this sort of sweeping clampdown," he said.

He said at least three organisations, including the Progressive Federal Party and the Detainees' Parents Support committee, were preparing to challenge the regu-

lation in court.

Mr M Seligson, SC, president of the Cape Bar Council, said the regulation would be discussed at a council meeting today.

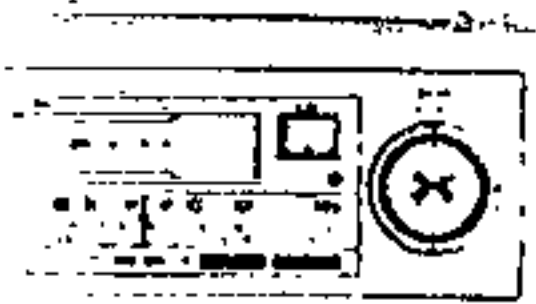
Asked to comment on the legal weight of General Coetzee's statement of the intention behind the notice, he said courts did not normally take into account officials' comments about the meaning of legislation.

"I don't see why this regulation should be any different."

He said prohibitions should be spelt out in the clearest possible way. "They shouldn't be worded differently to what is specifically intended".

(Report by S Lupton, 122 St George's Street, Cape Town)





## ALPINE 7130C FM/AM RADIO CASSETTE COMBINATION

R349-00

- Cassette glide
- New improved mechanism literally pulls cassette into play position
- Locking Fast Forward and Rewind
- Locking mechanism allows hands-off fast wind at 24 times normal speed
- Engine Noise Suppressor
- Engine Noise Suppressor Circuit is included to reduce noise caused by the automatic electrical system
- Power Antenna Lead ● Program Switch ● Stereo Indicator
- Tape Play Direction Indicator ● FM/AM Switch ● Radio On/Off Switch/Volume Control

at End of Play, Fast Forward or Rewind

Function Switch

or metal-CrO<sub>2</sub>/FeCr tapes in tape mode or to broadcasts in radio mode

## SONIC SENSOR TYPE ALARM

### WITH BUILT-IN IGNITION

R149 FREE FITTING

EXTRA REMOTE CONTROL WITH BUILT-IN CENTRAL

R169

CAR SONIC SIERRA 1.6, 2.0 L, 3.0 L, XR6 and XR8  
KICK PANEL WITH BUILT-IN SPEAKER  
WITH 25 WATT SPEAKERS ..... PER SET  
(LIMITED STOCK)

R39,00

UTO-  
AR

R95<sup>00</sup>

10 WATT  
ALARM HORN  
SPEAKERS ONLY

R16<sup>99</sup>

W SPECIALISE IN AIR-CONDITIONING SALES, SERVICE  
ING OF GAS

PRINT CAR ID NUMBERS ON

OWS ..... PER CAR

R35,00

THIS MONTH ONLY)

USES ..... ALL WINDOWS

R48,00

RS, BUSH BARS, SUN ROOFS. WE ALSO SPECIALISE IN CAR  
BURGLAR ALARMS, CAR ACCESSORIES

for public violence, while just arrived home from  
1 627 people were convicted.

# UDF slams ban on City rally

THE UDF Western Cape has slammed the last minute ban slapped on this week's City Hall meeting.

An executive spokesperson warned that the ban cannot stop the extra-parliamentary movement in South Africa, "it merely stops whites from hearing about the reality of our country".

UDF attorney Essa Moosa said this week that the ban, imposed by the Western Cape Divisional Commissioner of the Police, Brigadier R M van der Westhuizen, in terms of the State of Emergency restrictions, was extended to Wynberg, Cape Town, Simon's Town, Goodwood, Bellville and Kuils River.

A Cape Town lawyer, Mr Dennis Davis, said he could not understand how a meeting in the City centre, miles from any residential area, and addressed by an advocate and a religious minister could be prohibited.

The meeting, billed "UDF Speaks", was to be addressed by Moulana Faried Esack, Dr Allan Boesak and Helen Joseph.

SOUTH 327

cmh trip 15/4/82

# Restrictions: PFP to ask for interdict

By BARRY STREEK  
Political Staff

THE Progressive Federal Party last night dismissed government explanations of the latest emergency regulations restricting calls for the release of detainees and said they intended applying for an urgent interdict in the Supreme Court to declare them void.

The PFP said it was consulting lawyers about bringing an urgent interdict because of "totally unsatisfactory" statements on the regulations by President P W Botha and the Commissioner of Police, General Johann Coetzee.

President Botha said yesterday in reply to a letter by the PFP leader, Mr Colin Eglin, that he was not prepared to overturn the latest extension to the emergency regulations because of the ongoing attempt to create a revolutionary climate in South Africa.

He also challenged Mr Eglin to say whether his party was about to embark on a road of civil disobedience.

In Bloemfontein last night, Mr Eglin said that in spite of Mr Botha's reply to him, the position remained "unsatisfactory".

"The only satisfactory way of remedying the matter is to repeal the regulations altogether," he said.

The chairman of the PFP's federal executive, Mr Ken Andrew, confirmed that the PFP was considering applying for an urgent interdict "to overturn the latest regulations and we have consulted lawyers about the matter".

A statement released by the State President's office said President Botha had replied to a letter to him by Mr Eglin calling on him to nullify the new regulations.

"The State President found it disturbing that even before approaching him by way of representations, Mr Eglin deemed it fit to issue public statements denouncing the notice as an interference with the electoral process, which it is not.

"The State President has pointed out to Mr Eglin that his own press statement that 'the ban would in no way affect the PFP's attitude on detention without trial or stifle the party's call for the charge or release cam-

paign' clearly defeats Mr Eglin's argument both in the press and in his letter to the State President that the notice was to constitute a significant intrusion in the electoral process.

"The State President informed Mr Eglin that he is not prepared to allow South Africa to slip into the hands of the forces of destruction and disorder and requested Mr Eglin to state whether that is what Mr Eglin expects him to do," the statement said.

Mr Eglin said the statement by General Coetzee "appears to contradict the words of the regulations themselves.

"General Coetzee explained what was not intended by the regulations and he refers to church services, political parties and applications to court.

"Yet, nowhere in the regulations are such exemptions specifically mentioned.

## Regulations vague

"What has now emerged is that the regulations are vague and uncertain in law.

"This means the right of citizens to protest or campaign in a peaceful and constitutional way, instead of being written into the law, is either being taken away or is subject to the discretion of government officials," Mr Eglin said.

□ Our Johannesburg correspondent reports: Individuals calling for the release of detainees are not immune from prosecution in spite of General Coetzee's clarification issued on Monday night.

A senior police spokesman in Pretoria, who declined to be named, said the regulations were valid and there was no chance of their being re-drafted.

"Nobody has backed down, the commissioner's order is still there. The regulations were drafted for a specific purpose. The only thing the government did was clarify their meaning.

"The government had become aware of certain planned campaigns," he said.

The Detainees' Parents Support Committee (DPSC) said yesterday that it still intended taking legal action to contest the proclamation.

(Reports by B Streek, 122 St George's St, CT, and P Bulger, 11 Diagonal St, Jhb.)



UDF meeting banned

THE United Democratic Front rally due to be held in the City Hall tonight has been banned under the emergency regulations.

Citing powers vested in him by regulation 7(1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R109 of 12 June, 1986, as amended, the Divisional Commissioner of Police for the Western Province, Brigadier Ronald van der Westhuizen, last night prohibited:

"... in the magisterial districts of Wynberg, Simon's Town, the Cape, Goodwood, Bellville and Kuils River, during the period ending 21 April, 1987, the gathering organized or advertised by or under the banner of the UDF for 15 April, 1987, in the Cape Town City Hall."

The UDF were in consultation with their lawyers last night and are considering challenging the ban in court.

327

The Star Bureau

LONDON — The latest restrictions in South Africa are the work of "people who think with their fists and support their arguments with whips, shotguns and armoured cars", said *The Guardian* newspaper in a leading article yesterday.

"It clearly makes no difference to them that the state of emergency does appear to have had the desired effect, if not of ending revolt, then of preventing people inside and outside South Africa from learning about it."

The timing of the latest mea-

## British Press outspoken in harsh criticism of PW, Govt and curbs

ures, it said, reflected the Government's nervousness about the whites-only elections.

"President Botha, by stalling in the middle of his Rubicon of reform, thus angering both reactionaries and progressives, has split the whites as never before, and therefore faces powerful challenges from both Right and Left."

But whereas President Botha

recently used the Bible to justify his refusal to "commit racial suicide", the Bible also failed to provide any justification for "torturing another race and its children because they object to being dominated by whites," said *The Guardian*.

It concluded: "Mr Botha's reluctance to cross the Rubicon contrasts with the readiness of his police and troops to send

blacks across the Styx."

*The Independent* newspaper, meanwhile, warned that while Mr Botha continued to persuade right-wing Afrikaners that the National Party remained the true bastion of white supremacy, South Africa's international image had been damaged by the new bans.

But, more than the outside world, it was the blacks in

South Africa who had to judge whether a post-election Mr Botha would be different to the electioneering one, *The Independent* added.

It pointed out that Mr Botha would have to retire soon, and, perhaps, out of a sense of "Calvinist tidiness" wanted to hand over to a successor "a ballot box full of white votes and the lid of black protest firmly screwed down".

This, would not be a solution because either Mr Botha or his successor would have to grapple once more with "disagreeable concepts of reform".

The Star Wednesday April 15 1987

15



# 'Denial of human rights'

By NAT DISEKO

APART from detentions themselves, the police proclamation banning all calls to free detainees is possibly the greatest denial of human rights in the country's history.

This was said by the Detainees' Parents Support Committee (DPSC) commenting on the proclamation by Commissioner of Police, General Johan Coetzee, published in an extraordinary *Government Gazette* at the weekend.

The new regulations make it an offence for parents of detained children or other people to campaign for the release of detained children.

## Campaign

The DPSC said Gen Coetzee had stopped one step short of banning the activities of the protest group. But the DPSC said it would not give up its right to campaign for an end to detentions.

The statement said in part: "Apart from detentions themselves, this is probably the greatest denial of human rights in our history.

"How was it achieved? By administrative fiat — this was no elected official, accountable to the public for his actions.

"The law he invoked was passed by an unrepresentative Government in 1953 and gives him sweeping powers to rule by proclamation — by bypassing Parliament.

Argus 16/4/87

327

# Court lifts UDF ban at 11th hour

Supreme Court Reporter

A UNITED Democratic Front public meeting was unbanned by a Full Bench of the Supreme Court less than two hours before it was due to start.

The UDF applied urgently yesterday afternoon for an order setting aside Brigadier Ronald van der Westhuizen's order prohibiting a UDF meeting scheduled for the City Hall last night.

The order was issued on Tuesday in terms of the emergency regulations.

Mr J J Gauntlett, for the UDF, started addressing the Bench of three judges at 4.30pm. The court granted the order at 6.30pm.

The UDF was also granted costs.

Reasons for the court's decision will be given later.

In papers before court, UDF co-ordinator Mr William Hofmeyr described the UDF as "a lawful organisation committed to non-violent opposition to the politics of the present Government".

UDF meetings held at St George's Cathedral since October last year had been peaceful and orderly. Last night's meeting was "to promote public discussion of issues centering on the general election".

The prohibition would have caused prejudice to the UDF because R2 000 in deposits would have been lost and it would have been difficult to arrange another meeting before May 6, Mr Hofmeyr said.

The ban was "a serious inroad on the fundamental freedoms which ... our courts are concerned to protect — the freedom of assembly, association and expression".

A meeting in March in the cathedral addressed by Dr Allan Boesak on "issues surrounding the election" was not banned and there was no police presence.

## Public safety

Referring to last night's meeting, Mr Hofmeyr said: "It is inconceivable that a similar meeting ... should suddenly constitute such a serious threat to public safety."

About 50 officials with two-way radios had been appointed to prevent disorderly behaviour.

Mr Hofmeyr claimed the ban, for which no reasons were given, was:

- The consequence of Brigadier van der Westhuizen to apply his mind to the correct criteria for a prohibition;
- The consequence of taking into account irrelevant or extraneous factors;
- Illegal because it was an inroad on the UDF's fundamental rights.

Mr Hofmeyr said there were alternatives provided by common law, such as police control, prohibiting certain speakers or topics, limiting numbers at the meeting, setting a minimum age or prohibiting buses.

He said Brigadier van der Westhuizen had not considered these alternatives.

Brigadier van der Westhuizen said in an affidavit that he issued the ban after considering "certain information, circumstances and factors". He said the background to the ban was events at previous meetings held by the UDF and affiliated organisations.

After a meeting in Claremont in March last year, youths danced in the street, rocked cars and broke windows; after a meeting in Mitchell's Plain in May last year, an alleged police informer was found dead; at a meeting of the Inter-Church Youth and the Call of Islam in March this year a car was burnt.

Dr Allan Boesak and advocate Mr A Omar, who both spoke at the March meeting, as well as Mrs Helen Joseph and Moulana Essack, were speakers at last night's meeting.

The meeting was advertised as "UDF speaks". No agenda was given.

Mr Gauntlett was instructed by Mallinck, Ress, Richman and Closenbergh. Mr G D Griessel SC and Mr C Y Louw, instructed by the State Attorney, appeared for Brigadier van der Westhuizen.

## Decision 'a victory for the people'

Staff Reporter

THE overturning by the Supreme Court of a police ban on a United Democratic Front meeting was a "victory for the people", the meeting's chairman told more than 1 000 people at the Cape Town City Hall last night.

Mr Dullah Omar said the moral of the victory was that the people would not take things lying down.

"That is what the UDF did today ... it refused to take things lying down."

Other speakers at the meeting, given the go-ahead by the Supreme Court just 90 minutes before the scheduled start, were the president of the World Alliance of Reformed Churches, Dr Allan Boesak, Mrs Albertina Sisulu, wife of jailed ANC leader Walter Sisulu, Moulana Fareed Essack of the Call of Islam and Mr Keith Gottschalk of the Civil Rights League.

## DAMAGE

Welcoming the court's reversal of the ban, Mr Omar said, however, that the damage had already been done.

"Many people who wanted to be present at this meeting are not here. Unfortunately, too, because of the ban on one of the symbols of liberation in this country, Helen Joseph cannot be here."

He noted the latest curbs on detainees, remarking that a police chief found it necessary to tell people not to embark on campaigns calling for the release of detainees.

Mr Omar demanded the scrapping of the constitution and called for a congress at which black and white people would be represented to draw up a new one.

Dr Boesak said the Government was engaged in uncovering new ANC plots to disrupt the election every three days and gave the impression they were fighting the election against the ANC.

(Report by D Cruywagen, 122 St George's Street, Cape Town.)

## Pik Botha to speak at Fish Hoek meeting

Political Staff

THE Minister of Foreign Affairs Mr Pik Botha will be guest speaker at the first public election meeting to be held by Mr Harry Dilley, the Simon's Town National Party candidate who replaced Mr John Wiley.

The meeting is at 8 pm on Monday April 27 in the Fish Hoek Civic Centre.

(Report by D Lautenbach, 122 St George's Street, Cape Town.)



2 Cape Times, Thursday, April 16, 1987

## Diplomats briefed on ban

Own Correspondent

JOHANNESBURG. — Foreign government representatives were yesterday told the new curbs on detention protest were promulgated to "reduce confrontation and improve reconciliation", diplomatic sources said yesterday.

Diplomats were briefed by the deputy director-general of Foreign Affairs, Mr Carl von Hirschberg, after international condemnation of the ban by the Commissioner of Police, General Johan Coetzee, on campaigning for the release of detainees.

The sources said the briefing was told that foreign governments should pressure the African National Congress to abandon violence because the South African government was open to negotiation.

They added that they felt the briefing was timed to coincide with the election, and to demonstrate the National Party's hard line in its foreign relations.

(Report by P. Bulger, 11 Diagonal St, Jhb.)

# Natal court bid to cancel ban

Cape Times  
16/4/87  
322  
379

JOHANNESBURG. — The Detainees' Parents Support Committee (DPSC) will today contest the validity of Police Commissioner Johan Coetzee's regulations on campaigning for the release of detainees.

Lawyers acting for the DPSC, the Black Sash and the Release Mandela Committee have named President P W Botha, the commissioner and the ministers of Law and Order and of Justice as respondents.

They are bringing the application in the Natal Supreme Court on the grounds that the commissioner exceeded the authority granted him under the Public Safety Act of 1953.

Meanwhile, West Germany said it had summoned SA Ambassador Mr Willem Retief to the Foreign Ministry to condemn the restrictions.

In Johannesburg the Association of Law Societies called for the regulations to be reconsidered.

In Washington executives of the US Catholic Conference and the National Council of Churches threw their support behind the SA religious community's defiance of the new ban.

Six Ned Geref Kerk ministers yesterday expressed their "shock and concern" at the legislation.

In a statement released in Cape Town, the ministers said: "It is our firm conviction that these regulations attack the very heart of the Christian faith as well as the content of our reformed Articles of Faith."

The signatories were the Rev B J Kotze, the Rev H J D Brand, the Rev G F Wessels, the Rev O R Olivier, the Rev F D J Basson and the Rev C A Anthonissen.

SA Teachers' Association (Sata) president Mr John Stonier said yesterday that Sata was opposed to detention without trial and particularly concerned about "the fate of the many teachers and minor children held under the wide-ranging legislation in question". — Own Correspondent, Staff Reporter, Sapa-Reuter and UPI.



letters between 10am and noon only at 205 4/22.

*Cape Times 16/4/87*

# Slabbert tells Malan to 'go and suck eggs'

Staff Reporter *114 327*

DR Van Zyl Slabbert has told the Minister of Defence, General Magnus Malan, to "go and suck eggs" because of a statement by General Malan in an Afrikaans morning newspaper alleging that he had attended an ANC meeting in France.

"The fact that I went to Paris this year with a friend to attend the 75th anniversary of the ANC has nothing to do with him," Dr Slabbert said on Tuesday. He said his visit had been made public.

General Malan said in Tuesday's morning newspaper that Dr Van Zyl's presence at this meeting, which was attended by leftists, "makes one wonder about Dr Slabbert's new organization Idasa (Institute for a Democratic Alternative for South Africa) and his connections".

Dr Slabbert, who is the head of Idasa, said that if Gen Malan could prove any links "let him do so publicly".

(Report by A Koopman, 122 St George's Street, Cape Town.)

# Cape Times

THURSDAY, APRIL 16, 1987

## 327 Ban overruled

THE government's attempt to ban the City Hall meeting of the United Democratic Front (dramatically reversed by the Supreme Court at the last minute) was not wholly unexpected, given the increasingly repressive nature of the Botha government, which no longer bothers to pay even lip service to Western values of freedom and freedom of speech.

In seeking to prevent the UDF from holding the meeting, the government added to the level of frustration and resentment in the deprived communities in which the UDF enjoys mass support. By forcing people underground, preventing them from using legitimate channels of public expression, the government is adding to the violence in the country rather than curbing it.

In the event, a full bench of the Cape Supreme Court overturned the ban, and the meeting went ahead. The events of yesterday confirm that an independent judicial voice can, at times, be brought to bear — in spite of the far-reaching nature and harshness of the emergency measures which grip South Africa. There is cause to be proud of this country's judicial tradition.



# Court gives UDF go-ahead

CHC Times  
16/4/87

327



IT'S ON... UDF supporters arrive at the City Hall last night for their meeting after the Supreme Court overturned a ban on it. Picture: OBED ZILWA

By SHAUNA WESTCOTT  
Supreme Court Reporter

THE United Democratic Front regional co-ordinator, Mr Willie Hofmeyr, raced from the Supreme Court yesterday evening after a Full Bench overturned a ban on yesterday's UDF meeting imposed by the Divisional Commissioner of Police.

He had 90 minutes to inform people that the meeting — with Dr Allan Boesak, advocate Mr Dullah Omar, Mrs Helen Joseph and Moulana Faried Essack as speakers — was on.

Brigadier Ronald van der Westhuizen had cited the emergency regulations in banning the meeting just over 24 hours before it was due to start.

He told the court in an affidavit that he had imposed the ban after "properly weighing certain information, circumstances and factors" provided by security police, whose sources included informers "whose identity must remain secret".

## Traffic disruption

Among factors cited by the brigadier was the killing of Mr Moegsien Abrahams near the Westridge Community Hall on May 25 last year, after he left a UDF meeting where it was alleged that he was an informer.

Another factor was the breaking of windows and disruption of traffic by "about 350 youths" in the Main Road in Claremont after a UDF meeting at the Civic Centre on March 11 last year.

The brigadier also said organizers of last night's meeting planned to bus people to the meeting "from residential areas where serious unrest has already occurred in the past".

Appearing for the UDF, Mr Jeremy Gauntlett said the brigadier had failed to show lawful cause for banning the meeting — an unlawful inroad on a fundamental right.

He described the brigadier's affidavit as "bleating" which was "vague and unconvincing".

He also said the brigadier had offered no objective grounds for the validity of his decision that the ban was necessary.

Previous judgments by the Cape Bench had underlined the fact that before an official could come to the conclusion that an action in terms of the emergency regulations was necessary, he had to consider alternatives provided by the ordinary law of the land, Mr Gauntlett said.

This Brigadier Van der Westhuizen had failed to do. An affidavit filed by Mr Hofmeyr, in support of the application, emphasized that a number of UDF meetings held in St George's Cathedral Hall from October last year to this month and attended by between 350 and 600 people had been no threat to public safety.

A supporting affidavit from Black Sash vice-president Mrs Di Bishop said "at no time did I notice any unruly behaviour" at these meetings or at two End Conscription Campaign meetings held in the City Hall.

Mr Hofmeyr accused the divisional commissioner of bad faith and ulterior motives, saying

## Woman dies in shooting

By CHRIS STEYN

A 20-YEAR-OLD Heathfield man yesterday spoke about how his sister died from a bullet wound in the head when a shot was discharged from a firearm.

Miss Avril Martin, 24, was shot while sitting at her boyfriend's feet in the family's Rochester Street home. The bullet entered her head above the right temple, went out through her neck and hit her 17-year-old sister, Lucille, in the right arm.

Avril was taken to Victoria Hospital where she died two hours later.

Mr Edwin Martin said he was in the lounge with his sisters and Avril's boyfriend, Mr Joseph Philander, 19, and a security guard, Mr David Phillips.

"David took his gun out of the holster and put it on the couch where Lucille was sitting before he went to the toilet.

"Lucille picked up the gun (a Llama 45) but Joseph told her to put it down and not play with it as it was loaded.

"He took the gun from her and tried to get the magazine out. But he was struggling, so I got up and told him: 'I will take it out'.

"I took the gun and stood in the middle of the lounge. But while I was busy, a shot went off. I went to call my father, because Avril was lying there," Mr Martin said.

The dead woman's father, Mr Harold Martin, said he was in the bedroom with his wife while the children were in the lounge.

"We heard this bang... and then that stillness. Then we heard Edwin say: 'Mommy, Daddy, come quickly!'

"I found Avril lying on the floor. I was not even aware that Lucille had also been hit," Mr Martin said.

Lucille was admitted to Victoria Hospital and was in a satisfactory condition last night.

A police spokesman said a murder charge was being investigated.

● Frontline abandons sanctions — PAGE 4

● PFP claims lead in NP seats — PAGE 2

● UBS and Volkskas join to form new giant — PAGE 4

## Gold price: Revival hopes strengthen

Financial Editor

GOLD closed higher again in London last night — at \$444.75 an ounce — fuelling a feeling of confidence that South Africa's long recession is over and the boom under way.

And the all-gold index on the Johannesburg Stock Exchange reached a new high of 2 265, before easing to 2 263 towards the close.

Economists said signs that the United States economy was faltering would continue to boost gold on international markets, sending the price higher as investors dumped the weakening dollar, and strengthening the upturn in South Africa.

Businessmen said the rising gold price had supplied the missing factor needed to trigger off a revival of confidence in the economy.

The director of Cape Town Chamber of Commerce, Mr Alan Lighton, said the economy had already started reviving and the higher gold price had given an added boost.

"It was the fillip we needed to get things going," The Old Mutual's chief economist, Mr Rob Lee, said he expected the gold price to go on rising, bringing more foreign investment into South Africa.

"I think there is justification for rising confidence. We are earning more foreign currency and all the other benefits of a higher gold price, including a stronger rand, are coming through."

It looked briefly yesterday as though the gold price would drop back, as it eased on profit taking.

But it revived to close \$3 higher on the day in London and the rand closed firm above \$0.50.



SALE

RICOH  
AF-35

P.T.O



Capt. Tim's 16/4/87

From page 1

the ban was an attempt to "cut off the UDF from its grassroot supporters".

He said it was significant that the brigadier had not seen fit to ban a UDF meeting held in St George's Cathedral hall last month, where Dr Boesak addressed about 600 people on issues substantially the same as those at last night's meeting.

Nor had the brigadier

considered public safety threatened enough to justify a police presence in the vicinity.

"I find it totally inconceivable," said Mr Hofmeyr, "that a meeting of a very similar nature should suddenly constitute such a serious threat to public safety."

The court will give reasons for its order later.

Mr Justice P W E Baker presided with Mr Justice H Berman and Mr Acting Justice J G Foxcroft. Mr Gauntlett was instructed by Malin R. Richman and Closenber. Mr G D Griesel SC, with Mr C Y Louw and instructed by the State Attorney, appeared for the divisional commissioner.



# Ban on UDF meeting overturned by court

CAPE TOWN — A full bench of the Cape Town Supreme Court yesterday evening overturned a ban on last night's United Democratic Front (UDF) meeting which had been imposed by the Divisional Commissioner of Police, Brigadier Ronald van der Westhuizen, last night.

Dr Allan Boesak, advocate Mr Dullah Omar, Mrs Helen Joseph and Mr Mou-lana Faried Essack were advertised as speakers at the meeting in the Cape Town City Hall.

The brigadier cited the emergency regulations in banning the meeting.

He told the court in an affidavit that he had imposed the ban after "properly weighing certain information, circumstances and factors" provided by secur-

ity police whose sources included informers "whose identity must remain secret".

Appearing for the UDF, advocate Mr J. J. Gauntlett, said the brigadier had failed to show lawful cause for banning the meeting.

He described the brigadier's affidavit as "bleating" which was "vague and unconvincing".

He also said the brigadier had offered no objective grounds for the validity of his decision that the ban was necessary.

The court will give reasons for its order later.

Mr Justice P. W. E. Baker presided with Mr Justice H. Berman and Mr Acting Justice J. G. Foxcroft.  
— Sapa

EMERGENCY DETAINEES

# Campaigners unbowed

Ironically, the challenging response from community leaders to the steps taken by government to smother campaigns for the release of detainees could draw even more attention to their plight. The US government and local church leaders among others have vowed to defy Pretoria's ban.

In terms of the sweeping proclamation issued by Police Commissioner General Johan Coetzee on Friday, it is illegal to encourage or incite any member of the public "to participate in any campaign, project or action aimed at accomplishing the release of persons ... detained under Section 28 or 29 of the Internal Security Act ... or Regulation 3 of the security regulations."

Accordingly, it is now illegal to sign, subscribe to or support a petition in which government is called on to release detainees, or which is "intended to be used for purposes" aimed at the release of detainees. It is also now illegal to wear stickers or clothing with slogans calling for detainees' release. Furthermore, it is illegal to advertise a gathering in honour of detainees, or to perform any symbolic token of solidarity with them.

The Detainees' Parents Support Committee (DPSC) says the proclamation stops one step short of banning its activities outright. DPSC's Max Coleman adds the organisation plans to challenge the measures in court.

"We say to him (Coetzee) and the world: we will not abrogate our right to campaign for an end to detentions. This is a most stringent form of thought policing, where the moral conscience of the nation is restricted. In the emergency, 30 000 people have been detained, but the other 30m of us are in chains as surely as they are," says Coleman.

The Anglican and Catholic archbishops of Cape Town, Desmond Tutu and Stephen Naidoo respectively, are already saying they will defy the regulations. Says Naidoo: "The State is trying to take away our right to decide for whom we shall pray. With regard to public prayer, we will not accept it." Prayer, however, may not be affected as Law and Order Minister Adriaan Vlok has stressed the regulation refers strictly to "campaigns."

Wits University law professor Johan van der Vyver calls it a "vile regulation." He contends it will not lead to a decrease in protest, but will aggravate it as people will turn to alternative methods of articulation if they are not allowed to express their concerns freely.

According to DPSC figures, 25 000 people have been detained under emergency regulations since the present State of Emergency was declared in June 1986. A further 5 000 have been detained under other security leg-

islation. Of these, between 5 000 and 8 000 people are still in detention. Coleman says it is impossible to get accurate figures of those still in detention.

The 1985 emergency saw about 11 000 detentions — 8 000 were detained under emergency regulations and 3 000 under other security legislation.

Nationwide unrest, meanwhile, seems to be gaining momentum after a decline in recent months and, judging by Bureau for Information reports, the degree of violence is increasing. Apart from stone throwing and setting vehicles alight in various townships, this month:



Boesak



Perkins

□ A bomb exploded at the Game shopping centre in Newcastle on April 3. A woman sustained a burst eardrum and light head injuries, and a man was slightly wounded in the leg. Twelve vehicles were damaged;

□ On April 7, six-month-old Thamare Mthambeka was burned to death when a group of people set the Mthambeka home on fire in Diepkloof, Soweto;

□ A limpet mine exploded on the railway line between Phomalang and New Canada stations near Soweto on April 8. Mathilda Zindi (14) sustained back and leg injuries;

□ A 22-year-old man was killed and another aged 20 was wounded when a security force member fired his shotgun at about 50 blacks who were throwing stones at him in Katlehong, Germiston on April 9;

□ On April 11 the bureau reported that a Mr Ngozo (26) was "murdered by a mob of black radicals" in Daveyton, near Benoni; and

**The FM brings its readers the most news, comment and interpretation possible under the new regulations restricting publication of certain matters.**

**It does not believe that the restrictions are necessary or in the public interest, but will obey the law.**

□ A policeman was shot dead and another injured when a group of men opened fire on them with AK-47 rifles at Umbumbulu near Amanzimtoti while they were "carrying out investigations" on April 12.

The new US ambassador to SA, Edward Perkins, ditched his low-key political posture this week to state publicly that his government will defy the latest police ban on protests against emergency detentions.

In a statement released in Cape Town, Perkins says the US government has repeatedly deplored detention without trial in SA, particularly that of children, and vows to "continue to use the resources at our command to protest these actions."

He says: "It is sad that a government which claims to uphold the values of human dignity, and which portrays itself as secure and strong, should be so intimidated by the peaceful protestations of its citizens that it declares these protestations to be illegal."

Perkins later joined about 750 people — including other diplomats — at a church service in the city to protest against detentions. The service was addressed by Archbishop Tutu and the NG Sendingkerk Moderator, Allan Boesak, who described the new curbs as "an assault on the word of God."

Boesak told the congregation that the curbs were the "madness" of a government that had lost all hope of legitimacy. He challenged the NG Kerk Moderator, Johan Heyns, to speak out openly against the new restrictions. Tutu pledged to continue with peaceful protests against government curbs.

In a related development, PFP leader Colin Eglin this week wrote to President Botha, urging him to lift the latest curbs which he described as a serious incursion into the electoral process.

## GROUP AREAS

### Backtracking

The constitutional committee of the President's Council has not met to discuss the Group Areas Act since its controversial report into residential apartheid was referred back to it for further investigation last November — before it was made public.

It now seems certain that the report will never be published in its original form. There is also speculation that the composition of the committee will be radically changed after the election.

Seven of the 16 members are standing for election to the House of Assembly. Although no more than four are likely to be successful, it is believed that the new chairman of the



# Judge rules detainee hearing urgent

CARE Tm 18 327

17/4/87

Own Correspondent

DURBAN. — An urgent application by four organizations, attacking the validity of the recent ruling on detainees, was to be seen as a matter of "urgency" which should be heard before the coming House of Assembly elections.

This was said by Mr Justice Leon in the Supreme Court here yesterday following strong opposition by legal counsel for the State President and four others that it was not a matter of urgency.

"I am of the opinion that any attack on the freedom of speech of an individual or an organization is a matter of urgency, especially at a time shortly before an election," the judge said.

An affidavit by the National Co-ordinator for the Release Mandela Campaign, Mr Aubrey Mokoena, also questioned the definition of "subversive statement".

According to the regulations it is a criminal offence to make a "subversive statement" which threatens the safety of the public or the maintenance of public order.

## 'Wrong interpretation'

It has been submitted by counsel for the Release Mandela Campaign, Mr Mokoena, the Detainees' Parents Support Committee and the Black Sash that these sections of the emergency regulations have "no force and effect in law".

Opposing the need for urgency, Mr L J L Visser SC submitted that the urgency of the matter was based upon a wrong interpretation by the applicants.

After being instructed by Mr Justice Leon that the matter must be heard before the election, Mr Visser said there would be "logistical problems" in the gathering of replying affidavits.

The hearing was adjourned till April 28 and the respondents were ordered to file replying affidavits by April 24.

□ Security Council members at the United Nations yesterday called on South Africa to revoke its ban on protests against detention, Sapa-Reuter reports.

□ Detainees: Lawyers speak out — Page 3

# Censorship 'may affect fair trading'

JOHANNESBURG. — South Africa's censorship regulations could hamper fair trading on the country's stock exchange, businessmen said yesterday following a widespread strike at major companies that went unreported by local media.

On Tuesday, several thousand workers staged a one-day strike at food companies in the Transvaal to protest against the detention of eight union officials, according to Mr Peter Wrighton, deputy chairman of Premier Group Holdings Ltd.

But the strike, which was organized by the Food and Allied Workers' Union, was not announced by the companies and news of it leaked out only yesterday.

## Vital interest

Business Day did not report the strike, saying instead in a front-page article that it had been "prevented by government censorship from publishing information of vital interest to investors and shareholders".

Officials of the Johannesburg Stock Exchange (JSE) said yesterday that they were worried at delays in reporting such incidents as Tuesday's strike, because it meant that some people were privy to information that could move the price of shares, and others were not.

"I am very concerned," Mr David Ferguson, vice-chairman of the JSE, told Reuters. "It means that certain people know and some do not."

Business Day said it had been advised by its lawyers that reporting the strike would violate censorship rules.

Other lawyers, however, said the regulations do not prevent reporting

the strike, but it is not permitted to say how successful the strike was.

Censorship has prevented full reporting of a five-week-old strike by some 15 000 public-sector transport workers which has been linked by police to a wave of firebomb attacks on trains in and around Johannesburg this week.

Mr Ferguson said there had been other occasions when potentially market-moving information had not been reported, but he did not know how often.

"It could become more and more serious," he said, adding that while he did not believe that censorship had hampered stock market trading so far, it could do so.

He added: "It actually encourages insider trading."

Premier group's Mr Wrighton said: "A lot more of this sort of thing (industrial action) takes place all the time than is reported in the press."

## Critics' concern

The JSE, which includes listings of a handful of foreign companies, has been booming in recent weeks, mainly due to a surge in the price of gold.

Critics of the censorship regulations have expressed concern that reporting restrictions could erode confidence in the exchange at a time when the country desperately needs new investment, particularly from abroad.

Legal experts were divided on whether the strike could be reported, highlighting the uncertainty and confusion that prevails over the censorship regulations.

On several occasions, Sapa has retracted reports it has issued on the strike, saying it had been told it was not lawful to publish them. — Reuter



children this week. Ginsberg, 11, and Paul Carelse, 14, of the Salesian 0 cheque presented this week to their hostel, the Bruc Association of Child Care Workers by the Homes and

# Judge rules detainee hearing urgent

Own Correspondent

DURBAN. — An urgent application by four organizations, attacking the validity of the recent ruling on detainees, was to be seen as a matter of "urgency" which should be heard before the coming House of Assembly elections.

This was said by Mr Justice Leon in the Supreme Court here yesterday following strong opposition by legal counsel for the State President and four others that it was not a matter of urgency.

"I am of the opinion that any attack on the freedom of speech of an individual or an organization is a matter of urgency, especially at a time shortly before an election," the judge said.

An affidavit by the National Co-ordinator for the Release Mandela Campaign, Mr Aubrey Mokoena, also questioned the definition of "subversive statement".

According to the regulations it is a criminal offence to make a "subversive statement" which threatens the safety of the public or the maintenance of public order.

## 'Wrong interpretation'

It has been submitted by counsel for the Release Mandela Campaign, Mr Mokoena, the Detainees' Parents Support Committee and the Black Sash that these sections of the emergency regulations have "no force and effect in law".

Opposing the need for urgency, Mr L J L Visser SC submitted that the urgency of the matter was based upon a wrong interpretation by the applicants.

After being instructed by Mr Justice Leon that the matter must be heard before the election, Mr Visser said there would be "logistical problems" in the gathering of replying affidavits.

The hearing was adjourned till April 28 and the respondents were ordered to file replying affidavits by April 24.

□ Security Council members at the United Nations yesterday called on South Africa to revoke its ban on protests against detention, Sapa-Reuter reports.

□ Detainees: Lawyers speak out — Page 3

PR  
whi  
slig  
bul  
fiv  
wh  
roc  
of  
ma  
lat  
no  
sp  
the  
att  
id  
as  
Ko  
an  
sl  
cu  
pr  
SE  
sp  
su  
ha

# Assocom: no to censorship

Dispatch Correspondent

JOHANNESBURG — Censorship would not promote business confidence, the Association of Chambers of Commerce of South Africa (Assocom) said in its first-quarter review.

The private enterprise philosophy went much deeper than the freedom to trade in free

markets, it said.

The philosophy also implied the freedom of speech, the freedom of association and free access to information.

"If we are to maintain those freedoms in which we believe, we must take the strongest possible stand against the state being regarded as the prime source of in-

formation and so-called news."

People in business knew that the wider and more diverse their sources of information, the better equipped they were to perform in the market place and a well informed public in turn knew how to exercise their basic right — freedom of choice, the report said.

300  
327  
SD



# New curbs 'assault on liberty'



Edward Perkins

ABOUT 750 people, including American Ambassador Edward Perkins, this week attended a service called in opposition to the recently gazetted curbs on protest over detentions.

The service was addressed by the Anglican Archbishop of Cape Town, Desmond Tutu, and UDF patron Allan Boesak who told listeners – including a strong contingent of foreign television crews – that the regulations were “an assault on the word of God”.

Also present at the service were British, Dutch, French and Norwegian diplomatic representatives, and the PFP MP for Clermont, Jan van Eck.

The new regulations – curbing protest against detentions – put freedom of speech and assembly “in serious jeopardy”, the Perkins said in a statement shortly before the meeting.

The statement was released as he arrived at St George's Cathedral to attend the service.

He said the United States government had repeatedly deplored the jailing of South Africans without charge and without trial.

“We have also specifically expressed our shock and outrage at the continued detention of large numbers of children.

“It is sad,” said Perkins, “that a government which claims to uphold the values of human dignity, and which portrays itself as secure and strong, should be so intimidated by the peaceful protestations of its citizens.

“The new regulations, banning any public appeal for the release of detainees, simply point to the erosion of fundamental liberties in this country.

“Freedom of assembly, the freedom to speak out and the freedom to give and receive information which are deemed vital to the community, are in serious jeopardy,” he said.

# Emergency censors information on JSE-listed companies

FOR the first time since the declaration of the state of emergency last June, this newspaper has been prevented by government censorship from publishing information of vital interest to investors and shareholders of leading companies listed on the Johannesburg Stock Exchange.

The events we are forbidden to report on occurred on Tuesday and are known to some investors, not to others. Accounts of these events have been spreading through the investment community by word of mouth.

The effect of the rumours was to aggravate uncertainty in the marketplace about the security situation and its effects on listed companies. Some brokers in fact attributed the renewed weakness of the financial rand to an ebbing of international confidence after the publication overseas this week of reports about labour unrest and about the latest ban on campaigning against detentions.

Local news coverage of this labour unrest — in particular, the strikes against SA Transport Services and the Post Office — has been inhibited by the emergency regulations but not prevented. It has been possible, within the regulations, to convey at least an outline of strike actions.

Tuesday's events affecting specific companies were separate from this labour unrest, but they are also calculated to affect confidence.

Publication is prevented by emergency regulation 3(1)(d), which forbids any news, comment or advertisement that discloses particulars of the extent to which an action or boycott is successful. Boycott action is defined elsewhere in the regulations as including resistance to

officials, participation in boycott action, and strikes and stay-aways unless they occur in terms of the Labour Relations Act or other labour laws.

Permission to publish the key facts of Tuesday's occurrences was requested last night by telex to government's Inter-departmental Press Liaison Centre (IPLC). Officials said they would consider the request only if they were shown the full report Business Day planned to publish — a demand that was refused on the grounds it went beyond the powers conferred by the emergency regulations

and amounted to extension of censorship beyond the limits of the law.

At that point, the discussions deadlocked and the police spokesman for the IPLC put the telephone down. No reply to the telexed request for permission to publish had been received at the time of going to press. Without that permission, it remains impossible to publish the key facts.

No official announcement about the censored events has been made.

— Editor

See comment Page 8



# Prisons dept will oppose Mandela move

CAPE TIMES 20/4/87 327

JOHANNESBURG. — The Commissioner of Prisons, General W H Willemse, would oppose the attempt to have jailed African National Congress leader Mr Nelson Mandela, who has not been seen or heard in public since 1964, testify in a treason trial.

Yesterday, a prisons spokesman said the department had rejected a subpoena on Saturday calling for Mr Mandela, 68, to give evidence in mitigation of sentence at a trial in Maritzburg.

"The subpoena was irregular and was withdrawn," he said.

However, he said a new attempt would be made tomorrow when lawyers defending nine men convicted of treason planned to seek a court order for Mr Mandela's temporary release from Pollsmoor.

## Rejection

The spokesman said Gen Willemse had made it plain that he planned to fight the court application.

Mr Mandela, president of the outlawed African National Congress, was convicted of sabotage against the State in 1964 and was jailed for life. He has not been photographed or seen in public since then.

His only public statement since 1964 was a message released with government permission in February 1985 rejecting State President P W Botha's offer two weeks earlier of freedom in return for his public rejection of political violence.

Mr Mandela's lawyer, Mr Ismael Ayob, confirmed the move to call him as a defence witness in the trial of nine men convicted of carrying and hiding ANC weapons and of an attack on an Asian leader's home.

Civil-rights lawyers in Johannesburg said they believed this was the first attempt to call Mr Mandela as a trial witness. They said they did not expect the move to succeed.

# Despair Over new emergency law

157X  
27X  
20/4/87

Die Burger, which has often wrung its hands over the embarrassments caused by emergency legislation, has returned to the charge in a comment on the new regulations that forbid concerted action on the release of detainees.

It was a pity, said Die Burger, that the regulations were so worded that they "gave some people the opportunity to sow doubts about what activities are permissible and what forbidden".

"Clearly defined emergency regulations, accompanied by a thorough explanation of the need for them, would help greatly to eliminate misunderstandings."

Whatever the merits of the new extended regulations, Die Burger said, they should remain in force no longer than really essential. Regulations that could be used as propaganda against South Africa, both internally and externally, must not be-

come a permanent characteristic of South African society.

★ ★ ★

Meanwhile, if a report in Die Volksblad is to be believed, the wording of the regulations imposing restrictions on funerals resulting from unrest could mean that black policemen will have to be denied the customary funeral honours.

In the opinion of a legal authority, says Die Volksblad, the regulations clearly imply that where a black policeman was killed in suppressing unrest, it would be illegal, for instance, to drape his coffin with the South African flag. This is because "no flags, banners etc" may be displayed at such funerals.

This would not apply to white policemen, because they do not live in the "specified" areas (black townships) to which the regulations apply.

It is also illegal for

two or more "specified persons" to be buried on the same occasion, for a memorial service to be held in the open air, for a coffin to be carried on foot to the graveside or for anyone other than an ordained minister of religion to speak at the funeral.

★ ★ ★

The election is casting the usual strange side-lights on white South African politics in action.

In what Rapport calls the "Western Transvaal civil war — against brother brother", even the shops in towns like Lichtenburg and Ottosdal are being classified politically, with such descriptions as a "CP cafe" or an "NP chemist".

The predators, too, are carefully watched to see whom they visit and what meetings they attend.

According to Die Volksblad, some Free State supporters of the far-right parties have rejected the new Afri-

## NADERE KENNIS

A weekly review of the Afrikaans Press

by

JAMES

McCLURG



kaans version of the Bible as "politically inspired" and "commissioned by the government".

Suspicion has fallen on the translation mainly because in places the words "right" and "left" have been eliminated by the translators. For instance, a sentence in Ecclesiastes: "A wise man's heart is at his right hand, but a fool's heart at his left," has been retranslated, without the words "right" and "left".

Political trickery is also detected in the

over the celebration later this year of the 150th anniversary of the Great Trek. The Cultural Council is establishment oriented, while the Volkswag has strong connections with the far right.

The Volkswag, led by Professor Carel Boshoff, has declined to join in the celebrations planned by the Council and will go it alone.

No doubt sensing that the static ceremonies envisaged by the Council will seem tame in comparison with the renowned symbolic trek of 1938, the Volkswag will send five ox-wagons "from town to town through the country".

According to Beeld, many occasions, especially those on the two big days, October 10 and December 16, are bound to clash.

In an editorial, Beeld condemned the Volkswag for "dividing the Afrikaner".

Danile ★ ★ ★ Francois

Malan, Doctor of Divinity, art thou sleeping there below?

According to Rapport, at least two NP candidates in the election, Mr Leon de Beer (Hillbrow) and Mr Hein Kruger (Yeoville), have assured representatives of the "gay vote" that they are in favour of a better deal for homosexuals.

Rapport pointed out that this is the first South African election in which the issue of "gay rights" has played a part — and one which

may be decisive in some constituencies.

Mr Pitk Botha, Minister of Foreign Affairs and MP for Westdene, is reported to have been peppered with questions on the subject when speaking in Jeppe. Apparently what Rapport called "the normally loquacious minister" had to admit that he knew little of homosexual matters, but undertook to have a discussion with one of his questioners after the meeting.

## Sayings of the week

● In a white state, the army must consist only of whites. The Roman Empire began to decline when it started using more and more foreigners in its armies and fewer of its own people. — *Dr Andries Treurnicht, reported in Beeld.*

● After the departure of the editor of Fair Lady — and in a Worrallwind, what's more — the current joke in the Cape is that editors will have to watch their step in the election, otherwise they may find themselves independent. — *Rapport columnist Pollux.*

● Just as there cannot be room for two parties on the far right, the PFP and a "Worrall party" will not be able to exist side by side. — *Debate, political commentator of the Nasionale group.*



# Boesak defies government with follow-up campaign

Dispatch Correspondent

CAPE TOWN — Dr Allan Boesak has begun a follow-up campaign in defiance of the recently-imposed ban on calls for the release of political detainees with the distribution of thousands of car stickers and posters.

Dr Boesak said that the inter-denominational protest service in St George's Cathedral last week was not enough to make the government fully aware of the churches' attitude towards this latest emergency regulation.

The stickers and posters quote from Hebrews



DR BOESAK

13.3: "Remember those who are in prison as if you are with them, and those who are being tortured as if you share

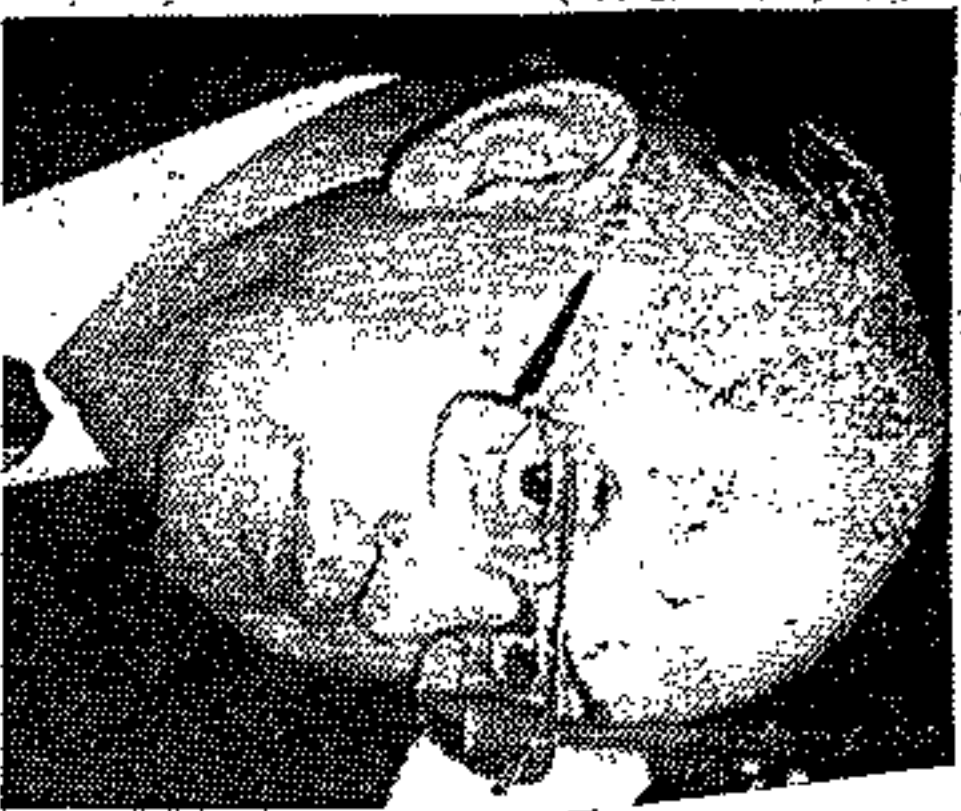
their body." DD

"Members of my congregation took them and put them on their cars, Bibles and in their homes," Dr Boesak said. "We are not just defying the law. As Christians we have no other option".

The Anglican Archbishop of Cape Town, the Most Reverend Desmond Tutu, said that he is "fully in support of the campaign".

The stickers and posters are also being handed out by the Cape Town office of the Church of the Province of South Africa.

PFP



Mr Botha

# seeks court order against campaigns ban

Mr Botha

By SHAUNA WESTCOTT  
Supreme Court Reporter

THE Progressive Federal Party has launched a Supreme Court application for an order overturning the Commissioner of Police's latest "notice" banning campaigns for the release of detainees.

President P W Botha and the commissioner have until today to file replying affidavits and the case is scheduled for trial on Friday, according to legal sources.

An affidavit filed in support of the application by Mr Ken Andrew, MP for Gardens and chairman of the PFP federal executive, argues

that both the President and the commissioner have acted beyond their legitimate power.

The President acted *ultra vires* on December 11 last year, Mr Andrew says, by defining as a "subversive statement" one which encourages or incites people to commit an act identified by the commissioner as threatening public safety or order.

This amounted to delegating the power to make regulations to the commissioner, a power clearly vested only in the President.

Thus, the commissioner's notice of April 10 identifying campaigns for the release of detainees as in-

imical to public safety and order was also *ultra vires*.

Even if it were found that the President did not act *ultra vires*, the commissioner certainly did, Mr Andrew says, because his "notice" is grossly unreasonable, arbitrary, capricious, vague and influenced by irrelevant considerations.

The commissioner clearly could not have applied his mind to the "notice" as a statement he himself issued on April 13, purporting to clarify the "notice", demonstrates.

Mr Andrew says none of the acts prohibited by the "notice" — which

include signing petitions, wearing clothes or exhibiting stickers or posters protesting against detention and performing "any act as a symbolic token of solidarity with or in honour of" detainees — could be regarded as threatening public safety or order.

"On the contrary, the safety of those members of the public who are in detention is enhanced by the publicity given to their plight and pressure for the early termination of the state of emergency is increased thereby," Mr Andrew says.

A supporting affidavit filed by attorney Ms Sarah Christie says she

and two other Black Sash members standing in protest on April 16 with posters saying "Why can't we call for the release of detainees?" were taken to Wynberg police station by policemen who said they had orders to confiscate all the posters.

A police officer there told her the poster was "illegal in terms of the regulations" and one Constable Van Niekerk said she could go but added: "I am warning you, it is in my book that I have warned you."

She asked what she was being warned about but he replied only "I've got it in my book."



EMERGENCY UPDATE

11645 22/4/87  
**Man burnt  
to death  
in unrest**

The Argus Correspondent

DURBAN.— A man has been burnt to death, two buses set alight and several buses stoned in Natal.

In Soweto police used sjamboks and teargas to disperse mourners at the funeral of two African National Congress men yesterday.

A spokesman for the Bureau for Information in Pretoria said an unidentified black man died in Chesterville after he was doused in petrol and set alight.

Two men were arrested.

In the Njwisa Reserve, near Botha's Hill, seven buses were stoned and two were destroyed after being set alight. Damage is estimated at R200 000. Police arrested two men.

In Ashtown, near Maritzburg, about 60 people stoned three homes. One man was seriously injured. The motive for the attack is unknown.

**SJAMBOKS AT FUNERAL**

In Soweto police used teargas and sjamboks at the funeral of brothers Mr Phillip Mpogi Matabane, 32, and Mr Andrew Modise Matabane, 27, who were killed in a shoot-out with police at Psing township near Ventersdorp two weeks ago.

Constable P J H Boshoff was also killed.

Police said there were no injuries or arrests at the funeral and added that action was taken because the funeral was "not held according to restrictions placed on it".

● Mayfair bomb blast

— Page 2.

# Mourners barred

ABOUT 300 mourners in trucks, a bus and private cars were yesterday barred from entering the Avalon Cemetery in Soweto during the burial of two alleged African National Congress guerrillas.

Those buried were brothers, Mr Phillip Mpogi Matabane and Mr Andrew Modise Matabane of Emdeni South in Soweto. They died in a gunfight with the security police in Ventersdorp two weeks ago.

One of the white policemen who tracked them down died of gunshot wounds in hospital days after the incident.

The funeral was attended by more than 1 000 people, including Mrs Winnie Mandela, the wife of the jailed ANC leader, Nelson Mandela, and officials of the Release Mandela



MR DAVID Leeuw... spokesman for Matabane family.

Committee, Mr Aubrey Mokoena and Mr Seth Mazibuko.

Mrs Mandela drove a kombi which ferried youths, members of the Mandela United Football Club. She laid wreaths at the cemetery, although she was stopped halfway by the police. She protested strongly against the action.

The funeral was disrupted several times

as the police insisted on compliance with the restrictions served on the family by Brigadier A P van Zyl of Protea Police Station in Soweto.

The church service at the Roman Catholic Church in Emdeni was abandoned as the Reverend Buti Tlhagale, who was presiding, was told it was illegal.

A family spokesman, Mr David Leeuw said the police commanding officer in charge informed them twice that the family would be charged under emergency regulations for violating the restrictions. An official of the Soweto Riot Unit in Protea yesterday said although the family was warned that it would be charged if it violated the restrictions "no such charges were to be pressed" against the family.

Soweto

~~327~~

327

22/4/87



# 'NO' TO Soweto 22/4/87 DEMAND

UNITED NATIONS — South African Foreign Minister Roelof (Pik) Botha has rejected a Security Council statement calling for the withdrawal of the South African Government decree banning protests against detention without trial.

"The South African Government rejects the standpoint contained in that statement," Botha said in a letter to council president Boris Tsvetkov of Bulgaria circulated here yesterday.

The council statement, issued last Thursday, said the South African decree was contrary to fundamental human rights and could only aggravate the situation further. The root cause of the situation in that country was the system of apartheid, it added.

## Democracy

In his letter, Botha said: "The Security Council . . . knows very well that the African National Congress and its fellow travellers want to gain power in South Africa through violence and

death. The African National Congress and its front organisations in the Republic of South Africa do not care in the least for democracy or fundamental human rights."

Referring to the practise by some demonstrators of killing opponents by placing burning tyres around their necks, the Minister stated: "It is for you and for other member states of the United Nations to indicate clearly whether they approve of necklace murders or not."

## Unacceptable

"It is unacceptable to the South African Government that the African National Congress should be permitted to get away with murder while no stone is left unturned to criticise the South African Government whenever steps are taken to protect South Africans against violence."

He said no-one in South Africa who differed from the Government "in a normal civilised manner . . ." could feel inhibited by the restrictions.

CAP Tivits 23/4/7

# Terrorism lawyers to see Mandela

Own Correspondent

MARITZBURG. — Members of the defence team in the trial of nine Durban men convicted of terrorism in the College Road Supreme Court here last week are to visit jailed ANC leader Mr Nelson Mandela at Pollsmoor Prison today.

An urgent application in the Supreme Court here yesterday to subpoena Mr Mandela to testify in mitigation of sentence at the trial, was adjourned while the defence renewed their application for permission to consult with Mr Mandela at the prison.

Mr Justice Thirion said that if the defence were able to see Mr Mandela it might be possible to arrange for his evidence to be taken on affidavit.

Earlier Mr Alan Magid, SC, for the defence, told the court that the defence team had been refused permission by the Commissioner of Prisons to consult with Mr Mandela. He said this was in spite of an undertaking by the defence to drop the application should Mr Mandela not wish to give evidence.

Last night a spokesman for the instructing attorneys confirmed that permission had been granted for members of the defence to interview Mr Mandela at Pollsmoor today.

Yesterday's application was brought by Sibusiso Robert Ndlanzi, one of nine men found guilty on various charges under the Terrorism Act. The respondents are the Commissioner of Prisons and the Attorney-General of Natal.

In papers before the court Ndlanzi said he believed the founders of the

military wing of the ANC — Umkhonto we Sizwe — of which Mr Mandela is one, had been moved by motives similar to his own. He believed his own conduct was in accordance with the activities envisaged by the founders of Umkhonto we Sizwe.

Ndlanzi said he believed Mr Mandela could convince the court that it was not unreasonable for citizens of South Africa who were not white to believe as a fact that no non-violent options remained open to them.

The application was opposed by the State on the grounds that if Mr Mandela were to be brought to Maritzburg to testify he would pose a threat to public safety and order.

The Commissioner of Prisons, Mr Willem Hendrik Willemsse, said in an affidavit that a court appearance would give Mr Mandela a platform from which he could propagate his views and justify violence and acts of terror. He said there were other expert witnesses available who would be able to give similar evidence to that of Mr Mandela.

Mr Magid said the defence believed Mr Mandela would be able to give a factual account of the circumstances leading to the formation of Umkhonto we Sizwe, the motives of those involved and representations made to the SA government by the ANC. He submitted this evidence was relevant in that it might explain the motives of his clients.

Mr Mandela, the first "Commander-in-Chief" of Umkhonto we Sizwe, was sentenced to life imprisonment on June 12, 1964.





**POLICE ALERT** ... A strong police presence was evident at Langlaagte station, near Johannesburg, on Tuesday — the day SATS issued a final ultimatum to its 18 000 striking railworkers.



**THE AFTERMATH** ... Police patrol Doornfontein station — where three workers were killed and two policemen were injured in clashes earlier yesterday. Pictures: DANIEL SIMON

## 6 men killed, 16 000 strikers fired

# Reef violence

**JOHANNESBURG.** — In a day of street battles and heightened tension, six people believed to be SATS strikers were killed in police shootings, 16 000 strikers were dismissed by SATS and thousands of Soweto residents stayed away from work.

In addition, police entered Cosatu House in Johannesburg late yesterday, after laying siege to it for much of the afternoon, and a large number of unionists were arrested.

The first deaths of the day occurred about 11am at the South African Railways and Harbours Workers' Union (Sarhuw) office

in Germiston. According to the police, a meeting failed to disperse after warnings, the crowd became aggressive and police were "forced to shoot" when they were attacked.

Three unionists were killed and one was injured, and four policemen were injured.

However, according to an attorney representing Cosatu, police opened fire without warning on a meeting which was discussing the SATS ultimatum to strikers. He did not explain injuries to the police.

About 1pm another three people were killed, apparently during a march from Cosatu House to the nearby Doornfontein station. According to the Bureau for Information, a group again failed to disperse after a

"peaceful" police warning. Tearsmoke was used in an attempt to disperse them. It was then that they turned on the police and attacked them with stones and knives."

Authorities have barred newspapers from publishing a number of witnesses' accounts of the shootings.

Soon after the Doornfontein shootings a large contingent of police surrounded Cosatu House, and later arrested an unspecified but large number of the occupants who had been prevented from leaving the building for at least four hours.

The Cape Times correspondent and his photographer at the scene were held for some time

To page 2

## Stayaway in Soweto

SOWETO has again come under siege following a massive stayaway from work by thousands of its residents in protest against rent boycott evictions yesterday.

The township exploded into another wave of violence resulting in the stoning of cars and residents marching to the council chambers to demand an end to evictions.

Johannesburg was half-empty and the usual bee-hive activity at some taxi ranks in the city seemed like a thing of the past.

All Putco buses were withdrawn from Soweto by 9am when the extent of the stayaway and unrest became appar-

ent, company spokesman Mr Robin Duff said.

The stay-home was apparently a response to an anonymous pamphlet distributed by the thousands in the township on Tuesday afternoon and evening.

Emergency regulations prohibit reporting on the main call made to residents in the pamphlet, which links yesterday's events to recent evictions of Sowetans for non-payment of rent.

The pamphlet urged that rent evictions be halted, title deeds to homes be handed over to tenants, the state of emergency be lifted, troops and vigilantes be withdrawn. — Sapa

and released. They were not permitted to report what they saw.

Cosatu attorneys planned to make an urgent application to the Rand Supreme Court today for an order restraining the police from using excessive force. However, the plan was abandoned when a senior police officer gave an undertaking that no unlawful acts would be committed against workers.

Earlier in the day, SATS management began the process of dismissing 16 000 strikers who had failed to heed an ultimatum to end their six-week strike. About 2 000 have returned since Tuesday.

The SATS general manager, Mr Bart Grové, said last night that dismissed workers would be able to apply for re-employment, provided they did so within about two days.

While union membership would not be taken into account in considering applications, those guilty of intimidation during the strike would definitely not be rehired, he said.

Selection criteria would include knowledge, reliability, attendance before the strike and general ability, he added.

The FCI president, Mr Hugo Snyckers, yesterday expressed concern that the strike had not been satisfactorily settled, "especially in the context of the currently unresolved post office strike and escalating tension and violence in the townships".

He called on the parties "to exercise restraint and caution in attempting to restore industrial relations and civil order". — Own Correspondent and Sapa



ARGUS 24/4/87

# Detainees ban: Court postpones PFP's case

Supreme Court Reporter

THE Progressive Federal Party alleges that the ban on campaigning for the release of detainees is invalid because President P W Botha and the Commissioner of Police, General Johan Coetzee, acted beyond their powers.

When the PFP applied to the Supreme Court for the ban to be set aside today, the respondents, President Botha and General Coetzee, filed 350 pages of responding affidavits.

Mr Acting Justice Hodes said a Full Bench would have been available to hear the application on Monday, but the matter was clearly not ready to be heard. The hearing was postponed to a date to be decided by the parties.

## DELEGATED POWER

In an affidavit, Mr Ken Andrew, MP for Gardens and chairman of the PFP Federal Executive, said Mr Botha acted ultra vires (beyond his powers) when he defined as "subversive" a statement which encouraged or incited people to commit an act identified by the Commissioner as threatening public safety or order, in a notice of December 11 1986.

Mr Andrew said this effectively delegated the power of making regulations, a power vested only in the President, to the Commissioner.

Therefore the April 10 notice in which the Commissioner said campaigns for the release of detainees were subversive was also ultra vires.

The Commissioner had been vague and influenced by irrelevant considerations, he said.

None of the acts prohibited by the notice threatened public safety or order. On the contrary, the safety of detainees was enhanced by publicity of their plight.



# State adamant: No detention protest

FACED with continuing challenges to the new restrictions on anti-detention protest, the state remains adamant the curbs are here to stay.

A call by the United Nations Security Council for the restrictions to be withdrawn was this week brusquely rejected by the Minister of Foreign Affairs Pik Botha.

He said the new restrictions would not inhibit anyone who differed from the Government "in a normal civilised manner", and added the curbs were necessary to combat violence.

Unconvinced by these and other

explanations, a number of extra-parliamentary groupings have already launched an urgent Supreme Court application in Durban challenging the validity of the restrictions.

Brought by the Release Mandela Committee, RMC official Aubrey Mokoena, the Detainees Parents' Support Committee, the Durban Detainees' Support Committee and the Black Sash, the case will be argued

WEEKLY MAIL REPORTER, Durban

before Judge Ray Leon on April 28.

The applicants have brought the challenge against the State President, the Government of the Republic of South Africa, the Ministers of Law and Order and of Justice and the Commissioner of Police.

During the first hearing last Thursday, counsel for the State

President argued the matter should not go ahead. He said the application was based on a misunderstanding of the regulations. If the true meaning were known, the urgency would fall away.

Leon rejected this argument, commenting: "If you attack freedom of speech is it not always an urgent matter, and does it not become more urgent when there is an election

pending and people are prevented from exercising their normal rights?" He ruled that the matter would go ahead and that it must be heard before the election.

The applicants are challenging both the validity of the new regulations and the right of the Commissioner of Police to issue such regulations. He was granted these rights in Emergency regulations promulgated last December.

Setting out the grounds of their challenge in court papers, the applicants said that in the December regulations the State President had "simply surrendered" (to the commissioner) what were legislative powers given to him by parliament without giving guidelines as to how far the commissioner could go.

They referred to the statement issued by the commissioner three days after he introduced the recent regulations, clarifying the "intention" of the restrictions. They said their claim that the new restrictions were void for vagueness was borne out by the commissioner's statement. It also showed the regulation was wider than was needed, even in the commissioner's own judgment. "For this reason alone it is ultra vires," they argued.

The organisations added they would be, and already were, affected in their ability to canvass their position, critical of the government's policy on detention, because of the new regulations.

A similar challenge to the regulations has been prepared by the Progressive Federal Party and is expected to come to court on Friday.

The government's determination not to scrap the restrictions has continued to anger the churches. Their lawyers advise them that regardless of official assurances about the commissioner's intention, the wording of the curbs plainly does affect praying for detainees' release.

On Good Friday over 600 people progressed through the streets of central Durban as part of a dawn service to pray for all detainees — especially the children.

The procession was led by more than 100 clergy — including three bishops — student ministers and nuns. The clergy and relatives of detainees carried one-metre high crosses, symbolising young Durban detainees.

Referring to the restrictions which bar "symbolic actions" and "any call" to have detainees released, former Anglican Archbishop of Cape Town, Bishop Philip Russell said the church had always prayed for those detained and would continue to do so.

A number of other prominent church leaders have also made clear their opposition to the curbs, stressing they would ignore them.

Among these are Archbishop Desmond Tutu and Rev Allan Boesak who have begun to distribute bumper stickers calling for solidarity with detainees. Six Cape Nederlandse Gereformeerde Kerk (NGK) ministers have expressed their "shock and concern" at the new curbs saying they "attack the very heart of the Christian faith as well as the content of the Reform Articles of Faith. (The restrictions) prevent Christians from obeying the message of the Bible."



CAP-Times 24/4/87

# Chaos at Cosatu House

KEITH  
254  
327

Own Correspondent

JOHANNESBURG. — Cosatu House, the scene of Wednesday's siege and police search operation, yesterday morning looked as if it had been swept by a whirlwind.

Scores of doors had been smashed open, cupboards ransacked, telephone wires cut in some offices, documents strewn around offices and thrown out of windows, and briefcases ripped open.

The third and fourth floors, occupied by the National Union of Mineworkers (NUM) and the Commercial, Catering and Allied Workers' Union respectively, appeared hardest hit.

An SAP spokesman said he was not prepared to comment on the damage.



Two railway workers share half a loaf of bread in the wreckage of the union offices in Germiston after police stormed the building and broke up a union meeting. One worker was shot dead.

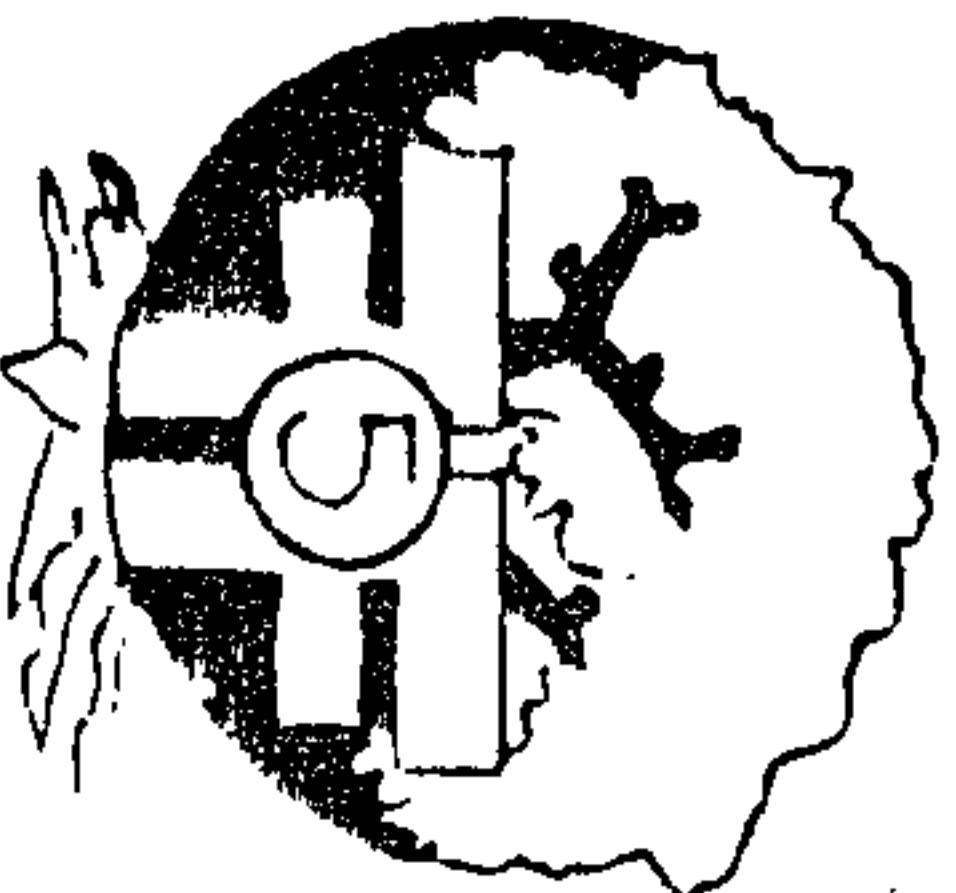
Picture: REUTER



*"Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech."*  
— Benjamin Franklin.

The freedom of expression is probably the most vital ingredient of democratic government. Fifty years ago the eminent American judge, Benjamin Cardozo, observed that freedom of thought and speech "is the matrix, the indispensable condition, of nearly every other form of freedom".

That "indispensable condition" has been systematically eroded from South African life. South Africa has become a society devastated by a pervasive system of censorship. Censorship, in this sense, cuts far deeper than the mere banning of



books and films. It manifests itself in insidious and often unseen ways, in the compilation of school curricula, in the selection of news by the media and in a network of legal and extra-legal constraints which ensure that certain facts and opinions are never published or ventilated.

Broadly viewed, therefore, censorship serves to filter out certain ideas as a means of controlling and suppressing the articulation of opposition to a particular political, social and economic dispensation.

By and large, white South Africans have become complacent about censorship. Perhaps the ignorance induced by censorship has operated to shield the white community from many of the unpleasant

# Censorship manifests itself in insidious ways

ant realities of life in South Africa. It is simply more comfortable to turn a blind eye to the inequalities and injustices inherent in our society and to pretend that they do not exist. Censorship, however, obscures the reality; it does not remove it.

Perhaps the greatest evil of censorship is that it precludes rational decision making on questions of vital importance. An individual who is deliberately kept ignorant of events and opinions and who is forced to rely upon "official" or "authorised" news can never discover the truth and can never exercise an informed judgment.

There is another important value in free expression, particularly in a society divided by conflict. It was expressed by Thomas Emerson of Yale University thus:

"Freedom of expression is a method of achieving a more adaptable and hence a more stable community, of maintaining the precarious balance between healthy cleavage and necessary consensus. This follows because suppression of discussion makes a rational judgment impossible, substituting force for reason; because suppression promotes inflexibility and stultification, preventing society from adjusting to changing circumstances or developing new ideas; and because suppression conceals the real problems confronting a society."

White South Africans are soon to vote in a general election. It will be the first election during emergency rule. Voters will go to the polls in ignorance — ignorant of the conduct and activities of the security forces

The Five Freedoms Forum is an alliance of organisations working for a South Africa which guarantees freedom from want, freedom from fear, freedom of speech and association, freedom of conscience and freedom from discrimination. Gilbert Marcus writes the latest in a series of articles highlighting these freedoms.

in the townships, ignorant of the nature, extent and standpoint of extra-parliamentary opposition and generally ignorant of the root causes of the unrest.

This ignorance is compounded by restrictions on the freedom of association, generally regarded as a crucial adjunct to the freedom of expression. The nature of the divisions in society created by the system of race classification and group areas has forced black and white people to live in worlds apart. What little interaction takes place is usually at the workplace and consequent upon the position of subervience arising out of a master-servant relationship.

Whites therefore tend to be ill-informed about black opinion and black aspirations for a different society. At a political level, the banning of individuals and organisations and the outlawing of "statutory" communism (defined to bear little resemblance to the political ideology of communism) means that vast areas of political thought and activity are out of bounds.

The precious right to peacefully assemble in protest has been emasculated for more than a decade. Since 1976, there has been a nation-

wide prohibition on outdoor gatherings. More recently, under emergency rule, many organisations have been prevented from holding even indoor gatherings.

It may be argued that these restrictions are all imposed in the national interest. That is a claim which must be viewed with scepticism. All too often restrictions imposed in the name of "State security" have been invoked as a justification for the suppression of opposition. In the words of Emerson, "when national security claims are advanced there may well be a confusion of the interests of the administration in power with the interests of the nation".

It is doubtful that draconian restrictions on the freedom of speech and association will ultimately be conducive to lasting peace and good order. The opposite may well be true. As the avenues of peaceful protest, whether by word or deed, are cut off, the danger increases that opposition will find violent expression.

● Gilbert Marcus is senior research officer, Centre for Applied Legal Studies, University of the Witwatersrand.

CAP T 12/15 25/4/87

# Second Cosatu application filed

327 Own Correspondent 17/11/87

JOHANNESBURG. — Cosatu yesterday filed another urgent application against the Minister of Law and Order in the Rand Supreme Court asking that police be prevented from committing unlawful acts on it and its affiliates.

The application will be heard on Tuesday.

Sapa reports that in the Rand Supreme Court on Thursday, an affidavit noted that a senior police officer was overheard planning "what the story would be" after three people died in a police attack on railway strikers in Germiston on Wednesday.

Reading his affidavit, Mr Jay Naidoo, Cosatu's general secretary, said the police committed unprovoked and vicious assaults on strikers who had been holding a peaceful meeting. At least one unarmed person was shot while running away, he said.

He said a Metal and Allied Workers' Union official, Mr Ben Petersen, overheard a conversation between a SADF officer and a person believed to be a senior officer of the SAP.

The SADF officer reportedly said: "What will the story be?". The SAP officer replied: "Let us put it this way. There was a riotous meeting in the street. This is unlawful because of the state of emergency. We had to take action when they got out of control".

The police deny the allegations and say they will present replying affidavits on Monday.



**ANDY'S** MAN'S SHOP  
282/4 VICTORIA ROAD, WOODSTOCK. Ph 47 4313

# BIG MEN

WE HAVE A HUGE VARIETY OF CLOTHING TO FIT YOU  
(INCL EXTRA-LONG ARM AND LEG LENGTHS)

# Cape Times

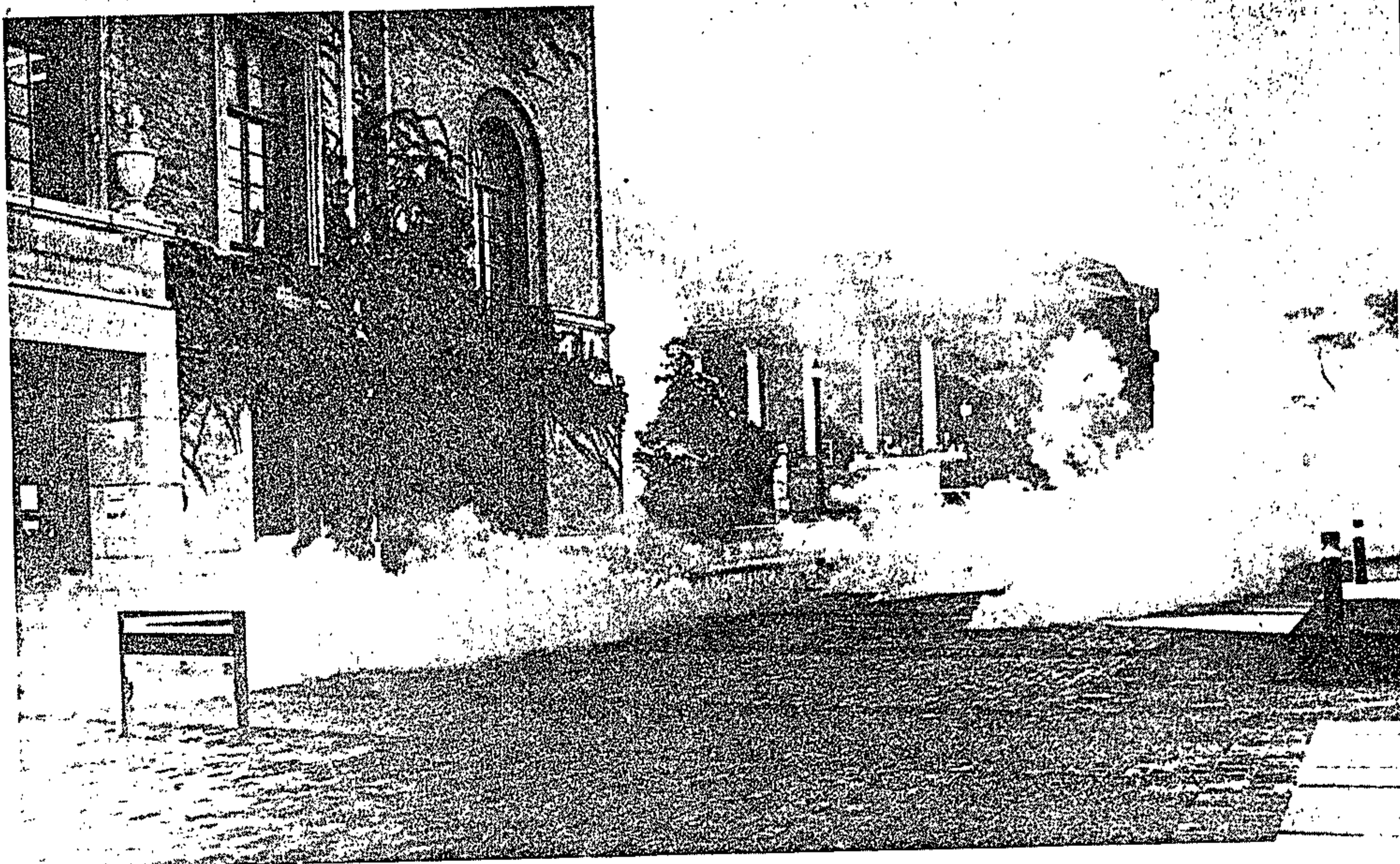
Top of the Times & Hon

FOUNDED 1876

☎ 208-4911

SATURDAY, APRIL 25, 1987

## Clashes on campus



Yesterday afternoon at UCT ...

Cape Times 25/4/87

327

Staff Reporter

LARGE parts of the University of Cape Town campus were at times uninhabitable yesterday afternoon and some lectures were disrupted as a result of actions by certain people which may not be reported in terms of state-of-emergency press censorship.

South African Breweries suffered a R120 000 loss when the cab of one of their vehicles was burnt out on the upper campus in the wake of a students' protest march over the deaths of six railway workers and the dismissal of 16 000 others.

The government censorship agency, the Interdepartmental Press Liaison Centre, last night refused the Cape Times permission to publish the full facts concerning the day's events at UCT. They also refused the newspaper permission to publish three photographs taken during the afternoon, including one of the burnt-out vehicle.

A four-hour confrontation between the people who may not be identified and about 150 to 200 students followed a lunchtime meeting attended by about 700 students called to protest the deaths and firing of SA Railways and Harbours Workers' Union (SARHWU) strikers on Wednesday.

As a result of the presence of several vehicles which may not be identified on De Waal Drive, a severe traffic jam several kilometers long developed on the highway and on Eastern Boulevard at rush hour.

The lunchtime meeting was addressed by SRC president Ms Carla Sutherland and a member of SARHWU from the Transvaal, identified only as "Comrade Jeffrey".

Ms Sutherland read out a statement by the black staff of UCT in which the action against SA Transport Services (SATS) workers on Wednesday and Thursday was condemned "in the strongest possible terms".

"We affirm the right of all workers to take part in labour action. We view the slaying of six comrades, the arrest of many more and the arbitrary dismissal of 16 000 workers as an attack on all workers."

The SATS workers and others "are dying because they have the courage to stand up and fight for their rights against a brutal regime which has nothing to offer the people of this country other than violence and repression".

P.T.O.

To page 2

## Bid to arrest Sarwhu man on Matie campus

Staff Reporter

STELLENBOSCH. — A man claiming to be a security policeman yesterday tried to arrest a SA Railways and Harbours Workers Union (Sarwhu) shop steward at an open-air meeting at the University of Stellenbosch, but was thwarted by students.

The shop steward, Mr Morris Mdou, was approached by the man — later identified as a Mr Deon Goosen — after addressing about 200 students about the South African Transport Services (SATS) strike and the sacking of 16 000 workers this week.

The meeting was called by Nusas and the Black Students Organization of Stellenbosch as part of the Nusas one-person-one-vote campaign.

Mr Mdou was asked by the man to accompany him, but about 10 students surrounded the man and demanded to see Mr Goosen's police ID card, witnesses said.

Mr Goosen told the students that it was "none of your business".

A scuffle broke out in which Mr Goosen landed on the ground and students led Mr Mdou away.

Mr Goosen then showed the group of students a police ID card and followed Mr Mdou.

A second scuffle between the students and Mr Goosen, who was assisted by the Afrikaner Weerstandsbeweging student branch chairman, Mr Dawid Walters, broke out in the art faculty building.

This gave Mr Mdou a chance to leave the campus in a car.



AM 10/1/77  
25/4/87 327  
From page 1

"Comrade Jeffrey" said he had come to the Western Cape to explain to SARHWU workers here what was happening in the Transvaal.

"What has happened may be shocking to you, but we are used to being shot at and killed by these people — the whites who work with us always carry their guns with them. They have shot at us and called us kaffirs in the past.

"Where we live is like a stable and the food we eat like animals' food. That's why we formed this union against these racist forces. We met on March 8 and decided we did not want to hear or see the evils of the bosses any more. We decided that if any workers were dismissed illegally or acted against in any way we would down tools.

"On March 12 they dismissed our brother so we downed tools," he said.

"No workers are more exploited in SA than railway workers. We will go back to our work places no matter the consequences; we will fight the struggle until the end."

After songs were sung, the students moved down to the verge of De Waal Drive where chanting continued. Several motorists shouted support and some blew their hooters. Projectiles were hurled at the vehicles which may not be identified in terms of the emergency regulations. No one was injured and no damage was done.

Later, sections of the campus became uninhabitable due to the spread of a chemical substance and the students retreated to Ring Road on the campus.

After a 45-minute

stand-off, the people who may not be identified moved up to the main campus and a call was made by these people for the students to disperse and return to their normal activities.

With students fleeing in all directions, the people who may not be identified took certain action and some projectiles shattered windows in the Robert Leslie Building.

About 4pm, the skirmishers moved back to the Sports Centre where another stand-off ensued and later the last of the students dispersed after certain people left the campus.

Dr Stuart Saunders, vice chancellor of UCT, said last night he had been out of town and he had only known that a lunchtime meeting had been held.

"As I understand it, a group of 100 to 150 students went down to the brink of De Waal Drive. I don't know if only students were involved, but I believe some stones were thrown. No one was arrested and no injuries were reported."

"I deplore the throwing of stones and any other violence," he said. However, he could not comment on certain actions which may not be reported, "as this is the first I have heard about that".

Commenting on the afternoon's events, Ms Sutherland said the meeting had been called "because students were really angry and because they wanted to focus attention on this week's events and to show solidarity with those affected".

She said the need for discipline had been emphasized during the meeting. While certain events had subsequently taken place, these actions had not been planned, were not supported by her and were prompted by people who may not be identified in terms of the emergency regulations.



# Court sets aside key media clamps

Cape Times 25/4/87 377

MARITZBURG. — Key sections of the emergency regulations relating to news coverage of security action were declared invalid in the Supreme Court yesterday.

The State has, however, lodged an application for leave to appeal against the judgment of Mr Justice Galgut and Mr Justice Page. There is confusion in legal circles whether this means the effect of the order is stayed till the application has been finalized.

In a 116-page reserved judgment handed down yesterday, the court ruled that several sections of the regulations, affecting media coverage, were invalid.

In a separate judgment they also set aside an order prohibiting the publication of advertisements relating to unlawful organizations.

The judgment follows legal proceedings brought by the United Democratic Front and Release Mandela Campaign against the State President, the Minister of Home Affairs, the Minister of Law and Order and the Commissioner of Police.

The judges said they had borne in mind that the empowering Act, the Public Safety Act, concerned the existence of a state of emergency in which extraordinary measures may become necessary to preserve the safety of the public, to maintain public order or to terminate the emergency.

They agreed with submissions that the aim of the regulations was primarily to prevent the impact on the public

of news or comment on the type of events mentioned in the regulations. However, they said it was necessary to question whether the regulations informed those affected by them of what they may or may not do, with sufficient clarity to enable them to conduct themselves accordingly.

The following sections of the regulations were declared invalid:

Regulations 3 (1) (a) and 3 (1) (b) which prohibit publications, television, film or sound recordings containing news or comment on any security action; or the deployment of a security force, vehicles, armaments, equipment or other appliances which to a "reasonable bystander" would appear to be for the purposes of security action;

A portion of Regulation 3 (1) (c) relating to news and comment on any restricted gathering which discloses at any time before the gathering takes place, the time, date, place or purpose of such a gathering;

Regulation 4 which prohibits the taking of photographs, making or producing television and film recordings, or depicting any unrest or security action without the prior consent of the commissioner or officer in the security forces.

The court struck down three definitions contained in Regulation 1 (1) relating to "unrest" and "security action" and a "subversive statement".

The judges found the definitions of unrest and security action to be vague and therefore invalid.

# 'Freedom of speech' not affected by ban'

20/6 1987 25/4/87 327

By SUE LUPTON

Supreme Court Reporter  
THE ban on campaigns for the release of detainees did not infringe freedom of speech and was necessary to combat the "intense psychological onslaught" on South Africa, said General Johan Coetzee, Commissioner of Police.

He was replying to the Progressive Federal Party's Supreme Court application for

the ban to be overturned on the grounds that President P W Botha and General Coetzee had acted beyond their powers.

Mr Acting-Justice Hodes postponed the hearing yesterday to a date to be decided by the Judge-President.

The PFP argument for the overturning of the ban was that Mr Botha acted beyond his powers when he delegated to the Commissioner the power to

define subversive statements.

Therefore the April 10 notice in which the Commissioner said campaigns for the release of detainees were subversive was also ultra vires.

The PFP also challenged the validity of the notice because it was "unclear, ambiguous and vague".

President Botha said in an affidavit that his delegation of

sive statements to General Coetzee was "necessary and advisable". The Commissioner "has his finger on the daily pulse of the security situation and can give it his full-time attention, while I have many other duties".

General Coetzee denied that the notice prohibited actions listed in the notice: the signing of petitions, documents or coupons against detention; calling on the Government to release detainees; wearing clothes or displaying stickers or posters protesting against detention, and attending meetings supporting the release of or showing solidarity with detainees.

It only banned statements inciting or encouraging people to do such things as part of a campaign, he said.

The notice was only contravened when all the elements of the ban were present: There must be a statement in which members of the public were incited to take part in a campaign, project or action in the ways listed in the notice.

Describing the background to the notice, General Coetzee said that although the incidence of unrest had dropped, the emergency could not end while "the intense psychological onslaught directed at the mobilisation of the masses for a national uprising continues".

## "Emotive"

This onslaught was aimed to create "a draconian image of the Government", alienate the masses from the State, politicise them and undermine their morale, the Commissioner continued.

The "highly emotive subject" of detention without trial, especially of children, was used as propaganda in the polarisation of the authorities and the community, he said.

Referring to a national campaign for the freeing of detainees launched last month, General Coetzee said that although the campaign's aims appeared to be "innocent and even — to the ignorant — praiseworthy", this was not so.

He cited several alleged incidents at campaign meetings, including an allegation that at a meeting on March 12 advocate Mr Dullah Omar said detainees should be freed and President Botha and the Rev Allan Hendrickse, leader of the Labour Party, jailed instead.

## "Treated well"

Suggestions that emergency detainees were innocents caught in the wrong place at the wrong time, that they were heroes of the "oppressed masses" and that they were tortured were misrepresentations, said the Commissioner.

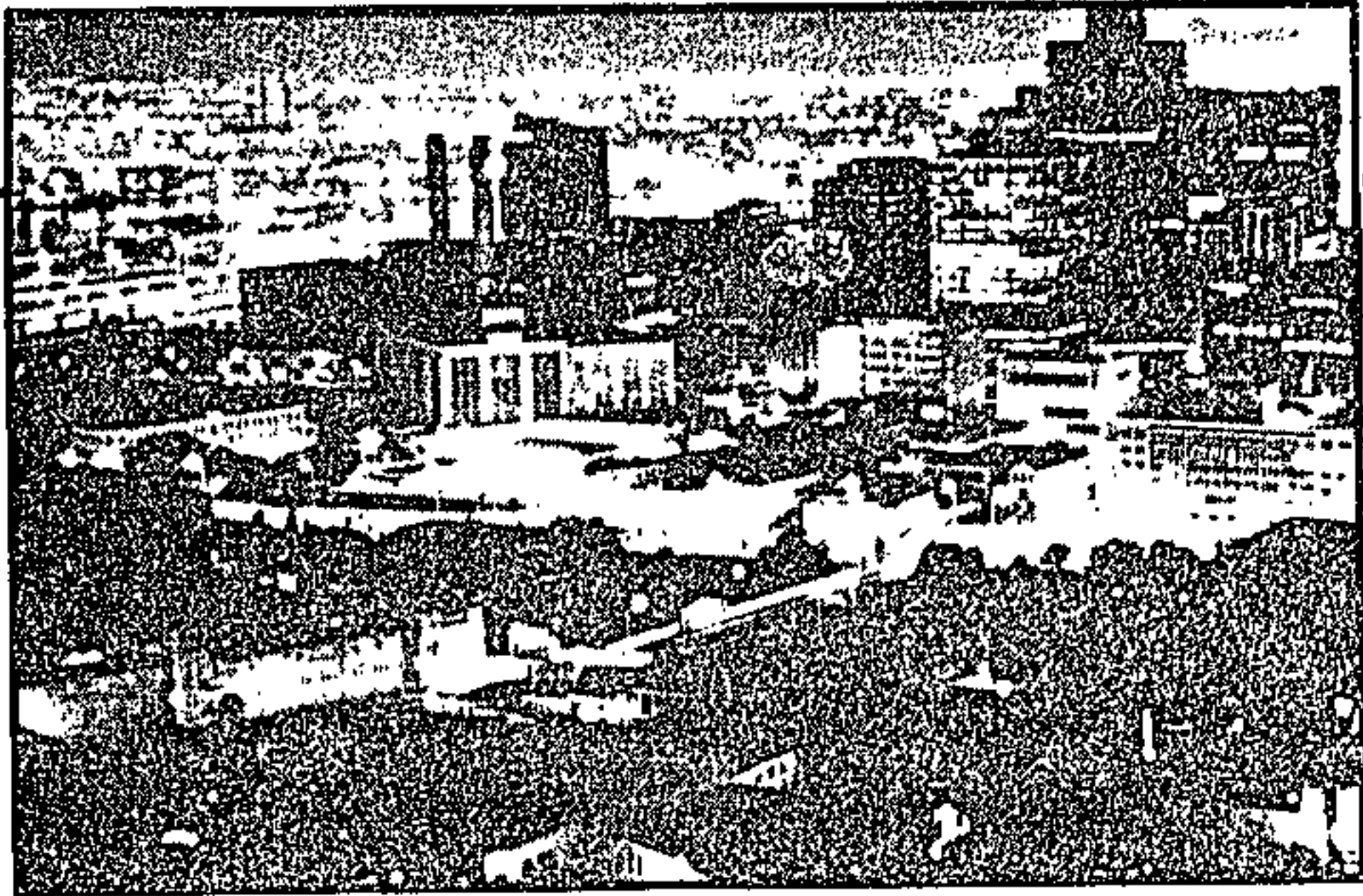
He said detainees were treated well.

He denied that the ban affected:

- Criticism of the detention system;
- Incitement to take part in a campaign against detention in ways not listed in the notice;
- Incitement to take part in the actions listed in the notice, where they were not part of a campaign against detention.

He said individuals were still free to protest against detentions.





Weekend Argus 25/4/87

# The dead Industrie

HOW THE MEN ON

'THIS is Cape Town by night — a serene, calm view of the business heart of this vibrant city. But beneath it all lurks a shadowy world of industrial crime....

by MARK STANSFIELD  
Weekend Argus Reporter

**S**EVEN workers employed by a major Peninsula manufacturing company were dismissed for dishonesty recently.

Three of those fired had been highly regarded by their employer. In fact they had an untarnished combined service record of over 35 years with the company.

But the proof of their dishonesty was irrefutable — it had been gathered over many weeks by an undercover agent who infiltrated the workers' ranks some time before the "bust".

■ He was known as Agent Green Eyes and he was the trump card held by management (determined to discover the source of their year-end profit losses) in a winner-takes-all match against their workers — who were equally determined to supplement their incomes by stealing.

**A** GENT Green Eyes is one of the many shadowy undercover agents who have infiltrated workers' ranks throughout South Africa recently.

They are employed to help curb dishonesty in the workplace and also increase the company's profits and, in some cases, to determine whether workers are "happy" at work, although "happy" in this particular context carries a somewhat sinister undertone with regard to the current political climate in South Africa.

In the incident reported above, Agent Green Eyes paid for his "sin" against the workers.

■ He was identified as a super snitch before his contact had had time to warn him of the danger and Green Eyes almost paid with his life. The incensed workers waylaid him in a basement and stabbed him countless times. Until that moment Green Eyes was not aware that his "cover" had been "blown".



**W**HO are these undercover agents employed by most major South African companies, and is their "snitching" really a "sin" against the workers?

"It depends entirely on which side of the fence you stand on," said the director of an international security company with a batch of highly-skilled undercover agents ready for assignment to companies wanting "inside" information on their employees.

"If an employee is honest he has nothing to fear. The dishonest employees are those who shout 'snitch' and 'unfair' the loudest," he said.

"The agents can also play an important part in employee/employer relations.

"Undercover agents not only report on dishonesty — they also report on general working conditions, such as whether the canteen food was acceptable to workers.

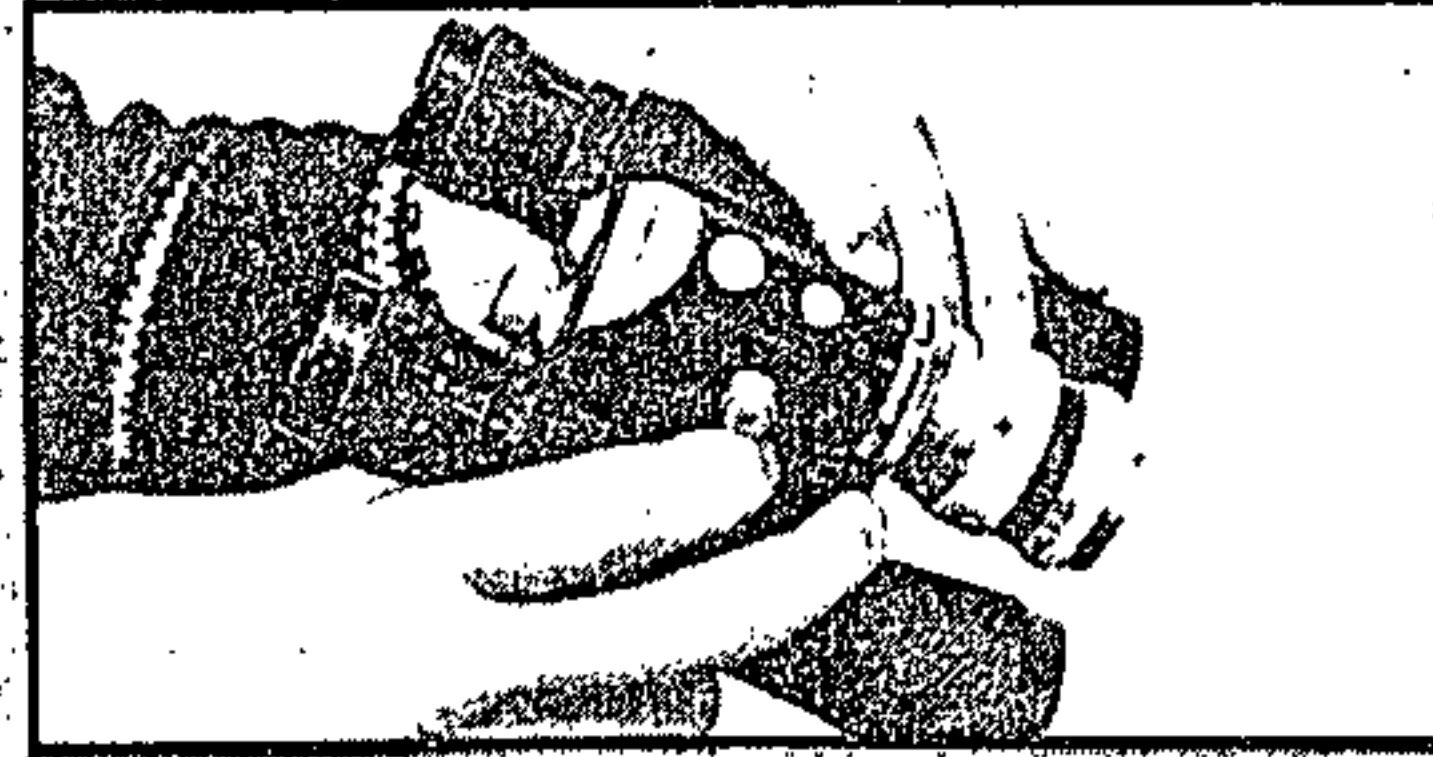
"Honest employees benefit when management takes note of general grievances and acts on them.

"As far as theft and dishonesty go — once those who are decreasing the year-end profits are removed it leaves more money for increases.

"Most companies estimate their profits in advance and use a percentage of this for workers' salary increases.

"By stopping the pilfering, theft and general profit-eating practices among dishonest employees the agent is ensuring an increase for the honest worker," he said.

**B**UT Green Eyes told Weekend Argus he



A pair of sophisticated German binoculars which double as a camera for long-distance surveillance...



A tape affixed to a wall puts this...

**A** GENT X fitted in perfectly. He wore a woollen cap while he lugged the heavy boxes around and he cursed the "boss" who paid them so little while the sweat poured down his face.

His workmates accepted him a week after he joined the company and began talking in confidence to him.

After work, Agent X would sit at home and compile dossiers on his "workmates".

■ In real life Agent X was a third year university student working his way toward a better future.

His brief from his "contact man" (the security company director who employed him) was to target three suspects within the company, make friends with them and then to expose any irregularities.

He began inviting would listen to them into the area work he silently...

The men were and doctoring the...

All this information sent to the... where Agent X was...

Other agents... film was used to... The "bust"...

"wants out". He said he loathes what he is doing because those often fired through his information are poorly-paid breadwinners.

"I came to the conclusion that if you pay a man a decent wage he wouldn't have to steal to support himself and his family," he said, the scars of his recent encounter still visible.

Green Eyes has a friend — a fellow agent — who suffers nightmares since he was shot and wounded weeks after exposing a theft racket at a city centre hotel.

Is the work dangerous?

Managing Director of Profitect (Pty) Ltd, Mr David Givati, said recent press reports of agents being murdered were "nonsense".

"Most workers are not thugs or gangsters. They are ordinary people who would never kill someone they discovered was telling management about theft and other dishonest incidents within a company.

"I have had agents disap-



pearing, but sooner or later they turn up to claim their salaries.

"To speculate that an agent has been murdered simply because he failed to pitch up for work is highly irresponsible.

"Most undercover agents are intelligent, but because of the nature of the work they undertake they must blend in with those they infiltrate.

"You cannot employ someone who will stick out like a sore thumb.

"Most agents are by nature unreliable people," he said.

**T**HE director of an international security company said two of his agents had been killed on assignment in the 11 years he had been engaged in their recruitment.

No, not There's a

"Those who under type of work know involved and in these men exposed selves as agents.



# a deadly world of . . . Industrial espionage

## HOW THE MEN ON THE INSIDE GO TO WORK



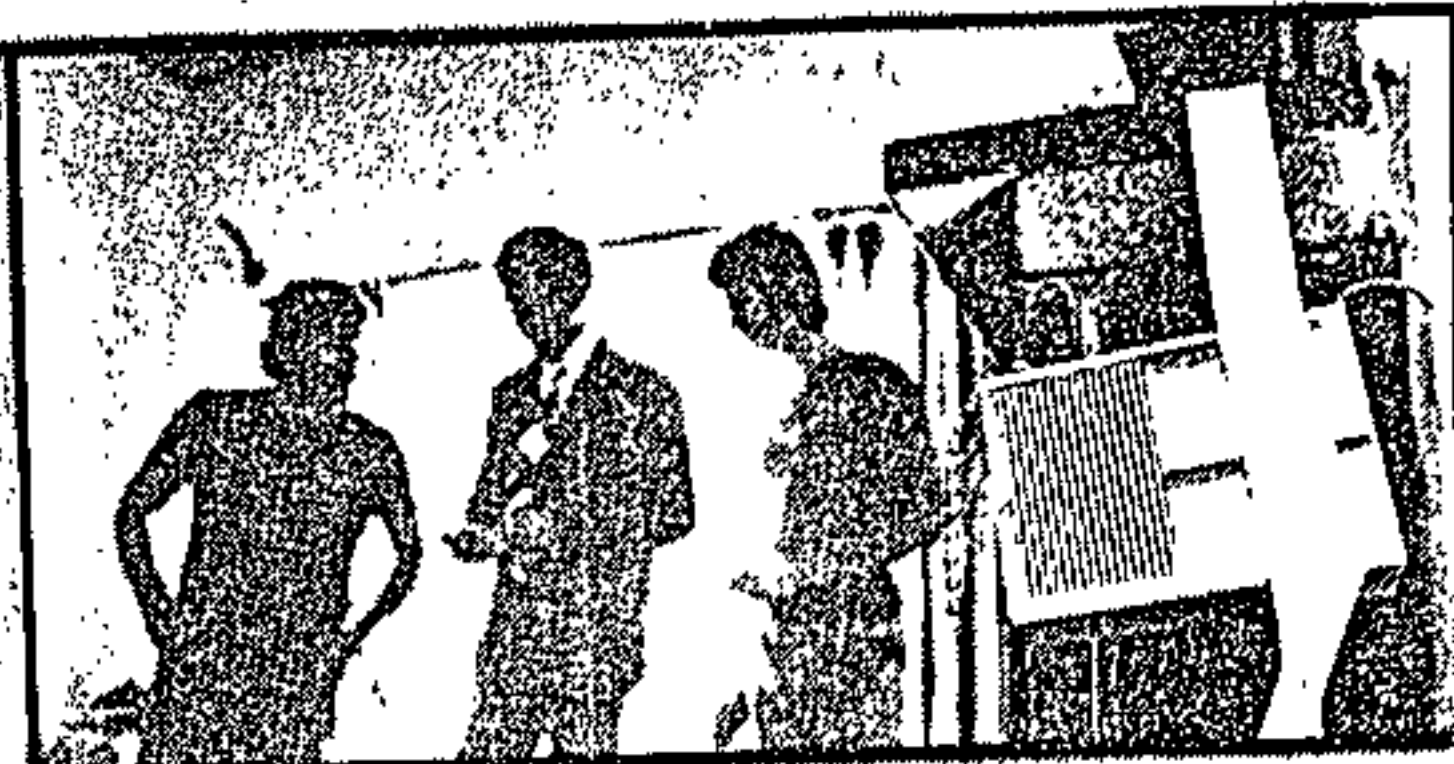
binoculars which  
for long-distance

He wore a woollen cap  
y boxes around and he  
them so little while the

a week after he joined  
y in confidence to him.  
sit at home and compile

third year university stu-  
better future.

man" (the security com-  
him) was to target three  
make friends with them  
hantles



A tape affixed to a fireplace in downtown Mow-  
bray puts this industrial espionage contact on  
record.

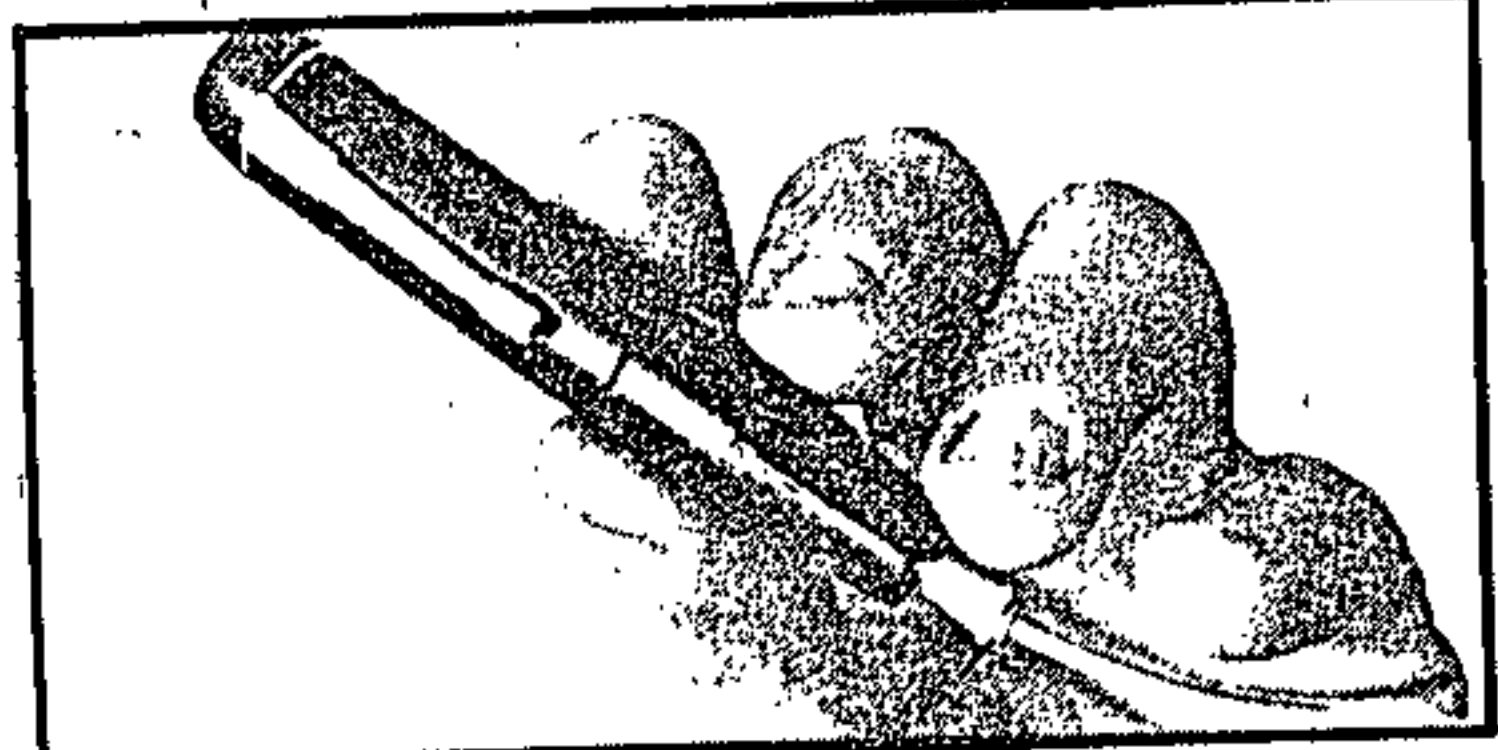
He began inviting the men for drinks after work. He  
would listen carefully to their conversation and steer  
them into the area he wanted more information on. At  
work he silently watched their theft operation.

The men were "selling" stock to a retail store owner  
and doctoring the invoices to cover the loss.

All this information was carefully noted in a weekly re-  
port sent to the contact who filtered the relevant infor-  
mation back to the managing director of the company  
where Agent X was "working".

Other agents were set up at the retail store and video  
film was used to document the men unloading the illegal  
wares after work.

The "bust" came on a Thursday afternoon when po-



A German-made fountain pen-cum-microphone.  
When linked to a tape, the pen can pick up con-  
versations from about three metres away.

licemen walked into the factory and arrested the men,  
including Agent X — to allay suspicion.

At the police station Agent X was processed along  
with the men but was transferred to another station on  
the pretext that he had other charges pending in that  
area. Instead, by prior arrangement between the compa-  
ny and the police, he was released and sent home, his  
assignment completed.

The men were convicted and given two-year prison  
sentences suspended for five years.

Agent X began "working" for another company. The  
brief was slightly different but he managed to "act" the  
part well. Within a week his first report was sent back to  
the contact man.



pearing, but sooner or later  
they turn up to claim their  
salaries.

"To speculate that an agent  
has been murdered simply  
because he failed to pitch up  
for work is highly irresponsi-  
ble.

"Most undercover agents  
are intelligent, but because of  
the nature of the work they  
undertake they must blend in  
with those they infiltrate.

"You cannot employ some-  
one who will stick out like a  
sore thumb.

"Most agents are by nature  
unreliable people," he said.

**T**HE director of an interna-  
tional security company  
said two of his agents had  
been killed on assignment in  
the 11 years he had been en-  
gaged in their recruitment.



No, not just a simple wine glass.  
There's a microphone in the olive.

"Those who undertake this  
type of work know the risks  
involved and in both cases  
these men exposed them-  
selves as agents.

"The work is dangerous  
only if the agent blows his  
own cover," he said.

Undercover agents, it  
seems, are an asset or a li-



ability — depending on the  
information gathered.

One Peninsula undercover  
agent was almost murdered  
by the manager of a company  
because the agent discovered  
that the manager himself had  
his fingers in the till...

Security companies who  
recruit undercover agents are  
reluctant to reveal the names  
of the major South African  
companies who make use of  
agents to "spy" on their work-  
ers, but Weekend Argus man-  
aged to trace three national  
concerns who do use them.

At their request, company  
names will not be mentioned  
because trade unions within  
the organisations are at pre-  
sent formulating documents  
which will highlight their ab-  
horrence of the practice.

One company said the  
agents had been so effective  
that stock loss — once a ma-  
jor headache costing the com-  
pany millions of rand — had  
been cut to "about half a per-  
cent of turnover".

"They certainly help as far  
as stock losses go but are  
more effective as a means of  
gauging worker feelings.

"Company policy toward  
workers has been changed be-  
cause of the information sup-  
plied by an agent.

"In this respect they are in  
fact doing the workers a fa-  
vour," one director said.

Although all three admitted  
that the agents were in dan-  
ger of being hurt if exposed,  
they said that only "top man-  
agement" were aware of the  
identities of the agents.

"We are never allowed to  
approach them directly for  
information which minimises  
the risk of exposure and only  
receive report-backs and con-  
fidential dossiers from the se-  
curity company who recruit-  
ed the agents," one company  
director said.



# UK papers slam SA

# 'Third World dictatorship'

*Crit Times 25/4/87*  
*118 304A 327 110 152*

From MIKE ROBERTSON

LONDON. — South Africa was now being run like a Third World banana republic, the Independent said in a leading article yesterday.

The newspaper's stinging comment followed South Africa's return to the front pages here with the killing of six black strikers.

It was joined by The Times and The Guardian who carried condemnatory leading articles under respective headings of "The Volk are Split Asunder" and "Mr Botha's Empty Promises".

Meanwhile the Scottish Trades Union Congress annual conference sent a telex to Prime Minister Margaret Thatcher calling on her to act against the "slaughtering South African regime".

A Downing Street spokesman said the telex had been received, but no response was expected until after the weekend.

Delegates at the STUC conference called on unions to raise funds for detained Cosatu members.

The Independent, a middle-of-the-road paper, said that since the state of

emergency the South African government had put itself in the lowest of all categories, along with such countries as Chile.

"The South African regime has adopted the devices of a Third World dictatorship."

The conservative Times noted that the killings would probably secure the NP a few thousand more votes.

President P W Botha's leadership, it said, "has little now to offer the white electorate except to play on its fears of black insurrection".

The left of centre Guardian said the only substantive addition to black rights in South Africa was the legalizing of African unions.

But the right to strike and organize was not respected by the authorities, especially when the employer was the State itself.

Mr Botha, it said, had proved the fears of the right of a sell-out were decidedly premature.

"Reform has been shelved, and the successive crackdowns under the state of emergency, now in its eleventh month, amount to the most severe and sustained assault on human rights in modern South African history — which is saying a lot."

NEWS

# Govt to appeal against decision

Weekend Argus  
Correspondent

MARITZBURG. — The Government has noted an appeal against the setting aside by two Supreme Court judges here of certain proclamations prohibiting media coverage of security actions.

This noting of the appeal yesterday kept the prohibitions in operation, as it stayed the effect of yesterday's judgment, said Mr Rudolph Hiemstra, who appeared

for the State President, the Government, the Ministers of Home Affairs and Law and Order and the Commissioner of Police.

Mr Justice Page and Mr Justice Galgut set aside the State President's proclamation prohibiting certain news coverage of security actions, deployment of security forces and equipment and news of restricted gatherings.

The prohibition in the Government Gazette in-

hibited the media from carrying certain unrest reports.

Judgment was given after application by the United Democratic Front and the Release Mandela Committee for the setting aside of certain measures implemented by the Government.

The judges set aside, among other things, Regulations 3 (1) a, b and part of c in a Government Gazette of December 11 last year.

These regulations read:

"3 (1) Subject to sub-regulation (4) no person shall publish or cause to be published any publication, television recording, film recording or sound recording containing news or comment on or in connection with:

"(a) any security action;

"(b) any deployment of a security force, or of vehicles, armaments, equipment or other appliances, which to a reasonable bystander would appear to be for the purposes of security action;

"(c) *(The part set aside is in italics)* Any restricted gathering, in so far as such news or comment discloses at any time before the gathering takes place, the time, the date, place or purposes of such gathering, gives an account of any speech, statement or remark of any speaker who performed at the gathering in contravention of a condition, prohibition or requirement determined or imposed under a law mentioned in the definition of 'restricted gathering'."

Another item in the Government Gazette of January 29 was set aside. This was part of a proclamation on the regulations under the Public Safety Act, in which they were amended to include "advertisements" in the prohibition.



# 'Right wing not muzzled by laws'

by DENNIS CRUYWAGEN  
Education Reporter

THE Government has used the Internal Security Act and the Public Safety Act "to suppress and silence the aspirations of oppressed people", but it has not applied the same laws to muzzle the right wing, a leading civil rights lawyer says.

Mr Essa Moosa, a member of the Democratic Lawyers' Organisation, was speaking yesterday at a conference on law and democracy, held at the University of the Western Cape.

He said thousands of people, including children, had been detained under laws like the Internal Security Act and the Public Safety Act.

"To my knowledge these laws have not been used to silence rightwing opposition.

"The Afrikaner Weerstandsbeweging has openly defied the Government, advocating violence as a means to maintain white 'baasskap' and was found in possession of explosives — yet it has not been subjected to the provisions of these harsh measures," Mr Moosa said at the conference, which ends today.

Successfully challenging these laws in court was just a temporary relief, because nothing prevented the State from amending them, he said.

"We must not lose sight of the fact that the courts are an extension of the system. The only lasting solution is to have a new constitution for this country."

Speaking on the access of detainees to their legal representatives, he said the courts had given conflicting judgments in four cases.

All the cases have gone on appeal to the Appellate Division.

UMTATA — Transkei authorities have denied allegations by an American Catholic priest, Father Casimir Paulsen, that he was tortured during nearly three months of detention.

Father Paulsen, 52, said he was seized by plain-clothes security police on December 17 and was held at a detention centre at Kei Bridge where he was interrogated and tortured.

He made the allegations at a reception in his honour, hosted by two Democratic senators in his home state of Michigan on Wednesday.

The head of the Transkei Security Police, General Leonard Kawe, said

## T'kei denies Paulsen's torture claims

the priest had been allowed to see a representative from the US Consulate in Durban and had made no mention of being ill-treated.

Fr Paulsen had also seen a magistrate in private and again had made no complaint.

Gen Kawe alleged that Fr Paulsen had harboured two men the police wanted in connection with an attack

he was treated as any on the Umtata police station. He had said it was his moral duty as a Catholic to hide people running from the police irrespective of the crime.

Fr Paulsen, he said, was "concocting stories" about Transkei.

When asked about the conditions of the cell described by the priest, Gen Kawe replied that

other prisoner and that "it was not necessary to put him up in a hotel."

He added that Father Paulsen's colleagues were even allowed to bring him food and clothing parcels.

Fr Paulsen said he believed his detention was triggered by his decision to find accommodation for two black youths who had fled from violence in townships near the big cities. He said the youths were later accused of attacking the police station at Umtata.

Father Paulsen has called on the United States to increase pressure on the government of South Africa. — DDR-Sapa.

## Soldiers die in bus blast

ATHENS — A bus carrying American soldiers to a US military base outside Athens was blown up yesterday and several people were hurt, police said.

Police said the bus was taking the soldiers from the town of Elefsina to the US base of Hellenikon, about 12 km east of Athens.

## Police seize material on advert

PORT ELIZABETH — Two security policemen with a search warrant seized material, dealing with an advertisement on the detention of children, from the offices of the Eastern Province Herald yesterday.

The warrant empowered them to take stencils, documents, receipts and receipt books.

The advertisement had been published after two firms of lawyers had advised that it was permissible in terms of the Police Commissioner's recently proclaimed restrictions on campaigning for the release of detainees.

The advertisement was in the name of the

Southern Africa Project, Lawyers' Committee for Civil Rights Under Law, Washington DC.

Among other newspapers to run the advertisement were The Cape Times and The Star, both of which reported no police action in connection with the advertisement. — DDC



DD 25/4/87 237

# ANC suspects die in fierce battle

Dispatch Correspondent

DURBAN — A Police constable is in a serious condition in hospital and another three are recovering after a fierce gun-battle in Umlazi early yesterday morning in which three suspected ANC terrorists were killed.

Constable Freddie van Rooyen, who was shot in the head and shoulder in the skirmish, is in a serious condition in Wentworth Hospital where he is receiving specialised treatment.

A police spokesman said the other policemen injured were Warrant Officer Martinus Ras and Constable J. C. Clinch, who are both sat-

isfactory in Addington Hospital, and Sergeant C. A. van der Westhuizen, who had been sent home.

This latest shoot-out between police and suspected terrorists is the third in just over a month in the Port Natal Police Division.

On April 15 W/O Boy Lembede was shot dead and his colleague, W/O Vusi Muzi Myeza, was injured when they were ambushed by a group of men armed with AK47 rifles at Umbumbulu on the Natal South Coast.

Late last month police shot dead a suspected terrorist at Inanda and recovered an AK47 rifle, ammunition and hand-grenades.

527 260A DD 25/4/87

CAPE TOWN — The State President, Mr P.W. Botha, told the Supreme Court here yesterday he was not prepared to interfere at short notice with the execution by the Commissioner of Police of his powers under the state of emergency.

The commissioner was the ideal person to assist Mr Botha in handling the state of emergency, which might require "quick and sometimes drastic actions," the State President said.

His remarks were contained in a replying affidavit to a PFP application asking that the commissioner's proclamation banning campaigns for the release of detainees be overturned.

In the affidavit, Mr Botha denied that the commissioner's proclamation on April 10 or the definition of a subversive statement in the emergency regulations were invalid and he asked the court to reject the PFP application with costs.

The State President also denied the PFP argument in its founding affidavit that insufficient guidelines had been laid down for the commissioner to exercise his delegated powers in terms of the state of emergency.

In identifying a subversive statement, the commissioner had to judge whether an act or commission could endanger the safety of the public; threaten the maintenance of law and order or delay the ending of the state

## Botha replies to PFP application

of emergency, Mr Botha said.

"Although I retain the powers I delegated to the second respondent (the commissioner), and in the final instance bear responsibility for the handling of the state of emergency, I am not prepared at short notice to interfere with the execution of those powers by the second respondent."

He would only interfere if he was convinced that this was necessary or advisable in the light of circumstances and in keeping with the Public Safety Act.

Mr Botha said it was clear from information at his disposal that the media and "other forms of communication" had been used and were still being used to encourage a revolutionary climate within and outside South Africa. He had therefore considered it necessary to delegate powers to the commissioner to deal with the situation.

"As chairman of the State Security Council, and because of my office and duties, I am kept informed on a regular basis of the security situation in



MR BOTHA  
... not prepared to interfere ...

the country, and I have knowledge of the revolutionary tendencies and the deliberate attempts to promote the circumstances that led to the announcement of the state of emergency."

Mr Botha said he remained convinced that the regulations issued by him on December 11 last year, limiting reporting on subversive statements, were advisable and necessary to comply with the aims of the Public Safety Act. — Sapa



327 24/87 DD

# Court lifts some press curbs

**PIETERMARITZBURG** — Key sections of the emergency regulations relating to the news coverage of security action were declared invalid in the Supreme Court here yesterday.

The state has however lodged an application for leave to appeal against the judgment of Mr Justice Galgut and Mr Justice Page.

There is confusion in legal circles whether this means the effect of the order is stayed until the application has been finalised.

In a 116-page reserved judgment handed down yesterday the court ruled that several sections of the regulations, affecting media coverage, were invalid.

In a separate judgment they also set aside an order prohibiting the publication of advertisements relating to unlawful organisations, and giving the Commissioner of Police the power to prohibit any comment or advertisements relating to "subversive statements" in support of any unlawful organisation.

The judgment follows legal proceedings brought by the United Democratic Front and Release Mandela Campaign against the State President, the Minister of Home Affairs, the Minister of Law and Order, and the Commissioner of Police.

The judges said they had borne in mind that the empowering act, the Public Safety Act, concerned the existence of a state of emergency in which extra-ordinary measures might become necessary to preserve the safety of the public, to maintain public order or to terminate the emergency.

They agreed with submissions that the aim of the regulations was primarily to prevent the impact on the public of news or comment on the type of events mentioned in the regulations.

However they said it was necessary to question whether the regulations informed those affected by them of what they may or may not do, with sufficient clarity to enable them to conduct themselves accordingly.

● The Dean of the Faculty of Law at Rhodes University, Grahamstown, Professor A. J. Kerr, said yesterday that a full bench Supreme Court decision of one province was not binding on courts in another province.

"On any topic, a full bench decision of a provincial division binds courts in that province, other than full bench decisions," Prof Kerr said.

"No decision of one province's Supreme Court is binding on courts in another division, but is treated with great respect," he said. — DDC-DDR

# Emergency clamps: courts intervene

BRUCE CAMERON

DURBAN — Natal courts have again intervened to curb emergency powers taken by the Government last year on the grounds that a "bloody Christmas" of ANC terror was imminent.

The regulations were aimed almost entirely at clamping down on media coverage on unrest and unrest-related events.

In two separate actions brought by the United Democratic Front yesterday the Natal Supreme Court set aside the main thrust of the regulations, which should have left the media free to report more extensively on continuing unrest and security force action.

But an appeal was lodged almost immediately by the State, which appears to effectively keep the prohibitions in place until, and if, successfully heard.

Lawyers expressed different opinions on the issue last night.

There was no comment forthcoming from the Ministry of Law and Order.

Last night the Progressive Federal Party was considering whether to proceed with a similar action before the Supreme Court in Cape Town.

Their case, involving Government restrictions on campaigning for the release of detainees, has been postponed to give the PFP time to study replying affidavits.

UDF president, Mr Archie Gumede, said last night it showed that at least the courts could exercise some restraint on the excesses of the Government.

No reasons were given by Mr Justice Page and Mr Justice Galgut for setting aside the State President's proclamation prohibiting certain news coverage of security actions, deployment of security forces and equipment and news of restricted gatherings.

The other action sets aside the controversial prohibition on advertising such as the controversial UDF advertisement marking the 75th anniversary of the ANC.

● Report by B Cameron, 85 Field Street, Durban.



# 11 children's 'confessions' filed in court

Staff Reporter

ELEVEN statements alleged to have been made by children detained in Krugersdorp Prison and confessing to necklace killings, arson and enforcing consumer boycotts were among 350 pages of papers filed in the Supreme Court on Friday by the State President and the Commissioner of Police.

The two officials were opposing a PFP application for an order overturning the commissioner's ban on campaigns for the release of detainees.

The PFP argued that the State President acted *ultra vires* by delegating the power to define "subversive statements" to the commissioner.

Mr P W Botha replied that this delegation was necessary and advisable. He said the commissioner was the ideal person to assist him in handling the state of emergency, which might require "rapid and sometimes drastic actions", because the commissioner "has his finger on the daily pulse of the security situation in the country".

## Names removed from statements

A member of the commissioner's staff, Major-General Francois Steenkamp, attached the 11 alleged statements of children to his affidavit to "illustrate" his contention that "a big percentage of the gruesome deeds being done in this country are being done by children".

He said details (such as name and home address) of the children were removed from the statements "to make provision for the safety of those people and also not to damage further investigation".

Among the deeds allegedly confessed to in the statements is a necklace killing committed by a child of 11 with four other girls. Enforcing boycotts by making women drink fish oil are among others.

Gen Steenkamp said he had been asked to make the affidavit because of the "general ignorance" about detainees among the public.

The commissioner, General Johan Coetzee, said in his affidavit that the "emotive" issue of children in detention was used as propaganda to polarize the authorities and the people.

## Resistance 'everything but cooled off'

This was part of "the intense psychological onslaught directed at the mobilization of the masses for a national uprising" and aimed at "creating a draconian image of the government".

He said the climate of resistance in the country had "everything but cooled off" and the intensity of radicalism was controlled to a large degree by the exploitation of emotional issues such as detention.

"It is just not in the interest of peace in this country that this issue be exploited," he said, adding that "inciters" created "a twisted image of the facts relating to detainees" to "gain a sympathetic ear from the public".

He denied that the notice prohibited actions listed in the notice — signing documents, calling on the government, wearing clothes, displaying stickers or posters — which supported the release of detainees. He said the notice only banned statements which incited people to do this as part of a campaign.

If he allowed such "emotive" campaigns, he said, there was a danger that "feelings, specially in the black townships, will again reach boiling point, and that this will lead to large-scale unrest".

# Court's role ‘is justice, not peace’

Am. Times 27/4/87 327

## Supreme Court Reporter

THE function of the courts when the government tries to curb fundamental rights is to “act as watchdog and not as lapdog”, Mr Justice H Berman said last week in giving reasons for a Supreme Court order overturning a police ban on a UDF meeting.

The UDF meeting was banned by the Divisional Commissioner of Police some 24 hours before it was due to start on April 15 on the grounds that it was a threat to public safety.

The meeting went ahead after the UDF brought an urgent application which the court granted, ordering the divisional commissioner to pay costs. The Full Bench of Mr Justice Berman, Mr Justice P W E Baker and Mr Acting Justice J G Foxcroft handed down the reasons on Friday.

Mr Justice Berman said the divisional commissioner had failed to satisfy the court the ban was justifiable.

Counsel for the UDF, Mr Jeremy Gauntlett, had stressed the common law recognition of “the fundamental right of citizens to freedom of assembly, association and expression”.

Any inroad on this right was unlawful on the face of it and the official making the inroad was required to prove the lawfulness of it.

There could be no quarrel on this, Mr Justice Berman said.

“Indeed, so fundamental is this right of freedom of assembly that a court, faced with a challenge as to the lawfulness of any limitation thereon, is bound to scrutinize carefully the action of the authority imposing such limitation to ascertain whether or not there has been exact and precise compliance with the enabling legislation.”

The declaration of a state of emergency in no way lessened this duty of the court, the judge said.

He quoted a judgment given 107 years ago by Lord De Villiers who remarked: “The disturbed state of the country ought not, in my opinion, to influence the Court, for its first and most sacred duty is to administer justice to those who seek it and not to preserve the peace of the country.”

Mr Justice Berman said this meant: “Where it is sought to curtail, in troubled times, the exercise of the fundamental rights of free men, the function of the court is to act as watchdog and not as lapdog.”



# Law professors protest

Own Correspondent 377-2209

DURBAN. — Law professors at the University of Natal here have launched a national campaign for the return of the rule of law.

In a statement, the seven professors called on their colleagues at law schools and legal practitioners to join them in a petition to the government to lift the state of emergency and to release all political detainees.

"The legislative function of parliament has been usurped by the executive and the judicial function of the courts emasculated by the emergency regulations.

"New criminal offences are created by the Commissioner of Police which fly in the face of basic legal principles such as the rule of law and freedom of association and speech," the statement read.

The professors are L J Boule, J R Lund, J S McLennan, D J M McQuoid-Mason, J R L Milton, M C Olmesdahl and P R Spiller.

(Report by T Broughton, 12 Devonshire Place, Durban.)

# Police ban on UDF meeting 'unlawful'

AK645  
Monday April 27 1987 3

327

## Supreme Court Reporter

A POLICE ban on a UDF meeting on April 15 was overturned by the Supreme Court because the ban, an infringement of the fundamental right of free speech, was not justified objectively by the Divisional Commissioner of Police.

This was said by Mr Justice Berman when he gave reasons for a Supreme Court order overturning a ban on a UDF meeting issued by Brigadier Ronald van der Westhuizen, Western Province Divisional Commissioner, on April 14.

The meeting took place in the Cape Town City Hall 90 minutes after the ban was set aside by Mr Justice Berman, Mr Justice Baker and Mr Acting Justice Foxcroft.

Mr Justice Berman said there could be no quarrel with the contention of Mr Jeremy Gauntlett, for the UDF, that freedom of assembly, association and expression was a fundamental right and that any restriction on this right was unlawful on the face of it.

The burden of proving its lawfulness rested on the authority imposing the restriction.

## "FUNDAMENTAL"

"This right of assembly is so fundamental that a court is bound to scrutinise carefully a limitation to ascertain whether there has been exact and precise compliance with the enabling legislation," the judge said.

"The fact that a state of emergency has been declared in no way detracts from this."

According to a 1879 judgment by Lord de Villiers: "The disturbed state of the country ought not, in my opinion, to influence the court, for its first and most sacred duty is to administer justice to those who seek it and not to preserve the peace of the country."

These sentiments were as valid today as they were 108 years ago.

"Where it is sought to curtail the exercise of the fundamental rights of free men, the function of the court is to act as a watchdog and not as a lapdog," Mr Justice Berman said.

He upheld Mr Gauntlett's argument that it was unreasonable to prohibit the meeting when conditions could have been imposed in terms of the regulations.



News in Brief

*Case Times 28/4/87 327*  
**Maritzburg application**

MARITZBURG. — An application by the State for leave to appeal against last week's judgment in which key sections of the emergency regulations relating to media coverage of unrest and security action were declared invalid, is expected to be heard in the Maritzburg Supreme Court this afternoon. Immediately after the judgment was handed down last week, the State noted its intention to apply for leave to appeal against the findings of Mr Justice, Page and Mr Justice Galgut.

EMERGENCY UPDATE

# Supreme Court judge throws out two laws

28/4/77 327  
The Argus Correspondent  
DURBAN. — Two emergency provisions, which prohibit campaigns for the release of detainees as well as freedom of the Press and freedom of speech, were declared of no force and effect in the Supreme Court in Durban today after an urgent application by four anti-apartheid organisations.

Mr Justice Leon ordered that the definition of a "subversive statement" in proclamation R224 of the Public Safety Act, published on December 11 last year, and a notice issued by the Commissioner of the South African Police on April 10 be declared of no force and effect in law.

The application was made by the Release Mandela Campaign, the organisation's national co-ordinator, Mr Aubrey Mokoena, the Detainees Support Committee, the Black Sash Durban Detainees Support Committee and the Black Sash against the State President, the Minister of Justice, the Minister of Law and Order and the Commissioner of Police.

## PAY COSTS

Leave to appeal was granted to the State, which was ordered to pay costs of the application. Counsel for the applicants, Mr Ismail Mahomed SC, did not oppose the application for leave to appeal.

Mr Justice Leon's order follows a Full Bench judgment handed down by Mr Justice Galgut and Mr Justice Page in the Natal Supreme Court in Maritzburg on Friday, setting aside some emergency regulations to apply for leave to appeal against this judgment.

In his judgment, Mr Justice Leon, who earlier this month enrolled the matter as one of urgency in view of next week's election, said he believed the Full Bench to be correct in its findings.

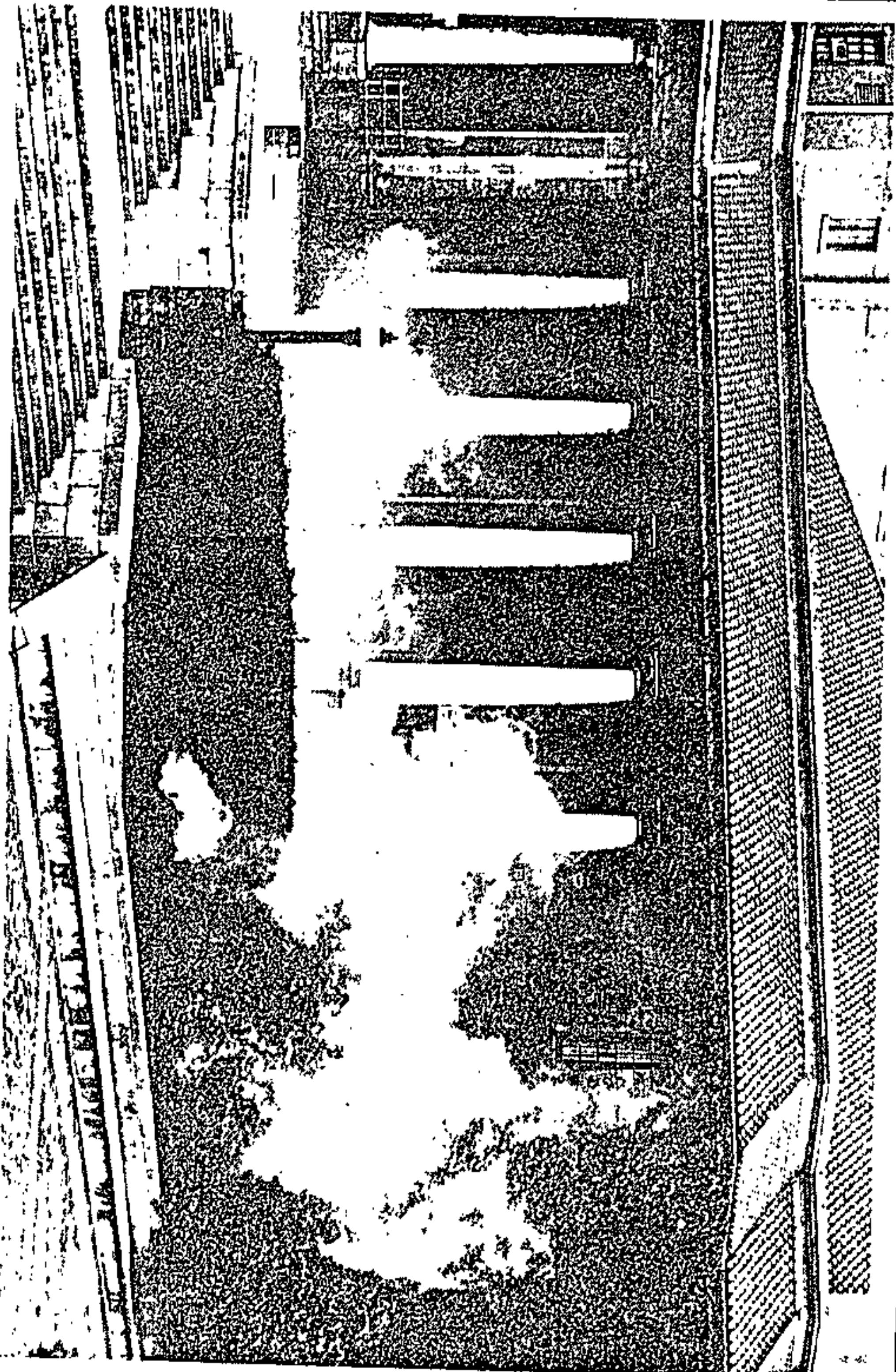
He said the case involved an attack on the freedom of the Press and the freedom of speech and that the issues in question were "matters of complexity".

The April 10 notice expands on the definition of a "subversive statement" to include statements likely to encourage or incite participation in campaigns to secure the release of detainees.

Mr Ismail Mahomed SC, assisted by Mr Sean Naidoo, appeared for the applicants and Mr Louis Visser SC, assisted by Mr Piet Kemp, appeared for the respondents.



# UCT principal calls for



CAMPUS SCENE: Clouds of tearsmoke partly obscure the front of the students' union building.



## calm on campus

Staff Reporter

DR STUART Saunders, principal and vice-chancellor of the University of Cape Town, has condemned violence on the campus and appealed for calm on all sides.

In an open message to the UCT community following disturbances on Friday and yesterday when students and police clashed on the campus, he said:

"The events of Friday, April 24, and of Monday, April 27, shocked us all.

"On Friday, April 24, a group of 150 to 200 students gathered on the edge of the De Waal Drive near the Indoor Sports Centre to protest against the dismissal of the striking SATS workers and the deaths of strikers in the Transvaal.

"Stones were thrown at passing cars before the police arrived on the scene. Police used teargas to disperse the students and they pursued the students well into the campus.

### "Meeting condemned raid"

"A South African breweries delivery vehicle's driving cabin was burnt near the tennis courts on Upper Ring Road.

"On Monday, April 27, protesters again stood outside the sports centre after a mass meeting held to condemn the SADF actions in Zambia, the coming election and the action of the police on Friday.

"Stones were thrown at cars on De Waal Drive and the police responded with teargas.

"The police entered the campus, were repeatedly stoned and repeatedly used teargas.

"This occurred several times on the Plaza in front of the Jameson Hall. I called upon the students to disperse and told them that the police had agreed to my request to leave the campus.

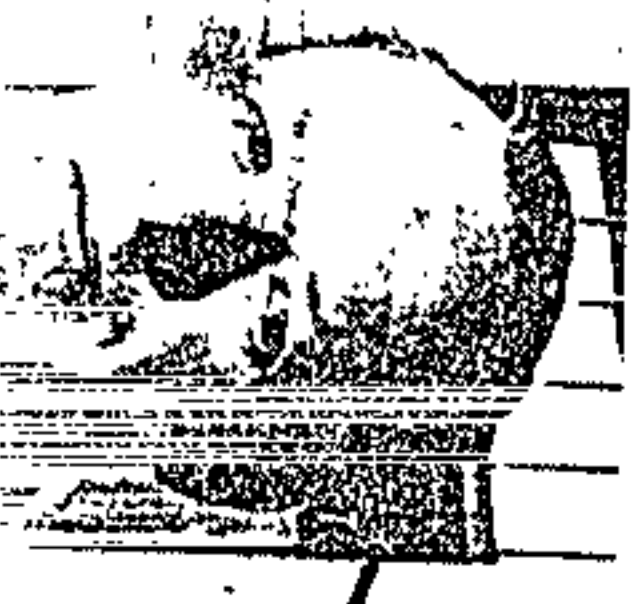
"As the police were leaving stones and bottles were thrown at them. They retaliated with teargas and this was repeated several times.

"The police entered the library and several other buildings and hit students with 'quirts' and fired teargas into some buildings.

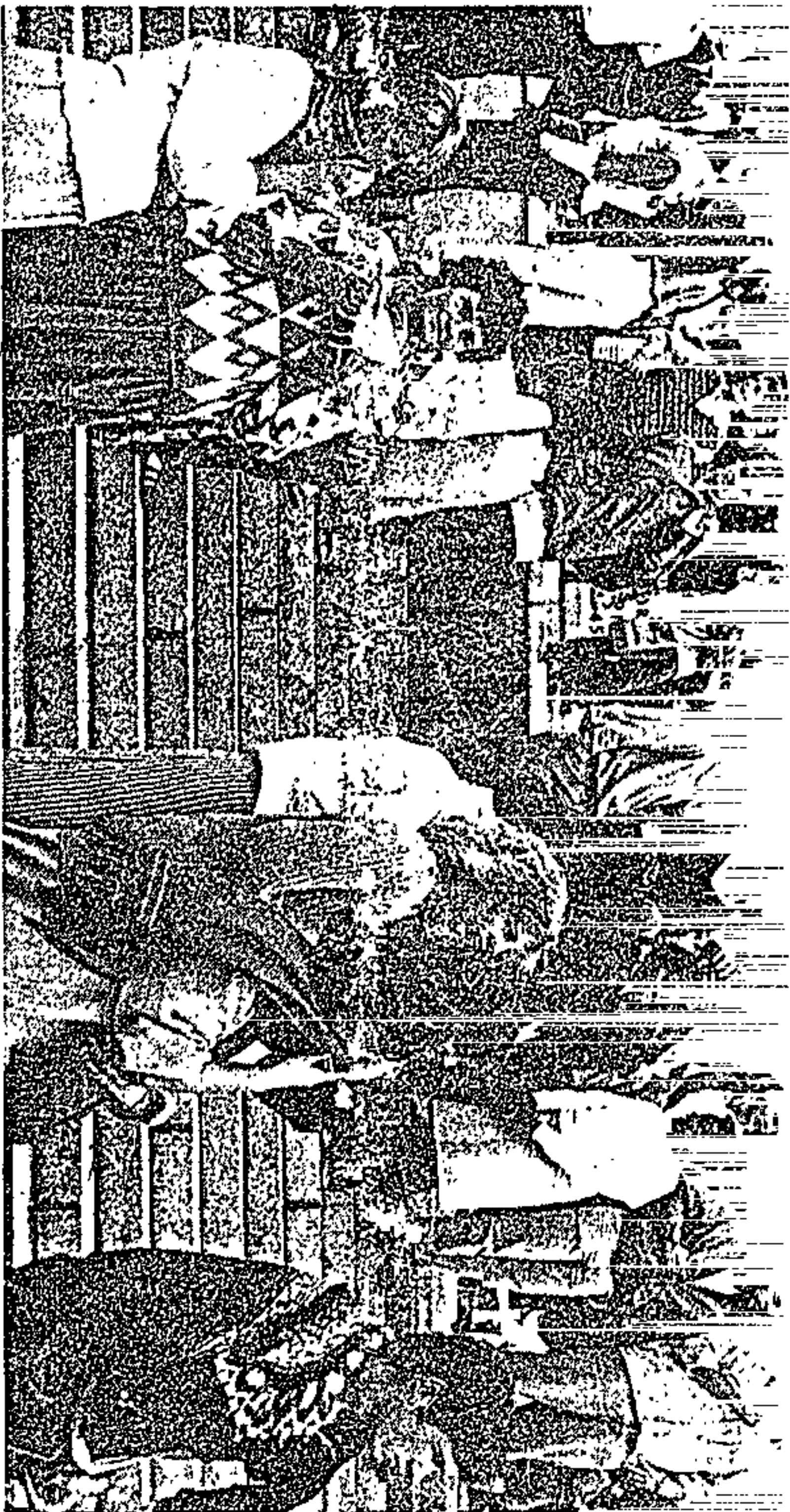
### "Treated for birdshot wounds"

"Seven students were arrested and I understand are due to appear in court.

"Ten students were treated for birdshot wounds.







WATCHING: Students on the Jameson steps.

mass meeting held to condemn the S.A.D.F. actions and the action of the police on Friday.

"Stones were thrown at cars on De Waal Drive and the police responded with teargas."

"The police entered the campus, were repeatedly stoned and repeatedly used teargas."

"This occurred several times on the Plaza in front of the Jameson Hall. I called upon the students to disperse and told them that the police had agreed to my request to leave the campus."

"As the police were leaving stones and bottles were thrown at them. They retaliated with teargas and this was repeated several times."

"The police entered the library and several other buildings and hit students with quirts and fired teargas into some buildings."

### "Treated for birdshot wounds"

"Seven students were arrested and I understand are due to appear in court."

"Ten students were treated for birdshot wounds and one for a dog bite at the students health centre."

"I strongly deplore the use of firearms by the police and have condemned some of the other actions of the police to the Divisional Commissioner as well."

"Let me make it quite clear that I understand the crisis in the land is being felt on this campus."

"This university has always upheld the right of peaceful and appropriate protest. Violent protest and arson are intolerable."

"I condemn them and I know the vast majority of people on this campus condemn them also."

"Innocent people were put at great risk on the campus by these events."

"I must stress that further demonstrations of this nature carry a real risk to life and I urge all concerned not to repeat the events of Friday and Monday."

"If there are disturbances on campus do not mill around outside. Do not be a curious onlooker. Go about your normal business as far as is possible and so contribute to a sense of calm."

"Deliberate interruption to prevent people from learning is not to be tolerated."

"I urge this calm on all sides and for an end to the violent demonstrations."

"I am doing all in my power to keep the police off the campus. I appeal again for an end to the violence on all sides. We must preserve our university."

"It has an important role to play in the years ahead and it must not be destroyed."



Dr Stuart Saunders



## Court overturns two more emergency provisions

DURBAN — Two emergency provisions that prohibit campaigns for the release of detainees as well as freedom of the Press and freedom of speech were declared of no force and effect by the Supreme Court in Durban today following an urgent application by four anti-apartheid organisations.

Mr Justice Leon ordered that the definition of a "subversive statement" in paragraph A (IX) of proclamation R224 of the Public Safety Act, published on December 11 last year, and a notice issued by the Commissioner of the South African Police on April 10 be declared of no force and effect in law.

The application was made by the Release Mandela Campaign, the organisation's national co-ordinator, Mr Aubrey Mokoena, the Detainees' Parents Support Committee, the Durban Detainees' Support Committee and the Black Sash against the State President, the South African Government, the Minister of Justice, the Minister of Law and Or-

● Turn to Page 2

## Court overturns two more emergency provisions

● From Page 1

der and the Commissioner of Police.

Leave to appeal was granted to the State, which was ordered to pay costs of the application. Counsel for the applicants, Mr Ismail Mahomed, SC, did not oppose the application for leave to appeal.

Mr Justice Leon's order follows a full Bench judgment handed down by Mr Justice Galgut and Mr Justice Page in the Natal Supreme Court in Pietermaritzburg on Friday, setting aside some emergency regulations.

The Government has been granted leave to appeal against this judgment.

In his judgment, Mr Justice Leon, who earlier this month enrolled the matter as one of urgency in view of the forthcoming general election, said he believed the full Bench to be correct in its findings.

He said the case involved an attack on the freedom of the Press and the freedom of speech and that the issues in question were "matters of complexity".

The April 10 notice expands on the definition of a "subversive statement" to include statements likely to encourage or incite participation in campaigns to secure the release of detainees. — Sapa



## Bank 327

(Cont. from Page 1)

particular were being asked to grant the bank the opportunity to study the report and to respond to it.

There has not yet been reaction from President Botha, who started the controversy when he told Parliament on February 4 that it was being said by radical elements that Mr Ball advanced the money for the advertisements.

A spokesman for his office said that when Mr Botha was presented with a copy of the report by Mr Justice Munnik yesterday he said he would read it "with great interest".

Mr Dave Dalling, the Progressive Federal Party's main spokesman on justice, said he found the report "amazing" and demanded a parliamentary debate.

After Mr Botha's allegations he (Mr Dalling) spoke to Mr Ball, who assured him he had not known about the funding of the advertisements.

He believed Mr Ball then and he still believed him.

Rejecting the findings of the commission, Mr Dalling said it was a unique commission in that it was instructed to investigate something that was not alleged to be illegal in the first place.

This was using the President's powers in the wrong manner and was a waste of public money.

In doing this the President had forced the judiciary to become part of this wastage.

The commission found that managing director Mr Chris Ball "knowingly" advanced R100 000 to the United Democratic Front for pro-African National Congress Press advertisements.

A spokesman for Mr Ball said today an "emergency meeting" of the bank's general management committee had been convened.

"We will certainly discuss the possibility of requesting a Supreme Court review of the commission's proceedings," said the spokesman, Mr Jimmy McKenzie.

The finding of the Munnik commission, which has cast a shadow over Mr Ball's credibility, was "purely administrative" within its scope and meaning and the possibility of what he termed "fundamental irregularity" could not be ruled out, said lawyer Mr Paul Jenkins.

"Should there be sufficient grounds for such an action, the finding could even be overturned by the Supreme Court," Mr Jenkins said.

Other grounds for the overthrow of the commission's findings could be that evidence had not been correctly weighed and evaluated or that the "laws of natural justice" had not been complied with, according to Mr Jenkins.

Mr McKenzie emphasised, however, that neither Mr Ball nor the First National Bank had yet obtained a full copy of the commission's findings.

The Argus Political Correspondent reports renewed controversy about the ANC advertisement funding amid conflicting reactions to the findings of the commission.

The Opposition rejected the findings and demanded a parliamentary debate, while the Nationalist Press interpreted the report as finding that President P W Botha was right in saying that Mr Ball knew an overdraft he granted would be used to fund the ANC advertisements.

### "Distressed"

Mr Ball said he was working with Mr Basil Hersov, chairman of First National Bank, and other directors.

Mr Ball said Mr Hersov had stated that the bank's legal advisers felt the commission could not have arrived at its findings in the light of the evidence before it.

In a statement Mr Hersov said he was "deeply distressed" at what appeared to be a finding in the commission report which was in conflict with the evidence of Mr Ball.

"The conclusions arrived at by the commission, that Mr Ball knew at the time he granted the loan that it was to be used for placing of the advertisements in question, is in conflict with the opinion and advice of the bank's legal team."

Mr Hersov said the public in general and its customers in

(Turn to Page 3, col 1)



Mr Ball



Mr Hersov

The Argus Correspondent  
PRETORIA. — The First National Bank (formerly Barclays) will decide today whether to challenge the finding of the Munnik commission.

# Bank may fight findings on Ball

ARGUS 29/4/87



Mr P W Botha receives the report from Justice George Munnik.



# Police undertake not to harass Cosatu

SAF Times 29/4/87 (75/150) 327

Own Correspondent

JOHANNESBURG. — The Divisional Commissioner of Police for the Witwatersrand gave an undertaking in the Rand Supreme Court yesterday that police would not unlawfully assault, harass or intimidate the Congress of South African Trade Unions (Cosatu) and its members at their Johannesburg headquarters.

The undertaking was given by the commissioner without admitting any of the allegations made by Cosatu.

Police gave the undertaking after Cosatu brought an urgent application before Mr Justice Gordon against the Minister of Law and Order and the commissioner for an order interdicting police from assaulting union members at Cosatu House. The application was postponed till May 19.

## 'Sheer vandalism'

Cosatu general secretary Mr Jay Naidoo said in an affidavit that police activities at Cosatu House last Wednesday had extensively damaged the structure of the building as well as property belonging to the union.

He said it was apparent from other

affidavits in support of the application that there was no need for this damage which "amounted to sheer vandalism in many instances".

Mr Naidoo said police had randomly and indiscriminately assaulted certain members of Cosatu and its affiliates, ransacked many of the offices and removed documents.

He said police had also placed "noxious substances in consumables such as coffee and powdered milk".

"The loss of the documents taken by the SAP has had a paralysing effect on Cosatu and its affiliates.

"The damage caused was wanton and malicious," he said, "and leads me to believe that the members of the SAP concerned were out of control and that those in authority were either unable or unwilling to exercise the necessary control over those under their command."

□ An application by Cosatu to hold a May Day rally at Currie's Fountain in Durban was yesterday refused by the Chief Magistrate of Durban, Mr J J Pienaar.

This was confirmed last night by Mr Thami Mohlomi, Natal regional secretary of Cosatu.

Cape Times 29/4/87 327

Own Correspondent

MARITZBURG — The State was yesterday granted leave to appeal against a Supreme Court judgment handed down last week declaring sections of the emergency regulations affecting media coverage of security action and unrest to be void and of no force and effect in law.

However, the UDF and Release Mandela Campaign have also been given leave to lodge a cross-appeal in the Appellate Division against the court's findings that other sections of the regulations promulgated on December 11 which were the subject of their application, were valid.

Lawyers have expressed differing opinions as to whether the effect of last week's judgment would be stayed pending the outcome of the appeal.

However, legal experts said yesterday that their understanding of the situation was that till the appeal was finally disposed of, the regulations which were declared invalid in terms of the judgment could not be invoked by the State.

This means that the media would be entitled to report more fully on matters such as security action and unrest pending the outcome of the appeal.

Granting both parties leave to appeal, Mr Justice Galgut said the validity of a substantial number of the regulations which were declared invalid depended on the clarity or otherwise, for the purposes of law, of the expression "a reasonable bystander" as it was used in the definitions of "unrest" and "security action".

## State, UDF allowed appeal



# State and UDF to contest judgment

MARITZBURG. — Both the State and the United Democratic Front were granted leave to appeal against last Friday's Supreme Court judgment on the December 11 emergency regulations.

The State will appeal against the overturning of key regulations and the UDF will appeal against the fact that some of the regulations were not overturned.

The State application and the UDF cross application were both granted by Mr Justice Galgut. Neither application was opposed.

In granting the State application, Mr Justice Galgut said that "the validity of a substantial number of the regulations which were declared invalid depended on the clarity or otherwise of the expression 'a reasonable bystander' as used

in the definition of unrest and which were declared valid in security actions. This question is not free from difficulties."

He was "in no doubt" that it was possible to argue that the Appeal Court might interpret the question differently from him and Mr Justice Page.

The judge said that the same considerations applied to the regulations which were declared void on other grounds, and also to the regulations

which were declared valid. The judgment which the State has been granted leave to appeal against ruled that reports on security force actions and deployment might be published, as well as photographs of unrest or security force action or of damaged property or dead people.

A date for the hearing of the appeal is still to be set. — Sapa.

# Ball knew cash was for ad — Munnik



Mr Chris Ball



Mr Justice Munnik

By BARRY STREEK

THE Munnik Commission into the financing of UDF advertisement calling for the unbanning of th ANC has concluded that the managing director of Barclays Bank, Mr Chris Ball, knew that a R100 000 overdraft he granted in January this year was to pay for the advertisements "on behalf of UDF".

Mr Justice George Munnik, Judge-President of the Cape, said the "probabilities" were "overwhelmingly against" Mr Ball not knowing that the true purpose of the overdraft, granted to a Johannesburg businessman, Mr Yusuf Surtee, was for the advertisements and "that he in fact did know what the true purpose of the overdraft was."

"Mr Ball's calibre as a witness and the quality of his evidence were not such as to lead to me to a different conclusion," the commission said.

The commission's findings have completely vindicated President P W Botha's statement during the no-confidence debate in Parliament in February that "Mr Chris Ball advanced the money for the advertisement to the advertisers".

## 'Pay in advance'

It found that Mr Ball had authorized the overdraft of R100 000 "to hand to the UDF by way of bridging finance to pay in advance for the advertisements".

The commission said Mr Ball had granted the overdraft facility without making inquiries to the management of Mr Surtee's branch of the bank, which has since been renamed the First National Bank, even though the branch management previously had "a problem in acceding to Mr Surtee's request".

He had also granted the loan to a client "about whose financial standing he had no information" and in evidence he had said he had not asked for any specifics about why the overdraft facility was needed other than that it was for "personal use" or "personal business".

Mr Ball had not asked for security for the overdraft although "elementary banking caution" would have caused him to ask Mr Surtee for a guarantee.

By concealing the purpose of the overdraft, Mr Surtee would have placed "Mr Ball and the bank at least at commercial risk".

When Mr Ball realized that Mr Surtee had been "guilty of a misrepresentation by concealment by not disclosing the true purpose for which the overdraft was required", he, on his own evidence, "far from taking him (Mr Surtee) to task about the action, does not even discuss it".

The commission concluded that "Mr Ball's action is far more consistent with his having known from the outset what the money was intended and used for."

"I have come to the conclusion that on an overwhelming balance of probabilities, Mr Ball's conduct is inconsistent with his having advanced the money to Mr Surtee without knowing what it was required for."

The commission said Mr Ball showed in his evidence "a recurring tendency to exaggerate the importance of facts which he regarded as favourable to the case he was making out" and that he had "displayed a lack of candour in dealing with various topics during the course of his evidence".

Mr Ball had also given one answer that was "demonstrably false and that is when he said that at the time January 6, 1986 (sic) — (1987) — he was not aware at which branch of the bank Mr Surtee kept his banking account".

Mr Ball's statement to the effect that Mr Surtee could have obtained the overdraft facility "all over town" was "a ludicrous one, having regard to Mr Surtee's financial standing at the time".

Earlier in the report, the commission said: "Mr Surtee was proved to be a lying witness in so many respects, apart from his poor demeanour, and his de-merits as a witness are such as to render his evidence generally unacceptable unless supported by acceptable evidence or facts de hors his evidence itself."

The commission said that viewing Mr Surtee's story "I am satisfied that on an overwhelming balance of probabilities his story that he did not disclose to Mr Ball the true reason for seeking the overdraft is untrue."

"His calibre as a witness and the quality of his evidence do not upset or even diminish in any way this balance."

It concluded that the newspapers were paid, R64 935.65 by Mr Krish Naidoo, an attorney, acting in his professional capacity, on behalf of the UDF, which in turn had the consent of the National Education Crisis Committee (NECC) and the South African Council of Churches (SACC) "to cite these two bodies as issuing the advertisements jointly with the UDF and that of the other organizations entered as supporters to list them".

(Report by Barry Streek, 122 St George's St, Cape Town.)



# Hersov 29/1/82 CAPT TmKs 'distressed' at finding

JOHANNESBURG. — The chairman of First National Bank, Mr Basil Hersov, said last night he was deeply distressed at what appeared to be a finding by the Munnik Commission "fundamentally in conflict" with the evidence of its chief executive officer, Mr Chris Ball.

Reacting to the Munnik Commission report he said: "The conclusions arrived at by the commission ... that Mr Ball knew at the time he granted the loan that it was to be used for the purposes of placing the advertisement in question, is in conflict with the opinion and advice of the bank's legal team ...

"In these circumstances, the public in general and its customers in particular are asked to grant the bank a fair opportunity to study the report and to respond thereto."

PFP MP David Dalling last night slated the report as a "cheap comic strip gone wrong" and said it was essential that Parliament is given the opportunity to debate Justice Munnik's findings.

He added that a parliamentary debate would also probe President Botha's involvement in the matter.

The bank management would not comment on the findings, saying they were taking advice before making any statements.

Mr Ball, clearly shocked when Reuters told him of the finding, said he had no immediate comment.

Asked whether the bank was discussing Mr Ball's tenure, senior GM Mr Jimmy McKenzie said: "Absolutely not."

Businessman Mr Yusuf Surtee — Mr Z in early evidence to the commission — said he was "surprised" by the findings, but he wanted to study the report in more detail before commenting further.

Local businessmen said the report would alarm those in the financial community who have spoken out against government policy.

(Reports by David Rogers, Glencarin Building, Market St, and Hamish McIndoe, 11 Diagonal St, JHB.)

# Behind the censored barricades

EMERGENCY regulations last week prevented the *Weekly Mail* from giving a full account of police action that preceded the siege of Cosatu House — even though some of these details may have placed their action in a more favourable light.

The ban on the reporting of Security Force action was dismissed by the Supreme Court on Friday, making it possible for the *Weekly Mail* now to give details that were replaced by the word "censored" in last week's edition.

A group of striking railway workers who had heard of the attack by police on their co-workers in Germiston armed themselves with sticks and other weapons, and were

## WEEKLY MAIL REPORTER

marching from Cosatu House to Doornfontein to travel by train to Germiston to assist their colleagues.

They met an armed contingent of police at Doornfontein station. In the ensuing confrontation between the two groups, two workers were killed and four policemen, including a major, were stabbed and clubbed. A number of other workers were injured.

Other details, including allegations that police had assaulted people in Cosatu House, could be reported since such police action is unlawful and would not fall within the ambit of the Emergency regulations.

W/Mail 627

30/4-87-7/5/87



# Isolated cases of customers quitting bank

ARGUS 30/4/87 (327)  
The Argus Correspondent

JOHANNESBURG. — First National Bank (Barclays) is monitoring client reaction following the release of the Munik report into the funding of the ANC advertisements.

So far, however, there had been only isolated cases of accounts being closed, said senior general manager Mr Jimmy McKenzie today.

He said the bank's branches and head office received a number of calls from customers yesterday after the findings of the report were published in newspapers.

The commission concluded that the managing director, Mr Chris Ball, knew the R100 000 overdraft he authorised was to pay for the advertisements.

Mr McKenzie said some accounts had been closed, but these were exceptional cases.

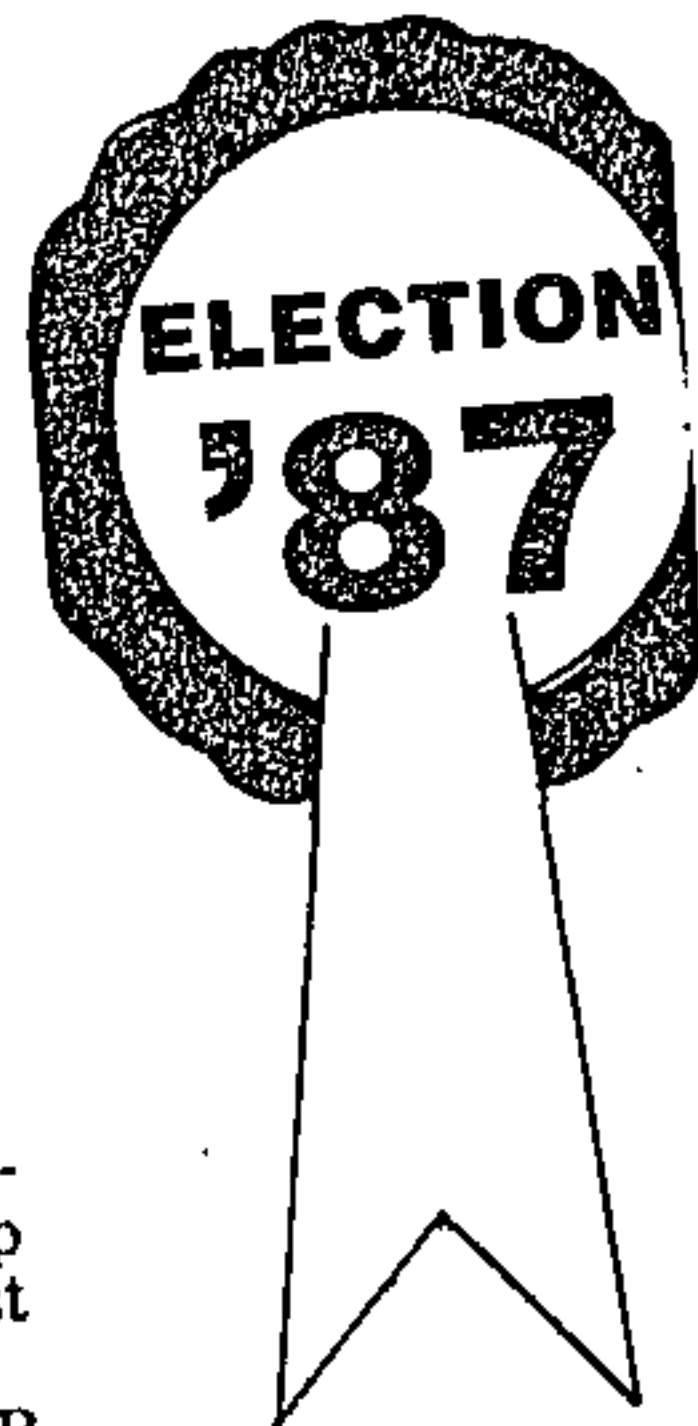
The bank obtained a copy of the report only yesterday afternoon.

It was being studied and there might be further reaction today.

The bank's board and general managers met yesterday to discuss the findings of the inquiry.

ELECTION COUNTDOWN

# Govt 'fighting misusers of trade unions'



PORT ELIZABETH. — The government was not fighting trade unions but ringleaders who wanted to misuse them, the State President, Mr P W Botha, said here last night.

Addressing a crowd of about 1 000 in the Feathermarket Hall, Mr Botha repeated his warning that the government would investigate and possibly legislate further on the issue of foreign funding of extra-Parliamentary activities.

At the start of the meeting, he said he wanted to make a brief statement commenting on the findings of the Munnik Commission of Inquiry into the funding of advertisements calling for the unbanning of the ANC.

He said that although the findings related to particular advertisements they should not be viewed in isolation because they underscored the disquieting issue of funds acquired overseas being applied to effect extra-Parliamentary goals.

He said that after the election the government would have to consider the adequacy of legislation and the possibility of further measures.

Mr Botha said the so-called revolutionary struggle was not aimed at redressing violated black human rights, but was aimed at bringing South

Africa under communist control. "The main struggle is the one directed from abroad under the leadership of the Kremlin, the SA Communist Party and its ANC cohorts.

"If they succeed, not only the NP will be destroyed but also the opposition parties.

"These leftists and pinkos will not be put into power. Other trained leaders are ready to take over."

Mr Botha said it was more than just a military struggle. It concerned the economy, social conditions and political development. "We must ward off these onslaughts against SA ...

"We are told we are going too slow and reform must be hurried up.

"But it took America more than 100 years to find its present constitution. Switzerland took centuries and the European parliament has been struggling since World War II.

"It takes years, generations, centuries, to create constitutions that work. Why is SA expected to do it overnight?

In reply to a question, Mr Botha said that he had no time for the End Constitution Campaign and was sure he spoke for every soldier who had served South Africa. But, he added, "nothing will happen to them as long as they remain within the law."

(Report by Pierre Claassen, 801 Nedbank Centre, Strand St, CT.)



## Govt accused of Three crucial years



# Botha policy 'polarized' SA study

can time 30/4/87

30/4/87 327

From MIKE ROBERTSON

LONDON. — There are grave doubts whether President PW Botha's strategy to crush protest to convince South Africans and foreign investors the government is in control will succeed, a new study published here yesterday says.

The study is the Strategic Survey 1986-87 by the International Institute for Strategic Studies, widely respected for its annual reviews of major strategic developments and trends.

The survey says that both government and its opponents agree that the security crackdown has already dampened black dissidence in the townships. But the presence of troops in "ghetto streets" had not brought rent boycotts or disturbances in black schools to an end in the year under review.

"Two years of protest and repression, with widespread violence by both dissidents and police, appear to have further polarized the country's blacks and whites."

While opinion polls suggested that most blacks remained opposed to violence, "the protest and repression

## IISS slams Reagan

LONDON. — An authoritative think-tank yesterday criticized President Reagan for letting his administration fall into such disarray that it had "badly compromised" his ability to deal with the dynamic new style of Soviet leader Mr Mikhail Gorbachev.

The International Institute of Strategic Studies drew a stark comparison between Mr Reagan's "disregard for details and his refusal to give more than general policy guidance" and Mr Gorbachev's "subtle and sophisticated" brand of politics that had captured world imagination.

The result, said the institute, means "the outlook for the West in the near future remains unpromising". — UPI and Sapa-AP

have led to a rise in the number of black political activists and a wider acceptance of violence as a tool for bringing about change.

"Inevitably, new black protest leaders will emerge to take the place of those in jail or exile. In early 1987 the most likely prospect appeared to be that unrest will be further dam-

pened by the exercise of overwhelming force, but that it will continue to simmer just beneath the surface, ready to burst out again at any time."

Mr Botha, it said, sought a substantial vote of confidence from whites in the coming election for his policy of repression and modest race reform from above.

"That, together with a drop in overt black unrest, would encourage him to try again to tempt moderate black leaders into serving on government-created bodies that have been carefully designed to avoid giving blacks any real political power.

"So far even moderate blacks have rejected these institutions. It is highly doubtful that any mix of race reform measures can be found that would simultaneously satisfy most blacks' demands for real power-sharing and most whites' insistence that the reins of power be kept in white hands."

The survey also points to the serious consequences of the "little wars" in Southern Africa, which for the first time last year affected all 10 regional states. It says the economic and social disruption caused by these wars was likely to outlast the conflicts themselves.

# ANC ad: Bank counts cost

CAPE TIMES 30/4/87

1187 28 327

Own Correspondent

JOHANNESBURG. — First National Bank will not be able to take legal steps to counter the findings of the Munnik Commission's probe into the bank's involvement in funding adverts calling for the unbanning of the ANC, legal sources here said yesterday.

They said the bank has no legal avenues open and have discounted the possibility of a Supreme Court review of the report.

This follows Mr Justice Munnik's "overwhelming" conclusion that MD, Mr Chris Ball, knew the R100 000 overdraft granted to businessman Mr Yusuf Surtee would be used for adverts.

## Concern about impact

FNB GM, Mr Jimmy McKenzie, said: "The report's findings were a shock to me. Even our legal advisers did not expect it to go against us to such an extent.

"We are very concerned about the impact on our business and don't want to lose one account because of it," said Mr McKenzie.

He added that he had personally received several calls of support from the bank's clients, and "only two clients expressed concern".

FNB executives met yesterday afternoon to decide on what further statements should be made on the Munnik report.

## 'Terrorising business'

Meanwhile the PFP's general secretary, Mr Robin Carlisle, said last night that the whole affair represented nothing more than a blatant ploy to frighten businessmen who did not toe the Nat line. He accused the NP of "terrorising the business community".

And chairperson of the Transvaal region of the Black Sash, Mrs Ethel Walt, said last night that South African taxpayers had financed an expensive and elaborate smear campaign.

"Mr Ball did nothing illegal. The UDF is a legal organization.

"Even if Mr Ball did know the money was for a UDF advertisement it would have been an extraordinary act for him to have refused funds for one of the largest legitimate political groupings in this country," she said in a statement to Sapa.

(Political comment by B Streek, 122 St George's St, CT.)

□ Leading article, page 10



# Police siege at Cosatu

Cape Times 30/4/77

1400

257

278

327

370

**JOHANNESBURG. — Heavily armed police, blaming trade unionists for the gruesome murder of four railway strike-breakers, yesterday surrounded Cosatu House and used masked informers to point out 11 allegedly wanted black activists.**

The raid came exactly a week after police shot and killed six members of the Congress of South African Trade Unions and hours after Cosatu called for a two-day protest to coincide with the whites-only general election on May 6.

More than 100 heavily-armed police surrounded Cosatu House in downtown Johannesburg, closing streets with yellow barriers and forcing black people on the streets to go indoors.

The policemen, many wearing riot helmets, carried rifles, shotguns, teargas launchers, batons and gas masks. A crowd of onlookers were dispersed by police with dogs.

Eleven people — aged from 12 to 49 years — were arrested in the raid.

Lieutenant Pierre Louw, police liaison officer for the Witwatersrand, said all the arrests were made in the building. He said a police search of the

building was still underway at 9.30pm and would continue for about "an hour or so".

Police said in a statement released during the raid that Cosatu House was being used to assault and torture railway workers who had refused to take part in a strike that ended last week.

They accused Cosatu of complicity in the killing on Tuesday of four unidentified blacks found stabbed, hacked and burned to death in a field at Kaserne, near Soweto.

"The South African Police now possess reliable evidence which indicates that these four men were forcibly removed to Cosatu House, where they were violently assaulted and thereafter taken to Kaserne, where they were butchered in the most barbaric fashion," police said.

Cosatu's general secretary, Mr Jay Naidoo said it was "very hard" to believe the police version that four men whose charred and stabbed bodies were found at Kaserne had been assaulted and tortured at Cosatu House.

Mr Naidoo said last night the union grouping would bring an urgent court application today to challenge the legal premises on which the police entered Cosatu House.

Cosatu lawyer Mr Peter Harris said police took four masked black men into the building, where about 500 transport workers were discussing the firing last week of 16 000 strikers.

"We made a deal with police that the women should be evacuated. The evacuation was going peacefully when police threw teargas down a stairwell. There was no provocation for this," he said.

A Cosatu official reached by UPI by telephone said "police went in there with four black men in knitted balaclava helmets. They are letting the men out of the meeting one by one, searching them and letting the four look at them."

A camera crew from the American CBS network, Chris Everson and Greg Shaw, were briefly detained at the Jeppe Police Station — suspected of contravening Section 3a of the emergency regulations and then released, CBS confirmed last night.

The General Manager of SATS, Dr Bart Grove, yesterday expressed his revulsion at the "needless and gruesome" necklace killing of four SATS workers near Kaserne. — Own Correspondent, UPI and Sapa-Reuter



# Rallies banned and confusion reigns on May Day run-up

By Jo-Anne Collinge

Manpower Minister Mr Pietie du Plessis is appealing to employers to "accommodate" workers and grant Workers' Day tomorrow as a paid holiday although it has not yet been made official by Parliament.

While magistrates in most major centres have refused permission for open-air May Day gatherings, a Supreme Court application over the right of the Congress of South African Trade Unions to hold a rally at Durban's Curries Fountain may be heard today.

Mr Du Plessis said yesterday that Workers' Day, as announced by the State President, was at present a paid public holiday only for office workers.

In other sectors, a paid holiday or pay rise for

people working on May 1 was a matter for negotiation between employers and workers. The Government appealed to employers to be accommodating. Mr du Plessis said.

The Independent Labour Monitoring Group estimated at least 1.5 million workers stayed home on May 1 last year when there was no holiday. Student action may have boosted that figure to 2.5 million.

Cosatu said its plans to observe May Day were thrown into confusion by magistrates refusing permission for outdoor gatherings.

Mass rallies had been planned in Durban, Cape Town, Pretoria, Soweto, Port Elizabeth, Uitenhage, Kimberley, East London, the Vaal Triangle and

smaller centres.

In no case had permission been granted at the time of going to Press. In most centres, permission was refused under the Internal Security Act.

Cosatu publicity secretary Mr Frank McIntjies said alternative indoor venues were being organised.

The reason for the ban on Cosatu's Durban meeting was given in correspondence between chief magistrate Mr J J Pienaar and the union group. Mr Pienaar wrote that police had advised him that Cosatu's Living Wage Campaign would be discussed at the rally and this would not be in the interests of public order.

Cosatu has the opportunity to respond to the police objection.



ARMS 31/3/87  
327  
**NATIONAL**

## '1 289 died in unrest last year'

The Argus  
Correspondent

JOHANNESBURG. — A total of 1 289 people died in unrest last year — an average of 3,53 people every day, says the Repression Monitoring Group (RMG).

However, the Bureau for Information has disputed these figures, saying that according to its figures the unrest death toll for the year was 935.

The RMG says in its latest newsletter that between September 1984 and June 1986 there were 2 356 unrest-related deaths, a daily average of 2,6.

In January, this year, 39 people died because of unrest, it said.

### **Detained**

It says 30 163 people were detained — an average of 82,6 a day — and the number of unrest-related arrests last year was 11 006, an average of 30,1 a day.

The head of the Bureau for Information's statistics division, Dr Kobus Neethling, said the RMG's fatality figures were based on the daily totals issued by the bureau.

However, these totals often changed, he said. Sometimes it was found that a death which was thought to be unrest-related was crime-related, or vice versa.

### **Statistics**

He said that according to the bureau's figures, 935 people had died last year, an average of 2,56 a day.

It was not the bureau's policy to comment on the number of people detained and the bureau did not keep any statistics in this regard.

The Ministry of Law and Order has repeatedly put the number of detainees at about 5 000.

TOTALITARIANISM - GENERAL

1987

~~JUNE~~

MAY — JUNE.





From page 1

youth, two coloured men, three coloured women and two white men were arrested."

Late last night ABC lawyers were attempting to bring an urgent interdict for the newsmen's release.

The United States Embassy was "looking into the matter" and was "concerned about the involvement of an American network", a spokesman said.

The Bureau report of the incident stated: "At 2.15 a group of about 500 students threw stones at private vehicles. They were dispersed by way of tearsmoke and sjamboks. No damage or injuries were reported."

An SRC spokesman said a few students threw stones after police moved on to the campus but they saw no stones thrown before this.

Police escorted a Cape Times car from the campus yesterday morning after telling a reporter to leave the area or face arrest.

At UCT further confrontations were averted when Dr Saunders intervened while students were marching towards the administration buildings below De Waal Drive, where students called on members of the university community to join them in a march on May 6 under the banner "One person one vote in a unitary state".

Earlier, Ms Carla Sutherland, president of the SRC, read a note from Professor James Leatt, the deputy vice-chancellor in charge of student affairs, which said he had information that any march to De Waal Drive would be stopped by the police.

About 500 students, watched by police in parked cars on De Waal Drive, then marched towards the administration building. P.T.O.

**ABOUT TURN ...** Dr Stuart Saunders and academics lead students back to the Jameson Hall after police arrived on the campus while students were marching on the administration buildings to deliver demands.

Picture: ALAN TAYLOR

# Police storm rally;

## 6 arrests at UWC

IN A DAY of drama on three university campuses yesterday, at least six students and two journalists were arrested at the University of the Western Cape after police stormed on to the campus and fired teargas to disperse a rally, while at UCT, the principal and vice-chancellor, Dr Stuart Saunders, single-handedly averted further confrontations between students and police.

And in Johannesburg, hundreds of University of the Witwatersrand students were fired on with teargas while staging a sit-in protest in support of UCT students and issues which sparked violence on the local campus earlier this week.

The UWC arrests followed a May Day rally in the main hall attended by about 1 500 people. Police fired several canisters of teargas to disperse students.

About 500 students staged a protest march to the campus gates where a large police contingent, including a Casspir, was drawn up.

Armed police with cameras were also stationed behind a wooden "hide" on top of the SATS building opposite the gates.

The rector, Professor Jakes Gerwel, attempted to speak to a Captain Van Schalkwyk, in apparent command, but the captain refused and police stormed on to the campus seconds after students were given a three-minute warning to disperse.

Two journalists, ABC cameraman Henry Bautista and soundman Willem Pretorius, were arrested.

A police liaison officer for the Western Cape, Lieutenant Attie Laubscher, said last night that the two newsmen and "six other people" were being held in the Bellville police cells under the Public Safety and Internal Security Acts.

The Bureau for Information said: "A 15-year-old

To page 2



**AMANDLA ...** Wits students at a meeting on the campus yesterday.



ly walked in behind the truck as it was reversing  
in Rooiplaat Street soon after 10am.

*Capt 7/1/87 11/5/87 327*  
**NUM meeting prohibited**

**WELKOM.** — The chief magistrate of Welkom, Mr J P Seeman, has prohibited a meeting of the National Union of Mineworkers which was due to be held at Tladi stadium here today, SABC radio news reports. The prohibition order is effective from 6am today till 6am on Sunday.



'Verdict unsupported'

# Bank rejects Munnik

CAL TROTS 1/5/87

327  
1/5/87

**JOHANNESBURG. — A full meeting of the board of directors of the First National Bank has rejected the findings of the Munnik Commission of Inquiry into the funding of ANC advertisements, which implicated the bank's MD, Mr Chris Ball.**

A statement issued here said the bank's legal team, after having studied the full report of the commission, could find no evidence to support the commission's verdict.

In a statement last night, Mr Ball said events over the past few months had caused concern to "staff and customers of the bank.

"The legal advice given to me since 5 February has been that I should not make any statement to use during the sitting of the Munnik commission. I am now, however, in a position to do so. The events of the last couple of months have given rise to certain false perceptions in regard to my personal stance which are caus-

ing concern to staff and customers of the bank.

"I have repeatedly stated that I am totally opposed to violence. I therefore cannot and do not support terrorism and revolution, or people or movements who promote them. Thus I believe in negotiation and reconciliation, in the creation of a peaceful and just society.

"Communication and dialogue are fundamental to the process. Businessmen have a right and duty to participate in the debate on the socio-economic issues.

"I am extremely proud of the traditions of the bank. Neither it nor I as Managing Director have ever taken sides politically and will not do so in future. The bank's contribution to the development of our great country is without equal and I and my colleagues will continue that tradition.

"The evidence I gave to the Munnik commission was factual and accurate and my conscience is totally clear on that point."

Mr Ball's statement received the full support the First

National Bank's board, who released the following statement:

"The Board of First National Bank of Southern Africa Ltd has had the opportunity of being advised by its legal advisers who were present throughout the hearing.

"In view of the foregoing, and that Mr Ball at all times acted lawfully and within his authority, the board expresses its full confidence in and continued support for Mr Ball.

"The bank affirms its age-old tradition of service to all sectors of the South African community. Contrary to impressions which may have been created, the bank has no political position or allegiance and seeks only consistently to serve the best interests of all its clients.

"At the same time it is of the view that there is a critically important role for business leadership to play in public life.

"The general management committee of the bank has been a party to and fully endorses the contents of this statement." — Sapa and Own Correspondent

CAPE TOWN  
1/5/87

# Minister rescinds move on schools

By CLARE HARPER

HOURS after the promulgation yesterday of a regulation obliging principals of coloured schools and colleges to report students who commit acts of intimidation to police, the chairman of the Ministers' Council of the House of Representatives, the Rev Allan Hendrickse, withdrew it.

The regulation, which appeared in yesterday's Government Gazette, was according to Mr Hendrickse "declared inadvertently" and "was being rescinded immediately".

## 'Error'

The notice, signed by the Minister of Education and Culture, Mr Carter Ebrahim, said principals "shall forthwith report to the police any person who commits any act (at the school or college) which, in the opinion of such principal or head, constitutes an offence under the Intimidation Act of 1982".

In a statement Mr Hendrickse said "the particular regulation was not approved by the Ministers' Council and must be seen as an error".

It was "immediately withdrawn", he said.

Education bodies yesterday expressed surprise over the move.

## 'Estranged'

Before the withdrawal, the president of the Cape Teachers' Professional Association, Mr Franklin Sonn, described the regulation as "outrageous and provocative".

He said the regulation would have "finally estranged principals from their students" and teachers from their community.

After the withdrawal, Mr Sonn said: "It's about right, because further repression is not going to help anybody. In the light of this we have withdrawn instructions to our lawyers."



# Troops ring empty rally points on Reef

JOHANNESBURG. — Soweto's Orlando Stadium was deserted yesterday, May Day, surrounded by a SADF contingent.

Soldiers yesterday surrounded the stadium and the Regina Mundi Catholic Church where two major May Day rallies were scheduled to take place. The Congress of South African Trades Unions (Cosatu) rally at the stadium was banned and no participants arrived at either venue.

In Soweto taxis operated normally and shops were open.

The Transvaal Indian Congress held its May Day rally in Lenasia yesterday amid a presence of more than 200 policemen, TIC secretary Mr Ismail Momoniat said.

## 'Provocative'

More than 600 people attended the rally in the Gandhi Hall.

Earlier yesterday the police prevented a May Day youth festival called by the Lenasia Youth League at the same venue.

Mr Momoniat said: "The TIC believes the provocative presence of the police shows that South Africa is just one step off martial law.

"The technique of laying siege to legal gatherings by the police is nothing short of intimidation."

The mass meeting resolved to support the two-day peaceful protest call on May 5 and 6 to "protest against police repression, the state of emergency and to show solidarity with striking railway workers".

In Durban thousands of workers squeezed into three tiny township halls to celebrate May Day after the banning on Thursday of a major "Living Wage" rally planned for Curries Fountain Stadium.

At Curries Fountain yesterday the gates were locked and police were present.

Cosatu's Natal secretary, Mr Thami Mohlomi, told workers at the gates that rallies were being held in Umlazi, Lamontville and Pinetown.

At Umlazi Cinema a Cosatu organizer, Mr Henry Zondi, told more than 1 000 jubilant workers that the fight for the recognition of May Day was still on.

"We do not accept what President P W Botha says about May Day. We say we want to observe May Day on May 1, not on the first Friday."

He urged workers to take struggles beyond factory floors into the townships, adding that workers needed the support of the community to carry out the "Living Wage" campaign.

Several speakers urged workers to observe May 5 and May 6 "appropriately" but stopped short of calling for a stayaway from work.

In Windhoek's Katutura township thousands of Namibian workers marched and rallied to mark May Day for the first time.

Despite reports of an increased security force presence and reports that the State hospital had been put on standby, about 8 000 workers streamed to the township rally, held under the umbrella National Union of Namibian Workers (NUNW).

## Political clout

Special church services to commemorate Worker's Day were arranged in the war-ravaged north.

Yesterday's Katutura rally was one of the largest in Namibia in recent years and demonstrated the increasing political clout of Namibia's emergent union movement.

The NUNW has aligned itself with the national liberation movement and push for independence.

One speaker condemned the recent raid on Cosatu House and expressed solidarity with South African workers.

— Own Correspondents and Sapa



4 000 meet in Athlone

# Govt curbs May Day

MORE THAN 4 000 workers filled the Athlone Stadium yesterday to celebrate May Day — the only such outdoor rally permitted throughout the country. Twenty other Congress of South African Trade Unions (Cosatu) rallies in all four provinces were either refused, or failed to gain, permission.

The Cape Town rally was permitted with severe restrictions, which included a ban on mentioning Cosatu's Living Wage campaign and a requirement that only speakers named on the application address the meeting.

Speaking from Johannesburg Cosatu's general secretary, Mr Jay Naidoo, said the banning of the rallies made a "mockery" of President P W Botha's Worker's Day announcement. Cosatu would continue to demand May 1 as May Day, he said.

The mood worldwide during International Labour Day celebrations was largely festive, but police broke up gatherings in Poland, Chile and Sri Lanka as well as locally.

In Warsaw violence was the keynote of the day.

Police using truncheons broke up illegal rallies in Polish cities and detained more than 200 Solidarity activists.

In Chile police used teargas and water cannons to disperse about 1 000 anti-government workers marching through central Santiago after attending a May Day rally. At least 25 people were detained.

In Sri Lanka riot police broke up at least three anti-government rallies with teargas, gunfire and riot batons. Outside a Buddhist temple in a Colombo suburb at least one student was shot to death and nine police officers were injured.

Meanwhile, in the Western Cape, workers turned out in their thousands at city and Boland indoor rallies organized by Cosatu and one by the National Council of Trade Unions (Nactu).

A police spokesman for the Western Cape, Lieutenant Attie Laubscher, confirmed that in Ravensmead, police with sjamboks charged a group of 30 people, arresting a 25-year-old man on a charge of attending an illegal gathering.

Lieut Laubscher said the group gathered in De La Rey Road about 9.45am and were charged with sjamboks after they were warned to disperse.

Police also intervened at various Boland rallies, informing organizers that any discussion on a possible May 5 and 6 stayaway was forbidden.

At the Athlone Stadium meeting about 4 000 people joined in a spirited celebration of Worker's Day in spite of restrictions.

Cosatu's Western Cape regional secretary, Mr Nic Henwood, appealed to all "comrades" at the meeting to ensure it was successful.

## 'Shaka' Cele KO'd

THE music rang "boom boom" over the speakers but there was no Henry Cele of "Shaka Zulu" fame at the Athlone Stadium last night.

The former Berea goalkeeper was to have been on the bench for Lightbody's in their Federation Professional League match against Bosmont Chelsea.

But his debut was KO'd by a threat by members from youth movements who attended yesterday's May Day rally at the stadium and objected to Cele's presence.

A spokesman for Lightbody's said that a Cosatu official phoned him early last night and told him Cele was persona non grata at Athlone Stadium.

The club decided for Cele's safety not to bring him to the ground.

But this left over the crowd of 3 000 disappointed and some people started to drift off slowly.

Cele could not be reached for comment last night. He is filming at Kalk Bay today on the film "Rage to Kill", starring Cameron Mitchell.

A Cosatu official denied that his organization was involved and said they had the stadium booked only till 7.30pm while the Lightbody's match was scheduled to start at 9pm.



*Famous for their  
unvarying quality*

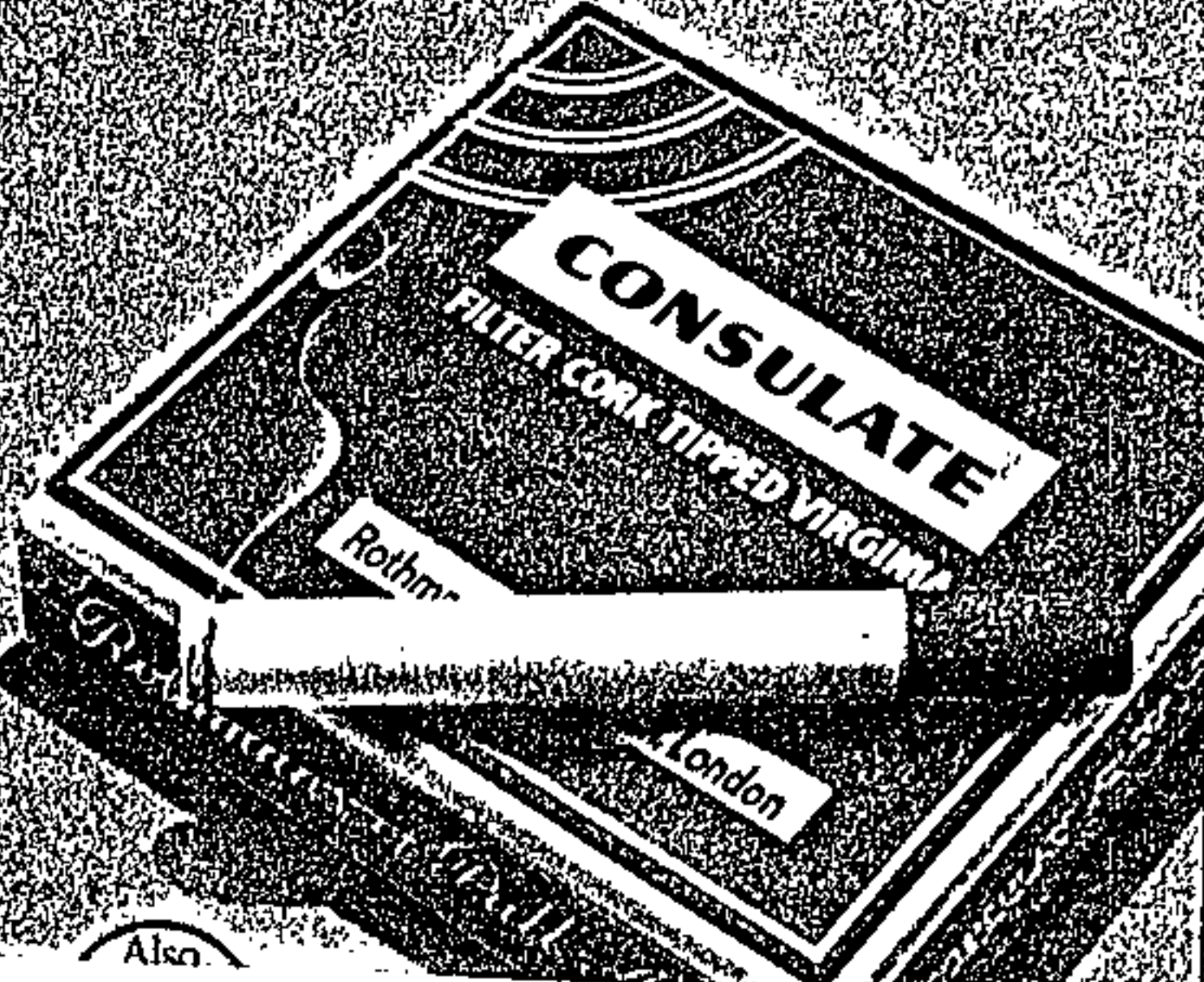
Smoking fashions may come and go but  
Consulate will always give you three things:

The finest tobacco

Superb skill in blending

The pleasure of smoking

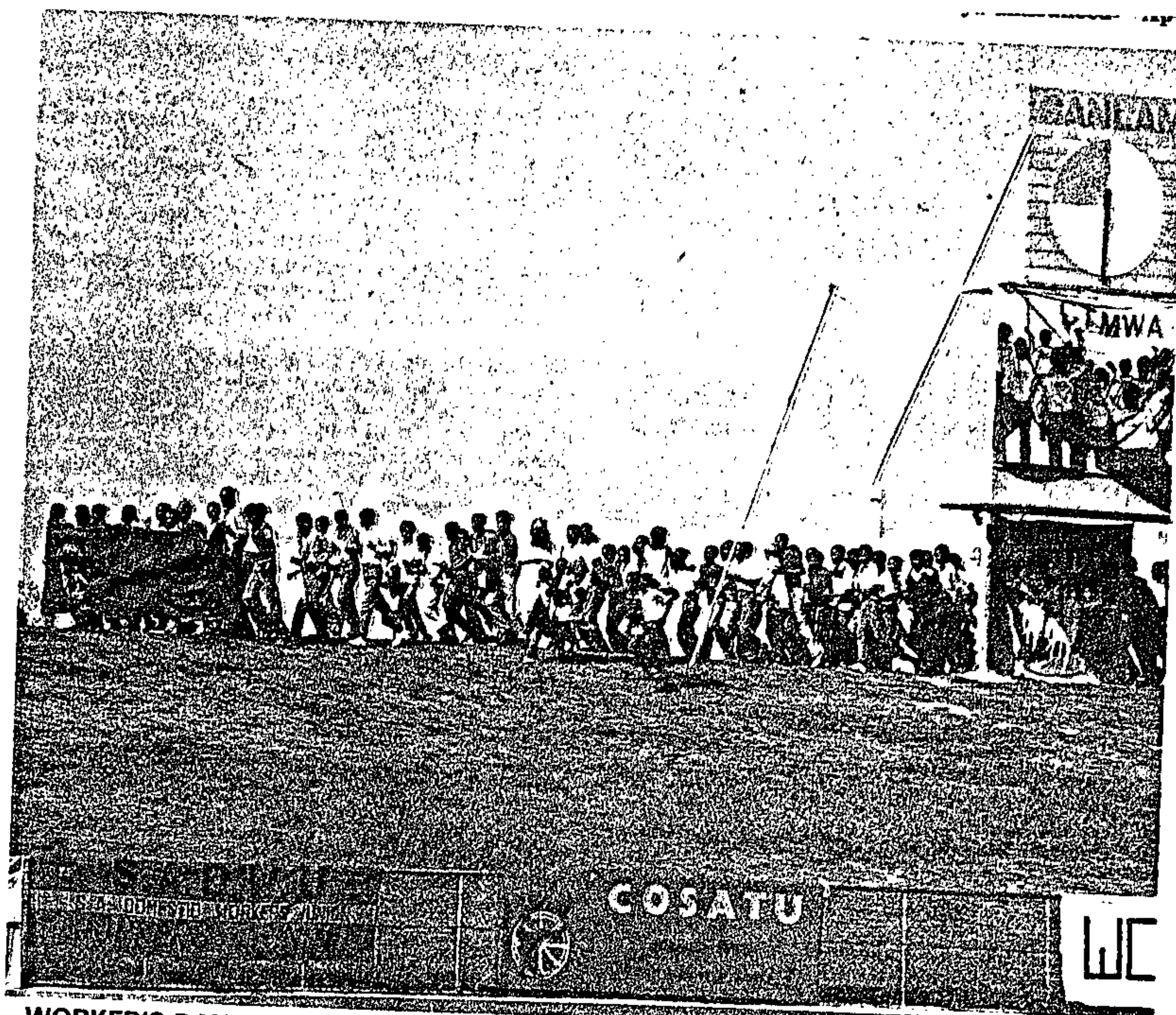
a really fine cigarette



To page 2

P.T.O.





**WORKER'S DAY . . .** A throng of exuberant singers jog spontaneously around the field at Athlone Stadium, some of them bearing a Cosatu banner, shortly before the start of the May Day rally there yesterday.

Picture: RICHARD BELL

From page 1

The restrictions prohibited the authorized speakers — including Mr Mac Mtiya, Mr Fred Gona, Mr Abie Adams and Mr Nic Henwood — from "referring to, propagating, advancing or canvassing any matter relevant to the Cosatu Living Wage Campaign".

Speakers could talk only on "bona fide" trade union matters, including the history and significance of May Day, unemployment problems, changes in labour legislation, unionization and workplace matters.

Police largely kept away from the meeting, although a blue-and-yellow helicopter circled the stadium a couple of times.

Unionists said at least five people were held at a roadblock in Klipfontein Road. They said two were released.

Lieut Laubscher said the others must have been released, as only one arrest had been recorded all day.

Unionists reported that gatherings of workers at bus pick-up points had been dispersed or frightened away in Ravensmead, Belhar and Elsie's River.

Lt Laubscher said there had been "a group or two" at Athlone station, but overall it had been "a very quiet day, with no violence".

According to organizers, meetings at the University of the Western Cape, Bellville; the Oasis Cinema, Bonteheuwel; the Moravian Creche, Manenberg; and the Dairy Belle Hostel, Guguletu, went ahead peacefully and without incident, but under police surveillance.

Nactu's regional organizer for the Western Cape, Mr Sizakele Mahlutshana, told about 250 people at the St Francis Cultural Centre in Langa that the future of the country lay in the hands of the workers.

A Cosatu meeting attended by 400 people in the Pineview community hall in Grabouw was brought to an early close after armed police walked in about 20 minutes after it started.

At the Saldanha Civic Hall, where 700 people had gathered, the proceedings were halted by organizers about 2pm when more than a dozen police arrived and informed the meeting that any discussion on possible stayaways was illegal.



17665 4/5/87

# Police pull out all stops for election

The Argus Correspondent

PRETORIA. — Security forces would be out in full strength and well prepared to handle any attempt to disrupt or discredit the elections on Wednesday, said the Commissioner of Police, General Johan Coetzee, today.

He said the authorities were briefed in detail from a wide range of sources. This intelligence had been evaluated and the police were confident they were fully aware of planned action.

He said: "It is quite obvious there is a great deal of interest in this election, both at home and abroad, and that the turnout at the polls is expected to be very high.

## DIVERSIONS PLANNED

"Our information is that this is frustrating to certain radical organisations and individuals and that plans have been made to divert attention away from the election as much possible.

"It is known the ANC, for example, has instructed that there be a co-ordinated anti-election campaign with political, diplomatic and military dimensions.

"We have already taken steps to foil these actions."

General Coetzee said people need have no fear of going to the polls on election day as every possible measure had been taken to protect voters and officials.

Security forces were in complete control of the situation but, in the final analysis, it was co-operation between the public and the police which would ensure the smooth running of the elections.

(Report by D Braun, 216 Vermuelen Street, Johannesburg)

## Meetings

SIMONSTOWN: Mr Colin Eglin, Mr John Scott and Mr Robin Carlisle, Fish Hoek Civic Centre.

GARDENS: Mr Ken Andrew, Mr Tian van der Merwe, Mr N Osburne, Miss M de Swardt, Van Riebeeck Primary School Hall.

SEA POINT: Mr Eglin, Mr van der Merwe, Mr Andrew and Mr Scott, Weizmann Hall.

CONSTANTIA: Mr Roger Hulleley and Mr J van Gend, Christ Church Hall, Constantia Road, Constantia.

PINELANDS: Mr Jasper Walsh and Mr Jan van Gend, Pinelands Community Centre.

STELLENBOSCH: Independents Dr Denis Worrall and Dr Esther Lategan, Stellenbosch Town Hall.

The Stellenbosch meeting starts at 7.30 pm. All the others at 8 pm.

● More election reports on pages 8, 10 and 11.



CME Times 4/5/87 (80) 327

'The slate is clean with Ball'

# Top executives asked to sign support pledge

**Own Correspondent**

JOHANNESBURG. — Executives of large corporations who know and deal with First National Bank (FNB) managing director Mr Chris Ball are rallying to his support after the ruling of the Munnik Commission.

More than 70 executives will today be asked to put their name to a letter pledging continuing support for Mr Ball, said one of the signatories, Tradegro's Mr Mervyn King.

The letter will be handed to FNB chairman Mr Basil Hersov and is intended to show the bank that Mr Ball's peers hold him in esteem and trust, despite the findings of the Munnik Commission.

Support from other executives is being gathered because "we want to put across the message that the slate is clean with Ball, in fact, we regard it as not even being marked".

The letter says: "The bank's legal team feels that the probabilities point to Ball not knowing the destination of the funds. The Commission found that the probabilities pointed to him being aware.

"Probabilities do not create facts.

"We (the executives) know him (Ball) as an honourable man and he will continue to enjoy our trust and confidence in our dealings."

Mr King and Premier's Mr Peter Wrighton have telexed executives whose names would be listed if their support was forthcoming. Mr King and Mr Wrighton will sign the letter in their private capacity.

The names will remain private, but if Mr Hersov wanted to he could make the letter public, said Mr King.

Chris Cairncross reports that many leaders of the country's business community are indicating that they believed the Munnik Commission's conclusions over the funding of the

advert, calling for the unbanning of the ANC, were irrelevant.

Businessmen canvassed for their reactions over the commission's report, released last week, chose not to comment on the merits of Judge President Mr Justice Munnik's findings.

But, they noted, he had not found that Mr Ball had done anything unlawful, he had acted within his rights as a banker in granting the overdraft facility, the UDF was not an illegal organization, and there was nothing illegal about calling for the unbanning of the ANC.

In a statement published as an advertisement in a number of newspapers at the weekend, the full board of FNB supported Mr Ball, affirming that he had at all times acted lawfully and within his authority as managing director.

They rejected Mr Justice Munnik's findings as being unjustified and not substantiated by the evidence placed before the commission.

Generally, business leaders canvassed expressed concern over the events leading up to the appointment of the commission.

Pick n' Pay chairman Mr Raymond Ackerman echoed the views of most of his business colleagues when he again criticized the manner in which the State President, Mr P W Botha, had used the protection of Parliament to make several allegations about Mr Ball.

Others commented that the appointment of the one-man commission also appeared to be a strong-arm tactic by Mr Botha, aimed at warning Mr Ball and other businessmen to stop criticizing his government and stop meddling in politics.

"We will not be cowered by such tactics and will continue express our forthright views over the way the country is being run and push for reform," commented Mr Ackerman.

# Police hold six students for slogans on buildings

ARGUS 4/5/87 397

## Argus Bureau

PORT ELIZABETH. — Six students, five of them women, have been arrested in Grahamstown after slogans were painted on public buildings.

The police liaison officer for the Eastern Cape, Captain Peet Grobblers, said "political" slogans had been painted on 11 buildings.

The arrests were made at the magistrate's court in the

early morning by policemen in a patrol vehicle.

The students were charged and released pending their appearance in court today on charges of malicious damage to property, according to Captain Grobblers.

Buildings on which the slogans were painted included the Progressive Federal Party offices, the magistrate's court building, the Grahamstown Club and the Standard Bank.

Two die in burning



Cape Times SPS  
#327

# How much longer? Sash asks

**JOHANNESBURG.** — South Africa is worthy of a greater love than blind adherence to policies that have wrecked the economy and seen thousands die in townships and now on city streets, the Black Sash said in a statement yesterday.

"The actions at Cosatu House (trade union headquarters in Johannesburg raided twice by police in the past two weeks) and the shootings on the campus of the University of Cape Town should have shocked South Africans to the core," it said.

The "civil war" in the country for nearly

three years had come out of the townships and into the cities, the statement said.

How much longer before it knocked on suburban doors?

"How much longer before white South Africans sit up and say 'no, apartheid must end, the shooting must stop'?"

It said its aim was to see "one South Africa, one people".

□ Thirty-three Sash members stood apart in an hour-long demonstration at peak hour yesterday morning along two of Johannesburg's busiest roads. — Sapa

# 1500 top men back Ball

CAP TINTS  
5/5/87  
327

THE Institute of Directors, which represents 1 500 South African directors of companies, yesterday expressed its support for First National Bank managing director Mr Chris Ball in the wake of the findings of the Munnik commission.

In a statement issued yesterday, the IOD — which said one of its major objectives was to provide the individ-

ual director a voice in his own right — said it was totally supportive of the views expressed by Mr Mervyn King and Mr Peter Wrighton in their letter to First National Bank.

The letter was to have been delivered to FNB yesterday to inform the bank that Mr Ball was held in the highest esteem by his peers despite the findings of the commission.

“The IOD upholds the principle of free speech and — accepting that there is a distinct overlap between business and politics, particularly in South Africa — believes strongly that it would be highly detrimental to the South African economy if directors were obliged to ascertain the political affiliations of other business people prior to conducting any legal business with them,” the statement said.

□ Meanwhile, the response from senior executives to a call for the support of Mr Ball is unlikely to be disclosed to the public.

Mr King said the issue was a private one between business and the FNB, whose chairman, Mr Basil Hersov, was at liberty to make it public if he chose. — Staff Reporter and Own Correspondent



# Ad stopped after warning

A FULL-PAGE advertisement relating to detentions and placed by the Black Sash was withdrawn by Business Day late yesterday on legal advice.

This came after a police warning yesterday evening that they would continue applying restrictions on the media which were overturned by the Natal Supreme Court last month, as an appeal had been noted against the judgment.

An order issued in terms of the emergency regulations by Commissioner of Police General Johan Coetzee, and which affected the advertisement, was involved in the Natal judgment.

Business Day's legal advice was that publishing the advertisement would expose the newspaper to an unacceptable risk of seizure.

SAPA reports that a statement from the police public relations division, Pretoria, said the SAP would apply the regulations concerned as in the past until the result of the appeal was made known.

"The South African police will in every instance where the media regulations concerned are breached, take steps required by the law," the statement said.

# Bracing against govt's 'dirty tricks'

SOUTH REPORTER

LEADING anti-apartheid groups are bracing themselves for a government crack-down on their overseas funding — but they are not taking the threats lying down.

P W Botha has threatened to act after the general election against organisations who receive overseas funds "to undermine the state".

A spokesperson for the United Democratic Front, which many of these bodies support, said the state of emergency had failed to silence extra-parliamentary opposition.

Now the "Botha-Malan clique was resorting to another dirty trick".

Many organisations in the Western Cape, including Grassroots community newspaper, Foundation for Peace and Justice, Churches Urban Planning Commission, the Community Video Education Trust, and The Ecumenical Action Movement (TEAM) are being investigated for possible contraventions of the Fundraising Act.

## Commercial branch

According to their spokespersons, receipt books, bank statements and other financial documents are in the possession of the commercial branch of the police.

A spokesperson for Grassroots, Mr Mansoor Jaffer, said there was a distinct possibility that the Botha regime would try to halt money coming into the country.

"Grassroots will fight the issue tooth and nail," Jaffer said.

Dr Allan Boesak, director of the Foundation for Peace and Justice, said: "The foundation is not an independent organisation, it is an extended ministry of the Bellville South congregation."

He said if the government took any action against the foundation, it would be taking on the church.



# 'Excesses' of the State of Emergency

HARSH prison sentences, restrictions on funerals, alleged torture, detention and the introduction of kitskonstables into townships were excesses under the State of Emergency.

The declaration of the State of Emergency itself was an "excess", Mrs Di Bishop of the University of the Western Cape's Department of Social Development told the UWC conference on Law and Democracy in South Africa at the weekend.

"As the measures taken against the population of our country have become increasingly repressive and excessive, so people have sought to respond with similar excess," Bishop said.

The latest instruments of oppression she said were the "feared" kitskonstables, community

guards or "green flies" and municipal guards or "amachakas".

Kitskonstables were partly drawn from the "large pool of poor, unemployed rural people" who are struggling to survive.

While the employment of municipal police was first suggested in the 1977 Community Council's Act and again provided for in the 1982 Black Local Authorities Act, recruitment only began under the 1985 State of Emergency.

"Allegations against the guards have included beatings, torture, midnight arrests, the repossession of items obtained under hire purchase and temporary detentions in the camps from which they operate," Bishop said.

Lawyers had experienced "considerable difficulty" in gaining

access to detainees held under the Internal Security Act, Mr Essa Moosa said.

"Access has been controlled by administrative decree and those in charge have been dragging their feet on the question of access," he said.

There were glaring contradictions in court decisions on access to detainees.

Only after the Supreme Court application by the Metal and Allied Workers Union (MAWU) in 1986 did the state "reluctantly" agree to legal access to detainees.

The only time Moosa's firm had access to detainees held under section 29 of the Internal Security Act was when they appeared in court on charges.

The only lasting solution to this situation, he said was a new constitution with a new legal order.

## 40 people held after placard demonstration

PRETORIA — Police arrested 39 whites near a polling station in Berea, Durban, about 8am today when they walked down a street with placards and refused to disperse, the Bureau for Information said.

About 50 whites and an Indian youth held an al-

leged illegal gathering in Essenwood Road, a spokesman said.

When they would not heed a police request to disperse, 20 white men, 19 white women, and the Indian youth were arrested.

It was not made known what the placards said.

There were no other reports of unrest at polling stations.

Three petrol bombs ignited at the Hottentots-holland High School at Somerset West in the key Helderberg constituency today, the school principal confirmed.

Mr M J van Vuuren

said when the school was opened at 7.30am, three petrol bombs were found inside a classroom, but "very little damage was caused". All three bombs ignited.

He said the bombs were thrown through a window,

● Turn to Page 2

327 328 329 6/5/87

## 40 people held after street demonstration

● From Page 1

probably in the early hours of the morning, and that two blackboards and the floor and paintwork in the drawing room for wood and metal work were damaged.

"But it is school as normal today. The damaged classroom is at the edge of the school and there has been no disruption to our normal working day."

In Mamelodi, police removed a Russian flag from a fence at the Pheladi Nakene Primary

School.

In Guguletu three women were slightly injured when people threw a petrol bomb at a bus.

In Izakeni, Ladysmith, a man was slightly injured when a group of people stoned his car.

In Inanda, Durban, five men were slightly injured a petrol bomb was thrown at a bus.

In Mhluzi, in Middelburg in the Transvaal, a youth was arrested when a crowd stoned private vehicles. — Sapa

327 328 329 6/5/87



327 (328) SPAR 6/5/87.

By Don Holliday

A University of the Witwatersrand student was sentenced yesterday to 18 months imprisonment, conditionally suspended for four years, for being in possession of a South African Communist Party publication.

Alfred Kwele (26) of Naledi, Soweto was arrested on January 9 after the publication "Umsebenzi — The Voice of the South African Communist Party" was found by police at his home.

He pleaded guilty to possession of a banned publication, a charge which, on conviction, allows for imprisonment without the option of a fine.

## Wits student is found guilty of possessing banned publication

He told the Johannesburg Magistrate's Court he attended a Students' Representative Council meeting before the year-end examinations last year. At the meeting he came into possession of the SACP publication and other legal pamphlets distributed on behalf of,

among others, the Azanian Students' Organisation.

He admitted knowing the SACP pamphlet was banned but said he felt he wanted to find out more about the organisation.

The approaching examination period forced him to put the pamphlet aside after a cursory

perusal although he intended studying it later when he had more time.

He was detained for 10 weeks after his arrest.

Magistrate Mr R Rheeder said Kwele's wanting to refer to a banned publication to find out more about a banned organisation was regarded by the court as an "almost aggravating factor". Kwele could have referred to legal publications to improve his knowledge of the SACP, Mr Rheeder said.

Ms K Satchwell, for Kwele, said an inquiring and inquisitive nature was a healthy attribute for any student.

CAPE TIMES 6/5/87 (327)

## Regulations can't be enforced — lawyers

JOHANNESBURG. — The police were incorrect in declaring they could continue to enforce the emergency media regulations scrapped by the Natal Supreme Court, pending the State's appeal, lawyers said yesterday.

They said the Supreme Court had stated the law for citizens to follow, and this could only be altered if another court made a different decision, according to legal opinion.

The Police Public Relations Division in Pretoria released a statement on Monday saying the police would continue to apply the regulations till the result of the appeal was made known.

"The SAP will, in every instance where the media regulations concerned are breached, take steps required by the law," the statement said.

Newsmen were arrested while covering unrest on the University of Witwatersrand campus on Monday. They were released on warning pending an investigation.

But a newspaper attorney, Mr Peter Reynolds, said yesterday that his firm's view remained unchanged.

"The judgment in effect invalidates those portions of the media regulations dealt with by the judgment.

"The fact that it was given in Natal and that there is a pending appeal, does not alter this fact. It is the law until such time as the decision is altered."

He said he found the police attitude strange because, while they declared their intention of enforcing the regulations, a newspaper client of his had received no warning for publishing reports on unrest and a "Help Free the Children" advertisement.

An advocate said his view was that a decision of the Supreme Court laid down the law and citizens were bound by it.

"That doesn't mean a Transvaal court couldn't take a different view, but until that time, citizens can take it that the law is as stated in Natal."

Business Day yesterday declared that a full-page advertisement relating to detentions placed by the Black Sash had been withdrawn on legal advice. — Sapa



227

# Joint Management Centres:

# Frankenstein is growing

**THE Minister of Defence, Magnus Malan, has confirmed that 12 regional JMCs operate with these chairmen and the following cities/towns as their headquarters:**

Durban: Brig J H Pretorius (SADF)  
Kimberley: Brig J H de Beer (SADF)  
Pretoria: Brig J P M Moller (SADF)  
Port Elizabeth: Brig C P van der Westhuizen (SADF)  
Bloemfontein: Brig C W Meyer (SADF)  
Oudtshoorn: Brig C van Rooyen (SADF)  
Walvis Bay: Cmdt M van der Riet (SADF)  
Johannesburg: Brig G H P Murphy (SADF)  
Cape Town: Brig R van der Westhuizen (SADF)  
Potchefstroom: Brig J J Bisschoff (SADF)  
Pietersburg: Maj-Gen C Lloyd (SADF)  
Nelspruit: Maj-Gen W H J F Paetzold (SADF)

By ANTON FISHER

AT SECRET meetings throughout the country, a monster is growing. — one that has no face, but has its tentacles in nearly every town and city, according to a researcher.

A countrywide network involving the police, the army, management committees, principals, businessmen and unwanted MPs, have been organised to counter the growing resistance to apartheid — the Joint Management Centres.

In Bonteheuwel, for example, it is known that the station commander of Bishop Lavis police station has gathered around him security policemen, school principals, in-

spectors, government officials and the Labour Party MP, Mr Pat McKenzie. Their mission — to "lower the revolutionary climate" in the township.

SOUTH has been told by a minister from Houli Bay that a meeting was held in the area about a month ago to inform residents of a similar plan.

Mr James Selfe, a researcher into the national security management system (NSMS) introduced in 1979, says: "Twelve regional JMCs which coincide with the defence force command areas, are at the centre of this network."

Each of these JMCs is chaired by the SADF commanding officer or police divisional commissioner in that region who report to the secretary of the State Security Council, Lieutenant-General P W van der Westhuizen. The Western Province JMC, which has its head-

**'People want houses' of unexpected JMC meeting**

**pavements**

**SOUTH REPORTER**  
A MEMBER of the  
Manenber Advice

**SOUTH REPORTER**  
AN UNSUSPECTING school principal received a directive from the Labour Party-controlled Department of Education and Culture to attend a meeting at its regional office in Athlone.

7-12/5/87 (327)  
South News

closed an office by the management committee, says the MAO is working to show that JMCs, management committees and the Labour Party cannot meet the people's demands.

Mr Kevin Patel said the JMCs planned to build pavements when people were demanding houses.

"There are 43 000 families on the City Council waiting list, people are without jobs and without food. These are the real issues the management committee and the government must address," Patel said.

He said the Labour Party's links with the JMCs showed that the LP could only work with the help of a secret organisation to get rid of any opposition.

"They are working so closely with the security police, that if the police touch any of our members we know it is on the mancom's instructions," Patel said.

The Labour Party MP and chairman of the Athlone and District Management Committee, Mr Pat McKenzie, admits that he has attended numerous JMC meetings.

He said all that was discussed in the meetings he attended, were matters relating to improving Bonteheuwel. The meetings had nothing to do with countering unrest.

He denied that the decision to upgrade Bonteheuwel was a JMC initiative. "It is my idea. It is also part of the broader upgrading of the townships."

He said that the upgrading project would cost about R2-million. The money would come from City Council budget.

shadowy meeting called to set up a mini-Joint Management Centre (mini-JMC) in Bonteheuwel.

"I arrived at the venue and I walked into this room. Then got the shock of my life. Present were Major F G Kotze, the station commander at Bishop Lavis, a Captain Paulse, the LP MP for Bonteheuwel and management committee chairman, Pat McKenzie, a chief inspector, Dr L Kathan, a representative of the Cape Town Chamber of Commerce, officials from the Bureau for Information, Department of Manpower and Department of Health and Welfare.

"The other school principals from Bonteheuwel, members of the school committees and social workers from the area were also there.

"On the table were government booklets on the ANC. We were also shown a video on the ANC.

"Kathan started the meeting as the host but then Kotze took over.

"He explained that the idea was to provide and improve facilities to counter the revolutionary climate. It was clear that they had targeted Bonteheuwel as the area with the most revolutionary climate.

"Kotze actually said 'If I lived in Bonteheuwel under these conditions, I would also throw stones'.

### **'They had already set aside ground for the sports centre.'**

"McKenzie asked Kotze whether he could inform those present of the amount of money budgeted for the upgrading, Kotze said 'No'.

"There was also a rather buddy-buddy relationship between Kotze and Kathan. At one stage I wasn't sure who had called the meeting. It was also clear that they had met to plan the meeting.

"They were talking of changes that could be introduced now — not in five or 10 years. There was a sense of urgency.

"Kotze's solution for Bonteheuwel is a giant civic centre to be built in the area, which would include Department of Manpower offices, health clinics, a psychologist and a sports complex.

"They had already set aside ground for the sports centre.

"I wanted to raise some questions which I had written down during the course of the meeting but decided against it.

"I wanted to point out to them that it was not just bad roads and lack of facilities that made pupils throw stones, but the oppression of apartheid, the violence of the police and removals under the Group Areas Act.

"These are the issues," Kotze, Kathan, McKenzie and their JMCs cannot solve.

"They decided to meet again in two weeks to report back. After about two hours the meeting was over.

"I went to the other meeting too. Very little progress had been made on establishing the committees. At the end of the meeting I informed them that I would no longer attend."

quarters in the Castle in Cape Town, is made up of seven sub-JMCs: Cape Town, Worcester, Paarl, Vredendal, Springbok, Stellenbosch and Saldanha. The sub-JMCs are then divided into mini-JMCs which operate in the townships.

### **Identities**

There are about 60 sub-JMCs and 448 mini-JMCs throughout the country.

The regional JMC consists of about 60 members. These include the chairman, senior policemen and SADF members and government, provincial and, where necessary, municipal officials. The identities of the people on the JMC are not known, except for the chairman.

"Each JMC has the following three subcommittees: Communications committee (Kom-kom), constitutional, economic and social committee (Sem-kom) and, of course, the joint intelligence committee (Gik-kom)," Selfe says.

These committees are also found at the level of the sub-JMC and mini-JMC and is part of the streamlining the whole security network, especially for gathering information on activists and organisations and to discredit organisations.

This information is passed on to the regional JMC which in turn passes it on to the secretariat of the State Security Council. From here the information goes to the working committee of the SSC and then to the SSC which is chaired by President P W Botha.

"The government has created a Frankenstein over which it may lose control," he said.



# A million workers join in stayaway

Cape Town 7/5/82

327

**MORE THAN** a million workers across the country stayed away from work over the past two days in the biggest mass protest of its kind in South African history, the academic Labour Monitoring Group (LMG) said last night.

They were joined by hundreds of thousands of students and pupils, as black schools nation-wide and four universities were deserted yesterday.

The LMG estimated that a total of 1.05 million workers failed to come to work yesterday, in the biggest two-day stayaway ever to hit the country. It was also the first time workers had undertaken such action since the ANC led a stayaway in opposition to the elections of 1958. The areas where the stayaway was the most effective were the Eastern Cape (96 to 99%), Natal (60 to 70%) and the Transvaal (67%).

There were numerous incidents of unrest. Police opened fire with shotguns on demonstrators who threw stones and petrol bombs in four townships in Natal, the Cape and near Johannesburg.

Police arrested 39 white students who staged a roadside protest near a polling station in Durban, charging them with holding an illegal gathering, a police spokesman said.

And at Grahamstown's Rhodes University, two white students were arrested after scuffles with police, who broke up an anti-election march on the campus.

**YVETTE VAN BREDA** reports that the LMG said 12% of Western Cape workers stayed away yesterday.

Mr Colin Boyes, senior secretary of the Cape Chamber of Industries, said that on the second day of the two-day stayaway ab-

senteeism was "minimal" in the Cape's industries.

Dairies and bakeries all maintained production and although there were no home deliveries the products were available in supermarkets. The managers had devised contingency plans in anticipation of the stayaway which they did not have to bring into operation.

Absenteeism was "absolutely minimal" in the commerce sector, Mr Tommy Brand, manpower manager at the Cape Town Chamber of Commerce, said.

## Schools deserted

A spokesman for the Western Cape Teachers' Union (Wectu) said members had voted to support the Cosatu call to stay away. About 500 teachers had stayed away from schools in the Peninsula.

Schools in Langa, Guguletu and Nyanga were deserted yesterday.

In Natal, numerous clashes between security forces and youths allegedly stoning vehicles or meeting illegally were reported.

Our Durban correspondent reports that a Bureau for Information spokesman said petrol-bombing incidents "occurred nation-wide" yesterday and a number of "nation-wide illegal gatherings" were dispersed with buckshot and teargas.

The spokesman confirmed that cars, buses, taxis and trains were stoned, and set alight in some instances, in KwaMashu, Umlazi, Inanda, Lamontville, Chester-ville and Clermont, as well as in townships surrounding Ladysmith and Maritzburg.

The spokesman said five people with burns received when a bus was petrol-bombed near KwaMashu were taken to hospital. Three men with serious bird-shot wounds were being held un-

der police guard in the hospital.

In two separate incidents in Ezakeni, Ladysmith, shops were set on fire causing damage estimated at about R180 000.

Police used tearsmoke or bird-shot in five other "unrest-related incidents" in the area and also in connection with ten unrest incidents in Edendale, Maritzburg, the bureau said.

In some of the other incidents reported by the bureau yesterday, a home in Paballelo in the Northern Cape was petrol-bombed. In Mamelodi, police removed a Russian flag from a fence at the Pheladi Nakene Primary School.

Mr Snatelo Leeu, 23, was apparently murdered in Dlamini, Soweto, by three men who set him alight after putting two petrol-soaked tyres over him.

Buses, cars and military vehicles were attacked at Tembisa in the Transvaal, Edendale, Ezakeni and Umlazi in Natal, and in Nyanga and Khayelitsha.

About 10 750 workers took action at three Gencor mines and one refinery in the Transvaal and the Free State. In the three mines in Welkom about 2 850 workers were engaged in underground sit-down strikes.

About 9 000 workers did not work at Anglo American's Western Holdings gold mine yesterday. At Impala Platinum Refinery in Springs, about 800 workers stayed away and 1 000 at Amcoal mines.

OK Bazaars reported a 90% stayaway in central Johannesburg, 50% in Johannesburg North and 75% in the Rand.

Checkers' managing director Mr Clive Weill said "very few" workers on the Reef had come to work. — Sapa and Own Correspondents

CMG Tuis 7/5/87 327

# foreign aid

# UDF challenges regulations affecting

Own Correspondent

DURBAN. — A section of the emergency regulations which declares the United Democratic Front to be an affected organization and prohibits it from receiving foreign aid is being challenged in the Supreme Court here.

The urgent application brought by the UDF against the State President and four others is asking that the proclamation made last October 19 — which prohibits an affected organization from receiving foreign money — have no force and effect in law. The executive chairman of the UDF, Mr Curnick

Ndlhovu, said in an affidavit before Mr Justice Didcott that the organization received funds from inside and outside South Africa.

The current budget of the organization, he said, was R2 million, of which R200 000 had been received during the year.

"Our two principal sources are the Swedish Labour Movement and Novib, a church in the Netherlands," Mr Ndlhovu said.

"It is a matter of crucial importance to the continuing and effective functioning of the UDF that it should be free to receive the financial assistance it

needs from abroad.

"An order declaring the action of the State President to be unlawful is crucial and urgent," he said.

It has been argued by counsel for the UDF that unless a committee of three magistrates appointed by the Minister of Justice have made a factual report on an affected organization, the State President has no jurisdiction to exercise his powers.

In an affidavit by the former Minister of Law and Order, Mr Louis le Grange, it has been stated that in accordance with the proclamation, a committee of three magistrates was formed in June 25, 1986.

The committee was asked to compile a factual report on the UDF as an affected organization.

"I was satisfied that the members of this committee carried out their task effectively," he said.

Mr Ishmail Mahomed SC appeared on behalf of the UDF, the Durban Housing Action Committee, the Natal Organization of Women and Mr Ndlhovu. Mr Jan Combrink SC appeared on behalf of the State President, the government, the Minister of Law and Order, the Minister of Justice and the Registrar of Affected Organizations. The hearing continues today.



377 (3072A)

## Voters influenced by security, says Slabbert

By DAVID BRAUN  
Political Staff

SOUTH Africa has reached the stage where it is not possible to generate an alternative to government in the sense of a party getting a majority of seats, Dr van Zyl Slabbert said today.

The former Leader of the Opposition was reacting to the outcome of yesterday's election.

Dr Slabbert resigned from Parliament and the leadership of the PFP last year because he no longer believed his participation in the system could be used for change.

"The election showed voters were influenced by the security issue," he said.

"This was possible because the election took place under conditions of siege and lack of information."

NRP voters voted massively for the NP, so the PFP's strategy of an alliance with the NRP did not pay off.

Dr Slabbert said Dr Denis Worrall put up a magnificent performance and won on the ground because he had to catch up with a lead of 1 100 in postal and special votes.

"As far as I can see Mr Heunis has been mortally wounded."

### STAVED OFF

"Mr F W de Klerk still comes out of this looking not too bad."

"If you take the extravagant claims of a rightwing breakthrough and that the CP managed to come back with only about the same number of seats they started with, you see that Mr de Klerk managed to stave off the threat fairly well."

Dr Slabbert said the election sent confused signals to the leadership of the NP as Mr de Klerk fought on the right and battled while Mr Heunis fought on the left and was almost demolished.

Monday, May 7 1987

Foreign aid is crucial, says official

# UDF challenge to ban on funds

Own Correspondent

A SECTION of the emergency regulations which declares the UDF an affected organisation and prohibits it from receiving foreign aid, is being challenged in the Supreme Court, Durban.

The urgent application brought by the UDF against the President and four others, is asking that the proclamation made on October 19 last year, which prohibits an affected organisation from receiving foreign money, have no force and effect in law.

UDF executive chairman Curnick Ndlhovu said in an affidavit before Mr Justice Didcott that the organisation received funds from inside and outside SA.

He said the current budget of the organisation was R2m.

"Our two principal sources come from the Swedish labour movement and Novib, a church in the Netherlands," Ndlhovu said.

"It is a matter of crucial importance to the continuing and effective functioning of the UDF, that it should be free to receive the financial assistance it needs from abroad."

It has been argued by counsel for the UDF that unless a committee of three magistrates appointed by the Minister of Justice makes a factual report on an affected organisation, the President has no jurisdiction to exercise his powers.

In an affidavit by former Law and Order Minister Louis le Grange, it was stated that in accordance with the proclamation a committee of three magistrates was formed on June 25, 1986.

The committee was asked to compile a factual report on the UDF as an affected organisation.

"I was satisfied that the members of this committee carried out their task effectively," he said.

Ishmail Mahomed, SC, appeared for the UDF, the Durban Housing Action Committee, the Natal Organisation of Women and Ndhlovu.

Jan Combrink, SC, appeared for the President, government, the Minister of Law and Order, the Minister of Justice and the Registrar of Affected Organisations.

The hearing continues today.





The State President, Mr P W. Botha

## We accept security mandate — Botha

JOHANNESBURG. — The government had asked for and received a clear mandate from the electorate to pursue security for the country and its peoples as a primary objective, the State President, Mr P W Botha, said yesterday.

He added the government accepted that mandate. In an interview with the SABC, Mr Botha said he also accepted that continued reform and development in various fields of society remained a government priority.

He said progress and development would have to be instituted in a constitutional and evolutionary manner.

He emphasized that this would be achieved not by extra-parliamentary means, nor would he permit it to be forced upon the country.

Mr Botha assured South Africans that any attempt to force extra-parliamentary change or finance such activities from abroad would be steadfastly opposed by the State.

Asked if the right-wing gains would affect reform, Mr Botha said the government would not be influenced by the policies of other parties.

He said the election result should give the outside world a "clear picture" that it could not dictate to South Africa. — Sapa

# UDF court bid 'just a rehearsal for appeal'

Argus 8/5/87  
The Argus Correspondent

DURBAN. — A Supreme Court judge, hearing an application by the United Democratic Front challenging the validity of a proclamation listing them as an "affected organisation", said yesterday the case was "just a rehearsal of an appeal case".

The proclamation prohibits the UDF from receiving foreign aid.

Mr Justice Didcott told the legal teams for the applicants and the respondents: "In a case of this kind it is unfortunate that any judgment I give will end up on appeal. In fact, all I am doing is enabling you to go to Bloemfontein.

"I have a growing feeling of

unreality that this is all for no purpose."

The application was brought before the court by the UDF, its executive chairman, Mr Curnick Ndhlovu, the Durban Housing Action Committee and the Natal Organisation of Women.

The respondents are the State President, the South African Government, the Minister of Law and Order, the Minister of Justice and the Registrar of Affected Organisations.

In the application the UDF attacks the validity of Proclamation No 190, which was announced by the State President on October 9 last year.

(Proceeding.)



# Women to ask PW to restore freedom of Press in SA

## Weekend Post Reporter

THE State President will be asked by the National Council of Women of South Africa to remove restrictions curtailing the freedom of the Press.

This was decided in Port Elizabeth yesterday at the first national conference of the NCW.

About 80 delegates and affiliates, representing 10 000 women, are attending the conference.

A motion calling on the

State President said that the public had a right to know what was being done in its name. Freedom of the Press was seen as part of the Western liberal democratic tradition.

Another motion passed at the conference said crisis centres should be provided by the State for battered wives and their children, victims of family violence.

Family violence did not only occur in slum areas.

"Ignorance and hardship produced by urbanisation and industrialisation can lead to violence, nevertheless these phenomena can be found anywhere in society.

The difference was that the "better" families can more easily conceal the problems than the poor ones," said Mrs S Bavery, national adviser on social matters, who proposed the resolution, giving statistics of battered wives.

"Many of these women are constantly subjected to violence and cannot escape the situation due to a lack of money and alternative accommodation. Not only is such a situation traumatic for the wife, but also for the children who witness such violence".

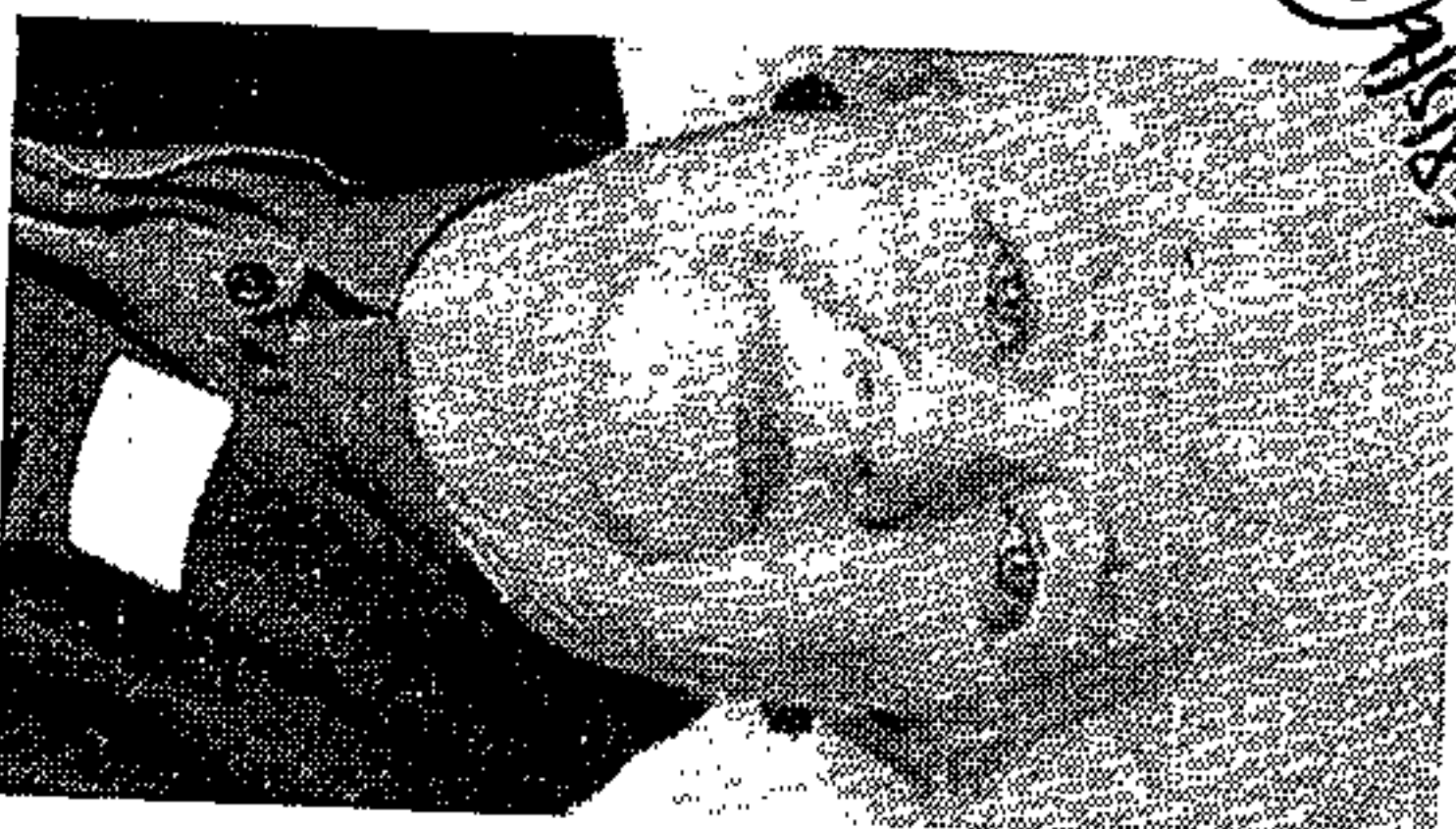
Crisis centres would enable the woman to distance herself and her children from the abuse and to become more objective.

The conference resolved to call on the Minister of Justice and Prisons to give urgent attention to the living conditions of prisoners, including detainees. Because of the vast influx of people into available prisons and police cells, they were now inadequate. Hygiene, health care, food rations and sleeping places needed urgent attention.

The Minister will also be asked to take advantage of the offer of the Medical and Dental Council of SA to provide a roster of doctors willing to attend to the health care of prisoners.

Delegates passed a motion asking the Minister of Justice to amend regulations to enable registered social workers to visit detainees at frequent intervals.

A motion passed called on professional women journalists and broadcasters to form a committee to enhance the image of



**Mrs EILY MURRAY, of Port Elizabeth, life vice-president of the National Council of Women of SA.**

women through the media. The image presented of women was still a matter for concern.

The Minister of National Education will be asked to urgently institute crash courses in basic subjects of reading, writing and mathematics for black children over 10 years, whose education has been disrupted by violence in their areas.

Summing up the conference, the national president, Mrs Elinda Bramwell, of Johannesburg, said that delegates felt that now, more than ever, women must be determined to make their voices strongly heard in upholding human rights and justice.

# UCT to oppose hospital apartheid

By PETER DENNEHY

SEGREGATION on the basis of race at the R200-million new Groote Schuur Hospital will be "opposed with determination" by staff and students of UCT's Faculty of Medicine.

This stand was revealed in an open letter from the executive committee of the faculty's teaching staff and students, published in the latest edition of the SA Medical Journal.

This opposition is particularly significant since the medical faculty and the Cape Provincial Administration are jointly responsible for the functions of the teaching hospital, namely patient care, teaching and research.

Groote Schuur Hospital's chief medical superintendent, Dr J Kane-Berman, said last night that the letter "states the ethical principles of the Faculty of Medicine of the University of Cape Town".

# UDF wins funds case

Own Correspondent

DURBAN. — An order invalidating a government proclamation which declares the United Democratic Front to be an affected organization and prohibits it from receiving foreign aid, was issued in the Supreme Court here yesterday.

After issuing the order and ruling in favour of the UDF, Mr Justice Didcott said the matter was "clearly destined for the Appellate Division".

The judge ordered that the proclamation, made on October 19 last year, had no force and effect in law.

It was also ordered that the Registrar of Affected Organizations was not entitled to take any steps against the UDF and the Minister of Justice not entitled to exercise any powers vested in him against the organization.

Mr Justice Didcott said this was a most important case, not only to everyone concerned, but to the country as a whole. He said it was a matter which profoundly affected public interest.

In his opinion the hearing, was nothing but a "dress-rehearsal" before the appeal.

He said no credible findings had to be made by him, but it was necessary that the hearing be brought to a final conclusion as soon as possible.

Mr Curnick Ndhlovu, executive chairman of the UDF, said in an affidavit earlier this week that it was of crucial importance to the continuing and effective functioning of the UDF that it should be free to receive the financial assistance it needed from abroad.

He said the organization, which had two principal sources of foreign aid, had a budget of R2 million, of which R200 000 had been received during the year.

It was ordered that costs be paid by the government and the respondents be granted leave to appeal in the Appellate Division in Bloemfontein.



# Govt expels labour editor

JOHANNESBURG — The British editor of the SA Labour Bulletin, an academic journal for the study of labour relations in South Africa, has been told to leave the country within 30 days.

Dr Jon Lewis, who holds a Phd from Cambridge University, was told last week by the Department of Home Affairs that he had been refused permanent residence and had 30 days in which to leave the country.

The letter rejecting the application also stipulated that he would lose the right of British citizens to enter the country freely and would have to apply for a visa in future.

Dr Lewis, employed as the journal's editor for the past three years, is married to a South African and the couple expect their first child in June.

"Under his direction the Bulletin has been managed in a professional way. The journal is widely read by employers, trade unionists, academics and government bodies.

"The South African Labour Bulletin is widely acknowledged for its role in providing a forum for analysis and debate on

labour relations in South Africa," said a statement issued this morning by Professor Eddie Webster, Dr Doug Hindson and Dr Johan Maree, members of the journal's editorial board.

"We are deeply concerned by the action of the Department of Home Affairs. We intend appealing to the Minister to withdraw this letter and to grant Dr Lewis permission to remain in South Africa."

● Dr Lewis, 33, was born in the Welsh town of Llanelli and studied as an undergraduate at Leeds and Watford universities in Britain.

He obtained a first class honours degree in history from the University of Cambridge in 1975 and first visited South Africa as a Phd student in 1976.

In 1983 he was awarded a Phd for his research and this was later published by Cambridge University Press as a book entitled *Industrialisation and Trade Union Organisation in South Africa 1924-1955*.

The statement said Dr Lewis was uniquely qualified to edit the journal. — Sapa

# Govt orders British editor of journal to leave S Africa

JOHANNESBURG — The British editor of the South African Labour Bulletin, a journal for the study of labour relations, has been told to leave the country within 30 days.

Dr Jon Lewis, who holds a PhD from Cambridge University, was told last week by the Department of Home Affairs that he had been refused permanent residence and had 30 days in which to leave the country.

Dr Lewis, the journal's editor for the past three years, is married to a South African and the couple expect their first child in June.

A statement issued yesterday morning by Professor Eddie Webster, Dr Doug Hindson and Dr Johan Maree, members of the journal's editorial board, said: "Under his (Dr Lewis) direction the Bulletin has been managed in a professional way. The journal is widely read by employers, trade unionists, academics and government bodies. The South African Labour Bulletin is widely acknowledged for its role in providing a forum for analysis and debate on labour relations in South Africa."

"We are deeply concerned by the

action of the Department of Home Affairs. We intend appealing to the Minister to withdraw this letter and to grant Dr Lewis permission to remain in South Africa."

According to the statement, Dr Lewis recently applied for permanent residence after having been granted temporary permits in the past. The letter rejecting the application also stipulated that he would lose the right of British citizens to enter the country freely and would have to apply for a visa in future.

"We appeal to the Minister of Home Affairs to consider Dr Lewis' personal circumstances. In June his wife expects their first child. Separation under these circumstances would, according to medical advice, place his wife under harmful stress."

It said Dr Lewis was uniquely qualified to edit the journal which has "played a constructive and crucial role in allowing open debate on the central issue of labour relations".

"His departure will be an irreplaceable loss to the unfolding of the industrial relations system in South Africa," the statement said. — Sapa

(327) (223) DO 12/5/87



# 'Censorship has led to distorted picture of life in SA'

LONDON — South Africa's censorship laws have resulted in "a particularly dangerous form of foreign propaganda" because the West's free media have become the surrogate propagandists, a former South African Government employee has warned.

Mr E.J. Clarke, once employed as a propagandist by the South African Government, writes in the latest issue of *Index on Censorship* that the Western media tended to forget that all news was censored at source, and therefore reflected a distorted picture of life in South Africa today.

He writes: "In general, we have a situation in which much of the West's reportage consists of earnest assurances by the oppressors that they are dedicated to reform, while the facts against which such assurances could be fairly measured ... are suppressed at source, the existence of censorship not being mentioned."

Mr Clarke says the South African Government has persuaded (under threat of deportation) almost all British media persons to use the weasel-phrase "subject to the South African Government's reporting restrictions", rather than the more honest and accurate

"censored by the South African Government".

"These media eventually get tired of warning their readers and viewers that the news from the culprit state is censored at source."

"It took less than a month for UK television to start forgetting to inform its viewers that the South African 'news' it was dishing up had mostly already been through apartheid's disinformation sieve."

Clarke says the result has been disastrous and he points to the BBC's "support" of the Thatcher Government's opposition to sanctions which came in a feature on "one of South Africa's few show-piece mines". In this, workers were shown to be earning well, strongly denouncing the idea of sanctions, and adding that most blacks rejected them.

Clarke comments: "The BBC fairly admitted that the miners' conditions were above average, but it did not mention the vital fact that any black South African stating that he supports sanctions faces up to 10 years in prison under the emergency regulations, or even the death penalty under the Internal Security Act."

## Lecturer in court over ANC literature

Court Reporter *AK645 12/5/77*

AN economics lecturer at the University of the Western Cape, Dr Jack Lewis, has pleaded not guilty in the Cape Town Regional Court to possessing literature which furthers the aims of the ANC.

Dr Lewis, 31, of Long Street, Cape Town, is alleged to have possessed a publication entitled *Build a mass ANC on a socialist programme*.

Dr Lewis's attorney, Mr Rameesh Vassen said his client was not prepared to disclose the basis of his defence and the hearing was postponed to July 20 for trial.

NO 1



MUGABE 12/18/77 (327)

## SA calls Zimbabwe blast claim 'absurd'

Argus Africa News Service

HARARE. — South Africa has been blamed for an explosion which ripped through a block of flats close to the city centre here, killing a young woman.

However, the South African Defence Force has dismissed as "absurd" claims by Zimbabwe that it was responsible for last night's bomb blast, which also injured several people.

Zimbabwean Minister of State Security Mr Emerson Mnangagwa was at the scene shortly after the blast.

He said: "All the indications are that South Africa was responsible.

"But I don't know why this flat (No 7 Earls Court, Prince Edward Street) was chosen. All the residents are Zimbabwean civilians."

The woman who died, Mrs Tsitsi Chiliza, had returned home minutes before the blast. Four people in the upstairs flat were unhurt.

The roof was blown off and the outside wall of the flat disintegrated.

A spokesman for the SADF said today the claims were "a typical reaction to the senseless, barbaric murders of four farmers in Zimbabwe at the weekend and is no more than an absurd attempt to yet again try to use South Africa as a scapegoat for their own deteriorating internal security situation".

## Mugabe deplores murders

Argus Africa News Service

HARARE. — Zimbabwean Prime Minister Mr Robert Mugabe has deplored the murder of four white farmers by dissidents and has promised that the security forces will not rest until the killers are caught.

He described the killings at the Somabhula Club near Gweru in the Midlands as "a barbaric action against members of our community".

## Ban lifted on Kariba pictures

HARARE. — The ban on taking pictures of the Kariba Dam wall has been lifted, according to a spokesman for Zimbabwe's tourism ministry. - Argus Africa News Service.

# Police tell fasting nun: 'You need permission'

Staff Reporter

THE Buddhist nun who began a 40-day fast to "pray for your Government" was today told by police she did not have permission to be outside St George's Cathedral opposite Parliament.

A police officer approached Miss Nara Greenway while she was being interviewed by an Argus reporter and told her she did not have magisterial permission to be there.

He added that Free the Children T-shirts worn by two women accompanying Miss Greenway contravened the emergency regulations, and gave her a copy of the Government Gazette.

## GIVEN CHANCE

Miss Greenway replied that she "didn't know there was a law against praying in your country".

The policeman said "I'm giving you a chance, girl," and told her he would give her an hour to decide what to do before he returned.

She fell to her knees on her prayer mat before a portable altar and began chanting with the other women.

An hour later, the women were still there. Miss Greenway said the police had come back for the names of the other two women and had gone away again.

## SHAVED HEAD

Miss Greenway, whose head is shaved, said she was a nun of the Buddhist order of Nipponzan Myotoji, having trained in India and Japan.

She said she came to South Africa to pray for the Government to release detained children.

She arrived in Cape Town yesterday and intended to pray and fast outside the cathedral for 40 days.

## WON'T STOP

The two women accompanying Miss Greenway are also foreigners. Miss Irene Wijne of Holland and Mrs Elizabeth Pearson of the United States.

Miss Wijne said they had no intention of stopping the fast.

The three women have permission to sleep in the crypt of St George's Cathedral at night.



Picture: DOUG PITHEY, The Argus  
**BRAVING THE ELEMENTS:** Buddhist nun Nara Greenway outside St George's Cathedral today.



Cape Times 13/5/82  
327

# Police clean out UCT SRC dustbin

By CLARE HARPER

SECURITY policemen yesterday confiscated half the contents of a dustbin from the offices of the Students' Representative Council at the University of Cape Town.

A police spokeswoman for the Western Cape, Lieutenant Denise Benson, confirmed that five security policemen visited the UCT SRC offices with a search warrant.

UCT deputy vice-chancellor Dr James Leatt said the security policemen searched the SRC offices and the SRC press.

A SRC statement said the SRC had "nothing to hide and if the security police want to take away the contents of our dustbins, maybe they should approach the city council for more suitable employment".

A SRC executive spokesman said the "pretext for the search" was to look for a publication entitled "The ANC: Where do They Come From?" issued by a student society last year.

The spokesman said the SRC believed the "invasion of privacy" was "completely unwarranted" and the information contained in the publication could be found in any academic work on the ANC in any library or bookshop.

"We believe it is imperative that students and, in fact, all South Africans have access to information about the ANC," the spokesman said.

She said the campus had been bombarded "with National Party propaganda about the ANC" in the past few weeks.

"If we are to evaluate this information in any intellectual sense, we need to have access to more information than is contained in three lines of the NP advert," she said.

AM 7/11/87 13/5/87 327 329

# Police warning, but nun 'to continue' fast

Staff Reporter

A BRITISH Buddhist nun on a 40-day fast "to pray for your government" and detained children said last night that she would continue fasting despite a police warning yesterday that she was contravening the emergency regulations.

Ms Nara Greenway is on a water fast and prays and chants at a portable shrine outside St George's Cathedral, opposite Parliament. She is accompanied by two women, who are also praying for detained

children — Miss Irene Wijne, of Holland, and Mrs Elizabeth Pearson of the United States.

The nun said she had been approached by a police officer yesterday afternoon who told her that she did not have magisterial permission to be there. He said the Free the Children T-shirts worn by two of the women contravened the emergency regulations and gave the group a copy of the Government Gazette.

The policeman returned an hour later and he took the names of the other two women.

Ms Greenway said she intended to carry on because she understood "that it is perfectly permissible under the emergency regulations to pray".

Ms Greenway, a Buddhist nun of the Nipponzan Myotoji order, said she came to SA after she heard of the plight of thousands of detained children. She said she had "never heard of any country where children are put into prison without trial".

A police liaison officer said yesterday that a police officer had pointed out legal aspects to the women.



Argus 13/5/72

327

## Dean King to plead for fasting nun

### Staff Reporter

THE Dean of St George's Cathedral, the Very Rev Edward King, is to appeal to the authorities to allow Buddhist nun Miss Nara Greenway to continue her 40-day pavement fast in support of detained children.

Miss Greenway of Britain, a nun of the Buddhist order of Nipponzan Myotoji, began the fast on Monday with fellow Buddhists Miss Irene Wijne of Holland and Mrs Elizabeth Pearson of the United States.

Miss Greenway was told by police yesterday that she did not have magisterial permission to be outside the cathedral, opposite Parliament.

She said today that Dean King had promised last night to "sort it all out with the authorities".

Dean King went to hospital today for a minor operation and was not available for comment.

Asked how she felt after three days of fasting, Miss Greenway said she was "a bit weak" and had found it difficult to hold back tears when approached by police yesterday.

"I wouldn't normally cry."

Miss Greenway said her attention had first been drawn to the plight of detained children when South African author Mrs Ellen Kuzwayo addressed Buddhists in Battersea Park, London, last year.

# Action against Cosatu slammed

CAPE TOWN — The chief South African executive of Shell Oil Company has condemned state action against the Congress of South African Trade Unions (Cosatu) as a "transparent attempt to crush an increasingly powerful government opponent."

Mr John Wilson said recent events involving police action against the congress was a tragedy and "bode ill" for the future.

The state's action was not likely to crush the union, he said.

"Rather, it will strengthen the resistance and support, will have adverse ramifications for stable industrial relations, the effects of which will be felt throughout industry."

Expressing his concern at what were apparently state-invoked attacks on Cosatu, Mr Wilson said that those who clung to the belief that a negotiated solution to the country's problems was possible, recognised the vital role the labour unions would play. — Sapa



Unions, universities, media are likely clampdown targets

# Security crackdown looms

By David Braun,  
Political Correspondent

Cape Town

A sweeping security clampdown on trade unions, universities, organisations using foreign funds for domestic political purposes and "alternative media" publications is expected after the National Party's overwhelming victory in last week's election.

Government sources have confirmed that a decision has already been taken to reformulate the emergency regulations recently overturned by the courts "with the loopholes plugged" even before appeals against these rulings have been heard.

According to the sources, the Government is determined to implement its mandate for strict security measures as strongly as possible.

Almost the first announcement President P W Botha made on accepting the National Party's mandate after the election was that action would be taken to stop extra-parliamentary organisations using foreign funds for political purposes.

It is possible that, among the organisations which will be affected by this, will be Dr Van Zyl Slabbert's Institute for Democratic Alternatives for South Africa (Idasa) which receives substantial foreign funding.

The Minister in the State President's Office entrusted with administration, Mr Alwyn Schlebusch, announced during the election campaign that legislation to deal with trade union strikes was pending.

It has not clear whether this legislation will envisage tougher action against unions.

Government sources this week said there was great concern about the "politicisation" of trade unions and the use of labour organisations for political purposes.

In this regard there is much speculation in Cape Town, particularly about the future of Cosatu.

## Universities

Sources have also indicated that the Government has been calling in university principals to tell them to restore discipline on their campuses or be faced with financial penalties. This could entail a reduction in State subsidies which finance up to 70 percent of the costs of student tuition.

There is anger across parliamentary lines at what is perceived to be a selective application of freedom of speech on certain campuses and the Government is expected to capitalise on this.

"Alternative media" publications, the sources say, are to be more strictly controlled while emergency regulations relating to the media will be tightened generally.

There have been hints of tougher action against foreign media representatives, most likely in the form of not renewing work permits when they expire.

President Botha may give broad details of the Government's intentions when he opens Parliament next Tuesday.



# Govt ready to plug loopholes in the law



Picture: HANNES THIART, The Argus.

**THE WINNER!** Cape Town insurance broker Mr Barry Gibbs, right, has a lot to smile about. He has just been presented with a ticket to fly to any of British Airways' 17 destinations in the United States by Mr Malcolm Freeman, the airline's manager in the Cape. Mr Gibbs won the prize in The Argus Tonight/British Airways US holiday competition. For a chance to win another free BA ticket — this time to Europe — see Tonight in The Argus today.

## Independents seek support

**JOHANNESBURG.** — The three independents who stood for election are mobilising support for a new movement of those seeking a peaceful, negotiated future.

Mr Wynand Malan, MP for Randburg, Dr Esther Lategan, candidate in Stellenbosch, and Dr Denis Worrall, candidate in Helderberg, said they would invite a cross-section of society to serve on an "informal continuity committee" promoting an independent movement that would "provide a means of political expression for all who seek a peaceful, negotiated future for a new South Africa".

They said: "During the election campaign it became clear that the spirit which emerged in Randburg, Helderberg and Stellenbosch reflects a nationwide yearning — far beyond the three constituencies — for a fresh approach and new processes to deal with South Africa's pressing political problems.

"This momentum will be maintained by the independent movement.

"This non-racial movement will include all South Africans who are prepared to subscribe to and promote its aims." — Sapa.

● The Losers — Page 17.

### Political Staff

A SWEEPING security clamp-down on trade unions, universities, organisations using foreign funds for domestic political purposes and "alternate media" publications is on the cards following the National Party's overwhelming victory in last week's elections.

Government sources have confirmed that a decision has already been taken that emergency regulations recently overturned by the courts will also be reformulated "with the loopholes plugged" even before appeals against these rulings have been dealt with.

According to the sources, the Government is determined to implement its mandate for strict security measures as strongly as possible.

Practically the first announcement President Botha made on accepting the National Party's mandate after last week's election was that action would be taken to stop extra-Parliamentary organisations using foreign funds for political purposes. It is possible that among the organisations which will be affected by this will be Dr Van Zyl Slabbert's Institute for Democratic Alternatives for South Africa.

### Penalties

Legislation to deal with trade union strikes is expected. Government sources were concerned about the "politicisation" of trade unions. There is also considerable speculation about the future of Cosatu.

Sources also indicated that the Government was considering calling in university principals to tell them to restore discipline on their campuses or face financial penalties.

Mr Botha may give broad details of the Government's security intentions when he opens Parliament next Tuesday.

V  
a  
r  
C  
P  
C  
e  
C  
P  
L  
N  
F  
F  
S  
e  
R  
H  
T  
T  
L  
T  
S  
S  
M  
N  
D  
M  
(T)  
M  
M  
P  
P



*Cap 7/10/75 14/5/72*

# Ball: ANC advert affair is 'closed'

JOHANNESBURG — First National Bank of Southern Africa Ltd's managing director, Mr Chris Ball, said here yesterday that he considers to be closed the affair arising from the Munnik inquiry into his involvement in funding an advertisement supporting the African National Congress.

"I and the bank wish the matter of the Munnik Commission of Inquiry to be forgotten as soon as possible and we want to continue with our non-political tradition," Mr Ball said in a statement released after a report quoted him as saying he had been used as a "whipping boy" by the government to gain political mileage ahead of last week's whites-only election.

## 'Smear people for his own ends'

Mr Ball described the report as "inaccurate" and said it did not reflect his views.

"It's easy to for Mr Botha to smear paint on people for his own ends and to the create the impression that people like myself are involved in political power plays, but this isn't the case," he said.

"The United Democratic Front doesn't discuss its political strategies with me. We discuss economic issues."

"It is necessary to talk to the UDF if, as it seems, the organization represents the urban black opinion-maker," Mr Ball said. — Sapa-Reuter

## APARTHEID BAROMETER

### DETENTIONS

According to the head of the South African Police, General Johan Coetzee, a total of 19 209 people were detained under the Emergency regulations between June 12 1986 and April 15 1987. In their latest report on the State of Emergency the Detainees Parents' Support Committee say that it is unclear whether this figure includes short-term detentions of less than 14 days, especially such mass detentions as of Nel's Dairy workers and Tembisa municipal workers. If these detentions are not included in Coetzee's figure then the real number of Emergency detentions is probably around 25 000, the DPSC said. Over two months ago the Minister of Police, Adriaan Vlok, released the names of 13 194 Emergency detainees who had been held for 30 days or more.

The figure of 19 209 includes 4 224 Emergency detainees still being held on April 15, of whom 1 424 were children aged from 12 to 18.

If the figure of 19 209 is accepted as the total number of Emergency detainees then a total of at least 22 762 people were detained in South Africa last year, according to the DPSC. This figure includes 631 people detained under the previous Emergency regulations in the first three months of last year, 17 479 people detained under the current Emergency regulations between June 12 and December 31 1986, 4 132 people detained under the Internal Security Act last year and 520 people detained under "homeland" security legislation last year.

#### Emergency Detentions by Area

Transvaal	8 792	(45,8 percent)
Free State	1 461	(7,6 percent)
Natal	1 044	(5,4 percent)
Cape	7 913	(41,2 percent)

#### Emergency Detentions by Target Group

Scholar/student/teacher	14,1 percent
Trade unionist/worker	9,21 percent
Community/political worker	18,04 percent
Clergy/church worker	1,34 percent
Journalist	0,20 percent
Unspecified/unknown	57,20 percent

Of those detainees whose occupation or organisational affiliation is known, 75 percent belong to UDF affiliates, according to the DPSC.

### COURT APPLICATIONS FOR RELEASE OF DETAINEES

The latest DPSC report lists 11 court applications for the release of 87 detainees, from the beginning of March to the middle of April. Three of these applications, for the release of three detainees, succeeded, five applications, involving five detainees were dismissed, one application involving 68 detainees was postponed indefinitely and two detainees were released before their applications came to court.

### STRIKES

About 49 percent of strikes during 1986 had a duration of one day or less and only seven percent lasted for more than 14 days, according to the director-general of the Department of Manpower, Dr Piet van der Merwe. He said the number of strikes and work stoppages began increasing from 1979 and reached a peak in 1986. He said about 1 983 disputes were referred to industrial councils last year and 1 294 applications were received from the establishment of conciliation boards. He said 2 042 cases were referred to the Industrial Court last year, compared with 801 in 1985 and 15 in 1980.

Van der Merwe said membership of registered trade unions increased from 673 000 in 1976 to 1,7 million in 1986. A further 369 000 workers were members of unregistered unions, bringing to 2 069 million the total number of unionised workers last year — 23,8 percent of the labour force.

### MALNUTRITION

A total of 2,9-million children in South Africa aged 14 or under suffer from clinical malnutrition, according to figures released by Operation Hunger.

### PRISONER OF CONSCIENCE

REV CHRIS NISSEN, 28, Inter-Church youth organiser and Western Province Council of Churches executive member, was detained under the Emergency regulations on March 24 this year and is still being held.

Nissen has played a prominent role in church, youth and community organisation in Graaff-Reinet and the Western Cape over the past five years. In 1983 he served on the Western Cape executive of the UDF, before moving to Graaff-Reinet. He is currently an organiser for Inter-Church Youth in Cape Town and has also played a prominent role in detainees support work.

This is his sixth period of detention over the last three years. In August 1985, three weeks after his marriage, he was held for five months under the Emergency regulations. His wife, Shirleen, was held for four months. After his release in January last year he criticised the leadership of the Reformed Presbyterian Church for not taking action around his detention. As a result he was suspended from his ministry in Graaff-Reinet. He then returned to the Western Cape.

He is currently being held at Muizenburg police station under the Emergency regulations.

● In the Apartheid Barometer of March 13 it was mentioned that the Prisoner of Conscience, Robben Island prisoner Wilton Mkwai, had a wife, Edith, and two children. Her name is in fact Irene and not Edith.

### BANNED BOOKS, PUBLICATIONS AND OBJECTS

Banned for importation and distribution:

Saamstaan — Regering kan nie sonder noodtoestand regeer — pamphlet (ANC); Zimbabwe News Vol 18 No 1, January 1987 (Jongwe Printing and Publishing Co, Harare); South Africa: A brief history of the struggle (not stated); Information Bulletin No 1 1987 Vol 25 (Peace and Socialism: International Publishers, Czechoslovakia); Fight Racism, Fight Imperialism, March Extra 1987 (not stated); Building the Party, Lenin 1893-1914 (Tony Cliff); Awa-Finnaba No 9 March 1987 (not stated); Jewish Socialist No 6 Summer/Autumn (not stated); Our Namibia — A social studies textbook (Zed Books Ltd London); Workers Press Vol 66 March 1987 (Extrasearch Ltd, London); Socialist Worker No 1027, March 7 1987 and No 1029 March 29 1987 (Larkham Printers and Publishers Ltd, London); Christina's Obsession (Blakely St James); The Fabulous Ladylove Collection (not stated); Animal Life Series No 1 (not stated). Three films — "Dangerously Close", "Sharpeville Spirit" and "Cousins in Love" were also banned for distribution and importation.

Unbanned: Kwanele — play (Warren Nebe — director).



# Jailed SA editor is Harvard award winner

JOHANNESBURG — The jailed editor of the New Nation, Mr Zwelakhe Sisulu, has been named winner of the 1987 Louis M. Lyons journalism award from Harvard University.

The award was announced by the chairman of the Louis Lyons Awards Committee, Mr Al May.

Mr May said: "Zwelakhe Sisulu is an activist and a leader in a struggle. His weapons are ideas and the printed word against an opponent who answers with force.

"It is in honour of that journalistic tradition

and Mr Sisulu's courage that we bestow this award.

"Freedom of the press has yet to flourish elsewhere in Africa," said Mr May, "but in South Africa there is a government that claims a democratic Western tradition and then makes a mockery of it by putting editors in jail."

Mr Sisulu, 37, is the son of a jailed ANC leader, Walter Sisulu, and the president of the United Democratic Front, Mrs Albertina Sisulu.

Reacting to the news, the editor of the Concord Monitor, Mr Mike

Pride, said the committee "recognised Mr Sisulu's courage and dedication in providing South African blacks with an alternative voice amidst harsh efforts by the SA government to quell a dissenting press."

"As far as I can tell, Mr Sisulu's only 'crime' has been to speak his mind," he said.

Mr Pride, together with other American and South African journalists, nominated Mr Sisulu for the prize, which carries an honorarium worth about R2 000.

Mr Sisulu becomes the third South African

to win the award. The assistant editor of the Sowetan, Mr Joe Thloloe, won the award in 1982 and a former editor of the defunct Rand Daily Mail, Mr Allister Sparks, who is now a correspondent for overseas publications won it in 1985.

Mr Pride praised the New Nation, for "vibrant, aggressive reportage and a desire to be a voice for justice and reason in South Africa. This is a logical extension of Mr Sisulu's previous efforts as a reporter, an editor and a leading organiser of black journalists."

He said Mr Sisulu's earlier "endeavours led to better conditions for black journalists, but the cost to Mr Sisulu was banning and imprisonment". — Sapa

327 15187

## Outcry after newsmen told to leave

LONDON — The British Broadcasting Corporation (BBC) and Independent Television News (ITN) gave notice here yesterday that they would appeal against the expulsion of their correspondents from South Africa.

This follows the South African Government's decision not to renew the work permits of two journalists when they expire at the end of this month.

Mr Michael Buerk, 41, a Briton, has been the BBC's television correspondent in Johannesburg since 1983. Mr Peter Sharpe, 40, an Australian, has been reporting for ITN in South Africa since 1984.

The Director-General of Home Affairs, Mr Gerrie van Zyl, said no reasons for the decision would be given.

A BBC spokesman said the decision "will in effect prevent British television from on-the-spot reporting of one of today's most important world stories".

South African officials voiced their anger last month when the two stations screened film of violent demonstrations at the University of Cape Town.

The two newsmen were reprimanded by officials, who asserted the film violated a ban on reporting action by security forces, but South African lawyers said the ban was no longer valid following a successful Supreme Court appeal against press restrictions.

ITN said it was seeking legal advice in South Africa and had asked the Foreign Office here to make immediate representations on its behalf in the country.

The number of correspondents ordered out of South Africa since the state of emergency was imposed last June has now risen to nine.

The chairman of the World Correspondents' Association, Mr Andrew Torchia, said the South African Government had resumed an attack on press freedom unparalleled in recent times.

"There is every sign that the government intends simply to end independent coverage of the South African social conflict because it believes that secrecy will help it win," he said.

In Johannesburg, the Black Sash said it was appalled at the crackdown on freedom of speech.

The latest expulsions would further damage the country's already tarnished image abroad, the organisation said. — Sapa



## APARTHEID BAROMETER

### DETENTIONS

The current State of Emergency is 337 days old today. Many of those detained under the Emergency regulations on June 12 last year are still being held. According to government figures, 19 209 people were detained under the Emergency regulations between June 12, 1986 and April 15 this year. According to the Detainees Parents' Support Committee at least 25 000 people have been held under the Emergency Regulations. During the eight months of the 1985/6 State of Emergency, about 8 000 people were detained.

According to government figures, Emergency detentions have climbed from a total of 10 103 at the end of June 1986 to a total of 19 209 on April 15, 1987. According to the DPSC, more detentions took place in the first 18 days than during the whole of the succeeding nine and a half months. The daily detainee population peaked at 8 569 at the end of July 1986, then levelled off to just above 5 000 where it held steady for six months.

According to General Johan Coetzee, 4 224 detainees were still being held as at April 15, or 22,1 percent of the total number detained up to that time. According to the DPSC, since April 15 several hundred detentions have taken place, including the detentions of 150 people at a rent meeting in Meadowlands.

### NAMDA REPORT ON DETENTIONS

A new study of the treatment of detainees undertaken by a group of National Medical and Dental Association doctors was released at the Namda April conference. It was based on the physical and psychological examination of 131 detainees.

Forty-three (32 percent) reported having been in solitary confinement. Of these 36,8 percent said it had lasted for between one and 19 days while 31,6 percent said they had spent between 120 and 279 days in solitary. Of this group, 84 percent were found to have psychological symptoms such as anxiety, depression and sleeplessness.

Of the 69 former detainees (52,3 percent) who said they had been physically assaulted, 67 were found on examination to have injuries consistent with the alleged assault. These included bruises (46 percent), lacerations (45 percent), lesions consistent with being sjambokked (49 percent), gunshot wounds (nine percent), electric shock marks (seven percent), perforated eardrums (six percent). Forty-six percent had more than five wounds and 35 percent had fewer than five wounds.

Mental abuse was alleged by 103 detainees (78,6 percent). Of these, 84,5 percent said they had been interrogated, 35 percent claimed they had been threatened, 26,2 percent said they had been humiliated by, for example, being forced to strip naked, 41,7 percent said they had been in solitary confinement.

### DEATHS IN DETENTION

On March 26, 1987 Benedict Mashoke, 20, of Sebokeng, died in a cell in Burgersfort Police Station in the Eastern Transvaal after spending one night there. Before being taken there Mashoke, a member of the Vaal Students Congress, had been held for seven months in the Vaal area. According to the DPSC, this is the third death of a detainee under the Emergency regulations and the 64th death in security detention since 1963. This figure does not include those who died in police custody after being arrested for alleged political offences, or those detainees who died shortly after their release. The police public relations directorate states Mashoke hanged himself with his long-sleeved shirt.

### PRISONER OF CONSCIENCE

MOSES "MOSS" MABOLEKELA CHIKANE, 38, former United Democratic Front Transvaal secretary, was detained under section 29 of the Internal Security Act on April 23, 1985 and has been held ever since as one of the Delmas Treason Trialists.

Chikane, who grew up in Pretoria and Pietersburg, was detained for four months in August 1976, and on his release found that he had lost his job at Chrysler. He was again detained for two months in October 1977. He then worked for the Independent Ministers Association in church and community projects.

He served as UDF Transvaal secretary between November 1984 and March 1985. At the time of his April 1985 detention he was an organiser for the Community Resource and Information Centre.

### BANNED BOOKS, PUBLICATIONS AND OBJECTS

Banned for importation and distribution:  
Workers Unity Issue no 65 1987 (SACTU, Lusaka, Zambia); Cosatu News no 4 May 1987 (Cosatu, Johannesburg); Our Boys Your Toys - T-shirt (ECC); IUS Solidarity Newsletter no 4 1986 (secretariat of the International Union of Students, Czechoslovakia); How far will you walk with us? (SA Working group of the Inter-Church Coalition on Africa, Toronto); Der Krieg Des Apartheid-Regimes, Gegen, Angola (Marga Holness); Lembuch Namibia ein Lese-un Arbeitsbuch (Helgard Patemann); Pro Okumene-Initiative in Wutternberg/Suid-afrikastelle (Pro Okumene/Subafrikastelle Hattenhofen); Lassen Sie Mein Land Frei (Terre Des Hommes Deutschland, Osnabruck); Izwe I-Afrika (not stated); Revolutionary Internationalist, issue 5 Feb 1987 (not stated); Proletarian Revolution no 27 winter 1986-7 (Socialist Voice Publishing Co for the League for the Revolutionary Party, New York); Heroes Day Commemoration (Azapo and Azasm, Elsie'sriver); Russia: Reform of Political Revolution? (Militant Publications, London); Lust: Licentious underground sexy happenings from 18 wheeler vol 1 (Gay Sunshine Press, San Francisco); Alligators (Guy N Smith); Printed toilet paper over 30 toilet paper (not stated); printed toilet paper S... list toilet paper (not stated); printed toilet paper F...T toilet paper (not stated); Gazelle vol 2 no 5 (Viclen promotions, Turfontein); My Brother My Lover, a novel (Tim Barrus); Dream stud and other stories (John Coriolan); Prank No 133 (Sonskyn Uitgewers Pty Ltd, Jeppe, Johannesburg); 4046 couple with poppy - poster (not stated). Three films were banned - Rosemary's Killer, Sid and nancy and Electric Reven.

Banned for possession:  
The Combatant vol 7 no 11 June 1986 (Plan Commissariat, Lubango); A World to Win 1985/3 and 1985/4 (A World to Win, London); World Student News vol 40 no 11 1986 Education and Society (IUS Czechoslovakia); Free Azania... focus on... alternative education (Free Azania, Southfield); Five Novels: Christina's Island; Christina's Escape; A Star for Christina; A Kiss for Christina and Christina's Torment (all by Blakely St James); Nicole in Flight (Morgan St Michel); Ingaba ya Basebenzi no 22 December 1986 (Ingaba ya Basebenzi, London); Regine or Love in the Antilles (EK); The Pangs of Venus (not stated).

Unbanned:  
Die Stiebeuel no 2 (not stated).

327 15-21/5/87 W/Mail

# Funds investigation into embattled paper

OUTDSHOORN'S grassroots community newspaper, *Saamstaan*, has been publishing for three years — despite the refusal of local concerns to print it, repeated raids on its offices, the detention of staffers and other harassment. Now it faces a new threat: it is one of several organisations under investigation for possible contravention of the fundraising act.

This week the newspaper was paid a visit by an inspector from the Department of National Health and Population Development, who arrived with a letter stating he had ministerial authorisation to investigate the newspaper's affairs.

"He wanted to know where we got our money from and wanted to see our books," *Saamstaan's* full-time organiser, Derek Jackson, told the *Weekly Mail*. "I gave him the names of the two Roman Catholic church organisations in the Netherlands who sponsor us and told him we weren't so sophisticated as to have a book-keeping system. He said he would be back.

"We don't know what will happen if they act against *Saamstaan*, but you can be sure of one thing: we will continue to publish," Jackson said.

The newspaper's history is short, but studded with a series of run-ins with the state, of which the visit by the man from the ministry is only the latest.

It was started in 1983 with the help of Cape Town journalists Rashid Seria and Mansoor Jaffer, who had earlier successfully launched the Western Cape community newspaper, *Grassroots*.

After extensive consultation with organisations operating in the region, the staff produced a pilot edition — a single tabloid sheet, printed in Afrikaans and called *Suidkaap Nuus*.

"There was overwhelming support for it, so it was decided to go ahead," Jackson said. The name *Saamstaan*

By GAYE DAVIS,  
Cape Town

— Afrikaans for "stand together" — was chosen at a meeting of community representatives in Mossel Bay in late January, 1984. That year, six editions appeared, dealing with community opposition to the tri-cameral elections, housing and other grievances and non-racial sport, issues rarely if ever covered by the commercial newspapers in the region and destined to attract much attention from the state.

In December 1984, Jackson and staffer Humphrey Joseph were among 25 people charged with attending an illegal gathering. They were finally acquitted in November 1985.

Also in 1985 *Saamstaan's* offices in Oudtshoorn's coloured township, Bridgeton, were damaged by fire on three separate occasions. That September, Jackson, Joseph and treasurer Louis Noemdoe were all detained under section 29 of the Internal Security Act. Joseph and Noemdoe were charged with subversion; they were acquitted in February 1986.

The day after his acquittal, Joseph was re-arrested and charged with contravening the Police Act. The case was concluded earlier this month. Joseph was found guilty and fined R100 (or 25 days) suspended for three years. The court heard he had written an article, headlined "Children Cruelly Shot", which had stated incorrectly that three — instead of two — youths had been shot by police in Oudtshoorn's Bongoletu Township.

See the  
**WEEKLY MAIL**  
**CLASSIFIEDS**



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local 50c Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry  
Registered at the Post Office as a Newspaper As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 263

PRETORIA, 15 MAY/MEI 1987

No. 10750

## GOVERNMENT NOTICE

### MINISTRY OF LAW AND ORDER

No. 1120

327

15 May 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 109 of 12 June 1986, as amended, I, Johann Cornelissen van Niekerk, Divisional Commissioner of the South African Police for the Port Natal Division, hereby issue the order set out in the Schedule.

J. C. VAN NIEKERK,  
Divisional Commissioner: Port Natal.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of Zazi KUZWAYO, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means the Magisterial Districts of Durban, Umlazi, Pinetown and Inanda;

“Divisional Commissioner” means the Divisional Commissioner of the South African Police for the Port Natal Division;

“funeral” means a gathering held at the grave of Zazi KUZWAYO;

“the Regulations” means the regulations published by Proclamation R. 109 of 12 June 1986, as amended by Proclamations R. 110 of 17 June 1986, R. 121 of 27 June 1986, R. 125 of 8 July 1986, R. 140 of 1 August 1986, R. 225 of 28 November 1986 and R. 224 of 11 December 1986.

400—A

## GOEWERMENTSKENNISGEWING

### MINISTERIE VAN WET EN ORDE

No. 1120

15 Mei 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig, reik ek, Johann Cornelissen van Niekerk, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Port Natal, hierby die bevel in die Bylae uiteengesit uit.

J. C. VAN NIEKERK,  
Afdelingskommissaris: Port Natal.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Regulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied” die landdrostdistrikte van Durban, Umlazi, Pinetown en Inanda;

“Afdelingskommissaris” die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Port Natal;

“begrafnis” 'n byeenkoms wat gehou word by die graf van Zazi KUZWAYO;

“die Regulasies” die regulasies afgekondig by Proklamasie R. 109 van 12 Junie 1986, soos gewysig deur Proklamasies R. 110 van 17 Junie 1986, R. 121 van 27 Junie 1986, R. 125 van 8 Julie 1986, R. 140 van 1 Augustus 1986, R. 225 van 28 November 1986 en R. 224 van 11 Desember 1986;

“seremoniële byeenkoms”, met betrekking tot die teraardebestelling van Zazi KUZWAYO, enige byeenkoms wat met so 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdien of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnisstoet.

10750—1



**Funeral etc., to be held in accordance with conditions**

2. No funeral, and no ceremonial gathering in connection with the burial, of Zazi KUZWAYO shall be held otherwise than in accordance with the following conditions, namely:

- (a) that the Divisional Commissioner's prior approval for the time, date and place of the funeral and of any ceremonial gathering shall be obtained;
- (b) that no such ceremonial gathering, in so far as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of Zazi KUZWAYO) shall be held out of doors;
- (c) that only an ordained minister of a religious denomination or organisation may act as a speaker at the funeral or ceremonial gathering;
- (d) that no public address system shall be used at or during the funeral or ceremonial gathering;
- (e) that the number of persons attending the funeral or ceremonial gathering shall not exceed 400; and
- (f) that the proceedings in connection with the burial of Zazi KUZWAYO, including any such ceremonial gathering, shall not continue for longer than three hours.

**Speakers**

3. No person other than an ordained minister of a religious denomination or organisation shall act as a speaker at the funeral, or any ceremonial gathering in connection with the burial, of Zazi KUZWAYO.

**Attendance of funeral etc.**

4. (1) No person shall attend or remain present at the funeral, or any ceremonial gathering in connection with the burial of Zazi KUZWAYO in respect of which a condition mentioned in clause 2 has not or is not being complied with.

(2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of Zazi KUZWAYO in the case of non-compliance with the condition mentioned in paragraph (e) of clause 2.

**Funeral processions**

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of Zazi KUZWAYO, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where Zazi KUZWAYO is to be buried.

(2) A funeral procession formed for the burial of Zazi KUZWAYO shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where Zazi KUZWAYO is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply in a case where the route approved by the Divisional Commissioner under subclause (2) is shorter than five hundred metres.

**Flags, banners, etc.**

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of Zazi KUZWAYO.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

**Application of this order**

7. This order shall apply in the designated area.

**Begrafnis ens., gehou te word ooreenkomstig voorwaardes**

2. Geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van Zazi KUZWAYO word gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik:

- (a) dat die Afdelingskommissaris se voorafverkreë goedkeuring verkry moet word vir die tyd, datum en plek van die begrafnis asook van enige seremoniële byeenkoms;
- (b) dat geen seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van Zazi KUZWAYO) in die opelug gehou mag word nie;
- (c) dat slegs 'n geordende leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens die begrafnis of seremoniële byeenkoms mag optree;
- (d) dat geen luidspreker by of tydens die begrafnis of seremoniële byeenkoms gebruik mag word nie;
- (e) dat die getal persone wat die begrafnis of seremoniële byeenkoms bywoon, nie 400 mag oorskry nie; en
- (f) dat die verrigtinge in verband met die teraardebestelling van Zazi KUZWAYO, met inbegrip van so 'n seremonie, nie langer as drie ure mag aanhou nie.

**Spreekers**

3. Geen persoon behalwe 'n geordende leraar van 'n godsdienstige denominasie of organisasie mag as 'n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van Zazi KUZWAYO optree nie.

**Bywoning van begrafnis ens.**

4. (1) Geen persoon mag 'n begrafnis, of 'n seremoniële byeenkoms in verband met die teraardebestelling van Zazi KUZWAYO ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarby aanwesig bly nie.

(2) Die bepalinge van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naasbestaande van Zazi KUZWAYO, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (e) van klousule 2 nie.

**Begrafnisstoete**

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van Zazi KUZWAYO bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar Zazi KUZWAYO ter aarde bestel word, beweeg nie.

(2) 'n Begrafnisstoet wat vir die teraardebestelling van Zazi KUZWAYO opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar Zazi KUZWAYO ter aarde bestel word, langs 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalinge van subklousule (1) is nie van toepassing nie in 'n geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

**Vlae, baniere ens.**

6. (1) Geen persoon mag enige vlag, banier, plakkaat, pamflette of aanplakbiljette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling van Zazi KUZWAYO vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebruiklike begrafniskennisgewing nie.

**Toepassing van hierdie bevel**

7. Hierdie bevel is van toepassing in die aangewese gebied.



# Strange company for Kaiser's reluctant guest

327

Kaiser Matanzima says he never jailed a political opponent. The president of the new progressive lawyers association has some personal — and painful — reasons to dispute that. FRANZ KRÜGER reports

UNDER the banner headline "Abuse of power: Kaiser warns PM" there were the handwritten words: *Et tu, Brute?* The newspaper lay open on the desk of Dumisa Ntsebeza, the Umtata-based first president of the newly-established progressive lawyers' body, the National Association of Democratic Lawyers (Nadel).

Further down in the report, Ntsebeza had underlined the claim by former Transkei State President Kaiser Matanzima that he had "never caused the banning or arrest of opposition parties for political differences". In the margin was written: "1976!"

There can be few people in Transkei better equipped to see the irony in Matanzima's outraged response to his banishment this week than Dumisa Buhle Ntsebeza.

The 37-year-old lawyer is even now separated only by an interim interdict from the execution of his third banishment order in six years.

It was in 1976 that Ntsebeza was arrested together with his younger brother Lungisile and three friends, among them Matthew Goniwe, who was later to become well-known for his leadership in the Cradock township. After 103 days in solitary confinement under the Terrorism Act, the five were charged under the Suppression of Communism Act.

In what became known as "the poultry farm case", the five were found guilty of operating secret Marxist cells. The farm was found to be a fundraising venture for their underground organisation.

"Our defence was that these were not cells, but completely open study groups. And the farm was a project to augment our income," Ntsebeza said.

One received a suspended sentence, the other four were sentenced to four years in jail. But Ntsebeza remains convinced the verdict could have been overturned if technical reasons had not prevented their appeal.

They started their sentence in September 1977: "We were kept in the female section of the condemned cells, which were so close to the male section as to make no difference. There were no women on death row, at the time."

For two years the men were kept virtually incommunicado in the death cells.

"We knew who was condemned and when their time was to come. It was a clear attempt to terrorise us and make us mental wrecks," Ntsebeza said.

One of the friends was finally re-



Dumisa Ntsebeza ... from the condemned cells to national president

Picture: NEW NATION

moved on the orders of a psychiatrist, Goniwe was removed because he contracted tuberculosis of the spine, and only the two Ntsebeza brothers were left.

It was only after the brothers went on hunger strike for 21 days, having spent some two years in death row, that they were moved elsewhere.

Remarkably, Ntsebeza emerged from jail in 1981 with his Lib, most of the work for which he had done on death row. On their release, they were immediately banished to Cala, their hometown, while Goniwe was sent to Cradock.

Ntsebeza then did his articles with an Umtata law firm, after having had to convince the Cape Law society to register his articles in spite of his conviction.

During this time, his banishment was relaxed, but a second order was slapped on him in October 1985. It came after he began investigating the brutal public shooting by the police of his cousin and adopted brother, Bathandwa Ndonga.

The order was set aside by the Umtata Supreme Court, but on March 3 this year he was once again banished "to the same derelict and uninhabitable hut in Tsomo that I was banished to before".

He has obtained an interim interdict which allows him to continue his work, but the final hearing is yet to come.

After serving as chairman of a steering committee representing eight progressive lawyers' bodies, Ntsebeza was elected chairman of Nadel at its founding conference in Durban over the May Day weekend.

The new body committed itself to strive for a "truly democratic and just society free from oppression and exploitation", and elected jailed African National Congress leader Nelson Mandela as honorary member.

Ntsebeza sees the function of Nadel as being a pressure group against unjust laws. "We want to go further than the law societies, which are statutory bodies."

The organisation should "focus specifically on those issues affecting the oppressed."

"If, for instance, we see that the government is planning new laws against the union movement, do we wait for the legislation to be passed or do we make representations beforehand?"

A controversial issue facing Nadel is whether lawyers should accept work in conflict with their principles. Ntsebeza said he could not see "that one can accept the principles outlined in the constitution and then, for instance, prosecute Group Areas Act offenders".

He concedes this may bring the organisation into conflict with sections of the legal profession, but if need be representations would have to be made to the law societies to change their code of ethics.

"We plan to act together as lawyers addressing the worsening security situation in the country."

"One has to concede that lawyers are drawn from different political backgrounds, but I have studiously avoided being identified with either the ANC or the Pan Africanist Congress or the Unity Movement or Black Consciousness." — Elnews.



WASHINGTON — The United States is appealing "at the highest levels" to have the South African Government's decision to expel an American journalist reversed.

The US State Department, noting with alarm what it saw as the lessening of South Africa's commitment to a free Press, said yesterday it was "greatly disturbed" at the refusal to renew the visa of *Business Week* freelance correspondent Mike Mufson.

"The American embassy in South Africa has appealed at the highest level the decision to effectively expel Mr Mufson," a US official said. "We will continue to do so. We have not yet been given a reason why the visa renewal was refused."

The US also noted with alarm the Government's refusal, made known on Thursday, to renew the work permits of the BBC's Michael Buerk and Independent Television News reporter Peter Sharp.

In Cape Town, British Ambassador Sir Patrick Moberly met Home Affairs Minister Mr Stoffel Botha yesterday in an attempt to get the Government to reverse its decision to expel Buerk and Sharp.

An embassy spokesman said a final decision was expected from Mr Botha early next week.

He said Sir Patrick had been instructed by the Foreign Office in London to meet the South African Government "at a high level" to discuss the decision.

In Pretoria, the Department of Home Affairs denied it was conducting a "crackdown" on foreign journalists.

Asked whether it was likely the trend of refusing foreign correspondents work permit extensions would continue, a spokesman said: "No."

Eight foreign correspondents have been ordered to leave South Africa over the past year.

Thami Mazwai, an International Federation of Journalists executive member, said yesterday the pending expulsions of the two British television correspondents was a foretaste of an intensification of a government crackdown on the freedom of the Press.

The Foreign Correspondents' Associations (FCA) said the Government had resumed an attack on Press freedom in South Africa that was unparalleled in recent times, anywhere in the world.

FCA chairman Mr Andrew Torchia condemned the Government's move "to end independent coverage of the South African social conflict, while until now it has professed to support Press freedom".

He said Sharp and Buerk, widely experienced and professional reporters, had acted within South African law.

The Black Sash said it was "appalled at the further attack on the freedom of speech", saying the move would further damage the country's already tarnished image abroad.

Pat Sidley, South African Society of Journalists president, said in Durban yesterday that South African officials abroad had been spreading "blatant lies" about some local journalists in attempts to dissuade overseas publications from using their stories.

"South African diplomatic and embassy staff have visited overseas publications to inform them that some of their freelance writers are not officially accredited in South Africa and in some cases have even told blatant lies about those journalists to add weight to their attempts to have them dropped from the publications concerned," she told the society's congress.

ALAN DUNN

301 p101  
as newsmen  
16/5/81  
SPR

Fears for Press



News in Brief

*Cape Times 16/5/87*  
**Slabbert: Charge dropped**

PRETORIA. — A charge of possessing an undesirable publication was withdrawn against former Opposition leader Dr Van Zyl Slabbert because he had obtained special permission to possess the work. The charge arose from Dr Slabbert's entering South Africa from Swaziland on November 2 with a copy of "No Easy Road to Freedom" in his possession. The charge was withdrawn on the instructions of the Transvaal attorney-general.

Capt TiniB 16/5/87 (2100) 327

## **'Lies to discredit' freelance journalists**

DURBAN. — South African officials abroad have spread "blatant lies" about some local journalists to dissuade overseas publications from using their stories, the 1987 Congress of the Southern African Society of Journalists (SASJ) heard here yesterday.

In an address to congress, SASJ president Ms Pat Sidley said the controversial Steyn Commission recommendations for a register of journalists had unofficially come into effect, and some SA journalists were being refused accreditation.

The journalists were unable to gain access to official functions and reports and were denied the information necessary to write balanced news.

"SA diplomatic and embassy staff have visited overseas publications to inform them that some of their freelance writers are not officially accredited in SA — and in some cases have even told blatant lies about those journalists to add weight to their attempts to have them dropped from the publications concerned," Ms Sidley said. — Sapa



40 16/5/82

## Moberly in bid to stop expulsion

CAPE TOWN — The British Ambassador, Sir Patrick Moberly, yesterday met the Minister of Home Affairs, Mr Stoffel Botha, in a bid to get the government to reverse its decision to expel two British television correspondents.

Sir Patrick had been instructed by the Foreign Office in London to meet the South African Government "at a high level" to discuss the decision not to renew the work permits of Mr Michael Buerk and Mr Peter Sharpe when they expire later this month.

Sir Patrick met Mr Botha for just under half-an-hour, an embassy spokesman said.

"We noted the fact that there had already been strong criticism in Britain of the press restrictions here, of which these two correspondents appear to have been victims, and we noted that we believe them to have been acting in good faith after they had taken legal advice on their reports.

"We urged him to reconsider the decision, and he said he would give serious consideration to what the ambassador had said but emphasised that his decision still stood," the spokesman said.

The embassy is waiting for Mr Botha's final word on the matter. — Sapa

# PRESS CURBS UNDER FIRE

Sunday Times Reporter

THE Southern African Society of Journalists has attacked Press curbs under the state of emergency and pressures on the Media Council.

An SASJ spokesman said the congress noted with great concern the continued enforcement of the state of emergency and statutory Press curbs, which "made a mockery of the principle of Press freedom".

It also slammed the seizing and closure of publications and the detention, prosecutions and harassment of individual journalists.

## Attacks

The congress criticised the attacks on correspondents of the foreign media, including the expulsion, detention, withdrawal of work permits and the seizure of film and other material.

The SASJ warned against suggestions that the Government was to open a register of journalists and deplored what it described as pressures being put on the Media Council to change its methods of operation.



## SASJ slams press curbs, censorship

DURBAN — The Southern Africa Society of Journalists (SASJ) has attacked press curbs under the state of emergency, pressure on the Media Council to make it a state censorship machinery and the circumstances surrounding the sale of the Ilanga newspaper.

A spokesman said the SASJ's 1987 congress here had noted with great concern the continued enforcement of the state of emergency and statutory press curbs which "made a mockery of the principle of press freedom".

"The seizing and closure of publications and the detention, prosecutions and harassment of individual journalists is a repulsive extension of these curbs and this congress calls for an immediate end to these actions.

"At the same time, congress urges newspapers to treat with extreme caution the 'offic-

ial' version of incidents and exploit the few remaining free channels vigorously and to the maximum.

"In the light of increasing comments by government officials with regard to registration of journalists, congress totally rejects any such scheme," the spokesman said.

Meanwhile, the director-general for Foreign Affairs, Mr Neil van Heerden, yesterday rejected allegations reportedly made by the SASJ's president, Miss Pat Sidley, that South African officials abroad had attempted to influence overseas publications not to use material filed by South African journalists.

Mr Van Heerden said his department was not concerned with the placing of material by local journalists in foreign publications but it did, "when appropriate", take steps to correct false or biased reports.

— Sapa

(327) 5782 19/5/87

# Citizen article 'was unethically published'

*The Citizen* has been ordered by the SA Media Council to print a report noting that it unethically published an article alleging foreign television networks were misrepresenting news events in South Africa.

The decision of the council was reached after complaints about the article had been lodged by agencies.

The reprimand concerns a story published in

*The Citizen's* March 4 edition which summarised an article from an American publication, *Scoreboard*, accusing foreign agencies of misrepresenting South African news.

## REPORT

The newspaper was ordered to publish in its latest edition a report outlining judgment on how it breached the council's

code of conduct under the heading "Media Council reprimands *The Citizen*".

*The Citizen's* main failing was that it had failed to approach foreign agencies for comment before publishing the article containing allegations that "gravely prejudiced" the networks, said the report.

"It was not disputed that *The Citizen* was within its rights in reproducing the article and that it contains a correct reflection of what appears in *Scoreboard* in so far as the respondent chose to quote from the article," the report said.

"What was in dispute was whether the code required some action on the part of the respondent either to make it clear in the article it did not vouchsafe the truth of the allegation made in the article or give the networks an opportunity to comment on or refute its contents." — Sapa.

## Fears of change

CAPE TOWN — A full council meeting of the South African Media Council (SAMC) will be held here today, amid fears that it will introduce changes to its constitution and procedures that could "align it with those forces suppressing the free flow of news".

The Southern African Society of Journalists, at its annual congress at the weekend, said it deplored the "continuing pressure" placed on the council to introduce these changes.

It commended those editors, managers and members of the council who have resisted government pressure to turn the SAMC into an instrument of state censorship.

"Congress urges the council to resist the temptation ... to make gestures towards the Government by changing existing council procedures." — Sapa.



327 SMT 19/5/87

## Pretoria blamed for poor image

The Star Bureau

LONDON — Scenes of policemen routinely whipping cringing and defenceless students will become the natural backdrop to South Africa in the same way the Eiffel Tower suggests France and the White House suggests America, a newspaper commentator has warned.

Jon Akass, who writes a weekly column for the right-wing *Daily Express*, blames this on Pretoria, whose "crude censorship", he says, has ensured that these were the last television reports to be seen to come out of the South Africa.

"It would be unfair if the whole of South Africa were to be frozen in this one gruesome moment," he says. "Pretoria will complain that the country would be more fairly represented by happy scenes on the beaches."

"But, then, South Africa has forfeited any claim to fairness."

AR6.45 19/5/87  
**Warning on  
funds 327  
from abroad**

Political Correspondent

PRESIDENT Botha today warned against overseas funding of activities which did not recognise the lawful and constitutional institutions and processes in South Africa.

In his speech at the opening of Parliament, Mr Botha also referred to activities which approved of and applied violence, intimidation and murder as instruments of political change.

He also mentioned activities which were conducted in a manner which precluded the policies and leaders of the groups from being subjected to the wishes of the electorate.

These categories of political activity, particularly when they were accompanied by contempt for the laws of the land, could not be permitted by a responsible government in South Africa.

The fact that certain legal arrangements might not be acceptable to some people did not give them the right to contravene the law, he said.

"Nor can activities of this kind be permitted any longer

(Turn to Page 3, Col 4)

AR6.45 19/5/87  
**PW warns 327**  
(Cont. from Page 1)

to be encouraged and/or financed by sources outside the country or by their agents here."

He said that throughout the world there were examples of countries in which the governments had been deposed and the system of government dismantled in the name of greater democracy and freedom. Such countries invariably ended up in the Soviet sphere of influence.

It was ironic that prominent personalities and institutions in leading Western countries had given their financial and moral support in several cases to the destruction of Western allies. Among the more recent examples were Iran and Nicaragua.

"The Government is aware of efforts and plans in this connection and intends giving them serious attention. We shall not permit the constitutional order in South Africa to be subverted in this way."

During the election campaign Mr Botha indicated that legislation dealing with the overseas funding of some organisations would be tightened.



May 20 1987

Acrimonious exchanges between CP and NP expected

# Dr Treurnicht to open three-day censure debate

327  
5/20/87

## Political Staff

Dr A P Treurnicht, Leader of the Opposition in the Assembly, yesterday gave notice of a wide-ranging motion of censure in the Government.

He will move today that the Government is deserving of censure because:

- Its announcements on reform, insofar as they are already known, are fatal to economic recovery and growth and to politi-

cal stability.

- It has no long-term plan to check revolution effectively.

- Its abolition of certain laws and its failure to apply others pose a serious threat to secure, relaxed and orderly community life.

- It has failed to spell out clearly the mandate sought by it with special reference to the protection of peoples or minority groups and the prevention of a black majority for South Africa.

## Warning against overseas funding

PARLIAMENT — The State President Mr P W Botha yesterday warned the media, universities and organisations which received funding from abroad against promoting activities which could lead to the overthrow of the State.

In his speech opening Parliament, he said the Government was giving serious attention to countering plans to "subvert the constitutional order" in South Africa.

"Throughout the world there are examples of countries in which governments have been deposed and the system of government dismantled, ostensibly in the name of greater freedom and democracy," he said.

Such countries invariably ended up under Soviet influence.

He said prominent personalities and institutions in leading Western countries had given financial support to the destruction of Western allies, among them Iran and Nicaragua. — Sapa.

The motion will provide the opportunity for a three-day debate which is expected to lead to acrimonious exchanges, especially between the Conservative Party and the National Party.

The exchanges will be sharpened by the debate taking place so soon after the election in which the two parties were involved in a tough fight, particularly in the Transvaal where all the CP's 22 elected members come from.

For the first time since it came to power in 1948 the National Party will face a right-wing Opposition, many of whose members formerly belonged to the NP.

Dr Treurnicht will open the debate and will reply on Friday afternoon.

Many Nationalist Ministers are expected to take part.

Mr Colin Eglin, leader of the Progressive Federal Party and former Leader of the Opposition, will speak later in the week, probably tomorrow.



Dr Andries Treurnicht ... quickly into his new role.

## Motion of no confidence to be presented

PARLIAMENT — The Leader of the Opposition in the House of Representatives, Mr Denis de la Cruz, gave notice yesterday that he would present a motion of no confidence in the Government today.

Mr de la Cruz, who is

# Flats searched door-to-door in Hillbrow raid

ARGUS 20/5/72

The Argus Correspondent ~~374~~  
JOHANNESBURG. — Hundreds of policemen conducted door-to-door searches early today at the predominantly black-occupied Highpoint complex in Hillbrow and elsewhere.

Police said the raids on several premises in Johannesburg and one in Soweto related to investigations into explosions and offences at Cosatu House.

A number of people were taken in for questioning but it was not known if they were detained.

A spokesman for the owners, Anglo American Property Services, said residents were apparently asked who they worked for and who signed their leases. The company said it was given no advance warning.

The swoop in the heart of Johannesburg's racially mixed flatland left residents angry and mystified.

Some said they feared the raid could be related to the Government's new hardline approach to the Group Areas Act. Others said police told them they were looking for a criminal.

Nearly all said they were asked the identity and relationship of everyone living in their flats, which were searched to verify the answer.

## UNDER SOFAS

Highpoint residents said searchers did not say what they were looking for, but some residents who questioned police were told the objective was to find "a dangerous criminal suspect".

Some said they were told the raid was routine.

One irate black man dressed in a business suit said police asked about the source of certain books and records, wanted to know why he had them and had looked in his refrigerator and cupboards.

"They even looked under sofas," he said.

Most agreed the officers who questioned them were polite, but two tenants who were reluctant to open their doors said the police were "very rude".

The director of constitutional development and planning, Mr J.W. Fourie, said he was not aware of the police action.



# Police raids on student residences, Hillbrow

JOHANNESBURG. — Police raided university residences in Johannesburg and Soweto before dawn yesterday, arresting at least 14 black students, student leaders said.

In an apparently unrelated action, hundreds of policemen made door-to-door calls early yesterday at apartments occupied mainly by blacks defying the Group Areas Act in Hillbrow.

Fourteen members of the Black Students Society (BSS) were held when police raided student hostels in Soweto and Johannesburg and on the mid-city campus of the University of the Witwatersrand, BSS executive member Mr Azhar Bham said.

In Hillbrow, hundreds of police woke predominantly black tenants of Highpoint apartments about 3am. Residents said policemen asked whom they worked for and who had signed the letting contracts for their apartments.

City officials estimate some 45 000 blacks and Asians live illegally in Hillbrow.

The Deputy Minister of Constitutional Development and Planning, Mr Piet Badenhorst, on Monday denied in news reports that the government plans a crackdown on tenants defying the law.

A police spokesman said the Hillbrow action was linked to "recent bomb explosions" and followed an April 29 raid on Johannesburg offices of the 600 000-

member Congress of South African Trade Unions (Cosatu).

The spokesman said police were investigating unspecified "alleged offences" by labour union officials at Cosatu's offices, which were torn apart by powerful bombs some days after the police raid. —

UPI

Cap 7/15 21/5/87

# Barclays closed Munnik's account for default — MP

By ANTHONY JOHNSON  
Political Correspondent

HOUSE OF ASSEMBLY. — The Judge President of the Cape, Mr Justice George Munnik, had on more than one occasion had his account "unilaterally" closed by Barclays Bank "for reasons relating to overdrawn accounts and debt defaults".

For this and a number of other reasons the commissioner appointed by President P W Botha to investigate the funding of ANC advertisements "had no right to sit on this inquiry at all", PFP MP Mr Dave Dalling said last night.

Speaking during a censure debate, the PFP justice and media spokesman said amid a chorus of interjections from government benches that the judge should have recused himself from the commission into the "Ball affair" from the outset.

Mr Dalling said the end result of the Munnik Commission "presented a travesty of justice initiated by the State President ..."

At this point the Speaker, Mr Louis le Grange, refused to allow Mr Dalling to continue with his speech. At various stages in Mr Dalling's address Mr Le Grange called him to order, saying he would not allow Parliament to be used to "smear" the President or the Judge President.

Mr Dalling opened his speech by saying he was "both shocked and saddened" that a "political dispute" between Mr Botha and an opponent had been used to deprecate the tradition

whereby "the judiciary is independent of the executive, and not subject to it".

Mr Justice Munnik should have recused himself from the commission into the financing of pro-ANC advertisements and "not have adjudicated on the matter at all".

Mr Dalling said that "from the very outset it was obvious that this was not a judicial issue involving criminal or civil liability of any sort."

"The appointment of a commission was meant to the advantageous resolution of a political dispute, at the time of an election, involving the head of the National Party and one who disagreed with that party."

"Secondly, this was an almost personal dispute between the Hon State President and the head of a major bank in our country. The commissioner concerned is well-known — and he would not dispute this — to be a longstanding personal friend of ... President Botha."

"It is my submission that he should not have been party to judging their quarrel."

"Thirdly, the dispute was essentially one which may possibly have affected the electoral fortunes of the National Party, certainly within the business community ... the commissioner is undeniably a strong supporter of the governing party."

Finally, Mr Justice Munnik, following the defaults of "thousands of

To page 2

From page 1

lands", had had an "unhappy parting" with Barclays Bank and as a result "had no right to sit on the enquiry at all". Mr Dalling said the judge's report was "interlarded with unsolicited, gratuitous insults as to Mr Ball's prudence as a banker, as to the inflated view the commissioner took of his own banking expertise and finally to Mr Ball's personal integrity."

"It is a report that will add no lustre to the annals of justice in South Africa," he said.

"All that has arisen is that a political dispute has arisen, and the State President, armed with transcripts of secret-taped telephone conversations, resolved to use the judiciary to win his point — it's a disgrace."

The Speaker once again told Mr Dalling that he was "not prepared to allow you to proceed on these lines" when he said the commission — which did not allow for the calling of witnesses, cross-examination, the right of appeal or review — was "the ideal forum to suit

the ends of the State President."

After Mr Dalling had been prevented from completing his speech, the Minister of Justice, Mr Kobie Coetsee, described his speech as "scandalous" and accused the opposition MP of indulging in "sewer politics".

Mr Coetsee said the commission had nothing to do with a dispute with Barclays Bank. Mr Dalling, he said, had done more to damage the integrity and independence of the judiciary than anyone before.

Mr Le Grange is to consider the appointment of a parliamentary select committee to investigate an alleged breach of privilege by Mr Dalling (PFP Sandton), Sapa reports.

Mr Coetsee asked for the appointment of the committee last night.

Mr Le Grange said he would consider the request this morning after studying Mr Dalling's Hansard and would give his ruling during the course of the day.

Attempts to contact Mr Justice Munnik and Mr P W Botha for comment were unsuccessful.



# Highpoint raid Group Areas victimisation?

POLICE yesterday told Anglo American Property Services (Ampros) the pre-dawn raid of the Highpoint flat complex in Hillbrow was in terms of a section of the Internal Security Act that deals with banned literature, an Ampros spokesman has claimed.

The Ampros spokesman said police had said the raid was in connection with section 5 of this Act.

Section 5 of the Act is headed "Prohibition of certain publications" and refers to "any periodical or other publication calculated to endanger the security of the State or the maintenance of law and order, promote the spread of communism or propagate views of an unlawful organisation".

Police said the raid was held to investigate recent bomb blasts, terrorist infiltrations, alleged offences at Cosatu House and by members of trade unions,

NORMAN SHEPHERD

and in connection with other police investigations that could include section 5 violations.

The Highpoint raid was part of a massive raid, which involved teams of police, in the early hours of yesterday morning on premises in Hillbrow, Braamfontein and Soweto where black Wits University students are housed.

SA Council of Churches general-secretary Beyers Naude said police interrogated an SACC staff-member concerning two "Free the children" stickers found in her Highpoint flat.

He said her documents and personal belongings had been searched, and police demanded she hand over any SACC and

● To Page 2

## Highpoint raid raises ire

Kagiso Trust documents she might have had. None were found.

"This action, together with the veiled threats uttered by State President P W Botha in his opening speech in Parliament, makes a mockery of government assurances the Group Areas Act will not be implemented forcefully," Naude said.

The Ampros spokesman said a few tenants at Highpoint were "twitchy and worried about security of tenure" but police said the raid had nothing at all to do with the Group Areas Act.

Replying to allegations by Black Students' Society spokesman Azhar Bham that 14 Wits students were arrested in the raids, a police spokesman said several people had been arrested at Highpoint and other places, and were being held at various police stations. The number detained could not yet be divulged.

Asked why it was necessary to search each flat, the spokesman said details of police operations could not be divulged.

Cosatu commented: "We endorse the views of many Highpoint residents who believe the action was related to the

Group Areas Act crackdown.

"We do not blame black residents for seeing this as the start for them of Group Areas victimisation.

"It is clear police were investigating allegations connected with the Sarhwi (SA Railways and Harbours Workers' Union) dispute.

"But it is convenient for police to name Cosatu, or alleged incidents related to Cosatu, for the huge raid carried out in Hillbrow, Soweto and other places.

"It is a clever way to deflect the anger of residents who had to endure a rude awakening without proper explanation from police.

"The police statement — made without substantiation or proof — is, in our view, a further episode in the continuing smear campaign against Cosatu. The campaign is a sophisticated plan to turn public opinion against Cosatu and prepare the ground for further clamps on the organisation."



CAPE TOWN 22/5/77 327

# SAP stops reports on mini-unrest

By BARRY STREEK  
Political Staff

MINISTER of Law and Order Mr Adriaan Vlok's announcement yesterday that police would in future not issue reports on unrest of a minor nature was criticized by PFP spokesman on law and order Mrs Helen Suzman.

She said: "We can expect more rigid censorship, more repression, all in the interests of security."

Mr Vlok said reports would no longer be issued on incidents, such as stone-throwing, which resulted in little or no damage.

He said, however, that police would issue reports on incidents of a more serious nature, such as fatalities, serious injuries and serious damage.

He said in his statement: "In view of the fact that many incidents of unrest are of a minor nature involving, for example, stone-throwing which result in little or no damage, it appears pointless to issue an unrest report simply to make known that such incidents occurred."

## 'Oppressive measures'

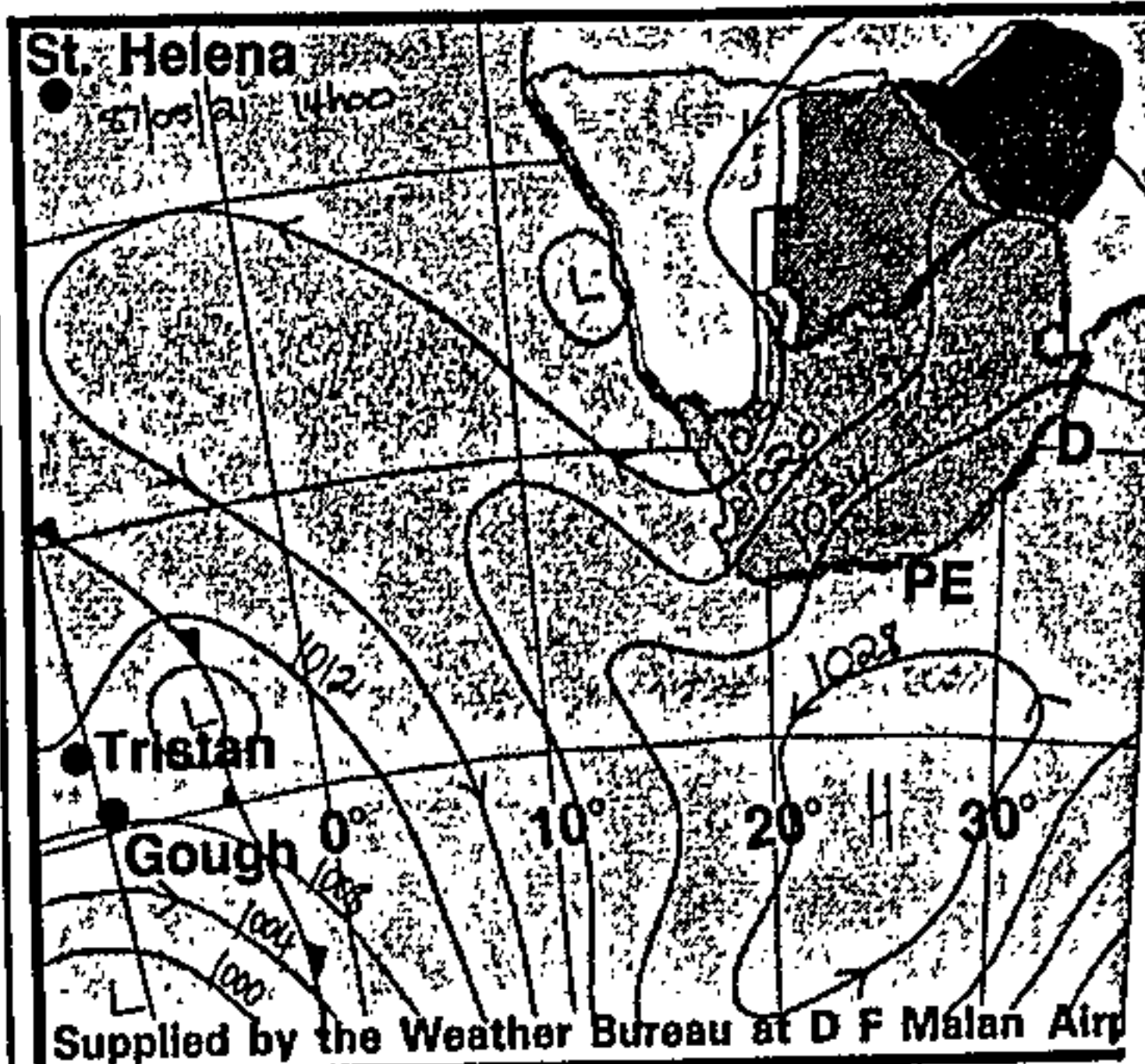
"Incidents of a more serious nature such as fatalities, serious injuries and serious damage are of interest to the public and should be made known."

"Depending on the nature of incidents reported, the public-relations division of the South African Police, head office, will in future only issue an unrest report if circumstances warrant it."

"This, in effect, means that an unrest report will not necessarily be issued every day," Mr Vlok said.

Mrs Suzman said in Parliament that more oppressive measures, rigid censorship and suppression of dissension would be the order of the day. "Since it is spurious security, violence will escalate."

"All in the interests of halting the swing towards the CP which has captured over 500 000 voters."



## Fine and hot

**CAPE PENINSULA and vicinity and Western Cape Coastal Belt:** Fine and warm to hot with Berg wind conditions, becoming partly cloudy. Wind moderate north-easterly. Minimum and maximum temperatures will be between 17°C and 26°C.

### YESTERDAY'S READINGS

	noon	8pm
Barometer	1018,0	1018,1
Humidity	65,0	82,0
Temperature	21,4	16,2

max 23,5 min 8,4

(At D F Malan 24 hours to 8pm)

Hours of sunshine: 9,0

Wind (D F Malan) 8 pm: Calm

### TIDES (TABLE BAY) TODAY

High: 1156

Low: 0551 1802

Sun sets 1749 rises 0736

Moon rises 0220 sets 1452

### TIDES (TABLE BAY) TOMORROW

High: 0013 1248

Low: 0643 1851

Sun sets 1748 rises 0737

Moon rises 0322 sets 1518

### PHASES OF THE MOON

New Moon, May 27.

First Quarter, Jun 4.

Full Moon, Jun 13.

Last Quarter, Jun 18.

### POOL, SEA TEMPERATURES

Mulzenberg: Pool Closed, Sea 16

Sea Point: Pool 13,5, Sea 16

Newlands: 15

Long Street: 24

**Coastal belt Cape Infanta berg Bay:** Mild overnight and hot tomorrow. Wind moderately.

**Coastal belt Plettenberg Alfred:** Cloudy in the night, otherwise partly warm becoming fine with hot Berg wind.

**Coastal belt Port Alfred:** Cool with dry partially and become Namaqualand and the eastern Cape interior: and hot.

**Pretoria, Witwatersrand Eastern Highveld:** mild but cloudy and the Eastern Highveld patches will occur.

**Transvaal:** Cold over the north. Low cloud the Escarpment and veld in the morning.

**Free State:** Cold with frost, with fog in north-eastern parting.

**Natal:** Cloudy on night and cold with fog and low.

**Namibia:** Fine and over the eastern.

**Botswana:** Fine and cloudy towards over eastern Botswana.



# Vote to probe alleged breach



Mr Dave Dalling

By ANTHONY JOHNSON  
Political Correspondent

THE House of Assembly yesterday voted to appoint a select committee to investigate an alleged breach of parliamentary privilege by PFP frontbencher Mr Dave Dalling over remarks about Mr Justice George Munnik.

Mr Dalling — who could be suspended from Parliament if the committee finds against him — told the House on Wednesday night that Mr Justice Munnik should have recused himself from the one-man commission of inquiry into the Chris Ball affair concerning the funding of ANC advertisements.

The PFP spokesman on justice and the media said the judge should not have presided over the inquiry because his Barclays Bank account had been unilaterally closed for reasons relating to overdrawn accounts and debt defaults, and because of his personal friendship with President P W Botha and support for the National Party.

Experts in parliamentary procedure last night expressed concern at the appointment of a committee to look into an alleged breach of privilege on the grounds that the action raised three questions:

□ Does Parliament exist to protect people outside of the House?

□ If so, why was a select committee not appointed to investigate remarks by President P W Botha in the House concerning Barclays MD Mr Chris Ball?

□ Do Mr Dalling's remarks actually reflect on Mr Justice Munnik in his position as a judge or as a commissioner?

The Speaker of Parliament, Mr Louis le Grange, yesterday ruled after a debate on whether a motion by the Minister of Justice, Mr Kobie Coetsee, was in order, that there was a prima facie case for an investigation.

After several objections from the PFP, the Speaker eventually allowed Mr Coetsee to put the motion, which calls for the appointment of a select committee

on alleged breach of privilege by Mr Dalling "in that he reflected on Mr Justice Munnik in his judicial capacity and on his honour and personal conduct".

The House divided on the motion, which was upheld, with the PFP, the CP and the NRP voting against the NP majority.

No comment was forthcoming on the affair yesterday from President Botha's office, Mr Justice Munnik, or First National Bank (formerly Barclays Bank).

Mr Justice Munnik was approached for comment on Mr Dalling's disclosure, but the Cape Times was told by his secretary that he would not comment on the matter — pending the outcome of events at Parliament regarding the matter.

□ A recent statement from the Institute of Directors in support of Mr Chris Ball had been issued by "an overzealous political character within the institute" and was not an official document, Mr Laurie Poorter said yesterday.

# Vlok: 'We have respect for what the judges say to us'

HOUSE OF ASSEMBLY. — The government took heed of court rulings and adapted emergency regulations when judges said they were not clear, the Minister of Law and Order, Mr Adriaan Vlok, said yesterday.

He was reacting during debate on the censure motion to a prediction by Mrs Helen Suzman (PFP Houghton) that emergency regulations declared invalid by the courts would be revalidated by the government during the present session of Parliament, and that controls on the media would be tightened further.

"We have respect for what the judges say to us," Mr Vlok said.

"If the courts say the regulations are not clear we take note and adapt the regulations."

Referring to remarks by Mrs Suzman on detention without trial, Mr Vlok said the government was "sorry" about this practice but it was duty bound to continue it for security reasons.

He said that countries round the world "find it necessary" to detain people without trial. These countries included Britain and Israel.

Mr Vlok rejected comments by Mr Peter Gastrow (PFP Durban Central) on Wednesday that the government was out to crush the labour federation Cosatu.

He said Mr Gastrow had insinuated that the government was involved in the bombing of Cosatu House in Johannesburg.

"We reject this insinuation with contempt," Mr

Vlok said.

"The government is more concerned about good labour relations than Mr Gastrow.

"I give you the assurance: The SAP does not interfere in bona fide union activities. In fact, we encourage them."

Mr Vlok said Cosatu and its affiliates were responsible for thousands of blacks being put out of work and these people were angry with the federation.

The government possessed "strong evidence" of "misdeeds" at Cosatu House and this would be submitted in the trial of those allegedly responsible for the four necklace murders during the SATS strike.

Mr Vlok also rejected Mr Gastrow's criticism of the government's ban on meetings to promote Cosatu's Living Wage Campaign.

The minister quoted from documents submitted to court in which links between Cosatu and the ANC and SACP were alleged and he said the campaign was part of a plan to bring about a Marxist, socialist state in South Africa.

"That is what Cosatu stands for. He (Mr Gastrow) wants to let us allow Cosatu to get that right — Marxist goals, socialism and with the final goal of communism."

"The SAP and the government are responsible for the safety of all people in South Africa and we can't allow radicals to hide away behind any cloak.

"We will not allow anyone to hide behind the cloak of a labour movement." — Sapa



# Suzman condemns police action at UCT

Parliamentary Staff

AGUS 22/5/17 (327)  
SOUTH AFRICANS could expect "more oppressive measures, more rigid censorship and more ruthless suppression of dissension" following the election results, said Mrs Helen Suzman (PFP Houghton).

"From now on the emphasis of Government policy will be on security," she said yesterday in the debate on the motion of censure in the House of Assembly.

"Any hope of relaxation of the fundamentals of apartheid can be abandoned."

More oppressive measures, rigid censorship and suppression of dissension would be the order of the day, she said.

She warned that regulations declared invalid by the courts would be revalidated during this session of Parliament. "When the Government loses in the law courts, it changes the law."

While she did not condone students who sought confrontation, Mrs Suzman condemned the actions of the police on the UCT campus.

She had seen a video of the campus clashes — "no doubt the one which is the cause of the imminent deportation of the excellent ITV journalist Mr Peter Sharpe" — which all South Africans should see to make them realise "precisely what is going on in this country".

"The vindictive way in which the police waded into those youngsters with their quirts and teargas and birdshot made me feel physically ill," she said.

A FORGOTTEN piece of legislation has been quietly rolled into action in recent months, with major repercussions for hundreds of opposition organisations in South Africa which rely on foreign funds.

The Fund-Raising Act of 1978, in terms of which the groups are being investigated, prohibits organisations and individuals collecting money from the public — local or overseas — without the government's authority.

And while lawyers believe there is scope within the Act for groups to obtain funds legally from overseas agencies, these options are limited, as much of the legislation remains largely untested by the courts.

In addition, President PW Botha's recent threats to act against organisations receiving foreign funds have fanned fears that new, even more wide-ranging legislation to block funding is in the pipeline.

The Fund-Raising Act — promulgated four years after the Affected Organisations Act which specifically prohibits groups from receiving overseas money — contains several aspects which a Johannesburg lawyer described as "sinister".

Firstly, while any person or group can apply

to the Director of Fundraising for permission to collect money, the Minister of Health, Welfare and Pensions can step in and unilaterally prohibit any organisation from collecting funds if he believes it "in the public interest". He does not have to hear the views of the organisation before making such a decree.

The latter clause was added after the now disbanded Federation of South African Trade Unions brought a successful application against the minister in 1981. The court ruled in Fosatu's favour after finding the Act was not clear on whether the minister had to inform the organisation concerned of his decision not to allow them to raise funds, or give them a hearing before making such a prohibition.

Secondly, the Act gives state inspectors appointed by the Director of Fund-Raising similar powers of search and seizure to those enjoyed by the police under the State of Emergency.

According to Section 30 of the Act, the director or an inspector may "without prior notice", or a warrant, search the premises of organisations being investigated for records, accounts, securities or money. They may make copies of the documents or remove them after issuing receipts.

The director or inspector may also "interrogate under oath or affirmation" any member or accountant of the group. However, unlike Emergency detainees, people interrogat-

A DECA

# DUSTING OFF

## DE-OLD ACT BLOCKS THE MONEY PIPELINE

# HALF-FORGOTTEN

The Fund-raising Act gives state inspectors search-and-seize powers similar to those enjoyed by police under the Emergency, reports JO-ANN BEKKER

ed under the Act are entitled to have their lawyers present.

According to the procedure outlined in the legislation, once the inspectors have completed their investigations, they must submit a report to the director. The director must then submit a copy of this report to the organisation under scrutiny.

Should the director suspect money has been collected illegally, he may direct any member

of the organisation who has received funds to retain the money, transfer it to the director, or return it to the donor.

Anyone prosecuted and found guilty of raising money illegally faces a maximum penalty of R1 500 and three years in jail. A person convicted of obstructing the director or his staff in their investigations is liable to a maximum fine of R500 and six months in prison.

The only groups exempt from the provisions of the Act — apart from state bodies, registered political parties and universities — are religious bodies, and they are only exempt when they are promoting "religious work", a definition the state has yet to narrow down.

However, according to a Johannesburg law-

# IN LAW

yer, there are several likely schemes — not suitable for all organisations — through which groups might be able to evade the Act.

● Organisations could enter into a contract with the donor. Although this appeared the most obvious scheme, the definition of contracts was crucial.

In common law the contract was valid provided two parties intended to be bound together — "even if one party pledged R1-million and the other a packet of smokes".

Contracts with foreign donors, however, would have to give "value for money" and be carefully drawn up. It would not be sufficient to give the donor a set of pamphlets in return for R100 000.

A copyright contract, however, could be considered. For example, it would be a commercially viable arrangement to sell the copyright for 10 videos for R100 000, which would enable the investor to publish and distribute the films overseas.

● The donor could run the scheme. A crisis centre, funded by the church but operating independently, could be drawn into the church and run directly as a church project.

● Joint ventures could be considered, where both the donor and local organisation had a common aim, such as education or research.

According to the lawyer, a number of grey areas remain in the Act which "until quite recently was a forgotten piece of legislation". The definition of the public is one such example. There is no indication whether it includes members of organisations, or whether they are not permitted to make donations over and above their membership fees.

One common fallacy, however, is that if an organisation forms a trust it can collect money in any manner it wishes.

"This is simply not true," the lawyer said. "The Act's definition of organisation is very wide and it specifically mentions a trust."



THE STATE'S NEXT TARGET: OVERSEAS FUNDING

# THE FORTIGY FUNDING STRA

22-28/5/81

(627) 1000 1000





22-28/1/87  
(327)

As the State President addressed the nation after his party's poll triumph, he left no doubt as to the government's first target: foreign funding for extra-parliamentary opposition groups

**JO-ANN BEKKER**  
reports

1

THE bogey of foreign funding has emerged as the latest target in President PW Botha's spiralling attack on extra-parliamentary opposition.

The issue was one of the main aspects of Botha's first television address after the National Party's landslide victory in the all-white elections a fortnight ago.

And when he re-opened parliament this week, Botha repeated warnings that he would stop organisations receiving foreign funds which, he alleged, was intended to "subvert South Africa's constitutional order".

But the views of the South Africans administering the foreign funds and the organisations affected have as yet gone largely unreported.

Achmat Dangor, director of the Kagiso Trust — set up to administer a fund established by the European Community a year ago to balance the anticipated negative effects of limited sanctions on the "victims of apartheid" — this week challenged the government to make the trust obsolete.

"If the majority of the people had the vote they would simply vote out of power MPs and political parties who did not pay sufficient attention to their needs, or distribute resources evenly. Since they don't have the vote they have to rely on alternate organisations to supply these needs," Dangor said.

The state and liberal white business community were unaware of the extent of the need of disadvantaged communities, or reluctant to

TCH

Conscription Campaign, which is also being investigated by the Director of Fundraising, agrees.

"Our reading of the situation is that the state is using this financial investigation to criminalise the ECC. We are asking ourselves: Are they going to try us under the Fundraising Act and then declare us affected? Or are they going to declare us affected and ban us anyway?"

She said the investigation began in early February and had coincided with cabinet ministers issuing public attacks on the organisation, and an anonymous smear campaign in which ECC posters were defaced and anti-ECC propaganda distributed. Kirsten said the investigation, originally handled by inspectors from the Director of Fundraising, had been referred to the commercial branch of the South African Police. But the ECC's lawyers had advised office bearers to answer no questions until the allegations had been clearly formulated.

The selective nature of the investigations has not gone unnoticed. Of the organisations under scrutiny — the official number is 10 although unofficial reports put the total at several hundred — none of the rightwing student groups or "moderate" alliances have been questioned.

"It is clear to me," Naude said, "that the government would have no hesitation or objection to granting permission for all kinds of organisations, including rightwing groups, to receive funding, provided it does not see them as a threat to its position."

Should extra-parliamentary groups on the left of the political spectrum be cut off from their foreign donors, however, Dangor fears the worse.

"The government should not underestimate the devastation this would wreak in disadvan-



sponsor programmes they regarded as radical. And while mass-based organisations, like the Congress of South African Trade Unions, had the potential to become independent of foreign funds by relying on members' contributions, Dangor did not anticipate this happening in the next 10 years.

An indication of the needs overseas money was meeting could be gauged, Dangor argued, by the fact that 50 percent of the total amount was spent on education and training. He said the trust had calculated funds coming into South Africa from identifiable sources like the US government, European Community and individual member states in Europe (excluding Sweden, which does not disclose details of its funding) totalled more than R120-million a year.

Of the R8,5-million the Kagiso Trust had committed in 1986, a third went to education programmes, a third on health and smaller amounts on funding detainee support work, other human rights projects and training media workers. The recipients were 48 organisations who subscribed to 'the trust's demands that they be democratic, both in principle and practice, non-racial, committed to the "unity of the oppressed people" and subscribe to a policy of non-collaboration with state or homeland structures. They included the Alexandra Health

Clinic, Sached (the SA Council for Higher Education), various literacy projects and several smaller organisations.

The Kagiso Trust's directors research the organisations which apply for funding. But it is the trustees who nominate recipients. The trustees' applications are then ratified by the EC. There is a waiting period of four to five months.

The trustees are prominent anti-apartheid church leaders Archbishop Desmond Tutu, Dr Allan Boesak, Dr Beyers Naude and the Rev Smangalis Mkhathshwa, educationists Prof Jakes Gerwel and Eric Molobi, Atteridgeville Dr Abe Nkomo and Dr Max Coleman of the Detainees Parents' Support Committee. Mkhathshwa, Molobi and Nkomo are currently in detention.

Dr Beyers Naude, outgoing secretary general of the South African Council of Churches, explained the government's hostility to any overseas funding which did not promote the Afrikaner's own identity as "part of the Afrikaner's psychological set-up or outlook towards anything foreign or alien to his own language, culture or political value".

The government's moves to block foreign funding dates back to 1974 when it passed the Affected Organisations Act, under which or-

ganisations could be prohibited, by ministerial decree, from receiving overseas funds. The first bodies declared affected were the Christian Institute, of which Naude was the director, and the National Union of South African Students.

According to Naude, the Institute succeeded in carrying on its work with local support. "When the government realised the influence of the institute was not diminished, but was enhanced by declaring it affected, the logical step followed of banning it in 1977."

The international outcry which followed the banning of the institute and 18 black consciousness organisations and newspapers, Naude believes, led the government to examine more subtle ways of controlling and, where necessary, prohibiting the collection of funds. This resulted in the Fundraising Act of 1978 (see separate article).

However, the government, scorning international opinion, last year reverted to the Affected Organisations Act in its attempts to cut off the United Democratic Front from foreign funders. This move was recently declared invalid by the Natal Supreme Court, although the state is appealing against the judgement.

"Now the government realises these efforts have not been successful in preventing the

#### GRAPHIC: Carl Becker

from purely altruistic motives. On the whole, he believed, they wished to influence South Africa's future direction. "So conservative countries will give money to Inkatha because they believe Buthelezi is the moderate black saviour. Others will give money to us because they see us as a peaceful alternative."

Dangor said the Kagiso Trust was unique in that it, and not the funders, controlled how and to whom the money was allocated.

"Without this control there would be a tendency to create a dependency on foreign funding," he said. "Our philosophy is that funds should not only be used to aid the victims of apartheid, but should be used in such a way that they enhance the skills of the community — providing infrastructure and skills which will enable the recipients to participate at a policy-making level."

He said the funders were not permitted to use details of the programmes for publicity purposes overseas.

It's a stance which has created problems between the trust and the European Commission. At the moment, allocation of further funds has been frozen.

"We came to an agreement that we will administer all the funds for the existing period, which runs into 1988, but would not set up

any new projects," Dangor said, adding he was confident the problems would be resolved "very soon".

"The root of our differences lies in the nuances of criteria and effect, and our insistence for ultimate control. The EC was very brave in allowing the trust to be formulated in a way which would not be purely humanitarian, but would also be an attempt to transform our society fundamentally by peaceful means.

"It was here the differences began. While the EC is committed to this principle, member states disagreed with the interpretation of 'victims of apartheid'. Some believed the concept included Buthelezi, others did not see the concept of community participation as vital."

Dangor said the government had been investigating the trust since its inception. Documents and records had been seized in official visits to the trust's Johannesburg and Durban offices in December and January.

"They are concerned not so much with the source of our funding, but with who the recipients are," he said. "We have broken no existing law, but you must not forget we must not just look at the matter in legislation terms. What the government is doing is a political prosecution, not a legal prosecution."

Adele Kirsten, national secretary of the End

tagged communities.

He added: "It would have a major impact on all organisations engaged in one aim: providing social, education and health services which a community should really get from the South African government."

Naude agrees that the undeniable effect of cutting off foreign funds would be that "millions of poor, unemployed and defenceless people will suffer and the mood of the people will become one of greater anger and bitterness."

But he believes it could also be a blessing in disguise. "I think also that the effect will be that people will have to create ways and means within South Africa to learn to achieve more with less, to display greater ingenuity with limited resources and especially to learn the lesson of the haves sharing more meaningfully with the have-nots. In this sense it could be a blessing in disguise."

"The sense of solidarity in suffering and of a willingness to sacrifice will achieve a much greater sense of coherence and of mutual support. In the two years from when the Christian Institute was declared affected in 1975, till its banning in October 1977, I'm convinced that with the meagre resources at our disposal we were able to achieve or to promote our goal of liberation more meaningfully and successfully than we did in the previous 10 years."

funding of programmes and projects which oppose the policy of apartheid and form meaningful opposition to the government's political stance," Naude said.

He said there was speculation the government would make it compulsory for every organisation regarded as questionable or radical by the state to obtain a permit of some kind to be able to collect funds. Naude anticipated this would create problems for organisations which on principle would refuse to obtain the explicit or implicit blessing of the government for their projects.

The large amount of foreign money available has led to bitter competition between rival South African groups for funds. Recently, for example, Inkatha leader Mangosuthu Buthelezi told French officials that funds from the European Commission were being used to promote violence — allegations strongly denied by the Kagiso Trust.

Dangor said foreign funds could create serious problems. "Too much money can be as harmful as too little, where there is no moral base," he said. "Foreign funders can be guilty of ameliorating apartheid, not trying to change it."

He said South African recipients were under no illusions that overseas agencies gave funds

points of the 1966 war is not complete.  
Let's Choose A Just Peace campaign.

*Cape Times, 23/5/67*  
**Students won't write** (527)

SA National Students' Congress members at the University of Cape Town have decided to mark the first anniversary of the imposition of the current state of emergency on June 12 last year by refusing to write mid-year examinations on that day. No reply to the students' demands was available from the university administration yesterday.



*Cape Times 23/8/87 (327)*

## Williamson removed Marchand passport

### Political Staff

A NEW Nationalist member of the President's Council, Mr Craig Williamson, once removed the passport of the son of a National Party candidate.

Mr Williamson is a former police officer. He stood for the NP in Bryanston. After his defeat he was appointed to the President's Council.

The passport incident was con-

firmed yesterday by Mr Chris Marchand, the son of Mrs Zoe Marchand. Mrs Marchand stood for the NP in Parktown.

At the time, June 1980, Mr Marchand was working on the Financial Mail. Mr Williamson came to the FM's offices with an official notice to Mr Marchand withdrawing the passport.

Accompanied by security policemen, Mr Marchand returned to his parents' home to fetch the passport, but realized

that his mother had his passport in her handbag.

Mr Williamson fetched the passport from Mrs Marchand's home later that day.

Mr Marchand, who is now working as a journalist in Hong Kong, said his passport was returned to him after he had approached the then Minister of the Interior, Mr Chris Heunis. After an interview with Mr Heunis and Mr Williamson, his passport was returned in 1981.

points of the 1960s war is not complete  
Let's Choose A Just Peace campaign.

*Cape Town, 23/5/77*  
**Students won't write** (527)

SA National Students' Congress members at the University of Cape Town have decided to mark the first anniversary of the imposition of the current state of emergency on June 12 last year by refusing to write mid-year examinations on that day. No reply to the students' demands was available from the university administration yesterday.



*Cape Times*  
**Copter drops  
anti-ECC  
pamphlets**

*25/5/77*  
*327*

**Staff Reporters**

A HELICOPTER dropped anti-End Con-  
scription Campaign  
pamphlets over Ronde-  
bosch, Rondebosch East  
and Lansdowne on  
Saturday.

The pamphlets were  
issued by a group called  
the Anti-Liberal Alli-  
ance.

The drop appeared to  
be timed to coincide  
with the ECC fair held at  
All Saints Parish in  
Lansdowne.

The pamphlets  
claimed that the ECC  
was "an extension of  
Moscow's web" and that  
it was helping the ANC's  
armed wing, Umkhonto  
we Sizwe.

Allegations were also  
made that the Cape  
Times and the Argus  
newspapers had boosted  
the ECC's image and  
cause.

Investigations by the  
Cape Times yesterday  
could not uncover who  
was behind the pam-  
phlet campaign and the  
Anti-Liberal Alliance.

The address given on  
the pamphlets for the  
Anti-Liberal Alliance of  
101 Upper Duke Street,  
Woodstock, is false —  
Upper Duke Street  
houses are numbered  
only up to 95.

Attempts to discover  
who was flying the heli-  
copter which droppec  
the pamphlets were con-  
founded by civil-avi-  
ation regulations which  
restrict information on  
the movements of air-  
craft.

ECC press officer Ms  
Tracy Clayton said: "De-  
spite attempts to mar the  
fair, the Cape Town pub-  
lic flocked in."

Mass media - BBC

# BBC TV journalist sad to leave SA

DD 26/5/87  
(327)

LONDON — The expelled British Broadcasting Corporation television correspondent, Mr Michael Buerk, flew home to London yesterday.

Mr Buerk, who spent four years covering South Africa for BBC television news, was expelled along with an Independent Television News correspondent, Mr Peter Sharpe.

"I am a lot more sad and emotional than I thought I would be," Mr Buerk said yesterday.

"I've left behind a lot of friends and four years is a long time out of your life. To have left under quite these circumstances is not the way I would have wanted to have left after four such eventful years."

The government of President P.W. Botha ordered the correspondents to leave when

their work permits expired.

Britain has protested to South Africa over what it regards as the unwarranted expulsion of the correspondents.

South Africa imposed censorship on unrest coverage 11 months ago and tightened the restrictions in December.

"We were left in a situation where a framework of law had been imposed upon us and we had to abide by that. We did abide by it and still fell foul," Mr Buerk said.

The editor of BBC television news, Mr Ron Neil, said he hoped to replace Mr Buerk in South Africa with Mr James Robbins.

"The South African authorities have made it clear that they'll look at any application and we've applied." — Sapa-AP



# UDF man jailed

ARNOLD Stofile, secretary of the Border branch of the UDF, was yesterday sentenced to an effective 11 years' imprisonment by the Bisho Supreme Court after being found guilty of terrorism and the possession of Soviet arms.

Stofile was given 11 years for the main count of promoting the

activities of the ANC and another one year to run concurrently for another two counts of possessing a pistol and bullets.

His co-accused, Nelson Ndlela, was jailed for 15 years on the main charge of terrorism and received another three years to run concurrently for three other counts of possessing Soviet arms and ammunition.

Linda Michael Stofile, the brother of Arnold Stofile, was sentenced to eight years for the main count and Gladwell Gqibitole received eight years for terrorism and another four years to run concurrently for charges of possessing arms.

S/T am 26/5/87

## Little concern over curbs — editor

26/5/67

Dispatch Bureau

LONDON — Lord William Deedes, a recent visitor to South Africa, says that most people in the Republic care very little about restrictions on the press.

Lord Deedes, who is former editor of The Daily Telegraph, and now a columnist with that newspaper, wrote yesterday: "No one I could find in South Africa, last year or this — among liberals, not Afrikaners — seemed to give a damn that South Africa's state of emergency had severely clipped the wings of the Press."

Lord Deedes added that journalists there complained unceasingly, but without attracting much sympathy.

"What people cannot read, they do not greatly miss. Many simply take the view that a muffled Press leads to a quieter life and less intrusion," he said.

Lord Deedes claims that recent experiences in South Africa have given him a touch of paranoia about the behaviour of newspapers.



Cape Times 26/5/87

## Woman provisionally cleared

Court Reporter

327

TWENTY-EIGHT counts of distributing and possessing undesirable publications were yesterday provisionally withdrawn against a Mowbray woman in the Magistrate's Court till a second accused, Mr Andrew Boraine, was found.

Ms Enid Rosseau, of Belmore Road, Mowbray, may still be charged with 21 counts of distributing undesirable publications and seven counts of possessing prohibited publications on February 19 at Open Books, an Observatory bookshop.

Earlier the court heard that police had been unable to serve a summons on Mr Boraine and a warrant for his arrest would be issued.

Mr G Rossouw was the magistrate. Mr J McEwan prosecuted. Mr R Vassen appeared for Ms Rosseau.

348 Graphics) \* Licensed MS-D  
Parallel Port \* 8 Expansion Slot

ation  
with blac

AKCS 26/5/82

# 'Undesirable' textbooks: Charges <sup>37</sup> are dropped

## Court Reporter

CHARGES against a Mowbray woman of distributing and possessing "undesirable" textbooks have been dropped in the Cape Town Magistrate's Court because a co-accused cannot be traced.

Miss Nicolene Rousseau was arrested in March for allegedly distributing 21 and possessing seven undesirable textbooks at Open Books, Main Road, Observatory.

According to the charge sheet, titles allegedly included works by Lenin, Marx, John Yo-Otto and Bettie du Toit.

Miss Rousseau was not asked to plead and prosecutor Mr J M McEwan told the court her co-accused, Mr Andrew Borraine, could not be traced.

A warrant for Mr Borraine's arrest was issued at a previous hearing on March 5.

Mr G Rossouw was on the Bench.



Cape Times 26/5/67

## Woman provisionally cleared

Court Reporter

327

TWENTY-EIGHT counts of distributing and possessing undesirable publications were yesterday provisionally withdrawn against a Mowbray woman in the Magistrate's Court till a second accused, Mr Andrew Boraine, was found.

Ms Enid Rosseau, of Belmore Road, Mowbray, may still be charged with 21 counts of distributing undesirable publications and seven counts of possessing prohibited publications on February 19 at Open Books, an Observatory bookshop.

Earlier the court heard that police had been unable to serve a summons on Mr Boraine and a warrant for his arrest would be issued.

Mr G Rossouw was the magistrate. Mr J McEwan prosecuted. Mr R Vassen appeared for Ms Rosseau.

SAR 27/5/87

327

## More media curbs?

ONCE AGAIN it seems the Government may be trying to soften up public opinion preparatory to further restricting the public's right to know, through yet harsher action against the media. This is the only conclusion to be drawn from statements on SABC-TV this week by the Minister of the Interior and of Communications, Mr Stoffel Botha.

Apparently out of the blue, the Minister reverted to a familiar theme — the alleged sins of the "alternative" Press. There was concern, he said, over the methods these publications were using "to exploit circumstances and turn them into grievances".

The tactic of trying to isolate these small and vulnerable papers has been seen be-

fore. The deal effectively offered last December was that mainstream papers would be exempted from new emergency restrictions if they stood aside and let the authorities have their way with the others, which are not members of the Newspaper Press Union. To its credit the NPU told the Government that any further curbs must apply to all the media.

If the Minister is now hinting at some similar offer the response should be the same. Hamstrung as it is from printing all the news, the Press has something more precious to lose — its credibility — if it bargains away part of its indivisible freedom or acquiesces in any way in helping to do the Government's dirty work.



PK6as

**SPOT NEWS**

27/5/87

327

**Wits students won't be charged**

JOHANNESBURG. — The State has declined to prosecute 121 students of the University of the Witwatersrand arrested on suspicion of attending an illegal gathering on the campus on May 4. — The Argus Correspondent.

Cape Times 27/5/87

## Emergency regulations 'not valid'

Supreme Court Reporter

THE emergency regulations thrown out by the Natal Bench of the Supreme Court are not valid anywhere in the country, according to Professor Dennis Davis, of the UCT law faculty.

Prof Davis has also rejected the claim that the Natal Bench decision is effective only in Natal or that the Natal decision has been rendered ineffective by the fact that the State has lodged an appeal against it.

"That the State has lodged an appeal does not overturn the Natal judgment," he said yesterday.

"As far as the rest of the country is concerned, that decision is a ruling of the Supreme Court of South Africa. It is open to another division of the Supreme Court to contradict the decision or to the Appellate Division to overturn it, but until then that decision remains a declaration of the law."

Cape Times 27/5/87

## Arrest of photographer not under valid laws

DURBAN. — An application by a Durban freelance photographer, Mr William Paddock, was withdrawn by consent in the Supreme Court, Durban, yesterday, after both parties agreed that the regulation under which Mr Paddock was arrested and 13 of his films seized was invalid.

Mr Paddock was arrested on May 7 after photographing student protests at the University of Natal in Durban.

An urgent application was brought before court, asking that the Minister of Police be ordered to return the films, which Mr Paddock claimed did not contain pictures of police action in dispersing students.

Nine unexposed films were re-

turned to him following a court ruling on May 12.

Argument regarding the remaining four exposed films was to be heard at a later date, but fell away with the withdrawal of the application.

Yesterday Mr David Gordon, SC, (for Mr Paddock) requested leave to withdraw the application, saying the parties had settled their dispute after agreeing that Regulation 4 of the Media Regulations under which Mr Paddock was arrested and his films seized, was invalid.

Mr Justice Galgut granted leave to withdraw the application and ordered that the Minister of Law and Order pay costs of the first day's proceedings. — Sapa



Letters

# SA's deadly calendar of 'commemorations' grows

From MICHAEL MORRIS, Terrorism Research (Cape Town):

BOMB outrages in Johannesburg on the evening of May 19 and at midday on May 20 are unrelated to the bomb outrage in Pretoria in 1983.

The Johannesburg bomber's calendar choice was to mark in retaliation the first anniversary of South African security force strikes at ANC targets in Botswana, Zambia and Zimbabwe on May 19, 1986.

My blunt statement will not please government, army or police general staffs.

The word "retaliation" smacks of righteousness, and there is nothing righteous about a car-bomb. But the nation is entitled to the truth.

The ANC has a policy of retaliating for losses caused by security forces, and for impositions of states of emergency, etc.

These retaliations will occur within a few days of the causative event and on pertinent anniversaries thereafter.

Many examples exist; recent significant ones are Sibusiso Zondo's attack at Amanzimtoti on December 23, 1985 after being ordered on December 20 to do so because of a South African sortie into Maseru on December 19.

And Robert McBride's attack on the Parade Hotel in Durban on June 14, 1986 because of his outrage at the declaration of the state of emergency two days earlier.

The ANC's initial denials of responsibility in the Johannesburg outrage reflect usual ANC patterns of confusion — some National Executive Committee (NEC) members embarrassed at the carnage, other NEC members pleased at its impact (and the technical success of the ambush arrangement, the ninth in South Africa since 1983, the second using a vehicle, the first using a full-scale car-bomb and second to generate fatalities).

After a week of temper-cooling they will issue their usual obfuscations.

The next sensitive major date is June 12 — the anniversary of the 1986 declaration of emergency — but new days may intervene.

There will be other bombs for other reasons on other dates. And should there be responses, for those bombs or because of the ANC's May 20 retaliation, there will be ANC reprisals, and so on, ad infinitum; a grotesque sort of family tree similar to the ding-dong Middle East flowchart.

In this way the calendar fills quickly.

5.

CRP6 trips 27/5/87 (327)

6.

# Govt faces dilemma over foreign funding

THE government's oft-repeated warning to cut off foreign funding from extra-parliamentary groupings has clearly placed it on the horns of a dilemma.

On the one hand, the government feels compelled to address the growing legitimacy crisis it faces among the majority of the population by crushing opposition working outside government-sponsored structures.

But on the other hand, it apparently appreciates that the costs of starving popular organizations of outside funding are high.

First, tens of millions of rands are being pumped annually into programmes to aid disadvantaged and disenfranchised South Africans that are really part of the state's welfare responsibility.

The flood of foreign funds is also helping to alleviate some of the hardship and suffering which could fuel "unrest" and violent uprising, and as such jibes neatly with the state's own containment strategy.

Secondly, the freezing or severe curtailment of foreign funding could send the already appalling relations with the West plummeting even further.

Some diplomats point out that their governments have a better working relationship with Eastern bloc countries than with South Africa. Others talk about the possible downgrading of missions in this country.

Finally, a bid to contain the government's extra-parliamentary opponents by cutting off foreign funding could well lead to a strengthening of the international status of the government's arch-foe, the ANC.

Already some of the advanced industrialized nations are moving towards forging closer links with the ANC and upgrading their diplomatic standing of the organization.

But despite these drawbacks, President P W Botha warned of impending legislation on the foreign-funding issue during the election and later



By ANTHONY JOHNSON

spoke of steadfast counter-action by the state.

Opening parliament last week, he echoed these warnings but noted that the government would give "serious attention" to the moral and financial support certain groups were receiving from Western sources.

However, the former leader of the Opposition and now head of Idasa, Dr Van Zyl Slabbert, believes such warning represents a straightforward attempt by government to criminalize all opposition working outside government-sponsored structures.

The government's determination to deal only with "captive and compliant clients" is, in Dr Slabbert's view, typical of a society "gripped in a totalitarian drift".

Concern at the impending clamp-down has been voiced informally by a number of embassies and consulates whose governments are genuinely appalled by the way South Africa's minority government treats the majority of its citizens.

But more importantly, foreign funding represents an important mechanism for governments to "buy" influence and favour among strategically important groups in South Africa.

By cutting off or severely curtailing the flow of outside funds, Pretoria could rob them of the opportunity of taking out insurance with the eventual winners in the struggle playing itself out in this country.

The influence of foreign governments could be emasculated by the stroke of a pen that relegates dozens of diplomats to the pleasant but largely irrelevant cocktail and tennis party circuit in this country.

But Pretoria knows it has to look before it leaps ...



# General Coetzee given 'extremely sensitive' job

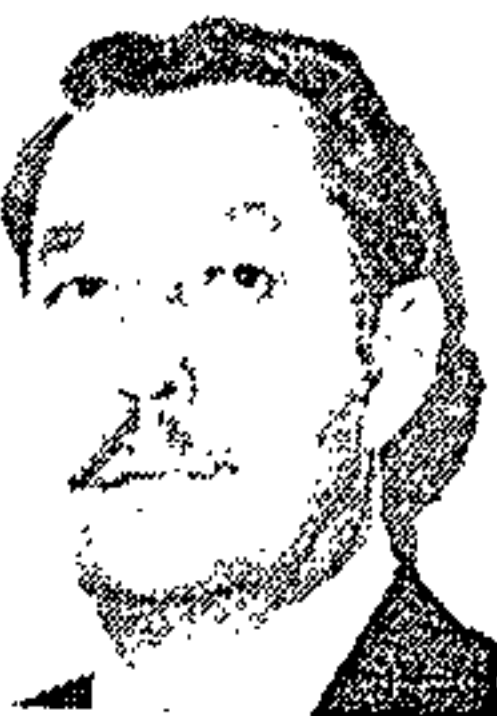
(327)

Atkins 28/5/87

By STEPHEN WROTTESELEY  
Staff Reporter

GENERAL Johann Coetzee, retiring Commissioner of Police and former spymaster, has been nominated for a committee that will investigate the stability and progress of the Eastern Cape.

Insiders said today General Coetzee, whose retirement was announced yesterday by the Minister of Law and Order, Mr Adriaan Vlok, wanted to go into relative seclusion, farming in the Molteno district of the Eastern Cape.



General Coetzee

However, it was decided that because of his "insight and background experience" he would be asked to take up the post. It was an "extremely sensitive" job.



Lieutenant-General Hennie de Witt

A spokesman for the Department of Foreign Affairs said in a statement: "General Coetzee is nominated as South Africa's representative on the committee — consisting of the Ciskei, Transkei and South Africa — which will look into all aspects pertaining to the stability of, and progress in, the Eastern Cape."

He said a broader statement would be issued later.

Police spokesman declined to comment on General Coetzee's future as it would be wrong to comment on the affairs of another department. However, one source said: "I can assure you it won't be a ju-

nior job. It will be a key post."

A Law and Order Ministry spokesman said General Coetzee was unavailable today.

Speculation is that he will set up the key position and then leave to run his farms.

General Coetzee, 59, is to be replaced by Lieutenant-General Hennie de Witt, Deputy-Commissioner of Police.

He is due to retire at the end of next year and while he could be asked to stay on, it is understood a replacement for him is being sought.

General Coetzee, who will have the new police district headquarters in Newlands, Johannesburg, named after him, will retire at the end of July after 43 years' service.

Known best for his activities as spymaster and interrogator with the security branch, General Coetzee was responsible for several setbacks to the African National Congress and the Communist Party.

## CONTROLLED AGENTS

He controlled secret agent Gerard Ludi, who infiltrated the SACP and exposed Braam Fisher.

Later, he controlled Major Craig Williamson — one of South Africa's best-known spies.

Insiders today said that when Major Williamson was uncovered overseas, General Coetzee personally "plucked him to safety".

It cannot be disclosed how General Coetzee travelled in Europe, but sources said the event was "incredible" considering that he, then head of the security branch, was one of the "most wanted persons" in certain circles.

# EMERGENCY 'UNDER FIRE'

THE Anglican Bishop of Johannesburg last week slammed the state of emergency and said it was not surprising that torture of detainees, like those reported recently in KwaNdebele, took place in a land where the government was no longer accountable to its people.

Speaking at the opening of the synod of the Anglican diocese of Johannesburg, the Rt Rev Duncan Buchanan said the Government had

"suspended law under a state of emergency so that an illusion of order be maintained".

"If a government is not answerable to the people, when ministers of state refuse to answer questions in Parliament on the grounds that it is not

in the public interest to do so, they have taken over, wittingly or not, the authority of God.

"And because they are not God, they have taken a step in perverting or hiding the truth," said Bishop Buchanan.

The laws of God and

civil law required that the poor and oppressed be given special care, but in South Africa the state of emergency and other security legislation meant "that those who are in disagreement with a political philosophy are treated with contempt..."



## *SA run by security council says prof* (327)

Dispatch Correspondent

CAPE TOWN — An associate professor in the faculty of law at the University of Cape Town, Professor Dennis Davis, has described the National Party administration as the most "uncontrollable" government in South Africa's history.

He said South Africa was run by an extra-parliamentary state security council which was unchecked by the format of government or even the format of law.

Speaking at a lunchtime meeting at St George's Cathedral, organised by the UDF, Prof Davis said the present situation went "way beyond" what

was in existence during former Prime Minister, Mr B. J. Vorster's, time.

He spoke in support of the strongest possible extra-parliamentary opposition to the government, and when asked whether the PFP, by staying in parliament, was achieving something concrete, he said the PFP's very presence in parliament helped legitimise the government.

"They are conveniently used on SABC TV to bolster the National Party's arguments and further create the impression of some sort of democracy," he said.

Prof Davis said to categorise the government as reform-minded was "an absurdity."

# Ball bank under fire from the Nat press

Cap-Tink 29/5/87 327

From GERALD PROSALENDIS  
Financial Editor of Business Day  
JOHANNESBURG. — First National  
Bank is under fire yet again, with a  
Nationalist newspaper claiming in-  
correctly that the bank had suffered a  
huge drop in its share of the cheque-  
deposit market.

The report, prominently carried on the front page of Beeld yesterday under the headline "Ball's bank bleeds" was based on an incorrect interpretation of the BA9 quarterly returns submitted by banks to the Reserve Bank.

Questions are now being asked about the unnamed source on which the report was based because the analysis of the BA9s has not yet been officially released by any bank.

Some bankers suspect the misleading information could have been put out by a competitor, although the BA9s are public documents once they have been lodged with the Reserve Bank. The documents are required to be with the Registrar of Banks, Mr Chris de Swardt, 40 days after the close of each quarter.

The Beeld report claimed First National Bank's (formerly Barclays) cheque deposits had dropped by 40.6% to R1 965 million in the quarter to March this year.

As a result, said Beeld, First National's share of this market dropped from 33.8% in the last quarter of last year to just 21.8%. The decline could be directly attributed to the Ball "debacle", it said.

However, if cheque deposits had dropped to the extent published, this would inevitably have been reflected in First National's total deposits, of which cheque deposits are a component. According to the BA9s there has been no real decline in this figure. Total deposits at First National at the end of March were R10.82 billion, marginally lower than December's R10.94 billion.

## Corporate deposits

The so-called drop in cheque deposits of R1.34 billion is directly traceable to a reallocation from rate accounts of R1.4 billion of managed corporate accounts into the broader category known as demand deposits.

It is understood that this was internal decision to reclassify certain corporate deposits to reflect more correctly the nature of these accounts.

Adding back the R1.4 billion no longer shown as cheque accounts, First National's share of this market dropped marginally to 32.3% from 33.8%, and can be largely ascribed to improved computer systems ("set-off") and also seasonal variations, according to figures released by the bank.

Other term deposits, such as fixed and notice deposits, increased slightly to R5.32 billion at the end of March from R5.08 billion at the end of December, while "other demand deposits" at R2.13 billion declined from December's R2.55 billion.

The shortfall in total deposits was the result of an increased "set-off". If this is added back there would in fact have been a growth in the bank's total deposits of R134 million, the bank's figures show. Beeld said that the latest BA9 figures, which were made available to it on Wednesday night, showed that Trust Bank and Volkskas, in particular, had benefited from this "sensitive loss" by showing the strongest growth rate in their cheque-deposit business. But, the percentages of market share have been distorted by understating First National's figures.

Bankers approached last night deny that they had leaked figures to Beeld. In fact, one bank is understood to have approached First National on Wednesday to question the apparent drop in cheque deposits.



Cape Times 2/6/87 321 (Cape) (Cape) (Cape)

# E Cape post, probe misguided'



Gen Coetzee

Own Correspondent

PORT ELIZABETH. — The appointment of the country's former Commissioner of Police, General Johann Coetzee, to a special commission to investigate "stability and progress" in the Eastern Cape is a misguided attempt to solve political problems by security measures, say civil-rights movements.

Gen Coetzee has been appointed as SA's representative on the trilateral commission which will include representatives from Ciskei and Transkei.

Speaking from Pretoria, a spokesman for the Department of Foreign Affairs said no further details about the commission were available at this stage. Its brief was to "look into all aspects pertaining to stability and progress in the Eastern Cape".

Last night a Port Elizabeth attorney and member of International Lawyers for Human Rights, Mr Patrick Bracher, said Gen Coetzee's record as

a police chief did not augur well for "stability and progress".

"These require negotiation and you can't open negotiations with a man who has been putting people in jail and passing regulations restricting human rights."

Gen Coetzee's appointment was a sinister attempt to apply police solutions to political problems, the director of Operation Real South Africa, Mr Rory Riordan, said last night.

The Black Sash in the Eastern Cape has rejected the need for yet another committee that will "only compound our problems".

"Their proliferation has only recently come to light — several hundred individuals serving on working committees, regional and liaison committees and task groups, all presumably paid by the overburdened taxpayer to little or no effect."

The departmental spokesman said he did not know whether Gen Coetzee would be based in the Eastern Cape or Pretoria.

TUESDAY, 2 JUNE 1987

†Indicates translated version.

For oral reply:

General Affairs:

Question standing over from Tuesday, 26 May 1987.

\*16. Dr W J SNYMAN—Constitutional Development and Planning. [Reply standing over.]

New Questions:

Benedict Moshoke

\*1. Mrs H SUZMAN asked the Minister of Law and Order:

Whether any persons died while being detained in terms of the security laws of the Republic during the period 1 January 1987 up to the latest specified date for which figures are available: if so, (a) how many, (b) what were their names, (c) in terms of what legislation was each detained and (d) what was the cause of death in each case?

The MINISTER OF LAW AND ORDER:

Yes.

(a) One person.

(b) Benedict Moshoke.

(c) Regulation 3 (3) of the Emergency regulations of 1986 promulgated in terms of the Public Safety Act, 1953 (Act 3 of 1953).

(d) This person was found in a cell on 26 March 1987 hanging from his long-sleeved shirt tied to a cell bar. The inquest to ascertain the cause of death of the deceased has not yet been completed. I do not consider it in the interest of justice to furnish further particulars.

Internal Security Act

\*2. Mrs H SUZMAN asked the Minister of Law and Order:

How many persons were detained in terms

HoA

of section 50A of the Internal Security Act, No 74 of 1982, during the period 5 February 1987 up to the latest specified date for which information is available?

†The MINISTER OF LAW AND ORDER:

None until 21 May 1987.

Group Areas Act

\*3. Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning:

(1) Whether his Department has received an application for a permit in terms of the Group Areas Act for a certain person and his wife, whose names have been furnished to the Minister's Department for the purpose of his reply, to live in a flat owned by that person in a White group area in Durban: if so, (a) on what date and (b) what are the names of the persons concerned;

(2) whether his Department acknowledged receipt of this application; if so, on what date;

(3) whether a decision has been taken regarding this application; if not, why not; if so, (a) when, (b) what was the decision and (c) what were the reasons for this decision;

(4) whether the persons concerned were informed of this decision; if not, why not; if so, when;

(5) whether any action has been taken in respect of these persons in terms of the Group Areas Act; if so, (a) what action, (b) when, (c) why and (d) who took the decision in this regard?

The MINISTER OF NATIONAL EDUCATION (for the Minister of Constitutional Development and Planning):

(1) Yes.

(a) An application was received on 3 January 1986 by the former Regional Director, Department of Constitutional Development and Planning, Pietermaritzburg. As the application form was not properly completed it was re-

216187  
327  
HoA



# Cosatu launches anti-SABC campaign

CHL Tiris 2/6/87

322

By CLARE HARPER

THE Congress of South African Trade Unions, the largest labour federation in South Africa, has launched an extensive national advertising campaign — "Hands Off Cosatu" — to raise public awareness of "the propaganda campaign against Cosatu".

Advertisements launching the campaign appeared in Cape Town newspapers last week and accused the SABC of waging "a vicious propaganda war" against the federation.

The latest advertisement, entitled

"A Message to All Democrats", expresses the fear that if the public were persuaded to doubt Cosatu's legitimacy, repressive legislation and actions against it would appear to be justified.

Cosatu charges the SABC with portraying it as a "a clique of violent criminals" and calls for support from employees and democrats. It says it is being depicted as an instrument of the ANC, as promoting violence and carrying out brutal murders, "and goes so far as to suggest that Cosatu was implicated in the bombing of its own headquarters".

Cosatu said it stood "accused, tried and condemned by the SABC" and charges the SABC with "painting a distorted picture of Cosatu" through statements, interviews and innuendo.

The manager of media relations at the SABC, Mr Willie Visagie, said yesterday that the SABC "did not comment on advertisements, nor the allegations contained in the advertisements".

In recent weeks the following action against Cosatu members and offices has been reported:

□ Cosatu head office was hit by two bombs on May 7, causing R2m

damage.

□ Forty members of the S A Railways and Harbours Workers' Union (Sarhvu) were detained on May 11 in Bloemfontein, while on May 25 in Johannesburg national president Mr Justice Langa was abducted.

□ Police raids on university residences in Johannesburg — linked to "recent bomb explosions" — followed a raid on Cosatu offices on April 29.

□ In Kroonstad six shop stewards were held for questioning and forced to burn union publications.

□ East London offices have been vandalized, and since then seven

trade unions affiliated to Cosatu have been served with notice to vacate their offices in central East London by June 30.

□ Union offices have been raided in various parts of the country and others vandalized by unidentified individuals.

Cosatu information officer Mr Frank Meintjies said the campaign would focus attention on the threat to the labour relations system, make the public aware of the propaganda campaign against Cosatu and assert the legitimacy of the trade union federation.

# SAP 'will fight back at urban terror'

CHC TIB 2/6/87  
397

From PATRICK BULGER

PRETORIA. — The future commissioner of the SA Police drew deeply on his cigarette and voiced his views on urban terror.

"The SAP has had a lot of success. We haven't lost our will to fight back. The SAP will fight them. We'll hunt the bastards, because you may be the next target, who knows?"

Lieutenant-General Hendrik de Witt is not a man who says one thing when he means another. It's straight talk, or no talk.

In the next few months Gen De Witt will be doing a lot of straight talking. As commissioner he will assume the

De Witt feels the SAP has come to terms with.

"Since 1984 the force has been put under pressure. But thanks to the declaration of the state of emergency and with the help of other security forces, especially the SA Defence Force, the position from an unrest point of view, not a political point of view, has become normalized to the extent that we can now look at our priority which is the prevention and detection of crime.

"At one stage in certain parts of the country, crime work had to come second as a result of the unrest situation. It made it most difficult for us.

"The declaration of the state of emergency gave us additional powers to normalize the situation."

Gen De Witt says one of his priorities will be to improve the image of the SAP.

"The image has been tarnished by the combating of unrest. There were certain members of the community that saw the police as oppressors."

This was especially the case with black policemen.

"At one stage they went through a helluva time but they remained loyal to the force they served. That to me is something fantastic. It's not very easy, I suppose, from their point of view to remain loyal when you are seen as an oppressor. It is not the majority that see them like that. Radicalists are in the minority in this country," he says.

Not surprisingly, Gen De Witt vehemently rejects claims that SA is a police state.

## 'They haven't got rules'

"I know it's being said all the time, but with 1,6 policeman per 1 000 of the population, whereas in the Eastern countries you have up to 10 policemen per 1 000, we could hardly call ourselves a police state."

But, "for a difficult situation like we are in at the moment, we do need additional powers. Make no mistake, the other fellows aren't playing by the rules. They haven't got rules".

Gen De Witt says the SAP is "looking at methods to curb unrest situations with a minimum of force and maximum effectiveness. We don't like shooting people".



Lieutenant General Hendrik de Witt ... "Make no mistake, the other fellows aren't playing by the rules. They haven't got rules."

awesome powers his predecessor, General Johann Coetzee, gained for the SAP during the insurrection of the past two years.

"It's not an enviable task. It's quite a responsibility. When I joined the force we only fought crime. Now it's become more complicated with this situation."

"This situation" is something Gen



# Union to cut back its foreign funding

HAMISH McINDOE

FOREIGN funding of SA's second biggest trade union is to be cut sharply over the next six months. The fledgling 134 000-member National Union of Metal Workers of SA's (Numsa) fear of government's crackdown on the foreign funding of political groups extending to unions, has prompted the move.

This was disclosed on the eve of the departure of the union's 10-man delegation to the International Metalworkers' Federation AGM in Oslo.

General secretary of the Motor Industry and Commercial Workers' Union (Micwu) Des East said yesterday: "Numsa must be self-sufficient in the event of a government clampdown on foreign funding against unions."

## Instrumental

"Nobody likes handouts and the union will be taking steps shortly to become less dependant on outside funding."

The international federation was instrumental in merging Micwu and two other metal and motor workers' unions to form Numsa — SA's second biggest trade union after the 369 000-member National Union of Mineworkers.

East it made clear that most "bread-and-butter" expenses could be met by the union's own funds.

Numsa's former unions looked to foreign aid to bankroll "extraordinary items". "Expensive court cases, for instance, can literally wipe out a union's reserves in a matter of months," East said.

## Help for pupils on coping with jail

Education Reporter

A PSYCHOLOGIST and a criminologist will counsel eight Wynberg school pupils tomorrow on prison life and how to adapt to it after the failure of their petition to the Chief Justice for leave to appeal against sentences for public violence.

The pupils are to start serving sentences of between one and two years next week.

They are Julian Stubbs, 18, Wayne Jordaan, 19, Venetia de Klerk, 19, Debbie Dicks, 18, Shoukiet Enoos, 18, Naasir Nasoet, 18, and two juveniles.

They were convicted last year.

### PETITION FAILED

The Supreme Court, Cape Town, dismissed appeals against their sentences and refused permission for appeals to the Appellate Division.

The eight and their parents petitioned the Chief Justice for a hearing in the Appeal Court but were told last week the petition had failed.

Parents had not expected the Chief Justice to respond so quickly, said Mr Ronald Stubbs, whose son is one of the eight.

### STUDIES IN PRISON?

"We expected the petition to take between six months and a year and to succeed. The parents are shocked," he said.

Mr Stubbs said parents had a meeting on Sunday and decided to ask a psychologist and a criminologist to prepare their children for jail.

He was not sure whether his son, a first-year student at Hewat Teachers' Training College in Athlone, would be given permission to continue his studies in prison.



# RETURN OF THE LOST LAW

We, the undersigned members of the Faculty of Law of the University of Cape Town, wish publicly to associate ourselves with the call from our colleagues from the University of Natal for a return of the rule of law. Like them, we find our position as teachers of law at a South African University increasingly untenable. The teaching of law is demeaned when the idea of justice is flouted in practice.

We agree that:

"The legislative function of parliament has been usurped by the executive and the judicial function of the courts emasculated by the emergency regulations.

New criminal offences are created by the Commissioner of Police which fly in the face of basic legal principles such as the rule of law and the freedom of association and speech.

The role of the judiciary as protectors of civil liberties has been undermined by denying large numbers of political detainees access to the courts.

These acts by the executive have severely damaged the local and international reputation of not only the South African legal system but also the legal profession - judges, advocates, attorneys and academics. They have also made a mockery of the general election for the House of Assembly, inhibited the lifting of sanctions and prevented the holding of meaningful negotiations to solve South Africa's present political impasse."

Only a return of the rule of law, which implies the lifting of the State of Emergency and the release of political prisoners, would provide the basis for creating a just order in our country.

## SIGNATORIES

**Professors:** R Zimmermann; D van Zyl Smit; D P Visser; M Blackman; I Leeman; D B Hutchison; D J Devine;  
**Associate Professors:** J Taitz; D M Davis; Bennett; Father J Hoffman; **Messrs:** C Thompson; R Brusser;  
R Purvis; W Scharf; J Roos; A Cockrell; J Glazewski; **Mesdames:** I Ackermann; B Clark; B J van Heerden;  
C Timoney; C Beckurts; C Hall; N Vasta

22



# The State gives way on curbs in Natal

By CARMEL RICKARD

A SUPREME Court application brought by Durban freelance press photographer Billy Paddock has resolved the question of the validity of key media curbs.

State counsel in a Durban Supreme Court action agreed this week that the restrictions were not valid in Natal.

At issue were restrictions imposed by the state in December, but declared invalid last month by a full bench of the Natal Supreme Court.

The Natal judgement is to go on appeal and there has been controversy about the effect of the pending appeal on the validity of the regulations.

Since the court overturned the curbs on April 24, general legal opinion has been that the regulations are invalid unless the Appeal Court rules otherwise. However, several state officials have claimed the opposite, saying the regulations continue to be in force, pending the outcome of the appeal.

Paddock's application brought against Law and Order Minister Adriaan Vlok was the result of police action on May 6, when they confiscated film, and May 7, when they arrested him and took more spools.

On both occasions he had been taking photographs of a student protest.

In their court papers the police said one of the grounds for their action against Paddock was the Emergency media restrictions which made it an offence to take photographs of "unrest" or "police action".

These provisions are the same ones set aside by the Supreme Court a month ago.

This week, when the matter came to court for the third time, David Gordon, SC, for Paddock told the judge the legal representatives of both parties had reached agreement on the status of the media regulations.

"It became common cause ... that the effect of noting the appeal against the judgement was not to re-validate (the regulations) but that for the province of Natal at least (the judgement setting aside these regulations) are therefore invalid."

Gordon said that because this agreement was reached, the case was being withdrawn as "the heart of the application had fallen away".

The state is to pay costs.

Paddock's film is still being held by the police but they are using a different section to justify their action.

On the implications of the agreement a senior member of the legal profession said it was important to the media as it meant there was no longer any doubt about the situation in Natal.

"Police may confiscate film under the Criminal Procedure Act to use as evidence of alleged offences. But photographers cannot be prosecuted under the December curbs for taking pictures and their newspapers cannot be prosecuted for publishing them."

Paddock's lawyers are now investigating a claim for wrongful arrest on his behalf.

However, in spite of the agreement made by the state in the Supreme Court application, charges against Paddock in the Durban Magistrate's Court have not been dropped. He appeared on Tuesday with 18 students arrested by police on May 7.

WEEKLY MAIL, May 29 to June 4, 1987



# Children go free — but DPSC uneasy

JAIL doors opened briefly this week, releasing hundreds of children detained under the Emergency regulations.

The Detainees Parents' Support Committee said it believed the widespread releases were in preparation for a security crackdown planned to quash protests to mark the June 12 first anniversary of the State of Emergency and the June 16 commemoration of the 1976 Soweto revolt.

It did not signal an imminent end to the Emergency, he said.

According to initial reports, several hundred children were released from Port Elizabeth prisons this week, 30 to 40 from Krugersdorp police cells and eight from Modderbee prison on the East Rand.

A 13-year-old girl whose prolonged detention was the subject of an unsuccessful Pretoria Supreme Court application to declare the detention of children illegal, was among those freed.

Happy Cleopatra Molefe, who celebrated her 14th birthday in a Krugersdorp police cell, returned home on Tuesday afternoon after eight months in custody.

The girl the state claimed was a member of the "militant comrades" who intimidated "moderate blacks who buy from whites" was released unconditionally, but with one proviso: She and the other freed Krugersdorp detainees had to report to the Krugersdorp police station at 11am on Wednesday with their parents.

According to letters sent to the parents of freed detainees, family priests were also encouraged to go to the meeting, which was addressed by a senior police officer.

By JO-ANN BEKKER

A lawyer who attended the Wednesday briefing with his client said the policeman had stated: "We have decided to free the children ... into the care of their parents."

The policeman said the children, and their parents, knew they had done "terrible things — necklacing, burning houses and cars, intimidating people ..." He warned they had been released specifically on condition they stopped these acts.

"It's a great risk to set these children free, intimidation is high in the townships," the policeman added.

The release of the eight children detained in Modderbee prison came as detainees in the jail continued their week-long hunger strike, in protest against reports that detainees were to be transferred to education camps.

The Department of Education and Training has denied that the Department of Prisons was in any way involved in planning or running courses for detainees.

A DPSC representative yesterday said an analysis of government detention statistics indicated that, in spite of a steady turnover, the Emergency detainees' population remained at about 5 000.

"We interpret the releases this week as an attempt to clear the prisons for a fresh intake. Children in particular have been released because their detention has become an embarrassment to the government."

According to the DPSC, children under the age of 18 made up 30 to 40 percent of the estimated 25 000 people detained in the 11 months of the Emergency.

*5/6/87*  
*Capt- King*  
**Detainee's death: Captain  
faces trial** *(329)*

WINDHOEK. — A Pretoria security policeman, Captain Pat King, is to go on trial in the Windhoek Supreme Court in August in connection with the death in 1980 of a detainee, Mr Johannes Kakuva.

The acting Attorney-General of Namibia, Mr Estienne Pretorius, confirmed yesterday Capt King, formerly of Namibia, would be charged with murder, three counts of assault with intent to do grievous bodily harm and two counts of ordinary assault.

The Windhoek Supreme Court declared in 1983 that Mr Kakuva had died in August 1980 after he had been detained for questioning by police at Opuwa, in Kaokoland. — Sapa



The forced departure of several foreign newsmen from South Africa recently has again brought debate over that elusive concept — Press freedom.

If only we knew what it meant; if only there were a fixed model with which we could compare and measure the degree of Press freedom in South Africa or Zimbabwe or Britain or the United States or Russia.

Should the model of Press freedom be determined by the liberal democracies, totalitarian regimes, the Third World, Unesco or the editors, proprietors, advertising managers? Who is the ultimate authority?

Not all those concerned with mass communications accept Unesco's New World Information Order which, inter alia, stresses the need to control and curb Western "cultural imperialism" — the overwhelming flood of news that pours through international Press agencies to the Third World; nor does a large slice of the world want the rest to know what is going on in their territories.

Each standpoint calls on "Press freedom" as an argument. One agitates for a free global flow of information — usually in practice a dominant one-way input of news to the Third World.

The other sees "Press freedom" as defined by an authoritarian government — the need to ensure that only news that is favourable to the regime

# What is Press freedom?

is circulated abroad, that journalists are conscious of their responsibilities in this regard.

Press freedom can be interpreted either as a form of licence or a form of censorship. Thus foreign television newsmen are sent home for giving an unfavourable picture of events in South Africa; newsmen are summarily deported from Zimbabwe, Zambia and Malawi for the same reason — but from different perspectives.

It has been accepted in the West that journalists living and working in Africa are of a necessity limited in their reporting whether they operate under a state of emergency or not. In most African countries their duties are defined, if not specifically, at least in broad principle, by the authorities.

Usually the authorities own or indirectly control the media — unlike in South Africa where private groups own the means of mass communications but still labour under extensive government controls over the Press.

Nevertheless, some degree of Press freedom exists in South Africa if only through legal protest. If Press freedom — basically the right to publish within the law — is measurable on a scale of 10, South Africa enjoys — or

**This elusive concept can be interpreted either as a form of licence or a form of censorship, writes university lecturer Dr Alan A Cooper.**

suffers — a measurement of say, 4; Zimbabwe, Malawi and other states (except Botswana) to the north of South Africa a miserable 0 — that is, of course, as measured by Western journalists.

But "Press freedom" is seen otherwise in those countries. It is seen as a duty of local journalists to report favourably. They must be responsible supporters of the regime. Not unnaturally they have evolved a different concept of Press freedom — different to the Western liberal democratic approach. It is perhaps a rationalisation of their difficult role.

In a recent survey by the writer, this Third World concept of Press freedom emerged strongly. The head of the Government-run Ziana news agency in Zimbabwe, Mr R Munyuki, told me: "The concept of Western Press freedom is out of touch with

reality. All foreign news comes in through the national news agency. It is subbed, checked and despatched to clients."

Mr R Sipya, head of the Zimbabwe Government Information Department, said: "It is government policy that the Press should be free, but we need a responsible Press." Foreign correspondents "should understand Zimbabwe as Zimbabwe and not as the West".

The editor of a national newspaper in Harare told me: "Journalists in Zimbabwe must be 'sensitised' and 'conscientised' to their duties in a socialist state while foreign newsmen must get rid of their paternalistic ideas". His views were repeated by other editors.

All the five major newspapers in Zimbabwe are owned by Zimbabwe Newspapers which is controlled by

the Government-directed Mass Media Trust.

A different view came from Mr C Wilson of the *Financial Gazette* in Harare, who edits what he claims is the only independent newspaper in Zimbabwe. He is a vociferous supporter of Western Press freedom.

"Without Press freedom there can be no true information for the ordinary citizen and therefore no public debate on a Government's actions. Without this there is not only no possibility of change but no freedom."

But he admits the practice is different from the principle in editing a newspaper in Zimbabwe.

Malawi has one daily newspaper, *Daily Times*, and the weekly *Malawi News*, both owned by the Blantyre Printing and Publishing Co. It is understood President Banda has a large financial interest in the company.

Mr S Gardiner, joint publications manager of the company, said there was little interference by the Government in reporting but no criticism of the President or the Government was tolerated. He was very outspoken about Western Press "freedom".

## Not acceptable

"I am not directed to do anything by the Government. If I operated like the Fleet Street gutter Press, I'd expect controls. This sort of journalism is not acceptable to the Third World."

Mr Bright Ng'ombe, editor of *Moni*, the largest selling magazine in Malawi, said: "The developing countries have developed or evolved their own concept of freedom. Only those who have had a taste of Western freedom have agitated against the kind of freedom in developing countries." Foreign news agencies "should encourage their correspondents to pay attention to more positive rather than negative aspects of news".

All incoming foreign news is screened by the Government-run Malawi news agency.

South Africa is said to be both within the First and the Third World. Perhaps the concept of Western Press freedom is becoming irrelevant in this country as Third World authoritarianism looms larger.

● The writer lectures on the media and politics at the University of Botswana, Mmabatho.

Cape Times 8/6/87

# Tutu calls for black armbands

327

Staff Reporter

THE Archbishop of Cape Town, the Most Rev Desmond Tutu, has called on Anglicans to wear black armbands on Thursday, the anniversary of the state of emergency, and for parishes throughout South Africa to toll their church bells.

The call was issued after a meeting of the Cape Town Diocesan Council on Saturday.

During the meeting the council was advised that in terms of the Public Safety Act the current state of emergency expires on June 11 and that the government must reimpose it if it wants it to recontinue.

He called on parishes to toll their bells for 10 minutes at noon on Thursday and called on the government not to reimpose the emergency.



# Parents escort Wynberg seven to jail

By CLARE HARPER

AFTER losing a year-long battle to keep their teenager children out of jail, the parents of seven of the "Wynberg eight", convicted of public violence in 1983, will escort their children to Pollsmoor Prison today.

The petition for leave to appeal against their sentences of between one and three years was rejected by the Chief Justice in Bloemfontein on Wednesday.

The seven, who will be escorted to prison by parents, teachers and pupils students from their schools and colleges are: Wayne Jordaan, 19, Venetia de Klerk, 19, Dee Dicks, 19, Julian Stubbs, 19, Shoukie Enous, 18, Naasir Masoet, 18, and Ighsaan Amlay, 18.

The sentence of a 16-year-old girl has been postponed for five years.

A psychologist, Mr Andy Dawes, who has been counselling the teenagers and their parents, said they had expressed fears about the effects of the prison environment on their children "who have never been exposed to anything like it in their lives".

He said he had discussed the concerns and worries of the teenagers about the conditions they could expect in prison, and the Wynberg Crisis Centre had arranged



WYNBERG SEVEN... Six of the seven Wynberg teenagers who will go to prison today (from left) Venetia de Klerk, Dee Dicks, Ighsaan Amlay, Naasir Masoet, Shoukie Enous and Julian Stubbs. Wayne Jordaan did not attend. On the far right is Venetia de Klerk's father, Mr William de Klerk.

for them to meet former prisoners. Mr Dawes said they had been advised to maintain their dignity and to "refuse to participate in morally unacceptable acts and attempt to hold on as long as possible". Ms Dee Dicks and Ms Venetia de Klerk,

the first women pupils to be jailed for public violence in Cape Town, said they had been advised to "be obedient to the prison warders, but remain strong". Ms Dicks said they were told not to take expensive things to prison that could

arouse jealousy and must be humble and share what they had. "They said we should be friendly, but not too friendly and not show that we are scared... and that we should explain to the other prisoners why we are there (in

Pollsmoor)," she added.

Mr William de Klerk said yesterday that he felt his child was being made an example of and that "a sentence of 12 months — even if my child did throw a stone — was very harsh".

"We are not going to take this lying down, we as a community are not satisfied by what has happened," he said.

Wayne Jordaan, 19, who was sentenced to five years, of which two were suspended, said he believed he received a longer sentence "because they said I had the qualities of a leader".

"I'm going in with an open mind. We just have to be strong. But as a human being I can say I still think we should continue to fight for what is right," he said.

An attorney acting on behalf of the seven, Mr Enver Daniels, said the co-ordinators of the campaign for their release intended to intensify the campaign nationally and internationally.

He said they were regarded as political prisoners abroad and their incarceration was seen as an attempt to try to deter people from embarking on "any kind of struggle".

Seven go to jail with 'struggle's good wishes' — Page 3.



# 7 'go to jail with struggle's good wishes'

CAL TIMES 8/6/87

## Staff Reporter

THE seven Wynberg pupils who have to go to jail today were told at a mass meeting yesterday by advocate Mr Dullah Omar that they "go with the good wishes of the entire liberation struggle".

"We are here to register our protest that our flowers, our children, are required to go to prison for no reason other than that they are caught up in a civil war and find themselves the victims of that titanic struggle," Mr Omar said.

"Senzenina?" (What have we done?) the crowd of about 600 which packed the Wittebome Civic Centre sang after giving the seven a standing ovation when they were called up to the platform by Mr Omar.

"It is very easy for us to talk about the struggle," Mr Omar said, "but we've learned that struggle also means sacrifice. And when you are called on to make that sacrifice it is very painful and very unjust."

He told the seven that they were not alone. "All over our land young people, children as young as 11, are being shot down and imprisoned, young people who aspire to nothing other than that you and I should be free."

Mr Omar said that even if yesterday's meeting had no result other than the exchange of thoughts and news — one item of which was the detention on Saturday of Call of Islam member Mr Ebrahim Rassool — it would have been worthwhile.

"We live under the strictest censorship this land has ever known," he said. "You and I do not know one-tenth of what is going on."

He spoke with anger about the fact that when police harass families and friends of the 13 young ANC members and sympathizers on trial in the Supreme Court — regularly arresting people who shout greetings for "disturbing the peace, forbidding people to sing, arbitrarily refusing entrance to the public gallery — newspapers dare not report it".

"That is why it is necessary to meet. Large meetings might not be possible but we shall meet in our twos, in our threes and fives and tens, so that the struggle for freedom shall continue."

Later the father of Venetia de Klerk told the gathering that when his daughter was arrested he was "very disturbed and truly mad, because she was disobedient to my warnings".

He cut himself off from her situation and told her that she

should get herself out of the mess she had created.

However, when he heard that she had been sentenced to imprisonment, he was shocked into becoming "a father who has come back to his senses".

He paid tribute to the Wynberg Crisis and Relief Centre as the "people who stepped into my place when my daughter needed me, because I was blinded". He made a passionate plea to other parents "who perhaps have the same attitude I had".

"Don't leave it a day or an hour longer," he said. "Get yourselves involved — and I've never used these words before — with any liberation struggle."

Among other speakers at the meeting, which focused also on life after a year under emergency rule, was a Call of Islam member who told the meeting about the detention of Mr Rassool, who was due to speak.

He said a number of "giants" had been born in the very teeth of emergency rule — the SA Youth Congress, which organized yesterday's meeting, the UDF's United Women's Congress and the National Education Crisis Committee.

"You can't crush a whole nation. You can't detain a whole country," he said.



# Benoni warned of boycott if it leaves First National

Own Correspondent

JOHANNESBURG — Benoni town councillor Mr Aubrey Ritz has sounded a warning that the town may be subjected to a black consumer boycott if it were to withdraw its municipal funds from First National Bank.

Mr Ritz said yesterday that he had received an anonymous telephone threat from a "black male" who said: "If you guys withdraw from First National Bank, we'll boycott you."

The National Party-dominated town council resolved to call on the bank to express before June 19 its "strongest disapproval" of managing director Mr Chris Ball's actions in lending R100 000 for an "unban the ANC" advertisement in several newspapers.

The second part of the motion, to withdraw funds from the bank if it failed to censure Mr Ball, was withdrawn because it was considered improper to threaten the

bank, the proposer, Dr P D C Erasmus, said yesterday.

However, should the bank fail to satisfy the council, withdrawal is likely to be discussed again.

Dr Erasmus said a black consumer boycott was "not relevant" to the issue. "We have learned a lot about boycotts ... and we know how to deal with them. It is clear the boycotters burn their own fingers."

Mr Ritz and two other councillors opposed the motion on the grounds that local government should not concern itself with political matters or punitive actions.

Dr Erasmus said he had expressed himself in the "national interest" and his motion did not necessarily reflect the view of any political party.

If councillors were not satisfied with the bank's explanation, the council would put its

bank account out to tender.

The acting town clerk, Mr Chris Boshoff, said the council would probably meet the bank soon for discussions.

The council's budget for this year is about R150 million. The banking account has been held by FNB, formerly Barclays Bank, for about 80 years.

The senior general manager of the bank, Mr Jimmy McKenzie, said the assurance by the office of the State President that no further statements would be issued following the Munnik Commission's findings had been kept.

However, other NP institutions had continued to come out against the bank.

"We have dealt directly with clients who have made known to us any problem they had with dealing with the bank. We have chosen not to communicate with them through the media and it has proven successful," he said.

Arbuz 8/6 P.F.

## State of emergency likely to be renewed

Political Staff

322

THE state of emergency officially lapses on Thursday at midnight, but it is highly likely that President Botha will declare a new state of emergency, keeping much the same regulations in force.

The state of emergency was declared on June 12 last year and in terms of the Public Safety Act runs for a year.

Government sources said today it was likely that President Botha would renew the emergency.

● Archbishop Bishop Desmond Tutu has called on Anglicans to wear black armbands on Thursday and for churches to toll their bells for 10 minutes at noon to mourn the emergency.

He has also called on the Government not to reimpose the emergency.

Government sources said no major police crackdown was expected against these protests.



116us 8/6/82

## Threats to bank a big mistake — Schwarz

### Political Staff

THE BENONI Town Council was playing with fire by making threatening noises to withdraw its funds from First National Bank for political reasons, the Progressive Federal Party warned today.

Mr Harry Schwarz, PFP spokesman on finance, said it was very dangerous to choose where to give one's business purely on the basis of the political views of an individual associated with that business.

He was reacting to reports that the Benoni Town Council had resolved to call on First National Bank to express before June 19 its strongest disapproval of managing director Mr Chris Ball's actions in lending R100 000 for an "unban the ANC" advertisement in several newspapers.

A second part of the motion to withdraw funds from the bank if it failed to censure Mr Ball was withdrawn because it was considered improper to threaten the bank.

### CONDEMNED

However, this does not mean that the withdrawal of funds will not be discussed again.

Mr Schwarz said such threats could work both ways.

He had recently condemned a pamphlet put out by anonymous people in Cape Town which called on people to boycott certain institutions for different ideological reasons to those put forward by people who criticised First National Bank.

In the case of First National Bank, Mr Schwarz said, the people responsible for stirring up emotions against the bank included politicians aided and abetted by certain media.

He said that unless this was stopped there would be serious implications for the economy.

● Finance Minister Mr Barend du Plessis could not be reached for comment today.

A new State of Emergency is to be declared by President Botha when the present one lapses at midnight on Thursday.

It was understood today that in terms of the Public Safety Act, all emergency regulations and restrictions promulgated in terms of the present emergency will become void — but a new set of regulations, quite possibly reworded in order to close loopholes, will take effect immediately.

The estimated 3 500 people in emergency detention will be released — and instantly detained.

A legal source said today that the President was unable merely to extend the State of Emergency by means of a simple announcement in the Government Gazette.

In law, the State of Emergency may be applied for only one year.

Today the Progressive Federal Party, seceded on the Government to allow the current emergency to expire and not to proclaim a new one.

It has become clear in recent months that although the Government's strict security actions have largely contained unrest, the authorities have no intention of relaxing the State of Emergency until a number of criteria have been met.

### Quality of life

President Botha and the Ministers of Law and Order and Defence have all indicated that the emergency will not be lifted "prematurely".

Among other things, before the emergency can be relaxed, according to Government thinking, there will have to be an improvement in the quality of life of the average black man.

Mrs Helen Suzman, PFP spokesman on law and order, said the Government should not proclaim a new emergency, particularly as it had claimed that it had the situation under control.

"All detainees must be released so that negotiations with the accepted leaders of the black communities may commence," she said, adding that South Africans were learning to endure the State of Emergency without the indignant reaction one would expect from a country which still had some pretensions towards democracy.

The threshold of tolerance towards the Government's arbitrary measures had risen.

"It is my guess that a State of Emergency will from now on be more or less a permanent feature of our lives," she said.

● See Page 3.

By David Braun,  
Political Correspondent  
Cape Town

# New emergency certain

President Botha is poised to block the loopholes



## Two-week protest call not stayaway, says UDF

By Jo-Anne Collinge

The two weeks of national protest called by the United Democratic Front do not mean an extended stayaway, the organisation has categorically stated.

"To end speculation and rumour we wish to make it clear that the two weeks of national protest are not a call for an extended stayaway. Rumours that a five-day stayaway has been called by UDF and the Congress of South African Trade Unions are without foundation," says a statement issued by acting publicity secretary Mr Murphy Morobe.

It adds: "What our people nationwide are demanding is June 16 — South African Youth Day — as a paid public holiday."

The type of protests expected on June 12 and June 26 include:

- A day-long fast by people inside and out of prison on June 12.
- The tolling of church bells on the morning of June 12.
- The holding of special prayer services on June 14.

Mr Morobe said that additional activities would be planned on a regional basis by the UDF.

The Northern Transvaal Youth Congress — which claims about 120 000 members in local youth congresses — will be holding night vigils in villages throughout the rural areas it represents. The vigils will begin on June 11 and go through to the next morning.

The regional president of the youth congress, Mr Ephraim Mogale, said local halls and churches would be used where these were available.

Mr Morobe has challenged the Government to lift the state of emergency "if, as it says, 'it has the situation under control'".

He said the UDF did not believe the period of the national protest would pass without the State resorting to repression. He said the UDF was warning "activists and supporters not to be lulled into a false sense of security" by the State's denials that it was planning a major clamp-down in the next few days.

## 28 groups call for end to emergency

By Jo-Anne Collinge

Some 28 organisations have already agreed to "demand with one voice from the Botha Government: Do not re-impose the state of emergency".

The most prominent signatory is the United Democratic Front. A number of its affiliates are also on the list, including the National Student Co-ordinating Committee.

But there are also independent groups, including the Southern African Society of Journalists, the Black Sash, the Wits Commerce Students' Council, the South African Union of Jewish Students and the Call of Islam.

The State President's proclamation of the emergency automatically expires at midnight on June 11. For the emergency to continue a new regulation must be promulgated.

In opposing this Act, the 28 organisations have stated: "By this time (June 12) thousands of human rights activists, trade unionists, community leaders and children would have spent up to 12 months in detention. These people have committed no crime! Their only crime is their opposition to apartheid and their desire to be free."

### 'FALSE IMPRESSION'

The emergency has been used to hide the actions of security force members and to create "the false impression that atrocities committed by apartheid-sponsored vigilantes are 'black-on-black violence'," says the declaration.

It says thousands of people have been driven into hiding.

Many legitimate activities of opposition organisations have been made illegal — for instance, by the banning of meetings and publications.

"The issuing of administrative edicts which undermine court rulings has made a mockery of the judiciary. Even the white minority Parliament is a mockery, for the Nationalists are using the emergency to rule by decree," the statement says.

"The emergency has subjected the Press to the humiliation of censoring the news and thereby keeping the public ignorant of reality."

It says: "This emergency has brought untold hardships and suffering. It is hated by the majority of South Africans. The emergency cannot stop the struggle for freedom — the Botha Government is trying to turn back the unstoppable tide of history."

News in Brief

9/11-7/11/87 9/16/87 (7013) (2000) 327

## News editor subpoenaed

MARITZBURG. — The news editor of the Natal Witness, Mr John Davies, has been subpoenaed under Section 205 of the Criminal Code, following a report in the newspaper last week that 10 children had been slain in Imbali township. The SAP's public relations division issued a statement saying that as a result of the report a murder docket had been opened and the allegations were being investigated.



would like to ask him, in connection with the last part of the reply which he read first, whether this business will continue in the meantime until this House can close that business.

†Mr J J NIEMANN: Frank, can't you wait

†Mr F J LE ROUX: Mr Chairman, on a point of order: The insinuation that the hon Chief Whip of the Government Party is making, indicates that I am interested in the business that takes place there. [Interjections.]

†The CHAIRMAN OF THE HOUSE: Order! I did not understand it that way, but did the hon member for Kimberley South insinuate that?

†Mr J J NIEMANN: I shall withdraw that, Sir. It seems to me the man is...

†The MINISTER: Mr Chairman, I would like to point out that I said that the imposition of certain conditions by the Licensing Appeal Board seems to be in conflict with intended legislation that has yet to be introduced. So there is no conflict yet. I should like to explain what will happen now. I have had discussions with the Administrator in the light of the fact that there is a report and that conflicts could possibly occur if legislation of the other reports is proceeded with. I intend to hold further talks, also on the substantive provisions of the act.

†Dr W J SNYMAN: Mr Chairman, further arising out of the reply of the hon the Minister, I should like to ask him whether it is in fact so that, as the ordinance now reads, the Chairman of the Appeal Board may not refuse any licence.

†The MINISTER: I do not think that I can reply to that question, because it is a legal question. The fact of the matter is that I do not know what the specific circumstances are on the grounds of which the Appeal Board upheld the appeal. The question being posed to me now by the hon member is a legal question which I do not think I ought to reply to.

Questions standing over from Tuesday, 2 June 1987.

HQA

### Posts filled by non-Whites

\*18. Mr R M BURROWS asked the Minister of National Education:

- (1) (a) What percentage of the posts in his Department is filled by non-Whites and (b) in respect of what date is this information furnished;
- (2) whether he appointed any persons to senior positions in his Department during the latest specified 12-month period for which information is available; if so, (a) to what specified senior positions and (b) which of these positions were filled by non-Whites;
- (3) whether he will make a statement on the matter

The MINISTER OF NATIONAL EDUCATION:

- (1) (a) 1.25%
- (b) As on 30 April 1987.
- (2) (a) Yes, from 1 May 1986 until 30 April 1987 in the following posts:

Chief Director  
Director Deputy Director  
Assistant Director  
Chief Language Practitioner  
Chief Librarian  
Chief Sport Promotion Officer  
Senior Personnel Officer  
Senior Provisioning Administration Officer  
Senior Cultural Administration Officer  
Senior Education Administration Officer  
Special Services Officer

- (b) Non.
- (3) Yes. All vacancies (25) in the above-mentioned posts were advertised in the press excluding the following posts:

2 CS Educator (Post Level 6 and 7)  
1 Chief Work Study Officer

In total 191 applications were received of which 17 persons' applications were successful. The applications of 174 persons, one of which was a Black person, were unsuccessful.

### Hunger strikes

\*24. Dr M S BARNARD asked the Minister of Law and Order:

Whether, since 12 June 1986, any detainees have had to be hospitalized or receive any medical treatment as a result of having been on hunger strikes; if so, (a) how many, (b) in what police station cells were they being held, (c) in terms of what statutory provisions were the hunger-strikers being held, (d) what was the outcome of the treatment and (e) in respect of what date is this information furnished?

†The MINISTER OF LAW AND ORDER:

- (a) to (d) A few instances occurred but before medical treatment was necessary and after the detainees were informed by the respective physicians of the detrimental implications of hunger strikes, they started eating of their own accord.

It occurs from time to time that detainees, including emergency regulation detainees, refuse to eat. In some cases it is indicated to be the start of a so-called hunger strike, but then food is taken at the next meal time. In other cases meals are refused at successive meal times while other foodstuffs, bought with private cash and which are in the possession of the detainee, are eaten. This process, with all its variations may be repeated by one detainee or groups on several occasions within a few days.

Incidents of this nature are in every instance dealt with in terms of internationally accepted procedures as explained by the Minister of Justice in his oral reply to question 25 of 2 June 1987.

- (e) 12 June 1986 until 25 May 1987.

New Questions:

\*1. Mrs H SUZMAN—Justice. [Withdrawn.]

### Emergency regulations

\*2. Mrs H SUZMAN asked the Minister of Law and Order:

HQA

- (1) Whether any persons detained under emergency regulations in 1986 and 1987 were under the age of 16 years at the time of being so detained; if so, how many;
- (2) whether charges have been or are to be laid against any persons under the age of 16 years; if so, (a) against how many persons and (b) what charges in each case?

The MINISTER OF LAW AND ORDER:

- (1) Yes. I refer the hon member to the respective lists of names of persons tabled in terms of section 3 (4) of the Public Safety Act, 1953, as well as the press statement which I furnished in addition to my oral reply to Question No 2 on 17 February 1987 and my press statement in this regard which I issued on 2 June 1987, of which I attach a copy. Furthermore I wish to point out to the hon member that only 11 persons under the age of 16 years were in detention in terms of the emergency regulations on 28 May 1987.
- (2) Yes. (a) and (b) I refer to the hon member to paragraph 2 of my oral reply to Question No 5 of 26 May 1987.

STATEMENT BY THE MINISTER OF LAW AND ORDER, MR ADRIAAN VLOK, CAPE TOWN, 2 JUNE 1987

Shortly after my appointment as Minister of Law and Order, I expressed my deep concern over the detention of children in terms of the Emergency Regulations and felt strongly that children should lead normal lives within the care of the family circle and that they should not be misused by radical elements to achieve their revolutionary objectives.

Despite this, children under the age of 16 years were continually being detained because of their participation in violent crimes such as murder, grievous assault and arson.

After a careful study of all documents and other relevant information available to me, I reached the conclusion that blame for the detention of children rested on the shoulders of revolutionary minded radicals, who calcu-

9/6/87  
Haward

327

9/6/87



TUESDAY, 9 JUNE 1987

lately singled out children and forced them to commit horrendous deeds against the community.

The ANC for example openly condones the use of children in their so-called struggle. This is in accordance with their belief that "Children should be present at the executions and should rejoice in the death of the enemies of the proletariat". The ANC has purposely chosen as a strategy the use of children for acts of terror. There is ample evidence of acts of violence.

Because of the Government's concern with the predicament in which these minors find themselves, I ordered a special and urgent high level investigation into every individual case to determine the personal circumstances thereof and what could be done about it. Where the parents could be traced discussions were entered into in order to determine if they were prepared and able to accept responsibility for their children. In addition well as welfare organisations and churches was also considered.

As a result of the completion of this country-wide investigation I am now able to announce that all those arrested under the emergency regulations and under the age of 16 years have since been released, with the exception of 11 persons who are still being detained, and a further 58 who have already appeared in court on various charges. The 11 remaining in detention are being held in connection with criminal cases which include necklace murders and public violence.

The investigations into these cases are being pursued as a matter of urgency. These cases will be handled in court in accordance with the established practices in Western countries.

The children that have been released were placed in the care of their parents or legal guardians. I will however not hesitate to act against those released should they again participate in acts of violence.

The investigation also revealed a lack of community involvement as one of the factors contributing to children being misused and also make a most urgent appeal to all parents,

community leaders, church institutions, etc. to actively assist in preventing children again becoming involved in acts of violence. The investigation revealed the following facts:

#### Children in custody:

Age	On 12-2-87	On 18-4-87	On 28-5-87
Under 12 ...	None	None	None
12 years ...	3	2	None
13 years ...	18	19	None
14 years ...	91	75	1
15 years ...	169	110	2
			8

These figures contrast sharply with those being maliciously distributed here and abroad.

I wish to point out that the investigation was specifically conducted in respect of persons under the age of 16 because in international practice a distinction is drawn between "children" and "youth". In South Africa, as in many other countries, children are in accordance with Roman-Dutch Law, held legally accountable for their actions from the age of 14 years.

Furthermore in South Africa a person is registered as a citizen of the country at the age of 16 years. This is accompanied by certain legal obligations similar to those applicable to adults.

In no country can youthfulness be offered as an excuse for the commission of serious crimes. It is a fact that youth and children were involved to a large degree in the wave of unrest which swept the country and which led to serious violence, crime and death. The state has a responsibility to the community to combat violence and murder and it was unavoidable that youth and children had to be placed in custody.

I wish to stress that, as in the case of children being held, I am similarly concerned about the detention of youths. Although investigations into possible criminal cases against these youths are time consuming as a result of amongst other things, acts of intimidation these investigations are continuing uninter-ruptedly and nobody will be held for longer than is absolutely necessary. In this regard I

TUESDAY, 9 JUNE 1987

also wish to point out that several thousand people that were initially held under the Emergency regulations have already appeared before the courts.

In conclusion I would like to state categorically that I reject as false and malicious allegations that those being held in custody are being assaulted. All persons in detention are treated in terms of civilized norms and standards. To ensure this, all persons held under the emergency regulations are regularly visited by a judge. In addition they are also examined by district surgeons and entitled to visits by parents, guardians as well as legal advisors.

Any complaints of alleged assault are urgently investigated with a view to legal action being taken where necessary.

I wish to emphasize that all parents whose children are being held in terms of the emergency regulations are allowed regular access to their children. To facilitate this every effort is made to hold detainees as near to their homes as possible.

Mrs H SUZMAN: Mr Chairman, arising out of the hon the Minister's reply, is it not possible from the list of names which he supplies in terms of the Public Safety Act, to determine over the whole period how many of those people are under the age of 16. The answer that he gave, to which he referred me, Sir, was at a specific date, that is now—within the past week or so. This is not answering the question, Sir.

Mr D J N MALCOMES: Hear! Hear!

The MINISTER: Mr Chairman, I am in fact answering the question. If the hon member will have a look at the statements that I made—the dates are indicated here—she will see that the specific numbers and ages are mentioned there. The hon member can then get the full answer from that.

#### Females detained

\*3. Mrs H Suzman asked the Minister of Justice:

(a) How many females have been detained in terms of section 31 of the Internal Security Act, No 74 of 1982, since 31 January 1987 and (b) in respect of what date is this information furnished?

The MINISTER OF JUSTICE:

- (a) 5.  
(b) For the period 31 January 1987 up to 25 May 1987.

\*4. Mr S S VAN DER MERWE asked the Minister of Constitutional Development and Planning:

- (1) Whether any dwellings owned or occupied in contravention of the provisions of the Group Areas Act, No 36 of 1966, have been sold by the State in terms of section 41 of the said Act; if so, (a) how many dwellings had been sold in this manner since the commencement of this Act as at the latest specified date for which information is available and (b) where were these dwellings situated;

- (2) whether any dwellings owned or occupied in contravention of the provisions of the Group Areas Act are due to be sold by the State in terms of section 41 of the said Act; if so, (a) how many as at the latest specified date for which information is available and (b) where are these dwellings situated?

The DEPUTY MINISTER OF DEVELOPMENT AND PLANNING:

- (1) No. (a) and (b) Fall away.

- (2) No, the State has not started proceedings to sell any properties. (a) and (b) Fall away.

#### Group Areas Act

\*5. Mr S S VAN DER MERWE asked the Minister of Law and Order:

Whether the South African Police Force has any special section charged with the task of investigating contraventions of the provisions of the Group Areas Act, No 36 of 1966; if so, (a) what is the name of this section, (b) under whose command does it fall, (c) when was it established, (d) in which areas does it operate and (e) how many policemen are attached to this section: if not, who is responsible for investi-

9/6/87



arising out of the hon the Minister's reply, may I enquire, firstly, whether any fishing rods or fishing tackle was taken along in the helicopter; secondly, whether the hon Ministers concerned spent a considerable amount of time on the island—the preponderance of the time that they were there—engaged in fishing; and, thirdly, whether this was, in fact, really nothing other than a fishing expedition?

†The MINISTER: Mr Chairman, the hon member knows that when the Minister of Defence carries out a task he does it quickly. [Interjections.] The result is that I quickly dealt with my official visit. I did take a fishing rod with and I did some pleasant fishing—in accordance with the permitted sizes and numbers—and we had good fish to eat.

Mr D J N MALCOMESS: That was a very expensive fishing expedition. [Interjections.]

At 15h02. Questions on General Affairs interrupted in accordance with Joint Rule 59.

#### SAA flights to USA

\*34. Mr D J N MALCOMESS asked the Minister of Transport Affairs:

- (1) Whether the South African Airways have instituted legal proceedings in the United States of America in connection with the termination of all South African Airways flights from the Republic to the United States; if so, what were the costs incurred in respect of these proceedings as at the latest specified date for which information is available;

- (2) whether he will make a statement on the matter?

The MINISTER OF TRANSPORT AFFAIRS:

- (1) Yes. The costs incurred as at 2 June 1987 amounted to R265 877.64.

- (2) No.

#### Emergency regulations

\*36. Mrs H SUZMAN asked the Minister of Law and Order:

- (a) How many persons were detained for up to 30 days under the emergency regulations?

lations from 12 June 1986 until the latest specified date for which figures are available and (b) how many of these persons were under the age of 18 when they were in detention?

The MINISTER OF LAW AND ORDER:

- (a) I do not consider it in the public interest to furnish the information.  
(b) Falls away.

#### Distribution of literature

\*37. Mr P G SOAL asked the Deputy Minister of Information:

Whether the Bureau for Information has at any time been involved in the (a) (i) preparation, (ii) printing, (iii) distribution and (iv) financing of any literature and (b) provision of financial or other support to any group campaigning against a certain organisation, the name of which has been furnished to the Bureau for the purpose of the Deputy Minister's reply; if so, (aa) on what dates, (bb) why, (cc) what was the nature of the Bureau's involvement in each case, (dd) on whose instructions was this done and (ee) what is the name of the organisation in question?

The DEPUTY MINISTER OF INFORMATION:

No.

- (a) and (b) fall away.

#### South African Certification Council

\*38. Mr R M BURROWS asked the Minister of National Education:

- (1) Whether he has appointed any persons to serve on the South African Certification Council; if not, why not; if so, (a) what are the names of the persons appointed, (b) what are their qualifications for serving on this council in each case and (c) with effect from what date were they appointed;

- (2) whether he called for nominations for persons to serve on this Council; if not, why not; if so, (a) what organisations and/or persons were contacted to submit nominations for this purpose.

- (b) on what dates were these organisations and/or persons contacted and (c) what was their response;

- (3) whether he will make a statement on the matter?

The MINISTER OF NATIONAL EDUCATION:

- (1) No. The constitution of the Council is at present being considered by me.

- (a) Falls away.  
(b) Falls away.  
(c) Falls away.

- (2) Yes.

- (a) (i) The Education Ministers.

- (ii) Bodies, societies or organisations were requested in terms of section 4 (1) (b) (ii) of the South African Certification Council Act, No. 85 of 1986, by notice in the *Gazette* to submit names of persons to me for appointment to the Council.

- (b) The Government Notice in (a) was published on 16 January 1987. The period within which names of persons were to be submitted to me was extended on 16 April 1987 by notice in the *Gazette* to 15 May 1987.

- (c) Names of 44 persons were submitted to me by 20 different bodies, societies or organisations.

- (3) No.

#### Negotiations with Black leaders

\*39. Mr S S VANDER MERWE asked the Deputy Minister of Information:

- (1) (a) What was the total cost of the advertisements in connection with negotiations with Black leaders which appeared in the name of the State President in newspapers on 24 May 1987, (b) from what account were these advertisements financed, (c) in which newspapers did they appear and (d) what was the purpose thereof;

- (2) whether any responses to these advertisements have been received; if so, (a) from whom and (b) what was the nature of the responses?

The DEPUTY MINISTER OF INFORMATION:

- (1) (a) R78 000.

- (b) Advertising budget of the Bureau for Information (Programme No 5).

- (c) Sunday Times, Sunday Star, Rapport, Sowetan, City Press, New Nation, Indaba, Ilanga, Imvo.

- (d) To convey to the public particular facets of the State President's opening address in Parliament on 19 May 1987 as well as his commitment to peaceful negotiations.

- (2) The advertisements did not put questions to which replies were expected.

- (a) and (b) Fall away.

#### Own Affairs:

#### Cape Province: school fees

\*1. Mr K M ANDREW asked the Minister of Education and Culture:

Whether it is the intention to charge school fees at schools in the Cape Province; if so, (a) on what basis, (b) with effect from what date and (c) what fees will be charged?

The MINISTER OF EDUCATION AND CULTURE:

No final decision has been taken in this regard.

- (a) falls away.

- (b) falls away.

- (c) falls away.

Mr R M BURROWS: Mr Chairman, arising out of the hon the Minister's reply, could he give us an indication of whether it is the intention to make such a decision in the near future?

†The MINISTER: Mr Chairman, it is very clear from the reply that no final decision has yet been made. We will investigate the matter



● President Botha to declare new regulations this week

# New emergency

Argus 9/6/87

On way

## New emergency

(Cont. from Page 1)  
of emergency".

The most prominent of these organisations is the United Democratic Front. A number of its affiliates are also on the list.

Other groups include the Southern African Society of Journalists, the Black Sash, the Wits Commerce Students' Council, the South African Union of Jewish Students and the Call of Islam.

The organisations state that "thousands of human-rights activists, trade unionists, community leaders and children" have spent up to 12 months in detention. But "their only crime is their opposition to apartheid and their desire to be free".

The organisations say thousands of people have been driven into hiding, many activities of opposition organisations have been made illegal, administrative edicts have undermined court rulings and the Press has been obliged to censor news.

Meanwhile, the United Democratic Front says the two weeks of "national protest" it has called does not mean an extended stayaway.

The types of protest it expected from Friday, June 12, the anniversary of the state of emergency, to June 26, Freedom Charter Day, included a day of fasting on June 12, the tolling of church bells the same morning and special prayer services on June 14.

### Political Staff

A NEW state of emergency is to be declared by President Botha when the present one lapses at midnight on Thursday.

It was understood today that in terms of the Public Safety Act emergency regulations and restrictions promulgated in terms of the present emergency will become void, but a new set of regulations, possibly re-worded to close loopholes, will take effect immediately.

The estimated 3 500 people in emergency detention would be released and instantly re-detained under the new emergency.

A legal source said today the President was not able to extend the emergency with a simple announcement in the Government Gazette.

Legally the state of emergency may be applied for only one year.

### Quality of life

Although the Government's strict security actions have largely contained unrest, it has become clear that the authorities have no intention of relaxing the emergency until a number of conditions have been met.

Among other things there will have to be a change in the political climate and an improvement in the quality of life of the average black, according to Government thinking.

President Botha and the Ministers of Law and Order and of Defence have indicated that the emergency will not be lifted "prematurely".

The Progressive Federal Party called on the Government today to allow the emergency to expire and not to proclaim a new one.

The Argus Correspondent in Johannesburg reports that 28 other organisations have combined to "demand with one voice: Do not reimpose the state

(Turn to Page 3, Col 1)



*Cap Times 10/6/87*

# Gaborone blast 'work of SAP' *327*

GABORONE. — The government said yesterday that a car-bomb which killed three people here in April was detonated by South African police in an attempt to keep an undercover operation secret.

The office of the President, Mr Quett Masire, made the allegation in a statement reporting the findings of a Botswana police investigation into the April 9 explosion.

The government statement said the minibus was driven into Botswana on April 4 by an alleged South African police agent from Pretoria named Mr Keith MacKenzie.

The statement said police told MacKenzie to drive the vehicle only in the vicinity of two hotels in Gaborone.

According to the statement, the instructions were disregarded and the vehicle was driven to northern Botswana before being returned to Gaborone by a man identified as Mr Basnar Pule.

Fearing it might end up with Botswana police, the South African police detonated the explosives on the vehicle by remote control to destroy evidence of a South Africa connection, the statement said.

□ The South African Police have been approached for comment, which was unavailable at time of going to press. — Sapa-AP.

# Suzman appeals for end to emergency

*Appl Times 10/6/82 327*

Political Staff

PROGRESSIVE Federal Party MP Mrs Helen Suzman yesterday appealed to the government not to go ahead with the widely expected proclamation of a new state of emergency.

The current emergency ends at midnight tomorrow and in terms of the Public Safety Act cannot simply be extended.

A new emergency must be proclaimed in the Government Gazette "at or before" expiry of the current one. A new proclamation is widely expected today or tomorrow.

Last week Mr Roelf Meyer, Deputy Minister of Law and Order, told Parliament that even though unrest incidents had declined by more than 80%, the emergency would have to be continued because the "revolutionary climate" still existed.

He said that while a measure of stability had been restored, two other reasons for declaring the state of emergency — a return to normality and the creation of a climate conducive to constitutional, economic and social development — had still to be met.

But yesterday Mrs Suzman said this was an opportunity for the government to show its goodwill and sincerity about reform.

"There can be no lasting stability unless the emergency is lifted and detainees released.

"I don't believe there will be any lasting stability in South Africa until the government has tackled all the genuine grievances of Blacks, improves their quality of life and resolves the crucial problem of political representation for Blacks in the highest bodies which rule their lives."



CAPE TIMES 19/6/87

327

# One-year protests planned

Staff Reporter

**PROTEST** against the state of emergency, which is a year old on Friday and which looks set to be reimposed by President P W Botha, is mounting in Cape Town.

In a series of events planned over the next few days:

□ The United Democratic Front is holding a mass rally in the Woodstock Town Hall at 8 tonight at which advocate Mr Dullah Omar, Dr Allan Boesak and other speakers will appear.

□ Also tonight, Jews for Jus-

tice will hold a public meeting at the Albow Centre, in Hatfield Street, Gardens, at 8pm. The speakers will be Mr Ian Mann and Dr Charles Villa-Vicencio.

□ Tomorrow at 8pm, the Black Sash has called a meeting in the Claremont Civic Centre where the speakers will include Dr Van Zyl Slabbert, City Press editor Mr Percy Qoboza and Sash president Mrs Mary Burton.

□ On Friday at 1pm, the Detainees Parents Support Com-

mittee and the United Women's Congress are holding a prayer service in St George's Cathedral in protest against one year of the emergency, at which the Anglican Dean of Cape Town, Dean Edward King, and UWCO speakers will be present.

□ On Friday at 8pm, the Call of Islam are holding a rally against the emergency in the Hanover Park Civic centre.

□ And on Sunday, the campaign to commemorate June 16 gets under way with an Inter Church Youth meeting at

2.30pm in the United Congregational Church in Westridge, Mitchells Plain.

In addition, the United Democratic Front has called for nationwide protests against the state of emergency and to commemorate June 16.

And the Anglican Archbishop of Cape Town, the Most Rev Desmond Tutu, has called on Anglicans throughout the country to wear black arm-bands tomorrow, and for Anglican churches to toll their bells at noon for 10 minutes.

# Boesak: Ability to adapt to emergency is disturbing

Staff Reporter

1864 10/6/87 327  
THERE was little hope of President Botha not imposing a third state of emergency on Friday, Dr Allan Boesak told a meeting of the Thornhill Residents Association.

Addressing about 500 people in the Samaj Centre in Rylands last night, Dr Boesak said a disturbing trend was people's ability to adapt to circumstances.

"We grow accustomed to our people being in jail, to our children being detained and to soldiers walking the streets of our townships as though they belong there."

"We adjust to the fact that our children can never complete a school year without disruptions of some kind. We become accustomed to the fact that our children can leave for school in the morning and never come back."

He said people had a tendency to adjust to an abnormal situation as though it were normal.

Dr Boesak said President Botha would probably reimpose the state of emergency on Friday.

"Mr Botha wants us to believe that the state of emergency is a sign of the strength of the South African Government."

"If they are so strong why do they need a state of emergency?"

"They have so many laws and the strongest army on the continent, yet they still need it to govern this country," Dr Boesak said.

United Democratic Front speaker Ms Hilda Ndude said the advantage the Government had gained in the first weeks of the emergency was lost as political organisations began emerging.



**No new clamps but loopholes closed, say sources**

# Revived emergency rules ready today

11/6/87.  
SNAK  
327

By David Braun, Political Correspondent

Cape Town

A "modified" set of regulations is being published by the Government Printer today — and will bring into effect a new state of emergency to replace the one which lapses at midnight tonight.

A Ministry of Justice spokesman has confirmed that the regulations will be published today, but it seems the exact time is not known.

Official sources indicated today that although the new regulations do not contain any substantially altered clauses which would amount to additional clampdowns of major significance, they have none the less been

modified to make certain adjustments and close several loopholes.

Documents proclaiming the new state of emergency have already been signed by President Botha.

They provide for the instant transition from the expiring emergency to a new one — including the immediate re-arrest of the estimated 3 500 people in emergency detention.

The new emergency has met with mixed reactions.

President Botha told Parliament last night that it was necessary because, though the exceptional measures of the past year had brought about a drop in the observable incidents of violence, information supplied by the security services had convinced him that there would be a serious and real possibility that internal violence would escalate in the absence of such measures.

Opposition parties and the governing parties in the other two Houses stressed the need for meaningful reform and negotiations with the black majority as the real solution to South Africa's problems.

The US State Department, in a comment put out by the American Embassy in Cape Town, said it had consistently maintained "that we saw no justification for the first state of emergency, nor the current one".

See Pages 4 and 15.

# The Star

## Ever-lengthening emergency

THE GOVERNMENT makes a superficially plausible case for continuing with a state of emergency. We have seen murder by the ANC, death in the townships, endemic disturbances in some areas. We know that there are activists who would wish to perpetuate violence as a means to a political end. On top of that, the State President hints at other horrors averted by security vigilance. These factors cannot be ignored; what we challenge is the assumption that putting more power into the hands of security forces provides a solution.

To assess properly how long the emergency may last requires recognition of why it exists in the first place. The crisis is a political one. It has to do with blacks being deprived of the political rights that must underpin all freedoms. When all the "agitators" have done their worst, taxation without representation remains tyranny. Apartheid — no matter what its modern title — remains a deep source of resentment.

The Government says it wishes to negotiate a better future, but it has deliberately set two major obstacles in its own path. The first is its insistence on certain preconditions, like whom it will talk to. The second is the state of emergency. Reputable black leaders

simply dare not negotiate while the emergency fosters detention of leaders and reinforces the perception that security forces are licensed to rampage through the townships as they please. (The State President's argument that the ANC is deliberately keeping Nelson Mandela in jail is not only facile but harmful. The ANC does not hold the key to Pollsmoor. Mandela may hold the key to getting talks started.)

So the situation remains that the state of emergency is actually blocking the process of negotiation which is the only way to resolve our problems.

The Bureau for Information, ever dutiful, advances the proposition that the emergency has worked, but not well enough. Unrest, as it were, is down but not out. If it were not an offence to imply that the emergency will never be lifted, we would say that the bureau has provided the complete argument for a permanent emergency.

But since that prospect is not legally contemplable, we are left only with the conviction that the State will require ever more powers in the months to come. And that will create ever more anger, making it ever harder to begin real negotiation.



Govt cannot rule without repressive laws, says Suzman

# Emergency 'cannot answer SA's needs'

327  
Sme  
11/6/87

Political Staff

CAPE TOWN — The imposition of a new state of emergency has met with mixed reaction from the parliamentary parties.

● The Rev Allan Hendrickse, leader of the Labour Party: "We have never supported security legislation and the emergency can never be an answer to the country's need and circumstance."

"Peace and security can be achieved only in political accommodation of black aspirations and the dismantling of apartheid, so it is regretted that the emergency had to be re-instituted."

"It is hoped the measure of calm already achieved can be extended to allow economic growth so essential to provide for black needs and an atmosphere under which change can take place."

## Forces of evil

"In spite of the forces of evil's continued attempt to instigate and create situations of violence and counter-violence, the Government must seriously accelerate the rate of political reform to include all South Africans in all decision-making processes at all levels."

● Mrs Helen Suzman, Progressive Federal Party spokesman on law and order: "This demonstrates the Government's inability to rule without the most repressive laws."

"Long ago it was predicted that if laws were passed without

consent of the mass of the people normal processes will not be sufficient to maintain law and order.

"South Africa has as a result been sliding down the slippery slope towards a fully fledged police state and the state of emergency has become a permanent feature of our lives."

● Mr George Thaver, National People's Party spokesman on law and order: "Although we oppose the principle of a state of emergency, the President knows best the reasons why law and order of the country should be maintained."

● Mr Moolman Mentz, Conservative Party spokesman on law and order: "The new emergency is necessary and we agree with it."

● Mr J N Reddy, Solidarity leader: "The re-imposition of the emergency is cause for concern so it is imperative that conditions must be created to enable persons of all political persuasions to come together to find an acceptable constitutional framework."

"To this end an essential prerequisite must be a moratorium on violence by all parties."

● Mr Pat Poovalingam, Progressive Reform Party leader: "The President has again admitted that the Government is unable to rule without extraordinary draconian measures."

"This is because Mr Botha does not have the support of the majority of the people. The National Party remains the friend of communism."

DOWNS ▲

# Emergency renewed: PW rules out talks with ANC

## Political Staff

The State President, Mr P W Botha, declared the extension of the national state of emergency yesterday and ruled out talks with the African National Congress.

He told a joint sitting of Parliament that the background of violence against which he had declared the emergency in June 12 last year had not changed significantly.

The ordinary laws of the land were still inadequate to maintain public order, he said.

He rejected the ANC for "their philosophy of violence and terror" and said there would be no talks with an organisation that was "part and parcel of the terrorist curse besetting the world of today".

He blamed members of the ANC — who lived "in luxury in foreign capitals" — for the continued incarceration in Cape Town of "former and now aged" ANC leaders:

"On June 12 1986 I declared by proclamation and in terms of the Public Safety Act of 1953, a nationwide state of emergency.

"I referred in Parliament to the background against which acts of violence and unrest were being planned and committed. On the basis of information provided me, I am of the opinion that this background still exists.

"There are many examples of this and I will let it suffice to say that certain identified ANC/SACP representatives in Mozambique, as members of a so-called Regional Politico-Military Committee, play a cardinal role in the underground terror network in South Africa.

"This regional committee is the chief channel for the provision of explosives and military equipment to ANC/SACP elements in Swaziland, from where these murder

weapons are supplied to terrorists in the Republic by covert means.

"The regional committee supplies these arms to terrorists in the Republic in a direct manner too.

"It is this type of unscrupulous planning that then leads to atrocities, like the recent bomb explosion in front of the Magistrate's Court in Johannesburg, and other deeds of violence in South Africa.

## BOMB INCIDENT

"The Government also has further information in connection with planned deeds of terror and subversion, in respect of which suitable steps will have to be taken.

"I referred to the Johannesburg bomb incident, also because from many quarters we are being told to talk to the ANC. Even members of Parliament tell us to do so.

"You cannot talk to the ANC without talking to its present leaders.

"We reject them for their philosophy of violence and terror.

"We reject them for living in luxury in foreign capitals while, as a deliberate strategy, ensuring the continued incarceration in Cape Town of former and now aged leaders by refusing them permission to abandon violence.

"We reject them for appeasing governments and groups (also from South Africa) with voices of sweet reason, while planning and instigating the strife, dissent and disorder that were and remain the direct cause of misery, death and destruction in the townships of their brothers and sisters in South Africa.

"We reject them for intimidating companies to disinvest from our country, causing black fathers to lose their jobs and black children to go hungry in the townships, while they themselves attend dinners in hotels.

"Together with the rest of the civilised world we reject them for elevating terrorism to morality, for rationalising the horrors of necklacing and for 'claiming responsibility' for the atrocities of land-mining and car-bombing.

"We will not talk to these people, we will fight them, for the simple reason that they are part and parcel of the terrorist curse besetting the world of today.

"Although the extraordinary measures of the past year led to a decrease in the visible incidents of violence, I have information provided me

by the security services (who are) of the opinion that, should these measures no longer be applied, the most serious and real danger exists that there would again be an escalation of internal acts of violence.

"In the light of this I am convinced that the safety of the public and the maintenance of public order is threatened in such a way that the ordinary laws of the Republic are still inadequate to bear up against this threat.

"In consideration of the safety of the public and the maintenance of public order, I have, as a result, decided to proclaim again a state of emergency for the whole of the Republic, including the self-governing states.

## INTIMIDATION

"There are those who accept the Government's policy and others who reject it.

"The Government accepts that all law-abiding citizens have the right to exercise this choice.

"There are, however, also those who, in the exercising of this choice, give approval to intimidation and murder.

"The Government has repeatedly committed itself to the principle of the broadening of democracy on constitutional lines.

"Strict security action does not detract from this. Indeed, it strengthens the basis on which the search for a peaceful political solution can take place.

"Stability, law and order are essential prerequisites for social, economic and political development."



'We won't tolerate any nonsense'

8/Day 11/6/87

# PW renews the state of emergency

CAPE TOWN — A new state of emergency would be in force from midnight when the current state of emergency expired, President P W Botha said in Parliament last night.

Botha told a joint sitting of all three Houses he had already signed the necessary documents to that effect, but gave no indication whether any changes would be introduced to the regulations and restrictions.



● BOTHA

It is understood, however, the new regulations could include amendments to close the loopholes revealed by court actions challenging the previous emergency regulations' validity.

Legal experts said if any changes were introduced, the legal precedents established in various Supreme Court hearings over the previous state of emergency would have no legal standing and would have to be challenged anew.

It is also understood a number of emergency detainees will be released tomorrow night when the regulations under which they are held fall away.

The reintroduction of the emergency regulations was strongly regretted by

CHRIS CAIRNCROSS

some opposition political parties last night, and condemned as being no answer to SA's needs and circumstances.

They said peace and security could only be achieved with the political accommodation of black aspirations and the dismantling of apartheid. They also called on government seriously to accelerate the rate of political reform to include all South Africans in decision-making processes at all levels.

Botha lashed out at the ANC for the unscrupulous reign of terror it was waging in SA from outside the country.

Referring to incidents like the bomb attack outside Johannesburg's Magistrate's Court, Botha said his government rejected the ANC for its philosophy of violence and terror.

● See Comment Page 6

He said: "We reject them for living in luxury in foreign capitals while, as a deliberate strategy, ensuring the confinement and incarceration in Cape Town of former and now aged leaders by refusing them permission to abandon violence."

"We reject them for appeasing governments and groups with voices of sweet reason, while planning and instigating the strife, dissent and disorder which

● To Page 2

## PW renews state of emergency

remain the direct cause of misery, death and destruction in the townships of their brothers and sisters in SA.

"Together with the rest of the civilised world, we reject them for elevating terrorism to morality, for rationalising the horrors of necklacing and for claiming responsibility for the atrocities of land-mining and car-bombing."

"We will not talk to these people; we will fight them, for the simple reason that they are part and parcel of the terrorist curse besetting the world today."

Botha said the declaration of the state of emergency was not taken lightly. There was ample evidence the unscrupulous action and unrest which existed when the previous state of emergency was declared on June 12 last year still existed.

Botha said: "In the midst of continuous and determined attempts to fan yet fur-

● From Page 1

ther the flames of violence, and to sow chaos and disorder, it is, at the same time, still government's duty and responsibility to ensure security, order and stability in this country."

Certain identified ANC/SA Communist Party (SACP) representatives in Mozambique — leaders of a so-called Regional Politico-Military Committee — were playing a cardinal role in the underground terror network operating within SA.

That committee was the chief channel for sending explosives and military hardware to ANC/SACP elements in Swaziland, from where those murder weapons were covertly sent to terrorists within SA.

Botha said the violence perpetrated by those elements was not acceptable to government and would not be tolerated.

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4092**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 264

PRETORIA, 11 JUNE 1987  
JUNIE

No. 10771

## PROCLAMATION

by the

*State President of the Republic of South Africa*  
No. R. 96, 1987

### REGULATIONS UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by section 3 of the Public Safety Act, 1953 (Act 3 of 1953), I hereby make the regulations contained in the Schedule with effect from 11 June 1987.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Tenth day of June, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,  
State President.

By Order of the State President-in-Cabinet:

A. J. VLOK,  
Minister of the Cabinet.

### SCHEDULE

#### Definitions

1. In these regulations, unless the context otherwise indicates—

“Act” means the Public Safety Act, 1953 (Act 3 of 1953);

“Commissioner” means the Commissioner of the South African Police, and for the purposes of the application of a provision of these regulations in or in respect of—

(a) a division as defined in section 1 of the Police Act, 1958 (Act 7 of 1958), the said Commissioner or the Divisional Commissioner designated under that Act for that division; or

(b) a self-governing territory, the said Commissioner or the Commissioner or other officer in charge of the police force of the government of that self-governing territory;

## PROKLAMASIE

van die

*Staatspresident van die Republiek van Suid-Afrika*  
No. R. 96, 1987

### REGULASIES KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by artikel 3 van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), vaardig ek hierby die regulasies vervat in die Bylae met ingang van 11 Junie 1987 uit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tiende dag van Junie Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,  
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

A. J. VLOK,  
Minister van die Kabinet.

### BYLAE

#### Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“beampte” ’n persoon in diens van die Staat, met inbegrip van ’n lid van ’n veiligheidsmag;

“byeenkoms” enige byeenkoms, toeloop of optog van enige getal persone;

“druk” om deur druk, tik of op enige ander wyse van reproduksie voort te bring;

“geskrif” ook enige metode waarvolgens letters, syfers, tekens of simbole in sigbare vorm voorgestel of weer-gegee word;

“gevangenis” ’n gevangenis bedoel in artikel 20 (1) van die Wet op Gevangenis, 1959 (Wet 8 van 1959), met inbegrip van ’n polisie- of -opsluitplek;



"gathering" means any gathering, concourse or procession of any number of persons;

"Minister" means the Minister of Law and Order;

"officer" means any person in the service of the State, including a member of a security force;

"print" means to produce by printing, typing or by any other method of reproduction;

"prison" means a prison referred to in section 20 (1) of the Prisons Act, 1959 (Act 8 of 1959), including a police cell or lock-up;

"security force" means—

(a) the South African Police referred to in the definition of "the Force" in section 1 of the Police Act, 1958 (Act 7 of 1958);

(b) any part of the said South African Police of which the control, organisation and administration have been transferred to the government of a self-governing territory;

(c) any police force established by or under a law of a self-governing territory;

(d) the South African Defence Force referred to in section 5 of the Defence Act, 1957 (Act 44 of 1957); or

(e) the Prisons Service established by section 2 of the Prisons Act, 1959 (Act 8 of 1959),

and also any part of any such force or any combination of two or more of such forces or of parts of such forces;

"self-governing territory" means a territory declared under section 26 of the National States Constitution Act, 1971 (Act 21 of 1971), to be a self-governing territory within the Republic;

"writing" includes any mode of representing or reproducing letters, figures, signs or symbols in visible form.

#### Maintenance of order

2. (1) Whenever any member of a security force is of the opinion that the presence or conduct of any person or persons at any place in the Republic endangers or may endanger the safety of the public or the maintenance of public order, he shall in a loud voice in each of the official languages order such person or persons to proceed to a place indicated in the order, or to desist from such conduct, and shall warn such person or persons that force will be used if the order is not obeyed forthwith.

(2) If any such order is not obeyed forthwith, such member of a security force may apply or order the application of such force as he under the circumstances may deem necessary in order to ward off or prevent the suspected danger.

#### Arrest and detention of persons

3. (1) A member of a security force may, without warrant of arrest, arrest or cause to be arrested any person whose detention is, in the opinion of such member, necessary for the safety of the public or the maintenance of public order, or for the safety of that person himself, or for the termination of the state of emergency, and may, under a written order signed by any member of a security force, detain or cause to be detained any such person in custody in a prison.

(2) No person shall be detained in terms of subregulation (1) for a period exceeding 30 days from the date of his arrest, unless that period is extended by the Minister under subregulation (3).

"Kommissaris" die Kommissaris van die Suid-Afrikaanse Polisie, en by die toepassing van 'n bepaling van hierdie regulasies binne of ten opsigte van—

(a) 'n afdeling soos omskryf in artikel 1 van die Polisiewet, 1958 (Wet 7 van 1958), bedoelde Kommissaris of die Afdelingskommissaris wat kragtens daardie Wet vir daardie afdeling aangewys is; of

(b) 'n selfregerende gebied, bedoelde Kommissaris of die Kommissaris of ander offisier in bevel van die polisiemag van die regering van daardie selfregerende gebied;

"Minister" die Minister van Wet en Orde;

"selfregerende gebied" 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale Staat, 1971 (Wet 21 van 1971), tot 'n selfregerende gebied binne die Republiek verklaar is;

"veiligheidsmag"—

(a) die Suid-Afrikaanse Polisie bedoel in die omskrywing van "die Mag" in artikel 1 van die Polisiewet, 1958 (Wet 7 van 1958);

(b) enige deel van genoemde Suid-Afrikaanse Polisie waarvan die beheer, organisasie en administrasie aan die regering van 'n selfregerende gebied oorgeda is;

(c) 'n polisiemag by of kragtens 'n wet van 'n selfregerende gebied ingestel;

(d) die Suid-Afrikaanse Weermag bedoel in artikel 5 van die Verdedigingswet, 1957 (Wet 44 van 1957); of

(e) die Gevangenisdiens ingestel by artikel 2 van die Wet op Gevangenis, 1959 (Wet 8 van 1959),

en ook enige deel van so 'n mag of enige samestelling van twee of meer van sodanige magte of van dele van sodanige magte;

"Wet" die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953).

#### Handhawing van orde

2. (1) Wanneer 'n lid van 'n veiligheidsmag van oordeel is dat die aanwesigheid of gedrag van 'n persoon of persone by enige plek in die Republiek die veiligheid van die publiek of die handhawing van die openbare orde in gevaar mag stel, moet hy met luide stem in elkeen van die amptelike tale daardie persoon of persone bevel om na 'n plek in die bevel aangedui, te gaan of om daardie gedrag te staak, en moet hy daardie persoon of persone waarsku dat geweld aangewend sal word indien die bevel nie onmiddellik gehoorsaam word nie.

(2) Indien so 'n bevel nie onmiddellik gehoorsaam word nie, kan dié lid van 'n veiligheidsmag die geweld toepas, of die toepassing daarvan bevel, wat hy onder die omstandighede nodig ag, ten einde die vermeende gevaar af te weer of te voorkom.

#### Arres en aanhouding van persone

3. (1) 'n Lid van 'n veiligheidsmag kan enige persoon wie se aanhouding na die oordeel van daardie lid nodig is vir die veiligheid van die publiek of die handhawing van die openbare orde, of vir die veiligheid van daardie persoon self, of ter beëindiging van die noodtoestand, sonder lastbrief arresteer of laat arresteer, en kan so 'n persoon, by wyse van 'n skriftelike bevel deur enige lid van 'n veiligheidsmag onderteken, in bewaring in 'n gevangenis aanhou of laat aanhou.

(2) Geen persoon word ingevolge subregulasie (1) aangehou vir 'n tydperk van langer as 30 dae vanaf die datum van sy arrestasie, tensy daardie tydperk deur die Minister kragtens subregulasie (3) verleng word.

(3) The Minister may, without notice to any person and without hearing any person, by notice signed by him and addressed to the head of a prison, order that any person arrested and detained in terms of subregulation (1), be further detained in that prison for the period mentioned in the notice or for as long as these regulations remain in force.

(4) A written, printed, telegraphic or similar communication purporting to be from the Minister or any officer acting under his authority, stating that a notice has been issued under subregulation (3) in respect of a particular person, shall have the effect of the said notice: Provided that if any such written, printed, telegraphic or similar communication is used in lieu of the notice in question, the Minister or the said officer shall as soon as possible forward the notice to the head of the prison referred to in subregulation (3) where the person to whom the notice applies is to be detained under such notice.

(5) A person detained in a prison in terms of this regulation may, if the Minister or a commissioned officer, as defined in section 1 of the Police Act, 1958 (Act 7 of 1958), or the head of that prison, in writing so directs, be removed in custody from that prison for detention in any other prison, or for any other purposes mentioned in such direction.

(6) A member of a security force may, with a view to the safety of the public or the maintenance of public order or the termination of the state of emergency, interrogate any person arrested or who is detained in terms of this regulation.

(7) (a) The Minister of Justice may make rules to regulate the detention of persons in terms of this regulation, or relating to the treatment of such persons.

(b) In case of a conflict between any such rule and any provision of the Prisons Act, 1959 (Act 8 of 1959), or of a regulation or a Prisons Service Order made in terms of the said Act, or any official instruction, order or other act of or by the Commissioner of Prisons, the said rule shall apply.

(c) (i) Any person who contravenes or fails to comply with any rule made in terms of paragraph (a), shall be guilty of an offence.

(ii) The provisions of paragraph (a) of section 52, and of section 54, of the Prisons Act, 1959 (Act 8 of 1959), with reference to an offence, and a contravention of or failure to comply with a regulation referred to therein, respectively, shall *mutatis mutandis* apply with respect to an offence referred to in subparagraph (i).

(8) No person, other than the Minister or a person acting by virtue of his office in the service of the State or of the Government of a self-governing territory—

(a) shall have access to any person detained in terms of this regulation except with the consent of and subject to such conditions as may be determined by the Minister or a person authorized thereto by him; or

(b) shall be entitled to any official information relating to such person, or to any other information of whatever nature obtained from or in respect of such person.

(9) (a) The Minister may, subject to paragraph (b), at any time by notice signed by him, order that a person who is detained in terms of this regulation be released from detention.

(3) Die Minister kan, sonder kennisgewing aan enige iemand en sonder om enige iemand aan te hoor, by wyse van 'n kennisgewing deur hom onderteken en gerig aan die hoof van 'n gevangenis, gelas dat 'n persoon wat ingevolge subregulasie (1) gearresteer is en aangehou word, verder in daardie gevangenis aangehou word vir die tydperk in die kennisgewing vermeld of vir solank hierdie regulasies van krag bly.

(4) 'n Geskrewe, gedrukte, telegrafiese of dergelyke mededeling wat van die Minister of 'n beamepte wat op sy gesag handel, afkomsig heet te wees en waarin gemeeld word dat 'n kennisgewing ten opsigte van 'n bepaalde persoon kragtens subregulasie (3) uitgereik is, het die uitwerking van bedoelde kennisgewing. Met dien verstande dat indien so 'n geskrewe, gedrukte, telegrafiese of dergelyke mededeling in plaas van die betrokke kennisgewing gebruik word, die Minister of bedoelde beamepte die kennisgewing so spoedig doenlik moet stuur aan die in subregulasie (3) bedoelde hoof van die gevangenis waar die persoon op wie die kennisgewing van toepassing is, kragtens die kennisgewing aangehou moet word.

(5) 'n Persoon wat ingevolge hierdie regulasie in 'n gevangenis aangehou word, kan, indien die Minister of 'n offisier, soos omskryf in die Polisiewet, 1958 (Wet 7 van 1958), of die hoof van daardie gevangenis, skriftelik aldus gelas, uit daardie gevangenis in hegteis verwyder word vir aanhouding in enige ander gevangenis, of vir enige ander doeleindes in sodanige lasgewing verniel.

(6) 'n Lid van 'n veiligheidsmag kan enige persoon wat ingevolge hierdie regulasie gearresteer is of aangehou word, met die oog op die veiligheid van die publiek of die handhawing van die openbare orde of die beëindiging van die noodtoestand, ondervat.

(7) (a) Die Minister van Justisie kan reëls uitvaardig om die aanhouding van persone kragtens hierdie regulasie te reël, of betreffende die behandeling van sodanige persone.

(b) In die geval van 'n botsing tussen so 'n reël en 'n bepaling van die Wet op Gevangenis, 1959 (Wet 8 van 1959), of van 'n regulasie of 'n Gevangenisdiensorder kragtens genoemde Wet uitgevaardig, of enige amptelike opdrag, bevel of ander handeling van of deur die Kommissaris van Gevangenis, geld genoemde reël.

(c) (i) Iemand wat 'n reël kragtens paragraaf (a) uitgevaardig, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(ii) Die bepalings van paragraaf (a) van artikel 52, en van artikel 54, van die Wet op Gevangenis, 1959 (Wet 8 van 1959), met betrekking tot onderskeidelik 'n misdryf, en 'n oortreding van of 'n versuim om aan 'n regulasie daarin bedoel te voldoen, is *mutatis mutandis* van toepassing ten opsigte van 'n misdryf in subparagraaf (i) bedoel.

(8) Niemand, behalwe die Minister of iemand wat uit hoofde van sy betrekking in diens van die Staat of van die Regering van 'n selfregerende gebied optree—

(a) het toegang tot 'n persoon wat ingevolge hierdie regulasie aangehou word nie, behalwe met die toestemming van en op die voorwaardes bepaal deur die Minister of iemand deur hom daartoe gemagtig; of

(b) is op enige amptelike inligting met betrekking tot so 'n persoon, of op enige ander inligting van welke aard ook al verkry van of ten opsigte van so 'n persoon, geregtig nie.

(9) (a) Die Minister kan, behoudens paragraaf (b), te eniger tyd by wyse van 'n kennisgewing deur hom onderteken, gelas dat 'n persoon wat ingevolge hierdie regulasie aangehou word, uit aanhouding vrygelaat word.



(b) The Minister may if he deems it necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, and without prior notice to any person and without hearing any person—

- (i) subject the release under paragraph (a) of a person to such conditions as may be specified in a notice signed by him and addressed to that person;
- (ii) at any time after the release of such a person, by further notice signed by him and addressed to such person, revoke or amend any condition imposed under subparagraph (i) or impose any new condition as may be specified in such notice.
- (c) A condition imposed under paragraph (b) shall be of force for such period as may be specified in the relevant notice or, if no period has been so specified, for as long as these regulations remain in force.

#### Threats of harm, hurt or loss

4. Any person who directly or indirectly—
  - (a) verbally or by any other act threatens to inflict upon any other person, or upon any of such person's relatives or dependants, any harm, hurt or loss, whether to his or their person or property or in any other way; or
  - (b) prepare, compiles, prints, publishes, transmits, possesses or disseminates, or assists in the preparation, compilation, printing, publication, transmission or dissemination of any writing which threatens the infliction upon any other person, or upon any of such person's relatives or dependants of any harm, hurt or loss, whether to his or their person or property or in any other way,
 shall be guilty of an offence.

#### Power of entry, search and seizure

5. (1) A member of a security force may in the performance of his functions in terms of these regulations at any time without a warrant enter any premises or building and there take such steps as such member may deem necessary for the safety of the public or the maintenance of public order, or for the termination of the state of emergency.
- (2) A member of a security force may at any time without warrant search any person, building, premises or place, or any vehicle, vessel, aircraft or receptacle and may during such search seize—
  - (a) any vehicle, vessel, aircraft, receptacle, object or article which is concerned or intended to be used, or believed to be concerned or intended to be used in the commission or suspected commission of an offence, or which can be used in public disturbance, disorder, riot or public violence; or
  - (b) any object or article which may afford evidence of the commission or suspected commission of an offence, and that member of a security force shall deal with anything seized by him under this subregulation in accordance with directions issued from time to time, either generally or with reference to any particular case, by the Minister.
- (3) The provisions of sections 27 and 29 of the Criminal Procedure Act, 1977 (Act 51 of 1977), with reference to the search or entry of premises and the search of persons by a police official, shall apply *mutatis mutandis* to any search or entry under this regulation by a member of a security force.

(b) Die Minister kan indien hy dit nodig ag vir die veiligheid van die publiek, die handhawing van die openbare orde of die beëindiging van die noodtoestand, en sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor—

- (i) die vrylating kragtens paragraaf (a) van 'n persoon onderworpe stel aan voorwaardes vermeld in 'n kennisgewing deur hom onderteken en gerig aan daardie persoon;
- (ii) te eniger tyd na die vrylating van so 'n persoon, by 'n verdere kennisgewing deur hom onderteken en gerig aan daardie persoon, 'n voorwaarde kragtens subparagraaf (i) opgeleë, intrek of wysig of 'n nuwe voorwaarde opne na gelang in die kennisgewing vermeld word.
- (c) 'n Voorwaarde kragtens paragraaf (b) opgeleë, is van krag vir die tydperk wat in die betrokke kennisgewing vermeld mag word of, indien geen tydperk aldus vermeld word nie, vir solank hierdie regulasies van krag bly.

#### Dreigemente van skade, letsel of verlies

4. Iemand wat regstreeks of onregstreeks—
  - (a) mondelings of deur enige ander handeling dreig om 'n ander persoon, of enige van so 'n persoon se familie, betrekkinge of afhanklikes, skade, letsel of verlies toe te bring, heis by aan sy of hulle persoon of eiendom of op enige ander wyse; of
  - (b) enige geskryf wat die toediening van enige skade, letsel of verlies aan 'n ander persoon of enige van so 'n persoon se familiebetrekkinge of afhanklikes betref, heis by aan sy of hulle persoon of eiendom of op enige ander wyse, voorberei, saamstel, druk, uitgee, versend, besit of versprei, of wat by die voorbereiding, samestelling, druk, uitgee, versending of verspreiding daarvan hulp verleen,
 is aan 'n misdryf skuldig.

#### Reg van betreding, visentering en beslaglegging

5. (1) 'n Lid van 'n veiligheidsmag kan by die verrigting van sy werksaamhede ingevolge hierdie regulasies te eniger tyd enige perseel of gebou sonder lasbrief betree en die stappe daar doen wat sodanige lid nodig ag vir die veiligheid van die publiek of die handhawing van die openbare orde, of ter beëindiging van die noodtoestand.
- (2) 'n Lid van 'n veiligheidsmag kan te eniger tyd sonder 'n lasbrief enige persoon, gebou, perseel of plek, of enige voertuig, vaartuig, lugvaartuig of houet visenteer en tydens sodanige visentering beslag lê op—
  - (a) enige voertuig, vaartuig, lugvaartuig, houet, voorwerp of artikel wat betrokke is of besiem is om gebruik te word, of vermoed word betrokke te wies of besiem te wies om gebruik te word, by die pleging of vermeende pleging van 'n misdryf, of wat gebruik kan word by openbare rusverstoring, wanordelikeid, oproer of openbare geweldpleging; of
  - (b) enige voorwerp of artikel wat tot bewys van die pleging of vermeende pleging van 'n misdryf kan strek, en daardie lid van 'n veiligheidsmag moet met enigiens waarop hy kragtens hierdie subregulasie beslag gelê het, handel ooreenkomstig opdragte wat van tyd tot tyd, in die algemeen of met verwysing na 'n bepaalde geval, deur die Minister uitgereik word.
- (3) Die bepalings van artikel 27 en 29 van die Strafbroeswet, 1977 (Wet 51 van 1977), met betrekking tot die deursoeking of betreding van persele en die deursoeking van persone deur 'n polisiebeampte, is *mutatis mutandis* van toepassing op enige visentering of betreding kragtens hierdie regulasie deur 'n lid van 'n veiligheidsmag.

#### Request for name and address of a person

6. A member of a security force may in the exercise of any power or the carrying out of any duty conferred or imposed by, under or pursuant to these regulations, request any person to furnish such member with his full name and address.

#### Orders

7. (1) The Commissioner may for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, and without prior notice to any person and without hearing any person, issue orders not inconsistent with these regulations—

- (a) relating to—
  - (i) the demarcation of areas;
  - (ii) the closing off of any particular area or part of such area in order to control entry to or departure from such area or part thereof;
  - (iii) the control of entry to or departure from any particular area or part of such area;
  - (iv) the control of traffic;
  - (v) the temporary closing of any public or private place or any business undertaking or industrial undertaking; or
  - (vi) the control of essential services and the security and safety of any installation and works connected therewith;
- (b) whereby any person is prohibited, or is prohibited without the consent of the Commissioner, from—
  - (i) bringing into any particular area any object or article specified in the order or being in possession thereof in such an area;
  - (ii) performing any act or carrying on any activity specified in the order in any particular area;
  - (iii) being outside the boundaries of any particular area at any time;
  - (iv) being outside the boundaries of his residential premises in any particular area at any time;
  - (v) putting in motion or driving or being in or upon any vehicle that is in motion in any particular area, at any time; or
  - (vi) entering any particular area or part thereof if he is not normally resident in that area or part thereof;
- (c) whereby any particular gathering, or any gathering of a particular nature, class or kind, is prohibited at any place or in any area specified in the order;
- (d) (i) prohibiting the holding of any particular gathering, or any gathering of a particular nature, class or kind, in any area specified in the order otherwise than in accordance with conditions likewise specified, which conditions may include conditions requiring the Commissioner's prior approval for the time, date and place of the gathering, prescribing the hours of the day or the days of the week during which the gathering may or may not take place, limiting the number of persons who may attend the gathering and prohibiting persons not belonging to a specified category of persons from making speeches at the gathering;

#### Versoek om naam en adres van 'n persoon

6. 'n Lid van 'n veiligheidsmag kan by die uitoefening van enige bevoegdheid of die uitvoering van enige plig deur, kragtens of uit hoofde van hierdie regulasies verleen of opgeleë, enige persoon versoek om sy volle naam en adres aan sodanige lid te verstrek.

#### Bevele

7. (1) Die Kommissaris kan vir die doel van veiligheid van die publiek, die handhawing van die openbare orde of die beëindiging van die noodtoestand, sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor, bevele wat nie met hierdie regulasies onbestaanbaar is nie, uitreik—

- (a) met betrekking tot—
  - (i) die afsluiting van gebiede;
  - (ii) die afsluiting van 'n bepaalde gebied of deel van so 'n gebied ten einde toegang tot of vertrek uit so 'n gebied of deel daarvan te beheer;
  - (iii) die beheer van toegang tot of vertrek uit 'n bepaalde gebied of deel van so 'n gebied;
  - (iv) die beheer van verkeer;
  - (v) die tydelike sluiting van enige openbare of private plek of enige besigheids- of nywerheidsonderneming; of
  - (vi) die beheer van noodsaaklike dienste en die bewaaring en veiligheid van enige installasies en werke wat daarmee in verband staan;
- (b) whereby enige persoon verbied word om, of verbied word om sonder die toestemming van die Kommissaris—
  - (i) enige voorwerp of artikel in die bevel genoem in 'n bepaalde gebied in te bring of in so 'n gebied in besit daarvan te wies;
  - (ii) enige handeling of 'n bedrywigheid in die bevel genoem in 'n bepaalde gebied te verrig of te beoefen;
  - (iii) te eniger tyd buite die grense van 'n bepaalde gebied te wies;
  - (iv) te eniger tyd buite die grense van sy woonperseel in 'n bepaalde gebied te wies;
  - (v) te eniger tyd in 'n bepaalde gebied 'n voertuig in beweging te bring of te bestuur of in of op 'n bewegende voertuig te wies; of
  - (vi) 'n bepaalde gebied of deel daarvan binne te gaan indien hy nie sy gewone verblyfplek in daardie gebied of deel daarvan het nie;
- (c) whereby 'n bepaalde byeenkoms, of enige byeenkoms van 'n bepaalde aard, klas of soort, op 'n plek of in 'n gebied in die bevel vermeld, verbied word;
- (d) (i) wat verbied dat 'n bepaalde byeenkoms, of enige byeenkoms van 'n bepaalde aard, klas of soort, in 'n gebied in die bevel vermeld, gehou word behalwe ooreenkomstig voorwaardes ingelyks vermeld, watter voorwaardes voorwaardes kan insluit wat die Kommissaris se voorafverkeë goedkeuring vir die tyd, datum en plek van die byeenkoms vereis, wat die ure van die dag of die dae van die week voorskryf waarby die byeenkoms mag plaasvind of nie mag plaasvind nie, wat 'n beperkende plaas op die geel persone wat die byeenkoms mag bywoon en wat 'n verbod plaas op persone wat nie tot 'n vermeldde kategorie persone behoort nie om toesprake by die byeenkoms te hou;



- (ii) prohibiting persons from committing at a gathering referred to in subparagraph (i) any acts specified in the order, or from attending, or from remaining present at, a gathering in respect of which a condition specified in the order has not been or is not being complied with;
- (iii) requiring, in the case of a gathering which takes the form of a procession or a funeral procession, that the procession or funeral procession shall not proceed along any route other than the route determined by the Commissioner or that the persons forming the procession or funeral procession shall proceed in vehicles only.
- (2) An order issued under subregulation (1)—
- (a) may be of force generally or relate to any person mentioned in the order, or to any category of persons mentioned in the order, or to any person or persons not belonging to a particular category mentioned in the order; and
- (b) shall be of force during a period mentioned in the order or, if no period is so mentioned, until the order is withdrawn or until the declaration that a state of emergency exists in the Republic is withdrawn or expires, whichever occurs first.
- (3) A member of a security force may, without prior notice to any person and without hearing any person, order any person present in a particular area and who is not normally resident therein, to leave that area, if that member deems it necessary for the safety of the public or the maintenance of public order, or for the safety of that person, or for the termination of the state of emergency, and if the said person fails to leave that area forthwith, the member concerned may arrest such person or cause him to be arrested and may remove him from that area or cause him to be so removed.
- (4) In any proceedings before a court of law in which it is relevant whether or not the Commissioner has issued a particular order, a copy of the order certified under the Commissioner's hand shall be accepted as conclusive proof of the issuing and contents of the order concerned.
- Promulgation of orders**
8. Any order issued under regulation 7 shall be promulgated by—
- (a) publication of the order by notice in the *Government Gazette* or, where applicable, the *Official Gazette* of a self-governing territory;
- (b) publication of the order in a newspaper circulating in the area in respect of which the order applies;
- (c) making the order known by means of radio or television;
- (d) distribution of the order in writing amongst members of the public and by affixing it upon public buildings or prominent public places in the area concerned;
- (e) where it is directed to a particular person, handing the order or causing it to be handed in a written form to that person; or
- (f) oral announcement to any particular person, or to members of the public in general, in the area concerned in a manner deemed fit by the Commissioner whenever, due to the urgency thereof or for any other reason whatsoever, it can, in the opinion of the Commissioner not be published, made known, distributed or announced in accordance with the provisions of paragraph (a), (b), (c), (d) or (e).

- (ii) wat persone verbied om handelinge in die bevel vermeld by 'n byeenkoms in subparagraaf (i) bedoel, te verrig of om so 'n byeenkoms ten opsigte waarvan 'n voorwaarde in die bevel vermeld nie aan voldoen is of word nie, by te woon of daarty aanwesig te bly;
- (iii) wat, in die geval van so 'n byeenkoms wat die vorm van 'n optog of begrafnisstoet aanneem, vereis dat die optog of begrafnisstoet nie langs 'n ander roete mag beweeg as die roete deur die Kommissaris bepaal nie of dat die persone wat die optog of begrafnisstoet uitmaak slegs in voertuie mag beweeg.
- (2) 'n Bevel kragtens subregulasie (1) uitgereik—
- (a) kan algemeen van krag wees of betrekking hê op 'n persoon in die bevel genoem, of op enige kategorie persone in die bevel genoem, of op enige persoon of persone wat nie tot 'n bepaalde kategorie in die bevel genoem, behoort nie; en
- (b) is van krag gedurende 'n tydperk in die bevel genoem of, indien 'n tydperk nie aldus genoem word nie, totdat die bevel ingetrek word of totdat die verklaring dat 'n noodtoestand in die Republiek bestaan, ingetrek word of verval, wat ook al die eerste gebeur.
- (3) 'n Lid van 'n veiligheidsmag kan, sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hou, enige persoon wat hom in 'n bepaalde gebied bevind en wat nie sy gewone verblyfplek daar het nie, beveel om daardie gebied te verlaat, indien daardie lid dit nodig ag vir die veiligheid van die publiek of die handhawing van die openbare orde, of vir die veiligheid van daardie persoon self of vir die beëindiging van die noodtoestand, en indien bedoelde persoon versum om daardie gebied onverwyld te verlaat, kan die betrokke lid sodanige persoon arresteer of laat arresteer en uit daardie gebied verwyder of aldus laat verwyder.
- (4) By enige geding voor 'n geregtshof waarby dit ter sake is of die Kommissaris 'n bepaalde bevel uitgevaardig het, al dan nie, word 'n afskrif van die bevel, onder die Kommissaris se handtekening gewaarmaak, as afdoende bewys van die uitvaardiging en inhoud van die betrokke bevel aanvaar.
- Aankondiging van bevel**
8. Enige bevel kragtens regulasie 7 uitgereik, word afgekondig deur daardie bevel—
- (a) by kennisgewing in die *Staatskoerant* of, waar van toepassing, die *Amptelike Koerant* van 'n selfregerende gebied te publiseer;
- (b) in 'n koerant te publiseer wat in omloop is in die gebied ten opsigte waarvan die bevel van toepassing is;
- (c) deur middel van radio of televisie bekend te maak;
- (d) in die betrokke gebied in 'n skriftelike vorm tussen lede van die publiek te versprei en op openbare geboue of op opvallende openbare plekke in die gebied aan te bring;
- (e) waar dit aan 'n bepaalde persoon gerig is, in 'n skriftelike vorm aan daardie persoon te oortruig of te laat oortruig; of
- (f) deur mondelinge aankondiging aan 'n bepaalde persoon, of aan lede van die publiek in die algemeen, in die betrokke gebied bekend te maak op 'n wyse wat die Kommissaris dienlik ag, wanneer dit, na die oordeel van die Kommissaris vanweë die dringendheid daarvan om enige ander rede ookal, nie ooreenkomstig die bepaling van paragraaf (a), (b), (c), (d) of (e) gepubliseer, bekend gemaak, versprei of afgekondig kan word nie.

## Offences

9. Any person who—
- (a) contravenes or fails to comply with any order, direction or request under a provision of these regulations; or
- (b) contravenes or fails to comply with any condition imposed in respect of him under regulation 3 (9);
- (c) hinders any other person in the carrying out of any duty or the exercise of any power or the performance of any function imposed or conferred by, under or pursuant to any provision of these regulations;
- (d) destroys, defaces or falsifies any notice or other writing issued or purporting to have been issued under these regulations; or
- (e) without the written consent of the Minister or a commissioned officer as defined in section 1 of the Police Act, 1958 (Act 7 of 1958), in any manner discloses the name or identity of any person arrested in terms of these regulations, or who is detained, unless the Minister or a commissioned officer, as so defined, has already disclosed the name or identity of that person, shall be guilty of an offence.

## Penalties

10. Any person convicted of an offence under these regulations, except regulation 3 (7) (c) (i), shall be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding ten years or to such imprisonment without the option of a fine, and the court convicting him may declare any goods, property or instrument by means of which or in connection with which the offence has been committed, to be forfeited to the State.

## Direction of attorney-general required for prosecution

11. No prosecution for an offence under these regulations, except regulation 3 (7) (c) (i), shall be instituted except by the express direction of an attorney-general.

## Limitation of liability

12. (1) No civil or criminal proceedings shall be instituted or continued in any court of law against—

- (a) the State or the Government of a self-governing territory;
- (b) the State President;
- (c) any member of the Cabinet of the Republic or the Cabinet of a self-governing territory;
- (d) any member of a security force;
- (e) any person in the service of the State or of the Government of a self-governing territory;
- (f) any person acting by direction or with the approval of any member or person referred to in the preceding paragraphs of this subregulation,

by reason of any act in good faith advised, commanded, ordered, directed or performed by any person in the carrying out of his duties or the exercise of his powers or the performance of his functions in terms of these regulations or any other regulations made under the Act, with intent to ensure the safety of the public, the maintenance of public order or the termination of the state of emergency or in order to deal with circumstances which have arisen or are likely to arise as a result of the said state of emergency.

- (2) (a) Whenever the court in which any proceedings have been instituted, is of the opinion that by virtue of subregulation (1) the proceedings may not be continued, the court shall make a finding to that effect.

## Misdrywe

9. Iemand wat—
- (a) 'n bevel, opdrag of versoek kragtens 'n bepaling van hierdie regulasies, oortree of versum om daaraan te voldoen;
- (b) 'n voorwaarde ten opsigte van hom kragtens regulasie 3 (9) opele, oortree of versum om daaraan te voldoen;
- (c) iemand anders in die uitvoering van enige plig of die uitoefening van enige bevoegdheid of die verrigting van enige werksaamheid deur, kragtens of uit hoofde van 'n bepaling van hierdie regulasies opele of verleen, belemmer;
- (d) 'n kennisgewing of ander geskrif wat kragtens hierdie regulasies uitgereik is of daarkragtens uitgereik heet te wees, vernietig, skend of vervals; of
- (e) sonder die skriftelike toestemming van die Minister of 'n offiser soos omskryf in artikel 1 van die Polisiewet, 1958 (Wet 7 van 1958), die naam of identiteit van enige persoon wat kragtens hierdie regulasies gearresteer is of aangehou word, op enige wyse bekend maak, tensy die Minister of 'n offiser, soos aldus omskryf, reeds die naam of identiteit van daardie persoon bekend gemaak het,

is aan 'n misdryf skuldig.

## Strafbepalings

10. Iemand wat skuldig bevind word aan misdryf kragtens hierdie regulasies, uitgesonderd regulasie 3 (7) (c) (i), is strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens tien jaar of, met daardie gevangenisstraf sonder die keuse van 'n boete, en die hof wat hom skuldig bevind kan enige goed, eiendom of instrument waarmee of in verband waarmee die misdryf gepleeg is, aan die Staat verbeurde verklaar.

## Opdrag van prokureur-generaal vereis vir vervolging

11. Geen vervolging weens 'n misdryf ingevolge hierdie regulasies, uitgesonderd regulasie 3 (7) (c) (i), word ingestel nie behalwe ingevolge die uitdruklike opdrag van 'n prokureur-generaal.

## Beperking van aanspreeklikheid

12. (1) Geen siviële of strafregtelike geding word in enige geregtshof ingestel of voortgesit nie teen—

- (a) die Staat of die Regering van 'n selfregerende gebied;
- (b) die Staatspresident;
- (c) 'n lid van die Kabinet van die Republiek of die Kabinet van 'n selfregerende gebied;
- (d) 'n lid van 'n veiligheidsmag;
- (e) iemand wat in diens van die Staat of van die Regering van 'n selfregerende gebied is; of
- (f) iemand wat op las of met die goedkeuring van 'n in die voorgaande paragrafe van hierdie subregulasie bedoelde lid of persoon handel,

op grond van 'n handeling wat deur iemand by die uitvoering van sy pligte of die uitoefening van sy bevoegdhede of die verrigting van sy werksaamhede ingevolge hierdie regulasies of enige ander regulasies uitgevaardig kragtens die Wet, te goeder trou aangerai, gebied, beveel, gelas of verrig is, met die bedoeling om die veiligheid van die publiek, die handhawing van die openbare orde of die beëindiging van die noodtoestand te verseker, of om met omstandighede te handel wat as gevolg van genoemde noodtoestand ontstaan het of waarskynlik sal ontstaan.

- (2) (a) Wanneer die hof waarin 'n geding ingestel is, van mening is dat die geding uit hoofde van subregulasie (1) nie voortgesit mag word nie, moet die hof 'n bevinding in diër voege maak.



(b) Whenever the court has made such a finding, such proceedings shall lapse and be deemed to be void.

(3) No interdict or other process shall issue for the staying or setting aside of any order, rule or notice made or issued under these regulations or any other regulations made under the Act or any condition determined thereunder, and no such order, rule, notice or condition shall be stayed on the grounds of an appeal against a conviction under these or such other regulations.

(4) If in any proceedings instituted against any member or person referred to in subregulation (1), or the State, or the Government of a self-governing territory, the question arises whether any act advised, commanded, ordered, directed or performed by any person was advised, commanded, ordered, directed or performed by him in good faith, it shall be presumed, until the contrary is proved, that such act was advised, commanded, ordered, directed or performed by him in good faith.

(5) The provisions of this regulation shall apply also in respect of any default by any person or member referred to in subregulation (1) in complying with any provision of any law in connection with advising, commanding, ordering, directing or doing any such act aforesaid.

(b) Wanneer die hof so 'n bevinding gemaak het, verval sodanige geding en word dit geag nietig te wees.

(3) Geen interdik of ander prosesstuk word uitgereik vir die opskorting of nietigverklaring van 'n bevel, reël of kennisgewing uitgereik of uitgevaardig kragtens hierdie regulasies of enige ander regulasies uitgevaardig kragtens die Wet of enige voorwaarde daarkragtens bepaal nie, en geen sodanige bevel, reël, kennisgewing of voorwaarde word op grond van 'n appèl teen 'n skuldigbevinding kragtens hierdie of sodanige ander regulasies opgeskort nie.

(4) Indien by 'n geding ingestel teen 'n in subregulasie (1) vermelde persoon of lid, of die Staat of die Regering van 'n selfregerende gebied, die vraag ontstaan of 'n handeling wat deur iemand aangeraai, gebied, beveel, gelas of verrig is, deur hom te goeder trou aangeraai, gebied, beveel, gelas of verrig is, word vermoed, totdat die teendeel bewys word, dat daardie handeling deur hom te goeder trou aangeraai, gebied, beveel, gelas of verrig is.

(5) Die bepalinge van hierdie regulasie is ook van toepassing ten aansien van enige versuim deur 'n in subregulasie (1) vermelde persoon of lid om in verband met die aanraai, gebied, beveel, gelas of verrig van 'n voormelde handeling 'n voorskrif van 'n wet na te kom.

CONTENTS			INHOUD		
No.		Page No. Gazette No.	No.		Bladsy No. Staatskoerant No.
PROCLAMATION			PROKLAMASIE		
R. 96	Public Safety Act (3/1953): Regulations.....	1 10771	R. 96	Wet op Openbare Veiligheid (3/1953): Regulasies.....	1 10771



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4094**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 264

PRETORIA, 11 JUNE 1987  
JUNIE

No. 10773

## PROCLAMATION

by the

*State President of the Republic of South Africa*  
No. R. 98, 1987

### REGULATIONS UNDER THE PUBLIC SAFETY ACT, 1953

By virtue of the powers vested in me by section 3 of the Public Safety Act, 1953 (Act 3 of 1953), I hereby make the regulations contained in the Schedule with effect from 11 June 1987.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Tenth day of June, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,  
State President.

By Order of the State President-in-Cabinet:

G. VAN N. VILJOEN,  
Minister of the Cabinet.

## SCHEDULE

### Definitions and application of regulations

1. (1) In these regulations, unless the context otherwise indicates—

“Director-General” means the Director-General: Education and Training;

“Education Act” means the Education and Training Act, 1979 (Act 90 of 1979);

“hostel” means a hostel attached to a school, and where in the Afrikaans text ‘koshuis’ is used as part of a compound word, it shall have a corresponding meaning in such word;

“pupil” includes a student at a college of education;

“school” means a public school as defined in the Education Act, and where in the Afrikaans text ‘skool’ is used as part of a compound word, it shall have a corresponding meaning in such word.

(2) No provision of the Education Act shall derogate from the validity of any provision of these regulations or of an order issued thereunder.

## PROKLAMASIE

van die

*Staatspresident van die Republiek van Suid-Afrika*  
No. R. 98, 1987

### REGULASIES KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by artikel 3 van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), vaardig ek hierby die regulasies vervat in die Bylae met ingang van 11 Junie 1987 uit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tiende dag van Junie Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,  
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

G. VAN N. VILJOEN,  
Minister van die Kabinet.

## BYLAE

### Woordomskrywing en toepassing van regulasies

1. (1) In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“Direkteur-generaal” die Direkteur-generaal: Onderwys en Opleiding;

“koshuis” ’n koshuis verbonde aan ’n skool, en waar dit as deel van ’n saamgestelde woord gebruik word, het dit in so ’n woord ’n ooreenstemmende betekenis;

“leerling” ook ’n student aan ’n onderwyskollege;

“Onderwyswet” die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979);

“skool” ’n openbare skool soos omskryf in die Onderwyswet, en waar dit as deel van ’n saamgestelde woord gebruik word, het dit in so ’n woord ’n ooreenstemmende betekenis.

(2) Geen bepaling van die Onderwyswet doen afbreuk aan die geldigheid van enige bepaling van hierdie regulasies of van ’n bevel daarkragtens uitgevaardig nie.



Orders

2. (1) The Director-General may, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, and without prior notice to any person and without hearing any person, issue orders—

- (a) whereby—
    - (i) the presence of a pupil on any school or hostel premises during such hours of the day as specified in the order or during weekends or public or school holidays;
    - (ii) the presence at any time of any other person on any school or hostel premises;
    - (iii) the participation by a pupil on any school or hostel premises in any activity specified in the order; or
    - (iv) the use of school property, facilities, equipment or accessories for a purpose or in connection with an activity specified in the order,is prohibited without authority of a person specified in the order or regulated or controlled in such other manner as may be so specified;
  - (b) prohibiting the presentation on any school or hostel premises of any course or syllabus other than a course or syllabus contemplated in section 35 of the Education Act;
  - (c) prohibiting a person who is not officially concerned in the functions or activities of a school from interfering with any such functions or activities;
  - (d) a person is prohibited from obstructing or disrupting any function or activity of a school;
  - (e) prohibiting the wearing, possession or displaying on any school or hostel premises of a uniform, part of a uniform, T-shirt or other article of clothing, case, flag, banner, pennant, poster or sticker or any other article on which—
    - (i) a slogan specified in the order, or depicting support for any organisation specified in the order or for any campaign, programme, project or action of such an organisation, appears; or
    - (ii) the badge, emblem, name or flag of any organisation specified in the order appears;
  - (f) prohibiting the distribution on any school or hostel premises of any notice, letter, book, pamphlet, poster, sticker, paper or any other writing dealing with, or containing any material on, a subject specified in the order; or
  - (g) regulating or controlling the movement or activities of pupils on any school or hostel premises.
- (2) An order under subregulation (1) shall, as may be indicated in the order, apply—
- (a) generally to all persons or to a person specified in the order or to all persons belonging to a category of persons so specified;
  - (b) generally in respect of all schools or in respect of a school specified in the order or in respect of all schools belonging to a category of schools so specified;
  - (c) generally or in an area specified in the order, and shall be of force for such period as may be specified in the order or, if no period is so specified, until the order is withdrawn or until the declaration that a state of emergency exists in the Republic is withdrawn or expires, whichever occurs first.

Bevele

2. (1) Die Direkteur-generaal kan, vir die doel van die veiligheid van die publiek, die handhawing van die openbare orde of die beëindiging van die noodtoestand, en sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor, bevele uitreik waarby—

- (a) (i) die aanwesigheid van 'n leerling op 'n skool- of kosnuspersoneel gedurende die ure van die dag in die bevel vermeld of gedurende naweke of openbare feesdae of skoolvakansiedae;
  - (ii) die aanwesigheid te enige tyd van 'n ander persoon op 'n skool- of kosnuspersoneel;
  - (iii) die deelname deur 'n leerling op 'n skool- of kosnuspersoneel aan 'n bedrywigheid in die bevel vermeld; of
  - (iv) die gebruik van skool-eiendom, -fasiliteite, -uitrusting of -toebehore vir 'n doel of in verband met 'n bedrywigheid in die bevel vermeld,
- sonder magtiging van 'n persoon in die bevel vermeld, verbied word of op 'n ander aldus vermeldde wyse gereuleer of beheer word;
- (b) die aanbieding op 'n skool- of kosnuspersoneel van 'n ander kursus of syllabus as 'n kursus of syllabus beoog in artikel 35 van die Onderwyswet, verbied word;
  - (c) 'n persoon wat nie amptelik betrokke is by die werksaamhede of bedrywigheid van 'n skool nie, verbied word om hom met sodanige werksaamhede of bedrywigheid te bemoei;
  - (d) 'n persoon verbied word om 'n werksaamheid of bedrywigheid van 'n skool te ontwyg of te betelener;
  - (e) die dra, besit of vertoning op 'n skool- of kosnuspersoneel van enige uniform, uniformstuk, T-hemp of ander kledingstuk, tas, vlag, banier, wimpel, aanplakbiljet, plakker of enige ander artikel verbied word waarop—
    - (i) 'n slagspreuk verskyn wat in die bevel vermeld word of wat ondersteuning aandui vir enige organisasie in die bevel vermeld of vir enige kampanje, program, projek of aksie van so 'n organisasie; of
    - (ii) die wapen, embleem, naam of vlag verskyn van 'n organisasie in die bevel vermeld;
  - (f) die verspreiding op 'n skool- of kosnuspersoneel van 'n kennisgewing, brief, boek, pamflet, aanplakbiljet, plakker, blad of ander geskryf wat handel of enige stof bevat oor 'n onderwerp in die bevel vermeld, verbied word; of
  - (g) die beweging of bedrywigheid van leerlinge op skool- of kosnuspersoneel gereuleer of beheer word.
- (2) 'n Bevel kragtens subregulasie (1) is, na gelang in die bevel aangedui, van toepassing—
- (a) in die algemeen op alle persone of op 'n persoon in die bevel vermeld of op alle persone wat behoort tot 'n kategorie persone aldus vermeld;
  - (b) in die algemeen ten opsigte van alle skole of ten opsigte van 'n skool in die bevel vermeld of ten opsigte van alle skole wat behoort tot 'n kategorie skole aldus vermeld;
  - (c) in die algemeen of in 'n gebied in die bevel vermeld, en is van krag vir die tydperk in die bevel vermeld of, indien 'n tydperk nie aldus vermeld word nie, totdat die bevel ingetrek word of totdat die verklaring dat 'n noodtoestand in die Republiek bestaan, ingetrek word of verval, wat ook al die eerste gebeur.

(3) If in any proceedings before a court of law a question arises as to—

- (a) the fact whether or not a particular order under regulation 2 has been issued, or
  - (b) the contents of a particular order,
- a document purporting to be a copy of such order and purporting to have been certified under the Director-General's hand shall be accepted as *prima facie* proof of the fact that the order was issued and of the contents of the order.

Notification of orders

3. (1) Any order issued under regulation 2 shall, subject to subregulation (2) of this regulation, be made known by—

- (a) publishing that order by notice in the *Gazette*;
  - (b) publishing that order in a newspaper circulating in the Republic or, if the order applies in a particular area only, in a newspaper circulating in that area;
  - (c) announcing that order by means of the radio or television; or
  - (d) delivering or tendering that order, if it applies to a particular person only, in written form to that person.
- (2) Whenever an order issued under regulation 2 cannot in the opinion of the Director-General due to the urgency thereof or for any other reason be published, announced, delivered or tendered in accordance with paragraph (a), (b), (c) or (d) of subregulation (1), such order may be made known, if it applies to a particular person or persons, by oral announcement to such person or persons.

Offences and penalties

4. Any person who contravenes or fails to comply with a provision of an order issued under regulation 2 shall be guilty of an offence and on conviction be liable to a fine not exceeding R4 000 or to imprisonment for a period not exceeding two years or to that imprisonment without the option of a fine, and the court convicting him may declare any goods, property or instrument by means of which or in connection with which the offence has been committed, to be forfeited to the State.

(3) Indien in enige verrigtinge voor 'n geregshof 'n vraag ontstaan betreffende—

- (a) die feit of 'n bepaalde bevel kragtens regulasie 2, uitgereik is of nie; of
  - (b) die inhoud van 'n bepaalde bevel,
- word 'n geskryf wat van 'n afskrif van so 'n bevel heet te wees en wat onder die Direkteur-generaal se handtekening gewaarmerk heet te wees as *prima facie*-bewys aanvaar van die feit dat die bevel uitgereik is en van die inhoud van die bevel.

Bekendmaking van bevele

3. (1) 'n Bevel kragtens regulasie 2 uitgereik, word bekend gemaak deur daardie bevel—

- (a) by kennisgewing in die *Staatskoerant* te publiseer;
  - (b) in 'n nuusblad wat in omloop is in die Republiek of, indien die bevel slegs in 'n bepaalde gebied van toepassing is, in 'n nuusblad wat in omloop is in daardie gebied, te publiseer;
  - (c) deur middel van die radio of televisie aan te kondig; of
  - (d) indien dit slegs op 'n bepaalde persoon van toepassing is, in 'n skriftelike vorm aan daardie persoon te oorhandig of aan te bied.
- (2) Wanneer 'n bevel kragtens regulasie 2 uitgereik, na die oordeel van die Direkteur-generaal vanweë die dringende aard daarvan of om enige rede nie oorteenkomstig die bepalinge van paragraaf (a), (b), (c) of (d) van subregulasie (1) gepubliseer, aangekondig, oorhandig of aangebied kan word nie, kan so 'n bevel bekend gemaak word, indien dit op 'n bepaalde persoon of persone van toepassing is, deur mondelinge aankondiging daarvan aan so 'n persoon of persone.

Misdrywe en straffe

4. 'n Persoon wat 'n bepaling van 'n bevel kragtens subregulasie 2 uitgereik, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R4 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar of met daardie gevangenisstraf sonder die keuse van 'n boete, en die hof wat hom skuldig bevind, kan enige goed, eiendom of instrument waarmee of in verband waarmee die misdryf gepleeg is, aan die Staat verbeurd verklaar.

Use it.



Don't abuse it.

water is for everybody

Werk mooi daarmee.



Ons leef daarvan.

water is kosbaar



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries **70c** Buitelands  
Post Free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4093**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 264

PRETORIA, 11 JUNE 1987  
JUNIE

No. 10772

## PROCLAMATION

by the

*State President of the Republic of South Africa*

No. R. 97, 1987

### REGULATIONS UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by section 3 of the Public Safety Act, 1953 (Act 3 of 1953), I hereby make the regulations contained in the Schedule with effect from 11 June 1987.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Tenth day of June, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,

State President.

By Order of the State President-in-Cabinet:

J. C. G. BOTHA,

Minister of the Cabinet.

## SCHEDULE

### Definitions

1. In these regulations unless the context otherwise indicates—

“Commissioner” means the Commissioner of the South African Police, and for the purposes of the application of a provision of these regulations in or in respect of—

(a) a division as defined in section 1 of the Police Act, 1958 (Act 7 of 1958), the said Commissioner or the Divisional Commissioner designated under that Act for that division; or

(b) a self-governing territory, the said Commissioner or the Commissioner or other officer in charge of the police force of the government of that self-governing territory;

“film recording” means any substance, film, magnetic tape or any other material on which the visual images (with or without any associated sound track) of a film as defined in section 47 of the Publications Act, 1974 (Act 42 of 1974), are recorded;

437—A

## PROKLAMASIE

van die

*Staatspresident van die Republiek van Suid-Afrika*

No. R. 97, 1987

### REGULASIES KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by artikel 3 van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), vaardig ek hierby die regulasies vervat in die Bylae met ingang van 11 Junie 1987 uit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tiende dag van Junie Eenduisend Negehoonderd Sewe-en-tagtig.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. C. G. BOTHA,

Minister van die Kabinet.

## BYLAE

### Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“beperkte byeenkoms” enige byeenkoms ten opsigte waarvan 'n voorwaarde kragtens artikel 46 (1) (ii) van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), bepaal is of ten opsigte waarvan 'n voorwaarde, verbod of vereiste kragtens regulasie 7 (1) (d) van die Veiligheidsregulasies opgelê of van krag is;

“byeenkoms” enige byeenkoms, toeloop of optog van enige getal persone;

“firma” ook 'n Staatsbeheerde of -gefinansierde of ander openbare onderneming;

“klankopname” 'n skyf, kasset, band, geperforeerde rol of ander uitvindsel waarin of waarop klanke op so 'n wyse vasgelê word dat dit daarvan voortgebring kan word;

10772—1



- "firm" includes a State controlled or financed or other public undertaking;
- "gathering" means any gathering, concourse or procession of any number of persons;
- "local authority" means—
- any institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961);
  - a local authority as defined in section 1 of the Black Local Authorities Act, 1982 (Act 102 of 1982);
  - a regional services council established under the Regional Services Councils Act, 1985 (Act 109 of 1985); or
  - a local government body established or deemed to be established under section 30 of the Black Administration Act, 1927 (Act 38 of 1927);
- "Minister" means the Minister of Home Affairs;
- "periodical" means a publication issued either at regular or irregular intervals;
- "previous security regulations" means the regulations which were published by Proclamation R. 109 of 1986, as amended;
- "publication" means any newspaper, book, magazine, pamphlet, brochure, poster, hand-bill or part thereof or addendum thereto;
- "public place" includes—
- any premises occupied by the State, a local authority or an educational institution or the controlling body of an educational institution;
  - any premises or place to which members of the public ordinarily or at specific times have access, irrespective of whether or not the right of admission to such premises or place is reserved and whether or not payment for such admission is required;
- "publish", in relation to a publication, television recording, film recording or sound recording, means any act whereby the publication or the television, film or sound recording—
- is sold or leased, or is provided or made available free of charge, to a member of the public or is offered for sale, for hire or free of charge to such a member;
  - is sent through the post to a member of the public irrespective of whether or not that member has subscribed thereto; or
  - is taken personally or is sent by post or courier out of the Republic or is transmitted or sent from the Republic by whatever means of telecommunication, and further includes, in relation to—
- a publication, any act whereby such publication is posted up, exhibited, handed out or scattered at or in a public place or is displayed in such a way as to be visible from a public place;
  - a television or sound recording, any act whereby the television or sound recording—
- is shown or played at or in a public place or is shown or played in such a way as to be visible or audible from a public place; or
  - is broadcast in a way which enables a member of the public to receive it by means of a radio or television set;

- "Kommissaris" die Kommissaris van die Suid-Afrikaanse Polisie, en by die toepassing van 'n bepaling van hierdie regulasies binne of ten opsigte van—
- 'n afdeling soos omskryf in artikel 1 van die Polisiewet, 1958 (Wet 7 van 1958), bedoelde Kommissaris of die Afdelingskommissaris wat kragens daardie Wet vir daardie afdeling aangewys is; of
  - 'n selfregerende gebied, bedoelde Kommissaris of die Kommissaris of ander offisier in bevel van die polistiening van die regering van daardie selfregerende gebied;
- "Minister" die Minister van Binnelandse Sake;
- "ondermynde verklaring" 'n verklaring—
- waarin lede van die publiek aangehois of aangemoedig word of wat daarop bereken is om die uitwerking te hê om lede van die publiek aan te hêls of aan te moedig—
  - om deel te neem aan 'n bedrywigheid of om 'n daad te pleeg wat vernied word in paragraaf (a), (b) of (c) van die omskrywing van "oproerigheid";
  - om weerstand of verset te bied teen 'n lid van die Kabinet of 'n Ministeraad of 'n ander lid van die Regering of 'n beambte van die Republiek of 'n lid van die Kabinet van 'n selfregerende gebied of 'n beambte van 'n selfregerende gebied of 'n lid van 'n veiligheidsmag by die uitoefening of vertigting deur so 'n lid of beambte van 'n bevoegdheid of werksaamheid ingevolge 'n bepaling van 'n regulasie uitgevaardig kragens die Wet op Openbare Veiligheid, 1953, of van 'n wet ter reëling van die veiligheid van die publiek of die handhawing van die openbare orde;
  - om deel te neem aan 'n boikotaksie—
- teen 'n bepaalde firma of teen firmas van 'n bepaalde aard, klas of soort, deur of nie inkoop te doen by of ander sake te doen met of gebruik te maak van dienste gelewer deur daardie bepaalde firma of enige firmas van daardie bepaalde aard, klas of soort nie of slegs inkoop te doen by of ander sake te doen met of gebruik te maak van dienste gelewer deur ander firmas as daardie bepaalde firma of as firmas van daardie bepaalde aard, klas of soort;
  - teen 'n bepaalde produk of artikel of teen produkte of artikels van 'n bepaalde aard, klas of soort, deur nie daardie bepaalde produk of artikel of enige produkte of artikels van daardie bepaalde aard, klas of soort te koop nie; of
  - teen 'n bepaalde onderwysinrigting of onderwysinrigtings van 'n bepaalde aard, klas of soort, deur te weier om klasse by te woon of aan ander werksaamhede deel te neem by daardie bepaalde inrigting of enige inrigtings van daardie bepaalde aard, klas of soort;

- a film recording, any act whereby a film recording is shown at or in a public place or is shown in such a way as to be visible from a public place;
  - "restricted gathering" means any gathering in respect of which a condition has been determined under section 46 (1) (i) of the Internal Security Act, 1982 (Act 74 of 1982), or in respect of which a condition, prohibition or requirement has been imposed or is in force under regulation 7 (1) (d) of the Security Regulations;
- "security action" means any of the following actions by a security force or a member of a security force, namely—
- any action to terminate any unrest;
  - any action to protect life or property in consequence of any unrest;
  - any follow-up action after any unrest has been terminated or has ended;
  - any action taken under regulation 2 of the Security Regulations; or
  - any action whereby a person is arrested—
- on a charge for an offence under these regulations or any other regulations made under the Public Safety Act, 1953;
  - on a charge for an offence mentioned in the definition of "unrest" or committed in the course of any unrest or of any incident arising from unrest or connected therewith; or
  - under regulation 3 (1) of the Security Regulations;
- "security force" means—
- the South African Police referred to in the definition of "the Force" in section 1 of the Police Act, 1958 (Act 7 of 1958);
  - any part of the said South African Police of which the control, organisation and administration have been transferred to the government of a self-governing territory;
  - any police force established by or under a law of a self-governing territory;
  - the South African Defence Force referred to in section 5 of the Defence Act, 1957 (Act 44 of 1957);
  - the Prisons Service established by section 2 of the Prisons Act, 1959 (Act 8 of 1959); or
  - a police force under the control of a local authority,
- and also any part of any such force or any combination of two or more of such forces or of parts of such forces;
- "Security Regulations" means the regulations published by Proclamation R. 96 of 1987;
- "self-governing territory" means a territory declared under section 26 of the National States Constitution Act, 1971 (Act 21 of 1971), to be a self-governing territory within the Republic;
- om deel te neem aan 'n aksie van burgerlike ongehoorsaamheid—
  - deur te weier om te voldoen aan 'n bepaling van, of 'n voorskryf kragtens, die een of ander wet of deur so 'n bepaling of voorskryf te oortree; of
  - deur te weier om te voldoen aan 'n verpligting teenoor 'n plaaslike owerheid ten opsigte van huisuur of 'n munisipale diens;
  - om van die werk af weg te bly of in stryd met die voorskrifte van enige wet te staak of om so 'n wegbly-aksie of staking te ondersteun;
  - om 'n beperkte byeenkoms by te woon of om daaraan deel te neem;
  - om deel te neem aan enige bedrywighede van 'n organisasie wat 'n onwettige organisasie ingevolge die Wet op Binnelandse Veiligheid, 1982, is, of om by so 'n organisasie aan te sluit of dit te ondersteun, of om deel te neem aan enige van so 'n organisasie se kampanjes, projekte, programme of aksies van geweld of verset teen, of ondermyning van, die Staatsgesag of enige plaaslike owerheid, of van geweld teen, of intimidasie van, enige persone of persone wat tot 'n bepaalde kategorie van persone behoort, of om enige sodanige kampanjes, projekte, programme of aksies te ondersteun;
  - om by wyse van strukture wat plaaslike owerheidsstrukture hê te wees en op 'n onwettige wyse as sodanig optree, mag en gesag in bepaalde gebiede uit te oefen, of om sodanige strukture tot stand te bring, of om sodanige strukture te ondersteun, of om hulself aan die gesag van sodanige strukture te onderwerp, of om belangings wat versterking is aan plaaslike owerhede aan sodanige strukture te doen;
  - om by wyse van onwettige strukture, prosedures of metodes hê te wees, persone te vervolg, te verhoor of te straf, of om sodanige strukture, prosedures of metodes te ondersteun, of om hulself aan die gesag van sodanige strukture, prosedures of metodes te onderwerp; of
  - om 'n ander handelinge of versum te begaan wat deur die Kommissaris by kennisgewing in die Staatskoerant geïdentifiseer is as 'n handelinge of versum wat die uitwerking het om die veiligheid van die publiek of die handhawing van die openbare orde te bedreig of die beëindiging van die noodtoestand te vertraag; of
  - waardeur die stelsel van verpligte militêre diens in diskrediet gebring of ondermyn word;
- "oproerigheid"—
- enige byeenkoms in stryd met 'n bevel kragtens regulasie 7 (1) van die Veiligheidsregulasies of met 'n bepaling van 'n ander wet of met die een of ander verbod, lasgewing of ander voorskryf kragtens so 'n bepaling;



"sound recording" means any disc, cassette, tape, perforated roll or other device in or on which sounds are embodied so as to be capable of being reproduced therefrom;

"subversive statement" means a statement—

- (a) in which members of the public are incited or encouraged or which is calculated to have the effect of inciting or encouraging members of the public—
- (i) to take part in any activity or to commit any act mentioned in paragraph (a), (b) or (c) of the definition of "unrest";
- (ii) to resist or oppose any member of the Cabinet or a Minister's Council or any other member of the Government or any official of the Republic or any member of the Cabinet of a self-governing territory or any official of a self-governing territory or any member of a security force in the exercise or performance by any such member or official of a power or function in terms of a provision of a regulation made under the Public Safety Act, 1953, or of a law regulating the safety of the public or the maintenance of public order;
- (iii) to take part in a boycott action—
  - (aa) against any particular firm or against firms of any particular nature, class or kind, either by not making any purchases at or doing other business with or making use of services rendered by that particular firm or any firms of that particular nature, class or kind or by making purchases only at or doing other business only with or making use only of services rendered by firms other than that particular firm or other than firms of that particular nature, class or kind;
  - (bb) against any particular product or article or against products or articles of any particular nature, class or kind, by not purchasing that particular product or article or any products or articles of that particular nature, class or kind; or
  - (cc) against any particular educational institution or against educational institutions of any particular nature, class or kind, by refusing to attend classes or to participate in other activities at that particular institution or at any institutions of that particular nature, class or kind;
  - (iv) to take part in an act of civil disobedience—
    - (aa) by refusing to comply with a provision of, or requirement under, any law or by contravening any such provision or requirement; or
    - (bb) by refusing to comply with an obligation towards a local authority in respect of rent or a municipal service;
  - (v) to stay away from work or to strike in contravention of the provisions of any law, or to support any such stayaway action or strike;

(b) enige fisiese aanval op 'n veiligheidsmag of op 'n lid van 'n veiligheidsmag of op 'n lid van 'n plaaslike owerheid of op die huis of huisgesin van 'n lid van 'n veiligheidsmag of plaaslike owerheid deur 'n groep persone; of

(c) enige gedrag wat oproer, openbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daarsien;

"periodieke publikasie" 'n publikasie wat heers met gereelde of ongereelde tussenposes uitgegee word;

"plaaslike owerheid"—

- (a) 'n instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Provinsiale Bestuur, 1961 (Wet 32 van 1961);
  - (b) 'n plaaslike owerheid soos omskryf in artikel 1 van die Wet op Swart Plaaslike Owerhede, 1982 (Wet 102 van 1982);
  - (c) 'n streekdiensteraad ingestel kragtens die Wet op Streekdiensterade, 1985 (Wet 109 van 1985); of
  - (d) 'n plaaslike bestuursliggaam wat ingestel is of geag word ingestel te wees kragtens artikel 30 van die Swart Administrasie Wet, 1927 (Wet 38 van 1927);
- "publieke plek" ook—
- (a) 'n perseel wat deur die Staat, 'n plaaslike owerheid, 'n onderwysinstelling of die beheerliggaam van 'n onderwysinstelling geëskipeer word;
  - (b) 'n perseel of plek waartoe lede van die publiek gewoonlik of op bepaalde tye toegang het, ongeag of die reg van toegang tot so 'n perseel of plek voorbehou is of nie en of betaling vir sodanige toegang vereis word of nie;
- "publikasie" 'n koerant, boek, tydskrif, pamflet, brosjure, aanspreek- of strooibljef of deel daarvan of byvoegsel daarty;
- "publisier", met betrekking tot 'n publikasie, televisie-opname, rolprentopname of klankopname, enige handeling waardeur die publikasie of die televisie-, rolprent- of klankopname—
- (a) aan 'n lid van die publiek verkoop, verhuur of gratis verskaf of beskikbaar gestel word of aan so 'n lid te koop, te huur of gratis aangebied word;
  - (b) oor die pos aan 'n lid van die publiek versend word, heers daardie lid daarop ingeteken het of nie; of
  - (c) uit die Republiek persoonlik geneem of per pos of koerier versend word deur water telekommunikasie-middel ook al vanuit die Republiek oorgesend of gestuur word.
- en voorts, met betrekking tot—
- (i) 'n publikasie, ook enige handeling waardeur die publikasie op of in 'n publieke plek opgeplak, uitgestal, uitgedeel of uitgesprooi word of op so 'n wyse versprei word dat dit vanaf 'n publieke plek sigbaar is;
  - (ii) 'n televisie- of klankopname, ook enige handeling waardeur die televisie- of klankopname—
    - (aa) op of in 'n publieke plek vertoon of gespeel word of op so 'n wyse versprei word dat dit vanaf 'n publieke plek sigbaar of hoorbaar is; of
    - (bb) uitgesaai word op 'n wyse wat 'n lid van die publiek in staat stel om dit by wyse van 'n radio of televisiestel te ontvang;
  - (iii) 'n rolprentopname, ook enige handeling waardeur 'n rolprentopname op of in 'n publieke plek vertoon word of op so 'n wyse versprei word dat dit vanaf 'n publieke plek sigbaar is;

(vi) to attend or to take part in any restricted gathering;

(vii) to take part in any activities of or to join or to support an organization which is an unlawful organization in terms of the Internal Security Act, 1982, or to take part in, or to support, any of any such organization's campaigns, projects, programmes or actions of violence or resistance against, or subversion of, the authority of the State or any local authorities, or of violence against, or intimidation of, any persons or persons belonging to any particular category of persons;

(viii) to exert power and authority in specific areas by way of structures purporting to be structures of local government and acting as such in an unlawful manner, or to establish such structures, or to support such structures, or to subject themselves to the authority of such structures, or to make payments which are due to local authorities to such structures;

(ix) to prosecute, to try or to punish persons by way of unlawful structures, procedures or methods purporting to be judicial structures, procedures or methods, or to support such structures, procedures or methods, or to subject themselves to the authority of such structures, procedures or methods; or

(x) to commit any other act or omission identified by the Commissioner by notice in the Gazette as an act or omission which has the effect of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency; or

(b) by which the system of compulsory military service is discredited or undermined;

"television recording" means any cassette, tape or other device in or on which visual images (with or without an associated sound track) are embodied in such a way so as to be capable of being reproduced on a television set and, in so far as a film recording is capable of being used for television broadcasts, also a film recording;

"unrest" means—

- (a) any gathering in contravention of an order under regulation 7 (1) of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;
- (b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or
- (c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).

"rolprentopname" enige stof, film, magnetiese band of enige ander materiaal waarop die visuele beelde (met of sonder 'n gepaardgaande klankband) van 'n rolprent soos omskryf in artikel 47 van die Wet op Publikasies, 1974 (Wet 42 van 1974), vasgelê is;

"selfregerende gebied" 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale Staat, 1971 (Wet 21 van 1971), tot 'n selfregerende gebied binne die Republiek verklaar is;

"televisie-opname" 'n kasset, band of ander uitruisdele waarin of waarop visuele beelde (met of sonder 'n gepaardgaande klankband) op so 'n wyse vasgelê word dat dit op 'n televisiestel voorgebring kan word en, vir sover 'n rolprentopname vir televisie-uitsendings gebruik kan word, ook 'n rolprentopname;

"veiligheidsmag"—

- (a) die Suid-Afrikaanse Polisie bedoel in die omskrywing van "die Mag" in artikel 1 van die Polisiewet, 1958 (Wet 7 van 1958);
  - (b) enige deel van genoemde Suid-Afrikaanse Polisie waarvan die beheer, organisasie en administrasie aan die regering van 'n selfregerende gebied oorgeda is;
  - (c) 'n polisie-mag by of kragtens 'n wet van 'n selfregerende gebied ingestel;
  - (d) die Suid-Afrikaanse Weermag bedoel in artikel 5 van die Verdedigingswet, 1957 (Wet 44 van 1957);
  - (e) die Gevangenisdiens ingestel by artikel 2 van die Wet op Gevangenis, 1959 (Wet 8 van 1959); of
  - (f) 'n polisie-mag onder die beheer van 'n plaaslike owerheid.
- en ook enige deel van so 'n mag of enige samestelling van twee of meer van sodanige magte of van dele van sodanige magte;
- "veiligheidsoptrede" enige van die volgende optredes deur 'n veiligheidsmag of 'n lid van 'n veiligheidsmag, naamlik—
- (a) enige optrede ter beëindiging van enige oproerigheid;
  - (b) enige optrede ter beskerming van lewe of eiendom na aanleiding van enige oproerigheid;
  - (c) enige opvolgoptrede na beëindiging of afloop van enige oproerigheid;
  - (d) enige optrede kragtens regulasie 2 van die Veiligheidsteregulasies; of
  - (e) enige optrede waarby 'n persoon gearresteer word—
    - (i) op aanklag weens 'n misdryf ingevolge hiergevoerde regulasies of enige ander regulasies uitgevaardig kragtens die Wet op Openbare Veiligheid, 1953;
    - (ii) op aanklag weens 'n misdryf vermeld in die omskrywing van "oproerigheid" of wat gepleeg is in die loop van enige oproerigheid of van enige voorval wat uit oproerigheid voortvloeit of daarmee in verband staan; of
    - (iii) kragtens regulasie 3 (1) van die Veiligheidsregulasies;
- "Veiligheidsregulasies" die regulasies afgekondig by Proklamasie R. 96 van 1987;
- "vorige veiligheidsregulasies" die regulasies wat afgekondig was by Proklamasie R. 109 van 1986, soos gewysig.



**Presence of journalists etc., at unrest or security actions**

2. (1) Subject to subregulation (2) no journalist, news reporter, news commentator, news correspondent, newspaper or magazine photographer, operator of any television or other camera or of any television, sound, film or other recording equipment, person carrying or assisting in the conveyance or operation of such camera or equipment, or other person covering events for the purpose of gathering news material for the distribution or publication thereof in the Republic or elsewhere, shall, without the prior consent of the Commissioner or of any member of a security force who serves as a commissioned officer in that force, be on the scene of any unrest, restricted gathering or security action or at a place from where any unrest, restricted gathering or security action is within sight.

**(2) The provisions of subregulation (1) —**

- (a) shall not apply to any person mentioned therein who —
- (i) at the commencement of any unrest, restricted gathering or security action happens to be on the scene of that unrest, gathering or action or at a place from where that unrest, gathering or action is within sight; or
- (ii) after the commencement of any unrest, restricted gathering or security action happens to arrive on the scene of that unrest, gathering or action, or at a place from where that unrest, gathering or action is within sight, for a reason other than to cover that unrest, gathering or action for the gathering of news material,
- provided such a person immediately leaves the scene of that unrest, gathering or action or removes himself within such time as is reasonably required under the circumstances to a place where that unrest, gathering or action is out of sight;
- (b) shall not prevent a person mentioned therein from being in his residence or on the premises where he ordinarily works or on his way to or from his residence or any such premises.

**Publication control**

3. (1) Subject to subregulation (6) no person shall publish or cause to be published any publication, television recording, film recording or sound recording containing any news, comment or advertisement on or in connection with —
- (a) any security action, including any security action within the meaning of the regulations published by Proclamation R. 224 of 1986, as amended, which occurred during the period 11 December 1986 to 11 June 1987;
- (b) any deployment of a security force, or of vehicles, armaments, equipment or other appliances, for the purposes of security action;
- (c) any restricted gathering, in so far as such news, comment or advertisement discloses at any time before the gathering takes place the time, date, place and purpose of such gathering, or gives an account of any speech, statement or remark of any speaker who performed at the gathering in contravention of a condition, prohibition or requirement determined or imposed under a law mentioned in the definition of "restricted gathering";

**Aanwesigheid van joernaliste ens. by oproerigheid of veiligheidsoptreides**

2. (1) Behoudens subregulasie (2) mag geen joernalis, nuusverslaggewer, nuuskomentator, nuuskorrespondent, koerant- of tydskriftoegraaf, operateur van 'n televisie- of ander kamera of van enige televisie-, klank-, rolprent- of ander opnameoerusting, persoon wat so 'n kamera of toerusting dra of met die vervoer of aanwending daarvan behulpsaam is, of ander persoon wat gebeure dek met die doel om nuusmateriaal in te win vir die verspreiding of publikasie daarvan in die Republiek of elders, sonder die vooraf-verkeë toestemming van die Kommissaris of van 'n lid van 'n veiligheidsmag wat as 'n offisier in daardie mag dien, op die toneel van enige oproerigheid, beperkte byeenkoms of veiligheidsoprede of op 'n plek waarvandaan enige oproerigheid, beperkte byeenkoms of veiligheidsoprede binne sig is, wees nie.

**(2) Die bepalings van subregulasie (1) —**

- (a) is nie op 'n daarinvermelde persoon van toepassing nie wat —
- (i) by aanvang van enige oproerigheid, beperkte byeenkoms of veiligheidsoprede hom op die toneel van daardie oproerigheid, byeenkoms of oprede of op 'n plek waarvandaan daardie oproerigheid, byeenkoms of oprede binne sig is, aankom weens 'n ander rede as om daardie oproerigheid, byeenkoms of oprede vir die inwin van nuusmateriaal te dek,
- (ii) ná aanvang van enige oproerigheid, beperkte byeenkoms of veiligheidsoprede op die toneel van daardie oproerigheid, byeenkoms of oprede of op 'n plek waarvandaan daardie oproerigheid, byeenkoms of oprede binne sig is, omstandighede nodig is na 'n plek verwyder waar daardie oproerigheid, byeenkoms of oprede buite sig is;
- (b) betel nie 'n daarinvermelde persoon om in sy woning of op die perseel waar hy gewoonlik werk of op pad na of van sy woning of so 'n perseel te wees nie.

**Publikasiebeheer**

3. (1) Behoudens subregulasie (6) mag geen persoon enige publikasie, televisie-opname, rolprentopname of klankopname publiseer of laat publiseer nie wat enige nuus, kommentaar of advertensie bevat oor of in verband met —
- (a) enige veiligheidsoprede, met inbegrip van enige veiligheidsoprede ooreenkomsing die bedoeling van die regulasies wat afgekondig was by Proklamasie R. 224 van 1986, soos gewysig, wat gedurende die tydperk 11 Desember 1986 tot 11 Junie 1987 plaasgevind het;
- (b) enige ontplooiing van 'n veiligheidsmag, of van voertuie, wapenrig, toerusting of ander hulpmiddels, vir die doel van veiligheidsoprede;
- (c) enige beperkte byeenkoms, in soverre sodanige nuus, kommentaar of advertensie die tyd, datum, plek of doel van die byeenkoms te eniger tyd voordat die byeenkoms plaasvind, openbaar, of 'n reëlasse gee van 'n toespraak, verklaring of uitlating van enige spreker wat by die byeenkoms in syd met 'n voorwaarde, verbod of vereiste bepaal of opgeleë kragtens 'n wet vermeld in die omskrywing van "beperkte byeenkoms" opgetree het;

- (d) any action or boycott by members of the public which is an action or boycott referred to in paragraph (a) (iii), (iv) or (v) of the definition of "subversive statement", in so far as such news, comment or advertisement discloses particulars of the extent to which such action or boycott is successful or of the manner in which members of the public are intimidated, incited or encouraged to take part in or to support such action or boycott or gives an account of any incidents in connection with such intimidation, incitement or encouragement;

- (e) any structures referred to in paragraph (a) (viii) or (ix) of the definition of "subversive statement", in so far as such news, comment or advertisement discloses particulars of the manner in which members of the public are intimidated, incited or encouraged to support such structures or to subject themselves to the authority of such structures;

- (f) any speech, statement or remark of a person in respect of whom steps under a provision of Chapter 3 of the Internal Security Act, 1982, or a condition under regulation 3 (9) of the Security Regulations is in force, in so far as any such speech, statement or remark has the effect or is calculated to have the effect of threatening the safety of the public or the maintenance of the public order or of delaying the termination of the state of emergency;

- (g) the circumstances of, or treatment in, detention of a person who is or was detained under regulation 3 of the Security Regulations or who was detained under regulation 3 of the previous security regulations; or
- (h) the release of a person who is detained under the said regulation 3 of the Security Regulations.

- (2) No person shall publish or cause to be published any publication containing an advertisement on or in connection with an organization which is an unlawful organization in terms of the Internal Security Act, 1982, defending, praising or endeavouring to justify any of such organization's campaigns, projects, programmes, actions or policies of violence or resistance against, or of subversion of, the authority of the State or any local authorities, or of violence against, or of intimidation of, any persons or persons belonging to any particular category of persons.

- (3) (a) The Commissioner may, for the purpose of the safety of the public, the maintenance of public order or the termination of the state of emergency, and without prior notice to any person and without hearing any person, issue an order not inconsistent with a provision of these regulations, prohibiting any publication, television recording, film recording or sound recording containing any news, comment or advertisement on or in connection with any matter specified in the order to be published.

- (b) For the purposes of paragraph (a) the provisions of regulations 7 (2) and (4) and 8 of the Security Regulations shall *mutatis mutandis* apply.

- (4) Subject to subregulation (6) no person shall broadcast any news, comment or advertisement on or in connection with a matter specified in subregulation (1) live on any television or radio service.

- (5) No person shall publish or cause to be published any publication in which any blank space or any obliteration or deletion of part of the text of a report or of a photograph or part of a photograph appears if that blank space, obliteration or deletion, as may appear from an express statement or a

- (d) enige aksie of boikot deur lede van die publiek wat 'n aksie of boikot bedoel in paragraaf (a) (iii), (iv) of (v) van die omskrywing van "ondermynende verklaring", in soverre sodanige nuus, kommentaar of advertensie besonderde oopenbaar van die mate waarin die aksie of boikot suksesvol is of van die wyse waarop lede van die publiek geïntimideer, aangegels of aangemoedig word om aan die aksie of boikot deel te neem of dit te ondersteun of 'n reëlasse gee van enige voorvalle in verband met sodanige intimidasie, aanhysing of aangemoediging;

- (e) enige strukture bedoel in paragraaf (a) (viii) of (ix) van die omskrywing van "ondermynende verklaring", in soverre sodanige nuus, kommentaar of advertensie besonderde oopenbaar van die wyse waarop lede van die publiek geïntimideer, aangegels of aangemoedig word om sodanige strukture te ondersteun of hulself aan die gesag van sodanige strukture te onderwerp;

- (f) enige toespraak, verklaring of uitlating van 'n persoon teen opsigte van wie stappe kragtens 'n bepaling van Hoofstuk 3 van die Wet op Binnelandse Veiligheid, 1982, of 'n voorwaarde kragtens regulasie 3 (9) van die Veiligheidsregulasies van krag is, in soverre so 'n toespraak, verklaring of uitlating die uitwerking het of daarop beteken is om die uitwerking te hê om die veiligheid van die publiek of die handhawing van die oopenbare orde te bedreig of om die beëindiging van die noodtoestand te vertraag;

- (g) die omstandighede van, of behandeling in, aanhouding van 'n persoon wat kragtens regulasie 3 van die Veiligheidsregulasies aangehou word of is of wat kragtens regulasie 3 van die vorige veiligheidsregulasies aangehou is; of

- (h) die vrylating van 'n persoon wat kragtens genoemde regulasie 3 van die Veiligheidsregulasies aangehou word.

- (2) Geen persoon mag 'n publikasie publiseer of laat publiseer nie wat 'n advertensie bevat oor of in verband met 'n organisasie wat 'n onwettige organisasie ingevolge die Wet op Binnelandse Veiligheid, 1982, is en wat enige van so 'n organisasie se kampanjes, projekte, programme, aksies of beleid van geweld of verset teen, of van ondermyning van, die Staatsgesag of enige plaaslike owerheid, of van geweld teen, of van intimidasie van, enige persone of persone wat behoort tot 'n bepaalde kategorie van persone, verdedig, aanprys of probeer regverdig.

- (3) (a) Die Kommissaris kan, vir die doel van die veiligheid van die publiek, die handhawing van die oopenbare orde of die beëindiging van die noodtoestand, en sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor, 'n bevel, wat nie met 'n bepaling van hierdie regulasies onbestaanbaar is nie, uitreik wat verbied dat 'n publikasie, televisie-opname, rolprentopname of klankopname wat enige nuus, kommentaar of advertensie bevat oor of in verband met enige aangeleentheid in die bevel vermeld, gepubliseer word.

- (b) By die toepassing van paragraaf (a) is die bepalings van regulasies 7 (2) en (4) en 8 van die Veiligheidsregulasies *mutatis mutandis* van toepassing.

- (4) Behoudens subregulasie (6) mag geen persoon enige nuus, kommentaar of advertensie oor of in verband met 'n aangeleentheid in subregulasie (1) vermeld, regspraak oor 'n televisie- of radiodireksie uitsaai nie.

- (5) Geen persoon mag 'n publikasie publiseer of laat publiseer waarin 'n blanko spasie of enige uitwissing of deurtaling van 'n gedeelte van die teks van 'n beëindiging of 'n foto of gedeelte van 'n foto verskyn nie indert daardie blanko spasie, uitwissing of deurtaling, soos blyk uit 'n uitdruklike verklaring of 'n teken of simbool in daardie



sign or symbol in that publication or from the particular context in which that blank space, obliteration or deletion appears, is intended to be understood as a reference to the effect of a provision of these regulations.

(6) The provisions of this regulation shall not prevent—

(a) any person from publishing a publication or a television, film or sound recording containing any news, comment or advertisement on or in connection with any matter specified in subregulation (1) in so far as particulars of any such matter—

(i) are disclosed, announced or released, or authorized for publication, by a member of the Cabinet or of a Ministers' Council, a Deputy Minister or a spokesman of the Government;

(ii) appear from debates, documents or proceedings of Parliament or the President's Council; or

(iii) appear from judicial proceedings, excluding proceedings in which evidence was submitted or given either by way of affidavit or *viva voce* relating to the circumstances or manner of arrest or the circumstances of, or the treatment in, detention of a person who is or was detained under regulation 3 of the Security Regulations, or who was detained under regulation 3 of the previous security regulations, and in which the court concerned has not yet given a final judgment; or

(b) a *bona fide* library from lending to a member of the public in the normal course of its activities any publication containing any news, comment or advertisement on or in connection with any such matter.

(7) The Minister may make rules prescribing the procedure by which and the authority or person through whom any authorization referred to in subregulation (6) (a) (i) may be obtained.

(8) For the purposes of subregulations (4) and (6) a reference therein to a matter specified in subregulation (1) shall be construed as a reference also to a matter specified in an order under subregulation (3) (a).

#### *Taking of photographs, etc., of unrest or security actions*

4. (1) No person shall without the prior consent of the Commissioner or of a member of a security force serving as a commissioned officer in that force take any photograph or make or produce any television recording, film recording, drawing or other depiction—

(a) of any unrest or security action or of any incident occurring in the course thereof, including the damaging or destruction of property or the injuring or killing of persons; or

(b) of any damaged or destroyed property or injured or dead persons or other visible signs of violence on the scene where unrest or security action is taking or has taken place or of any injuries sustained by any person in or during unrest or security action.

(2) No person shall without the prior consent of the Commissioner or of a member of a security force serving as a commissioned officer in that force make any sound recording of any unrest or security action or of any incident occurring in the course thereof, including the damaging or destruction of property or the injuring or killing of persons.

(3) No person shall publish—

(a) any publication containing any photograph, drawing or other depiction; or

publikasie of uit die besondere samehang waarin daartoe blanke spasie, uitdowwing of deurtaling verskyn, bedoel is om verstaan te word as 'n verwysing na die uitwerking van 'n bepaling van hierdie regulasies.

(6) Die bepalings van hierdie regulasie belet nie—

(a) 'n persoon om 'n publikasie of 'n televisie-, rolprent- of klankopname wat enige nuus, kommentaar of advertensie bevat oor of in verband met 'n aangeleentheid in subregulasie (1) vermeld, te publiseer nie in soverre besonderhede van so 'n aangeleentheid—

(i) deur 'n lid van die Kabinet of van 'n Ministersraad, 'n Adjunk-minister of 'n woordvoerder van die Regering geopenbaar, aangekondig of vrygestel of vir publikasie gemagtig word;

(ii) blyk uit debatte, stukke of verrigtinge van die Parlement of die Presidentsraad; of

(iii) blyk uit geregtelike verrigtinge, uitgesonderd verrigtinge waarin getuïens hetsy by wyse van eedswerkking of *viva voce* voorgele of afgele is betreffende die omstandighede of wyse van arrestasie of die omstandighede van, of behandeling in, aanhouding van 'n persoon wat kragtens regulasie 3 van die Veiligheidsregulasies aangehou word of is, of wat kragtens regulasie 3 van die vorige veiligheidsregulasies aangehou is, en waarin die betrokke hof nog nie 'n finale uitspraak gegee het nie; of

(b) 'n *bona fide*-biblioteek om 'n publikasie wat enige nuus, kommentaar of advertensie oor of in verband met so 'n aangeleentheid bevat, aan 'n lid van die publiek in die gewone loop van sy werksaamhede uit te leen nie.

(7) Die Minister kan reëls uitvaardig wat die prosedure waartoe en die gesag of persoon deur bemiddeling van wie 'n magtiging bedoel in subregulasie (6) (a) (i) verkry kan word, voorskryf.

(8) By die toepassing van subregulasies (4) en (6) word 'n verwysing daarin na 'n aangeleentheid in subregulasie (1) vermeld, uitgele as 'n verwysing ook na 'n aangeleentheid wat in 'n bevel kragtens subregulasie (3) (a) vermeld word.

#### *Neem van foto's, ens. van oopreigtheid of veiligheidsop-tredes*

4. (1) Geen persoon mag sonder die voorafverkreë toestemming van die Kommissaris of van 'n lid van 'n veiligheidsmag wat as 'n offisier in daardie mag dien, enige foto neem of enige televisie-opname, rolprentopname, tekening of ander uitbeelding maak of vervaardig nie—

(a) van enige oopreigtheid of veiligheidsoprede of van enige voorval wat in die loop daarvan plaasvind, met inbegrip van die beskadiging of vernietiging van eiendom of die besering of doding van persone; of

(b) van enige beskadigde of vernietigde eiendom of beseringe of dooie persone of ander sigbare tekens van geweld op die toneel waar enige oopreigtheid of veiligheidsoprede plaasvind of plaasgevind het of van enige beserings deur enige persoon opgedoen in of tydens oopreigtheid of veiligheidsoprede.

(2) Geen persoon mag sonder die voorafverkreë toestemming van die Kommissaris of van 'n lid van 'n veiligheidsmag wat as 'n offisier in daardie mag dien, enige klankopname maak nie van enige oopreigtheid of veiligheidsoprede of van enige voorval wat in die loop daarvan plaasvind, met inbegrip van die beskadiging of vernietiging van eiendom of die besering of doding van persone.

(3) Geen persoon mag—

(a) 'n publikasie wat 'n foto, tekening of ander uitbeelding bevat; of

(b) any television, film or sound recording, taken, made or produced in contravention of a provision of subregulation (1) or (2) of this regulation or of a provision of a regulation made under the Public Safety Act, 1953 (Act 3 of 1953), which was of force at any time during the period 12 June 1986 to 11 June 1987.

#### *Making, publishing, etc., of subversive statements*

5. No person shall—

(a) whether orally or in writing make any subversive statement or cause such a statement to be made;

(b) produce a publication in which a subversive statement appears or cause such a publication to be produced;

(c) produce a television, film or sound recording in which a subversive statement is recorded or cause such a television, film or sound recording to be produced; or

(d) publish or import into the Republic a publication or a television, film or sound recording containing a subversive statement or cause such a publication or such a television, film or sound recording to be published or imported into the Republic.

#### *Seizure of certain publications or recordings*

6. (1) If a publication or a television, film or sound recording is produced, published or imported into the Republic in contravention of a provision of regulation 5 (b), (c) or (d) or 3 (1) or (2) or 4 (3), or of a provision of an order under regulation 3 (3), the Minister or the Commissioner may, without prior notice to any person and without hearing any person, issue an order under his hand ordering the seizure of that publication or television, film or sound recording.

(2) An order under subregulation (1), shall, unless otherwise specified in the order, be carried out in respect of all copies or reproductions of the publication or television, film or sound recording which have been so produced, published or imported into the Republic in contravention of the said provision.

(3) An order under subregulation (1) shall be carried out by a member of a security force in possession of a document being or purporting to be such an order or a copy or reproduction thereof, and any such member may for the purposes of such seizure—

(a) enter any vehicle or premises in or on which the publication of recording, or copy or reproduction thereof, to which the order relates, is or is suspected to be found; and

(b) in or on that vehicle or those premises do all such things as are reasonably necessary to carry out the order.

(4) A document referred to in subregulation (3) shall be produced to a person affected thereby, at his request.

(5) A publication or recording or any copies or reproductions thereof which have been seized under this regulation shall be dealt with in accordance with the direction issued by the Minister generally or with reference to a particular case.

(6) The provisions of this regulation may be applied irrespective of whether any person is prosecuted in consequence of the production, publication or importation of a publication or a television, film or sound recording in contravention of a provision referred to in subregulation (1).

#### *Prohibition of production, importation or publication of certain periodicals*

7. (1) If the Minister deems it necessary in the interest of the safety of the public, the maintenance of public order or the termination of the state of emergency, he may, subject to subregulation (2), issue an order by notice in the *Gazette*

(b) 'n televisie-, rolprent- of klankopname, wat gemeen of gemaak is in stryd met 'n bepaling van subregulasie (1) of (2) van hierdie regulasie of met 'n bepaling van 'n regulasie uitgevaardig kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), wat van krag was te eniger tyd gedurende die tydperk 12 Junie 1986 tot 11 Junie 1987, publiseer nie.

#### *Maak, publiserings, ens. van ondermynende verklaarings*

5. Geen persoon mag—

(a) 'n ondermynende verklaring hetsy mondeling of skriftelik maak of laat maak nie;

(b) 'n publikasie voortbring of laat voortbring waarin 'n ondermynende verklaring verskyn nie;

(c) 'n televisie-, rolprent- of klankopname maak of laat maak waarin 'n ondermynende verklaring opgeneem is nie; of

(d) 'n publikasie of 'n televisie-, rolprent- of klankopname wat 'n ondermynende verklaring bevat, publiseer of laat publiseer of in die Republiek invoer of laat invoer nie.

#### *Beslaglegging op sekere publikasies of opnames*

6. (1) Indien 'n publikasie of 'n televisie-, rolprent- of klankopname in stryd met 'n bepaling van regulasie 5 (b), (c) of (d) of 3 (1) of (2) of 4 (3), of met 'n bepaling van 'n bevel kragtens regulasie 3 (3), voortgebring, gemaak, gepubliseer of in die Republiek ingevoer is, kan die Minister of die Kommissaris, sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor, 'n bevel onder sy handtekening uitreik waartoe die beslaglegging van daardie publikasie of televisie-, rolprent- of klankopname bevel word.

(2) 'n Bevel kragtens subregulasie (1) moet, tensy in die bevel anders vermeld, ten uitvoer gele word ten opsigte van alle kopieë, eksemplare of reproduksies van die publikasie of televisie-, rolprent- of klankopname wat aldus in stryd met bedoelde bepaling voortgebring, gemaak, gepubliseer of in die Republiek ingevoer is.

(3) 'n Bevel kragtens subregulasie (1) word ten uitvoer gele deur 'n lid van 'n veiligheidsmag in besit van 'n geskrif wat so 'n bevel of 'n afskrif of reproduksie daarvan is of hiet te wees, en so 'n lid kan vir die doeleindes van die beslaglegging—

(a) enige voertuig of perseel betree waarin of waarop die publikasie of opname, of 'n kopie, eksemplaar of reproduksie daarvan, waartoe die bevel betrekking het, is of vermoed word te wees; en

(b) op of in daardie voertuig of perseel alles doen wat redelikerwys nodig is om die bevel ten uitvoer te lê.

(4) 'n Geskrif in subregulasie (3) bedoel, moet aan 'n persoon wat daardeur geraak word, op sy versoek getoon word.

(5) Met 'n publikasie of opname of enige kopieë, eksemplare of reproduksies daarvan waarop daar kragtens hierdie regulasie beslag gele is, word daar gehandel ooreenkomstig die opdrag wat in die algemeen of met verwysing na 'n bepaalde geval deur die Minister uitgereik word.

(6) Die bepalings van hierdie regulasie kan toegepas word ongeag of enige persoon na aanleiding van die voortbrenging, publikasie of invoer van 'n publikasie of 'n televisie-, rolprent- of klankopname in stryd met 'n bepaling vermeld in subregulasie (1), vervolg word of nie.

#### *Verbod op voortbrenging, invoer of publikasie van sekere periodieke publikasies*

7. (1) Indien die Minister dit in die belang van die veiligheid van die publiek, die handhawing van die openbare orde of die bevestiging van die noodtoestand nodig ag, kan hy, behoudens subregulasie (2), 'n bevel by kennisgewing in die *Staatskoerant* uitreik waartoe die voortbrenging, invoer



prohibiting for such period as may be specified in the order, but not exceeding three months at a time, the production, importation into the Republic or publication of all issues of a periodical likewise specified.

(2) No order under subregulation (1) shall be issued in respect of any particular periodical unless—

- (a) an issue of that periodical was produced, imported into the Republic or published in contravention of a provision of regulation 5 (b) or (d) or 3 (1) or (2) or 4 (3) or of a provision of an order under regulation 3 (3); and

(b) the Minister has by notice in the *Gazette* requested all persons concerned in the production, importation or publication of that periodical to ensure that no further issue of that periodical is produced, imported or published in contravention of any such provision; and

(c) a further issue of that periodical was produced, imported or published in contravention of any such provision after the publication of the notice referred to in paragraph (b); and

(d) the Minister, after a further issue referred to in paragraph (c) has been so produced, imported or published in contravention of any such provision—

- (i) has given notice in writing to the publisher or importer of that periodical of the fact that action under subregulation (1) is to be considered, stating the grounds of the proposed action; and
- (ii) has given that publisher or importer an opportunity to submit to him in writing, within a period of two weeks, representations in connection with the proposed action.

(3) The provisions of subregulations (1) and (2) may be applied irrespective of whether an issue referred to in paragraph (a) or (c) of the said subregulation (2) has been seized under regulation 6 and irrespective of whether any person is prosecuted in consequence of the production, importation or publication of any such issue.

(4) The provisions of regulation 6 shall *mutatis mutandis* apply in respect of an issue of a periodical which is produced, imported or published in contravention of an order under subregulation (1) of this regulation.

(5) Compliance with an order issued under subregulation (1) shall not affect the continuation of the registration (if any) of the periodical concerned as a newspaper in terms of the Newspaper and Imprint Registration Act, 1971 (Act 63 of 1971).

(6) If the Minister is convinced that any periodical, whether or not under another name, is a continuation of or substitution for any periodical the production, importation into the Republic or publication of which has been prohibited under subregulation (1), he may, without prior notice to any person and without hearing any person, issue an order by notice in the *Gazette* prohibiting the production, importation or publication of all issues of the former periodical for such period as may be specified in the order, but not exceeding a period equal to the remaining portion of the period for which the latter periodical was prohibited.

#### Offences and penalties

8. Any person who—

- (a) contravenes a provision of regulation 2 (1), 3 (4) or (5), 4 (1) or (2) or 5 or a provision of an order under regulation 7 (1) or (6);

in die Republiek of publikasie van alle uitgawes van 'n periodieke publikasie in die bevel vernied vir die tydperk ingelyks vernied, maar hoogstens drie maande op 'n keer, verbod word.

(2) Geen bevel kragtens subregulasie (1) word ten opsigte van 'n bepaalde periodieke publikasie uitgereik nie tensy—

- (a) 'n uitgawe van daardie periodieke publikasie in stryd met 'n bepaling van regulasie 5 (b) of (d) of 3 (1) of (2) of 4 (3), of met 'n bepaling van 'n bevel kragtens regulasie 3 (3), voortgebring, in die Republiek ingevoer of gepubliseer is; en

(b) die Minister by kennisgewing in die *Staatskoerant* alle persone betrokke by die voortbrenging, invoer of publikasie van daardie periodieke publikasie versoek het om toe te sien dat geen verdere uitgawe van daardie periodieke publikasie in stryd met so 'n bepaling voortgebring, ingevoer of gepubliseer word nie; en

(c) 'n verdere uitgawe van daardie periodieke publikasie na afkondiging van die kennisgewing bedoel in paragraaf (b) in stryd met so 'n bepaling voortgebring, ingevoer of gepubliseer is; en

(d) die Minister, nadat 'n verdere uitgawe in paragraaf (c) bedoel aldus in stryd met so 'n bepaling voortgebring, ingevoer of gepubliseer is—

- (i) die uitgewer of invoerder van daardie periodieke publikasie skriftelik kennis gegee het van die feit dat oprede kragtens subregulasie (1) ten opsigte van daardie periodieke publikasie oorewag word, met vermelding van die gronde vir die voorgestelde oprede; en
- (ii) daardie uitgewer of invoerder die geleentheid gebied het om binne 'n tydperk van twee weke skriftelike versoë in verband met die voorgestelde oprede tot hom te rig.

(3) Die bepalings van subregulasies (1) en (2) kan toegepas word ongeag of daar kragtens regulasie 6 op 'n uitgawe bedoel in paragraaf (a) of (c) van genoemde subregulasie (2) beslag gelê is en ongeag of enige persoon na aanleiding van die voortbrenging, invoer of publikasie van so 'n uitgawe vervolg word.

(4) Die bepalings van regulasie 6 is *mutatis mutandis* van toepassing ten opsigte van 'n uitgawe van 'n periodieke publikasie wat in stryd met 'n bevel kragtens subregulasie (1) van hierdie regulasie voortgebring, ingevoer of gepubliseer word.

(5) Voldoening aan 'n bevel uitgereik kragtens subregulasie (1) raak nie die voortsetting van die registrasie (as daar is) van die betrokke periodieke publikasie as 'n nuusblad ingevolge die Wet op die Registrasie van Nuusblade en Drukkersname, 1971 (Wet 63 van 1971), nie.

(6) Indien die Minister oortuig is dat 'n periodieke publikasie 'n voortsetting of vervanging is, hetsy onder 'n ander naam al dan nie, van 'n periodieke publikasie waarvan die voortbrenging, invoer in die Republiek of publikasie ingevolge subregulasie (1) verbod is, kan hy, sonder vooraf kennisgewing aan enige persoon en sonder om enige persoon aan te hoor, 'n bevel by kennisgewing in die *Staatskoerant* uitteik waarby die voortbrenging, invoer of publikasie van alle uitgawes van eersgenoemde periodieke publikasie verbod word vir die tydperk in die bevel vernied, maar hoogstens 'n tydperk gelyk aan die oortydwende gedeelte van die tydperk waarvoor laasgenoemde periodieke publikasie verbod is.

#### Misdrywe en straffe

8. 'n Persoon wat—

- (a) 'n bepaling van regulasie 2 (1), 3 (4) of (5), 4 (1) of (2) of 5 of 'n bepaling van 'n bevel kragtens regulasie 7 (1) of (6) oortree;

(b) either wilfully or negligently contravenes a provision of regulation 3 (1) or (2) or 4 (3) or a provision of an order under regulation 3 (3); or

(c) hinders or obstructs a member of a security force in the performance of his functions in terms of regulation 6 (3),

shall be guilty of an offence and on conviction be liable to a fine not exceeding R20 000 or to imprisonment for a period not exceeding 10 years or to that imprisonment without the option of a fine.

#### Direction of Attorney-General

9. No prosecution for an offence under these regulations shall be instituted except by the express direction of the Attorney-General having jurisdiction in respect of that prosecution.

(b) hetsy opsetlik of nalatig 'n bepaling van regulasie 3 (1) of (2) of 4 (3) of 'n bepaling van 'n bevel kragtens regulasie 3 (3) oortree; of

(c) 'n lid van 'n veiligheidsmag by die verrigting van sy werksaamhede ingevolge regulasie 6 (3) hinder of belemmer,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R20 000 of met gevangenisstraf vir 'n tydperk van hoogstens 10 jaar of met daardie gevangenisstraf sonder die keuse van 'n boete.

#### Opdrag van Prokureur-generaal

9. Geen vervolging weens 'n misdryf ingevolge hierdie regulasies word ingestel nie behalwe ingevolge die uitdruklike opdrag van die Prokureur-generaal wat regsbevoegdheid ten opsigte van daardie vervolging besit.

Use it.

Don't abuse it.

water is for everybody

Werk mooi daarmee.

Ons leef daarvan.

water is kosbaar

Please, acquaint yourself thoroughly with the "Conditions for Publication" of legal notices in the *Government Gazette*, as well as the new tariffs in connection therewith

**Maak uself asseblief deeglik vertrou met die "Voorwaardes vir Publikasie" van wetlike kennisgewings in die *Staatskoerant*, asook met die nuwe tariewe wat daarmee in verband staan**



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

**Regulation Gazette  
Regulasiekoerant  
No. 4091**

Registered at the Post Office  
as a Newspaper  
As 'n Nuusblad by die  
Poskantoor Geregistreer

Vol. 264

PRETORIA, 11 JUNE 1987  
JUNIE

No. 10770

## PROCLAMATION

by the

*State President of the Republic of South Africa*

No. R. 95, 1987

### DECLARATION OF A STATE OF EMERGENCY

Whereas in my opinion it appears that circumstances have arisen in the Republic which seriously threaten the safety of the public and the maintenance of public order, and that the ordinary law of the land is inadequate to enable the Government to ensure the safety of the public and to maintain public order,

I therefore, in terms of the powers vested in me by section 2 of the Public Safety Act, 1953 (Act 3 of 1953), hereby declare that a state of emergency exists within the Republic as from 11 June 1987.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Tenth day of June, One thousand Nine hundred and Eighty-seven.

P. W. BOTHA,

State President.

By Order of the State President-in-Cabinet:

H. J. COETSEE,

Minister of the Cabinet.

## PROKLAMASIE

van die

*Staatspresident van die Republiek van Suid-Afrika*

No. R. 95, 1987

### VERKLARING VAN 'N NOODTOESTAND

Nademaal dit na my mening blyk dat omstandighede in die Republiek ontstaan het wat die veiligheid van die publiek en die handhawing van die openbare orde ernstig bedreig, en dat die gewone landswette onvoldoende is om die Regering in staat te stel om die veiligheid van die publiek te verseker en die openbare orde te handhaaf,

Verklaar ek derhalwe hierby kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), dat daar 'n noodtoestand binne die Republiek bestaan vanaf 11 Junie 1987.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Tiende dag van Junie Eenduisend Negehonderd Sewe-en-tagtig.

P. W. BOTHA,

Staatspresident.

Op las van die Staatspresident-in-Kabinet:

H. J. COETSEE,

Minister van die Kabinet.

## PRESIDENT P W BOTHA last night reimposed the year-long state of emergency and vowed to fight rather than talk with the ANC.

In a hardline speech to a joint sitting of the three Houses of Parliament, Mr Botha emphatically rejected negotiations with his arch-foe, the ANC:

"We will not talk to these people; we will fight them, for the simple reason that they are part and parcel of the terrorist curse besetting the world today."

Both government and opposition sources indicated last night that there was "no telling" when the emergency would be lifted and Mrs Helen Suzman predicted that the emergency would continue "for many a year to come".

Motivating his decision to extend the emergency from midnight tonight, Mr Botha said: "Considering the safety of the public and maintenance of public order, I have decided to proclaim a state of emergency once more in the whole of the Republic, including the self-governing national states."

"I have already signed the documents in this connection."

Mr Botha did not indicate in his speech whether the emergency regulations would be amended but government sources indicated that they "probably" would be reworded to close loopholes exposed by Supreme Court challenges in the past year.

New regulations would probably be gazetted today, government sources said. An estimated 3 500

people in emergency detention would be released but are likely to be immediately re-detained.

Mr Botha acknowledged that a declaration of a state of emergency "represents an infringement on the

One year under the emergency —

Page 11

PW Botha: Violence still exists — Page 4

rights which people normally enjoy, and requires the consideration of various weighty interests".

"In the midst of continuous and determined attempts to fan yet further the flames of violence, and to sow chaos and disorder, it is, at the same time, still the government's duty and responsibility to ensure security, order and stability in the country."

Mr Botha said that though the "exceptional measures" of the past year had brought about a drop in the observable incidents of violence, information supplied by the "security

services" had convinced him that there would be "a serious and real possibility" that internal violence would escalate in the absence of such measures.

### Reject violence

He was therefore convinced that the "ordinary laws" of the Republic remained insufficient to counter this threat.

Turning to the ANC, Mr Botha said he was being told from "many quarters... even Members of Parliament" to talk with the banned organization.

"You cannot talk to the ANC without talking to its present leaders. We reject them for their philosophy of violence and terror."

Mr Botha went on to outline a number of reasons why his government "rejected" the ANC:

□ "... For appeasing

To page 2

governments and groups (also from South Africa) with voices of sweet reason, while planning and instigating the strife, dissent and disorder that were and remain the direct cause of misery, death and destruction in the townships of their brothers and sisters in South Africa.

□ "For intimidating companies to disinvest from our country, causing black fathers to lose their jobs and black

children to go hungry in the townships, while they themselves attend dinners in hotels.

□ "For elevating terrorism to morality, for rationalizing the horrors of necklacing and for 'claiming responsibility' for the atrocities of land-mining and car bombing."

Mr Botha said there were those who accepted the government's policy and those who rejected it.

"The government accepts that law-abiding citizens have the right to exercise choice. There are, however,

those who in exercising this choice give approval to intimidation and murder.

"The violent activities of terrorists and their fellow-travellers is not acceptable to the government, nor would it be acceptable to the government of any self-respecting country or be tolerated by a responsible government in South Africa."

Mr Botha said strict security action did not detract from the government's commitment to "the broadening of democracy... indeed, it strengthens the basis on which the search for a peaceful political solution can take place".

By ANTHONY JOHNSON  
Political Correspondent

# Botha orders new emergency

AMT - Times  
11/6/87

327



man in the office of Dr the matter was sub judice.

day, government sources sa

# Govt 'unable to govern' — Suzman

CAPT Timp 11/6/87  
327

By ANTHONY JOHNSON  
Political Correspondent

MRS HELEN SUZMAN said the government's renewal of the emergency "is just an indication that the NP is totally unable to govern this country unless it has powers that go way beyond any country that has pretensions to democracy".

"The PFP's law and order spokeswoman said: "The reason for this state of affairs is that the laws were passed over the years without the consent of the black people to whom they apply — and therefore the normal process of the law does not suffice.

"I predict that the state of emergency is going to be with us for many years to come. For the conditions which the government states would have to precede its removal are far from attainable — the improvement in the quality of life for blacks and a change in the political climate."

Mrs Suzman said she disputed Mr Botha's contention that the ANC leader, Mr Nelson Mandela, and his fellow political prisoners were remaining in jail on the orders of the ANC.

"It is clear that the government is carrying on with its highly successful election tactics of scaring the white electorate into accepting its 'total onslaught' propaganda.

"The reality is that until the government really tackles the underlying grievances which keep the townships in a state of unrest and starts negotiating with accepted black leaders there

is no hope of creating stability or peace in South Africa," Mrs Suzman said.

The leader of the Labour Party, the Rev Allan Hendrickse, said his party has never supported the security legislation and that "further states of emergency can never be an answer to the South African need and circumstance".

Mr Hendrickse, who is a member of the cabinet, continued: "Peace and security can only be achieved in the political accommodation of black aspirations and the dismantling of apartheid. It is therefore regretted that the emergency has had to be re-instituted.

"In spite of the forces of evil's continued attempts to instigate and create situations of violence and counter-violence, the government must seriously accelerate the rate of political reform to include all South Africans in all decision-making processes at all levels," Mr Hendrickse said.

An official US government statement yesterday said: "We see no justification for the first state of emergency or for the current one."

The chairman of the PFP Unrest Monitoring and Action Committee, Mr Jan van Eck, said: "As long as there is no fundamental change, the emergency will have to be regularly re-imposed, year after year."

The PFP MP for Greytown, Mr Pierre Cronje, said in the House of Assembly last night that reform did

To page 2

## Emergency reaction

CAPT Timp 11/6/87  
327

not need stability, but stability needed reform.

He was resuming his speech in the committee stage of the transport vote, which had been interrupted by the joint sitting in which the State President announced the re-institution of the state of emergency.

"I was interrupted by confession time, a confession of failure. He told us that for reform he needed stability. I say he's got it the wrong way

round. Stability needs reform."

A new state of emergency would only worsen the existing tension and distrust, the SA Council of Churches said.

The last emergency had achieved nothing.

Sapa reports that Mr Wynand Malan (Independent Randburg) said yesterday the ordinary laws were insufficient to control the current situation in the country, but the state of emergency was not the final answer.



**PROMI-**  
NENT former student activist has disappeared and her family fears she could be in an East bloc country or imprisoned somewhere in Africa.

# Fears for missing ex-Nusas activist

Cape Times 11/6/87

327

Ms Olivia Forsyth, a 27-year-old researcher, former SRC member at Rhodes University in 1984, and former prominent member of the local committee of the National Union of South African Students (Nusas) in Grahamstown, has been missing for a year.

Ms Forsyth's mother, Mrs Joan Brune, said from her Pietersburg home yesterday she had heard from her missing daughter's friends of persistent rumours in student circles that her daughter could have run foul of the African National Congress in Zambia.

But this was emphatically denied by Mr Pallo Jordan, an executive member of the ANC, who said from his Lusaka office yesterday he had made extensive inquiries among his fellow executive members and came up with nothing.

"We definitely don't have her, as far as I can establish. The name does not ring a bell.

## No evidence

"I have been making extensive inquiries. Nobody knows anything about this. I asked other members of the executive — nothing, nothing, nothing," he said. "I assure you we did not start this rumour."

After exhaustive inquiries, the Cape Times has not been able to find any evidence to substantiate rumours that Ms Forsyth had fallen foul of either the ANC or the Zambian authorities.

Several senior Zambian government members, including President Kenneth Kaunda's special adviser, Mr Naphy Nyalungwe, said yesterday from Lusaka they had no knowledge of Ms Forsyth.

But they said they would make "extensive inquiries", and Mr Stanley Makulo, director of Information in the Zambian Ministry of Foreign Affairs, was "personally investigating the matter".

Mrs Brune said she was "going through the agonies of the damned", because she had heard nothing from her daughter since almost a year ago.

"As far as we knew, she was going to do journalism in London. Before that she worked for a firm in Johannesburg doing research on the political and economic situation in various countries. But she left that firm."

The firm was John Fitzgerald and Associates.

Ms Forsyth worked in its "Third World Research Services, Southern African Division" as a researcher. As far as could be established yesterday, the research company no longer exists.

Mrs Brune said of her daughter: "She is exceptionally brilliant. I carry her in my mind and heart all day."

She had made extensive inquiries in Zambia after hearing rumours of her daughter's incarceration there, and was now convinced she was not detained in a Zambian jail.

Mrs Brune said that while her daughter was working for John Fitzgerald and Associates

**MISSING WOMAN . . .** Ms Olivia Forsyth, who has been missing for a year.





CH 11/6/87 327

# Missing woman

she would "fly off for weeks and send us beautiful letters from wherever she had been".

When Ms Forsyth did not contact her, Mrs Brune would telephone her daughter's boss at the research company — an "English-sounding man" — and he told her not to worry because "Olivia was working very hard and attending a lot of congresses".

Her sister Christine, 24, told the Cape Times from Johannesburg that Ms Forsyth, who was a British citizen, had flown out of South Africa on June 25 last year bound for Lusaka and she had had "no direct contact" with her since then.

She said that in December an anonymous caller phoned her father,

Mr Peter Forsyth, who lives in Pretoria, and said Ms Forsyth was safe, but that the telephone and postal communications from where she was were "so bad she could not contact her family".

"He said she would be back in South Africa by March, and contact us then. But March passed and we still heard nothing."

Mr Forsyth confirmed from Pretoria he had received an anonymous phone call in December, saying his daughter was fine. "I got the impression it was a local call from Pretoria. The man spoke in more of an Afrikaans accent than anything else."

He said that before Ms Forsyth left, she had told him that if he did not hear from her before March, when she intended to come back, she would probably be in an East bloc country from where she could not contact him.

"She might like it there. I could not stand the winters, but love does strange things, just like politics does," he said, suggesting she may have married someone in an East bloc country.

He said he would like to trace Ms Forsyth, but did not know how to go about it.

Ms Christine Forsyth said of her sister: "I don't think she has run foul of the ANC. There is no chance of her being a turncoat." She said rumours that her sister had run foul of the ANC may have been spread maliciously as disinformation from "pro-apartheid forces".

A distant cousin by marriage of Ms Forsyth is, according to her mother, Mr Derek Brune, who was exposed as a police spy in left-wing student circles on Wits campus in the 1970s.

"If there is a connection, it would be by chance," Ms Christine Forsyth said. "It might turn out that we are distantly related, but she probably does not know of his existence. I don't think she would have known, even while she was studying at Wits, because we have very little contact with the Brune side of the family."

Ms Forsyth left Rhodes University in August 1985, without completing the master's degree in journalism for which she was registered. She was at Rhodes in 1983 and 1984, too, when she completed a BA honours degree in African studies.

Before that she attended Wits University and graduated from there with a BA degree in languages. Ms Forsyth was born in Britain and lived in Livingstone, Zambia, when she was young.

# EMERGENCY IS EXTENDED

327  
11/6/87  
Jouette

## Botha: It's for the safety of the public

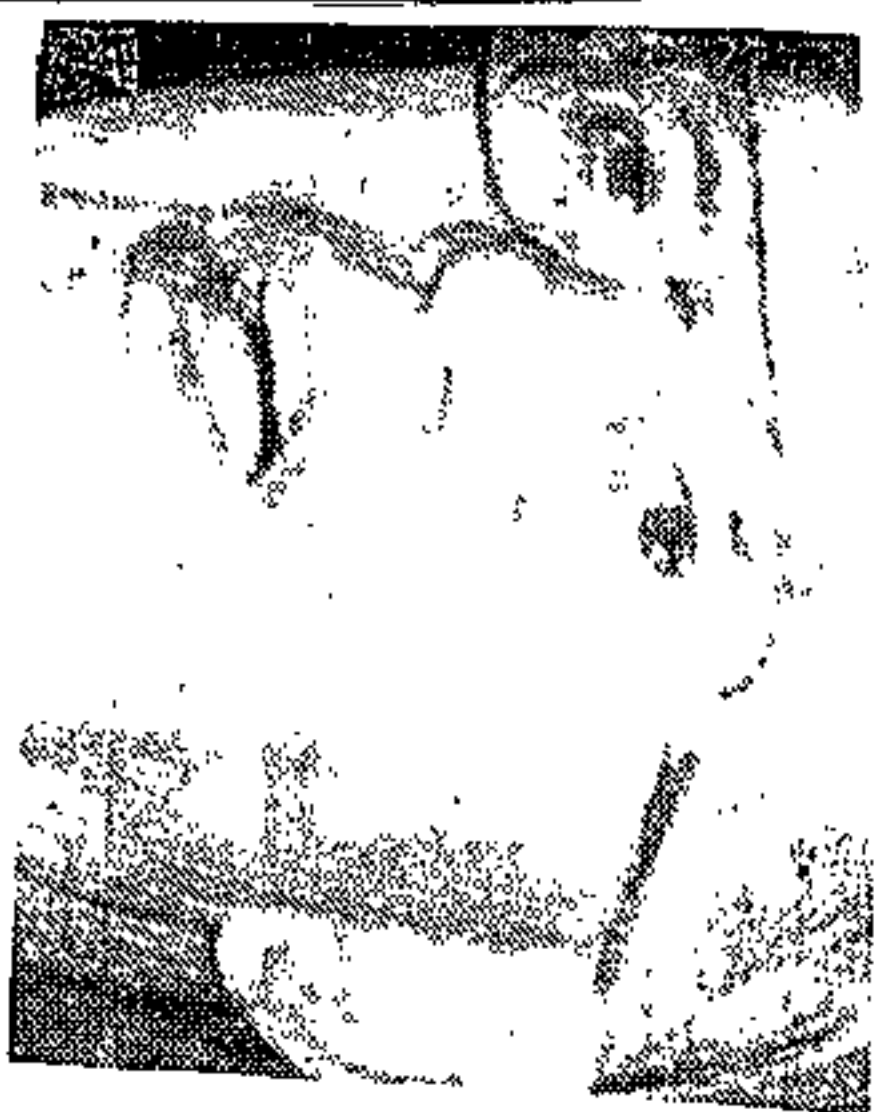
### SA PRESS ASSOCIATION

THE State President, Mr P. W. Botha, yesterday announced the extension of the year-long national state of emergency declared on June 12 last year.

He made the announcement at a joint sitting of the three Houses of Parliament last night.

The present state of emergency ends at midnight today.

"Considering the safety of the public and the maintenance of public order, I have decided to proclaim a state of emergency."



gency, once more in the whole of the Republic, including the self-governing national states," he said.

"I have already signed the documents in this connection.

"A step such as the declaration of a state of emergency is, of course, undertaken only after careful consultation and consideration," President Botha said.

It represented an infringement on the rights which people normally enjoyed and required the consideration of various weighty interests.

### Policy

In the midst of continuous and determined attempts to fan yet further the flames of violence, and to sow chaos and disorder, it was, at the same time the Government's duty and responsibility to ensure security, order and stability in the country.

"There are those who accept the Government's policy and those who reject it.

"The Government accepts that all law-abiding citizens have the right to exercise this choice.

"There are, however, also those who, in the exercising of this choice give approval to intimidation and murder," Mr Botha said.

The violent activities

● To page 3

## Stability essential says Botha

From Page 1

of "terrorists and their fellow-travellers" was not acceptable to the Government, nor would they be acceptable to the government of any self-respecting country or tolerated by a responsible government in South Africa.

Recent developments bore witness to the government's commitment to the broadening of democracy on constitutional lines.

"Strict security action does not detract from this. Indeed it strengthens the basis on which the search for a peaceful political solution can take place."

Mr Botha said stability, law and order were essential prerequisites for social, economic and political development.

● Meanwhile the Bureau

for Information said yesterday despite the marked decrease in the number of unrest-related incidents and deaths, the underlying revolutionary climate in many parts of the country had not abated.

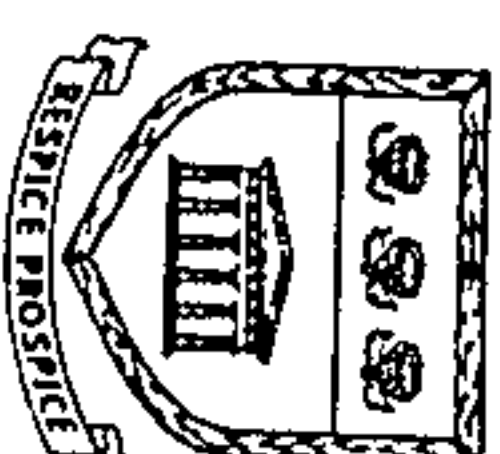
"This is indicated by the slight, but disturbing, increase in unrest incidents during April and May, 1987.

"It is the opinion of the South African authorities that lifting the state of emergency under the present circumstances would quickly result in a renewed cycle of violence and unrest."

Radical organisations were still doing everything in their power to politicise, mobilise and intimidate the masses in their attempts to achieve their revolutionary objects.



## UNIVERSITY OF THE WESTERN CAPE



"There comes a time when an individual and even nations have to say no. So far and no further.

"This university has students in detention.

I promise the Government that we will only stop calling for their release if they stop detaining people without trial.

11-16/687  
Gervel

"As one who has myself been detained I know what sustenance a detainee gets from the knowledge that others care.

327



"As vice chancellor there's no way I can remain silent".

Professor Jakes Gervel, vice chancellor of UWC, speaking at a protest rally, UWC campus, April 15, 1987.

UWC students presently in detention:

ASHLEY FORBES, PETER JACOBS, DEENA BOSCH, LINDA SKHOSANA, CASPER ZINKE, LESLIE MAASDORP, RUSSELL MACGREGOR, VALENTINE SENKHANE AND  
BRAM MHLUM





# 'Parliament a mask for dictatorship'

By MOIRA LEVY

THERE is a qualitative difference between the 1960 State of Emergency and latest one, Cape Town advocate Dulla Omar proclaimed with conviction.

For more than half an hour he had been answering questions phlegmatically, with the detached calm of an experienced political observer and commentator.

But now he became almost heated. "The difference between the 1960 State of Emergency and the 1986/87 period is the existence of a liberation movement capable of surviving and advancing the struggle further.

"Umkhonto we Sizwe, the armed wing of the African National Congress amounts to the qualitative difference be-

tween then and now, Omar said.

Then, the people's organisations were virtually smashed. Today, "you see elements of alternative power" that began with the emergence of the workers' struggles in the early 1970's.

"Today you have in the oppressed communities a consciousness of the need to exercise power, and that is the essence of political struggle.

"That is what people's power, street committees, area committees and organisation is all about — trying to exercise power in a way that is possible now, and laying the basis for exercising power tomorrow.

"In 1960 the State was able to smash all organisation. The emergency that year heralded a very different period in our

history. It took more than a decade before the community recovered and were able to organise again."

Omar pointed to an "amazing contradiction" between 1960 and the 1985 to 1987 period. During the 1985 State of Emergency, the mighty Congress of South African Trade Unions (Cosatu) was born.

"And in 1987, at the height of the current emergency, the South African Youth Congress (Sayco) was formed, and shortly after that a national women's organisation was launched.

"At the same time we must have no illusions. We have a regime that is bent on destroying organisation, and I think we must be very conscious of the fact that what has been built up may still be destroyed," Omar said.

## Dictatorship

The single thing that the State cannot reverse is the existence of a strong working class, he said.

"The economic power of the working class cannot be taken away."

He described the tricameral parliament as merely a mask for the dictatorship, and a rubber stamp for the nationalist government.

"This can be seen by the way in which the Internal Security Act and the Public Safety Act were amended during the course of last year when the regime sim-

ply brushed aside the views of the other Houses of Parliament."

The May elections confirmed the trend of white voting since the Nationalists came to power. "There is no room for disillusionment. Only people who had illusions about the white electorate reversing its position could be disillusioned.

"You have to have illusions before you can become disillusioned. And the election would not have made any difference anyway."

Omar anticipated that the State of Emergency is going to be permanent.

"As we see it, the State of Emergency is going to be with us for a long time to come, and we must equip ourselves to deal with the situation," Omar said.

The Democratic Lawyers Organisation, of which Omar is president, has set up a committee to "equip and train our members to deal with matters concerning security, detentions, the emergency and other things we as lawyers have to contend with every day."

However, Omar does not see that there is much potential for legal intervention; the courts do not bring about change, he said.

"In general, the courts fulfil a role that is in the interests of the system. There is no independent judiciary in South Africa.

"The legal system in this country is very much a prisoner of the political system,

and the function of the courts is simply to interpret and apply the law."

He welcomed individual judges and magistrates who tried to protect the individual's rights. "They have been brave and courageous, but by and large we do not look to the courts to bring about change.

"For justice there will have to be change in the political system. And our role as lawyers is to expose the lack of justice, the lack of rights of people and the undemocratic nature of our society."

The DLO represents lawyers from across the political spectrum, but "we believe there is a need to transcend the political differences."

## Oppressive

"We are fighting an oppressive legal system that causes so much injustice — that is common to all democratic lawyers, and the differences between us are small in comparison."

At the launch of the National Association of Democratic Lawyers earlier this month, ANC leader Nelson Mandela was unanimously appointed an honorary member.

"Mandela is a national figure who transcends party political matters. He is an internationally recognised symbol of our struggle for freedom.

"He was also appointed because he is a lawyer, and is seen as one of us."



# END THE EMERGENCY



## FREE DETAINEES

MOIRA LEVY

At the time you read this, the third State of Emergency in as many years may have been imposed.

Lawyers told SOUTH that in terms of the law, the last emergency was supposed for 12 months but could not simply be ended.

It took only hours before the 1986/87 emergency expired, they said. Government had to declare a new State of Emergency and "issue new regulations thereunder."

This meant that all emergency detainees could not be released after midnight on June 11, they said.

They were held under regulations that expired at midnight, lawyers said.

### At midnight

Technically at midnight emergency detainees should be released and, according to the law, released in terms of the proclamation.

Spokesperson for the Town University

## Few hours to countdown

Labour Law Unit said that in terms of regulation 3 (1) of the emergency restrictions, the arresting officer could only detain a person if it were necessary for the State of Emergency, or if that person posed a threat to the maintenance of law and order, or for that person's own safety.

"The arresting officer has to apply his mind to one or more of those situations when effecting an arrest. The question lawyers will be considering is: Does the arresting officer have to reapply his mind with respect to one or any of these three situations to establish the cause of arrest?"

"And what about the va-

lidity of the warrants of arrest? I suspect that the new regulations will make the past warrants 'renewable' retrospectively, but it would require more than an administrative act to issue new orders and warrants," a lawyer said.

"Lawyers will be looking at the new regulations to see if the State of Emergency can be challenged on all or any one of these grounds."

### New order

A youth leader who was detained just before the last State of Emergency was declared, said he was called from the cells. "I was tapped-on-the-shoulder and told I was released. Then I was immediately given a new

order to sign stating I was being detained under the emergency."

In 1985 detainees were picked up in police raids hours before the emergency declaration and held under the Internal Security Act. They were later transferred to Section 3 of the emergency regulations.

Lawyers challenged this on the basis that the detainees had not been rearrested as required by the law, but the courts ruled that it was a technicality.

"Once they were already in the custody of the police, it was considered enough," Denis Davis of UCT said.

"The people who are in detention must technically be rearrested and redetained in terms of new

emergency regulations," Davis said.

But that seemed unlikely as they were already in police custody.

### Loopholes

Davis said he feared the new proclamation might be tightened up on whatever loopholes exist in the emergency legislation.

"This government has a respect for the courts in the sense it uses the courts to rewrite and perfect its own legislation."

"Each time the courts discover loopholes in the emergency restrictions, the government uses the opportunity to change the law."

Another lawyer, Mr Essa Moosa, said he anticipated not only a new State of Emergency proclamation, but a tightening up of last year's restrictions.

Legal sources told SOUTH that the legislation allowed the state of emergency to be backdated four days.

## Father 'mad' as Rasool is held

SOUTH REPORTER

CALL OF ISLAM organiser Mr Ebrahim Rasool, in hiding for more than a year, was detained by security police at a hideout in Belhar at the weekend.

Rasool, 25, recently elected treasurer of the United Democratic Front in the Western Cape, is being held under the Emergency Regulations.

A former Spine Road High School teacher and the eldest of six children, this is the second time he has been detained. He was held for 10 weeks in the 1985 State of Emergency.

He left home two weeks before the 1986 State of Emergency was declared in June last year.

"Although it is the second time, you never get used to it," his father, Mr Ismail Rasool, said.

"You still feel mad, you never get over the feeling of indignity that you suffer," he said.

He was only officially informed of his son's detention on Monday.

Mrs Aziza Rasool said she did not expect her son to be detained this time. She drew her strength from Allah as well as from her husband, her family and neighbours, she said.

Since Rasool's detention his family has been inundated with messages of support and visits from well-wishers, some of whom they had not met previously.

"That alone helps us. We have drawn strength from that," he said.



# RELEASE WORKERS' LEADERS



1. Lizzie Phike- Cosatu executive member
2. Noel Williams- Cosatu Western Cape Regional General secretary
3. Moses Mayekiso- Numsa General Secretary and Alexandra Community leader on trial facing treason charges.
4. Amos Masondo- Gawu Organiser.
5. Enoch Godongwane- Ex-General secretary of UMMAWUSA (now NUMSA) and 55 other COSATU leadership people in detention.

The government is mounting a concerted attack against COSATU because the federation is "involving itself in politics". COSATU rejects this. We believe that in South Africa today, no genuine trade union can divorce itself from the political issues facing its members.

The government is ruthlessly committed to limiting avenues of democratic political expression through bannings, detentions: Workers and the majority cannot participate freely in political organisations - hence COSATU will continue to put forward the views of our members on housing, transport, cost of living, Group Areas, discrimination etc in addition to trade union demands around wages working conditions and worker rights.

We will also continue working to bring about a democratic peaceful society free of apartheid oppression and exploitation. Indeed, we believe that workers should play the leading role in workplace community struggles as it is we who bear the brunt of social injustice. We demand the lifting of the state of emergency and the release of the detainees.

**Hands off COSATU !!!**

have been imposed for one year. We experienced brutality at its worst. The police and army were given the power to detain people, ban meetings. In fact, they could do as they pleased.

Despite "kits" constables and vigilantes operating freely in the townships; despite the State's increased use of its propaganda machinery; despite attempts to crush the democratic movement; Despite all this, the people were not silenced.

Proof of this can be seen in the formation of the UDF Women's Congress, the launching of the SA Youth Congress (Sayco) and the Western Cape NECC. Because of its growth in membership, the Call of Islam had its first national gathering

**We, the Call of Islam,  
condemn the State of  
Emergency and any attempt  
to re-impose it on June 12 or  
later.**

# RELEASE OUR CHILDREN

The slogan "Remember those who are in prison as though you were in prison with them" (Hebrew 13:3) is a potent reminder of our moral duty.

It is understandable that the injunction will speak more urgently to us as teachers.

After all, no parent can sleep in peace when their children are not safe.

Similarly, no teacher worth his/her salt can be unaffected when his or her students are incarcerated.

The agony of teachers are compounded by the conviction that no purpose whatever can be served by incarcerating children at a time in their development when they must be exposed to positive and uplifting assurances from the society in which they are going to be adult citizens.

We would be failing ourselves and would be seriously compromising our professional integrity if we do not clearly, for all the world to hear and with all the anguish in our hearts, heed the solemn words of Hebrews 13:3 and, as believers, demand the return of our children to their schools and to their parents.

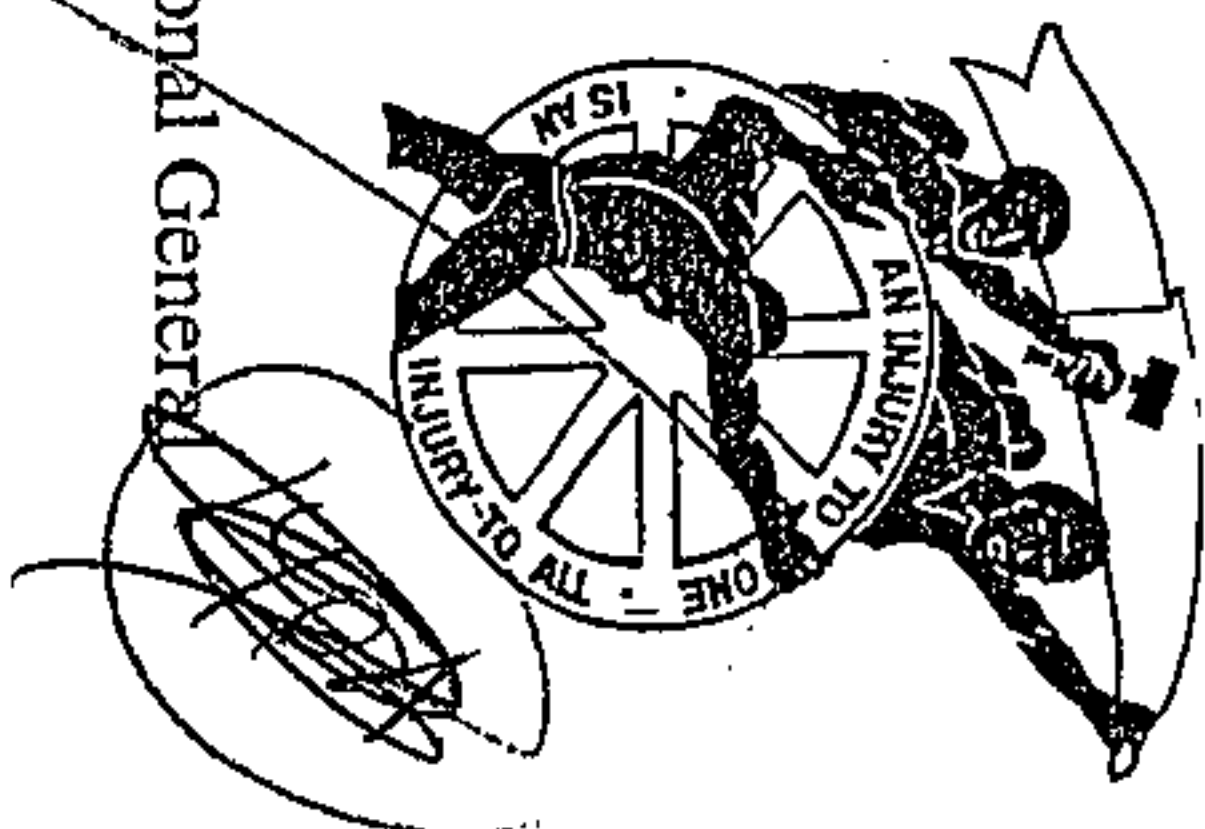
**WE ALSO CALL FOR THE LIFTING OF THE STATE OF EMERGENCY**



**CAPE TEACHERS' PROFESSIONAL ASSOCIATION**



# RELEASE WORKERS' LEADERS



1. Lizzie Phike- Cosatu executive member
2. Noel Williams- Cosatu Western Cape Regional General secretary
3. Moses Mayekiso- Numsa General Secretary and Alexandra Community leader on trial facing treason charges.
4. Amos Masondo- Gawu Organiser.
5. Enoch Godongwane- Ex-General secretary of UMAWUSA (now NUMSA) and 55 other COSATU leadership people in detention.

The government is mounting a concerted attack against COSATU because the federation is "involving itself in politics".

COSATU rejects this. We believe that in South Africa today, no genuine trade union can divorce itself from the political issues facing its members.

The government is ruthlessly committed to limiting avenues of democratic political expression through bannings, detentions: Workers and the majority cannot participate freely in political organisations - hence COSATU will continue to put forward the views of our members on housing, transport, cost of living, Group Areas, discrimination etc in addition to trade union demands around wages working conditions and worker rights.

We will also continue working to bring about a democratic peaceful society free of apartheid oppression and exploitation. Indeed, we believe that workers should play the leading role in workplace community struggles as it is we who bear the brunt of social injustice. We demand the lifting of the state of emergency and the release of the detainees.

## Hands off COSATU !!!

On June 12 the State of Emergency would have been imposed for one year. We experienced brutality at its worst. The police and army were given the power to detain people, ban meetings. In fact, they could do as they pleased.

Despite "kits" constables and vigilantes operating freely in the townships; despite the State's increased use of its propaganda machinery; despite attempts to crush the democratic movement; Despite all this, the people were not silenced.

Proof of this can be seen in the formation of the UDF Women's Congress, the launching of the SA Youth Congress (Sayco) and the Western Cape NECC. Because of its growth in membership, the Call of Islam had its first national gathering

11-16/6 187 327

Sydney

**We, the Call of Islam, condemn the State of Emergency and any attempt to re-impose it on June 12 or later.**



# 'To hell with the emergency'

THE new State of Emergency was greeted with hoots of laughter at a UDF meeting in the Woodstock Town Hall this week.

"We say to the P W Botha government, to hell with your emergency," UDF publicity secretary Hilda Ndude told 800 people packed into the hall.

"We sometimes feel sorry for these people. They think they are cleverer than the majority of people. But look what happened during the last emergency.

"Right under their noses the people launched the national UDF-affiliated womens' congress and the South African Youth Congress.

"We say to them 'shame on your emergency'," Ndude said.

She called on the Progressive Federal Party to pull out of Parliament and join the progressive movement.

Mr Dullah Omar of the Thornhill Residents Association — recently affiliated to the UDF's Cape Housing Action Committee (Cahac) — warned that the emergency was aimed at "creating the political and physical environment for tricameral structures and collaborators".

"It is a declaration of war on our people."



Hilda Ndude at the meeting in Woodstock

Picture: BIEN KARLIE



# WE, THE UNDERMENTIONED ORGANISATIONS, CALL FOR THE RELEASE OF ALL DETAINEES AND THE END TO THE STATE OF EMERGENCY.

End the Emergency  
Release detainees



NATIONAL MEDICAL  
AND DENTAL ASSOCIATION

**NAMDA**



**INTER CHURCH**



Centre  
for Adult  
and  
Continuing  
Education



**Umbutho Wamalungelo Obuntu  
CIVIL RIGHTS LEAGUE**

**STUDENT ACTION  
TO PEOPLES POWER**



**WECSO**



UNIVERSITY OF CAPE TOWN  
STUDENTS' REPRESENTATIVE  
COUNCIL

UCT HAS BEEN  
FUNDAMENTALLY AFFECTED  
BY THE PRESENT STATE OF  
EMERGENCY.  
WE CALL FOR ITS END

**JUSTICE, PEACE  
AND DEMOCRACY**

**THE BLACK SASH**



Cape Western Region

**HEALTH  
CARE TRUST**

We call for the  
release of our  
colleague Mzwonke  
(Whitey) Jacobs and  
all other detainees



ADVICE  
OFFICE FORUM  
PO BOX 9  
HANOVER PARK  
7764  
TEL: 637-2898



End repression,  
free detainees  
and build  
collectively for  
a just and  
peaceful future.

The Methodist Church of  
South Africa calls for the lifting  
of the State of Emergency and  
the release of detainees and  
political  
prisoners, believing that such  
steps would help to create a  
climate for peaceful change in  
South Africa.

**NEW WORLD  
FOUNDATION**

Building a new world of  
hope, justice and peace

Ons bou aan 'n nuwe wereld  
van hoop, geregtigheid en  
vrede

WESTERN PROVINCE  
COUNCIL OF CHURCHES



WESTELIKE PROVINSIE  
RAAD VAN KERKE

IQUMRU LEENKONZO  
ZASENTSHONA KOLONI

**South African Nat-  
ional Zakaat Fund  
supports the call  
for the release of  
all detainees and  
the ending of the  
State of Emergency**

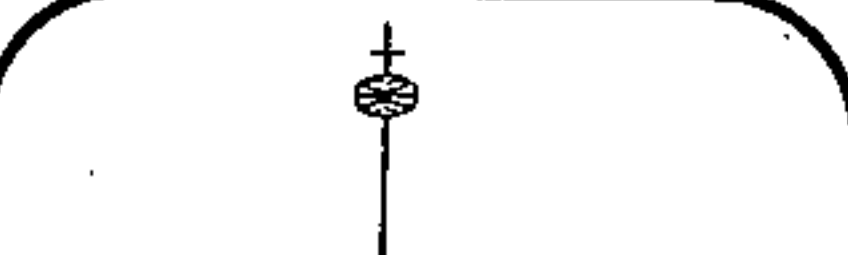


"NO NORMAL SPORT IN  
AN ABNORMAL SOCIETY"

**FREE THE  
CHILDREN**

Re-imposing the State of  
Emergency will not bring  
peace with justice to our  
country.  
We demand the release of  
all detainees, especially  
our children.

Issued by: Free the Children (Western Cape)



people helping people in Christian love  
**WORLD VISION**  
ons help mense in Christen-liefde

The Catholic Archdiocese  
of Cape Town supports the  
call for an end to the State  
of Emergency and the  
release of all detainees.  
(Monsignor Lawrence Henry,  
Auxiliary Bishop-elect of Cape  
Town)

**CHURCHES  
URBAN  
PLANNING  
COMMISSION**

**COMMTRA  
COMMTRA  
COMMTRA  
COMMTRA**

CHAMBER OF MUSLIM  
MEAT TRADERS

**ACADEMIC  
ASSOCIATION  
UNIVERSITY OF  
CAPE TOWN**

The Academic  
Association of the  
University of Cape Town  
deplores the State of  
Emergency in our  
country. We call for the  
immediate release of  
all detainees and  
political prisoners and  
an immediate return to  
the rule of law

The END CONSCRIP-  
TION CAMPAIGN, like  
many other organisations,  
has been seriously affect-  
ed by the State of  
Emergency. So far 80  
ECC members have been  
in detention and almost  
half of these released and  
immediately served with  
restriction orders.  
We remember our  
members still in detention.  
Sue Lund and Janet  
Cherry have been in  
detention for several  
months.



The Archbishop of Cape  
Town, the most Reverend  
Desmond Tutu, calls on all  
parishes to toll their church  
bells for ten minutes at noon  
on June 11 as a mark of  
deep concern and a call to  
prayer for the end of the  
State of Emergency. He also  
calls on all Anglicans to  
wear black armbands to  
indicate their grief and  
distress, and on the  
government not to reimpose  
a State of Emergency.

Diocese of Cape Town (Anglican)  
Church of the Province of  
Southern Africa



**DEMOCRATIC  
LAWYERS  
ORGANISATION**

Athlön Centre,  
Church Street,  
Athlön  
7764  
Tel: (021) 637-1350

**END THE EMERGENCY  
FREE DETAINEES**

Cape Times 11/8/87 (327)

# New law on access to schools

Political Staff

HOUSE OF ASSEMBLY. — The entry of black pupils to schools has been strictly controlled in terms of the Education Laws (Education and Training) Amendment Bill, which was released in Parliament yesterday.

In a memorandum, the Department of Education and Training said pupils may not visit a school or enter its grounds — without the written permission of the Director-General — outside periods of instruction or for any

other purpose other than to attend a sports meeting, a concert or "any other event" at the school.

The bill also empowers the Minister of Education and Training to suspend the activities of a public school or any class at a school for any period he may determine.

Another provision stipulates that teachers will have "discharged" themselves if they are absent from duty for longer than 14 days without the permission of the director-general.



Dlamini.

*CMT Trunks 11/6/87 327*

## Catholic emergency call

ALL local Roman Catholics have been urged by the church leadership to support a call on the government to end the state of emergency and release all political detainees. A statement from the Archdiocese of Cape Town recalling "the tragic events associated with June 16, 1976", urges the government to do these two things. It urges Catholics to attend a mass to commemorate June 16 to be held this Sunday at St Mary of the Angels Church in Lawrence Road, Athlone.

Reports by Staff Reporter, Own Correspondent, Sapa-Reuter-AP and UPI

# One year under the emergency

By CLARE HARPER

TODAY is the eve of the first anniversary of the state of emergency declared on June 12 last year.

Since the proclamation of the emergency, the regulations have become subject of a legal ping-pong between the government and its opponents. The government is expected to fill any loopholes when the emergency is re-proclaimed.

Here are some of the main events of the past year:

□ On July 16 last year, the Durban Supreme Court declared void five of the six definitions of a subversive statement, but rejected an application by the Metal and Allied Workers' Union that the emergency be declared illegal.

□ On July 29 last year, the Rand Supreme Court declared it unlawful for divisional commissioners of police to issue order in terms of the regulations.

□ On August 1, the State President, Mr P W Botha, changed the emergency regulations to circumvent the Rand Supreme Court ruling.

□ On August 11, the Durban Supreme Court declared invalid two main clauses of the

emergency regulations relating to detention and the continued detention of emergency detainees.

□ On August 21, counsel for the state conceded in the Maritzburg Supreme Court that two emergency regulations relating to news reports about the conduct of police and the presence of journalists in black townships and unrest areas were invalid.

□ On September 3, the Commissioner of Police re-issued orders banning reporting of "security action".

□ On September 4, the Maritzburg Supreme Court declared invalid two "far-reaching and oppressive" emergency regulations relating to the seizure and confiscation of newspapers. The action was brought by Natal Newspapers, the Natal Witness, the Argus Printing and Publishing Company and South African Associated Newspapers.

□ On December 11, sweeping new regulations were promulgated, banning all non-official news and comment on popular resistance to the government and its policies, including: unrest, illegal strikes, restricted gatherings, alternative structures, detentions and criticism of compulsory military service.

□ On January 29, the Rand Supreme Court

declared invalid a country-wide order relating to the publishing of matter on the ANC.

□ On April 10, all joint actions calling for the release of detainees held in terms of the emergency or security legislation were outlawed.

□ On April 28 this year, the Natal Supreme Court declared two key provisions of the regulations forbidding campaigns for the release of detainees invalid.

During the past 12 months the government has:

□ Refused to disclose the number of people killed and injured during the current emergency. (The Institute of Race Relations estimated in February that 2 365 have died in political violence since September 1984).

□ Confirmed the death in detention of 20-year-old Mr Benedict Mashoke, the third person to die in detention under the emergency regulations and the 64th person to die in security or other detention since 1963.

□ Confirmed on September 12 that children detained during the emergency are being sent to state-owned "re-absorption camps".

□ Claimed possession, on several occasions, of intelligence on planned large scale acts of terror during the June 16 to June 18

period last year and the "bloodbath" between December 16 and 25 and May Day action.

□ Released the names of 14 726 people detained for 30 days, but refused to release how many people have been detained for under thirty days as not being "in the public interest".

□ Expelled New York Times correspondent Mr Alan Cowell, BBC TV correspondent Mr Michael Buerk and ITN correspondent Mr Peter Sharpe from the country, bringing the total number of newsmen expelled since June 12 to seven.

□ Been faced with demonstrations and protest from students at the universities of Cape Town, Western Cape, and Witwatersrand, leading to the injury and arrest of scores of students.

□ Confirmed prisons officials used teargas 20 times against detainees since July last year and that 1 456 detainees had been involved in hunger strikes as of February this year.

□ There have been 25 bomb attacks in the country this year alone, injuring scores of people. Many of the explosions occurred in the Transvaal and Natal.



# List of Cape detainees

**DESMOND RICHARD ABRAHAMS**, 20, of Bonteheuwel, is a member of the Cape Youth Congress. He was detained on May 20 this year and is being held at Victor Verster. He is a standard eight pupil at Bonteheuwel High School.

**SONWABI BOOI**, 23, of New Crossroads, was detained on July 3 last year. He is employed at Snowflake Flour in Salt River, and is presently being held at Victor Verster.

**VUYANE SAM CELE**, 18, is an unemployed resident of Guguletu. He was detained on July 3 last year and is being held at Victor Verster.

**KEITH COOTEE**, 17, was detained on May 14 this year and is being held at Ravensmead Police Station. He is unemployed and lives in Bonteheuwel.

**SIPHO ARNOLD DAMBUZA**, 20, a pupil at ID Mkiye High School, Guguletu. He is a resident of the KTC squatter camp and was detained last July 3.

**MICHAEL DJANTYIES**, 51, was detained on July 8 last year. He is an unemployed resident of KTC and is being held at Victor Verster.

**MOGAMAT ZAIN ELMIE**, 18, is being held at Ravensmead Police Station. He was detained on May 14. He is a matric pupil at Bonteheuwel High.

**MICHAEL SILUMKO FANI**, 16, of Guguletu, was detained on July 3 last year. He was a pupil at a school in the Transkei when he was detained. He is being held at Victor Verster.

**WISEMAN FUMILE**, 25, was detained on June 26 last year and is being held at Victor Verster. He was employed as a delivery driver and lives in Guguletu.

**TONY GOCINI**, 46, was detained on March 6 this year and is being held at Bishop Lavis Police Station. He was employed as a clerk and is the chairperson of the Western Cape Civic Association.

**SIMPHEWE FELIX GWASHU**, 16, was detained in October last year. He is being held at Victor Verster.

**XOLISILE HLEZUPHONDA** is a petrol attendant and lives at KTC. He was detained on July 3 last year and is being held at Victor Verster.

**MZONKE WHITEY JACOBS**, 25, was detained last December 12 and is being held at Victor Verster. He is the president of Cayco and worked for the Health Care Trust. He lives at Malunga Park, Guguletu.

**NASEEGH JAFFER**, 28, a member of the UDF Bo-Kaap area committee, was detained on December 12. He is employed as an organiser for the Education

Resource and Information Centre (ERIC). A former teacher and former Grassroots community paper employee, he lives in Schotsche Kloof.

**JOHN JAMES**, 30, was detained on November 4 last year and is being held at Victor Verster Prison. He is a resident of Mbekweni, near Paarl, and is an organiser for the Food and Allied Workers Union.

**LUNGILE JORDAAN**, 21, is being held at Victor Verster. He is unemployed and stays at Khayelitsha.

**SIDIMA KABANYANA**, 30, was detained on June 12 last year and is being held at Victor Verster. He is a teacher at the Simon Hebe High School and a member of the Paarl Civic Association. He is a resident of Mbekweni.

**JOYCE NONDUMISO KALITSIMANA** was detained on May 6. She is believed to be held at Pollsmoor Prison.

**MATHEWS LIZO KAPA**, 39, was detained on February 21 and is being held at Victor Verster. He stays at Zwelethemba and works at the Worcester Advice office. He is a member of the Western Cape Civic Association and one of the Worcester "Committee of Seven".

**VUSI KHANYILE**, 36, was detained on December 12. He has been detained three times over the past two years. He is a special assistant to the vice-chancellor of University of Cape Town. He is chairperson of the National Education Crisis Committee and is one of seven committee members detained.

**IRVINE KOLU**, 40, was detained on June 12 last year and is being held at Victor Verster. He is a resident of Zwelethemba and works for a construction firm. He is a member of the Western Cape Civic Association and is on the "Committee of Seven".

**MARIA KUMALO**, 22, was detained on May 5 this year and is being held at Pollsmoor Prison.

**JOHN LESWETSWA**, 36, was detained on July 3 last year and is being held at Victor Verster. He is a musician and lives at Nyanga East.

**CONSULATE LITSOANE**, 48, was detained on July 12 last year and is being held at Victor Verster. He lives in Mbekweni and works for Community Services.

**ROBERT LOUW**, 32, was detained on May 3 this year and is being held at Bishop Lavis Police Station.

**LESLIE MAASDORP**, 21, was detained on June 12 last year and is being held at Victor Verster. A sociology student from the University of the Western Cape, he was the chairperson of the SRC at the time

of his detention. He is from the Eastern Cape.

**RUSSEL MacGREGOR**, 26, a part-time UWC student, was detained on June 14 last year at a roadblock in Wynberg. He is being held at Victor Verster.

**SIMON MAKHAMBA**, 36, was detained on August 14 last year and is being held at Victor Verster. He is a resident of Mbekweni and is a hawker. He is a member of the Paarl Civic.

**BRAHM MHLUM**, 34, was detained on June 12 last year and is being held at Victor Verster. He is a member of the Paarl Civic and is a student at UWC.

**THOBILE MOSHOESHOE**, 30, was detained on January 8 this year and is being held at Victor Verster. He is a resident of Mbekweni.

**SAMUEL MADINI**, 26, was detained last July 3 and is being held at Victor Verster. He is an unemployed resident of Guguletu.

**DAVID MAHLAZA**, 26, was detained last November 3 and is being held at Kraaifontein Police Station. He lives in Guguletu and works for Cross Cape.

**ZOLI MALINDI** was detained on January 13 and is being held at Victor Verster. He lives in Guguletu and was recently re-elected president of the UDF in the Western Cape. He is also a member of the Western Cape Civic Association.

**AYANDA MALIWA**, 22, was detained on January 9 and is being held at Victor Verster. He is a resident of White City, Nyanga East, and is a newspaper vendor at Allied Publishing. He is a committee member of Mwasa Western Cape.

**TREVOR MANUEL**, 31, of Kensington, was detained on August 15 last year and is being held at Victor Verster. He has been the general secretary of the UDF in the Western Cape since 1983. He is also a member of the UDF's national executive committee.

**ERIC MASHOLOGU**, 23, was detained last July 3 and is being held at Victor Verster. He is a member of Cayco. He lives in Guguletu.

**MICHAEL MATIYASE**, 38, was detained on July 3 last year and is being held at Victor Verster. He lives at KTC and works at a waterproofing firm.

**THOMAS MATHEE**, 26, was detained last June 17 and is being held at Victor Verster. He is a matric pupil of New Orleans, Paarl, and is a member of the Bolland Student Action Committee.

**SHEPARD MATSHOBA** is being held at Victor Verster. Further details of his detention are unknown.

**ALFRED MBETHA**, 26, was detained on July 3 last year and is being held at Victor Verster. He lives at KTC and is unemployed.

**NTULI MELFORT**, 19, is being held at Victor Verster. He is in standard 8 at Vuyani Higher Primary School in Guguletu.

**DOROTHY MFACO**, aged 56, was detained on January 9 and is being held at Pollsmoor Prison. She was a former chairperson of UWCO and lives in Guguletu.

**NOMAINDIA MFEKETO**, was detained on January 9 and is being held at Pollsmoor Prison. She is a member of UWCO and is a community worker. She lives in Guguletu.

**WESLEY NTSHAMBA**, 42, was detained on November 10 and is being held at Victor Verster. He is a clerk and lives at Mbekweni and is a member of the Paarl Civic.

**WARRINGTON NKWEBABA**, 30, was detained on August 3 and is being held at Victor Verster. He is a priest at the Church of Zion and lives at KTC.

**GOODMAN NONGAWUZAGE**, 21, was detained on July 3. He lives at KTC.

on June 6 this year. He is an executive member of the UDF in the Western Cape and of Call of Islam. He lives in Primrose Park and is a former teacher.

**GERALD RORO** was detained on July 3 last year and is being held at Victor Verster. He is employed as an assistant baker and lives in Guguletu.

**JONATHAN SEHLAKE**, 24, was detained on August 3 last year and is being held at Victor Verster. He is a musician and a member of Cayco. He lives at KTC.

**VALENTINE SENKHANE** is a former SRC member and law student at UWC and is being held at the Kroonstad Medium Security Prison in the Free State.

**HARRIS SIBEKO**, 39, was detained on June 12 last year and is being held at Victor Verster. He lives in Zwelethemba, Worcester. He is a member of the "Committee of Seven" and of the Western Cape Civic Association. He works as a driver for the Worcester Irish Linen House.

**SILIMELA SIYIKILI**, 30, was detained on July 3 and is being held at Victor Verster. He is a labourer.

**ROSEBERRY SONGO**, 33, was detained on March 9 this year and is being held at Sea Point Police Station. He is a member of Cayco and a community worker employed by Zakhe. He lives at New Crossroads.

**MONGEZI SUKANI**, 21, was detained on July 3 and is being held at Victor Verster. A member of Cayco, he lives in New Crossroads and works as a casual labourer in Bellville.

**CHRISTMAS TINTO**, 41, was detained on January 27 this year and is being held at Milnerton Police Station. He is a former vice-president of the UDF in the Western Cape and a member of the Western Cape Civic Association.

**MARK TRUEBODY**, 18, was detained on May 14 and is being held at the Ravensmead Police Station. He is a standard 10 pupil at Bonteheuwel High and is a member of Bisco, a local high school body.

**ZABRON TITANA**, 64, was detained on July 23 last year and is being held at Victor Verster. He is retired and is a member of the Paarl Civic. He lives at Mbekweni.

**FEZILE TIYO**, 46, was detained on June 12 and is being held at Victor Verster. He is a member of the Paarl Civic and lives at Mbekweni.

**ELLIOT TYRA**, 30, was detained on July 30 last year and is being held at Victor Verster Prison. He is

a labourer and lives in Guguletu.

**CLEDTON DAVIS VISAGIE**, 18, was detained on May 14 and is being held at Ravensmead Police Station. He is a pupil at Bonteheuwel High.

**JUSTICE WANI**, 19, was detained on December 12 and is being held at Victor Verster. He lives at Mbekweni and is an assistant land surveyor.

**COLINE WILLIAMS**, 20, was detained on August 30 and is being held at Pollsmoor Prison. She is in Bonteheuwel, is a pupil at Bonteheuwel High and a member of Bisco.

**NOEL WILLIAMS**, regional vice-president of Cosatu, was detained June 12. He is chairperson of the Atlantis Residents Association.

**LOGAN WORT**, 26, was detained on June 25 and is being held at Victor Verster. He is employed as a clerk at Old Mutual and stays in Mitchells where he is a member of the UDF region.

**SITHEMBELE XOTYENI**, 25, was detained last December 15 and is being held at Mail Police Station. He is employed and stays at KTC.

**STANLEY YISAKA**, was detained on June 12 and is being held at Victor Verster. He is a member of the Paarl Civic.

**MIKE ZAMLA**, 23, was detained on July 3 and is being held at Table Police Station. He is employed and lives at KTC.

**THE FOLLOWING SONS ARE BEING HELD UNDER SECTION 17 OF THE INTER-Security ACT;**

**ASHLEY FORBES** was detained on May 14. He is a Physical Education Student at UWC Wynberg.

**PETER JACOB** was detained on May 14. He is an Arts Student at UWC from Mitchells.

**YUSUMZI NDA** was detained on August 30 and is being held at Malmesbury Police Station. He is unemployed.

**MOEGSIEN DA** 17, was detained in May. He is a pupil at High School. He reportedly a member of the UDF.

**ABDUL HAMIED**, 40, was in February. He is a salesman of Rylance reportedly a member of the UDF.

**STUART MCITE** was detained on February 12. He is from Khayelitsha.



# INSTITUTE FOR A DEMOCRATIC ALTERNATIVE FOR SOUTH AFRICA

**EMERGENCY ANNIVERSARY 12 JUNE 1987**

No state which is compelled to use the power of a State of Emergency to maintain political supremacy is a democratic state.

No state which is compelled to maintain supremacy by detaining political opponents is a democratic state.

IDASA believes that if South Africa is to become an example of a true democracy then the State of Emergency must be lifted immediately and all political detainees released.

INSERTED BY :

Dr Van Zyl Slabbert (Director), Dr Alex Boraine (Executive Director), Mr Wayne Mitchell (National Coordinator), Mr Max Mamase (Regional Director-Eastern Cape), Mr Keith Wattruns (Regional Director-Eastern Cape), Mr Eric Mutonga (Regional Director-Border), Mr Steve Fourie (Regional Director-Border), Mr George Peffer (Regional Director-Southern Transvaal) and Prof Abraham Viljoen (Regional Director-Northern Transvaal)

## IDASA



**PENINSULA TECHNIKON  
CALLS FOR AN END  
TO THE STATE OF  
EMERGENCY AND THE  
RELEASE OF  
ALL DETAINEES**



This June 16th the  
**NATIONAL EDUCATION  
CRISIS COMMITTEE  
(NECC)** salutes the youth  
and students.

NECC says:

**End the emergency  
Release all detainees.**

**Unban ANC and Cosas.**  
We demand the right to  
form democratic SRC's and  
PTSA's (Parent, Teachers  
and Students' organisations.  
Hands off the people's  
organisations.  
Forward to a people's  
education.

**National Education  
Crisis Committee**



### **JUNE 12**

No amount of force will  
stop the human tide in  
search of freedom,  
justice and peace.

### **JUNE 16**

In the face of the State of  
Emergency, our  
struggle continues,  
giving birth to more  
heroes in the certainty  
of a new South Africa.

Issued by: Muslim Students Associa-  
tion and Muslim Youth Movement

# An emerge

THROUGHOUT South Africa between  
25 000 and 30 000 people have been detained  
since the State of Emergency was declared in  
June last year.

These detentions affected the lives of  
several hundred thousand people directly and  
countless others indirectly.

In every part of the country, whole communi-  
ties have been disrupted with the detention of  
civic, student, community and trade union lead-  
ers.

Most devastated were those smaller rural  
areas where resistance was high but  
repression severe.

Such a place is Mbekweni, a small Boland  
township near Paarl.

SOUTH reporters EDYTH BULBRING,  
AYESHA ISMAIL AND RICHARD  
BARTLETT visited Mbekweni recently to find  
out how it had survived the first year of the  
emergency.

OVER the first couple of months since the begin-  
ning of the State of Emergency on June 12 1987,  
nearly 600 residents of the Paarl Township of  
Mbekweni were detained.

Lizzie Nkuntshu, 42, who has been held longer  
than any other woman in the Western Cape, is  
among the 15 detainees from Mbekweni who are  
still being held.

Most of the detainees are members of the Paarl  
Civic Association (PCA).

The grievances which prompted the formation  
of the Civic, were day-to-day issues that were  
being ignored by the Paarl Municipality and the  
Mbekweni Ratepayers Association which had  
long since lost the support of the community.

Issues like sewage, which spilled into the roads,  
the bad drainage system, the collection of litter,  
which was often left for weeks on the pretext that  
there was unrest in the area, were tackled by the  
Civic.

From the time since the Civic was formed until  
the declaration of the State of Emergency, the  
crime rate dropped and drunkenness decreased.



"The shebeens agreed to open between certain  
hours and it was possible for a woman to walk  
from end of the township to the other in the  
middle of the night. She knew she was safe as if  
any one attacked her, one of the street leaders  
would come to her aid," a resident said.

The community of 40 000 residents, a large  
proportion of which are unemployed, were hard  
hit by the Emergency when "nearly every leader  
in every area, street and zone were detained".

At present more than fifteen Mbekweni  
residents are still in detention. Many families fac  
disruption to their lives and economic hardship.

#### **CASE NKWENKWE**

SINCE Case Nkwenkwe was detained on June 12  
last year his family have been struggling on less  
than R300 a month. Apart from his father, Moriat  
Nkwenkwe, Case, 25, who worked for an insur-  
ance firm in Cape Town, was the only other  
breadwinner for a family of six children.

His wife, Thozama, and their three-year-old  
child, Asanda, also live at the Nkwenkwe house-  
hold.

"I am not the only one in Mbekweni who is suf-  
fering, there are so many other families. They  
must release all those in the Western Cape," said  
Thozama, 23, who is a standard nine pupil at the  
Simon Hebe school.

His father is worried. "I don't know why he's  
been detained. I'll even be glad if they have a  
charge against him so they can let him come  
home," he said.

He has been served with a notice to pay the  
rent which is a couple of months in arrears.

"We'll have to forget about food this  
said.

Nkwenkwe is a labourer on the re-  
being pensioned off at the end of the  
has only been allowed to see his son  
his detention.

Case is being held at Victor Verster  
wife and mother see him fournightly.

#### **SELLO SIMON MOAHLOLI**

MOAHLOLI, 32, a field worker for  
Civic Organisation, was detained on  
for the fourth time in two years.

He is married and has a son,  
Chimurenga, 2.

His wife, Nomawethu, is a fulltime  
University of the Western Cape. He  
also previously a student at UWC but  
detention and police harassment.

He has been granted study rights in  
and is studying psychology and soci-  
Unisa.

"The home is not run properly as re-  
are not shared and the breadwinner is  
helping."

Both Moahloli's parents are pensioners  
to a certain extent on him for money.

Moahloli's mother, Emily, expressed her  
of loss and agony by saying: "Why  
keeping him, he has not been tried, are  
tendering him up for slaughter in winter?"

**THOBILE MSHOESHOE**



**WECTU demands an end to the State of  
Emergency and the release of all detainees  
and political prisoners**

**T**he Western Cape Traders Association,  
representing 2000 black traders, declares that  
the State of Emergency has caused untold  
suffering to thousands of people.  
It has contributed to the country-wide  
economic depression with millions of workers  
being unemployed.  
South Africa has lost most of its best overseas  
trading partners who have instead joined the  
call for international economic sanctions.  
The government has placed its apartheid  
ideology before the country's progress.  
June 16 is, therefore, being observed by all  
democratic loving people of South Africa as a  
day of remembrance for the sacrifices made  
to bring about a true democracy in this  
country.

In the words of Abraham Lincoln:

"Government by the people for the people."

**A call for an end to the  
State of Emergency from  
the Western Cape Traders'  
Association (WCTA)**





can't respect the 327

# cy township: One year on..

11-16/6

327

**BLIKSEM!**  
CAN'T A PERSON  
AROUND HERE  
COMMEMORATE  
A ANNIVERSARY  
IN PEACE?



REMEMBER  
JUNE 16...



(With apologies  
to Student Strike  
poster, U.S.A. 1970)  
**ZAPIRO '87**

he MSHOESHOE, 30, a member of the Paarl Civic, was detained from his home in the early hours of the morning on December 16. He has two children, one in Sub A and the other in standard two. Thobile was the only breadwinner in the home and had not received pay since December as the company he worked for, Wellington Industries, was closed until January 13. The rent and accounts have not been paid since Thobile was detained but the family manage to get food from neighbours. They expect an

eviction notice for rent arrears soon. His wife, Eunice, says it is difficult to find work. The Boland Council of Churches give R30 every month to Thobile, as they do for all other Mbekweni detainees.

**MZWANDILE NTSHAMBA**  
NTSHAMBA was detained on October 10. His wife, Rebecca, heard of his detention from neighbours where police had left a message. Mzwandile works for Anglo American farms and they have continued to pay half his monthly

salary to his wife and children since he has been in detention. His three children, Theminkose, 9, Andiswa, 5, and Akona, 4, visit their father every two weeks with their mother. She said they had gone hungry on many nights since Matanzima's detention. "My rent is R500 in arrears. I buy my groceries on credit from the local shop. When I get my pension, which is every second month, I pay the shopkeeper. "The only other support I get is the R115 from the advice office." Mrs Yisaka said she visited her son every fortnight. Visika worked as a clerk at the Paarl Community Services. Mrs Yisaka said that had not received any money from his employers.

"His children always asks me about their father's absence. I tell them he is working in the Ciskei," she said. His sister has never visited James in prison as she had not been granted a permit.

**BRAM 'MHLOM**  
MHLOM, 30, a teacher at Simon Hebe High School, was detained on June 12 last year. Braam is married with two children aged ten and two, and is also enrolled as a student at UWC. His sister, Thozama Mhlom, said that the family was upset about Braam's detention, as they were financially dependent on him. "I had to leave school because my parents could not afford to pay for my education," she said.

**SIMON MAKAMBA**  
MAKAMBA, 32, member of the Paarl Civic Association, was detained in August last year. He has one child aged five. His sister, Sanna, said she misses him a lot. "He was not granted a permit to go and see my brother but his girlfriend has got a permit." She said the furniture shop came to collect the stove because the payments were in arrears. The Post Office also cut the telephone. She said her brother did not have a permanent job, but he sold men's clothing. "We do not receive any money or food. Some times we hear that food is being distributed in the location, but by the time we get there, there is nothing left."

**JOHN JAMES**  
JAMES, 30, an organiser for the Food and Allied Workers Union (FAWU), was detained on November 4 last year. His sister, Francis, a teacher at Langabuya Primary School, said she was having a hard time looking after James's four children aged ten, seven, five and one. "James is not married so the children are staying with me. I have to think of everything in the house. I have to buy food, pay the rent, water and electricity, accounts and clothing for the children."



Mrs Miriam Mhlom, mother of detainee Bram Mhlom, with his children Sandiswa, 2, and Fundiswa, 10



# Tracing device in fated minibus

PRETORIA. — The South African Police fitted a "tracing device" to missing Pretoria taxi driver Keith MacKenzie's minibus before it exploded in Gaborone in April, killing three people.

According to a diplomatic note South Africa sent to Botswana yesterday, this had been done because the SAP learnt that ANC members would fit a remote-controlled explosive device to the vehicle in Botswana.

This information emerged when Foreign Affairs Minister Mr Fik Botha made public the contents of the note, in which the South African government "emphatically" denied SAP involvement in the blast.

The note said that it was "deplorable and unacceptable that the Botswana government sees fit to implicate the South African Police whilst ignoring the grave danger arising from the presence of the ANC in its territory".

Mr MacKenzie, who ran a taxi service between Gaborone and Pretoria, has reportedly gone into hiding.

The note, sent in reply to Botswana's

accusations of SAP involvement in the blast, said the SAP had incontrovertible evidence that Mr MacKenzie had been used by the ANC to transport "terrorist weaponry" from Botswana to South Africa.

The last time the driver went to Botswana, he was to have met Ernest Lekoto Pule and Lester Dumakude, "both active ANC terrorists".

"Further investigations by the SAP revealed that MacKenzie was to have taken a vehicle to Botswana which Dumakude and Pule were to equip with an explosive device to be detonated by remote control.

"It was established that MacKenzie would use a vehicle with registration number JKG375T, registered in the name of his wife (Eloise), and a tracing device was installed in his vehicle by the SAP.

"This vehicle exploded in Gaborone on April 8 and there is no doubt that it had been equipped by the ANC with an explosive device as described above."

The government invited Botswana to inspect "certain material to support these facts". — Sapa

# Putting it all in writing . . .



**A H HEARD,**  
Editor of the Cape  
Times, reviews the new  
emergency regulations

Cape Times 12/6/87 327

THE Government Gazette reimposing emergency arrangements, issued in Pretoria yesterday, carries a prominent advertisement: "Please keep our country, South Africa, clean!"

The advertisement follows a host of detailed emergency regulations and orders which, presumably, are intended to do just that. Another advertisement amid the copious official rules and regulations reads: "Use it. Don't abuse it." The mind, naturally, begins to boggle; but there is quick relief: "Water is for everybody," the officially-authorized advert proclaims reassuringly.

For chills, if not thrills, the Gazette issued yesterday offers some surprises. It costs 50c (other countries 70c, *posvry*). It lays down the conditions by which this vast, rich, self-respecting country is to be effectively ruled by the security forces, on behalf of those commanding votes amounting to about 5% of the total population, until the emergency lapses or is, in turn, renewed; or something else happens.

The Gazette makes rather depressing reading.

## Spelling out tyranny

In fact, there is more than one Government Gazette. There are about five, and all cost 50c (other countries 70c, *posvry*). They amount to the most far-reaching limitation on the rights of the individual in this country's history. And it is all done so clinically. Reading them reminded me of a remark made by a Brazilian journalist friend of mine some years ago: "But, why on earth do you put all your repression down in writing? Where I come from, it just happens."

What struck me, ploughing through the turgid, repetitive, fuzzy official prose last night, was the lengths the Botha Government has gone to in spelling out the tyranny that masquerades as regrettably necessary restriction of civil liberty in the fight against communism and terrorism.

The wording is, on occasion, exquisite. It has, clearly, been drafted with great attention to detail, and meaning, and possible court challenge. In some respects, it has been made to look ever so reasonable — for instance, listing all the things which detainees may receive and do, such as having a special account for goodies, ie smoking "requisites", toiletries, and food, as long as they do not "require any further preparation".

## Legal scholars

But then comes the bad news. the

People can be summarily prohibited from bringing any specified article into any particular area, performing any act or activity, being outside the boundaries of any specified area, "being outside the boundaries of his residential premises" (house arrest), driving any vehicle in any particular area, and entering any area where not normally resident. Meetings can be prohibited, or restricted as to time, venue, audience, etc, as laid down by the police. Under this, a funeral or meeting can become a very official event.

New police orders can be published by the most casual and peremptory means, which can include hollering the prohibition in public. This is officially termed "oral announcement".

The high-jump for contravening the regulations remains a rather steep fine of R20 000 or 10 years, plus forfeiture of anything conceivable that was involved; "any goods, property or instruments ... in connection with which the offence has been committed".

## First National Bank

Naturally, officials at all levels are indemnified against criminal proceedings, assuming they acted in good faith. And if good faith is at issue, it shall be presumed "until the contrary is proved" that official good faith existed. Some would call this moving the goal posts.

The arrangements to curb boycotts would, I believe, have put the Nationalist boycott of Jewish concerns out of bounds in Dr Verwoerd's editor days. It certainly would have been an offence for newspapers to report "the extent to which such action or boycott is successful". In fact, the Benoni Town Council could conceivably run foul of its wide provisions if it acts too precipitously over Barclays, sorry, First National Bank.

The provision which prohibits not only resisting but also OPPOSING the government in its actions on security can, if narrowly defined, rule out all opposition on this essential issue facing the country. Mrs Suzman, take note.

The list is virtually endless, about 30 pages of taboos, covering alternative governmental structures, discrediting military service, supporting banned organizations, journalists photographing, or even being within sight of, unrest, reporting anything to do with the circumstances or treatment of detainees or their release, or reporting court proceedings to do with detainees' treatment till "final judgment". There is provision for seizure of imported and local publications.



may not receive and do, such as reading anything but the Bible/or any other Holy Book (reverently accorded capitals) or "selected magazines" but only from the prison commander, hearing music from any quarter than a "centrally controlled radio or record player", or receiving bedding sent from outside. This is not to mention the absolute ban on using "slandrous, insulting, obscene, threatening or any other improper language" — not to mention whistling or "making unnecessary noise". At least our lock-ups are protected from rude noises and four-letter words.

In many respects, the emergency regulations promulgated yesterday and which overtake those which were about to celebrate their first birthday, are similar. It will take legal scholars much time to compare them, to see if cunning official manoeuvres have given new meanings through shades of different drafting. It is ironic to think that the public pay officials handsomely for all this bureaucratic beaver.

One immediate difference is that the detention process, which may occur at the whim (based on the "opinion") of any member of the security force, can last for 30 days, instead of the 14 days of previous regulations, unless extended with the express authority of the Minister of Law and Order.

It is pretty chilling to be reminded that, under old and new rules, no detainee may be given access to anyone other than "the Minister or a person acting by virtue of his office in the service of the State or of the government of a self-governing territory", unless expressly authorized. Equally chilling is the arrangement whereby no "official information" about a detainee can be given to anyone except the official few as mentioned above.

### House arrest

The security forces are given very wide power to enter and search premises, and to seize vast assets including vessels, vehicles, aircraft, receptacles, objects or articles, all of which amounts to a pretty awe-inspiring Official Grab.

The police are authorized to close areas, control entry or departure, control traffic etc, without notice and, in effect, at will.

12/6/87 Hostel

(34)

Black schools have a special Government Gazette covering their emergency needs. A "hostel" is exquisitely and obscurely defined as: "A hostel attached to a school, and where in the Afrikaans text *koshuis* is used as part of a compound word, it shall have a corresponding meaning in such word", whatever that means. The Director-General of Education and Training can control pupils' presence, use of facilities, non-official syllabi, wearing of T-shirts or other significant garb, etc. He may control access of "persons not officially concerned in the functions or activities of the school".

The Government Gazette covering the treatment of detainees defines their lives in minute detail, dealing with things such as mainly Bible reading matter, study, music, shaving of the head, letters, clothing, etc. Religious access can be restricted, with the police laying down that "particular ministers of religion" get no access.

Detainees are not allowed to be idle, careless or negligent; swear; commit "petty assault" (there is no word on more serious assault); converse with others when it is forbidden; sing or whistle; cause "discontent" among fellow detainees; lodge "false, frivolous or malicious complaints".

Penalties can include solitary confinement, which is defined in algebra-like detail, such as:

"... solitary confinement in an isolation cell for any one of the continuous periods set out in the first column of the sub-joined table, with for each such period of solitary confinement in an isolation cell, dietary punishment combined, where applicable, with full diet in the sequence set out in the other columns of that table opposite each such period of solitary confinement in an isolation cell: Provided that where on more than one contravention such punishment for a total period exceeding 30 days has been imposed, there shall after every period of solitary confinement in an isolation cell, with dietary punishment as so combined with full diet, of 30 days, be an interval of 14 days, or such longer period as the medical officer concerned may direct, upon full diet and without solitary confinement in an isolation cell:

Period of punishment	spare diet	reduced diet	full diet	spare diet
5 days	5 days	none	none	none
10 days	5 days	2 days	1 day	2 days
15 days	7 days	3 days	2 days	3 days
20 days	8 days	4 days	3 days	5 days
25 days	9 days	5 days	5 days	6 days
30 days	12 days	6 days	6 days	6 days

\* Just below all this, appears the advertisement: PLEASE KEEP OUR COUNTRY, SOUTH AFRICA, CLEAN!



# Calm of repression is not calm of contentment

**Q:** What do you think one year of emergency rule has done to or for South Africa, particularly on the political front?

**A:** Well, for a start the threshold of tolerance towards emergency conditions has risen to such an extent that people not directly affected no longer feel uncomfortable with the fact that civil rights have virtually been obliterated.

This can be seen in the inroads that have been made in the public's right to know, the right of free association (people now just accept that you cannot have outdoor meetings and many indoor meetings are forbidden), and the fact people no longer have the protection of habeas corpus if any official or policeman decides that their actions, or what they wear, or have in their possession, is "subversive".

There is no longer a real outcry among what one may call the "general public" over this sort of thing. So the liberal traditions have been very heavily subverted.

**Q:** Do you feel that people have become so desensitized that any attempts to rekindle those traditions if and when the emergency is lifted will be difficult?

**A:** Yes, very difficult, because the threshold of tolerance rises and people get used to this.

On the other hand, there is exactly the opposite effect on the outside world because their concept of this country increasingly skirts the everyday life which does continue. South Africa appears to them to be a totalitarian country. This is a skewed concept, though we have many of the hallmarks of such a society because of the emergency regulations.

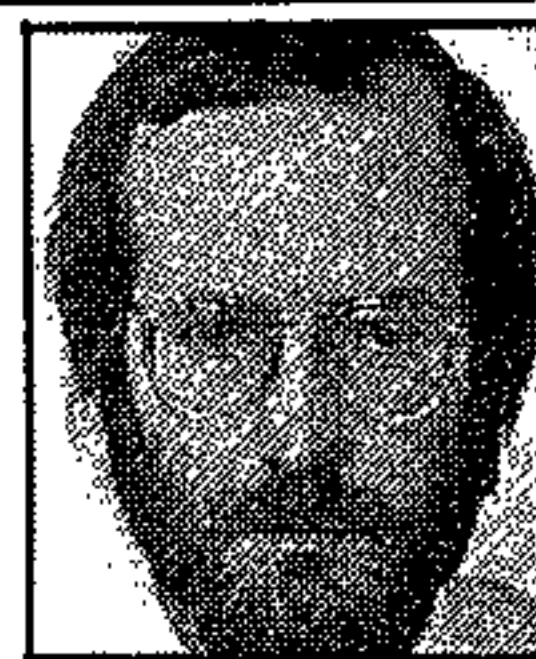
**Q:** Government ministers have on several occasions in recent months argued that the state of emergency has brought relative peace to South Africa. To what extent would you say the emergency has enhanced the prospects for a permanent peace or a negotiated solution to the country's political problems?

**A:** Well, I think all it's done is heighten the resentment, because when you think that the official estimate of those detained for 30 days or more since the emergency was declared is over 14 000 and the turmoil this brings about in the family, in relationships, in jobs and so on, it certainly does not make people more amenable to sitting down to peaceful negotiations.

So the relative calm that appears to be prevailing — if this is indeed so — is the calm of repression. It is not the calm of contentment.



**Veteran civil rights campaigner and PFP spokeswoman on law and order, MRS HELEN SUZMAN, talks to Political Correspondent ANTHONY JOHNSON on the state of the nation after one year of emergency rule.**



Unless some major — really fundamental — changes are introduced, you are not going to get that transformation of the masses of people from a sullen, resentful population to one that is ready to negotiate peacefully.

The Deputy Minister of Law and Order, Mr Roelf Meyer, recently claimed that the emergency had resulted in a decrease in violence, by more than 80%, but there is no way of checking this by impartial means because of the very rigid restrictions on the media.

So there, too, we will continue to be kept in the dark about the true circumstances in the townships.

**Q:** How do you feel a year of emergency rule has affected mainstream political parties and extra-parliamentary opposition groupings in terms of their strategies, self-confidence and ability to survive?

**A:** Well, of course it has helped the National Party in that the declaration of the emergency alerted people to what they thought were "threats" and the "total onslaught", and all that stuff which the government played on very successfully during the election campaign.

It drove PFP supporters towards the NP but it also drove their supporters into the Conservative Party.

The extra-parliamentary parties have suffered very considerably as a result of the detention of their leadership ranks and their difficulties in organizing protest meetings. But they seem to be extremely resilient because the emergency certainly has not put them out of action.

These extra-parliamentary opponents of the government are not going to go away but the emergency has certainly encouraged them to adopt new strategies for survival, including the conveying of instructions from the leadership level down to grass roots supporters, learning the hard way about informers in their ranks, and a generally heightened awareness of the need to struggle and the government's determination to control them.

**Q:** Do you think there is a danger that the government could become "hooked" on the emergency?

**A:** Yes ... I mean once we started on that slippery slope in 1963 of detention without trial — which then became the Terrorism Act of 1967, and the Internal Security Act of 1982 with greater and greater powers being handed to the police each time — such practices became much easier than the normal methods of arrest and having to produce a person in court within 48 hours with some evidence to back the charges.

I remember when the 1967 Act was passed a senior police officer said: "This is a mighty weapon in the hands of the police." And that is exactly what it turned out to be. The authorities are able to detain someone without having to produce them in court, which would be the case if

habeas corpus was still available for your protection. But they don't have to produce any proof — they just lock people up.

That is the hallmark of a police state. We are not a fully-fledged police state, but we have an awful lot of the trappings. If we had a fully-fledged police state there would be a one-party system with no criticism of government in the newspapers and none of the extra-parliamentary organizations would be tolerated at all. But we getting pretty close to that now, there is no doubt about it.

**Q:** You have recently expressed fears about a "creeping coup" in South Africa which you link to growing executive despotism. How do you see this phenomenon?

**A:** What I mean is the growth of the nation-wide security network — from the State Security Council at the top through to the Joint Management Centres, which are composed of appointed police, army and other officials and some co-optees — which has taken on quite considerable powers without proper accountability.

Accountable politicians have abdicated their powers and responsibilities to members of the non-accountable individuals in the co-optive security establishment which exercises considerable power over local elected bodies in spite of the absence of any statutory authority to dictate to them.

The National Security Management system is primarily a creation of the security forces and intimately involved in political decision-making, something I regard as a sinister and disturbing development.

What is more, the actual process of decision-making takes place in secret, making criticism of decisions virtually impossible because the basis on which they are made is unknown.

These security bodies are not responsible to anybody, they are not accountable to anybody except the State Security Council itself, which is accountable only to the State President who is not accountable to anyone but himself.

This security network has infiltrated the communities, and while they are supposed to be doing something about improving the quality of life, nobody knows how the decisions are taken, they are often on a political basis but not following open discussion. So what is taking place is an undermining of normal elected bodies that are accountable.

**Q:** What of the future? How do you see political developments under a continuing state of emergency?

**A:** I must admit that I am in a pessimistic mood at the moment, partly as a result of the election results, but I just see an ongoing confrontation.

President Botha's recent assurances about the National Council are not going to satisfy politicized black people — who are also not going to accept the concept of mere incremental change.

So I see a growing conflict and escalating civil war, though I would be delighted if I was proved wrong.



# Govt is condemned for re-imposing emergency

327  
SYM  
12/6/87

Pretoria has been harshly condemned by the American State Department for re-imposing the state of emergency and South African organisations have added their voices to initial protest at the move.

In Washington the United States Government said the renewed emergency showed Pretoria's lack of understanding of the country's problems and undermined peace efforts.

"The South African Government's activities and decisions show a lack of appreciation for the fundamental causes of unrest and violence there," State Department spokesman Ms Phyllis Oakley told reporters.

"The re-instatement of these (emergency) measures will only continue to undermine opportunities for dialogue which could lead to a resolution of South Africa's problems."

From Tokyo came a government call on the South African Government to lift the emergency.

The Japanese consul-general in Pretoria released a statement yesterday in the name of his Foreign Ministry's director-general for public information and cultural affairs.

"It is very regrettable that the Government of the Republic of South Africa has decided to continue the state of emergency," it read.

"The Government of Japan requests anew that the Government of South Africa lift immediately the state of emergency and make a sincere decision aimed at realising a peaceful solution to the country's problems — through talks (and) by releasing political prisoners."

Within South Africa a range of organisations and groups have added their criticism.

The United Democratic Front, the country's largest extra-parliamentary political organi-

sation, said the renewal of the emergency was an admission that Pretoria saw itself as being on a permanent war footing.

It predicted that South Africa would in future be referred to in the same breath as Latin American dictatorships.

The state of emergency has been noted for increased repression and state violence, enforced ignorance and misinformation, the Southern African Catholic Bishops' Conference administrative board said.

"Thousands have been detained, including children seven years old. Homes have been without parents and breadwinners. Businesses, factories, offices and organisations have been without key personnel.

"We add up the cost in human suffering and we ask: what has been achieved and at what cost?"

From Cape Town, Mrs Helen Suzman, PFP spokesman on Law and Order, said the new regulations proclaimed in terms of the latest state of emergency had come as no surprise in view of the State President's threat in his speech at the opening of Parliament.

She said: "No doubt he has interpreted as widely as possible the mandate on security he considers he was given by the electorate."

Mrs Suzman said house arrest, which had been introduced with the Sabotage Act of 1962, would undoubtedly be the alternative to detention.

This would be particularly so in the case of young people since their detention in jail had been the subject of a considerable outcry at home and abroad. — Staff Reporters and Sapa-Reuter.

● See Page 11.

# Stringent censorship conditions retained

# Loopholes closed

# by new regulations

327  
SMA  
12/16/87

The new state of emergency, which came into force by proclamation of the State President after midnight on Wednesday, reactivates the most stringent censorship conditions of the previous emergency and doubles the period of detention for which people may be held without a written order from the Minister of Law and Order.

Sweeping powers for any member of the security forces to detain people indefinitely are still in effect, as are provisions which silence any debate on campaigns involving stayaways, consumer and rent boycotts.

The new regulations, contained in five notices in Government Gazettes Extraordinary, were published yesterday.

In addition to detention without trial, they make provision for individuals to be confined to their homes by order of the Commissioner of Police. Such "house arrests", normally provided for in terms of the Internal Security Act, have seldom been used in recent years.

## Retained and consolidated

The new regulations retain and consolidate most features of the previous restrictions. The indemnity from legal prosecution granted to the security forces for any action they might take in good faith to enforce the state of emergency remains.

Closing of loopholes and notable changes in the regulations have occurred in three main areas.

**Media restrictions:** The expanded and revised Press curbs nullify the Natal Supreme Court ruling handed down in April and once more prohibit:

- The presence of the Press at the scene of unrest.
- The photographing of security force action and situations of political conflict, victims of political attacks and the aftermath of

rioting and bomb blasts.

- Reporting on security force actions in situations defined as "unrest".

Special attention has been given to redefining some aspects of what constitutes a "subversive statement".

Prohibition of statements encouraging any participation or support of unlawful organisations is now specifically written into the regulations and a loophole concerning encouragement or incitement of illegal strikes has been closed.

Reporting of the recent transport workers strike would now be subject to the "subversive statement" limitation although it was not at the time of the strike.

Advertisements in which the campaigns or actions of any unlawful organisation are defended, praised or justified are ruled out. The controversial ANC advert of last year would probably fall into this category.

Media lawyer Mr Paul Jenkins said the new regulations had attempted to remedy the successful arguments raised in the Natal Supreme Court decision by "defining the delegation of powers by the State President to the Commissioner of Police in more certain terms and deleting areas of vagueness from the definition of security action".

He added: "Although the loophole which the Press has been exploiting for the past six weeks has been closed, the terms in which it has been done are not necessarily unassailable in law."

**Detentions:** A new detention clause allows any member of the force to have a person detained for a period of up to 30 days without a written order being given by the Minister of Law and Order. Previously the limit was 14 days.

The clause concerning visits to detainees has been deleted from the rules outlining their conditions of detention. Lawyers are examining the implications of this change.



## Clampdown on strikes, boycotts

# Emergency imposes new restrictions

THE emergency regulations, which were gazetted yesterday, have imposed wide-ranging new restrictions on boycott campaigns and strikes which contravene the law.

They also maintain tight control over the reporting of unrest and detentions under the emergency.

But a previous provision preventing the "encouraging or promoting" of disinvestment or the application of sanctions has been omitted.

The new regulations have been amended in various respects, particularly in regard to sections invalidated by Supreme Court rulings, but most of the old provisions have been incorporated.

However, detainees may now be held for 30 days before confirmation by the Minister of Law and Order, instead of the old provision of 14 days' detention before confirmation.

The most significant extension of the restrictions is in regard to the controls over boycotts, which are included in the definition of a "subversive statement".

It will now be an offence to take part in, or to make a statement which incites or encourages the public or is calculated to have the effect to take part in, a boycott action, "against any firm or against firms of any particular nature,

class or kind, either by not making any purchases at or doing other business with or making use of services rendered by that particular firm or any firms of that particular nature, class or kind".

It will also be an offence to take part in a boycott action against "any particular product or article or against products or articles of any particular nature, class or kind".

Boycott actions against any educational institution, refusal to attend classes or "to participate in other activities at the particular institution or at any institutions of that particular kind" are also illegal.

It will be an offence to take part in an act of civil disobedience "by refusing to comply with an obligation towards a local authority in respect of rent or municipal service".

These provisions are clearly aimed to preventing consumer, education and rent boycotts.

In the old regulations, it was an offence to take part in or support "any boycott action". The new definitions ex-

Political Staff

● To Page 2

## Emergency imposes new curbs

tend this, apparently, to cover all boycott actions.

Previously it was an offence to take part in "any unlawful strike". Now, it will be an offence to incite or encourage anyone to "stay away from work or to strike in contravention of the provisions of any law, or to support such stayaway action or strike".

It will also be an offence to incite or encourage anyone "to exert power and

authority in specific areas by way of structures purporting to be structures of local government and acting as such in an unlawful manner, or to establish such structures, or to subject themselves to the authority of such structures, or make payments which are due to local authorities to such structures".

See Page 8

● From Page 1



# A cruel glimpse of freedom ...

327  
w/nail  
12-18/6/87

## WEEKLY MAIL REPORTER

A CRUEL few seconds of freedom — that's what the end of the first year of the Emergency meant to about 3 000 detainees.

As the country's third State of Emergency expired yesterday, the Minister of Law and Order was obliged to release all the Emergency detainees.

At least 75 percent of them were then immediately redetained in terms of South Africa's fourth State of Emergency, proclaimed by the State President on Wednesday night.

This meant that about 3 000 detainees were technically free for a few moments — between being told they were released and being informed they were to be redetained.

In one case in Naledi, Soweto, police enticed released children back into custody by asking them to return to a police station to sign release forms.

Nine of the children released on Wednesday night — some only 12 years old — had been redetained within two hours.

(See picture at right and details below).

The Minister of Law and Order, Adriaan Vlok, was a busy man, having to put his mind to the case of every detainee who was redetained before issuing the appropriate order.

According to legal experts, the police were obliged to physically release every detainee before holding him or her again. This process led to elaborate procedures at many prisons around the country.

In Port Elizabeth, two important security trials were held up because Emergency detainees were not available as witnesses. The courts were told they were being taken through the process of release and redetention.

The SAP directorate of public relations, however, told the *Weekly Mail* that the process of re-arrest was "a mere formality".

The case of each detainee held under the outgoing regulations "is being considered on merit", the SAP said.

"Should the re-arrest of a specific person under the new Emergency regulations not be deemed essential, such a detainee will be released."

"The re-arrest of those not to be released under the new Emergency regulations, will be a mere formality."

Lawyers said last night that if this was the case, the detentions were likely to be challenged in court. Police were obliged to release people properly and physically before taking them back into custody.

Although official figures of the total number of detainees have not been released, the Detainees' Parents Support Committee estimated that there were about 3 500 people in detention earlier this week. It is estimated that about 500 were released in the last few days.



Mothers Elizabeth Kasa and Elizabeth Makhanya — children freed, then redetained. Picture: ANNA ZIEMINSKI, Afrapix

particular were rewritten, taking account of the court decisions, and reimposed.

Other restrictions were tightened or extended.

One of the restrictions gives the Commissioner of Police the power of direct censorship. He may issue an order prohibiting the publication of any "news, comment or advertisement ... in connection with any matter" for the purpose of public safety, public order or the termination of the Emergency. The regulation explicitly states that he does not need to hear any other opinion on this issue.

Security Forces can now detain anyone for up to 30 days before the Minister of Law and Order gives reasons for continued detention. The previous limit was 14 days.

Restrictions on the reporting of Security Force action and the photographing of unrest were reimposed.

Restrictions on encouraging boycotts was extended to preventing the encouragement of work stayaways and the non-payment of rent.

Most of the new regulations gave the Commissioner of Police enormous powers to control schools and school premises. Although these powers will have to be invoked by proclamation, he will be able to issue orders controlling the presence and movement of individuals at schools, the use of facilities and the clothing worn on the premises, among other things. Also reimposed were the restrictions on:

- Undermining military conscription.
- Reporting details of the effectiveness of stayaways or boycotts.
- Reporting on illegal gatherings.

The Commissioner once again has the power to place restrictions on people released from detention.

Contraventions can still be punished by a fine of up to R20 000 and/or 10 years imprisonment.

MONO BADELA reports that nine Soweto children were released from detention on Wednesday night — but redetained within two hours.

Some were enticed back to Protea police station in Soweto by being asked to sign release forms.

They were reincarcerated only hours before State President PW Botha reimposed the State of Emergency.

"Cruel, heartless, vicious" were the only words the nine Soweto families could use after their children had been redetained by the

## Then the cell doors slam shut once more for thousands of detainees

neers' Parents Support Committee estimated that there were about 3 500 people in detention earlier this week. It is estimated that about 500 were released in the last few days.

In Port Elizabeth, seven busloads of detainees were taken to black townships and released. In Krugersdorp, about 100 detainees were reported released.

Among those who were allowed to go home yesterday were a number of prominent personalities. These included UDF officials Dr Abie Nkomo, Arthur Mkhwanazi, Titus Mafolo (all of Atteridgeville), Martha Mahlangu, Sandy Lebese (both from Mamelodi), Jack Phahlamohlaka (Soshanguve), Cassim Coovadia, Pat Lephunya, Tom Waspe, Amos Masondo, Mandla Dlamini (Johannesburg), and Emerson Banda (Eastern Cape).

Some of the prominent individuals who had no more than a few seconds of freedom before being redetained were: Sister Bernard Ncube, president of Fedtraw, Raymond Sutt-

ner of the UDF, NECC officials Vusi Khan-yile, Reverend Molefe Tsele, Zwelakhe Sisulu and Bill Jardine and Port Elizabeth community leaders Mkhutshwa Jack, Henry Fazzie and Edgar Ngoyi.

One person who did not even have the few seconds out of custody was Father Smangalisso Mkhathshwa, general secretary of the SA Catholic Bishops Conference. He was charged on Wednesday with possession of a firearm and is now an awaiting-trial prisoner, due to appear in court this morning.

Others less fortunate were seven as yet unidentified trade unionists who were held during a raid on Tudor Mansion in Johannesburg yesterday.

The new regulations published in four government gazettes yesterday reversed many of the decisions taken recently in the Supreme Court.

Most of the restrictions that had been thrown out by the Natal Supreme Court in

## ONE YEAR UNDER THE EMERGENCY

PAGE 15

● To PAGE 2

THE CONTENTS OF THIS NEWSPAPER HAVE BEEN RESTRICTED IN ACCORDANCE WITH THE EMERGENCY REGULATIONS

P.T.O.



W/Prail 12-18/6/87  
327

## Two hours of freedom for nine children

●From PAGE 1

security police.

The children, all of Naledi Extension Two, had been in jail since April 27 and were released at 1pm on Wednesday.

Audrey Coleman, a Detainees Parents' Support Committee's representative, said the actions of the security police were "absolutely appalling. I can't understand why they did not charge the children in the first place. It is the most cynical act possible."

The families met on Wednesday night to discuss the plight of their children.

A distraught Elizabeth Koa, whose two daughters aged 14 and 12, told the meeting that she and other parents were at the DPSC offices when they heard that their children were home.

"We were excited. We rush out and took the first taxi bound for Soweto. When I arrived at home I learnt, to my dismay, that the security police had been there and had taken the two children back to Protea police station. The children were told they were needed to sign release forms. They had light clothing at the time. They are not back yet."

Another mother, Maria Maseloane, said: "I rushed to town to get things to prepare a meal but when I came back I was told that my 15-year-old daughter had been redetained."

Tembi Thabethe, whose 13-year-old daughter was also reincarcerated this week, said: "I was phoned at work and told that my daughter was at home. I immediately took a taxi home only to find out that my child had been redetained."

Elizabeth Makhanya was also at the DPSC offices when news came that her 17-year-old son was out of detention. But when she arrived home he had been taken again.

Some of the children were picked up while playing football.

A representative of the offices of lawyer Priscilla Jana told the *Weekly Mail* that the children were being held at Jabulani police station in terms of the Emergency regulations.

but ruling now not valid

# TONGUE

'House arrest' powers for police in regulations

527  
Jenkins from 12/16/87

# NEW

A NEW state of emergency, which came into being at midnight on Wednesday, re-activates the most stringent censorship conditions of the previous emergency.

Sweeping powers to detain people indefinitely and to silence any debate on campaigns involving stay-aways, consumer boycotts and rent boycotts are contained in the five notices published yesterday in

## SOWETAN Reporter

Government gazettes.

The expanded and revised Press curbs nullify the historic Natal Supreme Court ruling handed down in April and once more outlaw:

• The presence of the Press at the scene of unrest.

## Fears

• The photographing of security force action and situations of political conflict, victims of political attacks and the aftermath of rioting and bomb

blasts:  
• Reporting on security force actions in situations defined as "unrest".  
The new regulations also make provision for individuals to be confined to their homes by order of the Commissioner of Police. Such "house arrest", normally provided for in terms of the Internal Security Act, has seldom been used in recent years.  
Its appearance in the new regulations has sparked fears that it may be used as a cheap alternative to detention. And it allows any member of

To Page 2

# CURBS

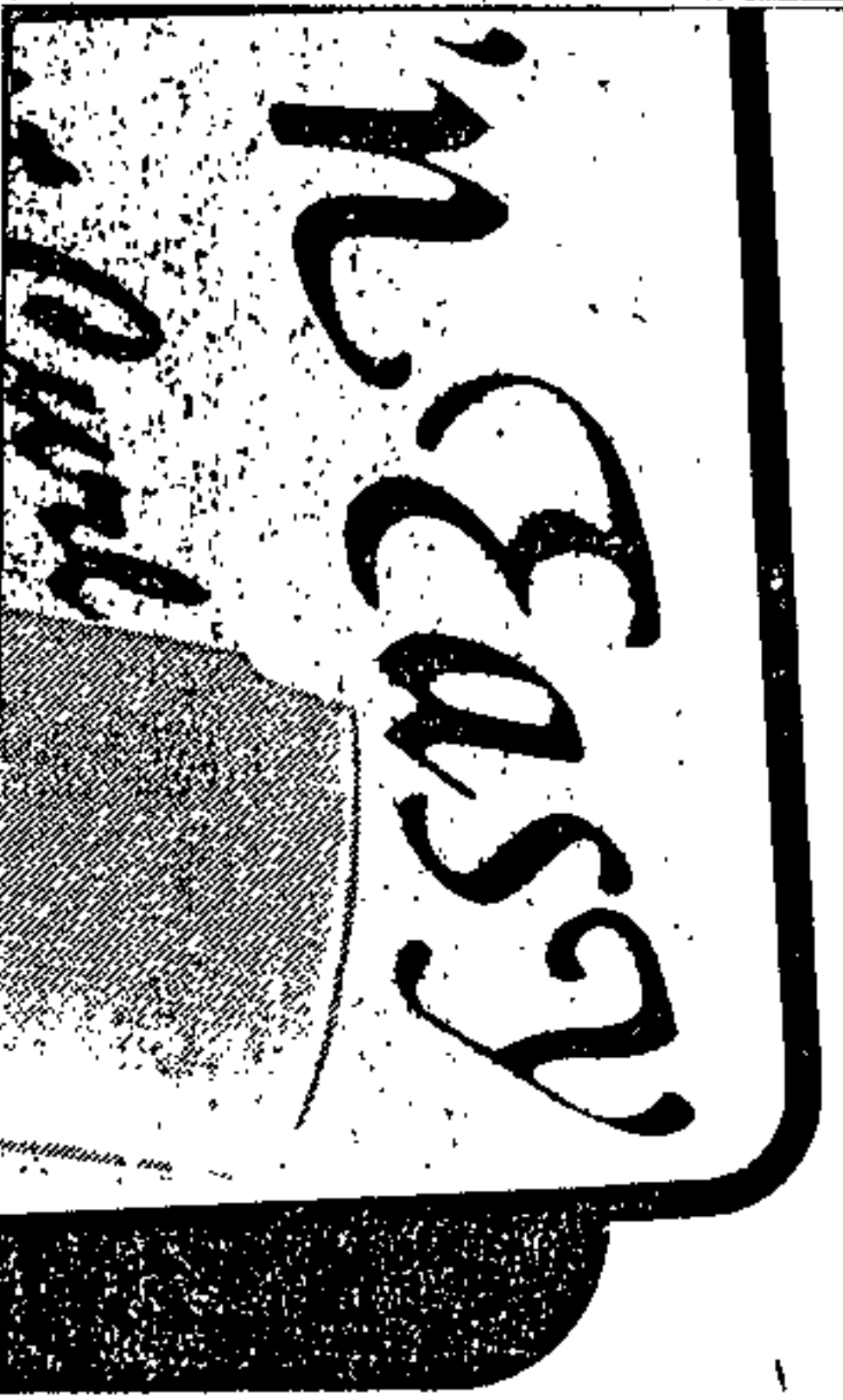
## Tough new curbs

From Page 1

the force to have a person detained for a period of up to 30 days without reasons having to be supplied by the Minister of Law and Order.

In the previous emergency the limit on such detention was 14 days.

Media lawyer Mr Paul Jenkins commented: "Although the loophole which the Press has been



exploiting for the last six weeks has been closed the terms in which it has been done are not necessarily unassailable in law.

"Despite the court Government has yet judgment and the fact again sought to close a that the media have acted loophole in its paranoic responsibly in exercising desire to clamp down on their restored rights the all adverse publicity."



# 1976 'like an unhealed scar on SA history

By SHAUNA WESTCOTT  
Supreme Court Reporter

THE judge presiding over the trial of 13 young ANC members and sympathizers wanted to know yesterday why the ANC did not field candidates for elections in Transkei and Ciskei.

Mr Justice H C Nel put the question to Professor Colin Bundy, who occupies the chairs of history at UCT and UWC, and is an expert on the ANC.

Professor Bundy replied that as far as he was aware, the ANC was banned in these areas.

"As a party, yes," the judge replied, "but is it necessary for them to operate as a party?" He asked whether candidates couldn't stand on some kind of undeclared ticket but supporting the Freedom Charter, adding "Why do you need subversive activities?"

Among other questions from the Bench was whether universal suffrage existed in Russia, what "national liberation" meant and "Where does John Harris and the station bomb fit in?"

The witness explained that John Harris (who planted a bomb at Johannesburg station on July 24, 1964) was a member of the African Resistance Movement which consisted largely of disaffected liberals and had no connection at all with the ANC.

Prosecutor Mr W C Viljoen wanted to know why 1976 had been called "a watershed year".

Professor Bundy said it was a year that "runs like an unhealed scar across South African history".

"Over 500 youthful civilians lost their lives, many thousands of others were imprisoned and thousands went into exile. This is civil conflict of a very high order."

"It is common cause in various accounts that the violence which took place initially on June 16 was violence by State employees, by policemen. A non-violent crowd of marching schoolchildren was fired upon," he said.

This and subsequent episodes of violence of the same kind "dramatized and symbolized patterns of power and authority in South Africa that many South Africans came to perceive as brutalizing, highly undesirable and even intolerable".

The trial continues.

Mr L P Francis and Mr W R Vivier were assessors. Mr Viljoen appeared with Mr M Stowe, Mr D A Kuny SC, with Mr J R Whitehead, Mr A M Omar and Mr S Desai and instructed by E Moosa and Associates and R Vassen and Co, appeared for the defence.



# UDF leaders released and then redetained

Staff Reporter

**EXECUTIVE** members of the United Democratic Front and other organizations are among those released from detention and then re-detained yesterday with the extension of the state of emergency.

According to Mr Essa Moosa, an attorney acting for the detainees, the security police confirmed the re-detention of the following detainees (their original date of detention is in brackets):

□ Mr Trevor Manuel, 31, of Kensington, general secretary of the UDF in the Western Cape since 1983 and member of the UDF national executive (15/8/86);

□ Mr Mzonke Whitey Jacobs, 25, of Guguletu, president of the Cape Youth Congress (Cayco) and a Health Care Trust worker (12/12/86);

□ Mr Zoli Malindi, president of the UDF, Western Cape (13/1/87);

□ Mr Naseegh Jaffer, 28, of Schotschekloof, UDF Bo-Kaap area committee member, and also an organizer for the Education Resource and Information Centre (ERIC), former teacher and Grassroots community newspaper employee (12/12/86);

□ Mr Lizo Kapa, 39, Zwelethemba, Worcester member of the Western Cape Civic Association and worker at the Worcester Advice Office (21/2/87);

□ Ms Nomaidia Mfeketo, of Guguletu, member of the United Women's Congress (UWCO) (9/1/87);

□ Mr Christmas Tinto, 41, former UDF vice-president and member of the Western

Cape Civic Association (27/1/87);

□ Mr Roseberry Sonto, 33, of New Crossroads, a community worker and member of Cayco (9/3/87);

□ Mr Ebrahim Rasool, executive member of the UDF, Western Cape, and Call of Islam (6/6/87);

□ Mr Desmond Abrahams, 20, of Bonteheuvel, member of Cayco and a standard eight pupil at Bonteheuvel High School (20/5/87);

□ Keith Cootee, 17, of Bonteheuvel (14/5/87);

□ Mark Truebody, 18, a matric pupil at Bonteheuvel High School, member of the Bonteheuvel Interim Schools Committee (Bisco) (14/5/87);

□ Clayton Visagie, 18, a pupil at Bonteheuvel High School (14/5/87);

□ Mogamat Zain Elmie, a matric pupil at Bonteheuvel High School (14/5/87).

Mr Moosa said that in Middelburg, Moses Dikgaewi, Mzukisi Mooi, Tembelakhie Joe, Elsie Tintwa and Mbulelo Grootboom were released from emergency detention but are still being held to face charges.

Further David Mahlanza was released but held at the Guguletu police station to face charges and Lungile Jordaan was released and appeared in the Magistrate's Court yesterday on a charge of perjury.

Those who were released are: Leslie Maasdorp, 21, a student at the University of the Western Cape (he spent a day short of a year in detention), and Logan Wort, 26, of Mitchells Plain, who spent two weeks short of a year in detention; Tommy Mathee, Cello Mahoali, Wesley Ntsamba, Shepherd Matshoba, Wesley Ntshamba, John James, Fezile Tiyo, Case Nkwenkwe,

James Moshoeshoe, Harris Sibeko, Irvine Kolo, Stanley Yisaka, Simon Makhamba, Zabron Titana, John Leswetswa and Felix Gwashu, Gerald Roro, Sipho Dambuza, Michael Jantjies, Michael Mose, Xolisi Hluzphondo, Phumzile Ntontla, Theophilis Peko, Mike Zamla, Silimile Siyikile, Michael Matiyashi, Alfred Mbetha, Elliot Mninzi, Jonathan Sehlake, Vikeli Ntshebe, Goodman Nangawiza, Warrington Mkweda, Elliot Tyria, Same Cele, Mzwandile Mkolo, Livingstone Peter, Eric Mashologu, Mongezi Sukani, Wilfred Mketwa, Samuel Madinin, Headman Maliwa, Zamilé Mfketi, Melfor Ntuli, Bongoshosi Boo, Mthobeli Mgqublo, Irvin Kolom, Harris Sibeko, Thomas Mathee, Tony Gociny, Robert Louw, Lizzie Phike, Lizzie Nkhutshu, Coline Williams and Dorothy Mfalo.

Rufus Mbuku, David Duka, Xolile Claassen and Meshak Mangoliso, all of Middelburg, and Minah Mbekushi, of De Aar, were released, Mr Moosa said.

□ In Port Elizabeth about 300 state of emergency detainees were released.

□ In Durban 60 detainees, who were held under the emergency regulations, were released.

Of these, 14 made brief appearances in Pinetown Magistrate's Court, but no charges were put to them and they were released after being warned to appear in court again on June 25.

Mr Vasu Gounden, a lawyer who represented one of the detainees, Sipo Gwabasa, said some were minors who had been released into the custody of their parents.

## 'Happy, sad to leave' — detainee

Staff Reporter

MR Logan Wort, 26, of Mitchells Plain was released yesterday after almost a year in detention at Victor Verster Prison.

He described his detention as a "terrifying experience", but said his commitment was as strong as ever.

Mr Wort is a member of the UDF-affiliated Cape Youth Congress. He was reunited with his family after being detained on June 25 last year.

Mr Wort said prison warders told members of his group on Tuesday to pack because they were being released. They were taken to various police stations and eventually to Bellville railway station.

"We knew something had to happen on June 12 and that we would either be released or re-detained. The comrades were strong throughout the year but about two weeks ago their spirits sagged because people did not know what was going to happen.

"There were activities (discussions and toi-toiing) every night and we organized sport and built our own tennis court. Our section joined hands every night and had a five-minute prayer service and read from the Bible or the Koran.

"The lesson that you learn is that historically death, prison and beatings form part of a society like ours. We tried to encourage each other



## Alliance: 'Jails no place for children'

Staff Reporter

**ELEVEN** children in detention is "11 too many", the Free the Children Alliance said yesterday in response to statements by the Minister of Law and Order, Mr Adrian Vlok.

The alliance — consisting of dozens of organizations ranging from the United Democratic Front, Claremont, to the Women's Movement for Peace and the Cape Mental Health Society — said in a statement that they wished to respond to the "barrage of propaganda attempting to re-



## 'Happy, sad to leave' — detainee

Staff Reporter

MR Logan Wort, 26, of Mitchells Plain was released yesterday after almost a year in detention at Victor Verster Prison.

He described his detention as a "terrifying experience", but said his commitment was as strong as ever.

Mr Wort is a member of the UDF-affiliated Cape Youth Congress. He was reunited with his family after being detained on June 25 last year.

Mr Wort said prison warders told members of his group on Tuesday to pack because they were being released. They were taken to various police stations and eventually to Bellville railway station.

"We knew something had to happen on June 12 and that we would either be released or re-detained. The comrades were strong throughout the year but about two weeks ago their spirits sagged because people did not know what was going to happen.

"There were activities (discussions and toi-toiing) every night and we organized sport and built our own tennis court. Our section joined hands every night and had a five-minute prayer service and read from the Bible or the Koran.

"The lesson that you learn is that historically death, prison and beatings form part of a society like ours. We tried to encourage each other.

"The visits once every two weeks — restricted to three immediate family members — and the letters kept our spirits up. However there were some people who never received visits.

"I was happy to leave and yet I was sad because we left people behind who became like family members."



HOME-FREE... Mr Logan Wort with his nephews (from the left) Chesley Wort, 3, Monray Styner, 4, and Clinton Wort, 4.

Picture: ALAN TAYLOR

## Alliance: 'Jails no place for children'

Staff Reporter

ELEVEN children in detention is "11 too many", the Free the Children Alliance said yesterday in response to statements by the Minister of Law and Order, Mr Adrian Vlok.

The alliance — consisting of dozens of organizations ranging from the United Democratic Front, Claremont, to the Women's Movement for Peace and the Cape Mental Health Society — said in a statement that they wished to respond to the "barrage of propaganda attempting to reassure the public about the issue of children in detention".

"Mr Vlok has said there are only 11 children under the age of 16 in detention. We say that 11 is too many. Jails and police cells are no place for children."

Mr Vlok had said children were being held in connection with criminal charges, including necklace murders and public violence.

The alliance asked how these detentions could be justified on the basis of statements elicited from young children subjected to the pressures of incarceration.

They said Mr Vlok had failed to provide concrete evidence that "revolutionary-thinking radicals have cold-bloodedly singled out children and forced them to perform cruel and disgusting deeds."

"Until these charges are proven in court we refuse to accept Mr Vlok's word for them."

Mr Vlok had not disclosed the number of child detainees aged 16 or 17: "We want to know why he ignores the Child Care Act's definition of children as those under 18 years."

The alliance also asked why the Child Care Act was being overridden by emergency regulations, and why children's courts were not used.

"We demand the release of all detainees, especially children. The reimposition of the emergency will not bring peace with justice to our country."

## Govt denies by-passing court rulings

Political Staff

THE government last night denied that the changes introduced to the state of emergency regulations were designed to circumvent those recent Supreme Court judgments which had overturned certain regulations affecting the media.

In a press briefing, the Deputy Minister of Information, Dr Stofel van der Merwe, said the changes should not be seen as an attempt to circumvent such decisions as that made by the Natal Bench, or the likely outcome of the review ruling on the matter to be made by the Appeal Court.

He said the regulations had been re-promulgated "with minor refinements" to deal with those issues or problems which occurred over the past year.

Dr Van der Merwe said the circumstances surrounding each

person held in detention in terms of the emergency regulations had been under review for some weeks, and where these circumstances were "less compelling" these people could be released.

He said it was likely that some of them would also be released under certain conditions, which could include house arrest, or being restricted to specific magisterial districts.

Mr Van der Merwe said the strong emphasis given by State President P W Botha to the ANC/SACP presence in Mozambique and the reign of terror being orchestrated in SA from that country should not be read as a warning signal to the Mozambique government.

The selection of Mozambique was incidental and merely to provide an example, Mr Van der Merwe said. Mr Botha could equally have selected any of the

other frontline countries, he added.

Mr Van der Merwe said it was not foreseen that the emergency regulations would be a permanent feature in SA. But at this stage, though the unrest has diminished, there were no indications that it would not flare up again should the emergency be lifted.

He indicated that the government would, consequently, not easily be able to pursue its reform plans till that situation was changed.

And, when that process was restarted, government was going to have to talk to a variety of people, including some of those who had been in detention, Mr Van der Merwe concluded, using the Rev Allen Hendrickse, leader of the Labour Party and a member of the cabinet, as an example.

## Decree undermines dialogue — US

WASHINGTON. — The United States yesterday criticized the South African government for renewing the state of emergency, saying it showed a lack of understanding of the country's problems and undermined peace efforts.

"The South African government's activities and decisions show a lack of appreciation for the fundamental causes of unrest and violence there," State Department spokeswoman Mrs Phyllis

Oakley told reporters.

"The reinstatement of these (emergency) measures will only continue to undermine opportunities for dialogue which could lead to a resolution of South Africa's internal problems," she added.

"We see no justification for the extension of the current state of emergency."

The emergency, under which thousands of people have been

detained and which imposed sweeping media censorship, was extended on Wednesday night by President P W Botha, who justified it on the grounds that South Africa was a target of a "scourge of terrorism".

He made the announcement as the leaders of the big industrial democracies, including President Reagan, issued a communique at the end of a summit meeting condemning terrorism. — Sapa-Reuter



# New govt controls

CAPE TIMES 12/6/87  
By BARRY STREEK  
Political Staff

NEW emergency regulations, which were gazetted yesterday, have imposed wide-ranging restrictions on boycott campaigns, particularly consumer boycotts and rent boycotts, and on strikes which contravene the law.

They have also maintained tight controls over reporting of unrest and detentions under the emergency.

But a previous provision preventing the "encouraging or promoting" of disinvestment or the application of sanctions has been omitted.

The new regulations have been amended in various respects, particularly in regard to sections invalidated by Supreme Court rulings, but most of the old provisions have been incorporated in the new regulations.

However, detainees may now be held for 30 days before confirmation by the Minister of Law and Order, instead of the old provision of 14 days' detention before confirmation.

The most significant extension of the restrictions is in regard to the controls over boycotts, which are included in the definition of a "subversive statement".

It will now be an offence to take part in, or to make a statement which incites or encourages the public, or is calculated to have the effect to take part in, a boycott action "against any particular firm or

On Page 3

- ☐ Leaders released, detained
- ☐ UDF man is freed
- ☐ 'Jails no place for children'
- ☐ Govt denies by-passing courts
- ☐ US criticizes emergency

against firms of any particular nature, class or kind, either by not making any purchases at or doing other business with or making use of services rendered by that particular firm or any firms of that particular nature, class or kind".

It will also be an offence to take part in a boycott action against "any particular product or article or against products or articles of any particular nature, class or kind".

Boycott actions against any educational institution, refusal to attend classes or "to participate in other activities at the particular institution or at any institutions of that particular kind" are also illegal.

It will be an offence to take part in an act of civil disobedience "by refusing to comply with an obligation towards a local authority in respect of rent or municipal service".

These provisions are clearly aimed at preventing consumer, education and rent boycotts.

In the old regulations, it was an offence to take part in or support "any boycott action".

The new definitions extend this, apparently to cover all boycott actions.

Previously it was an offence to take part in "any unlawful strike".

Now, it will be an offence to incite or encourage anyone to "stay away from work or to strike in contravention of the provisions of any law, or to support such stayaway action or strike".

It will also be an offence to incite or encourage anyone "to exert power and authority in specific areas by way of structures purporting to be structures of local government and acting as such in an unlawful manner, or to establish such structures, or to subject themselves to the authority of such structures, or make payments which are due to local authorities to such structures".

This provision is clearly aimed at making the establishment of alternative local government systems illegal and at the prevention of "liberated zones".

Another provision outlaws support for "peoples' courts" and alternative legal structures.

Under the current regulations, the commissioner of police may, without prior notice to any person, issue orders prohibiting an individual from "being outside the boundaries of his residential premises in any particular area at any time".

Last year's regulations gave the commissioner, or any person authorized by him, these powers.

Coercion and

Guerillas



**ONE YEAR ON: What do you think**  
one year of emergency rule  
has done to, or for, South  
Africa, particularly on the  
political front?

**SUZMAN:** Well, for a start the  
threshold of tolerance towards  
emergency conditions has risen to  
such an extent that people not  
directly affected no longer feel un-  
comfortable with the fact that civil  
rights have virtually been obliter-  
ated.

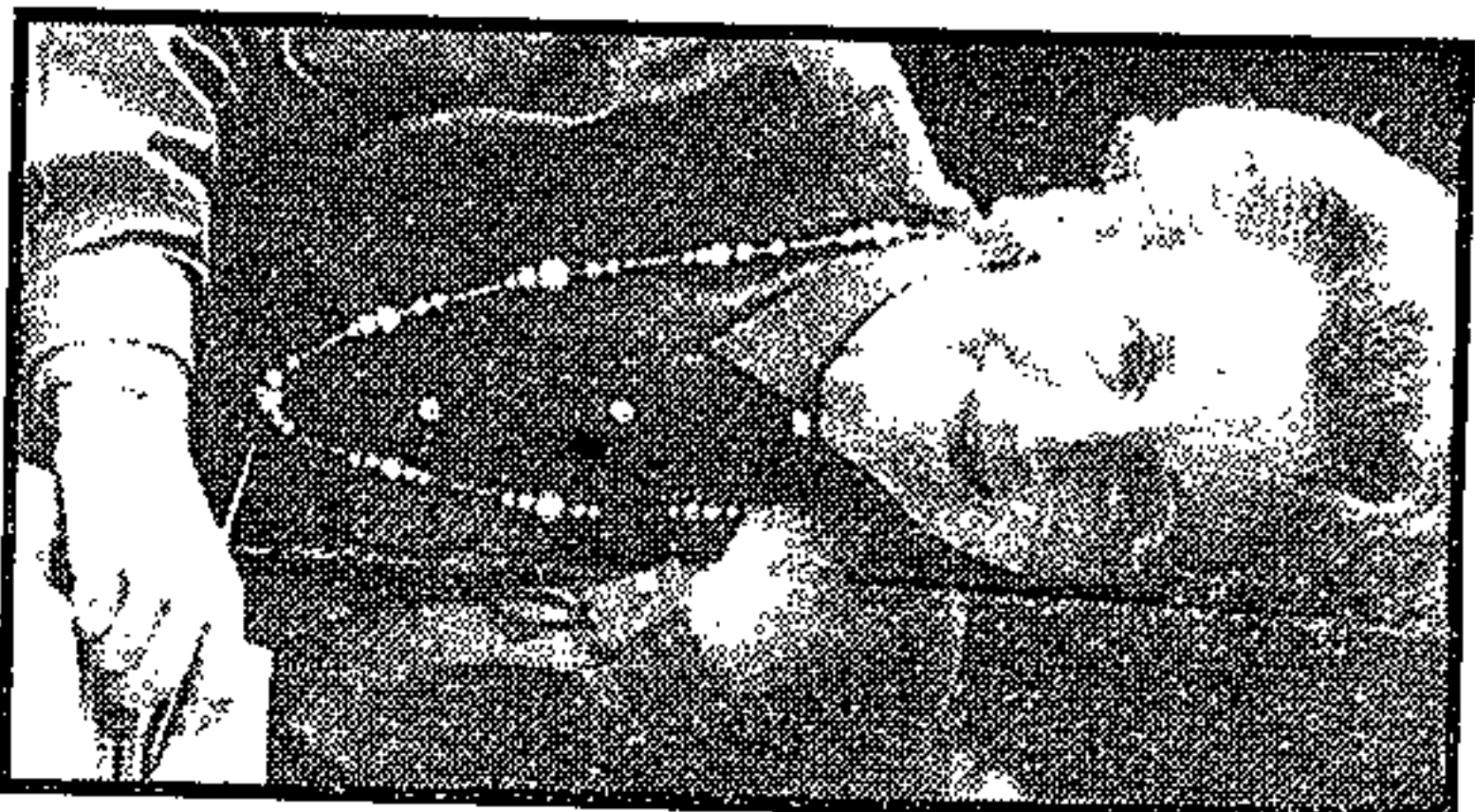
This can be seen in the inroads  
that have been made in the public's  
right to know, the right of free  
association (people now just ac-  
cept that you cannot have outdoor  
meetings and many indoor meet-  
ings are forbidden), and the fact  
people no longer have the protec-  
tion of habeas corpus if any official  
or policeman decides that their ac-  
tions — or what they wear, or have  
in their possession — is "subver-  
sive".

There is no longer a real outcry  
among what one may call the "gen-  
eral public" over this sort of thing.  
So the liberal traditions have been  
very heavily subverted.

**DO YOU** feel that people have be-  
come so desensitised that any at-  
tempts to rekindle those traditions  
if and when the emergency is lifted  
will be difficult?

**YES, VERY** difficult, because the  
threshold of tolerance rises and  
people get used to this. On the oth-

## STATE OF EMERGENCY — ONE YEAR ON



□ SUZMAN

# The calm of repression, not calm of contentment

**Veteran civil rights campaigner and PFP spokesman**  
**on law and order HELEN SUZMAN talks to**  
**ANTHONY JOHNSON of our political staff on the**  
**state of the nation after one year of emergency rule**

see this phenomenon?

**WHAT I** mean is the growth of the  
nation-wide security network —  
from the State Security Council at  
the top through to the Joint Man-  
agement Centres, which are com-  
posed of appointed police, arm  
and other officials and some co-  
optees — which has taken on quite  
considerable powers without pro-  
per accountability.

Accountable politicians have at-  
tached their powers and responsi-  
bilities to non-accountable individ-  
uals in the co-optive security  
establishment, which exercise  
considerable power over loca-  
elected bodies despite the absence  
of any statutory authority to dic-  
tate to them.

The National Security Manage-  
ment System is primarily a crea-  
tion of the security forces and inti-  
mately involved in political  
decision-making, something I re-  
gard as a sinister and disturbing  
development.

What is more, the actual process  
of decision-making takes place in  
secret, making criticism of deci-  
sions virtually impossible because  
the basis on which they are made is  
unknown.

These security bodies are not re-  
sponsible to anybody; they are not  
accountable to anybody except the  
State Security Council itself, which  
is accountable only to the State  
President, who is not accountable  
to anyone but himself.



site effect on the outside world, because their concept of this country increasingly skirts the everyday life which does continue.

**S**A appears to them to be a totalitarian country. This is a skewed concept, although we have many of the hallmarks of such a society because of the emergency regulations.

**GOVERNMENT** Ministers have on several occasions in recent months argued that the state of emergency has brought relative peace to SA. To what extent would you say the emergency has enhanced the prospects for a permanent peace or a negotiated solution to the country's political problems?

**WELL**, I think all it's done is heighten the resentment because, when you think that the official estimate of those detained for 30 days or more since the emergency was declared is over 14 000 and the turmoil this brings about in the family, in relationships, in jobs and so on, it certainly does not make people more amenable to sitting down to peaceful negotiations.

So the relative calm that appears to be prevailing — if this is indeed so — is the calm of repres-

sion. It is not the calm of contentment.

Unless some major — really fundamental — changes are introduced, you are not going to get that transformation of the masses of people from a sullen, resentful population to one that is ready to negotiate peacefully.

The Deputy Minister of Law and Order, Roelf Meyer, recently claimed that the emergency had resulted in a decrease in violence by more than 80%, but there is no way of checking this by impartial means because of the very rigid restrictions on the media.

So there, too, we will continue to be kept in the dark about the true circumstances in the townships.

**HOW DO** you feel a year of emergency rule has affected mainstream political parties and extra-parliamentary opposition groupings in terms of their strategies, self-confidence and ability to survive?

**WELL**, of course it has helped the National Party, in that the declaration of the emergency alerted people to what they thought were "threats" and the "total onslaught" and all that stuff, which government played on very successfully during the election campaign.

It drove PFP supporters towards the NP, but it also drove

their supporters into the Conservative Party.

The extra-parliamentary parties have suffered very considerably as a result of the detention of their leadership ranks and their difficulties in organising protest meetings.

But they seem to be extremely resilient, because the emergency certainly has not put them out of action.

**T**hese extra-parliamentary opponents of government are not going to go away, but the emergency has certainly encouraged them to adopt new strategies for survival, including the conveying of instructions from the leadership level down to grass roots supporters, learning the hard way about informers in their ranks and a generally heightened awareness of the need to struggle and government's determination to control them.

**DO YOU** think there is a danger that government could become "hooked" on the emergency?

**YES**... I mean, once we started on that slippery slope in 1963 of detention without trial — which then became the Terrorism Act of 1967, and the Internal Security Act of 1982 with greater and greater

powers being handed to the police each time — such practices became much easier than the normal methods of arrest and having to produce a person in court within 48 hours with some evidence to back the charges.

I remember when the 1967 Act was passed a senior police officer said: "This is a mighty weapon in the hands of the police." And that is exactly what it turned out to be.

The authorities are able to detain someone without having to produce them in court, which would be the case if habeas corpus was still available for your protection... But they don't have to produce any proof — they just lock people up.

That is the hallmark of a police state... Although we are not a fully-fledged police state, we have an awful lot of the trappings.

If we had a fully-fledged police state there would be a one-party system with no criticism of government in the newspapers and none of the extra-parliamentary organisations would be tolerated at all. But we are getting pretty close to that now, there's no doubt about it.

**YOU HAVE** recently expressed fears about a "creeping coup" in SA, which you link to growing executive despotism. How do you

**T**his security network has infiltrated the communities, and while they are supposed to be doing something about improving the quality of life, nobody knows how the decisions are taken; they are often on a political basis but not following open discussion.

So what is taking place is an undermining of normal elected bodies that are accountable.

**WHAT OF** the future? How do you see political developments under a continuing state of emergency?

I MUST admit that I am in a pessimistic mood at the moment, partly as a result of the election results, but I just see an on-going confrontation.

President Botha's recent assurances about the National Council are not going to satisfy politicised black people, who are also not going to accept the concept of mere incremental change.

So I see a growing conflict and escalating civil war, although I would be delighted if I was proved wrong.

But I think it is going to take fundamental change to defuse the situation, and right now I don't see this as part of government's plans for the immediate future.



## THE ARTS/BOOKS

# The writer at the walls of Jericho

Nadine Gordimer  
talks about the  
word under siege

Interview: PAT SCHWARTZ

WHEN she launched her new novel in Johannesburg last week, Nadine Gordimer donned, briefly a T-shirt carrying the logo of the Anti-Censorship Action Group. It seemed incongruous, for one does not think of her as a wearer of slogans. But why not? She is a founder and one of the most vocal members of that organisation.

So why does Gordimer sigh and shrug when asked to talk about the novelist in a censored society? Because, as she sees it, the subject is irrelevant now. The heat is not on the writers of books any more, certainly not on writers of imaginative work, but on the press.

Not that South African authors are tackling less dangerous or timely themes or less "hot" subjects, she hastens to add. What is being censored in these emergency times is immediacy — information about now, not the events of yesterday as reflected in works of fiction.

"By the time events have gone through the process they go through with a fiction writer, transposed, mixed with so many fictional elements; by the time they have gone through the writer's imagination and emerged fully reimagined, the event is over," she points out.

That is not quite so of her latest novel, *A Sport of Nature*, which ranges over a period of more than 40 years from pre-National Party governed South Africa to an unspecified future date on which the country emerges, triumphantly into independence.

The two characters she regards as central — chief protagonist Hillela and her cousin Sasha, symbolise, for her, some of the ironies of life on this politically volatile tip of Africa.

The one, non-analytical and careless, stumbles on an ideological path through a series of accidents of fate and love — a winner always. The other, troubled, caring, conscientious, is ultimately a loser.

"One of the things about a novel that follows a lifetime, as this one follows Hillela's lifetime, is that you have a chance through the characters to see how the meaning of events changes," says Gordimer.

So, the South Africa of the Forties, Fifties, Sixties and Seventies is refracted through the prism of hindsight and in its optimistic, even utopian ending, Gordimer reflects her own faith in the future and highlights the ironies inherent in the South African saga.

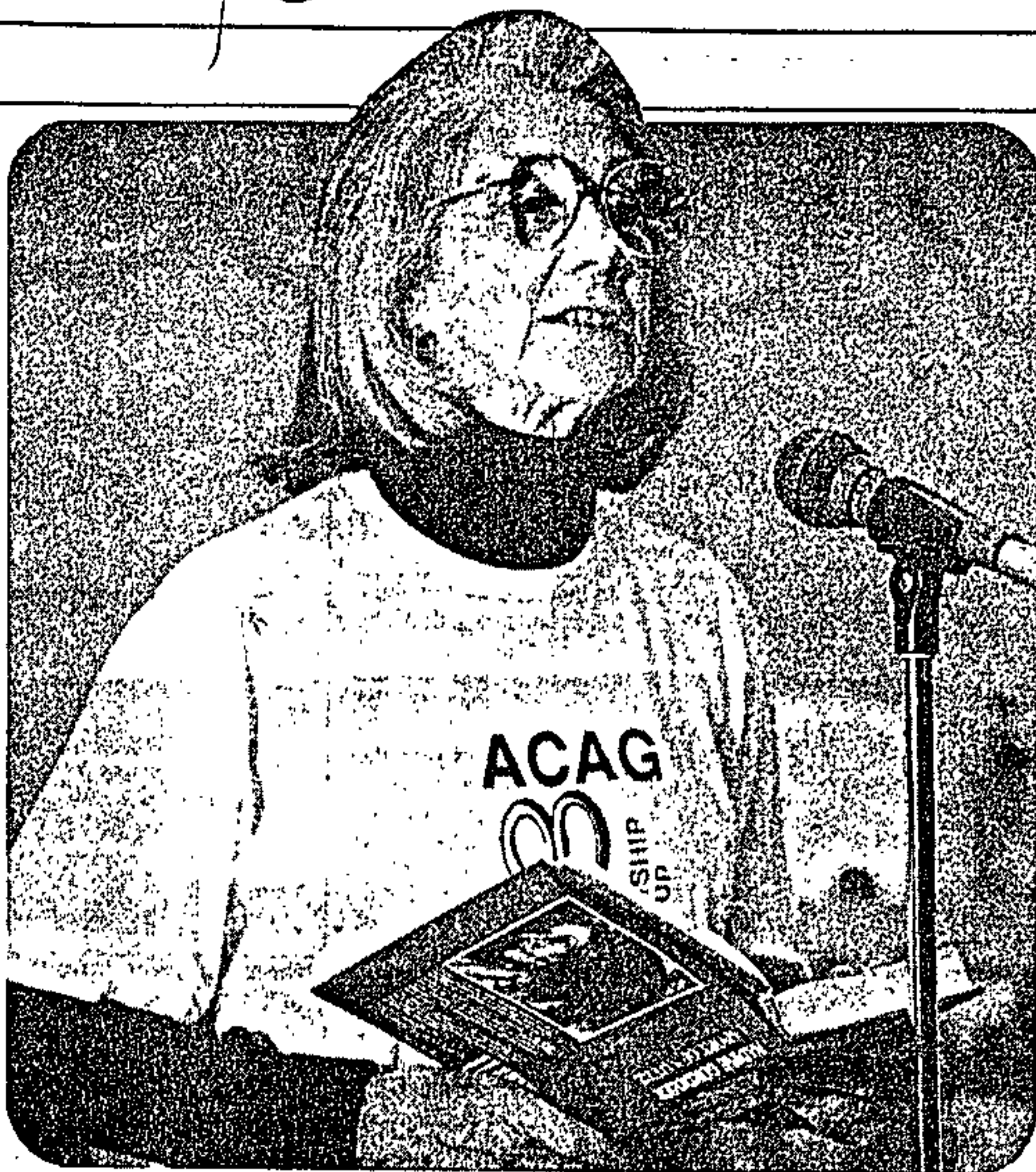
"If you analyse what happens at the end, Sasha — who has gone through the whole process which has led to that 'happy ending' (which is really only a beginning) and who has really worked for it — isn't there when it happens while Hillela is there, queening it around. That is one of the ironies in life — people don't always get what they deserve in terms of how they lay their lives on the line."

That's the characters. Where, though, is their creator? Has her perspective changed? Is it a different Gordimer who is reflected in the almost tender, gently ironic, though explicitly politically angled atmosphere of her latest work?

Yes it is. "Inevitably, you don't want to go on writing about the same things. You are literally going through life and I have always felt it was a double process — you are interpreting experience and that experience is changing but you are changing too. What is happening around you is changing your attitudes, even your vocabulary."

But the change is all part of a continuum. "Your whole life you are really writing one book which is an attempt to grasp the consciousness of your time and place, a single book written from the different stages of your ability."

Levels of importance keep changing in everybody's life but far more markedly, she feels, in this country "and especially among whites. Depending on our experience and what we see around us, our perceptions change about the



Nadine Gordimer reads an excerpt from her new book *A Sport of Nature*

Picture: ERIC MILLER, Afrapix

way we live and about our relationships with blacks".

Irony is the principle mode Gordimer has used in this latest work, an irony she sees as dominating life in South Africa and its relationships with the outside world "which, over the past few years, has become more and more important in our lives."

"Ten years ago, when I wrote *Burger's Daughter*, the pressure of the outside world and the consciousness of us was much less than it is now." So it is that Gordimer can take her Hillela out of South Africa, deeper into the continent and on to Europe and America.

Allied through love to a cause she might never have espoused, she moves through the world of exiles but rootless and ruthless she is never really one of them. Another irony is "she always comes out on top — how many wonderful people we know don't. If they stay here they are overcome by the system, if they are in exile, they are living on the edge of another society."

Hillela's kind of woman — "effective in ways that are difficult for women like myself to understand" — fascinates Gordimer. She likens her Hillela to a Mme de Pompadour, an Evita Peron. "There's something disconcerting for us in that a woman like Hillela always falls on her feet. She doesn't think ahead but makes the right choices as, often, somebody more cerebral wouldn't."

No metaphor, no *Everywoman* (Gordimer inclines to portray individuals), Hillela is a person who illustrates her creator's conviction that "there are many ways to live and to be effective in the most difficult of situations."

"We live in a country and at a time where

there are so many disappointments and noble failures in people who seem to go about things the right way. I don't think we are confused in what we believe in — wanting to change and live a different life — but many of us don't really know how to do it."

Certain as she appears to be about her convictions and her role, she does not exclude herself from that concerned and confused "we". One can be committed to the liberation of this country but one mustn't expect the walls of Jericho to fall the moment you commit yourself.

"Speaking as a South African citizen and not as a writer, I try to do the things that carry our my convictions but can't always find the way to be effective."

"I take my guidance, now, from the United Democratic Front. The important thing is not to give up on any front. I'm inspired by so many brave and audacious fellow South Africans whether they are the great names in the struggle — the Zwelakhe Sisulus and Beyers Naudes — or whether they are unknown, battle-scarred youngsters from Alexandra like those I met a few days ago."

"It's an honour to be living at a time and in a place with them and to know that however small one's own contribution to it may be there's no doubt that liberation will come."

Gordimer is not Hillela, nor is she any of her other characters. This work, like all her other novels since the very first, is not about herself but about her society.

"The writing comes out of the tension — being involved in life and then, in order to write, you also have to be able to take an objective view. I think that's what makes writers monsters in a way."



Ravan Press

## PASS CONTROLS AND THE URBAN AFRICAN PROLETARIAT

DOUG HINDSON

Conventionally, liberal and Marxist writers have argued that the purpose of pass and influx controls is to prevent African urbanisation and perpetuate temporary migration.

In this important new study Doug Hindson argues that urban pass controls in the apartheid period secured the reproduction of differentiated labour power: urban proletarians and temporary migrants. Pass controls segmented urban from agricultural and mining labour markets. They discriminated between permanent and migrant workers with regard to job allocation, housing and services in urban areas.

Pass controls originated with slave labour in the Cape in the eighteenth century. Successive dominant groups and classes adapted them to secure servile and exploited labour in different forms. The book traces the stages through which the pass system evolved, giving particular attention to the system under orthodox apartheid.

Since the late 1970s attempts have been made to reform pass controls. These reforms are critically assessed.

Price: R14.00

It is with security subject to the c is to in true. Base study, I provide date aq In a book n legal a subject study, of the 0 81 Av



# STATE OF EMERGENCY

# YEAR OF THE BIG STICK

W.M.  
12-18/6/87  
327

**A**NNIVERSARIES invite stock-taking, and none more so than the first anniversary of the national State of Emergency imposed by President PW Botha on June 12 last year.

The State of Emergency, the first on a nationwide scale since the Sharpeville massacre of 1960, has clearly fulfilled its immediate objective: containing the intensifying rebellion in the black townships.

But it has certainly not led to the achievement of the next major goal of the government's counter-revolution: negotiation of a political settlement with genuine and credible black leaders or, alternatively, depriving them of their mass support.

The political cliché popularised by the Botha government is that the solution to South Africa's problem of satisfying the rising expectations of the black majority is 20 percent military and 80 percent political.

The State of Emergency has proved that the army and the police can effectively counter revolutionary violence, as they did in 1976-77 and as they have done so far on the Namibian border.

But the ruling politicians have yet to show that the Emergency has enhanced their ability to deliver a lasting political solution. Indeed, by detaining and alienating literally thousands of black community leaders, it may have made their task more difficult.

The success of the Emergency in slowing and, in places, halting revolutionary violence — though not, of course, state violence — is manifest in official figures. There has been an 80 percent decrease in violent acts of rebellion since June 12, according to Deputy Law and Order Minister Roelf Meyer.

These figures may not reflect counter-revolutionary violence by vigilantes and the security forces. But they cannot be dismissed as mere manipulation of facts, behind a screen of press restrictions, by the Bureau for Information and the Police Division of Public Relations. There are independent pointers to the success of the counter-revolution.

Townships which were strongholds of the "comrades" in late 1985 and early 1986 are today largely under the control of pro-government forces.

To cite three examples: Alexandra, on the outskirts of Johannesburg, is now ruled by a white administrator and earmarked for upgrading by a counter-revolutionary Joint Management Centre; in KwaNobuhle, in the Eastern Cape, vigilantes have gained the upper hand; and at Crossroads, near Cape Town, Johnson Ngxobongwana rules supreme after the *witdoek* vigilantes routed anti-apartheid activists, allegedly with police help.

Josette Cole's conclusion on Crossroads in her important new book *Crossroads, The Politics of Reform and Repression, 1976-86* applies in broad terms to many townships.

"By the end of 1986, the political terrain of the Cape Peninsula had been radically restructured by a state determined to maintain control over the majority of its black population," she says.

"The Crossroads complex, a focal point of squatter resistance to the state, no longer exists ... Old Crossroads, formerly a crucible of re-

In the year since June 12 1986, the government appears to have succeeded in its major objective: stamping out unrest. But by the harshness of its methods, it may have provoked future perils. PATRICK LAURENCE assesses the second State of Emergency



Ruling by the gun: A stopper but not a lasting solution

Picture: STEVE HILTON-BARBER, Afrapix

in a decision by the Legislative Assembly — over which he now presides, minus anti-independence leaders — last August to abandon the quest for independence.

The success of the State of Emergency seemingly reinforces, as a diplomat remarked in an interview, all Botha's presuppositions in declaring the Emergency.

These were, the diplomat said, Botha's explicit and implicit beliefs that the township revolt could be crushed by the application of greater force, that popular opposition forces could be seriously disrupted by detaining their leaders, and that the rebellion was fanned by press coverage and could, therefore, be contained by press restrictions.

But while the State of Emergency can be interpreted didactically as proof of these assumptions, the situation is more complex. Without denying its effectiveness in containing and repressing rebellion, there are signs that the Emergency may have failed in some respects.

It has forced the United Democratic Front to become a *de facto* underground organisation, but it has not destroyed it.

Less than a fortnight ago the UDF was able to hold a national conference attended by representatives of nine regions. It was a manifestation of a spirit of defiance and a will to resist what the UDF termed the "apartheid regime's

total onslaught".

It may not seem much when compared with the massed strength of the state. But historically resistance has always been sustained and nourished in small ways during what those who survive call the "dark hours". The UDF is no exception.

A small example was manifest during Botha's recent visit to Sharpeville. A message on the walls of a building not far from the route taken by Botha during his fleeting visit proclaimed: "Long live Vacyo. The struggle continues."

Vacyo is the local branch of the South African Youth Congress, Sayco, the latest UDF affiliate, which was formed clandestinely during the State of Emergency.

By forcing the UDF to operate subterraneously the government has, in some respects, compounded rather than overcome its difficulties. As political scientist Tom Lodge observed in an interview: "In dealing with one problem, they have created another."

The suppression of extra-parliamentary opposition from the UDF and, in smaller measure, the Azanian People's Organisation, has increased pressures on the trade unions to take up political issues.

Under the exigencies of the State of Emergency, the Congress of South African Trade Unions has abandoned any pretence of merely concerning itself with shop-floor issues. It openly proclaims that it is part of the liberation movement and enjoys cordial relations with both the UDF and the ANC.

**L**odge predicted that a Bill before parliament at present will bring the trade unions even more directly into the political frontline.

Under the Bill, black town councils can obtain a court order to force employers to make deductions on their behalf from the wages of workers who are in arrears on rent. The move is a calculated bid to break a civil disobedience campaign which has persisted throughout the State of Emergency: the refusal of blacks to pay rent and service charges in the townships.

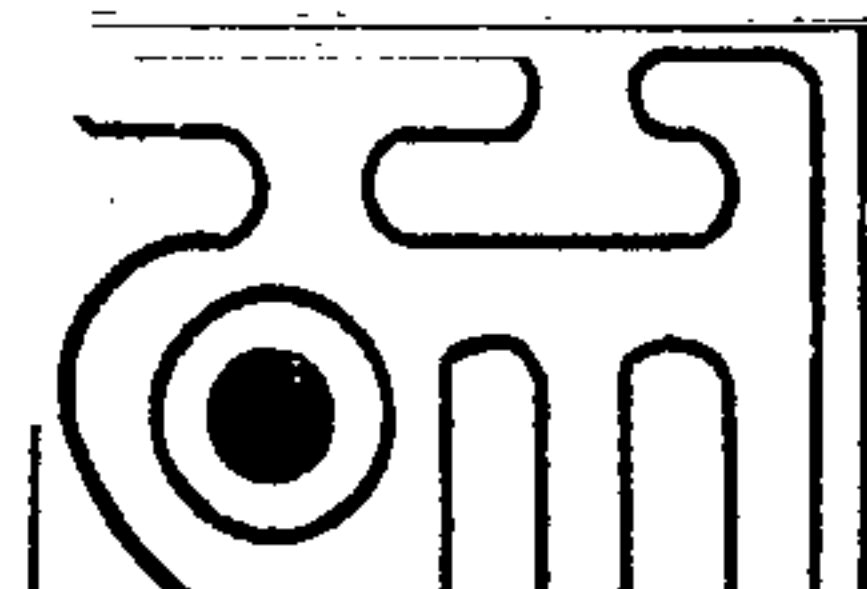
But, Lodge warned, the move would merely catapult trade unions into conflict with employers who, whether they like it or not, would be acting as surrogates of state authority.

Apart from ensuring that major trade unions take up cudgels on political issues — detention without trial is an obvious one — the State of Emergency has blurred the distinction between the outlawed ANC and the still theoretically lawful UDF.

By forcing the UDF to function as a semi-clandestine political movement, the State of Emergency has pushed it closer to the ANC. The line between the two ideologically similar but nevertheless distinct movements is now porous.

Throughout the State of Emergency the ANC has sustained its "armed struggle", mounting a record number of 228 strikes last year. By the end of May, its tally for 1987 was about 70, including the devastating car bomb attack outside the Johannesburg Magistrate's Court on May 20, which claimed the lives of four young police constables.

Far from providing a shield for peaceful negotiations, the Emergency may have ensured that the struggle for a non-racial South Africa takes a more violent course.



RECENT BUYING:

JEWELLERY

ETHNIC, TRADITIONAL  
AND CONTEMPORARY

we do all our buying from source and authenticate all pieces

african magic

specialists in southern african tribal artefacts and jewellery

20 rocky st. bellevee johannesburg 011 648452



## STATE OF EMERGENCY

DURING the last year of the State of the Emergency the role of the judiciary has come under the spotlight more sharply than before.

While the jurisdiction of the courts has been severely curtailed, it is nevertheless only the courts which are able to curtail or challenge the increased powers given to the police and other state machinery.

At the start of the Emergency, when it seemed no dent could be made in the apparently watertight regulations, the Natal bench made significant changes to the restrictions ruling, for example, that detainees being held under Emergency regulations were entitled to legal access.

This was an important improvement in the position of detainees — some of them now beginning a second year behind bars.

Since then the courts have intervened on several occasions, ordering the release of detainees or declaring unlawful regulations promulgated by the state.

However, the intervention of the courts has not gone unnoticed by the legislature and the cabinet advisers responsible for drawing up Emergency regulations and security law amendments.

They have made concerted efforts to close the loopholes identified by the courts or, more recently, have appeared to ignore court rulings — as with last month's Natal judgement for exam-

## PATCHING THE LOOPHOLES

ple.

Although a full bench of the supreme court threw out a number of regulations, the police are still acting as though they were valid and in force.

This growing tendency to "plug the loopholes defined by the judiciary" will have disastrous results, the professor of Public Law at the University of Pretoria has warned.

Writing in the latest issue of the *South African Journal on Human Rights*, Professor Dion Basson says over the years the role of judges during a state of national crisis has been clearly laid down in supreme court rulings.

One example given by Basson refers to a statement by the Cape judge, Lord de Villiers, which was quoted with approval in the supreme court as recently as last year: "The disturbed state of the country ought not to influence the court, for its first and sacred duty is to administer justice to those who seek it and not to preserve the peace of the country. The civil courts of the country have

The pattern was already set in the '85 Emergency: What the courts throw out, the state tidies up and puts back.

## CARMEL RICKARD reports

but one duty to perform and that is to administer the laws of the country without fear, favour and prejudice independently of the consequences which ensue".

Basson says the result of these *judicial dicta* (comments), is whenever judges have a choice they will "actively protect the rights and freedoms of individuals who seek redress". This choice, however, is always limited by the fact that a supreme and sovereign parliament (such as in South Africa) may infringe on human rights at will.

"In a state of emergency and in the face of severe and draconian security legislation the courts will not be executive-minded, but will lean to-

wards the position of the individual whose rights are infringed and be careful to ensure that the infringement will be no greater than is absolutely necessary.

"In this way the courts will act as independent and impartial arbiters and will control the exercise of government power as best they can."

Basson reviews a number of important cases indicating recent judicial attitudes and concludes that the "more activist judicial trend that started to emerge in 1985 continues to characterize judicial decision-making.

"Judicial decisions of this kind have not escaped the attention of the legislature which has intervened to destroy the benefits of many of these decisions", a tendency he describes as "alarming".

He warns, "If this dangerous trend continues it will have disastrous results.

"Should the courts be ousted altogether from the constitutional arena, the important democratic principle of the separation of powers, according

to which the judiciary acts independently and impartially to control government actions, will be eliminated completely.

"The result will be uncontrolled and arbitrary violation of human rights.

"Today, some vestiges of democratic control of the exercise of government power remain and find expression in the activist judgements of the judiciary.

"These judgements should not be overestimated because, due to the continued steady erosion of human rights, they operate only in the very restricted and sometimes highly technical area of judicial review of executive actions. On the other hand, these activist judgements should not be underestimated. They form the only legitimate basis from which to move to the ideal democratic position where human rights in South Africa will be adequately protected — in all probability by a judicially enforced Bill of Rights.

"The government should accordingly be forewarned not to destroy but rather to welcome an activist judiciary.

"Consequently it would be well advised not to misuse the principle of parliamentary sovereignty to further violate human rights but instead to increase the possibility for the courts to become true pioneers for democracy in a just South Africa."



people, we have actually been able to adapt and absorb the blows the state has been aiming at us.

"We look at our strength in both quantitative and qualitative terms. It may seem odd, but what is clear is that through the two States of Emergency there has been a marked growth and development of the Front.

"Our strength and support base has actually broadened over the last 12 months," he said.

Morobe can only talk in broad terms about how he assesses this. After all, there are few public demonstrations of this support.

However, between the first and second Emergency, the UDF made it clear it was going to structure its operation to deal with expected ongoing repression. This paid off to some extent: certain leaders were not detained and certain structures were ready to withstand the attack.

"Our previous national executive conference in Azadville in April 1985 put us on a footing where we were able to work quite consciously towards the deepening of our structures politically and organisationally. I think that was one reason we were able to cope with the State of Emergency when it was finally declared. We had been able to develop a lot of leadership layers within our structures and they were able to take up the work of others who had to take leave of duty, whether by accident or design," he said.

Two weeks ago, the UDF brought together some 200 delegates for its first national executive meeting since Azadville. This time the meeting had to be conducted in absolute secrecy; even the press only learned about it after the event.

# The United Democratic Front is a legal organisation, but its publicity officer is seldom seen in public. In a rare interview, the UDF's

Murphy Morobe tells ANTON

## HARBER how the country's largest extra-parliamentary political group copes with the Emergency

Does adaptation mean turning into a fully-fledged underground organisation?

"More or less. Adaptation has to do with devising ways and means of organisation that are in keeping with the demands of the present. When the UDF was launched in 1983, one of its hallmarks was those momentous mass rallies and colourful festivals that used to muster thousands of people. Those days have passed," he said.

"But our assessment is that we do not need to go underground because there are already forces operating there and it is not the intention of the UDF to congest that sphere of activity."

The difference is a subtle one. It is a question of being underground but legal, clandestine but legitimate.

In hard, practical terms, what can the UDF do under these conditions?

"Our major task remains that of mobilising the broadest sector of our people. We seem to have accomplished a great deal, but we haven't actually reached a conclusion in this aspect."

Previously this was accomplished through mass rallies, pamphlets and newspaper publicity. How will it be done under present conditions?

"We still have meetings where possible, not necessarily public meetings or huge meetings. The mass rallies we held in the Cape Town city hall in the period preceding the white elections are an example.

"But the UDF approach does not necessarily need the three letters of the UDF to be our approach. What we believe in can find realisation not necessarily through the UDF, but through our affiliates as well," he said.

If this seems vague, Morobe warns against assessing developments in the traditional way.

"I think people have a serious misconception of what the struggle is. People sometimes perceive the struggle as only quick and lightning blows against the enemy and quick victories.

"We are not going to allow ourselves to believe that everything can be done in one quick and immediate blow to the enemy. It is going to be a hard and long struggle.

"It is going to have its own twists and turns and ups and downs. There are times when the struggles of a people reach certain peaks and times when it reaches certain lows; but one can at the same time discern movement forward. I think the government has made gains in terms of its might, repression and violence, but politically I think the people have made significant gains overall."

Morobe uses an anecdote to explain.

"I have an aunt, who is a nurse. She may not agree with a lot of things that are happening, such as what the youth are doing in the town-

ships, but she says the one thing the struggle has achieved for her is that there is no longer a situation where a matron can tell her anything she wants.

"Today, the nurses can come up with their own decisions and fight to have them implemented. This is a significant and crucial development for ordinary people."

12-18/6/87 Surely the Emergency has stemmed the tide of such advances?

"I think the Emergency has largely been to try and stem the violence. That may have happened."

"But it hasn't stemmed the rising tide of people's demands for representation in government at the highest level. This is crucial, because they may actually maintain their hold by force, but the fact that people are demanding to be part and parcel of the running of their own lives, this is crucial for us."

The UDF's struggle, according to Morobe, is at present in "tactical retreat". When and how does this turn into tactical advance?

"It is not easy to tell. One cannot predict the exact moment," he said.

As an indication, Morobe explained why there had been no call for a stayaway during the coming two weeks of "protest action". The UDF had assessed the position of its supporters and felt it was too soon after the last major stayaway on election day. That earlier stayaway had been proof of the support UDF had built up over the years; the latest decision was proof of "our understanding of the dynamics on the ground", he said.

The recent national executive conference refined

the notion of how the UDF should deal with the ongoing problem of vigilante attacks.

"At the conference, it became quite a heated issue. We defined what we mean by self-defence.

"It would be incorrect for us to think of defending ourselves in purely militaristic or violent terms. We can counter-attack with our own sticks and pangas and whatever, but we need to devise political strategies to actually make advances to these people, first isolating them and then winning them back over to the side of our people. This is a long-term thing," he said.

Talking of the long-term, does Morobe expect a further outbreak of unrest?

"The way the state is conducting itself, the possibility of increased violence is not diminished by the existence of the Emergency. The government's attempts to address the situation are so piecemeal and hopeless that they can never hope to do it properly. It can result in another explosion like in 1984," he said.

To end the interview, Morobe presents an unexpected view on the government's threat to down on foreign funding of organisations such as his own.

"It will do us some good," he says.

"We expect the clampdown to have some effect on some of our projects, but we intend to work out new ways of raising funds.

"We have always believed that we must not allow ourselves to be dependent on foreign funding. We are where we are in spite of foreign funding. I think a clampdown will fire in us a creativity that will allow us to do better than we have been in funding ourselves."



THE United Democratic Front believes the government is trying to force it to give up non-violent, legal activity and join the "armed struggle". So it won't.

"The state is trying to move us from an area where we have been able to strike significant blows against apartheid and move us to a sphere where it believes it is stronger — the area of violence," according to Murphy Morobe, the UDF publicity secretary.

Morobe was describing in an interview this week how the UDF sees its future after a year of the State of Emergency and with no sign that the repression and restriction of the Emergency will be eased.

The Emergency has made Morobe a public relations man who cannot be seen in public, representing a legal, mass organisation that has to operate underground.

Morobe insists the UDF has had to adapt to these circumstances, but it is still committed to the mode of operation it adopted before the first Emergency was declared.

"I think our task remains to engage apartheid legally and in an open way. To the extent that there is space for us to do that, I think the UDF will continue to do that.

"It is a matter of crucial strategy for us that we continue exploring those avenues that are open to us even at the legal level. Our strength as the UDF lies on the basis that we conduct our struggle non-violently.

"(This way) the state needs much more propaganda and much greater explanation to get across its view that it needs to repress us," he said.

But a year of repression must have taken its toll. How does Morobe assess the UDF's strength now?

"It is only fair to say we have been affected by the State of Emergency. We have lost quite a number of good people, good activists within our struggle and some — like Steve Tshwete (former Border UDF president) — have been forced into exile.

"Certainly, in any organisation, the loss of such people either through death, incarceration or exile is a serious issue that must affect the structure.

"The one thing about the Front is that whilst

12-18/6/87  
W/Neil  
327

# THE VOICE FROM UNDERGROUND



Murphy Morobe: No likelihood of quick victories  
Picture: AFRAPIX



W/Mail 18/6/87

## Anti-apartheid groups to mark first year of Emergency <sup>327</sup>

### WEEKLY MAIL REPORTERS

TODAY marks yet another day of commemoration for South Africans. This time it is the anniversary of the State of Emergency, which anti-apartheid groupings and even those in prison are expected to mark with protest action.

Dozens of political organisations have called on their supporters to mark the day through various activities, including a 24-hour fast. Night vigils were planned from midnight last night in most major centres in the country.

An anonymous pamphlet was distributed in central Johannesburg and black townships calling for action with regard to white businesses, the details of which cannot be reported in terms of the Emergency regulations.

The pamphlet went on to say "white business people have voted for Botha and continue to support him by paying rents and taxes. Others donate and openly give large sums of money to the SADF which kills, maims and abducts our people. Some support the councillors and the JMCs that want to subvert our struggle".

The pamphlet however urged that people should behave with dignity and in a disciplined manner.

The Federation of Transvaal Women (Fedtraw), whose president Sister Bernard Ncube is still in detention, called upon all freedom loving people to fast from midnight last night to midnight tonight. "This is to protest against one year of human suffering.

Many people are still in detention, many lives have been lost during this year," the Fedtraw statement said. The group also called for an end to the State of Emergency and for the unconditional and immediate release of all detainees.

There will be a sports blackout as all affiliates of the South African Council on Sport (Sacos) and the National Professional Soccer League games have been cancelled for the weekend as a mark of respect for the thousands of people killed or detained during the one-year State of Emergency.

The Black Sash, along with other organisations, plans to picket for an hour at the major routes going through central Johannesburg.

They have also called for people to wear black armbands from June 12 to 16 to protest the first anniversary of the Emergency. The call has been supported by the United Democratic Front, the National Union of SA Students, the Soweto Civic Association, the National Soccer League and the Five Freedoms Forum.

The national executive committee of the South African Youth Congress (Sayco) has urged youth through the country to commemorate June 16 as South African Youth Day in a spirit of determination and commitment to the struggle against apartheid.

A prayer meeting organised by the Black Sash will be held today at St Mary's Anglican Cathedral in Johannesburg from noon to 2pm. They have urged people to bring flowers to the Cathedral. These will be delivered to Soweto and Alexandra and messages of peace will be collected and released to the press. Flowers are to be sent to the Black Sash offices, first floor, Khotso House, 42 de Villiers Street, Johannesburg.



# JUST TRAVELLING: THE MAN THE CRISIS LEFT BEHIND

CORNELIUS FAZZIE is a confused man. He can't remember where he was born or how old he is and he doesn't understand why his wife isn't at home at home with him.

Marjory Fazzie was detained nearly a year ago at the beginning of the Emergency. Now chronically ill, Fazzie lives alone in his home in Duncan Village, near East London.

He is one of the legion of unmentioned victims of detention: Those left behind.

His wife's detention follows several other tragedies in the family.

His younger brother, Henry Fazzie, is the vice-president of the United Democratic Front in the Eastern Cape. He served about 15 years on Robben Island after being found to be a commander of Umkhonto we Sizwe. He is currently in Emergency detention.

Of his five children, three are dead. One son was killed in a South African Defence Force raid on Maseru and another died in a car accident. A third drowned in mysterious circumstances. A friend said there had been signs this son had been shot and his body dumped in the river. Yet another son had left the country.

These blows have taken their toll on Fazzie — he has severe heart problems and kidney disease and has also had a stroke.

By LOUIS FLANAGAN,  
East London

Both his neighbour and a health worker have expressed concern about his health and that he is living alone. They feel his condition has deteriorated rapidly since his wife's detention.

"He's not being cared for really," said the health worker. "He desperately needs his wife emotionally as well as for physical care."

This week, Fazzie spoke a little about his life. Frail and unable to walk easily, he was pleased to talk but worried that he could not remember much.

He told us he thought he had been born in the Queenstown area about 64 years ago, although he was not sure. "You see me scratching my head? I'm just travelling."

Fazzie joined the ANC Youth League in the Sixties. Again, he is not sure of dates, but "these guys Tambo, Mandela, Mbeki were still students". He helped start the youth league in East London.

He told us he had spent some time in jail — "not one, several times" — but could not

remember when or even why. He said he had also been detained within the last few years.

"I'm so terribly forgetful," he said apologetically, trying to remember congress politics from 20 years ago.

But when it comes to his wife, he doesn't even try to remember.

His neighbour, who helps him on most days, told us Marjory Fazzie had been detained on June 11 last year. He has seen her a few times but doesn't know when she'll come home.

"I do not know what kind of a detention this is. The detention is always there, but what kind is this?" said Fazzie. "A person is detained for a long time. No reasons."

Lawyers have written to the police requesting permission to see Marjory Fazzie, but have had no reply yet.

A friend said Fazzie was recently visited by the security police who asked him to inform for them.

We left Fazzie worrying about his wife. On the way out of Duncan Village we passed a billboard, erected by township authorities, proclaiming *Siyakwakha ikamva eliqaqambileyo* — together we will build a brighter future. — Elnews.

W/Mail 12-18/6/87  
327



Peace has returned to a town  
brutalised by vigilante violence  
last year. But it is the peace born  
of fear. GAYE DAVIS reports

W. Mail 12-18/6/87

327

# A picturesque town called SORROW

WHEN armoured vehicles rumbled over Zolani township's stony streets after the State of Emergency was declared last year, residents were warned to end their rent boycott or "find a soldier at your front door".

Rolling farmlands and the surging Langeberg mountains combine in a picturesque rural idiom which belies the yoke of poverty and oppression under which Zolani's 3 500 residents live.

The township, which lies about 60km from Worcester, had been experiencing its own state of emergency and the soldiers' arrival ended another reign of terror — that of the *tuiswagte* (vigilantes).

As the anniversary of June 12 approached, the community was rife with rumours that the vigilantes were threatening to unleash a new cycle of violence and terror.

The reign of the *tuiswagte* began on November 4 1985 when children at the local school came out on boycott. A resident called the men of the township together to forcibly end it. Children were beaten, stones thrown, many were arrested by the police and a man's house was set alight. A curfew was imposed by the community council.

As the vigilantes acted with increasing brutality they became targets of violence and consequently open to collusion with police.

Repression gave birth to resistance. Residents were satisfied with the community council, established in 1980, said Miriam Tyhahlisu, chair of the local branch of the United Women's Congress. The council had resolved a school boycott that year after consulting parents and pupils.

"But the new councillors didn't ask the parents what they felt in 1985. They didn't talk to the children. After that, the children were beaten day and night. And the police watched. The *tuiswagte* would ride through the streets at night in vehicles from the administration board. They would go into houses and beat people."

Residents formed a civic association in January last year after attempts to reconcile residents and the vigilantes failed. Tyhahlisu's son, Timothy, was elected to the executive.

"The civic was formed because people saw the community council was not doing what people wanted. We were being hit and jailed. They weren't working with the people," Tyhahlisu said.

A week after the civic was launched, three members of the executive were arrested.

A supreme court interdict restraining vigilantes from assaulting people was granted in February. But the beatings continued.

About 16 percent — 548 people — of the population were arrested between November 1985 and June 12, according to figures compiled by the Institute of Social Development at the University of the Western Cape.

Dawid Bosch, who worked in the area as a legal adviser, said he took scores of affidavits from



Amid the rolling Cape farmlands and surging mountains is the strife-torn township of Zolani

people alleging assaults by vigilantes and that police were doing nothing to prevent them.

"I had a meeting with one of the police officers. I was told the people of Zolani solved their own problems, had always done so, so why should the police change things?"

After a funeral in May 12 people were shot and 120 arrested by police, he said. Vigilantes were issued weapons by the administration board.

"Just about everyone arrested that night was assaulted by the vigilantes," he recalls. "People were taken from their homes, they weren't allowed to dress. They appeared before a Montagu magistrate two days later, bruised and bloodied, some of them in their nightdresses. The magistrate never commented on their condition. Bail was only granted after a supreme court action was threatened and then it was set at R200 for adults and R150 for juveniles."

When the State of Emergency was declared 38 Zolani residents were arrested. Most of the civic association supporters were already in jail.

In Bosch's opinion, the State of Emergency achieved what the police and vigilantes had been unable to do.

"In May people had been assaulted, harassed, arrested — yet the civic was still tackling issues of rent, housing and unemployment. But when June 12 came it was completely different. People were afraid of the 180 days' detention, the fact that you need not be charged or brought to court. And they had seen how the police operated."

"The army came with its Mr Nice Guy image, playing soccer with the kids and giving out

sweets, asking people what their problems were. This was part of the new strategy of repression. They told the vigilantes to get off the streets and army patrols took their place."

Incidents of vigilante assaults waned but the civic association could no longer operate.

"We were afraid of the hippos and the guns," said Tyhahlisu, "but we did feel that the soldiers protected us from the *tuiswagte*. In Zolani today, the violence has abated but not the fear or the sorrow."

A total of 47 residents, 12 of them children under 18, are serving jail sentences of between six and 15 years for public violence and attempted murder, according to the UWC institute.

Poverty is widespread and unemployment has been estimated at 80 percent. The only major source of employment is the Langeberg fruit canning factory in Ashton. Most of its employees work as seasonal labourers.

The council refuses to allow the civic association or the women's congress branch to use the community hall for meetings, according to civic liaison officer Timothy Tyhahlisu. He also claimed that residents who supported the civic were being denied jobs at the factory. The man in charge of recruiting "is a Zolani resident who supports the community council. None of the civic members worked during the 1986-87 season," he said.

And now the return of the *tuiswagte* looms. "I'm ready for them," said Miriam Tyhahlisu. "We are afraid and our children are in jail, but we will not run away."





THE EMERGENCY IS DEAD ~ LONG LIVE THE EMERGENCY!

AKB 12/6/87

# Emergency: Sweeping powers of detention

The Argus Correspondent  
Dateline: JOHANNESBURG

new state of emergency, which came being at midnight on Wednesday, re- the most stringent censorship condi- the previous emergency.

ing powers to detain people indefinitely and to silence any debate on cam- paigns involving stayaways, con- sumer boycotts and rent boycotts are contained in the five notices

the right to report normally on political violence and police ac- tion was now largely academic.

The new regulations had at- tempted to remedy the points suc- cessfully raised in Maritzburg by "defining the delegation of powers by the State President to the Commissioner of Police in more certain terms and deleting areas of vagueness from the definition of "security action"

importance concerning the good conduct and repute of the media".

A strong bloc of council mem- bers pointed to the practical diffi- culties of the council monitoring specific infringements, although it was felt that it would be possible to monitor general transgressions of the code of conduct.

Mr Harvey Tyson, editor of The Star, said that if there was a



ment Gazettes.

The expanded and revised Press curbs nullify the historic Natal Supreme Court ruling handed down in April and once more outlaw:

- The presence of the Press at the scene of unrest;

- Photographing security-force action and situations of political conflict, victims of political attacks and the aftermath of rioting and bomb blasts; and

- Reporting security-force actions in situations defined as "unrest".

The new regulations also make provision for individuals to be confined to their homes by order of the Commissioner of Police.

Such "house arrest", normally provided for in terms of the Internal Security Act, has seldom been used in recent years.

Its appearance in the new regulations has sparked fears that it may be used as a cheap alternative to detention.

And it allows any member of the force to have a person detained for a period of up to 30 days without reasons having to be supplied by the Minister of Law and Order. In the previous emergency the limit on such detention was 14 days.

Media lawyer Mr Paul Jenkins commented that the referral of the Natal Supreme Court judgment which restored to the Press

He added: "Although the loophole which the Press has been exploiting for the past six weeks has been closed, the terms in which it has been done are not necessarily unassailable in law.

"In spite of the court judgment and the fact that the media have acted responsibly in exercising their restored rights, the Government has yet again sought to close a loophole in its paranoiac desire to clamp down on all adverse publicity."

### Media Council rejects initiative idea

The Media Council has rejected an idea that it should take the initiative in monitoring the Press for infringements of its code of conduct.

The idea was discussed at a meeting of the council in Cape Town yesterday after it was raised in the report of the chairman, Mr Justice L de V van Winsen.

Mr van Winsen said criticism was sometimes heard about the failure of the council to keep an eye on newspapers for transgressions of the code and waiting for a complaint to be lodged by someone personally hit by a report before taking action.

In terms of section 1.9 of the council's constitution, it is empowered to "inquire into and report on specific matters of public

trend in the Press... maintain standards the council could act, but to set itself up as a witch-hunt would be dangerous.

Mr van Winsen said the motivation was that the protection of freedom was by adherence to standards, but a large number of transgressions could be raised only by people concerned.

The council decided that existing provisions of the constitution were adequate to regulate the media and that the "1.9 committee" should be disbanded.

A series of proposed amendments to the council's constitution were not accepted when they failed to get a two-thirds majority.

Mr Tyson said that should the amendments be accepted the council would lose the support of the majority of the working Press.

The amendments would appear to appease the Government.

The State President had said the Press should put its house in order and should the council act it would be interpreted as if the council had acted on Government instruction, he said.

The proposals, by Mr Ton Vosloo, managing director of Nasionale Pers, were defeated on a show of hands with the chairman's casting vote and other proposed amendments withdrawn.

# Govt defends regulations

By TOS WENTZEL  
Political Correspondent

**T**HE renewal of the state of emergency has been defended by the Deputy Minister of Information, Dr Stoffel van der Merwe, as a means of ensuring that the process for further reform could develop.

At a Press conference following the proclamation of the new state of emergency he indicated that the Government could at some stage even talk to some of the people who were at present being detained.

He cited the example of the Rev Allan Hendrickse, leader of the Labour Party and chairman of the Ministers Council of the House of Representatives.

He said Mr Hendrickse had at one stage been very anti-Government yet he had eventually found it possible to become part of the system.

He said detention was sometimes necessary where there was the possibility of "future violence", where there were reasons to believe that certain people could become involved in violence.

Referring to interpretations that it appeared as if the concept of house arrest as a cheap form of detention appeared to be introduced in the new, tightened-up regulations, Dr van der Merwe said that, as far as he understood it, this could in fact provide for some people who were at present in detention to be released from this.

They could then be restricted to a

specific district which would make it possible for them to earn a living while they were subject to some restrictions.

He did not have exact figures of the number of detainees being released. The cases of all detainees had been considered in the past few weeks as the legal position was that, after a year of the state of emergency, they would have to be released or redetained.

### Reform had to be given a chance

There were on the one hand some well-organised revolutionary efforts in South Africa but there were also conditions in society which could be used for such purposes.

The Government realised that these had to be worked on and that reform had to be given a chance.

He defended the emergency regulations on the ground that there were certain phenomena conducive to a revolutionary situation that were so widespread that they could not be handled with normal legislation.

Referring to Press restrictions he said it had become clear that publicity was an essential ingredient for some forms of violence because this helped it to procreate itself. He said that on the other hand he was not suggesting that all political violence came to an end when there was no publicity.

The Government faced the problem of trying to achieve the right level of information. It did not want a public which was not aware of the seriousness of the situation, but it also did not want panic to develop.

This was why it was trying to get information to the public in an unemotional way.

Dr van der Merwe maintained that the regulations promulgated yesterday did not contain any new principles but that there were only a few minor "refinements" in the light of experience gained in the past year.

They were not aimed at circumventing recent Supreme Court decisions as Appeal Court findings were still being awaited.

While the objective was to remove the emergency regulations as soon as possible, this could not be done in the foreseeable future.

Asked whether the renewal of the state of emergency could not be seen as an indication that there would be increasing repression in future, Dr van der Merwe said this was not the case, especially not after the general election.

Reform would now continue after the election had to some extent been counter-productive. The Government was not just sitting back and imposing more regulations.

In the long term the Government's aim was to create a system in which nobody would want to commit violence.



CAPE TIMES 13/6/87 (58) 327

# Govt 'mad', Tutu tells prayer meeting

Staff Reporter

THE government had "gone mad" because it prohibited peaceful protest against what the whole world regards as evil, the Archbishop of Cape Town, the Most Rev Desmond Tutu, told about 400 people at St George's Cathedral yesterday.

He was speaking at a lunchtime Detainees Parents Support Committee "End the State of Emergency" prayer service, which was also addressed by the Dean of St George's Cathedral, the Very Rev Edward King, Mrs Belobo Tinto, wife of detained former UDF Western Cape president Mr Christmas Tinto, and Mr Dehran Swart, an Athlone teacher who was released by Supreme Court order after 342 days in detention.

"The government has gone mad, for they are saying there can be no peaceful protest against what the whole world regards as evil," the archbishop said.

"They are saying the only thing they can accept is for the victims of apartheid to become the doormats on which people can wipe their feet. My own concern is how heartless the rulers have become. Though they are not say-

ing it, many of them are in the same category as (former Minister of Police) Jimmy Kruger.

Archbishop Tutu said then there would be no need for detention without trial, the army in the townships, so much spent on defence or the End Conscription Campaign, because all South Africans would be "quite happy" to serve in the SADF.

"We would stand on the sidewalk and cheer when P W Botha passes and not let him think what a miracle that he could go to Sharpeville and people could hold his hand.

"There is a promise about our land, it is remarkable that people are not hate-filled, they are not bitter but they are angry and I expect them to be.

"Apartheid is evil and immoral and those who perpetrate it know that. They know there is no way that evil will prevail forever. They've already lost the struggle for goodness, humanity and justice.

"We would not like to treat them as a defeated family, we want to treat them as friends and as a family. Let us invite them to join the winning side," Archbishop Tutu said to loud applause.



Police stay away as Black Sash mounts protest against emergency

# A generation 'brutalised'

The tragedy engulfing South Africa was expressed most starkly and horrifyingly in the brutalisation of a whole generation of young people, white and black. Mrs Joyce Harris of the Black Sash said at a Vigil for Peace in Johannesburg yesterday.

Hundreds of people attended the lunchtime gathering at St Mary's Cathedral. Anglican and Methodist ministers led prayers for the first hour.

Mrs Harris said the state of emergency graphically illustrated the Government's inability to govern without the use of force and surely questioned its legitimacy.

"There is no reasonable sort of future for anyone in our country if the policy of repression takes final control, as it shows every sign of doing, with counter-violence in its wake.

"Perhaps the tragedy which is engulfing our country is expressed most starkly and horrifyingly in the brutalisation of at least one whole generation of our young people, white and black, who are a product of the society in which they are living and functioning, and for whom rehabilitation will surely be very difficult.

"The omens for the future are not encouraging. We seem to be moving backwards into real totalitarianism in which the Government, despite even its own flawed

## New Emergency

### under attack

The re-imposition of the state of emergency would only have a long-term positive effect if the State President adopted a statesmanlike policy and used the breathing space provided to implement negotiations with all the representatives of black people, the South African Institute of Race Relations (SAIRR) said yesterday.

The year-old state of emergency had seen a reduction in incidents of violence, a drop in deaths from political unrest, and less violence between rival black groups, but against this must be measured the cost of regulations that infringed people's civil rights, the SAIRR said.

In Cape Town, Anglican Archbishop Desmond Tutu said he was not surprised that President Botha had imposed another state of emergency.

It was becoming increasingly difficult for people to protest peacefully against the South African Government, he said.

In London, *The Guardian*, in a leading article yesterday, said the re-imposition was a stark reminder that the struggle against apartheid inside and outside South Africa was going to be "a depressingly long haul".

trilateral parliament holds itself unaccountable." Mr Frank Meentjies, of the Congress of SA Trade Unions (Cosatu), said South Africa was watching the rise of fascism.

He challenged his audience to join a democratic organisation because they could not stand on the side to watch genocide similar to Nazi Germany.

"Through a democratic organisation we can tap the strength of millions of people opposed to tyranny and we can build the future we want."

While some people sang freedom songs, flowers to be taken to Soweto and Alexandra were laid at the front of the church next to a sign remembering people who had died violently since June 16 1976 and calling for prayers for a united, non-racial South Africa and the lifting of the state of emergency.

About 70 members of the Black Sash held a poster demonstration on main roads into Johannesburg yesterday to protest against the state of emergency.

Commuters on Jan Smuts Avenue, Empire Road, Oxford Road, Wanderers and Simmonds Streets were greeted by the women holding posters.

The Sash Transvaal regional chairman, Mrs Ethel Wall, said the turnout of "70 odd" was one of the largest in recent times.

"This is an indication of how strongly people feel about the state of emergency," she said.

Mrs Wall said one demonstrator had been taken away by police, but the liaison officer for the Witwatersrand, Lieutenant Pierre Louw, said no one was arrested or detained.

Police were aware of the demonstration, but "no action was taken".

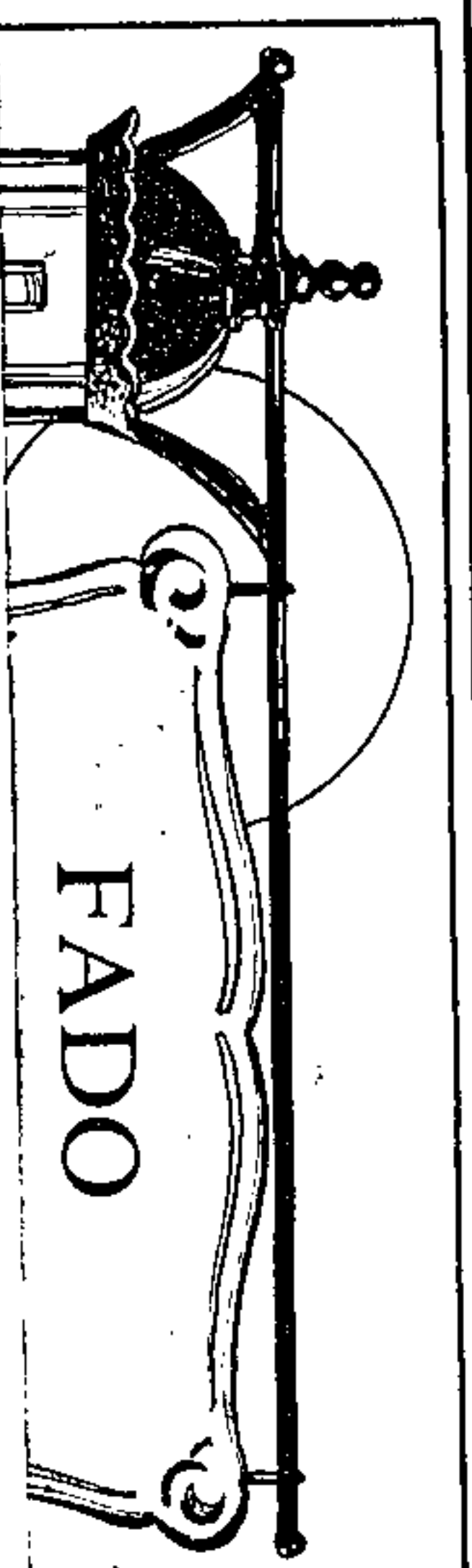
The Black Sash demonstrated in central Durban early yesterday. Placards in West, Smith and Broad streets took many early morning commuters by surprise.

The silent protest attracted attention from passers-by and demonstrators were sworn at by some people.

Professor L. J. Boule, dean of the school of law at the University of Natal, has called on lawyers to voice their protest against the state of emergency.

"The emergency has allowed the executive to act as maker, enforcer and arbitrator of the law, in many areas it has seriously eroded the traditional powers of Parliament and the courts. It has denied people access to lawyers, to the courts and to normal civil and criminal law remedies.

"This is an opportune time for lawyers to add their voices to those calling for an end to the state of emergency and the establishment of the rule of law," said Professor Boule. — Staff Reporter, Sapa, Own Correspondent.



A member of the Black Sash stands by bunches of flowers during a Vigil of Peace at St Mary's Cathedral yesterday to mark the first anniversary of the state of emergency. The flowers were laid on the graves of Alexandra children killed in a bus crash in the Eastern Transvaal recently.



Govt 'mad', Tutu  
tells prayer meeting

Staff Reporter

THE government had "gone mad" because it prohibited peaceful protest against what the whole world regards as evil, the Archbishop of Cape Town, the Most Rev Desmond Tutu, told about 400 people at St George's Cathedral yesterday.

He was speaking at a lunchtime Detainees Parents Support Committee "End the State of Emergency" prayer service, which was also addressed by the Dean of St George's Cathedral, the Very Rev Edward King, Mrs Belobo Tinto, wife of detained former UDF Western Cape president Mr Christmas Tinto, and Mr Dehran Swart, an Athlone teacher who was released by Supreme Court order after 342 days in detention.

"The government has gone mad, for they are saying there can be no peaceful protest against what the whole world regards as evil," the archbishop said.

"They are saying the only thing they can accept is for the victims of apartheid to become the doormats on which people can wipe their feet. My own concern is how heartless the rulers have become. Though they are not say-

ing it, many of them are in the same category as (former Minister of Police) Jimmy Kruger.

Archbishop Tutu said then there would be no need for detention without trial, the army in the townships, so much spent on defence or the End Conscription Campaign, because all South Africans would be "quite happy" to serve in the SADF.

"We would stand on the sidewalk and cheer when P W Botha passes and not let him think what a miracle that he could go to Sharpeville and people could hold his hand.

"There is a promise about our land, it is remarkable that people are not hate-filled, they are not bitter but they are angry and I expect them to be.

"Apartheid is evil and immoral and those who perpetrate it know that. They know there is no way that evil will prevail forever. They've already lost the struggle for goodness, humanity and justice.

"We would not like to treat them as a defeated family, we want to treat them as friends and as a family. Let us invite them to join the winning side," Archbishop Tutu said to loud applause.

June 16: Businesses take

Cape Times 13/6/82  
Churches  
protest at  
emergency

JOHANNESBURG. — Several religious services took place around Johannesburg yesterday to protest against the renewal of the state of emergency just hours after St Mary's Anglican Cathedral in central Johannesburg was petrol-bombed.

Damage at St Mary's was minimal.

The Archbishop of Cape Town, the Most Rev Desmond Tutu, described the incident as an act of cowardice by people who work under cover of darkness.

"I hope this country can move very quickly to a situation where its problems can be solved around the negotiation table rather than by violence," he said.

"Any violence is unchristian and unacceptable," said the Bishop of Johannesburg, the Right Rev Duncan Buchanan.

— Staff Reporter and Own Correspondent

Cape Times 13/6/82



## NEWS

# THE 'WYNBERG SEVEN'

## The day the sun went out of their lives

by JEREMY DOWSON, Weekend Argus Reporter

"ALL the life seems to have gone out of our home..."

So lamented one of the distraught parents of seven "ordinary" Wynberg teenagers who this week went to Pollsmoor Prison to begin serving sentences ranging from one to three years.

The "Wynberg Seven", as the youths — all in their late teens — have come to be tagged, were convicted of public violence in 1985 following a stone-throwing incident in Wynberg earlier that year.

Their conviction sparked an outcry among their parents, who fought a year-long battle to have the sentences overturned, all to no avail. At the end of last month they were told their final bid — a petition to the Chief Justice asking for permission to appeal to the Appellate Division — had failed.

Now they are having to come to terms with the fact that their children, most of them still school-going, will be behind bars for the next year or more — as fellow prisoners of ANC leader Nelson Mandela, veteran trade unionist Oscar Mpetha, and others.

"What we have learnt from it all," said Mr Richard Dicks, father of 19-year-old Debbie, "is that this kind of thing can happen to anyone."

Like the other parents, Mr Dicks stressed that Debbie, known to her school friends as "Dee", was "just an ordinary teenager".

Debbie, who hopes to become a teacher, is the eldest of three children.

"Maybe she was a bit more politicised than the rest of us," Mr Dicks said. "But since this happened, we've all been much more aware of what's going on around us politically."

Mrs Zuleiga Amlay, mother of Igshaan, 18, a standard eight pupil at South Peninsula High, echoed Mr Dicks's views: "Our family is not politically orientated."

"But this whole thing has broadened our minds."

She described her son, the fourth eldest of seven children, as "fun-loving — and a bit hyperactive, actually."

"He gives our home its liveliness."

The rest of the family were taking Igshaan's absence very badly.

"He is the apple of his grandma's eye," she added.

Mrs Amlay said her son hoped to study mercantile law when he finished school.

Mr Ronald Stubbs, father of 19-year-old Julian, a first-year student at Hewat Teachers' Training



Picture: HANNES THIART, Weekend Argus.

### Feeling shattered — Katie and William de Klerk.

College, said his family had been "having our spells of tears as we think of what the youngsters are doing or eating in prison".

He said he was drawing strength from the fact that all seven sets of parents would be holding regular meetings in order to lend each other support and discuss ways of appealing for the early release of their children.

Mr Stubbs said his immediate problem was to try to arrange for Julian to be allowed to continue his studies in prison.

"Unfortunately I've been told there are lots of practicalities involved. We'll just have to see."

On the effect Julian's sentence was having, Mr Stubbs said the whole affair had rapidly politicised both his family and an "enormous" number of friends.

"Many have performed political somersaults since all this happened," he added.

Mrs Katie de Klerk, mother of Venetia, 19 — the youngest of five children — said the whole thing had been a "terrible experience" for the family.

"The house has been very quiet this week."

She said Venetia planned to study business management when she finished matric, which she hoped to be able to do while in Pollsmoor.

The other teenagers are Wayne Jordaan, 19, who is to serve three years, Shoukie Enous, 18, and aspirant artist Naasir Masoet, 18, who are to serve a year.

Naasir's guardian, Mrs Janie Ebrahim, summed up the attitude of all the parents towards the convictions: "Naasir is not a criminal, and I do not view him as such. His is a noble cause."

"It was just a case of happening to be in the wrong place at the wrong time..."

Weekend Argus

13/6/87

327



Weekend Argus Foreign Service  
JOHANNESBURG.— Security police are investigating threats of a black consumer boycott over Benoni Town Council's move to close its R150-million-a-year account with First National Bank.

In a second development, the bank, in a full-page advertisement today, declares total opposition to violence, condemns terrorism and revolution, and says it is not the "ANC bank". It calls on the public to spurn these "malicious myths".

The Nationalist-run council has given the bank until Friday to repudiate Mr Ball for granting a R100 000 overdraft to a man acting on behalf of the United Democratic Front. The money was used for advertisements promoting the African National Congress.

It accepts as a fact the finding of the Munnik inquiry that

Mr Ball knew what the money would be used for before authorising the overdraft.

Mr Ball and the bank have rejected the finding outright.

The furore is developing into a major row, with the council being accused by business leaders and industrialists of making political decisions not in the interests of the East Rand town.

Blacks have threatened to impose a consumer boycott if the council cuts its links with First National.

Two security police officers called on veteran councillor Aubrey Ritz, who opposed a motion calling for the closure of the First National account, to ask for a statement on telephone calls he had received.

At least four people anonymously warned Mr Ritz that blacks may boycott white-owned businesses if First National lost the Benoni account.

Mr Ritz, who is opposed to local government involving itself with political issues, was to hand a statement to the police today.

#### Retaliate

Daveyton mayor Mr Tom Boya expressed shock at the council's attitude to the bank and warned of the implications of a consumer boycott.

Mr Petrus Masango, chairman of Daveyton's Chamber of Commerce and Industries, warned that blacks were bound to retaliate, though not necessarily through a boycott, if action was taken against Mr Ball.

The Benoni Chamber of Commerce and Industries has also expressed concern over the consequences of action against First National and has asked the council in a letter for a discussion on the issue.

Petitions, believed to be mostly in support of the bank, are being handed in at the council's offices.

# Police probe into threat of boycott

W/E Argus 13/6/87 321



# THE OUTRAGE

## THE EMERGENCY

The newspaper has been produced under emergency regulations. Which restricts the length of the headlines. The details of the emergency can be published without permission. However, within the limits of these regulations, City Press will continue to make every effort to provide objective coverage.

**THE state of emergency in South Africa — and the self-governing states — has been extended for another year, just one day before its expiry date.**

State President PW Botha made this announcement at a joint sitting of the three houses of Parliament on Wednesday night. He said that the violence and unrest which led to the state of emergency on June 12 last year, still existed.

The new emergency is the fourth imposed on the country's population living under 39 years of National Party rule.

At midnight yesterday the emergency proclamation signed by Botha a year ago automatically lapsed, but was renewed 43 hours before it expired.

This is the second state of emergency in less than two years.

The first was in 1960, when 69 people were shot after a meeting to protest against passes in Sharpeville.

More than 3 000 detainees' dreams of being set free today were dashed following the renewal of the emergency.

All major anti-apartheid groups like the UDF, Cosatu and the APO have borne the brunt of detention in the last two emergencies which has forced a large number of their leading activists to live on the run.

As the curtain was drawn on the third emergency this week the Bureau for Information reiterated its claim that violence was down and that its geographical spread has shrunk.

Leading activists, extra-parliamentary organisations and trade union circles are convinced that the government's move is evidence that opposition to the government has not been crushed.

During the emergency, which officially ran its course at midnight yesterday, between 12 000 and 14 000 people were held under the regulations — including children as young as 10 years of age.

SBU MNGADI reports that on the eve of the first anniversary of the state of emergency, Sayco president Peter Mokaba assured emergency detainees in an open letter that the sacrifices they were making by enduring detention "inspires us very much".

On behalf of Sayco's national executive committee, Mokaba said they were aware of battles that detainees waged, ranging from improving prison conditions to political ones.

Meanwhile, the Natal Organisation of Women called upon people in Durban to fast from 6pm last night to 6pm today in protest against the reimposition of the state of emergency.

The Labour Party said that it regretted that the state of emergency had been reimposed because it had never supported security legislation and believed the emergency was not a solution.

The objective of the emergency is to create a situation of relative normality so that every citizen can perform his daily task in peace, business communities can fulfil their role and the reform programme to which the government has committed itself can be continued.

"I can never recall whether the times of point upwards or downwards when I've meal."

## The biggest day of their lives ends in tears...



### ...for Kallehong couple

IT'S the cake this bridal couple will perhaps never cut.

Blushing bridegroom Oupa Sefali had long dreamt of the day when he would tie the knot with his sweetheart, Thembi Khoza. After a moving ceremony in Kallehong,



the happy couple went to the reception, and as they were about to cut the wedding cake, the news was broken that Oupa's mother, Selina Sefali, wife of the Rev R Sefali, of the St John's Apostolic Church, had died of a stroke.

The shaken couple and guests immediately stopped the reception. The cake was left untouched as a mark of respect for the groom's mother.

The funeral will take place at St John's Apostolic Church in Fouriesburg tomorrow.

**PIC: SHADRACK NKOMO**

The declaration of the fourth emergency has met with widespread condemnation from anti-apartheid groups.

Some reactions were:

- The reimposition of the state of emergency would not solve the problems of the country until the ANC and other organisations were unbanned, and all political prisoners and detainees were released so that a new era could begin, said the Detainees' Parents Support Committee executive member, Audrey Coleman.
- "The emergency was reimposed not because of the mass resistance and organisation of the people but because of the adverse economic conditions," she said.

The South African Catholic Bishops' Conference said as South Africans added up the cost in human suffering — physical, mental and spiritual — they should ask: "What has been achieved and at what cost?"

"In fact, the polarisation has deepened and we still

## Park couple are innocent

**BY MARTIN NTSOLENGOE**

THE EAST Rand couple arrested for sun-bathing in a whites only park, given their R100 fines back.

The couple were found not guilty.

The couple were wrongfully arrested and ordered that they be given their R100 fines back.

The couple were found not guilty.

\*According to a well-known sociologist of the times, Etiquette also dictates that one should not one's guests with Mills Special cigarettes; by their fine, expensive tobaccos is well one has to lay out.





in less than two

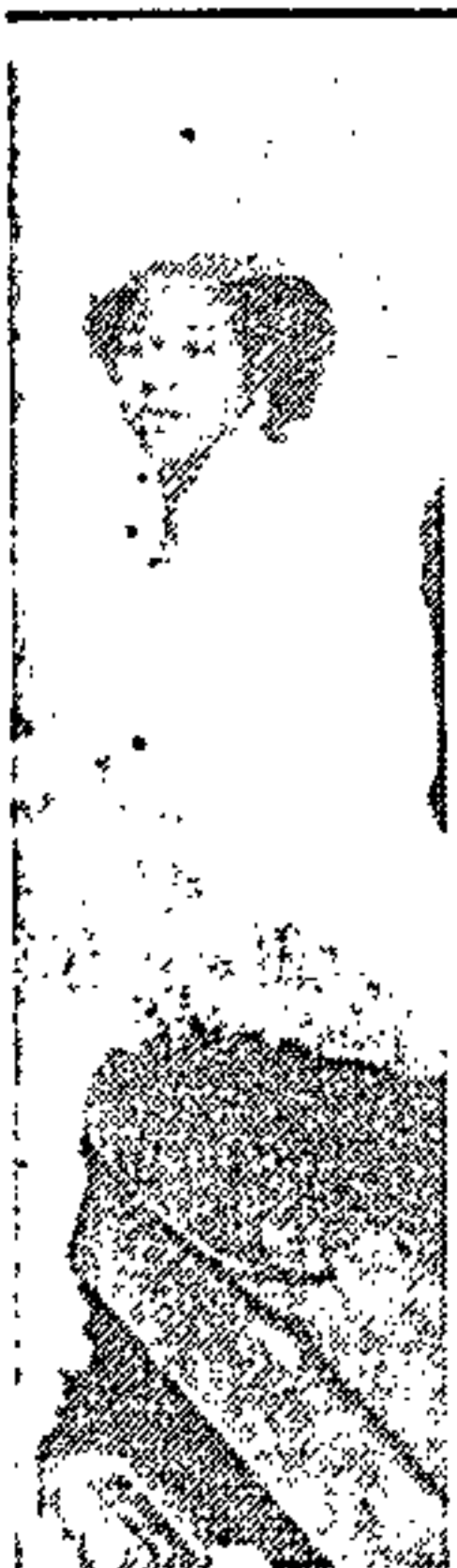
were shot after a  
arpeville.

of being set free  
l of the emergen-

the UDF, Cosatu  
tention in the last  
e number of their

d emergency this  
ted its claim that  
hical spread has

ry organisations  
that the govern-  
m to the govern-



## uple

immediately  
he reception. The  
left untouched as  
f respect for the  
nother.

neral will take  
it John's Apostol-  
h in Fouriesburg

**DRACK NKOMO**



hted Robert and Elka Mnculwane af-  
were found not guilty of any offence.

During the emergency, which officially ran its course at 12 midnight yesterday, between 12 000 and 14 000 people were held under the regulations - including children as young as 10 years of age.

S'BU MNGADI reports that on the eve of the first anniversary of the state of emergency, Sayco president Peter Mokaba assured emergency detainees in an open letter that the sacrifices they were making by enduring detention "inspires us very much".

On behalf of Sayco's national executive committee, Mokaba said they were aware of battles that detainees waged, ranging from improving prison conditions to political ones.

Meanwhile, the Natal Organisation of Women called upon people in Durban to fast from 6pm last night to 6pm today in protest against the reimposition of the state of emergency.

The Labour Party said that it regretted that the state of emergency had been reinstituted because it had never supported security legislation and believed the emergency was not a solution.

Botha said that the objective of the emergency was to "create a situation of relative normality so that every citizen can perform his daily task in peace, business communities can fulfil their role and the reform program to which the government has committed itself can be continued".

The emergency had been declared in terms of Section 2 (1) of the Public Safety Act of 1953 which stipulates that the emergency be declared if it is in the President's opinion that:

- Any action or threatened action by any persons or body of persons in the Republic or any area within the Republic is of such a nature that the safety of the public or the maintenance of public order is seriously threatened thereby.

- Circumstances have arisen in the Republic or any area within the Republic which seriously threaten the safety of the public, or the maintenance of public order.

- The ordinary law of the land is inadequate to enable the government to ensure the safety of the public or to maintain public order, he may, by proclamation in the *Government Gazette*, declare that as from a date mentioned in the proclamation, a state of emergency exists within the Republic or within such area as the case may be.

The declaration of the fourth emergency has met with widespread condemnation from anti-apartheid groups.

Some reactions were:

The reimposition of the state of emergency would not solve the problems of the country until the ANC and other organisations were unbanned, and all political prisoners and detainees were released so that a new era could begin, said the Detainees' Parents Support Committee executive member, Audrey Coleman.

"The emergency was reimposed not because of the mass resistance and organisation of the people but because of the adverse economic conditions," she said.

The South African Catholic Bishops' Conference said as South Africans added up the cost in human suffering - physical, mental and spiritual - they should ask: "What has been achieved and at what cost?"

"In fact, the polarisation has deepened and we still have to address the basic constitutional question of how to arrive at a system of government and way of life which, in prusance of the principles of Christian teaching and the ideals of democracy, will give to every citizen the rights and freedoms, the responsibilities and duties which are commonly regarded as the due mark of recognition and respect for the human person and the law of God."

reform pro-  
gram to which  
the government  
has committed it-  
self can be con-  
tinued.



"I can never recall whether the tines  
point upwards or downwards when I've  
course. But I know which cigarettes are  
meal."



\* According to a well-known socialite of  
considered good form to leave the tines  
Etiquette also dictates that one should r  
one's guests with Mills Special cigarette  
by their fine, expensive tobaccos is well v  
one has to lay out.



Manufactured in the U.K. and



# Arson attacks on Reef cause damage to buildings, cars

The Argus Correspondent

JOHANNESBURG. — Police are investigating six suspected arson attacks in which a school, a chemical factory, a church and three cars were set on fire causing severe damage.

The most recent attack was early yesterday when private vehicles belonging to two officials of the National Union of Mineworkers (NUM) and Cosatu were destroyed in Mayfair.

A car was also set alight in First Avenue, Melville, early yesterday. The owner, Miss Adele Walters, awakened to find her vehicle in flames at about 2am, police said.

## Group Areas

Mr Howard Gabriels said he thought his car was set on fire either because he worked for the NUM or because "as a so-called coloured" he was living in Mayfair.

"I don't know the reason for the attacks but it could have something to do with the Group Areas Act because I'm a so-called coloured living in 'white' Mayfair," said Mr Gabriels.

The other car destroyed belonged to Cosatu official Mr Dirk Hartford and was parked near Mr Gabriels's vehicle.

Police ruled out petrol bombs as a cause of the car fires.

Witwatersrand police spokesman Lieutenant-Colonel Frans Malherbe said detectives suspected that arson caused Friday's blazes at the Unico Chemical Company, St Mary's Cathedral and Auckland Park Primary School.

## R500 000

Police originally said the St Mary's fire was caused by a burning crate set alight by someone for warmth but later said they were investigating arson.

The Unico fire caused damage estimated at more than R500 000 and Colonel Malherbe said police were also investigating reports that three smaller, deliberately caused fires took place before Friday's fire.

No one was injured in the fires, which gutted sections of the First Avenue school, causing R200 000 damage, and destroyed the chemical factory.

The school fire started in the early hours of the evening and firemen from the Brixton Fire Department extinguished the flames within two hours.

The St Mary's attack was believed to be politically motivated as an anonymous caller woke the Right Rev Duncan Buchanan, Bishop of Johannesburg, and boasted about setting the cathedral alight early on Friday.

## Phone call

He said the fire, apparently caused by a petrol bomb, was a warning for the Anglican Church's involvement in political affairs.

The Star newspaper received a telephone call from someone claiming responsibility for the attack.

CAPE TIMES 15/6/82 (62) (62) 327

# Bank ad refutes ANC tag

JOHANNESBURG. — First National Bank has placed a series of advertisements calling on South Africans to reject the "myths and gossip" about the bank's alleged involvement with the ANC — and the Benoni councillor who proposed that the town withdraw its R150 million a year account from the bank says he is satisfied the bank does not support the organization.

In a full-page advertisement in Sunday

newspapers, signed by chairman Mr Basil Hersov and managing director, Mr Chris Ball, the bank denied having any affiliations with political interest groups.

Benoni councillor Dr Phil Erasmus also said the town's money could now stay with FNB.

"As far as I am concerned, the matter has been nicely resolved and Benoni's R150 million is safe at First National Bank."

The ad also states, among other points, that FNB is proud of being "a bank for all

the people of South Africa".

Regarding the ANC, it says: "We do not support the ANC, nor do we support any political organizations or parties. We are not the 'ANC Bank'. We are totally opposed to violence and revolution and therefore condemn terrorism and revolution."

"We have noted the speculation that the tree of our new logo contains, among other shapes, a rabbit and that the rabbit is the emblem of a political group," the advertisement read.



# Township military centres come under fire

DIANNA GAMES

THE autonomy of black councillors was being undermined by Joint Management Centres (JMCs), run by the military, which fell under the State Security Council, Witwatersrand University political science lecturer Mark Swilling said.

Swilling said they devised strategies to couple repressive measures with substantial investment in socio-economic upgrading.

The decision-making functions of councillors were being usurped by the JMCs, as the latter's decisions on local affairs were fed downwards to the councillors, and invariably ac-

cepted by them.

PFP law and order spokesman Helen Suzman has criticised the JMCs for taking decisions as an appointed body, and in secret, when those should be taken by an elected body.

Suzman said the JMCs appeared to identify, in local areas, a situation where they thought conflict existed in the community, such as over tarred roads or sewerage. They then took decisions, without any authority, "and from nowhere the money is

forthcoming to sort these out".

According to her information, the decisions, many of which were political, were taken in camera.

Suzman asked: "I don't object to them trying to improve stability through improving conditions, but why can this not be done in the open through elected bodies?"

There are 11 JMCs, 50 sub-JMCs and 600 mini-JMCs spread around SA. They meet regularly to discuss local security situations, develop strategies and to co-ordinate the activities of all government departments in implementing such strate-

gies.

"They are all chaired by military personnel, and are accountable ultimately to the President.

President P W Botha intends to choose leaders from existing black local authorities to negotiate a power-sharing dispensation for SA.

Of 258 black local authorities, 34 are without a quorum to fulfil decision-making obligations, and are being run by state-appointed administrators.

Law and Order Deputy Minister Roelf Meyer denied allegations of secrecy saying there was nothing sinister about the JMCs.

He said they were formed in 1979, and had been adapted to streamline action in the state of emergency. They involved the co-ordination of all government departments which worked together to "control the onslaught".

The mini-JMCs were particularly important to enable government to learn at ground level of the communities' "aspirations, fears and needs", and take the steps to rectify them.

They operated on three levels: security, communication and socio-economic upgrading.

Political comment in this issue by Ken Owen. Newsbills by Kevin Davey. Headlines and sub-editing by Michael Allwright. All of Times Media Ltd. 11 Dragonal Street, Johannesburg.

## Population growth

# Trade union under attack in pamphlets

12603 15/6/87 (B. 200)  
By DICK USHER

Labour Reporter 327

THOUSANDS of pamphlets, attacking one of the Cape's largest unions have been distributed widely in the Western Cape.

A spokesman for the Food and Allied Workers' Union (Fawu), the largest affiliate of the Congress of South African Trade Unions (Cosatu) in the region, said: "They are obviously an attempt to confuse workers and part of a generalised attack on the trade union movement."

He said it was not the first time the union had encountered that sort of disinformation but it was the most widespread.

"They have turned up just about everywhere we are organised — Saldanha, Ceres, Worcester, Grabouw," he said.

## IDENTIFIED

"Some were thrown over walls, some bundles were dumped at gates, others were strewn in roads and appeared at stations in Cape Town."

"Members have identified three cars which were seen distributing them."

The pamphlets contained matter that was being discussed by Fawu as well as complete untruths, he said.

"We can guess who is responsible and are responding to all the issues at branch and factory meetings with members."

● The 1987 diary of the Congress of South African Trade Unions has been banned for possession.

The ban was announced in Friday's list of prohibited publications released by the Directorate of Publications.



of the same area on 1987-02-16, the tape in respect of the 1986-87 edition had in the meantime been overwritten with the data in respect of the 1987-88 edition and consequently the tape produced for the latter edition was supplied to the National Party.

### Langa High School

\*27. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether Langa High School was required to admit Standard 6 pupils for the first time in 1987; if not, when was this high school required to admit such pupils for the first time; if so, when was the decision made that Standard 6 pupils should attend this high school;
- (2) how many such pupils registered at this high school in 1987;
- (3) whether any additional classrooms were provided at the beginning of 1987 to accommodate Standard 6 classes; if so, how many; if not, why not;
- (4) whether the Standard 6 pupils have been provided with (a) exercise books and (b) stationery; if so, as from what date; if not, why not;
- (5) whether additional exercise books were supplied to Langa High School in 1987 for Standard 6 pupils; if so, on what date; if not, why not?

†The DEPUTY MINISTER OF EDUCATION:

The circumstances surrounding Langa High School have been investigated by a departmental committee. A report is being prepared, on receipt of which more clarity on questions concerning this matter will be attained.

Mr K M ANDREW: Mr Speaker, arising out of the reply of the hon the Deputy Minister, may I ask him whether this enquiry which he refers to, is having to investigate his own Department's instructions to schools as to whether to admit Std 6 pupils or not?

†The DEPUTY MINISTER: Mr Speaker, the investigation deals with the circumstances in connection with the Langa school matter.

It will investigate all circumstances, including those where instructions were given and where they were also not carried out.

Mr K M ANDREW: Mr Speaker, further arising out of the reply of the hon the Deputy Minister, in view of his suggestion that the information will be forthcoming out of that enquiry, may I ask him whether the report of that enquiry is to be made public?

†The DEPUTY MINISTER: Mr Speaker, if there is certain information in that report which the hon member would like to obtain, we shall gladly make it available to him.

### Schools closed

\*28. Mr K M ANDREW asked the Minister of Education and Development Aid:

- (1) Whether any schools (a) have been closed and (b) have remained closed during the second quarter of 1987 owing to non-attendance, unrest or any other form of disruption of normal school activities; if so, how many in each case;
- (2) whether his Department is considering closing schools on account of the disruption of normal school activities at such schools; if so, which schools?

The DEPUTY MINISTER OF EDUCATION:

- (1) (a) No.
- (b) No.

- (2) This possibility is considered where closing a school is required to allow time to investigate, consult, rectify, address problems and restore order (which is a precondition for effective education) before reopening such a school under normal conditions at the earliest possible date.

As investigations are still in progress names of schools cannot be disclosed at this stage.

### Meetings prohibited

\*29. Mr S S VAN DER MERWE asked the Minister of Justice:

Whether any meetings involving a certain organization, the name of which has been furnished to the Minister's Department for the purpose of his reply, have been prohibited; if so, (a) how many, (b) on what dates, (c) why in each case and (d) what is the name of this organisation?

†The MINISTER OF HOME AFFAIRS (for the Minister of Justice):

No specific gathering of the organization concerned has been prohibited in terms of section 46 of the Internal Security Act, 1982 (Act 74 of 1982) since 1 January 1987 up to 10 June 1987. The hon member's attention is also drawn to the provisions of Government Notice No. 750 of 1 April 1987 (Government Gazette No. 10691) in which the general prohibition on certain gatherings was promulgated.

### End Conscription Campaign

\*30. Mr S S VAN DER MERWE asked the Minister of Law and Order:

Whether any persons have been detained for reasons relating to their participation in the activities of a certain organization, the name of which has been furnished to the South African Police for the purpose of the Minister's reply; if so, (a) How many, (b) why and (c) what is the name of this organization?

The DEPUTY MINISTER OF LAW AND ORDER:

Yes.

- (a) 23 persons.

- (b) Because their activities posed a threat to the maintenance of public order which activities would not contribute to the termination of the state of emergency.

- (c) The End Conscription Campaign.

### Leon Howard Sullivan: visa

\*31. Mr S S VAN DER MERWE asked the Minister of Home Affairs:

- (1) Whether a certain citizen of the United States of America, whose name has been furnished to the Minister's Department for the purpose of his reply, recently applied for a visa to visit the Republic; if so, (a) on what date, (b) what reason was given for requesting a visa and (c) what is the name of this person;
- (2) whether the application was granted; if not, (a) why not and (b) who took the decision in this regard;
- (3) whether an explanation was given for refusing the visa; if not, why not; if so, what was the explanation given;
- (4) whether he will make a statement on the matter?

†The MINISTER OF HOME AFFAIRS:

- (1) Yes.

- (a) 11 April 1987.

- (b) Business visit to review progress of US companies in South Africa.

- (c) Leon Howard Sullivan.

- (2) The application was not granted.

- (a) The visit was considered inopportune.

- (b) The Minister of Home Affairs.

- (3) Yes, that the visit was inopportune.

- (4) No.

†Mr S S VAN DER MERWE: Mr Speaker, arising out of the reply of the hon the Minister, I would just like to know the following: Given the fact that the explanation given to Mr Sullivan was that his visit was inopportune, does it imply that Mr Sullivan would have been allowed at another time in the past or that he may still be allowed in the future?

†The MINISTER: Mr Speaker, it will all depend on circumstances if and when Mr Sullivan applies again.



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local 50c Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 264

327

PRETORIA, 16 JUNE 1987  
JUNIE

No. 10787

## GOVERNMENT NOTICES

### MINISTRY OF LAW AND ORDER

No. 1344

16 June 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Jacobus Petrus Olivier, Divisional Commissioner of the South African Police for the East Rand Division, hereby issue the orders set out in the Schedule.

J. P. OLIVIER,  
Divisional Commissioner: East Rand.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

- (a) (i) the township known as Wattville in the Magisterial District of Benoni as demarcated and described in Government Notice 1500 of 16 July 1946, as amended;
- (ii) the township Daveyton in the Magisterial District of Benoni as demarcated and described in Government Notice 1550 of 30 July 1954, as amended;
- (b) (i) the township Katlehong in the Magisterial District of Alberton as demarcated and described in Government Notice 2671 of 31 December 1954;

## GOEWERMENSKENNISGEWINGS

### MINISTERIE VAN WET EN ORDE

No. 1344

16 Junie 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Jacobus Petrus Olivier, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Oos-Rand, hierby die bevele in die Bylae uitengesit uit.

J. P. OLIVIER,  
Afdelingskommissaris: Oos-Rand.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Veiligheidsregulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

- (a) (i) die woongebied wat bekend staan as Wattville in die landdrosdistrik van Benoni en wat in Goewermentskennisgewing 1500 van 16 Julie 1946, soos gewysig, afgebaken en omskryf is;
- (ii) die woongebied Daveyton in die landdrosdistrik van Benoni en wat in Goewermentskennisgewing 1550 van 30 Julie 1954, soos gewysig, afgebaken en omskryf is;
- (b) (i) die woongebied Katlehong in die landdrosdistrik van Alberton en wat in Goewermentskennisgewing 2671 van 31 Desember 1954, afgebaken en omskryf is;



- (ii) the township Thokoza in the Magisterial District of Alberton as demarcated and described in Government Notice 511 of 10 April 1955;
- (c) the township Tembisa in the Magisterial District of Kempton Park as demarcated and described in Government Notice 1266 of 23 August 1957, as amended;
- (d) the township kwaThema in the Magisterial District of Springs as demarcated and described in Government Notice 884 of 16 June 1967;
- (e) the township Duduza in the Magisterial District of Nigel as demarcated and described in Government Notice 92 of 24 January 1964;
- (f) (i) the Black township Balfour in the Magisterial District of Balfour as demarcated and described in Government Notice 996 of 5 May 1958;
- (ii) the township Greylingstad in the Magisterial District of Balfour as demarcated and described in Government Notice 1642 of 4 October 1924;
- (g) the township Boteng in the Magisterial District of Delmas as demarcated and described in Government Notice 600 of 1 May 1959, as amended;
- (h) the township Ratananda in the Magisterial District of Heidelberg as demarcated and described in Government Notice 5777 of 30 November 1956;
- (i) the township Vostloos in the Magisterial District of Boksburg as demarcated and described in Government Notice 1599 of 18 October 1963, as amended; and
- (j) the township Tsakane in the Magisterial District of Brakpan as demarcated and described in Government Notice 1094 of 17 July 1959;
- "Divisional Commissioner" means the Divisional Commissioner of the South African Police for the East Rand Division;
- "funeral" means a gathering held at the grave of a person who is buried;
- "local authority" means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;
- "security action" means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;
- "security force" means a security force as defined in the regulations published by Proclamation R. 97 of 1987;
- "the Security Regulations" means the regulations published by Proclamation R. 96 of 11 June 1987;
- "specified person" means a person who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;
- "unrest"—
- (a) any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;
- (b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or
- (ii) die woongebied Thokoza in die landdrosdistrik van Alberton en wat in Goewermentsekenisgewing 511 van 10 April 1955, afgebaken en omskryf is;
- (c) die woongebied Tembisa in die landdrosdistrik van Kempton Park en wat in Goewermentsekenisgewing 1266 van 23 Augustus 1957, soos gewysig, afgebaken en omskryf is;
- (d) die woongebied kwaThema in die landdrosdistrik van Springs en wat in Goewermentsekenisgewing 884 van 16 Junie 1967, afgebaken en omskryf is;
- (e) die woongebied Duduza in die landdrosdistrik van Nigel en wat in Goewermentsekenisgewing 92 van 24 Januarie 1964, afgebaken en omskryf is;
- (f) (i) Die Swart Woongebied Balfour in die landdrosdistrik van Balfour en wat in Goewermentsekenisgewing 996 van 5 Mei 1958, afgebaken en omskryf is;
- (ii) Die woongebied Greylingstad in die landdrosdistrik van Balfour en wat in Goewermentsekenisgewing 1642 van 4 Oktober 1924, afgebaken en omskryf is;
- (g) die woongebied Boteng in die landdrosdistrik van Delmas en wat in Goewermentsekenisgewing 600 van 1 Mei 1959, soos gewysig, afgebaken en omskryf is;
- (h) die woongebied Ratananda in die landdrosdistrik van Heidelberg en wat in Goewermentsekenisgewing 5777 van 30 November 1956, afgebaken en omskryf is;
- (i) die woongebied Vostloos in die landdrosdistrik van Boksburg en wat in Goewermentsekenisgewing 1599 van 18 Oktober 1963, soos gewysig, afgebaken en omskryf is; en
- (j) die woongebied Tsakane in die landdrosdistrik van Brakpan en wat in Goewermentsekenisgewing 1094 van 17 Julie 1959, afgebaken en omskryf is;
- "Afdelingskommissaris" die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Oos-Rand;
- "begrafnis" 'n byeenkoms wat gehou word by die graf van 'n persoon wat ter aarde bestel word;
- "bevelingsregulasies" die regulasies afgekondig by Proklamasie R. 96 van 12 Junie 1987;
- "gespesifiseerde persoon" 'n persoon wat in of tydens veiligheidsopreide of oproerigheid geskied het of geskied het aan beserings wat hy in of tydens veiligheidsopreide of oproerigheid opgedoen het;
- "oproerigheid"—
- (a) enige byeenkoms in stryd met 'n bevel kragens regulasie 7 van die Veiligheidsregulasies of met 'n bepaling van 'n ander wet of met die een of ander verood, lasgewing of ander voorskryf kragens so 'n bepaling;
- (b) enige fisiese aanval op 'n veiligheidsmag of op 'n lid van 'n veiligheidsmag of op 'n lid van 'n plaaslike owerheid of op die huis of huisgesin van 'n lid van 'n veiligheidsmag of plaaslike owerheid deur 'n groep persone; of
- (c) enige gedrag wat oproer, opbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daartoe lei;
- "plaaslike owerheid" 'n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

- (c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).
- Funerals etc., to be held in accordance with conditions**
2. Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—
- (a) that the Divisional Commissioner's prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;
- (b) that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;
- (c) that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;
- (d) that no public address system shall be used at or during such a funeral or ceremonial gathering;
- (e) that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and
- (f) that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.
- Speakers**
3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.
- Attendance of funerals etc.**
4. (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.
- (2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (e) of clause 2.
- Funeral processions**
5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried.
- "seremoniële byeenkoms", met betrekking tot die teraardebestelling van 'n persoon, enige byeenkoms wat met 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdiens of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnisstoet;
- "veiligheidsmag" 'n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;
- "veiligheidsopreide" enige opreide deur 'n veiligheidsmag of 'n lid van 'n veiligheidsmag, hetsy sodanige opreide plaasgevind het voor of plaasvind na die publikasie van hierdie Goewermentsekenisgewing.
- Begrafnisse ens., gehou te word ooreenkomstig voorwaardes**
2. Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—
- (a) dat die Afdelingskommissaris se voorafverkeë goedkeuring verkry moet word vir die tyd, datum en plek van so 'n begrafnis asook van enige so 'n seremoniële byeenkoms;
- (b) dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van die persoon wat begrawe word), in die ope lug gehou mag word nie;
- (c) dat slegs 'n geordende leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens so 'n begrafnis of seremoniële byeenkoms mag optree;
- (d) dat geen luidpreker by of tydens so 'n begrafnis of seremoniële byeenkoms gebruik mag word nie;
- (e) dat die getal persone wat so 'n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;
- (f) dat die verrigtinge in verband met die teraardebestelling van so 'n persoon, met inbegrip van enige sodanige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.
- Sprekers**
3. Geen persoon, behalwe 'n geordende leraar van 'n godsdienstige denominasie of organisasie, mag as 'n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon optree nie.
- Bywoning van begrafnisse ens.**
4. (1) Geen persoon mag 'n begrafnis, of 'n seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daartoe aanwesig bly nie.
- (2) Die bepalings van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naastebeestande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (e) van klousule 2 nie.
- Begrafnisstoete**
5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die betrokke persoon ter aarde bestel word, beweeg nie.



(2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply if the route approved by the Divisional Commissioner in terms of subclause (2) is shorter than five hundred metres.

#### Flags, banners etc.

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

#### Joint funerals

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

#### Application of these orders

8. These orders shall apply in the designated area.

No. 1345

16 June 1987

### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Johann Cornelissen van Niekerk, Divisional Commissioner of the South African Police for the Port Natal Division, hereby issue the orders set out in the Schedule.

J. C. VAN NIEKERK,  
Divisional Commissioner, Port Natal.

### SCHEDULE

#### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

(a) in the Magisterial District of Pinetown the areas known as—

- (i) Clermont, as demarcated and described in Government Notice 163 of 23 August 1974;
- (ii) kwaDabeka, as demarcated and described in Government Notice 1049 of 18 May 1979;

(b) in the Magisterial District of Durban the areas known as—

- (i) Chesterville, as demarcated and described in Government Notice 1111 of 7 July 1944;
- (ii) Lamontville Township, as demarcated and described in Government Notice 1524 of 2 October 1964;

(2) “n Begräfnisroet wat vir die teraardebestelling van ’n gespesifiseerde persoon opgestel is, beweg die vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, langes ’n ander roete as ’n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalings van subklousule (1) is nie van toepassing in die geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

#### Vlag, banier ens.

6. (1) Geen persoon mag enige vlag, banier, plakkaat, pamflet of aanplakbiljette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van ’n gespesifiseerde persoon vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebruike begrafniskennisgewing nie.

#### Gesamenlike begrafnisse

7. Geen gesamenlike begrafnis, en geen gesamenlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

#### Toepassing van hierdie bevel

8. Hierdie bevel is van toepassing in die aangewese gebied.

No. 1345

16 June 1987

### BEVELE KRAAGTENS DIE REGULASIES UITGEVAARDIG Kragtens DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 June 1987, reik ek, Johann Cornelissen van Niekerk, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Port Natal, hierby die bevel in die Bylae uitengesit uit.

J. C. VAN NIEKERK,  
Afdelingskommissaris, Port Natal.

### BYLAE

#### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken ’n woord of uitdrukking waaraan in die Veiligheidsregulasies ’n betekenis geheg is ’n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) in die landroesdistrik van Pinetown die gebiede bekend as—

- (i) Clermont, soos afgebaken en omskryf in Goewermentskennisgewing 163 van 23 Augustus 1974;
- (ii) kwaDabeka, soos afgebaken en omskryf in Goewermentskennisgewing 1049 van 18 Mei 1979;

(b) in die landroesdistrik van Durban die gebiede bekend as—

- (i) Chesterville, soos afgebaken en omskryf in Goewermentskennisgewing 1111 van 7 Julie 1944;
- (ii) Lamontville woongebied, soos afgebaken en omskryf in Goewermentskennisgewing 1524 van 2 Oktober 1964;

“Divisional Commissioner” means the Divisional Commissioner of the South African Police for the Port Natal Division;

“funeral” means a gathering held at the grave of a person who is buried;

“local authority” means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;

“security action” means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;

“security force” means a security force as defined in the regulations published by Proclamation R. 97 of 1987;

“the Security Regulations” means the regulations published by Proclamation R. 96 of 11 June 1987;

“specified person” means a person who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;

“unrest”—

(a) any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;

(b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or

(c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).

#### Funerals etc., to be held in accordance with conditions

2. Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—

(a) that the Divisional Commissioner’s prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;

(b) that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;

(c) that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;

(d) that no public address system shall be used at or during such a funeral or ceremonial gathering;

(e) that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and

(f) that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.

“Afdelingskommissaris” die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Port Natal;

“begrafnis” ’n byeenkoms wat gehou word by die graf van ’n persoon wat ter aarde bestel word;

die “Veiligheidsregulasies” die regulasies afgekondig by Proklamasie R. 96 van 11 June 1987;

“gespesifiseerde persoon” ’n persoon wat in of tydens veiligheidsopreide of oproerigheid gesterf het of gesterf het aan beserings wat hy in of tydens veiligheidsopreide of oproerigheid opgedoen het;

“oproerigheid”—

(a) enige byeenkoms in stryd met ’n bevel kragtens regulasie 7 van die Veiligheidsregulasies of met ’n bepaling van ’n ander wet of met die een of ander verbod, lasgewing of ander voorskrif kragtens so ’n bepaling;

(b) enige fisiese aanval op ’n veiligheidsmag of op ’n lid van ’n veiligheidsmag of op ’n lid van ’n plaaslike owerheid of op die huis of huisgesin van ’n lid van ’n veiligheidsmag of plaaslike owerheid deur ’n groep persone; of

(c) enige gedrag wat oproer, openbare geweldpleging of ’n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daanstel;

“plaaslike owerheid” ’n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“seremoniële byeenkoms”, met betrekking tot die teraardebestelling van ’n persoon, enige byeenkoms wat met so ’n teraardebestelling gepaard gaan, met inbegrip van ’n roudiens, gedenkdiens of ander diens wat gehou word in verband met so ’n teraardebestelling, en ook ’n begrafnisroet;

“veiligheidsmag” ’n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“veiligheidsopreide” enige opreide deur ’n veiligheidsmag of ’n lid van ’n veiligheidsmag, heers sodanige opreide plaasgevind het voor of plaasvind na die publikasie van hierdie Goewermentskennisgewing.

#### Begravnisse ens., gehou te word ooreenkomstig voorwaardes

2. Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van ’n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—

(a) dat die Afdelingskommissaris se voorafverkreë goedkeuring verkry moet word vir die tyd, datum en plek van so ’n begrafnis asook van enige so ’n seremoniële byeenkoms;

(b) dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van ’n roudiens, gedenkdiens of ander diens aanneem (behalwe so ’n diens wat gehou word by die graf van die persoon wat begrawe word), in die open lug gehou mag word nie;

(c) dat slegs ’n geordende leraar van ’n godsdienstige denominasie of organisasie as ’n spreker tydens so ’n begrafnis of seremoniële byeenkoms mag optree;

(d) dat geen luidspreker by of tydens so ’n begrafnis of seremoniële byeenkoms gebruik mag word nie;

(e) dat die getal persone wat so ’n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;

(f) dat die vergadering in verband met die teraardebestelling van so ’n persoon, met inbegrip van enige sodanige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.



**Speakers**

3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.

**Attendance of funerals etc.**

4. (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.

(2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (c) of clause 2.

**Funeral processions**

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried.

(2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply in a case where the route approved by the Divisional Commissioner under subclause (2) is shorter than five hundred metres.

**Flags, banners etc.**

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

**Joint funerals**

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

**Application of these orders**

8. These orders shall apply in the designated area.

No. 1346 16 June 1987

**ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953**

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Ernest Stephen Schneider, Divisional Commissioner of the South African Police for the Eastern Province Division, hereby issue the orders set out in the Schedule.

E. S. SCHNETLER,

Divisional Commissioner: Eastern Province.

**Spekers**

3. Geen persoon, behalwe 'n geordende leraar van 'n godsdiensige denominasie of organisasie, mag as 'n spreker by enige begrafenis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon optree nie.

**Bywoning van begrafenis, ens.**

4. (1) Geen persoon mag 'n begrafenis, of 'n seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarby aanwesig bly nie.

(2) Die bepalings van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naasbestaande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (c) van klousule 2 nie.

**Begrafnisroete**

(5) (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voorskrif van die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(2) 'n Begrafnisroete wat vir die teraardebestelling van 'n gespesifiseerde persoon opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, lank as 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepaling van subklousule (1) is nie van toepassing nie in 'n geval waar die roete wat deur die Afdelingskommissaris Krageus subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

**Vlag, banier, ens.**

6. (1) Geen persoon mag enige vlag, banier, plakkaat, pamflet of aanplakbiljette by die begrafenis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon vertoon of versprei nie.

(2) Subklousule (1) rak nie die verspreiding van enige gebruiklike begrafeniskenisgewing nie.

**Gesamentlike begrafenis**

7. Geen gesamentlike begrafenis, en geen gesamentlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

**Toepassing van hierdie bevel**

8. Hierdie bevel is van toepassing in die aangewese gebied.

No. 1346 16 Junie 1987

**BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953**

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Ernest Stephen Schneider, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Oostelike Provinsie, hierby die bevel in die Bylae uiteengesit uit.

E. S. SCHNETLER,

Afdelingskommissaris: Oostelike Provinsie.

**SCHEDULE**

STAATSKORANT, 16 JUNIE 1987

No. 10787 7

**Definitions**

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a specified person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

(a) In the Magisterial District of Port Elizabeth the areas known as—

(i) New Brighton and kwaZakhele Townships, as demarcated and described in Government Notice 2246 of 11 November 1955;

(ii) Zwide Township, as demarcated and described in Government Notice 1563 of 1 September 1972, as amended;

(iii) Walmer Black Township, as demarcated and described in Government Notice 1541 of 31 August 1945;

(iv) Motherwell, as demarcated and described in Government Notice 615 of 4 April 1986;

(v) kwaMagxaki Township, as demarcated and described in Government Notice 163 of 1 February 1985;

(vi) kwaDwesi Township, as demarcated and described in Government Notice 1010 of 23 May 1986;

(b) In the Magisterial District of Uitenhage the areas known as—

(i) kwaNobule Township, as demarcated and described in Government Notice 20 of 4 January 1985;

(ii) Kabah and Langa Townships, as demarcated and described in Government Notice 270 of 25 February 1966, as amended;

(iii) Despatch Black Township, as demarcated and described in Government Notice 280 of 24 February 1956;

(c) In the Magisterial District of Albany the areas known as—

(i) Fingodorp Township, as demarcated and described in Government Notice 1904 of 2 September 1983;

(ii) Tanyvi, Makannaskop and Joza Townships, as demarcated and described in Government Notice 1186 of 17 June 1955;

(iii) Alicedale, as demarcated and described in Government Notice 1154 of 4 August 1967;

(iv) Ou Lokasie Township, as demarcated and described in Government Notice 464 of 25 March 1938;

(d) In the Magisterial District of Fort Beaufort the areas known as Tins and Dorington Townships, as demarcated and described in Government Notice 751 of 28 May 1965;

(e) In the Magisterial District of Humansdorp the area known as kwaNomzamo, as demarcated and described in Government Notice 1497 of 24 August 1973;

(f) In the Magisterial District of Hankey the areas known as Ceneron and Weston, as demarcated and described in Government Notices 2616 of 2 December 1983 and 531 of 11 March 1963.

**BYLAE****Woordonskrywing**

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Veiligheidsregulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) In die landroesdistrik van Port Elizabeth die gebiede bekend as—

(i) New Brighton en kwaZakhele woongebiede, soos afgebaken en omskryf in Goewernementskenisgewing 2246 van 11 November 1955;

(ii) Zwide woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 1563 van 1 September 1972, soos gewysig;

(iii) Walmer swart woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 1541 van 31 Augustus 1945;

(iv) Motherwell, soos afgebaken en omskryf in Goewernementskenisgewing 615 van 4 April 1986;

(v) kwaMagxaki woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 163 van 1 Februarie 1985;

(vi) kwaDwesi woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 1010 van 23 Mei 1986;

(b) In die landroesdistrik van Uitenhage die gebiede bekend as—

(i) kwaNobule woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 20 van 4 Januarie 1985;

(ii) Kabah en Langa woongebiede, soos afgebaken en omskryf in Goewernementskenisgewing 270 van 25 Februarie 1966, soos gewysig;

(iii) Despatch swart woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 280 van 24 Februarie 1956;

(c) In die landroesdistrik van Albany die gebiede bekend as—

(i) Fingodorp woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 1904 van 2 September 1983;

(ii) Tanyvi, Makannaskop en Joza woongebiede, soos afgebaken en omskryf in Goewernementskenisgewing 1186 van 17 Junie 1955;

(iii) Alicedale, soos afgebaken en omskryf in Goewernementskenisgewing 1154 van 4 Augustus 1967;

(iv) Ou Lokasie woongebied, soos afgebaken en omskryf in Goewernementskenisgewing 464 van 25 Maart 1938;

(d) In die landroesdistrik van Fort Beaufort die gebiede bekend as Tins en Dorington woongebiede, soos afgebaken en omskryf in Goewernementskenisgewing 751 van 28 Mei 1965;

(e) In die landroesdistrik van Humansdorp die gebied bekend as kwaNomzamo, soos afgebaken en omskryf in Goewernementskenisgewing 1497 van 24 Augustus 1973;

(f) In die landroesdistrik van Hankey die gebiede bekend as Ceneron en Weston, soos afgebaken en omskryf in Goewernementskenisgewings 2616 van 2 Desember 1983 en 531 van 11 Maart 1963.



- (g) In the Magisterial District of Kirkwood the areas known as—
- Bontung, as demarcated and described in Government Notice 1122 of 26 July 1963;
  - Zwelisha, as demarcated and described in Government Notice 216 of 12 February 1982.
- (h) In the Magisterial District of Somerset East the areas known as—
- Njoli, as demarcated and described in Government Notice 1523 of 29 September 1967;
  - Bongweni, as demarcated and described in Government Notice 1643 of 7 September 1973.
- (i) In the Magisterial District of Bedford the area known as New Brighton, as demarcated and described in Government Notice 667 of 15 September 1961;
- (j) In the Magisterial District of Adelaide the area known as Adelaide Black Township, as demarcated and described in Government Notice 2306 of 29 October 1982;
- (k) In the Magisterial District of Alexandria the areas known as—
- Paterson Black Township, as demarcated and described in Government Notice 450 of 12 March 1954;
  - Alexandria Black Township, as demarcated and described in Government Notice 793 of 26 May 1961;
  - Kent-on-Sea Black Township, as demarcated and described in Government Notice 1142 of 2 August 1963;
- (l) In the Magisterial District of Cradock the area known as Lingelhe, as demarcated and described in Government Notice 794 of 26 May 1961;
- (m) In the Magisterial District of Bathurst the area known as Port Alfred Black Township, as demarcated and described in Government Notice 1508 of 2 September 1927;
- “Divisional Commissioner” means the Divisional Commissioner of the South African Police for the Eastern Province Division;
- “funeral” means a gathering held at the grave of a person who is buried;
- “local authority” means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;
- “security action” means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;
- “security force” means a security force as defined in the regulations published by Proclamation R. 97 of 1987;
- “the Security Regulations” means the regulations published by Proclamation R. 96 of 11 June 1987;
- “specified person” means a person who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;

- (g) In die landdrosdistrik van Kirkwood die gebiede bekend as—
- Bontung, soos afgebaken en omskryf in Goewernementskennisgewing 1122 van 26 Julie 1963;
  - Zwelisha, soos afgebaken en omskryf in Goewernementskennisgewing 216 van 12 Februarie 1982;
- (h) In die landdrosdistrik van Somerset-Oos die gebiede bekend as—
- Njoli, soos afgebaken en omskryf in Goewernementskennisgewing 1523 van 29 September 1967;
  - Bongweni, soos afgebaken en omskryf in Goewernementskennisgewing 1643 van 7 September 1973;
- (i) In die landdrosdistrik van Bedford die gebied bekend as New Brighton, soos afgebaken en omskryf in Goewernementskennisgewing 667 van 15 September 1961;
- (j) In die landdrosdistrik van Adelaide die gebied bekend as Adelaide swart woonbuurt, soos afgebaken en omskryf in Goewernementskennisgewing 2306 van 29 Oktober 1982;
- (k) In die landdrosdistrik van Alexandria die gebiede bekend as—
- Paterson swart woongebied, soos afgebaken en omskryf in Goewernementskennisgewing 450 van 12 Maart 1954;
  - Alexandria swart woongebied, soos afgebaken en omskryf in Goewernementskennisgewing 795 van 26 Mei 1961;
  - Kenton-on-Sea swart woongebied, soos afgebaken en omskryf in Goewernementskennisgewing 1142 van 2 Augustus 1963;
- (l) In die landdrosdistrik van Cradock die gebied bekend as Lingelhe, soos afgebaken en omskryf in Goewernementskennisgewing 794 van 26 Mei 1961;
- (m) In die landdrosdistrik van Bathurst die gebied bekend as Port Alfred swart woongebied, soos afgebaken en omskryf in Goewernementskennisgewing 1508 van 2 September 1927;
- “Afdelingskommissaris” die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Oostelike Provinsie;
- “begrafnis” ’n byeenkoms wat gehou word by die graf van ’n persoon wat ter aarde bestel word;
- “die Veiligheidsregulasies” die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987;
- “gespesifiseerde persoon” ’n persoon wat in of tydens veiligheidsoptriede of oproerigheid gesterf het of gesterf het aan beserings wat hy in of tydens veiligheidsoptriede of oproerigheid opgedoen het;
- “oproerigheid”—
- enige byeenkoms in stryd met ’n bevel kragtens regulasie 7 van die Veiligheidsregulasies of met ’n bepaling van ’n ander wet of met die een of ander verbod, lasgewing of ander voorskrif kragtens so ’n bepaling;
  - enige fisiese aanval op ’n veiligheidsmag of op ’n lid van ’n veiligheidsmag of op ’n lid van ’n plaaslike owerheid of op die huis of huisgesin van ’n lid van ’n veiligheidsmag of plaaslike owerheid deur ’n groep persone; of

### “unrest”—

- any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;
- any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or
- any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).

### Funerals etc., to be held in accordance with conditions

- Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—

  - that the Divisional Commissioner's prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;
  - that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;
  - that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;
  - that no public address system shall be used at or during such a funeral or ceremonial gathering;
  - that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and
  - that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.

### Speakers

- No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.

### Attendance of funerals etc.

- (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial, of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.
- (2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (c) of clause 2.

- (c) enige geding wat oproer, openbare geweldpleging of ’n oortreding van artikel 1(1)(a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daartoe;

“plaaslike owerheid” ’n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“seremoniële byeenkoms”, met betrekking tot die teraardebestelling van ’n persoon, enige byeenkoms wat met so ’n teraardebestelling gepaard gaan, met inbegrip van ’n roudiens, gedenkdiens of ander diens wat gehou word in verband met so ’n teraardebestelling, en ook ’n begrafnissoet;

“veiligheidsmag” ’n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“veiligheidsoptriede” enige optriede deur ’n veiligheidsmag of ’n lid van ’n veiligheidsmag, hetsy sodanige optriede plaasgevind het voor of plaasvind na die publikasie van hierdie Goewernementskennisgewing.

### Begrafnisse ens., gehou te word ooreenkomstig voorwaardes.

- Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van ’n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—

- dat die Afdelingskommissaris se voorafverkreë goedkeuring verky moet word vir die tyd, datum en plek van so ’n begrafnis asook van enige so ’n seremoniële byeenkoms;
- dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van ’n roudiens, gedenkdiens of ander diens aanneem (behalwe so ’n diens wat gehou word by die graf van die persoon wat begrawe word), in die opsig lug gehou mag word nie;
- dat slegs ’n geoordende leraar van ’n godsdienstige denominasie of organisasie as ’n spreker tydens so ’n begrafnis of seremoniële byeenkoms mag optree;
- dat geen luitspreker by of tydens so ’n begrafnis of seremoniële byeenkoms gebruik mag word nie;
- dat die getal persone wat so ’n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;
- dat die vergaderinge in verband met die teraardebestelling van so ’n persoon, met inbegrip van enige sodanige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.

### Speakers

- Geen persoon, behalwe ’n geoordende leraar van ’n godsdienstige denominasie of organisasie, mag as ’n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van ’n gespesifiseerde persoon optree nie.

### Bywoning van begrafnisse ens.

- (1) Geen persoon mag ’n begrafnis, of ’n seremoniële byeenkoms in verband met die teraardebestelling, van ’n gespesifiseerde persoon ten opsigte waarvan ’n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarty aanwesig bly nie.
- (2) Die bepalinge van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naastebestaande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (c) van klousule 2 nie.



**Funeral processions**

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried.

(2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply if the route approved by the Divisional Commissioner in terms of subclause (2) is shorter than five hundred metres.

**Flags, banners etc.**

6. (1) No persons shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

**Joint funerals**

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

**Application of these orders**

8. These orders shall apply in the designated area.

No. 1350 16 June 1987

**ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953**

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Daniel Nel, Divisional Commissioner of the South African Police for the Soweto Division, hereby issue the orders set out in the Schedule.

D. NEL,  
Divisional Commissioner: Soweto.

**SCHEDULE**

**Definitions**

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

(a) the areas in the Magisterial District of Johannesburg known as—

(i) Soweto, as demarcated and described in Government Notice 1506 of 17 August 1956, as amended;

(ii) Diepkloof and Meadowlands, as demarcated and described in Government Notice 2603 of 24 December 1954, as amended;

(b) the area in the Magisterial District of Roodepoort known as Dobsonville, as demarcated and described in Government Notice 1551 of 24 October 1958, as amended;

**Begravnistoete**

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voorskrif vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die betrokke persoon ter aarde bestel word, beweeg nie.

(2) 'n Begravnistoet wat vir die teraardebestelling van 'n gespesifiseerde persoon opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, lank as 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalings van subklousule (1) is nie van toepassing in die geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

**Vlag, banier ens.**

6. (1) Geen persoon mag enige vlag, banier, plakkaat, pamflet of aanplakbiljette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebuiklike begrafniskennisgewing nie.

**Gesamenlike begrafnisse**

7. Geen gesamenlike begrafnis, en geen gesamenlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

**Toepassing van hierdie bevel**

8. Hierdie bevel is van toepassing in die aangewese gebied.

No. 1350 16 Junie 1987

**BEVEL Kragtens DIE REGULASIES UITGEVAARDE Kragtens DIE WET OP OPENBARE VEILIGHEID, 1953**

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Daniel Nel, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Soweto, hierby die bevel in die Bylae uiteengesit uit.

D. NEL,  
Afdelingskommissaris: Soweto.

**BYLAE**

**Woordomskrifwing**

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Veiligheidsregulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

(a) die gebiede in die landroosdistrik van Johannesburg bekend as—

(i) Soweto, soos afgebaken en omskryf in Goewernementskennisgewing 1506 van 17 Augustus 1956, soos gewysig;

(ii) Diepkloof en Meadowlands, soos afgebaken en omskryf in Goewernementskennisgewing 2603 van 24 Desember 1954, soos gewysig;

(b) die gebied in die landroosdistrik van Roodepoort bekend as Dobsonville, soos afgebaken en omskryf in Goewernementskennisgewing 1551 van 24 Oktober 1958, soos gewysig;

“Divisional Commissioner” means the Divisional Commissioner of the South African Police for the Soweto Division;

“funeral” means a gathering held at the grave of a person who is buried;

“local authority” means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;

“security action” means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;

“security force” means a security force as defined in the regulations published by Proclamation R. 97 of 1987;

“the Security Regulations” means the regulations published by Proclamation R. 96 of 11 June 1987.

“specified person” means a person who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;

“unrest”—

(a) any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;

(b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or

(c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).

**Funerals etc., to be held in accordance with conditions**

2. Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—

(a) that the Divisional Commissioner's prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;

(b) that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;

(c) that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;

(d) that no public address system shall be used at or during such a funeral or ceremonial gathering;

(e) that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and

(f) that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.

“Afdelingskommissaris” die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Soweto;

“begrafnis” 'n byeenkoms wat gehou word by die graf van 'n persoon wat ter aarde bestel word;

“die Veiligheidsregulasies” die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987;

“gespesifiseerde persoon” 'n persoon wat in of tydens veiligheidsopreide of oproerigheid gesterf het of gesterf het aan beserings wat by in of tydens veiligheidsopreide of oproerigheid opgedoen het;

“oproerigheid”—

(a) enige byeenkoms in stryd met 'n bevel kragtens regulasie 7 van die Veiligheidsregulasies of met 'n bepaling van 'n ander wet of met die een of ander verbod, lasgewing of ander voorskrif kragtens 'n bepaling;

(b) enige fisiese aanval op 'n veiligheidsmag of op 'n lid van 'n veiligheidsmag of op 'n lid van 'n plaaslike owerheid of op die huis of huisgesin van 'n lid van 'n veiligheidsmag of plaaslike owerheid deur 'n groep persone; of

(c) enige gedrag wat oproer, openbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daartoe;

“plaaslike owerheid” 'n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“seremoniële byeenkoms”, met betrekking tot die teraardebestelling van 'n persoon, enige byeenkoms wat met so 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdiens of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnistoe;

“veiligheidsmag” 'n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;

“veiligheidsopreide” enige opreide deur 'n veiligheidsmag of 'n lid van 'n veiligheidsmag, heys sodanige opreide plaasgevind het voor of plaasvind na die publikasie van hierdie Goewernementskennisgewing.

**Begravnisse ens., gehou te word ooreenkomstig voorwaarde**

2. Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—

(a) dat die Afdelingskommissaris se voorafvertrée goedkeuring verky moet word vir die tyd, datum en plek van so 'n begrafnis asook van enige so 'n seremoniële byeenkoms;

(b) dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van die persoon wat begrawe word), in die openlug gehou mag word nie;

(c) dat slegs 'n geoordele leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens so 'n begrafnis of seremoniële byeenkoms mag optree;

(d) dat geen luidspreektr by of tydens so 'n begrafnis of seremoniële byeenkoms gebruik mag word nie;

(e) dat die getal persone wat so 'n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;

(f) dat die verrigtinge in verband met die teraardebestelling van so 'n persoon, met inbegrip van enige sodanige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.



**Speakers**

3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.

**Attendance of funerals etc.**

4. (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.

(2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (e) of clause 2.

**Funeral processions**

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried.

(2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply if the route approved by the Divisional Commissioner in terms of subclause (2) is shorter than five hundred metres.

**Flags, banners etc.**

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

**Joint funerals**

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

**Application of these orders**

8. These orders shall apply in the designated area.

**Sprekers**

3. Geen persoon, behalwe 'n geordende leraar van 'n godsdienstige denominasie of organisasie, mag as 'n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon optree nie.

**Bywoning van begrafnisse ens.**

4. (1) Geen persoon mag 'n begrafnis, of 'n seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarby aanwesig bly nie.

(2) Die bepalinge van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naasbestaande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (e) van klousule 2 nie.

**Begrafnisstoete**

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die betrokke persoon ter aarde bestel word, beweeg nie.

(2) 'n Begrafnisstoet wat vir die teraardebestelling van 'n gespesifiseerde persoon opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, langs 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalinge van subklousule (1) is nie van toepassing in die geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

**Vlae, baniere ens..**

6. (1) Geen persoon mag enige vlag, banier, plakkaat, pamflette of aanplakbiljette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebruiklike begrafniskennisgewing nie.

**Gesamentlike begrafnisse**

7. Geen gesamentlike begrafnis, en geen gesamentlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

**Toepassing van hierdie bevel**

8. Hierdie bevel is van toepassing in die aangewese gebied.

Use it.

Don't abuse  it.

water is for everybody

Werk mooi daarmee.

Ons leef  daarvan.

water is kosbaar



# Cayco granted court interdict

cm-7125 16/6/77 322  
Supreme Court Reporter

THE Cape Youth Congress was yesterday granted an interim interdict restraining police from unlawfully entering or interfering with lawful Cayco meetings.

The interdict, which also restrains the police from assaulting or threatening to assault people at, or wanting to attend, such meetings, was granted in the Supreme Court by Mr Justice G Friedman.

The chairman of Cayco, Mr Mzwandile Xeshe, said in an affidavit that police had warned youths in KTC that they would not allow any meetings to be held in the township.

He said Cayco feared the police

would break up a meeting commemorating June 16, 1976.

Allegations in support of the urgent application were made in 11 affidavits filed yesterday.

The Minister of Law and Order and the Divisional Commissioner of Police have to show cause on August 6 why the order granted yesterday should not be made final.

They filed no opposing affidavits yesterday but an affidavit from the divisional commissioner offered an undertaking from police that Cayco declined, saying they wished to have the protection of a court order.

Mr S A Majiedt, instructed by E Moosa and Associates, appeared for Cayco. Mr W J Louw, instructed by the State Attorney, appeared for the respondents.

CRK: THIS 16/6/87

327

# Police on patrol in Reef townships

JOHANNESBURG. — Police yesterday patrolled black townships around Johannesburg in the run-up to today's commemoration of the unrest which started in Soweto 11 years ago.

Tough curbs reimposed last Thursday under the state of emergency prohibit calls for work boycotts, but opposition movements expected thousands of black supporters to stay at home.

"The call to our people (is) to observe June 16 with dignity," Mr Murphy Morobe, spokesman for the United Democratic Front, said. "Let us show that despite the state of emergency we remain more united and determined than ever."

The 600 000-member Congress of South African Trade Unions (Cosatu) urged police not to disrupt today's meetings.

"Hundreds of thousands of

workers have won June 16 as a paid holiday," spokesman Mr Frank Meintjies said. "Most of our other members will be staying home with their families, or attending church services and commemoration meetings."

About 1.5 million blacks stayed home last year to mark the 10th anniversary of the Soweto uprising.

A police spokesman said: "Our men will be out patrolling all townships and white areas to protect peace-loving people and those who might want to go to work."

"We will also have our men at all major centres in the cities, on trains and at every possible place to protect the public from radicals and intimidators," the police spokesman said.

□ In Cape Town, milk and bread deliveries will be disrupted today.

Members of the Western Cape Traders' Association will close

their shops and members of the Chamber of Muslim Meat Traders will also be closed.

Mr Tommy Brand, manpower manager of Cape Town Chamber of Commerce, said it was extremely quiet on the commercial side and employers did not know what to expect. Unless negotiation had taken place, a policy of no work, no pay had been adopted.

Mr F J Versfeld, administration manager of Duens Bakery, said a stayaway was expected and it was not possible to determine to what extent deliveries would be affected. However, not all delivery trucks would go out.

Mr Jan Kotze, general manager of Dairy Belle, said a 100% stayaway was expected and there would be no home deliveries. Consumers could, however, go to supermarkets and cafes because the company had already made sure there would be adequate stock. — UPI and Staff Reporter



327 17/6/87

## Seized Tutu video returned

JOHANNESBURG — A news video tape of Archbishop Desmond Tutu's visit to Maputo, which was seized by South African authorities at Rand Airport on Monday night, was returned to foreign newsmen yesterday after an urgent court order.

American ABC television and ARD German television lodged an urgent application to the Rand Supreme Court for the return of the confiscated tape, which the companies shared.

The contents of the tape were shots of the Archbishop in Maputo, including a speech in which he urged increased world pressure to "destroy apartheid".

The lawyer representing the television companies in the court application, Miss Lauren Jacobson, said the court yesterday instructed the authorities to return the tape, and ruled that the respondent, the Minister of Law and Order, bear the costs of the agencies' application.

Archbishop Tutu told a rally in Maputo that apartheid destroyed homes and families in neighbouring states as well as in South Africa.

"If there is going to be peace and prosperity, and if people are going to live happily together in South Africa and in all the states in the region, we call on the international community to help us destroy apartheid before it destroys us," he said.

The overseas news tape was to have been used by ITN.

An ABC news producer in Johannesburg, Mr Richard Sergay, said the tape was confiscated by South Africa authorities when it arrived at Rand Airport by charter flight on Monday night.

Archbishop Tutu is on a two-weeks visit to Maputo. — Sapa

# Call to clean up the media

327  
SP  
17/6/87

By PATRICK CULL, Political Correspondent

CAPE TOWN - A President's Council report has recommended that the Publications Control Board apply stricter censorship on publications which have a negative influence on young people, such as those which feature violence, assault, sexual activities, drugs, alcohol and satanism.

The report by the Committee for Social Affairs on the "Youth of South Africa" states that strongly critical evidence was received on media material, especially on television.

Criticism was levelled at:

- Portrayals of free sex.
- Disregard for the value of human life through the presentation of violence.
- Music which breaks down high moral standards.

Evidence was presented which showed that certain types of music have a physically and spiritually demoralising effect and that certain types "employ elements of satanism to alienate the Christian listener from his faith".

The committee states that in its opinion there are too many programmes on television which "fulfil no positive educational or recreational function but which border on the vulgar".

It contends that "undermining and demoralising" video tapes are freely available, and that instead of programmes promoting proper discipline "unrestrained sexuality and all types of crime" are depicted.

The report states that an "unhealthy narrow-mindedness, with old-fashioned forms of entertainment or excessive prudishness" will have no chance of finding favour.

"But is it urgently necessary to involve the youth in healthy recreation that will deter them from self-destruction by drug and alcohol abuse and other harmful forms of degeneration".



AM645 17/6/87 (20/28)

# Court orders tapes on Tutu visit returned

327

The Argus Correspondent

JOHANNESBURG. — Police seized foreign network TV video tapes of Archbishop Desmond Tutu's visit to Maputo after they had read about the visit in local newspapers, a security police major told the Rand Supreme Court before being ordered to hand them back.

Security police seized four tapes at Rand Airport from the pilot of the aircraft chartered by American ABC, German ARD and British ITN television networks after it landed yesterday afternoon.

The networks last night brought an urgent application in the Rand Supreme Court for the return of the tapes and police were ordered to do so by Mr Justice Stegmann.

Two of the tapes were filmed on Monday, recording Archbishop Tutu's arrival at Maputo Airport and of a Press conference he held later. The other two tapes were filmed yesterday at a public June 16 rally.

## REGULAR TAPES

A German ARD television crew filmed the events. It plans to accompany Archbishop Tutu for the full two weeks of his tour and to send out tapes regularly.

Lawyers for the networks first asked a Major Smit of the Germiston branch of the security police, who authorised the seizure, to return the tapes. But he refused, saying a police expert would view them first.

Major Smit told the court he read reports in two newspapers about the Maputo visit and received information that an aircraft would land at Rand Airport with tapes from Maputo.

In the light of what he had read he decided they could be evidence in the commission of an offence and he suggested in court that this could be high treason or terrorism.

Mr Justice Stegmann ruled that the police were not empowered to seize the tapes because they did not have reasonable ground to believe they could be used as evidence in the commission of an offence.



Archbishop  
Tutu

# Funerals in townships subject to new curbs

327  
SME  
17/6/82

Pretoria Bureau

New restrictions on funerals in nearly all townships in the Transvaal, Eastern Cape and Natal were announced last night in a special Government Gazette.

Divisional Commissioners in Soweto, on the East Rand, in Port Natal and Eastern Province issued the restrictions under the emergency regulations.

The new restrictions required that permission must be obtained from the Divisional Commissioner on the time, date and place of a funeral of any victim of unrest or police action.

## CORTEGE ROUTE

No service or commemoration may be held in the open air unless it is at the graveside and only an ordained minister may conduct a funeral service.

No loudspeakers may be used and the number of mourners has been restricted to 200.

No funeral service may take longer than three hours and the cortege must follow a specific route approved by the Divisional Commissioner.

Pamphlets, flags and banners have been banned at all funerals and no more than one unrest victim may be buried at any one time.



(ii) failed their examinations in all subjects at the end of the year?

# The MINISTER OF EDUCATION AND DEVELOPMENT AID:

(a)			
University of Zululand	(i) 244	(ii) 78	
University of the North	40	321	
Medical University of Southern Africa	12	25	
Vista University	830	925	
(b)			
University of Zululand	19,8	6,3	
University of the North	2,75	22,14	
Medical University of Southern Africa	2,85	11,16	
Vista University	12,5	13,9	

## Per capita expenditure

40. Mr R M BURROWS asked the Minister of Education and Development Aid:

What was the *per capita* expenditure, (a) including and (b) excluding expenditure of a capital nature, on Black school pupils in the 1985-86 financial year?

## The MINISTER OF EDUCATION AND DEVELOPMENT AID:

- (a) R387,02  
(b) R303,23

Own Affairs:

## State housing sale

16. Mr P C CRONJÉ asked the Minister of Local Government, Housing and Works:

(a) How many houses had been sold by his Department in each province under the State housing sale announced by the then Minister of Community Development on 3 March 1983, as at the latest specified date for which figures are available and (b) how many houses remained to be sold in each province as at that date?

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND WORKS:

HOA

As at 31 May 1987 in respect of dwellings erected for Whites from the National Housing Fund.

(a)			
Transvaal	843		
Orange Free State	175		
Cape	2 113		
Natal	479		
(b)			
Transvaal	1 186		
Orange Free State	119		
Cape	5 677		
Natal	234		

## Houses without electricity

30. Mr P G SOAL asked the Minister of Local Government, Housing and Works:

Whether any houses in White group areas are not being supplied with electricity at present; if so, what (a) total number and (b) percentage of houses situated in White group areas in each province was not being supplied with electricity as at the latest specified date for which information is available?

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND WORKS:

No, not insofar as housing supplied by the Department is concerned.

HOA

FRIDAY, 19 JUNE 1987

of the emergency regulations in 1986; if so, (a) when, (b) where and (c) what is the name of this person;

†Indicates translated version.  
For written reply:

General Affairs:

## Group Areas Act

5. Mr S S VAN DER MERWE asked the Minister of Law and Order:

How many investigations had been held by the South African Police into alleged contraventions of the Group areas Act, No 36 of 1966, since 1 January 1987 as at the latest specified date for which information is available?

The MINISTER OF LAW AND ORDER:

394 cases until 30 April 1987.

## Joint management centres

9. Mr P G SOAL asked the Minister of Law and Order:

With reference to his reply to Question No 114 on 20 February 1987, (a) what are the names of the members of each of the eleven joint management centres, (b) on what basis were they appointed and (c) what tasks do these members perform on these joint management centres?

The MINISTER OF LAW AND ORDER:

(a) and (b) I refer the honourable member to my reply to written questions numbers 114 and 565 which I regard as sufficient.

Sandra Steward

10. Mr S S VAN DER MERWE asked the Minister of Law and Order:

(1) Whether a certain person, whose name has been furnished to the South African Police for the purpose of the Minister's reply, was detained in terms

HOA

(2) whether he received a request from or on behalf of this person to furnish reasons for her detention; if so, when; (3) whether he has furnished this person with such reasons; if not, why not; if so, on what date?

The MINISTER OF LAW AND ORDER:

(1) Yes.

(a) 14 June 1986.

(b) The Female Prison, North End, Port Elizabeth.

(c) Sandra Steward.

(2) No.

(3) Falls away.

Note: This person was already released from detention on 5 September 1986.

## Gold/silver/platinum

107. Mr C J DERBY-LEWIS asked the Minister of Economic Affairs and Technology:

How many fine ounces of (a) gold, (b) silver and (c) platinum were (i) mined and (ii) marketed in 1984, 1985 and 1986, respectively?

The MINISTER OF ECONOMIC AFFAIRS AND TECHNOLOGY:

	1984	1985	1986
(a) (i)	21 861 000	21 524 000	20 514 000
(ii) Classified information.			
(b) (i)	6 978 907	6 699 708	7 172 113
(ii) 7 625 159	7 077 593	7 629 781	
(c) (i) Classified information.			
(ii) Classified information.			

## Uitenhage: crime

123. Mr D J N MALCOMMESS asked the Minister of Law and Order:

19/6/87

Parliament and Politics

# PC report urges reform

Political Staff

THE President's Council's Committee on Social Affairs has said constitutional reform should be pursued so that all South Africans can enjoy effective political rights.

The committee report on "Youth in South Africa" said that: "This requires the establishment of a comprehensible, acceptable and viable political system for South Africa so that all population groups can be given an effective say at all levels."

It also said "political accommodation of all peoples and population groups and the principles on which our South African society is based, should be publicized more effectively within the country ..."

The committee noted that groups of youths believed South Africa was a "country without hope".

"The committee, however, wishes to express itself strongly against this opinion since it believes that, with necessary and timely measures in the political, social, educational and economic areas, the youth can be well equipped to ensure a prosperous future for South Africa," said the report.

## Carlisle attacks report as 'gobbledygook'

Political Staff

THE PFP's Mr Robin Carlisle, the only member of the PC Social Affairs Committee who refused to sign its controversial report on the youth, last night criticized the report as "gobbledygook and rubbish".

If one compared the report to a Std 6 essay, it would be a slur on the intelligence of Std 6 pupils, he said.

"Oddly enough it (the report) goes inadvertently to the heart of the security problem in South Africa — because it displays an absolute lack of understanding of the security threat to South Africa or the causes of that threat."

Mr Carlisle said that if the allegation in the report was true that the United Democratic Front was not only a "front organization for communist Russia" but also received "instructions from the Kremlin", it would mean that the UDF was a criminal organization in terms of existing security legislation.

"If this is true then the police are failing in their duty by not arresting and charging the leaders of the UDF and its affiliates, and by not banning these organizations. If it is not true it casts a slur on the UDF and the police," he said.

He also said that anyone who grouped Azasam with the ANC displayed "appalling ignorance".

□ 'Kremlin instructions' — Page 13



# President's Council report:

## Call-up for all races urged

PC2/198  
12/6/87  
9/1/80 CAAK TINKS 18/6/87  
327

### Quotable quotes

From the report by the PC committee on social affairs on the "Youth in South Africa" tabled yesterday:

- "Crime is an act which leads to punishment and punishment is in turn inflicted on the person who commits the crime because he has committed a crime."
- "Evidence was submitted that certain types of music have a physically and spiritually demoralizing effect on young people (and) ... employ elements of satanism."
- "Homosexuality in men and women is a serious social deviation and is irreconcilable with normal marriage."
- "In terms of the laws of the land divorce is possible only between two people who were legally joined in matrimony."
- "The present unrest situation is largely a manifestation of lack of discipline in young people."
- "Evidence has been received that the utilization of the SADF as a support organization for the SA Police in emergency and for the combating of unrest unfortunately stirs up resistance to the SADF amongst some young people."
- "The perception among many Black and also some Coloured and Indian young people is that the structure of society and the Government places them in an inferior, disadvantaged position. This perception is, to a high degree, the result of faulty communication and guidance ..."

By ANTHONY JOHNSON

**A NATIONALIST-DOMINATED President's Council committee has recommended the extension of military service to all races, including blacks.**

The council's Social Affairs Committee report on the "Youth of South Africa", tabled yesterday, also called for the establishment of "rehabilitation centres" for "youthful political criminals" and stricter media censorship.

The chairman of the committee, Mr Nic Treurnicht, a former NP whip in Parliament, said he was "quite hopeful" that the most important recommendations of the far-reaching report would be incorporated into government policy.

Some of the highly controversial recommendations — likely to have massive political and social fall-out if implemented — include:

□ Stricter censorship to counter the "negative influence" on young people of violence, sex, drugs, alcohol and satanism as depicted by the media, including films and television.

### Security forces' 'influence'

□ The extension of military service or other forms of training "where the emphasis is to foster discipline". The report notes that "as a result of the fact that young black people in particular are incited to insurrection and unrest by certain radicals, many social problems in our community could be solved if our economy allowed the introduction of some form of special training or national service for all communities but especially for young black people".

□ "The considered opinion of the committee is that the wide influence the country's security forces already have should be extended further."

□ The establishment of "training and rehabilitation" centres for "intimidators and politically motivated juvenile delinquents" to foster "meaningful ideals" and to protect orderly and peace-loving members of the community from "their acts of intimidation and terror".

□ The establishment of an education and training programme with "an anti-communist drift" using "experts" from various fields, including the private sector.

□ The setting up of "community schools" for early school-leavers where "strict discipline, in-service training and the involvement of young people in the development of the community are emphasized".

□ The establishment of a youth council to co-ordinate youth programmes and development, to be mapped out in a youth strategy, and the formation of a youth trust to which both the government and the private sector can contribute for the benefit of the youth strategy.

Committee chairman Mr Treurnicht admitted that PC members, who had been busy with the investigation since last February, "did not have free access" to black, coloured and Indian youths in compiling the report.

The committee had no discussions with the ANC or members of "radical organizations" opposed to the government. "I must admit that we had difficulties in reaching them and had almost no opportunities to have frank discussions with them," Mr Treurnicht said.

□ The report also submitted that some of the music to which young people listened "breaks down high moral standards" and had a "physically and spiritually demoralizing effect".

□ Full reports, pages 4 and 13

CMT 7/24/87 186/87  
**Bank**

(322)  
**defended**

**HOUSE OF ASSEMBLY.**

— The government should put on public record that it had no quarrel with the First National Bank (formerly Barclays), whatever dispute it may have had with the bank's managing director, Mr Chris Ball, Mr Roger Hulley (PFP Constantia) said yesterday in debate on the Budget.

The bank was South Africa's biggest, serving every corner of the country and in every aspect of the economy with distinction, and "we cannot afford our major banking institution to be undermined by petty politics".

"The National Party must call off its dogs, and restrain its more hot-headed supporters from taking this matter any further," Mr Hulley said. — Sapa

---



Picture: GLENN SHERRATT

## R12 500 settlement for UCT students

Supreme Court Reporter

THE Minister of Law and Order is to pay R12 500 in an out-of-court settlement of damages claims brought by two UCT students allegedly assaulted by police during a protest march in Rondebosch on August 8, 1985.

A Supreme Court hearing of a suit brought by the fathers of Ms Claire Larkin and Ms Jane van der Riet was postponed in February pending confirmation by the minister of the settlement.

Ms Van der Riet is to receive R6 000 and Ms Larkin R6 500, the minister has confirmed. Costs of the suit are also to be paid by the minister.

Lawyers for the two students had video footage of police handling of Ms Larkin which they intended handing in to court as an exhibit.

According to an affidavit filed by her father, Ms Larkin was assaulted with a sjambok, dragged across Burg Road and pushed into a police van.

She was arrested on charges of contravening the Internal Security Act but was released the next day and the charge was withdrawn.

AP VOLUME FOR NEW

DAY

he vehicle."

## Police must return film

JOHANNESBURG. — Three foreign networks' successful court appeal to get back news film seized by police was described by their attorney yesterday as a limitation on police authority under the national emergency.

"It's a victory in terms of administrative action and just how far police power can go," attorney Miss Lauren Jacobson said of the decision late on Tuesday night by Mr Justice Michael Stegmann in the Rand Supreme Court.

He granted an urgent request by ARD, the German television network, ordering police to return film of Archbishop Desmond Tutu during appearances in Maputo, Mozambique. ARD was sharing the film with two television networks — American ABC and British ITN. — Sapa-AP

Cape Times



## President's Council report

### Calls for stricter media censorship

Political Staff

A PRESIDENT'S Council report has called for stricter censorship of publications such as those which feature violence, assault, sexual activities, drugs, alcohol and satanism, which have a negative influence on young people.

The report by the Committee for Social Affairs on the Youth of South Africa says evidence taken was critical of media material, especially on television, with elements of:

- Free sex and also legitimate sex within marriage.
- Disregard for the value of human life through violence.
- Music which breaks down high moral standards.

Evidence presented showed that certain types of music have "physically and spiritually demoralizing effects" and certain music uses "elements of satanism to alienate the Christian listener from his faith".

Discussing the role of the media, the committee expresses concern about the over-emphasis on and "insensitive presentation" of sexual activities and the popularization of "deviant and harmful relationships".

In addition, the continual showing and description of acts or violence as part of the normal way of life of civilized people are cause for concern.

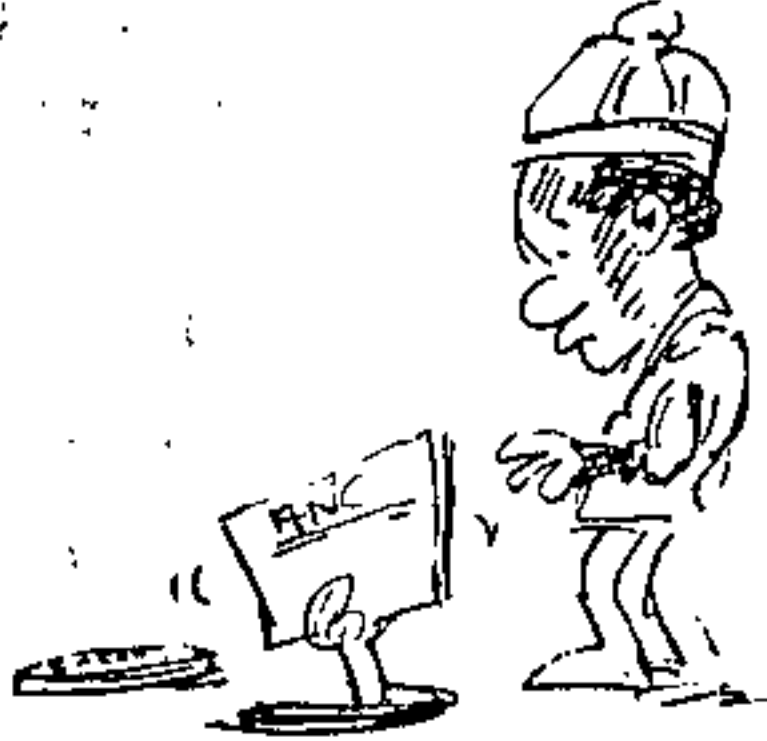
The committee states that there are too many programmes on television which "fulfil no positive educational or recreational function" and border on the vulgar.

"Undermining and demoralizing" video tapes are freely available. Instead of programmes promoting proper discipline, "unrestrained sexuality and all types of crime are depicted".

"Demoralizing videos, drug abuse, promiscuity and aggression, crime, rebellion, cruelty and satanism go hand in hand."

The report says "unhealthy narrow-mindedness" has no chance of finding favour with young people.

The report proposes that the youth be involved in "sport and song and games".



### 350 000 in SA are alcoholics

Political Staff

MORE THAN 350 000 South Africans are alcoholics and one of the most noticeable characteristics about today's society is its orientation towards the use of chemical drugs.

These were among the findings of the President's Council's Inquiry into the youth of South Africa which was tabled yesterday.

It said about 6% of all South Africans became alcoholics and drinking played a role in 75% of crime.

The report said a survey by the Human Sciences Research Council in 1982 among young men who had just completed their schooling showed that 82% of the subjects had drunk alcohol at least once.

About 60% of 2 653 subjects drank at least once a week, 32% drank between two and four times a week and 8% drank five times a week.

#### Drug experimentation

It said that more than half of the subjects had used alcohol by the time they reached 18.

It also said that out of a sample of 4 588 people between 16 and 21, 20% had used drugs illegally at least once.

However, the vast majority had done so by way of experimentation.

The report said young cigarette smokers were more inclined to use drugs than non-smokers.

"The increase in experimentation with drugs by schoolchildren — even in the primary phase — is cause for concern."

It also said the example children got from their parents frequently led to the use of drugs.

## 'Re-education' for 'political deviants'?

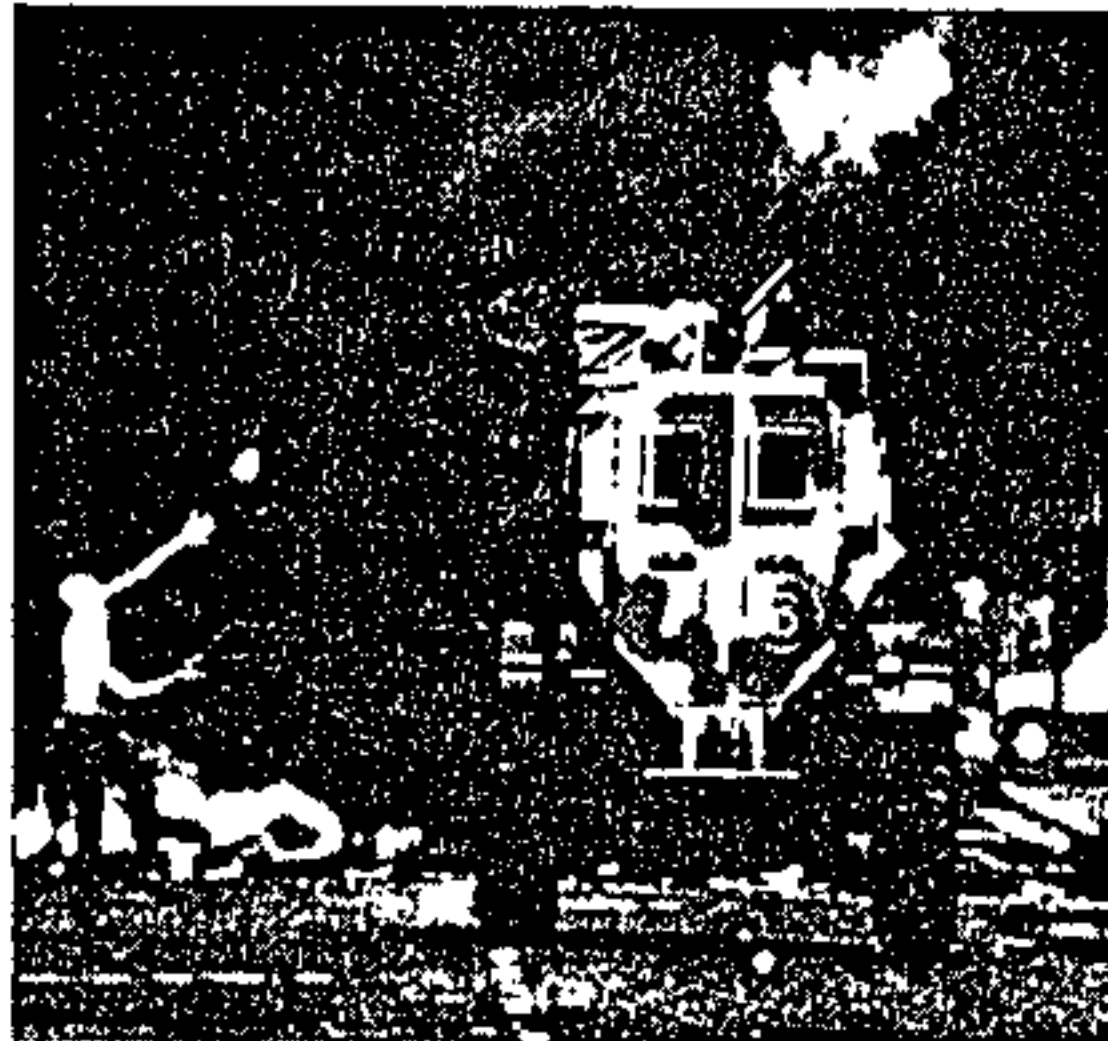
By ANTHONY JOHNSON

THE PC's Social Affairs Committee has backed the establishment of rehabilitation or "re-education" camps for "intimidators and politically motivated juvenile delinquents".

A report of the committee on "Youth of South Africa" tabled yesterday recommends the move "in view of the fact that many young people are involved in acts of intimidation and terror, which have cost the country many millions of rands and have claimed many lives".

The goal of the camps would not only be to foster "meaningful ideals" in political deviants "but also to protect orderly and peace-loving members of the community from intimidation and terror".

The chairman of the PC's Social Affairs Committee, Mr Nic Treurnicht, said at a press conference that attempts should be made to get the co-operation of parents and community leaders to get politically



deviant youngsters to attend facilities where they could be "re-educated and enlightened".

The report, which recommends that experts become involved in programmes with an "anti-communist drift", warns that the politicizing of young black people in anti-government organizations is taking on "frightening dimensions".

It says that — because of the "clearly perceptible" influence of communism — "the majority of organizations, particularly among black

young people, have therefore also been politicized and are anti-government".

"Some witnesses have ventured to estimate that as much as 20% of the black community is actively involved in unrest and acts of violence."

"Because of the violent methods used by the agitators, including assault, arson, necklace murders and summary execution by 'people's courts', in which juveniles of 12 and 14 often take a lead, a small minority has a hold over the whole community."

"It is obvious that a number of South African young people are totally negatively motivated and that their actions carry a clear communist stamp. Their objective is an unqualified overthrow of the existing order," the report states.

It noted that it was clear that the dissatisfaction among blacks could to a large extent be attributed to the fact that they are not involved in the political decision-making processes.

In view of the "visible differences" in social standards of housing, facilities and economic welfare of different races "it is understandable why many young people ... tend to see the differences as proof of injustice and discrimination".

It says it "regards it of extreme and urgent importance that a comprehensive, acceptable and feasible 'plan' or political dispensation should be worked out forthwith to prepare the way for the constructive involvement and participation of all population groups in the process of government".

Political Correspondent

MILITARY service should be extended to all races in South Africa, according to the Social Affairs Committee of the President's Council.

The PC report on the "Youth of South Africa", tabled yesterday, states that "the wide influence that the country's security forces already have, should be extended further."

"The full spectrum of young people in South Africa may be reached by the training channels of the security forces to motivate them to think positively and to work in the interests of South Africa."

The report notes that in South Africa "only white males enjoy the advantage of discipline instilled during military service", although a "growing stream" of coloured and black young people were volunteering for military training.

"As far as possible the intake of young people from the developing groups should be extended so that the disciplinary influence of this training can be felt in the various communities."

#### False perception

"The false perception that the maintenance of law and order is a white concept and that order is maintained by whites or a white government at the cost of the developing groups should be allayed," the report says.

□ The chairman of the PC's Social Affairs Committee, Mr Nic Treurnicht, told pressmen that the State did not now have the money or the manpower to allow for conscription for all races.

□ The report notes that the SADF is involved in a nationwide youth programme among all races. Among other things, this programme offered youth adventure camps and "youth leadership" camps.

The Cape Times Defence Correspondent comments: For practical, financial and political reasons the recommendations are little more than a pipe-dream. However, the wording of the committee's statement is such that it could also cover an expansion of the other-races volunteer intake if, say, the lowest medical category of white conscripts was exempted from service.

## 'Kremlin instructions'

By BARRY STREEK

THE United Democratic Front (UDF) was, like the ANC, not only a front organization for communist Russia but it also received instructions from the Kremlin, the President's Council Committee on Social Affairs said.

Revolutionary incitement among young people and communist incitement were contributory causes of the riots in SA, the committee said.

Some experts ascribed the riots, which had been dragging on for almost two years, to the economic recession, but "a great deal" of evidence highlighted other contributory causes.

In its report on the youth of South Africa, which was tabled in the President's Council yesterday, the committee said: "Young people, and especially young blacks, are the target group of revolutionary agitators."

The large number of unskilled and frustrated unemployed young people, especially among coloured people and blacks, had created "a climate favouring an attitude of rebellion against the existing order".

The role of communism, especially the way it made use of organizations such as the ANC, was "unmistakable". "Young people are integrated as 'comrades' into the 'liberation struggle'."

"Student organizations such as AZASUM and AZASO play a significant role in these activities."

(This is understood to refer to AZASM, the Azanian Students' Movement, a black-consciousness youth organization; and AZASO, the Azanian Students' Organization, a UDF affiliate which was renamed SANSCO — South African National Students Congress — in December last year.)

can't miss 18/8/87 (18/8/87) 327

# No legal clash seen in stayaways ruling

Own Correspondent

JOHANNESBURG. — Legal experts have ruled out a possible clash between emergency regulations and an Industrial Court ruling that workers taking part in stayaways are not acting illegally so long as they do not make political or industrial demands.

And emergency regulations aimed at curbing the reporting of stayaways, such as Tues-

day's 11th anniversary of the Soweto riots, are not applicable.

This is the view of Times Media Limited attorney David Hoffe, who said the media could report on commemorative stayaways without violating the curbs.

"The emergency regulations prohibit news and comment on the extent of unlawful stayaways or strikes.

"But the Industrial Court ruled in a separate finding last week that stayaways not coupled with a political or industrial demand are not unlawful."

Mr Hoffe added, however, that a UDF pamphlet calling for June 16 to be declared a public holiday was "possibly unlawful" in terms of emergency regulations.

"Here, a direct political demand is being made."

The Industrial Court judgment follows Clover NCD's application last week for an interdict against the Food and Allied Workers' Union (Fawu) from calling on its members working for the dairy to observe yesterday's stayaway.

Clover NCD was not granted its interdict on grounds that Fawu was not making any political or industrial demand.



REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

327

Selling price • Verkoopprys  
(GST excluded)/(AVB uitgesluit)

Local **50c** Plaaslik  
Other countries 70c Buitelands  
Post Free • Posvry

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Vol. 264

PRETORIA, 18 JUNE 1987  
JUNIE

No. 10794

## GOVERNMENT NOTICES

### MINISTRY OF LAW AND ORDER

No. 1360

18 June 1987

#### ORDERS UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Christiaan Albertus Wernich, Divisional Commissioner of the South African Police for the West Rand Division, hereby issue the orders set out in the Schedule.

C. A. WERNICH,  
Divisional Commissioner: West Rand.

#### SCHEDULE

##### Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of a person, means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area” means—

- (a) in the Magisterial District of Vereeniging the area known as Sharpeville Township, as demarcated and described in Government Notice 1921 of 1 December 1967, as amended;
- (b) in the Magisterial District of Vanderbijlpark the areas known as—
  - (i) Sebokeng Township, as demarcated and described in Government Notice 822 of 13 May 1977, as amended;
  - (ii) Evaton Township, as demarcated and described in Government Notice 322 of 4 December 1967, as amended;
  - (iii) Bophelong Township, as demarcated and described in Government Notice 1759 of 9 September 1955, as amended;

## GOEWERMENSKENNISGEWINGS

### MINISTERIE VAN WET EN ORDE

No. 1360

18 Junie 1987

#### BEVELE KRAGTENS DIE REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Christiaan Albertus Wernich, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Wes-Rand, hierby die bevele in die Bylae uiteengesit uit.

C. A. WERNICH,  
Afdelingskommissaris: Wes-Rand.

#### BYLAE

##### Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan in die Veiligheidsregulasies 'n betekenis geheg is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied”—

- (a) in die landdrostdistrik van Vereeniging die gebied bekend as Sharpeville woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 1921 van 1 Desember 1967, soos gewysig;
- (b) in die landdrostdistrik van Vanderbijlpark die gebiede bekend as—
  - (i) Sebokeng woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 822 van 13 Mei 1977, soos gewysig;
  - (ii) Evaton woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 322 van 4 Desember 1967, soos gewysig;
  - (iii) Bophelong woongebied, soos afgebaken en omskryf in Goewermenskennisgewing 1759 van 9 September 1955, soos gewysig;



- (iv) Boipatong Township, as demarcated and described in Government Notice 1325 of 28 August 1959, as amended;
- (c) in the Magisterial District of Randfontein the area known as Mohlakeng Township, as demarcated and described in Government Notice 204 of 30 January 1953, as amended;
- (d) in the Magisterial District of Westonaria the area known as Bekkersdal Township, as demarcated and described in Government Notice 1720 of 21 September 1945, as amended;
- (e) in the Magisterial District of Krugersdorp the areas known as—
- (i) Kagiso Township, as demarcated and described in Government Notice 5367 of 31 December 1976;
- (ii) Munsieville Township, as demarcated and described in Government Notice 761 of 23 April 1954;
- "Divisional Commissioner" means the Divisional Commissioner of the South African Police for the West Rand Division;
- "funeral" means a gathering held at the grave of a person who is buried;
- "local authority" means a local authority as defined in the regulations published by Proclamation R. 97 of 1987;
- "security action" means any action by a security force or a member of a security force, whether such action took place before or takes place after the publication of this Government Notice;
- "security force" means a security force as defined in the regulations published by Proclamation R. 97 of 1987;
- "the Security Regulations" means the regulations published by Proclamation R. 96 of 11 June 1987;
- "specified person" means a person who has died in or during any security action or unrest or of wounds sustained by him in or during any security action or unrest;
- "unrest"—
- (a) any gathering in contravention of an order under regulation 7 of the Security Regulations or of a provision of any other law or of any prohibition, direction or other requirement under any such provision;
- (b) any physical attack on a security force or on a member of a security force or on a member of a local authority or on the house or family of a member of a security force or local authority by a group of persons; or
- (c) any conduct which constitutes riot, public violence or a contravention of section 1 (1) (a) of the Intimidation Act, 1982 (Act 72 of 1982).
- Funerals etc., to be held in accordance with conditions**
2. Subject to clause 7 no funeral, and no ceremonial gathering in connection with the burial, of a specified person shall be held otherwise than in accordance with the following conditions, namely—
- (a) that the Divisional Commissioner's prior approval for the time, date and place of any such funeral and of any such a ceremonial gathering shall be obtained;

- (iv) Boipatong woongebied, soos afgeheken en omskryf in Goewernementskennisgewing 1325 van 28 Augustus 1959, soos gewysig;
- (c) in die landroosdistrik van Randfontein die gebied bekend as Mohlakeng woongebied, soos afgeheken en omskryf in Goewernementskennisgewing 204 van 30 Januarie 1953, soos gewysig;
- (d) in die landroosdistrik van Westonaria die gebied bekend as Bekkersdal woongebied, soos afgeheken en omskryf in Goewernementskennisgewing 1720 van 21 September 1945, soos gewysig;
- (e) in die landroosdistrik van Krugersdorp die gebiede bekend as—
- (i) Kagiso woongebied, soos afgeheken en omskryf in Goewernementskennisgewing 5367 van 31 Desember 1976;
- (ii) Munsieville woongebied, soos afgeheken en omskryf in Goewernementskennisgewing 761 van 23 April 1954;
- "Afdelingskommissaris" die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Wes-Rand;
- "begrafnis" 'n byeenkoms wat gehou word by die graf van 'n persoon wat ter aarde bestel word;
- "die Veiligheidsregulasies" die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987;
- "gespesifiseerde persoon" 'n persoon wat in of tydens veiligheidsopname of opvoering wat hy in of tydens veiligheidsopname of opvoering opgedoen het;
- "oproerigheid"—
- (a) enige byeenkoms in stryd met 'n bevel kragtens regulasie 7 van die Veiligheidsregulasies of met 'n bepaling van 'n ander wet of met die een of ander verbod, lasgewing of ander voorskrif kragtens so 'n bepaling;
- (b) enige fisiese aanval op 'n veiligheidsmag of op 'n lid van 'n veiligheidsmag of op 'n lid van 'n plaaslike owerheid of op die huis of huisgezin van 'n lid van 'n veiligheidsmag of plaaslike owerheid deur 'n groep persone; of
- (c) enige gedrag wat oproer, openbare geweldpleging of 'n oortreding van artikel 1 (1) (a) van die Wet op Intimidasie, 1982 (Wet 72 van 1982), daarsel;
- "plaaslike owerheid" 'n plaaslike owerheid soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;
- "seremoniële byeenkoms", met betrekking tot die teraardebestelling van 'n persoon, enige byeenkoms wat met so 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdiens of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnisstoet;
- "veiligheidsmag" 'n veiligheidsmag soos omskryf in die regulasies afgekondig by Proklamasie R. 97 van 1987;
- "veiligheidsopname" enige opname deur 'n veiligheidsmag of 'n lid van 'n veiligheidsmag, heersy sodanige opname plaasgevind het voor of plaasvind na die publikasie van hierdie Goewernementskennisgewing.
- Begrafnisse ens., gehou te word ooreenkomstig voorwaardes**
2. Behoudens klousule 7 word geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—
- (a) dat die Afdelingskommissaris se voorafverreë goedkeuring verkry moet word vir die tyd, datum en plek van so 'n begrafnis asook van enige so 'n seremoniële byeenkoms;

- (b) that no such ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of the person who is buried), shall be held out of doors;
- (c) that only an ordained minister of a religious denomination or organization may act as a speaker at such a funeral or ceremonial gathering;
- (d) that no public address system shall be used at or during such a funeral or ceremonial gathering;
- (e) that the number of persons attending such a funeral or ceremonial gathering shall not exceed 200; and
- (f) that the proceedings in connection with the burial of such a person, including any such ceremonial gathering, shall not continue for longer than three hours.

#### Speakers

3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at any funeral, or any ceremonial gathering in connection with the burial, of a specified person.

#### Attendance of funerals etc.

4. (1) No person shall attend or remain present at a funeral, or any ceremonial gathering in connection with the burial of a specified person in respect of which a condition mentioned in clause 2 has not or is not being complied with.

- (2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of the person who is buried, in the case of non-compliance with the condition mentioned in paragraph (e) of clause 2.

#### Funeral processions

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of a specified person, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

- (2) A funeral procession formed for the burial of a specified person shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where the person concerned is to be buried, along any other route than a route approved by the Divisional Commissioner.

- (3) The provisions of subclause (1) shall not apply in a case where the route approved by the Divisional Commissioner under subclause (2) is shorter than five hundred metres.

#### Flags, banners etc.

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of any specified person.

- (2) Subclause (1) shall not affect the distribution of any customary funeral notice.

#### Joint funerals

7. No joint funeral, and no joint ceremonial gathering in connection with the burial, of two or more specified persons may be held.

#### Application of these orders

8. These orders shall apply in the designated area.

- (b) dat geen sodanige seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van die persoon wat begrawe word), in die ope lug gehou mag word nie;
- (c) dat slegs 'n geordende leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens so 'n begrafnis of seremoniële byeenkoms mag optree;
- (d) dat geen hidspreker by of tydens so 'n begrafnis of seremoniële byeenkoms gebruik mag word nie;
- (e) dat die getal persone wat so 'n begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;
- (f) dat die vergadering in verband met die teraardebestelling van so 'n persoon, met inbegrip van so 'n seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.

#### Speakers

3. Geen persoon, behalwe 'n geordende leraar van 'n godsdienstige denominasie of organisasie, mag as 'n spreker by enige begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon optree nie.

#### Bywoning van begrafnisse ens.

4. (1) Geen persoon mag 'n begrafnis, of 'n seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon ten opsigte waarvan 'n voorwaarde in klousule 2 vermeld is of word nie, bywoon of daarty aanwesig bly nie.

- (2) Die bepalinge van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naasbestaande van die persoon wat ter aarde bestel word, van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (e) van klousule 2 nie.

#### Begrafnisstoete

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van 'n gespesifiseerde persoon bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar die betrokke persoon ter aarde bestel word, beweeg nie.

- (2) 'n Begrafnisstoet wat vir die teraardebestelling van 'n gespesifiseerde persoon opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar die persoon ter aarde bestel word, lings 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur is.

- (3) Die bepalinge van subklousule (1) is nie van toepassing nie in 'n geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

#### Vlag, banniere ens.

6. (1) Geen persoon mag enige vlag, banniere, plakkaat, pamflette of aanplakbiljette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van 'n gespesifiseerde persoon vertoon of versprei nie.

- (2) Subklousule (1) raak nie die verspreiding van enige gebruiklike begrafniskennisgewing nie.

#### Gesamentlike begrafnisse

7. Geen gesamentlike begrafnis, en geen gesamentlike seremoniële byeenkoms in verband met die teraardebestelling, van twee of meer gespesifiseerde persone mag gehou word nie.

#### Toepassing van hierdie bevel

8. Hierdie bevel is van toepassing in die aangewese gebied.



No. 1361 18 June 1987

## ORDER UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Johannes Kotze, Divisional Commissioner of the South African Police for the Natal Division, hereby issue the order set out in the Schedule.

J. KOTZE,  
Divisional Commissioner: Natal.

## SCHEDULE

## Definitions

1. In this Schedule, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Security Regulations has a corresponding meaning, and—

“ceremonial gathering”, in relation to the burial of France Thulani NGCAMU means any gathering associated with such a burial, including any memorial service, commemorative service or any other service held in connection with such a burial, and also a funeral procession;

“designated area”, means the Magisterial Districts of Camperdown, Lions River and Pietermaritzburg;

“Divisional Commissioner”, means the Divisional Commissioner of the South African Police for the Natal Division;

“funeral”, means a gathering held at the grave of France Thulani NGCAMU;

“the Security Regulations”, means the regulations published by Proclamation R. 96 of 11 June 1987.

*Funeral etc., to be held in accordance with conditions*

2. No funeral, and no ceremonial gathering in connection with the burial, of France Thulani NGCAMU shall be held otherwise than in accordance with the following conditions, namely—

- that the Divisional Commissioner's prior approval for the time, date and place of the funeral and of any ceremonial gathering shall be obtained;
- that no ceremonial gathering, insofar as it takes the form of a memorial service, commemorative service or any other service (except any such service held at the grave of France Thulani NGCAMU), shall be held out of doors;
- that only an ordained minister of a religious denomination or organization may act as a speaker at the funeral or ceremonial gathering;
- that no public address system shall be used at or during the funeral or ceremonial gathering;
- that the number of persons attending the funeral or ceremonial gathering shall not exceed 200; and
- that the proceedings in connection with the burial of France Thulani NGCAMU, including any ceremonial gathering, shall not continue for longer than three hours.

## Speakers

3. No person other than an ordained minister of a religious denomination or organization shall act as a speaker at the funeral, or any ceremonial gathering in connection with the burial, of France Thulani NGCAMU.

No. 1361 18 June 1987

## BEVEL KRAGTENS DIE REGULASIES UITGEVAARDIG Kragtens DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Johannes Kotze, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Natal, hierby die bevel in die Bylae uiteengesit uit.

J. KOTZE,

Afdelingskommissaris: Natal.

## BYLAE

## Woordomskrywing

1. In hierdie Bylae, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waarvan in die Veiligheidsregulasies 'n betekenis gegee is 'n ooreenstemmende betekenis, en beteken—

“aangewese gebied” die landroosdistrikte van Camperdown, Lions River en Pietermaritzburg;

“Afdelingskommissaris”, die Afdelingskommissaris van die Suid-Afrikaanse Polisie in die Afdeling Natal;

“begrafnis”, 'n byeenkoms wat gehou word by die graf van France Thulani NGCAMU;

“die Veiligheidsregulasies”, die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987;

“seremoniële byeenkoms”, met betrekking tot die teraardebestelling van France Thulani NGCAMU, enige byeenkoms wat met so 'n teraardebestelling gepaard gaan, met inbegrip van 'n roudiens, gedenkdiens of ander diens wat gehou word in verband met so 'n teraardebestelling, en ook 'n begrafnisstoet.

*Begrafnis ens., gehou te word ooreenkomstig voorwaardes*

2. Geen begrafnis, en geen seremoniële byeenkoms in verband met die teraardebestelling, van France Thulani NGCAMU, word gehou nie behalwe ooreenkomstig die volgende voorwaardes, naamlik—

- dat die Afdelingskommissaris se voorafgetreë goedkeuring verkry moet word vir die tyd, datum en plek van die begrafnis asook van enige seremoniële byeenkoms;
- dat geen seremoniële byeenkoms, in soverre dit die vorm van 'n roudiens, gedenkdiens of ander diens aanneem (behalwe so 'n diens wat gehou word by die graf van France Thulani NGCAMU), in die opeelug gehou mag word nie;
- dat slegs 'n geoordende leraar van 'n godsdienstige denominasie of organisasie as 'n spreker tydens die begrafnis of seremoniële byeenkoms mag optree;
- dat geen luidspreker by of tydens die begrafnis of seremoniële byeenkoms gebruik mag word nie;
- dat die getal persone wat die begrafnis of seremoniële byeenkoms bywoon, nie 200 mag oorskry nie;
- dat die verrigtinge in verband met die teraardebestelling van France Thulani NGCAMU, met inbegrip van enige seremoniële byeenkoms, nie langer as drie ure mag aanhou nie.

## Sprekers

3. Geen persoon, behalwe 'n geoordende leraar van 'n godsdienstige denominasie of organisasie, mag as 'n spreker by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van France Thulani NGCAMU optree nie.

*Attendance of funeral etc.*

4. (1) No person shall attend or remain present at the funeral, or any ceremonial gathering in connection with the burial of France Thulani NGCAMU in respect of which a condition mentioned in clause 2 has not or is not being complied with.

(2) The provisions of subclause (1) shall not apply to the spouse, child, grandchild, parent, grandparent, brother or sister or other next of kin of France Thulani NGCAMU, in the case of non-compliance with the condition mentioned in paragraph (c) of clause 2.

*Funeral processions*

5. (1) A person who has attended any memorial service, commemorative service or other service in connection with the burial of France Thulani NGCAMU, shall not proceed otherwise than by vehicle from the place where that memorial service, commemorative service or other service was held to the place where France Thulani NGCAMU is to be buried.

(2) A funeral procession formed for the burial of France Thulani NGCAMU shall not proceed from the place where any memorial service, commemorative service or other service was held to the place where France Thulani NGCAMU is to be buried, along any other route than a route approved by the Divisional Commissioner.

(3) The provisions of subclause (1) shall not apply in a case where the route approved by the Divisional Commissioner under subclause (2) is shorter than five hundred metres.

*Flags, banners, etc.*

6. (1) No person shall display or distribute any flags, banners, placards, pamphlets or posters at the funeral, or any ceremonial gathering in connection with the burial, of France Thulani NGCAMU.

(2) Subclause (1) shall not affect the distribution of any customary funeral notice.

*Application of this order*

7. This order shall apply in the designated area.

No. 1362 18 June 1987

## ORDER UNDER THE REGULATIONS MADE UNDER THE PUBLIC SAFETY ACT, 1953

Under the powers vested in me by regulation 7 (1) of the regulations published under the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 96 of 11 June 1987, I, Jacobus Petrus Olivier, Divisional Commissioner of the South African Police for the East Rand Division, hereby issue the order set out in the Schedule.

J. P. OLIVIER,  
Divisional Commissioner: East Rand.

## SCHEDULE

Clause 1 of the prohibition published by Government Notice 1344 of 16 June 1987 is hereby amended by the substitution of the definition of “die Veiligheidsregulasies” in the Afrikaans text with the following definition:

“die Veiligheidsregulasies” die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987.

*Bywoning van begrafnis ens.*

4. (1) Geen persoon mag die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van France Thulani NGCAMU sien opsigte waarvan 'n voorwaarde in klousule 2 vermeld nie aan voldoen is of word nie, bywoon of daarty aanwesig bly nie.

(2) Die bepalinge van subklousule (1) is nie op die eggenoot, kind, kleinkind, ouer, grootouer, broer of suster of ander naastebeestende van France Thulani NGCAMU van toepassing in die geval van nie-voldoening aan die voorwaarde vermeld in paragraaf (c) van klousule 2 nie.

*Begrafnisstoete*

5. (1) 'n Persoon wat 'n roudiens, gedenkdiens of ander diens in verband met die teraardebestelling van France Thulani NGCAMU bygewoon het, mag nie op 'n ander wyse as per voertuig vanaf die plek waar daardie roudiens, gedenkdiens of ander diens gehou is na die plek waar France Thulani NGCAMU ter aarde bestel word, beweeg nie.

(2) 'n Begrafnisstoet wat vir die teraardebestelling van France Thulani NGCAMU opgestel is, beweeg nie vanaf die plek waar enige roudiens, gedenkdiens of ander diens gehou is na die plek waar France Thulani NGCAMU ter aarde bestel word, langs 'n ander roete as 'n roete deur die Afdelingskommissaris goedgekeur nie.

(3) Die bepalinge van subklousule (1) is nie van toepassing nie in 'n geval waar die roete wat deur die Afdelingskommissaris kragtens subklousule (2) goedgekeur is, korter as vyfhonderd meter is.

*Vlae, baniere ens.*

6. (1) Geen persoon mag enige vlae, baniere, plakkaat, pamflette of aanplakblyette by die begrafnis, of enige seremoniële byeenkoms in verband met die teraardebestelling, van France Thulani NGCAMU vertoon of versprei nie.

(2) Subklousule (1) raak nie die verspreiding van enige gebruiklike begrafnis kennisgewing nie.

*Toepassing van hierdie bevel*

7. Hierdie bevel is van toepassing in die aangewese gebied.

No. 1362 18 June 1987

## BEVEL KRAGTENS DIE REGULASIES UITGEVAARDIG Kragtens DIE WET OP OPENBARE VEILIGHEID, 1953

Kragtens die bevoegdheid my verleen by regulasie 7 (1) van die regulasies kragtens die Wet op Openbare Veiligheid, 1953 (Wet 3 van 1953), afgekondig by Proklamasie R. 96 van 11 Junie 1987, reik ek, Jacobus Petrus Olivier, Afdelingskommissaris van die Suid-Afrikaanse Polisie vir die Afdeling Oos-Rand, hierby die bevel in die Bylae uiteengesit uit.

J. P. OLIVIER,  
Afdelingskommissaris: Oos-Rand.

## BYLAE

Klousule 1 van die bevel uitgereik by Goewernementskennisgewing 1344 van 16 Junie 1987 word hierby gewysig deur die omskrywing van “die Veiligheidsregulasies” deur die volgende omskrywing te vervang:

“die Veiligheidsregulasies” die regulasies afgekondig by Proklamasie R. 96 van 11 Junie 1987.



Cap Times 19/6/87 322

# Tutu comments: Charges possible?

By CHRIS ERASMUS

POLICE may be considering charges against the Archbishop of Cape Town, the Most Rev Desmond Tutu, for alleged comments made during his visit to Mozambique.

According to the Police Directorate of Public Relations in Pretoria, security police yesterday declined to comment on press speculation that such charges might be brought.

But transcripts of the archbishop's comments obtained by the Cape Times show he has been quoted out of context and, in some cases misquoted, in South African newspaper reports.

The possibility of charges, including high treason, being brought against the archbishop were raised earlier in the week during a successful Rand Supreme Court application by the German television network ARD for the return of seized video tapes of Archbishop Tutu's Mozambique visit.

During the application, Major N G Smit of the security police said he had made his decision to seize the tapes after reading newspaper reports of the archbishop's utterances in Maputo.

The major was quoted as referring to a report in the Citizen newspaper in which the archbishop allegedly claimed he would give the signal for violence to start in South Africa.

Yesterday in a front-page article, the Citizen speculated on possible police action against the archbishop, quoting "top sources" as having

confirmed that "utterances made abroad by Archbishop Tutu, where he has made most of his major announcements, have been closely scrutinized for possible contraventions of the law for some time, particularly for his call last year for sanctions against South Africa".

The report reiterated that "Major Smit had based his decision (to seize the tapes) on local newspaper reports, quoting Archbishop Tutu as saying he would give the signal when he felt violence was necessary to end apartheid".

## 'Suspicion'

Maj Smit had claimed the tapes were seized "because there was a reasonable suspicion that the material contained evidence of a suspected crime, possibly of high treason", said the report.

The Burger said in a report carried on Wednesday that "Dr Tutu said the day before yesterday (Monday) that he would announce the day on which the 'unjust system' of apartheid in South Africa would be overthrown (omvergewerp)".

But verbatim transcripts obtained by the Cape Times of the archbishop's comments, made on his arrival in Maputo on Monday and during a rally marking the 11th anniversary of the Soweto student uprising of June 16, 1976, show that he has been widely misquoted.

On Monday, at a press conference held soon after his arrival in the Mozambican capital, the archbishop said in answer to a question on whether black South Africans had

yet reached the stage where they had turned solely to violence to achieve liberation:

"I would say that I will tell you the day I believe we must tell the world that now we have reached the point where we must use violence to overthrow an unjust system.

"I don't believe we are there yet and the onus really lies with the international community."

The next day, at the June 16 rally, he said: "If there's going to be peace, if there's going to be prosperity, if people are going to live happily together in South Africa and in Mozambique, Lesotho, Swaziland, Zambia, Zimbabwe, Angola and Namibia, we call on the international community to help us destroy apartheid before it destroys us."

Reacting to the archbishop's comments, the Rev G S J Möller, moderator of the Western Cape synod of the Ned Geref Kerk, said: "I don't think it behoves a man of faith, a minister, to consider violence in any way, because the church must work for conciliation and peace and not use violence."

Dr Beyers Naude, outgoing general secretary of the SA Council of Churches, said he was not prepared to comment till he had spoken to Archbishop Tutu personally about the remarks and had had time to read the full transcript in which they were contained.

The Roman Catholic Archbishop of Cape Town, the Most Rev Stephen Naidoo, was not available for comment yesterday.



# Suspended sentence for

By DEBBIE BOOYSEN

A FORMER Eastern Province Herald reporter, Miss Jo-Ann Bekker, was fined R200 (or one month) and the newspaper's owners, South African Associated Newspapers, (now Times Media Ltd) R100 by the PE Regional Court today after being convicted under the Police Act.

Both sentences were suspended, Miss Bekker's for three years and that of the company (which was represented by the Editor-in-Chief of the Eastern Province Herald, Evening Post and Week-

## Herald reporter

end Post, Mr J C Viviers) for a year.

Miss Debbie March, also employed as a reporter on the Herald, was initially charged as well, but was acquitted at the end of the State case due to lack of evidence against her.

All three pleaded not guilty at a previous hearing in the Cradock Magis-

trate's Court on March 31.

The case follows a report in the Herald on February 4, 1985, in relation to action by the SA Police in a Cradock township.

They were alleged to have published the following statements without reasonable grounds for believing them to be true:

● That the police had

fired a teargas canister into a church building while a service was in progress.

● That policemen travelling in a Hippo had thrown stones at a house and/or

● That such an allegation was reported to a Lieutenant Gouws at the Cradock police station and/or

● That he had told police in the room not to throw stones.

● That the Rev R M Obese had arrived at the police station and said teargas had been fired into his church.

● That Mr Richard Rasmien told the Herald that chaos had erupted when one teargas canister was fired into the kitchen door of the manse.

Giving judgment today, the president of the Regional Court, Mr G Steyn, found that some of the statements in the report were untrue.

He said Captain Gouws, the district officer in charge of unrest matters who testified on events that gave rise to the teargas incident at the church, was an exceedingly convincing witness who appeared to be honest, fair and sincere.

His evidence was corroborated by the Cradock station commander, Lt Goosen, who testified on the events at the charge office and appeared equally credible.

It was clear from Capt Gouws's evidence that none of the three teargas canisters fired into the air to disperse the crowd had entered any building. However, teargas had

improbable that Mr Rasmien would not have told Miss Bekker the reason that the police had given him for firing the teargas had she asked him this, as she said in evidence that she had done.

The court found that that Miss Bekker had not been as eager to establish the truth as she was to obtain a sensational news report.

Regarding the application of Section 27(b), Mr Steyn asked whether it would be absurd, especially in times of emotional strife, to legislate against the effects of sensationalism based on untruth.

To prohibit the publication of untruth appeared rather to be in the interests of justice, he said.

It was clearly the legislature's intent, Mr Steyn said, to protect the police against attacks by the media with untrue reports.

Miss Bekker, the court found, had regarded herself on the side of the oppressed and saw it as her duty to expose police misconduct and took it at face value that the police had attacked the church without provocation.

Her source, Mr Gladwell Makaula, was obviously unreliable and biased against the police.

She had been aware of the unrest situation and should have been alert to possible falsehoods, Mr Steyn said.

The court found that

ings quite extensively.

After full consideration of the evidence, the court found that the police had not attacked the church, but had acted against a crowd that gathered near the church after the arrest of Mr Madoda Jacobs.

The actions described by Capt Gouws were in complete keeping with the probabilities of the case.

There was no reasonable possibility of another manner in which the events could have taken place and the court rejected any such version.

The court therefore found the implication from the report that the church had been the target of a deliberate police attack had been a complete fabrication.

Regarding the alleged

the defence had failed to prove that she had reasonable grounds for believing the allegations to be true.

Further, it found that Miss Bekker had been aware of the provisions of Section 27(b) of the Police Act and yet had published untrue matter without reasonable grounds for believing it to be true.

She was therefore convicted and her employer at the time, South African Associated Newspapers (represented by Mr Viviers) shared this guilt.

In mitigation, Mr Wm Trengove, for the defence, submitted that Miss Bekker had been working under great pressure at the time and that this report which had been found lacking had been one in many she had done on the unrest situation in the Eastern Cape at the

stone-throwing by the police, the court could not find that this had not taken place or that the report made to the police about it was untrue.

Yet the court found it to be substantially untrue that Lt Goosen had told the police in the charge office not to throw stones. There was a difference between that statement and the evidence that Lt Goosen had said nobody was allowed to throw stones.

The court's full findings on the report were that it was untrue that police had fired teargas into the church while a service was in progress, that Lt Goosen had told the police in the charge office not to throw stones and that Mr Rasmien had said that a teargas canister had been fired through the kitchen door of the manse.

Mr Steyn said it was

time.

In this context, the carelessness the court found she had made herself guilty of paled into relative insignificance, he said.

Mr Henning van der Walt, for the State, submitted that the offence had been a serious one and that it had occurred at a time when there was already much trouble in the townships.

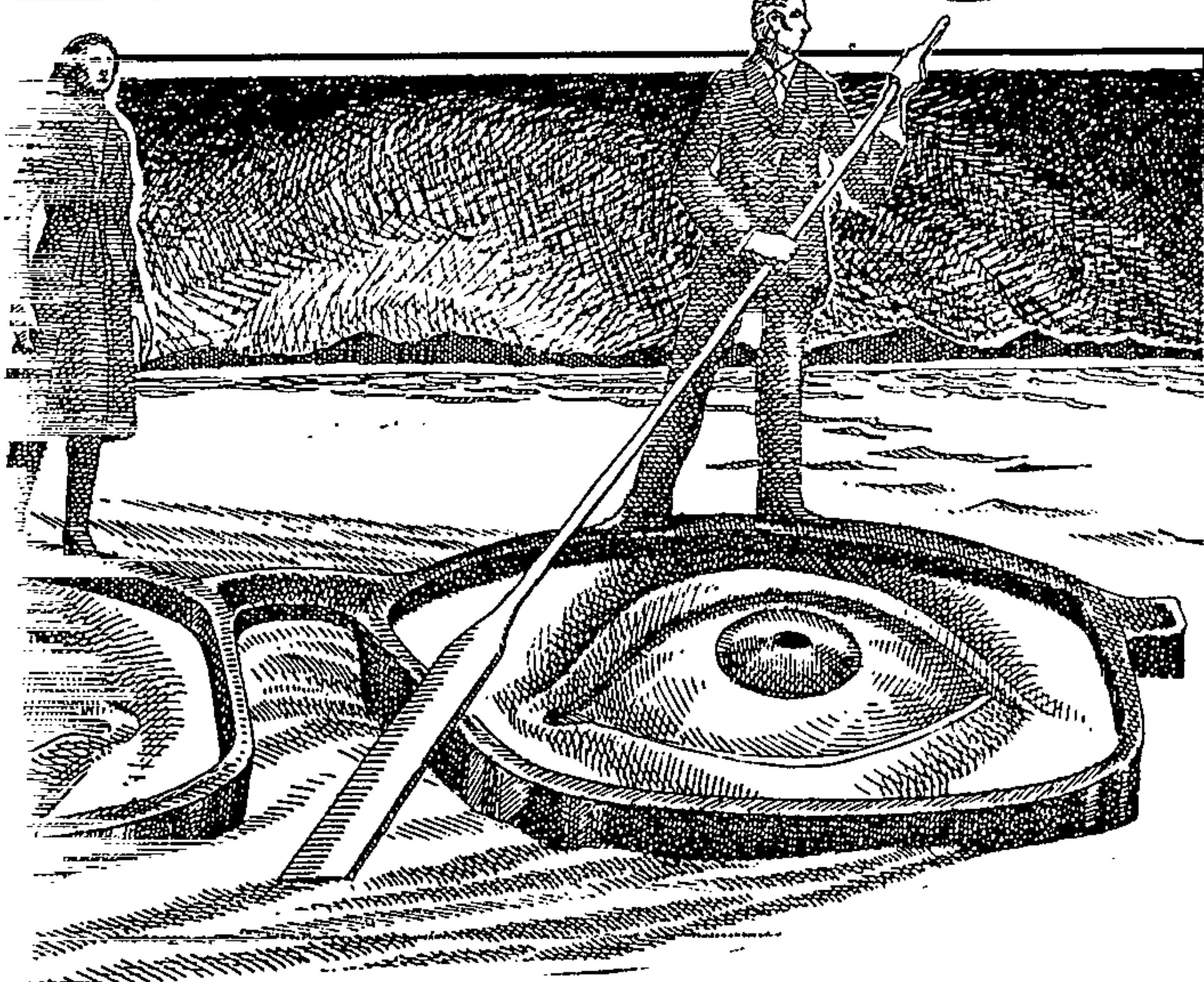
Asked by the court whether the newspaper did not encounter difficulties in deciding whether to publish or not, Mr Van der Walt conceded that there were problems such as chasing deadlines and obtaining comment at night.

Yet these were difficulties inherent to the newspaper business and did not detract one iota from newspapers' responsibility.



## AFRICAN CENSORSHIP

## THE LIGHT



dangerous doctrine in itself to be kept away from the masses but fit for respectable academic study."

On the subject of this seemingly oligarchic approach being put to work in the name of enlightenment, Van Rooyen comments that no illusion was intended and that he prefers to call it protection of minorities.

He also believes in the importance of giving people a vent for their feelings and frustrations, especially black South Africans as they, he concedes in his book, "have few political platforms and therefore it is of the utmost importance that they should have a means of communication". Elsewhere in the book he astutely comments that if this kind of leeway is not given, "over-reaction by the adjudicators themselves may itself pose a threat to security".

In the political realm, one of the board's most respected and far-reaching decisions to date was its 1983 unbanning of the Freedom Charter. The board found the fact that it forms part of the constitution of the African National Congress irrelevant.

Obviously decisions like these have contributed to a general impression of a new tolerance and insight into the needs and desires of South African

## HOUSING BANNED BOOKS

putable that the government has not intervened to stop the process and there is evidence that they are actively supportive.

It has been suggested that the new-look censors merely reflect a more sophisticated approach to repression, comparable to the "cosmetic" reforms introduced by the South African government over recent years on the constitutional front. The argument cannot be discounted, but there does appear to be a genuine liberalisation in philosophy.

A couple of hundred metres from the South African library there is another locked room, number 1217 on the 12th floor of an office block, which houses the Publications Control Board. The room is full of bookcases littered with girls' magazines, surmounted by a row of nude posters, the girls' air-brushed charms coyly obscured by pieces of cardboard. It is the board's exhibits room, a sort of museum of the salacious, maintained to give visiting VIPs a titillating glimpse of the corrupting material from which they are supposedly being protected.

As such the room might be described as an evocation of a South African fundamentalism; that characterisation of itself as a last bastion against the "evils" of communism and permissiveness against which predominantly Afrikaaner politicians have raged for so many years. But the board's director, Professor Coetzee, had a faint air of embarrassment as he showed me around the locked room.

And his philosophy on censorship, as he expressed it, is a long way from that South African fundamentalism — and the direction being taken by the government under the State of Emergency. Crediting the introduction of television — its effect in introducing the South African public to overseas standards — for the changes in censorship, Prof Coetzee said: "On the whole one must accept Western society is becoming more open, more liberal, more permissive. We in South Africa cannot escape that ... you cannot manipulate the moral fibre of society by judicial measures."

The Guardian, London

society. The Publications Appeal Board has recognised that freedom of expression constitutes an integral component of democratic government and is a right enjoyed by every citizen.

"The rhetoric is both impressive and seductive," says Marcus, a senior researcher at the centre who has written extensively on censorship. "But an analysis of the board's decisions reveals that its stated commitment to these guiding principles is often fragile, particularly in areas where the legitimacy of the government is challenged."

Marcus argues that in general, the attitude of the board to texts dealing with communism has been hostile, although the Act itself says nothing at all about communism but merely "authorises the prohibition of publications which are deemed to constitute a threat to the security of the state, the general welfare and the peace and good order."

"An assumption underlying the board's decisions is that communism does indeed constitute such a threat."

It is widely accepted among lawyers that the Appeal Board is light years more progressive than the censorship committees, and that this is where the problem really lies.

Not much is known about these committees, whose work is shrouded in secrecy. The names of individuals comprising a particular committee are never revealed and the Act precludes interested parties from a right of audience before them. There exists an even lesser-known political committee which tends to regard itself as unaccountable to the guidelines laid down by the Appeal Board and this, lawyers say, is where the notion of soaring freedom gets its wings clipped. According to one lawyer, only a minuscule proportion of security-related issues each year ever makes it to the Appeal Board. Most, he says, are squashed by this special committee before they "have a chance to see the light of day".

The Publications Appeal Board, lawyers have commented, is rendered a lot less meaningful than people would like to think. And Van Rooyen is, after all, only one man.

South Africa is a society devastated by censorship. Its wider reaches are so entrenched they have become normalised.

"The banning of books and film is only one aspect of censorship," Marcus argues. "It manifests itself in less obvious ways; in the compilation of school curricula ... in the selection of news by the official media ... in a wide range of constraints which prevent the publication of facts and the expression of opinion."

Censorship in education must rate as one of its most insidious forms. Says Marcus: "It is one of the extraordinary achievements of the South African system of education that a pupil can pass matric knowing a great deal about the unification of Italy and nothing about the African National Congress."

As a literary and tolerant man, Kobus van Rooyen might disagree with but nevertheless appreciate the words of George Bernard Shaw on the subject: "Assassination," he said, "is the extreme form of censorship".

Could suicide, then, be the sub-conscious recognition of its ultimate failure?

● CENSORSHIP IN SOUTH AFRICA, by JCW Van Rooyen. Published by Juta. R34,95 (excl GST).

## HOW IT WORKS

THE Publications Act 42 of 1974 is the principal vehicle for effecting censorship.

The administrative functions of the Act are performed by the Directorate of Publications. This body has no adjudicative powers. That task is entrusted to one of several committees of publications constituted by the Director of Publications. Those eligible to sit on a committee must be people who, in the opinion of the minister of home affairs, are fit to perform the functions entrusted to committees under the Act "by reason of their educational qualifications and knowledge".

An appeal on a committee decision can be made to the Publications Appeal Board. While "any person" has the right to complain about a publication, only a limited class of people enjoys the right of appeal, namely, the Directorate of Publications and any person with a direct financial interest in the publication.

The Publications Appeal Board is the final arbiter on questions of undesirability and has the power to confirm, set aside or vary a committee's decision. Members of the Appeal Board are appointed by the state president. The board must consist of people who are fit to perform the functions entrusted to the board "by reason of their educational qualifications and experience" in the opinion of the state president.

The Publications Appeal Board may be further advised by a committee of experts on the literary, dramatic and artistic merits of a work. The chairman and deputy-chairman of the board must be either judicial officers or experienced lawyers.

Although the minister of home affairs does not take part in the decision-making process itself, he may request the directorate to advise him on any matter arising from the application of any provision of the Act.

Trust us  
to help you with  
trust administration,  
estate planning  
and income tax



**NORTHERN TRUST**

Looking to look after you

While other trust companies may discontinue their trust services, estate planning or income tax advice, we at Northern Trust believe these facilities to be more important than ever. That's why we're placing extra emphasis on them, ensuring our clients get the very best service available in this field.

So if you're looking for a company to help you with these services, or any other area of financial planning or advice, call the company you can trust—

**CALL**  
**NORTHERN TRUST**  
**836-3944**

Please send me more information about your trust services, estate planning and income tax advice.

Name .....

Address .....

Code .....

Phone (Bus) ..... (Home) .....

Complete, cut out and mail this coupon to:  
Financial Services Manager, Northern Trust,  
PO Box 61167, Marshalltown, 2107.

Barnard, McLindowie & Rock/NT/001/WM



## LETTERS FROM A LINKSFIELD LIBERAL



Mon-Imali  
Linksfield  
Monday, June 15

My son,

I presume that you now have some understanding of what it means to be disenfranchised and watch helplessly while the sane and reasonable cast their votes into the Irish Sea. And a woman, no less.

Your mother and Gloria have been very silent this week on the subject of "feminism". There has been some muttering about selling out, and something about a woman who aspires to be like a man lacking ambition. But generally, I suspect that they just can't take the success of another woman. Gloria keeps saying that if Maggie were to enter the Olympics, she would probably fail the entry tests. Beauty is all in favour of Maggie, who she says is showing all those men who *really* controls the soccer riots. As a result, Beauty has started a campaign to run the household budget on monetarist lines and privatise the dishwasher.

Our plans to go into strategic retreat in Nicaragua are going ahead. In fact, they are speeding up, as things heat up at the source of your inheritance, the toilet factory.

Apparently, these chaps in Lawu (the Lavatory and Allied Workers Union) have not remembered to post their rent cheques for the last few months.

Our chief shop steward, Basil Tshabalenskaya, demanded that I handle this in an appropriate and tactful manner.

"Running away is all very well," he said. "Before you leave us holding the baby as well as the bath water, there are a couple of commitments you have to meet. We do not intend to succumb to the forces of Capital, Embourgeoisement, Reprisal and Highway Robbery."

What this means, I am sorry to tell you, is that to save Basil from having to compromise his principles as well as his profits when Lawu has bought out this exclusive, elitist exploitative capitalist and anti-workerist monopoly concern, I am now obliged to provide rent repayments in kind. Instead of peeling off a couple of rands from each pay packet every week, I am now obliged to furnish each and every Lawu member's residence with a male person's and female person's urinal, bidet, shower with five different nozzle adjustments (including needle and soft mist), sunken bath with steps (at least three) leading down, toilet bowl, toilet soap, toilet water and jacuzzi. So now when the inspectors come round and say "So tell me, where are the rent repayments?" I can tell him to p\*\*\* off.

"One more thing," said Basil, when I had agreed to this plan and he had repocketed his chain. "Some of my people are unhappy about the design on the Florentine Fantasy commode cover. One or two of the lads have identified certain items in among the gold scrolls and filigree."

"Right here," he said, pointing to a particularly ornate scroll next to the cherub's right foot, "you can make out a cockroach. And here, by the ringlet above his right ear, is the map of Russia, with a star where Moscow should be, or maybe that's actually the cherub's, um ... And the lads are complaining they can't find a rabbit anywhere."

I got Prof Masonic Lodge on the phone and he assured me that there was no connection between cockroaches and the PAC or even the Black Sash, though he had suspicions about the Linksfield North Bridge Club.

I was able to assure the shop steward that "We are not the Black Sash's toilet manufacturers."

Your father,

Dad

## OTHER PEOPLE

# A turbulent priest steps free

Despite a harrowing year behind bars, Father Smangalis Mkhathshwa shows no signs of bitterness. MONO BADELA reports

"I'm not bitter," says the priest who told a court that he was tortured in detention.

Father Smangalis Mkhathshwa, released last week after a year in detention, bears no malice towards the people he says blindfolded and tortured him for two days last August.

"I know very well they were paid to do just that and more important they are defending the apartheid system."

The general secretary of the Southern African Catholic Bishops' Conference (SACBC) was freed from Emergency detention last Thursday, but kept in custody for an extra day as an awaiting trial prisoner.

He finally walked free on Friday after he was granted bail by the Pretoria Magistrate's Court, where he appeared on a charge of illegally possessing a firearm.

In an interview with *Weekly Mail*, Mkhathshwa said he was still mystified about why he was detained in the first place.

Accusations that he was involved in training youths to make petrol-bombs and that he had helped keep children out of school were devoid of all truth, he said.

"Obviously I am very relieved to be free but unhappy that there are many people who are still unjustly detained," Mkhathshwa said.

He was "appalled and disappointed" at the continued detention of Zwelakhe Sisulu, editor of the *New Nation*, which is funded by the SACBC, and that of Sister Bernard Ncube of Krugersdorp, a Catholic nun who is president of the Federation of Transvaal Women.

"Zwelakhe is definitely no threat to the security of the state, nor was there anything sinister in his newspaper," Mkhathshwa said.

He urged President PW Botha to swing open prison gates and set free all those detained "unjustly". To continue jailing detainees would not solve the country's problems, he said.

He also urged the government to lift the State of Emergency and release all political detainees. "This is important in order to create a new climate for genuine negotiation."

"South Africa is a great country but there is someone who is messing it up. All we need is a real democracy, a non-racial and undivided South Africa — not the banana republics — and real, full participation of all citizens in the highest decision-making structures in the government."

Mkhathshwa said there was no point embarking on schemes bound to fail. "South Africa must learn from the old Rhodesia that these solutions just



Mkhathshwa at a press conference minutes after release

Picture: JUDA NGWENYA, Reuters

do not work."

Mkhathshwa has been the subject of several court applications recently. In August last year, the SACBC brought an urgent application to restrain the police from torturing him. Papers before court alleged he had been stripped naked and forced to stand blindfolded for more than 30 hours, and that his genitals had been bitten by what he believed was a rodent or insect.

Without making any admissions regarding maltreatment, the police gave an undertaking the priest would not be assaulted.

More recently, Mkhathshwa's attorneys launched legal action against the SACBC and the *Citizen*, charging they implied he was linked to an arms cache discovered in the Transvaal.

The 47-year-old priest is the first black elected to the influential position of SACBC general secretary. In May he was re-elected for an unprecedented second term.

His detention sparked an international outcry and the papacy joined thousands of other clerics and organisations in petitioning Botha to release him.

Born in Barberton in the Eastern Transvaal in July 1939, Mkhathshwa entered St Peter's Seminary in 1960 and was ordained in 1965.

He has been seconded to the SACBC general secretariate in Pretoria since 1970, apart from a spell at a Belgian university where he gained a B Phil degree and a masters in dogmatic theology.

He made his entry into resistance politics during the height of the late Steve Biko's black consciousness movement in the early Seventies. In 1974, he was organising secretary of the steering committee of the Black Renaissance Convention, a seminal meeting of black leaders in Ham-

manskraal.

When he moved to Pretoria, he refused a church offer of accommodation in Khanya House, the SACBC headquarters. He insisted on living in the township.

His name was added to the long waiting list for houses in the area. Meanwhile, he lived as a lodger in Soshanguwe.

Mkhathshwa spent his first days in detention during a crackdown in 1976, when he remained in solitary confinement for six months.

In 1977, after a five-month period of detention, he was banned for five years and restricted to the Pretoria magisterial district with severe restrictions on his pastoral, social and academic activities.

Mkhathshwa had to be house arrested to get a house. When they decided to restrict him, they finally gave him a house to isolate him from others. He was not allowed visitors, nor to speak to more than one person at a time.

Soon after his banning order ended, Mkhathshwa was invited to talk to the Student Christian Movement at Fort Hare University in 1983. This time he was arrested by Ciskei homeland police and spent five months in solitary confinement in Alice.

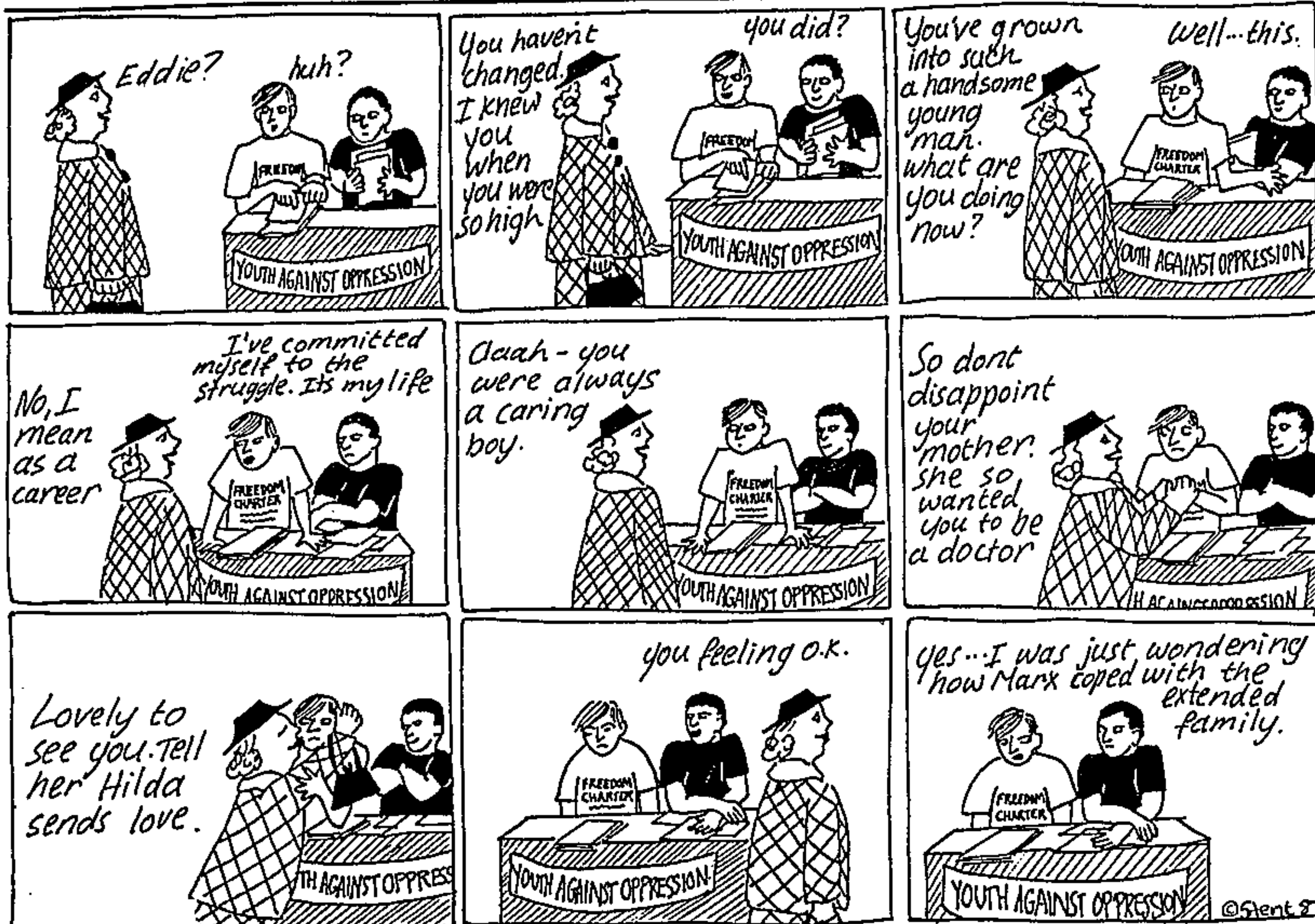
Mkhathshwa, who lives in Soshanguwe, outside Pretoria, was elected one of the United Democratic Front's patrons in 1983.

He said this week he would continue his work as usual. "Nobody is going to deter me from doing so."

"The Church is the people," he said. "If it is to be relevant it must not only prepare the people to go to heaven, it should also look after their needs, their problems and their welfare. It must fight for justice and reconciliation."

## WHO'S LEFT?

by Stent



Ideal for:  
Journalists  
Academics  
SA watchers  
Executives  
Researchers  
Libraries

Phone for a  
sample copy:  
(011) 337 5359

S.A.  
**Barometer**

Your quick and easy  
reference to topical  
Southern African  
statistics  
Local subscriptions:  
One year: R95



# IN SEARCH OF

St Kobus van Rooyen himself remarks on the self-published *Censorship in South Africa*, it is somewhat unusual for the chairman of the Publications Appeal Board to write a book on the very act he administers.

However, he adds, *someone* had to do the book. And so, for the past year, Van Rooyen has added down to his study at four in the morning to type out the blueprint of South African censorship law: how it works, who works it and why it exists.

In the seven years that the amiable Van Rooyen has held the highest censorship authority in the land, a veritable mythology has grown up around him — chiefly thanks to the overstretched imagination of the local press. He of the enlightened smile and liberating pen strokes. The Prometheus of Pretoria, fighting the good fight to bring us up out of the dark cracks of latter-day Calvinism and into the light. He who says it all for justice by quoting John Milton: "A state which dwarfs its men, in order that they be more docile instruments in its hands ... will find that with small men no great thing can really be accomplished."

Van Rooyen, himself a modest man, while privately gratified by the acknowledgement of his

What makes the latest book on censorship in South Africa stand out from the rest is the identity of its author: Professor Kobus Van Rooyen, chairman of the Publications Appeal Board, credited with helping to usher in an era of enlightenment ... while elsewhere, state repression grows harsher all the time

Interview by  
CHARLOTTE BAUER

progressive contribution in the field, is probably faintly embarrassed by the rich hyperbole of journalistic licence.

With a little squirm he comments: "A lawyer applies the law. He doesn't set out to be a 'rebel with a cause'."

It is understandable that journalists find it hard to resist the temptation to exploit the characteristics that make Van Rooyen so remarkably different from his stuffy predecessor, Lammie Snyman.

His shelves are filled with worn and treasured books (a hungry appetite for reading he thanks his father for); his head is filled with memories of films he loved. The questions are obvious, the answers surprising. His favourite films? *The Big Chill* ("You have to be at least 40 to appreciate it") and *A Clockwork Orange* — both of which have been subject to the laws of censorship.

His favourite book must, he's afraid, remain a secret. The author, you see, would have a field day if he found out. You can bet your life it was banned. Right now he's reading Joseph Heller's *God Knows*. He also enjoys John Updike, biographies and "ordinary escapist literature". He confesses to having once been a fan of Hammond Innes but adds defensively "you know those stages you have to go through ..." He reads the cheap and steamy novels of the banned Jackie Collins, too, but that's work, of course.

In an interview Van Rooyen is politely cautious; he has said what he wanted to say in the book, but doesn't mind adding a statement to the effect that *Censorship in South Africa* is a summary of the work the Publications Appeal Board has done in the last seven years and that it is intended to help people who appear before the board, whether they be advocates or ordinary laymen, to put them more at ease with the judicial tribunal and its mechanisms. That's all, really.

A man of many opinions, he prefers to confine



Kobus van Rooyen

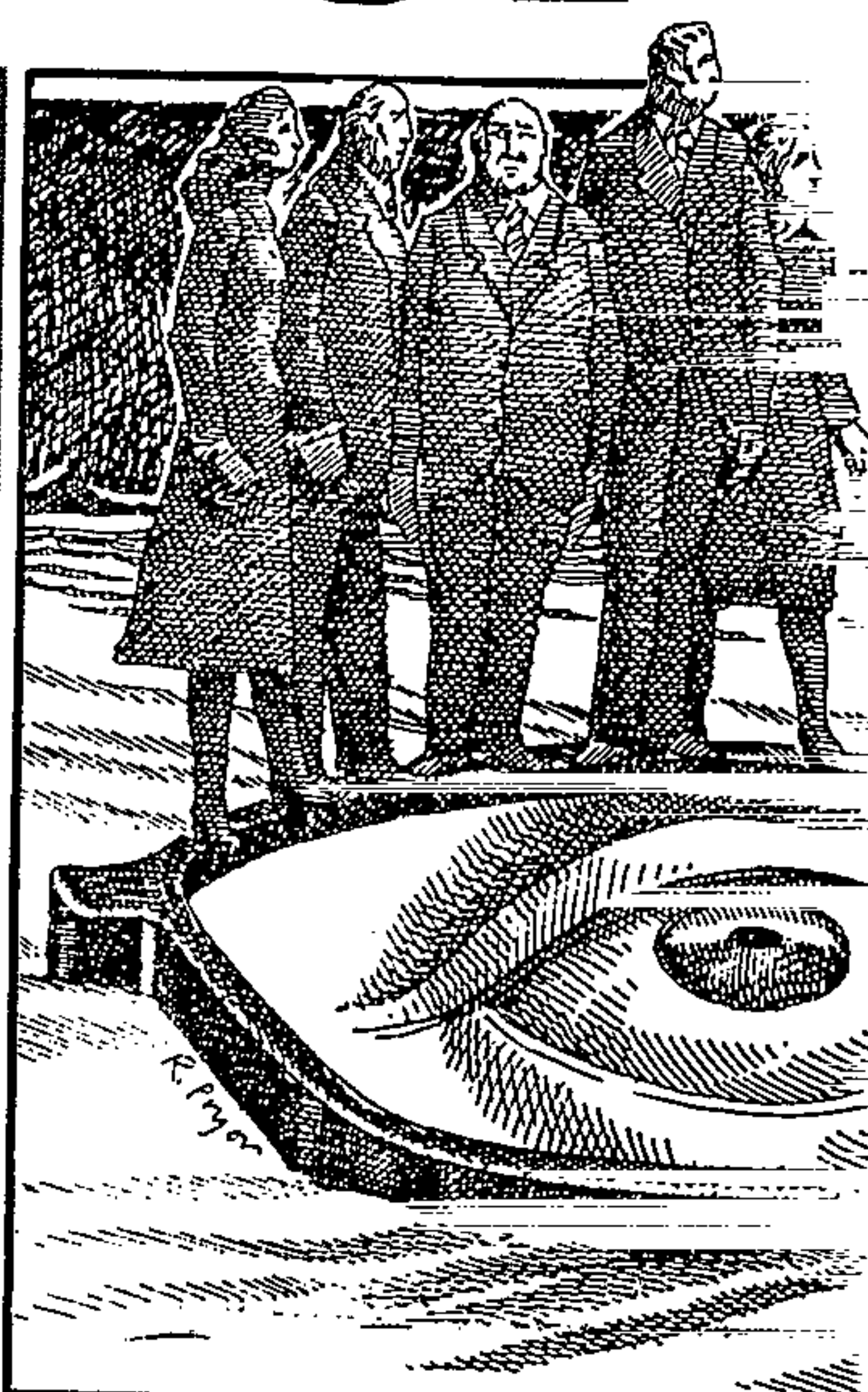
most of them to off-the-record conversations, you understand.

He will, however, stress certain facets of the book, such as the independence of the board, despite suggestions that as the entire Publications Control hierarchy is appointed either by the minister of home affairs or the state president, it would seem bound to reflect the backgrounds and beliefs of its members hand-picked by the rulers of the day (and it's been a long day).

In fact, just this year he declined the offer of a full-time position on the board in favour of retaining his other job as professor of law at the University of Pretoria, because he felt it would give further validation to the board's independence.

The minister who works with the directorate, currently Stoffel Botha, exerts, he says, absolutely no influence over proceedings other than to "set things in motion". Also, the Publications Act does not take any account of other laws such as the Internal Security Act or the Police Act or the Defence Act and certainly not the Emergency regulations.

A recent Appeal Board decision gives credence to these words. Mark Uhlig's compilation of essays, *Apartheid in Crisis*, was passed on appeal last week, despite contravening the Internal Security Act by quoting "listed persons", including Oliver Tambo. Among its reasons for finding the book "not undesirable", the board stated "... should the book be read by large numbers of blacks it may well incite many of them to violence ... but this is not a book for the masses".



Which brings us to another of Van Rooyen's favourite points and one he personally introduced as an important criterion in minimising censorship. As he is a great believer in the "likely reader", Van Rooyen's judgements often use the "sophistication" of the viewer or reader as leverage for passing something academic, esoteric or "arty".

For instance, in declining to impose a prohibition on the possession of Gramsci's *Political Thought*, the board observed: "For the man in the street, the book will hardly be understandable; and for the revolutionary, if he can understand it, it will be boring and uninspiring unless he is also a philosopher."

Implicit in these and other observations by the board is, as Gilbert Marcus of the Centre for Applied Legal Studies has pointed out, "the notion that a more sophisticated likely reader is less likely to be influenced by revolutionary dogma. By limiting the accessibility of such literature to a small group of *bona fide* intellectuals, it is assumed that revolutionary thoughts will not take root."

"Despite a veneer of reasonableness, this approach is based upon an acceptance of the 'total onslaught' mentality. Communism is regarded as

NOWHERE IS THE SHIFT IN CENSORSHIP ATTITUDES MORE OBVIOUS THAN IN THE

## BETWEEN THE GAPS IN ROOM 19

BY DAVID BERESFORD

Initially, to be retrogressive, in that it ended the previous right of appeal to the Supreme Court — a response to complaints from judges that they should not be used as political and moral arbiters. Instead a new Appeal Board was created which began to introduce the new "enlightened" approach with the appointment, in 1980, of a bright young legal academician, Professor Kobus van Rooyen.

Relying heavily on — although not bound by — Supreme Court decisions, the Appeal Board made a series of key rulings on what was "objectionable". Perhaps the most important was a new definition of people whose interests had to be "protected". Prior to Van Rooyen's arrival the test of objectionable was a work's likely impact on the average, "decent-minded man", representative of a median of public opinion. Under Van Rooyen, the concept was introduced of the "likely" reader. This had an immensely liberating effect, particularly on the more esoteric political works, because the "likely" readers were judged to be sufficiently sophisticated as not to be unduly swayed by the likes of Marx' *The Eighteenth Brumaire of Louis Bonaparte* (unbanned).

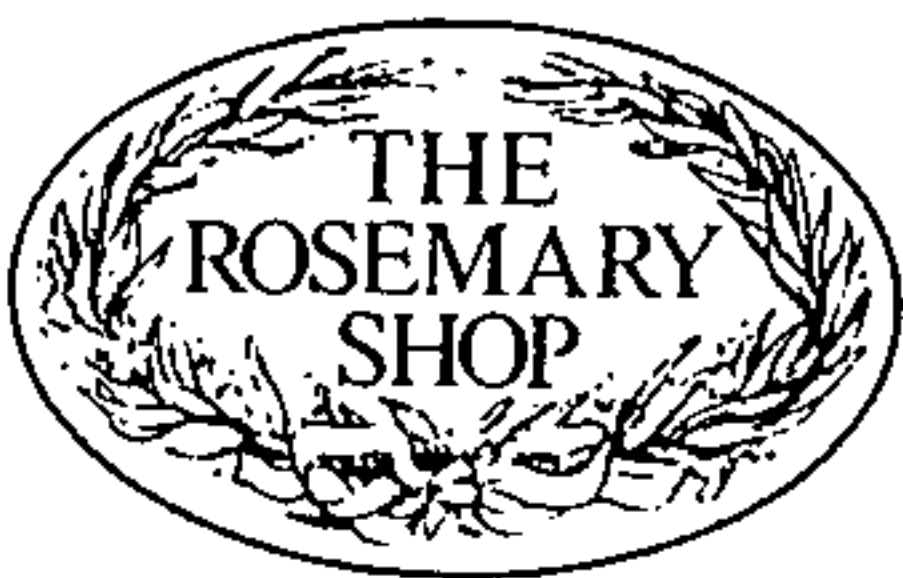
But other important decisions have also flowed from the Appeal Board which — again, at least in a South African context — have come as a breath of fresh air. For instance the board has ruled that: sympathy with socialism, communism and "prohibited organisations" is not objectionable;

false or one-sided criticism of the police and army is not undesirable as such; a call for an unlawful strike is not objectionable; one-sided reporting of illegal acts, such as riots, is not undesirable, while the expression of grievances is of the "utmost importance".

A particularly striking aspect of the new board's rulings has been its attitude to the country's black population, going so far, in its decisions, as to declare that blacks should be permitted greater freedom of speech than whites on the grounds that they do not have parliamentary representation. In 1981, considering the book *A Ride on the Whirlwind* — based on the 1976 Soweto uprising — they acknowledged that it "idolised" black insurgents and presented white police "in a contemptible manner", depicting them as "inefficient and brutal". But "this (characterisation) is nothing new..." said the board, declining to find it objectionable.

The contrast in approach with the old censorship regime is illustrated by their decision to lift a ban on the film *Seven Beauties* — a vehement attack on Nazi concentration camps and the officers who manned them — which had been outlawed in 1977 on the extraordinary grounds that it might bring a section of the South African population (German-speakers) "into contempt". Van Rooyen's board threw the ban out on the grounds that Nazis were not representative of Germans.

Van Rooyen himself is usually credited with the reform of the censorship system, but it is indis-



Winter Nighties  
Liberty Blouses  
Warm Jackets

Incorporating Chloës Shop  
Phone 64-1783  
Mark Road (Off Protea Road)  
Claremont, Cape Town

CO-  
EDITOR



Learn and Teach Publications requires an experienced person to co-edit the magazine.

Experience in either publishing or newspapers/magazines is essential for this post. Literacy teaching and easy English writing skills would be an advantage.

The duties of the successful applicant would include:

- Writing and editing stories
- Co-ordinating copy
- Commissioning freelance material
- Liaising with the production department
- Assisting with proof reading
- The willingness to co-ordinate a literacy group
- Working extra-ordinary hours when required
- The ability and willingness to work in a democratic and progressive environment.

Salary will be commensurate with experience. The organisation offers medical aid and pension.

Please apply in writing before 11 July 1987 with a CV and the names and contact numbers of two referees, to:

Learn and Teach Publications,  
P O Box 11074,  
Johannesburg 2000

THERE is an intriguing locked room in the centre of Cape Town, underneath a lovely old building, a replica of the FitzWilliam Museum at Oxford University. The building houses the South African Library. And room 19, in the basement, contains its collection of banned books.

The intriguing aspect is not the existence of a room of forbidden books — most such libraries around the world have something similar — but rather the empty spaces on the shelves.

Because the spaces represent an extraordinary contradiction of South African society at present: that while the country is suffering under one of the most draconian systems of censorship to be found in the West, the "official" censors are promoting what verges — at least in a South African context — on a revolution of permissiveness.

South Africa's "official" censors are not to be confused with those government bureaucrats responsible for the press restrictions which have drawn international attention and approbrium in recent months. As the "Publications Control Board" (the latest guise), the official censors have been the arbiters of moral taste and guardians of political sensibilities in South Africa for more than quarter of a century.

The board is still churning out its decisions, to be found in the Government Gazettes every week. But today, of almost more interest than items which continue to fall foul of their prudery are books listed on which bannings have been lifted.

"More than 350 books have been 'unbanned' by the censors since early 1985, ranging from *Fanny Hill*, Burroughs' *Naked Lunch* and Miller's *Tropic of Cancer* to the Chinese Medical Journal, the Communist Manifesto and *Zambia Shall Be Free* by Kenneth Kaunda (the latter having been outlawed for 21 years.)

Behind these decisions lies an extraordinary volte face reflecting a social trend which may be of some political significance. The turn-about dates back to 1975. New legislation appeared ini-



## THE ECONOMY

WHEN workers consider the Ford company's proposal to hand over its shares in Samcor to an employee trust they will not have many South African precedents to guide them.

The shares-for-workers idea has become popular in Britain and the United States but does not have much currency in business circles here. There are business leaders who advocate it and companies which have actually implemented such schemes, but so far these are only a handful.

Trade union response to the idea has been extremely cautious, but it is being discussed.

Ford proposes to place 24 percent of its 42 percent stake in Samcor — which manufactures Ford cars in South Africa and is owned jointly by Ford and Anglo American — in an employee trust, which would have two representatives on the company's board of directors.

The trade union response appeared initially to be negative. A spokesman for the National Metalworkers' Union of SA, which has majority membership at Samcor's two plants in Port Elizabeth and Pretoria, said the union was unlikely to accept the offer. Later, however, Numsa representative Les Kettledas said the proposal was still under consideration by the union's members at the two plants.

Meanwhile, Samcor chairman and Anglo director Leslie Boyd gave as-

# Ford's departure rekindles shares-for-workers debate

The shares-for-workers scheme proposed by Ford this week is being treated warily by all sides. While the plan is intriguing, it is fraught with difficulties, legal, managerial and social. HILARY JOFFE reports

surances that while the company had experienced problems, it was now showing a marginal profit.

For the union and its members, the motor company's profitability (or lack thereof) will clearly be a major question. Workers will not want to be landed with shares which don't earn dividends. Neither will they want to be involved as shareholders or directors in the problems of restructuring an ailing company.

There are other questions which will have to be answered. One issue is payment. Once the company pays dividends the shares will have to be paid for. And the workers and the union will want to know how. Another issue is what the trust funds will be used for.

The general idea of employee share ownership schemes is fraught with problems for unions. The tension be-

tween the role of worker and the role of shareholder is the basis of most of the problem issues identified by trade union sources in employee share ownership proposals.

Related to this is the issue of legal ownership versus real control. Shares may give workers a small stake in the company for which they work but they will have little power to improve their conditions of work.

Part of the problem with employee share ownership schemes is that they are emerging in South Africa in the context of a recession. Thus workers may find themselves in a situation where their interests as shareholders require retrenchment, underpayment or rationalisation in the company.

"The problems are clear: such proposals give workers a stake in ownership without giving them sufficient control to carry out policies which

would be beneficial to them," says a Cosatu official. "This kind of part ownership offers workers nothing except a set of headaches."

Particular problems are involved for unions in the notion of worker directors, argues a researcher with the Labour and Economic Research Committee. This is especially so given the monopoly scale of many South African corporations.

Even if worker directors did have the skills and the shares to have an influence on the board, this might not be very effective in shaping workers' conditions in the factory.

The researcher notes a distinction between management and the board of directors in most firms. Shareholders and non-executive directors very often don't have much say in the day-to-day management of the firm, although they would have an influence on general policy.

He also points to the kinds of conflicts which could arise for worker directors. "The paradigm of accumulating capital is very seductive: as directors, worker representatives might

find themselves protecting the company's investment, letting the social schemes wait. Only a strong worker director tied strongly to a collective base would resist this."

But it's workers' perceptions of managerial attempts to extend share ownership to them which may turn out to be the biggest barrier to such schemes. "Workers see schemes in which they are subsidised to buy shares by the company as an attempt to buy them off," says the Food and Allied Workers' Union's Jan Theron. "Workers can't afford to be shareholders. They can only own shares because the company buys them in. This puts them in a problematic relationship to the company."

Despite all the aspects of worker share ownership schemes which trade union officials identify as problem areas, it is clear the idea has not met with total rejection. Research and debate is taking place within Cosatu and it is likely the principle of share ownership will be discussed in some form at the federation's congress in July.

If the idea does meet with any support, it will probably be the collective trust option which is favoured, rather than individual share ownership by workers. Workers collectively could start to accumulate capital to be applied for socially useful ends.

Business leaders who advocate or implement employee share ownership schemes tend to argue for the advantages of such schemes in giving workers a stake in the free enterprise system, or in raising productivity and profits. One of the most ardent advocates of the idea of worker shareholders is Johannesburg Stock Exchange chairman Tony Norton. "You don't tell people free enterprise is a good thing by lots of rhetoric, you only do so by offering them participation: let people feel, taste and experience free enterprise." He doesn't agree that there might be a basic conflict between being a worker and being a shareholder.

The JSE used to have a rule that only five percent of a company's total share equity could be owned by its employees (in unusual circumstances this could rise to 7.5 percent). This rule has now been dropped, partly in an attempt to encourage broader share ownership.

One company which recently heeded Norton's call is Merhold, due to be listed on the JSE in July. The company decided to pay its 130 workers a special bonus in shares, says Christopher Seabrooke, managing director of Merhold parent company SA Bias. He says he won't be disturbed if the workers sell all their shares at a profit when the company is listed: "It will mean they've understood the principle of share ownership and making a profit."

Another name associated with shares for workers — and with disinvestment — is Coca Cola. Amalgamated Beverage Industries, owned jointly by SA Breweries, Cadbury Schweppes and formerly the American Coca Cola company, plans to offer the R11-million in ABI shares that were held by Coke to 3 500 workers and 7 000 dealers later this year.

The ABI scheme has been controversial, with the Food and Allied and the Food and Beverage Workers Union coming out against the idea when it was publicised earlier this year.

There are other companies which have introduced employee share schemes, such as Quality Tyres and Jazz Stores, and more who have thought of it but haven't made progress so far. Perhaps the most advanced share ownership scheme is the Cashbuild one (see story on this page).

### CASE STUDY: A SOUTH AFRICAN COMPANY THAT'S TRIED IT

ALBERT KOOPMAN sees himself as a corporate crusader. His mission is to persuade employers of the need for "justice" — worker participation in management.

And his greatest source of pride is the fact that in Cashbuild, the company he managed and in which he implemented his scheme for corporate justice, the workers can fire the manager.

It's not a right Cashbuild's workers have used very often. In the four years since the scheme was started, the company has lost only three managers. Staff turnover, which stood at 126 percent in 1982, is down to nine percent.

Worker participation has also saved the company an estimated R1.5-million on "shrinkage", the loss or theft of goods — and the biggest threat to profits in Cashbuild, a building materials wholesaler.

Cashbuild's revolution was started in 1982, when the company's profits dipped. It was bad leadership and not a bad economic climate which was the cause, says Koopman, and so management decided to ask the workers their opinions.

It took a long process of negotiation and consultation with workers for the scheme to be developed. What emerged was the Cashbuild Creed of Trust. It sets out (in seven languages) the philosophy and principles by which the company is run and to which both workers and managers are subject.

Each branch is governed by a venture committee, or "venture-comm", consisting of four elected worker representatives and one manager. The venture-comm has authority over the running of the enterprise and over

## A company where workers can fire the boss

Cashbuild is one of the few SA companies with worker-participation experience. Their verdict: It works. HILARY JOFFE reports

hiring and firing. A manager who is perceived to be racist or who swears at workers can be fired, as can a worker who steals, after a hearing by the committee.

Workers thus have their say over what Koopman calls the "soft variables" of labour and enterprise. But their participation does not extend to the "hard variables". Workers do not have a say in the company's overall investment decisions. This, according to Koopman, is because they lack the required skills and knowledge. He does however anticipate that workers' say in investment decisions will eventually increase.

Meanwhile, the workers can and do own shares in the company. When Cashbuild, previously part of Metro Cash and Carry, was listed on the Johannesburg Stock Exchange last year the participative management scheme had already been running for four years. Workers who had been with the company for five years or more were offered shares before the company was listed and many chose to



Koopman: Afrikaner who remembered his own militancy

buy. Thirty-one percent of staff now own shares in Cashbuild.

Koopman heaps scorn on South African managers who think they can buy workers off with profit incentive or share ownership schemes.

"You can't sell ownership in the system unless you allow people to have a say over the workplace. Otherwise it's just putting honey round the lips and workers would be stupid not to see that," he argues.

Koopman sees himself as listening to, and having an empathy with, black workers. He relates this to his Afrikaans background and argues that

Afrikaners have forgotten their own history of oppression and their militancy as workers earlier this century.

Koopman was managing director of Cashbuild but resigned recently to become a consultant "because of the amount of people who looked to the company for a recipe to avoid conflict at the workplace. Business perceived us as having a magic formula. But they have to understand the principles and the way of life that goes with our system."

He feels many South African managers are intransigent and often paranoid, especially about trade unions. "You have to live, eat, sleep and drink with the unions instead of spilling blood," he says. "Business must realise that unions are not the enemy of businessmen."

Cashbuild has however not had to deal with trade unions very much. Although Koopman says he has had discussions with trade unionists and was involved directly with them in Metro Cash and Carry, which is unionised, only two of Cashbuild's branches are unionised.

Trade unions are not incompatible with Cashbuild's participative management structure, Koopman argues. But he does point to the irony of the decision to recognise a union in a branch being largely in the hands of workers themselves.

The Cashbuild scheme is not a total success, Koopman admits. He estimates that in 40 percent of the company's 30 branches it is working just as intended. But in 20 percent of the branches, mainly those in small right-wing towns, it is not working at all; and in the rest, clear results have not yet been received.

## Maggie's share-dealing manual worker

SHARE ownership figures in Britain testify to Margaret Thatcher's attempts to give workers a stake in British capitalism and free enterprise.

The proportion of British adults who now own shares is almost three times what it was in 1979, mainly as a result of government initiatives, according to a recent Treasury/Stock Exchange survey.

### Weekly Mail Reporter

Nearly 20 percent of Britain's adult population owned shares in quoted or unquoted companies at the beginning of this year, compared with a figure of seven percent for 1979. The Treasury's Economic Progress Report attributes the increase to the British government's privatisation initiatives as well as to its favourable tax treatment for employee share schemes.

Three-quarters of shareholders, a total of 6.5-million people, own shares in companies privatised by the Thatcher government, such as British Telecom and British Gas, as well as in the Trustee Savings Bank Group. Three and a half million of these people own only privatised company or Trustee Savings Bank shares.

Manual workers have been major buyers of the shares of privatised companies. As a result the fastest growth in share ownership has been

among manual workers, from two percent in 1979 to 11 percent now, according to the Treasury Report. In contrast, 40 percent of professionals and managers are share owners.

The increase in the number of employees owning shares in the companies for which they work is the other major factor in the build-up of share ownership in Britain since 1979, according to the report. One and a half million people, or 3.5 percent of all adults, own shares in the companies which employ them.

British share ownership figures now resemble those of the United States, where somewhere between 20-27 percent of adults own shares or unit trusts. But in France and Japan the figures are nine percent and five percent respectively.

Similar figures for South Africa are not available, according to the Johannesburg Stock Exchange.

**First in accommodating your property needs.**

ANGLO-AMERICAN PROPERTY SERVICES

TELEPHONE: 833-4811

**Phone us first.**

ANGLO-AMERICAN PROPERTY SERVICES

TELEPHONE: 833-4811



TV, movies and videos face clean-up on violence and sex as backlash grows

# BIG BROTHER



Cobus van Rooyen ... tightening up

By NORMAN WEST, DAVID JACKSON and SUE FOX  
**A SWEEPING crackdown on screen violence and a general sharpening of morals laws in South Africa appear to be on the way.**

Violence in films is first on the agenda, but a wider "cleaning-up" of national morals is in the offing as the Government considers changes to the country's sex laws. The new mood — in line with a similar backlash in Western countries — is understood to be personally endorsed by President Botha, who has long expressed concern about the issue.

The resurgence of the right wing in Parliament has added to the clamour for a closer look at the state of national morality. This week's report of the Social Affairs Committee of the President's Council — in many respects

The clampdown is attributed to tireless campaigning by Mrs Margaret Whitehouse, who heads the powerful National Viewers and Listeners Association, a watchdog body which has turned its attention to incidents of sex and violence on the BBC and Independent Television networks. New laws require the worst-rated videos to be restricted to sex-aid shops, which have a tough age control limit.

Soon afterwards the SABC inquiry was announced.

● The South African Law Commission is hearing evidence on possible amendments to the country's mor-

als laws, and has apparently received representations for a tougher line against homosexuality and other morals-law offences.

The move was presaged two years ago when section 16 of the Immorality Act was scrapped, and government spokesmen warned that it should not be seen as a general relaxation of immorality legislation, and that other aspects would be investigated — and perhaps tightened.

The President's Council report this week slammed "over-emphasis on, and insensitive presentation of sexual activities, the popularisation of deviant and harmful relationships, the continual showing and descriptions of acts of violence as part of the normal way of life of civilised people, and continual negative reporting".

It also said that this was "arousing great concern among well-intentioned educators and youth leaders".

This week the Minister of Home Affairs, Mr Stoffel Botha, declined to comment

□ From Page 1

on suggestions that a tougher line was imminent.

A crackdown on TV violence, meanwhile, would be in line with the trend in America and Europe, where films likely to be seen by young children in the home are coming under greater scrutiny.

University of Cape Town lecturer Mana Slabbert said screen violence could cause youths to imitate it in real life. Mrs Slabbert has taken part in a survey of the extent to which South African TV and film distributors showed films which condoned the use of violence as a way of solving social and personal problems.

Of the 200 children interviewed, 38 percent said they were members of gangs, and more than half of these indicated that they acted out violent scenes which they had learnt from the screen. "We found that the kids who acted out these scenes didn't have a stable set of morals — a weak father, for example — and they modelled themselves on the heroes on the screen," Mrs Slabbert said.

In Britain, Mrs Margaret Thatcher's Conservative Party is said to be making amendments to the 1959 Obscene Publications Act a top priority in the next parliamentary session.

It was severely critical of the youth of the country — has given a boost to the mood.

The report has been met by condemnation, and confusion over some controversial political observations and recommendations on military service, but its recommendations on tighter censorship are reliably understood to accord with the Government's own views.

The report recommended that the Publications Control Board should apply stricter censorship on publications, advertisements and presentations which have a "negative" influence on young people.

In particular, the report singles out violence, assault, sexual activities, drugs, alcohol and satanism.

Three main focuses for the sweep have emerged:

● Professor J. W. "Cobus" van Rooyen, chairman of the Publications Control Board, has confirmed there has been a tightening up of control in incidents of screen violence which was reflected in the decisions from Appeal Board and committee judgments as far as age restrictions were concerned.

Since January this year the law had been made much stricter through an amendment to the Publications Act, and could now be used against people showing videos to under-age audiences, even members of the family, in their own homes.

## Powerful

● An SABC inquiry into screen violence is meanwhile continuing with indications that the President is keen to see a "cleaning-up" of the corporation's approach.

President Botha said during the no-confidence debate in Parliament this year that he accepted that television was a powerful force in any country for education, the promotion of culture and in other fields.

"But TV can also, if uncontrolled, play into the hands of perpetrators of violence.

"I call on the SABC and its board to look at some of its programmes ... they are definitely not in the interest of peace in South Africa," he said.

□ To Page 2



# SA's chief censor does

By DAVID JACKSON

SOUTH AFRICA's top censor wields his blue pencil as deftly as he snips the shrubs in his well-manicured garden atop a ridge overlooking Pretoria.

In the hot seat is 44-year-old

Professor J C W

"Cobus" van

Rooyen, chairman

of the Publications

Appeal Board.

But the man who helps set the landmarks for what you may see at the movies or read at your bedside is no faceless rubber stamp closeted in a drab ministerial office.

Professor Cobus, as he is known to his colleagues, is neither government official nor bureaucrat. He is professor of criminal law at the University of Pretoria.

His roots are steeped in academia. But censors, too, need the common touch. And, like most South Africans, Cobus van Rooyen loves to relax with his family in front of the TV to see a movie.

"I love watching films," he confides. "And a love of fiction helps you to do this job."

But he draws a firm line between assignments in a darkened projection room — where as a judicial body he and his colleagues sometimes have to make watershed judgments — and watching the small screen with his feet up at home.

Movies and books at home are for relaxation. And he does not use his family as a sounding-board — he has two teenage children, Kona and Juliette, and a son, Cobus, at primary school.

"They sometimes remark that I don't discuss my job at home. But that's deliberate — I don't seek their views because it could be a subjective judgment," he says.

As chairman of the country's highest censorship body, Professor Kobus has been part of a quiet revolution in South Africa's censorship laws since the introduction of the new censorship procedure in 1975.

He became chairman of the Appeal Board seven years ago and was reappointed in 1985. He has been given much personal credit for his role in the widening of the country's censorship horizons — including the lifting of the bans on such productions as "Magersfontein", "O Magersfontein", "Lady Chatterley's Lover" and "A Clockwork Orange" among others.

## not allow

## his family

## to influence him



Professor van Rooyen with young Cobus ... family are not used as a sounding-board Picture: HETTIE ZANDMAN

### Team

But he eschews the personal credit. As a judicial body, the Appeal Board — its chairman must be a judge or an experienced lawyer — cannot have a hard and fast "policy".

But, while in a sense his job as chairman is to help set new trends, Professor van Rooyen sees the work rather as a team effort. And this has been assisted by developments since 1979 such as the recognition in law of the principle of artistic merit and the drawing in of a range of experts in their fields who give advice.

The underlying philosophy that nothing should be banned unless absolutely necessary has already been en-

shrined by the Appellate Division of the Supreme Court.

But Professor van Rooyen points out: "The mandate is not to allow porn. You can't start manipulating the Act to allow porn ... that is not the intention of the legislature. As a lawyer I really just apply the law."

As an arbiter on celluloid morals and violence, an executive censor can't please everyone. A relaxation here, a tightening-up there can bring the censor under fire from Mother Grundys on the Right as well as sniping from cultural radicals on the Left.

So, away from the censorship minefield, three growing children, a couple of Maltese poodles and a well-tended garden help him to wind down — as well as a special collector's item, a Victorian gramophone, circa 1900, complete with brass horn and

## How they decide what we can and cannot see

By DAVID JACKSON

EVER wonder how the censors decide what can be seen and by whom?

Professor Cobus van Rooyen, chairman of the Publications Appeal Board, gives some rough guidelines in his recently released book, "Censorship in South Africa".

● Horror films: These are generally subjected to a 2-18 or, at times, 2-21 restriction.

Says Professor van Rooyen: "Although these films tend to portray unreal forms of violence, it is thought that a certain maturity is required if the viewer is to perceive this."

No age restrictions were imposed on "Jaws" and "Jaws 3", but "Jaws 2" had a 2-16 tag because of "hair-raising scenes" in which the shark attacks a group of children.

● Supernatural films: "Rosemary's Baby", in which

a devil rapes a woman, was passed some years ago with a 2-18 restriction.

After an earlier banning, "Audrey Rose," which deals with reincarnation, was subjected to a 2-18 restriction.

● Suspense thrillers: In these films, says Professor van Rooyen, a lonely woman is almost invariably followed by a maniac and murdered.

"Often these films lose much of their shock value as a result of publicity. Thus, the 1967 film 'Wait Until Dark' was screened on TV1 in 1986 with due warning.

● Action thrillers: Here the hero frequently takes the law into his own hands out of a sense of frustration.

Depending on the intensity of the violence, these films are usually subjected to 2-14, 2-16 or 2-18 restrictions. But where gory detail is absent, no restriction is imposed.

hand-winder.

Professor van Rooyen lowers the cumbersome gramophone needle and the horn rasps out a tinny family favourite, "Martha", which also happens to be the name of the wife and mother in the household.



# Censor confirms morals crackdown

CENSORS will only act on complaints from the public, Publications Appeal Board chairman Cobus van Rooyen said yesterday, confirming weekend reports of a tougher approach by the board to film and video censorship.

Screen violence, in particular, is under scrutiny and stricter age restrictions and film cuts may be introduced.

Van Rooyen said there was an international trend away from violence and ex-

GRETA STEYN

plicit sex.

He said practical implementation of controls would depend on future representations from video distributors before the board.

Recent board rulings indicate that a closer watch is being kept on what may be seen at home. Films like "Scarface", "Gothic" and "In Praise of Older Wom-

en" have been prohibited from video distribution.

Control over video distribution is in line with a world-wide trend to keep undesirable viewing out of the home. In Britain, for instance, video distribution is regulated by law.

Van Rooyen said the board gave consideration to the viewing time, date and place of screening. The "probable audience" would remain a determining factor in future cuts to movies.



# Restrictions anger mourners

By LANGA SKOSANA

**THE first funeral in Soweto in which the new stringent emergency curbs were applied — caused bitterness to the family and infuriated mourners who attended.**

The mourners said the house of Mr Isaac Shabangu of Dlamini township, whose son, Nkosinathi died of gunshot wounds at Senaoane Senior Secondary School, was virtually besieged by police from Friday evening before the night vigil was held.

The funeral was held on Saturday and the few scholars who were present sang freedom songs at the graveyard.

Mr Shabangu said: "I am unhappy at the way the authorities have interfered at my son's

funeral. My family had planned a decent funeral but I have been ordered to do what other people think is right for me."

## Vigil

The new curbs imposed a two-hour service for the night vigil between 7 pm and 9pm. Traditionally night vigils start at about 8pm and most people usually arrive from 9pm onwards.

At this funeral people who wished to attend the night vigil because they had other commitments on the day of the funeral were barred.

Family friends said police made checks on the night of the vigil to enforce the new rules.

"Even when we were slaughtering a beast, we

were warned not to be a crowd," said one bitter mourner.

On the day of the funeral, reporters witnessed at least five police vehicles parked near the house and a policeman periodically checked the house and the tent where the funeral service was conducted to see to it that not more than 200 people were present. This caused anger.

## Coffin

More bitterness was apparent when the undertaker ordered that the coffin be placed in the hearse before buses arrived. The mourners threatened not to go to the graveyard and said the police would have to fill up the grave with soil.

The new restrictions

stipulate that permission must be obtained from the Divisional Commissioners of Police on the time, date and place of a funeral of any victim of unrest.

The restrictions order that no service or commemoration may be held in the open air unless it is the graveside and only an ordained priest may conduct a funeral service.

The restrictions further bar the use of loudspeakers and restrict the number of mourners to 200.

327

Soweto 2/6/87

what are the names of the (aa) publishers and (bb) publication in question?

The DEPUTY MINISTER OF INFORMATION:

- (a) No.
- (b) (i) (ii) (iii) The Bureau for Information from time to time when approached, gives assistance to private organisations and individuals within the constraints of available manpower. It is also the policy of the Bureau not to reveal the names of organisations and individuals who request assistance from the Bureau as the willingness of such organisations and individuals to approach the Bureau might thereby be prejudiced.

#### Organised strikes

217. Mr A GERBER asked the Minister of Manpower:

How many organised strikes by (a) Whites, (b) Blacks, (c) Coloureds and (d) Indians occurred in the Republic in each specified year from 1980 up to and including 1986?

The MINISTER OF MANPOWER:

(a), (b), (c) and (d) Particulars on the number of organised strikes and by whom they were organised are not available.

Unemployment insurance fund contributions

231. Mr J J WALSH asked the Minister of Manpower:

What amount was paid to each of the four independent Black states in respect of unemployment insurance fund contributions by citizens of those Black states during the latest specified 12-month period for which information is available?

The MINISTER OF MANPOWER:

Bophuthatswana

1.1.86-30.6.86 R3 989 529,91  
1.7.86-31.12.86 R4 459 926,63  
1.1.87-31.5.87 R4 551 840,31

Total R13 001 296,85

Ciskei

1.1.86-30.6.86 R1 924 830,33  
1.7.86-31.12.86 R2 011 286,96

HOA

Whites in each of the latest specified three financial years for which information is available? The MINISTER OF EDUCATION AND CULTURE:

	1984/85	1985/86	1986/87
OFS	360 000	600 000	618 400
Natal	540 000	900 000	927 600
Cape	399 000	393 000	354 000
Transvaal	777 000	919 000	1 099 000
	(1)	(2)	(3)
	1 214 673	1 488 402	1 338 964
	3 494 021	5 505 611	5 044 491
	570 313	837 573	790 344
	6 215 621	6 118 385	6 148 029
	11 899 680	12 288 433	13 668 517

- (1) Category (c) regarding the Cape represents expenditure at schools which cater for both primary and secondary school phases. Separation of these amounts is not possible.
- (2) Data for the Transvaal reflect total expenditure on all text books, stationery and school materials. It is not possible to establish the amounts spent on text books alone.

#### Amount spent on education

31. Mr A GERBER asked the Minister of Education and Culture:

What average annual percentage of the total State budget was spent on White education in the periods (a) 1951 to 1960, (b) 1961 to 1970, (c) 1971 to 1980 and (d) 1981 to 1986?

The MINISTER OF EDUCATION AND CULTURE:

On account of the divided control of White education before 1 April 1986 the information requested in regard to the period before April 1986 is not readily available. The following data are provided.

Financial year	Percentage of total budget
1986/87	9,196
1987/88	8,942

#### Redundant teachers

32. Mr J VAN ECK asked the Minister of Education and Culture:

- (1) Whether any (a) high and (b) primary school teachers employed by his Department were made redundant in (i) 1986 and (ii) the first term of 1987, if so, (aa) how many in each case in each province and (bb) what subjects were being taught by the high school teachers at the time of their being made redundant;

- (2) whether any of these teachers were subsequently employed in another capacity within his Department; if so, (a) how many and (b) in what capacity was each of these teachers employed in each province?

The MINISTER OF EDUCATION AND CULTURE:

- (1) (a) (i) and (ii) Yes.  
(b) (i) and (ii) Yes.

(aa) High School Teachers	1986	1987
Cape	34	0
Natal	67	0
OFS	0	0
Transvaal	15	3

22/6/87 Howard

22/6/87 Howard

#### Primary/secondary schools

28. Mr C J DERBY-LEWIS asked the Minister of Education and Culture:

What are the criteria applied by his Department in determining the number of teaching staff allocated to (a) primary and (b) secondary schools for Whites?

The MINISTER OF EDUCATION AND CULTURE:

(a) and (b) The criteria for the determining of the number of teaching staff allocated to (a) primary and (b) secondary schools are contained in uniform staffing scales which are related inter alia to the pupil/teacher ratios and which are currently approximately 24:1 for primary schools and 18:1 for secondary schools. Due to financial and staffing implications for the provincial education departments, it has not been possible to implement the staffing scales fully.

#### Text-books

29. Mr C J DERBY-LEWIS asked the Minister of Education and Culture:

What subsidy was paid by his Department in respect of the purchase of text-books for (a) primary and (b) secondary schools for

22/6/87 Howard

22/6/87 Howard



## Primary school Teachers

	1986	1987
Cape.....	243	0
Natal.....	119	0
OFS.....	0	0
Transvaal.....	83	26

(bb) Cape: this information is not available.

Transvaal: this information is not available.

OFS: not applicable.

Natal: Accountancy, Afrikaans, Art, Biology, Business Economics, English, Economics, Geography, German, General Science, History, Industrial Arts, Mathematics, Media Centre, Music, Physical Education, Religious Education, Physical Science, Typing, Woodwork;

(2) Yes.

	Number	Capacity
Cape.....	0	not applicable
Natal.....	1	as a clerk
OFS.....	0	not applicable
Transvaal..	109	as teachers

TUESDAY, 23 JUNE 1987

†Indicates translated version.

For oral reply:

General Affairs:

State President:

\*1. Mr C W EGLIN—State President. [Withdrawn.]

State Security Council

\*2. Mr C W EGLIN asked the State President:

(a) How many inter-departmental committees of the working committee of the State Security Council had been established as at 1 June 1987. (b) what is the name of each such inter-departmental committee. (c) what are the terms of reference of each committee. (d) who is the chairman of each of these committees and (e) in which Government Department is each such chairman usually employed?

The STATE PRESIDENT:

(a) The hon member is referred to Question 20 of 8 April 1987. The attention of the hon member is further drawn to the fact that the various interdepartmental committees meet regularly as necessary. The hon member is welcome to discuss the subject of the Security Management System with me, if more details are required.

Mr P H P GASTROW: Mr Chairman, arising from the hon the State President's reply, did I understand him correctly to say that details about the operation of the system will in future not be made public but can only be obtained by the leaders of the various political parties through personal discussions with the hon the State President?

The STATE PRESIDENT: Mr Chairman, it should be done preferably by way of discussion with me. Should the hon member however, wish to raise the matter during the discussion of my Vote, I will be prepared to reply to it.

Mr P H P GASTROW: Mr Chairman, further arising from the reply given by the hon the State President, does he not believe that it is in the interests of the public to have information about the system which presently...

The CHAIRMAN OF THE HOUSE: Order! That question is disallowed. The hon member is trying to elicit information unconnected with the content of the original question.

Ministers:

Algoa: Regional Services Council

\*1. Mr D J N MALCOMESS asked the Minister of Finance:

(a) What is the (i) annual salary, including allowances, and (ii) car allowance paid to the chairman of the Regional Services Council in the Algoa area and (b) in respect of what date is this information furnished?

†The DEPUTY-MINISTER OF FINANCE (Dr G Marais):

In terms of the Regional Services Councils Act, 1985, the remuneration and allowances of the chairmen and members of Regional Services Councils are determined by the respective Provincial Administrators.

(a) (i) It was recommended to the Council for the Co-ordination of Local Government Affairs that the chairman not be paid a salary but an all-inclusive annual emolument, linked to a maximum daily allowance varying according to the level of complexity and responsibility of the particular Regional Services Council. A loading of 25% is applied to the daily tariff for an ordinary Regional Services Council member and further loading of 50% is proposed, to compensate for the fact that no service benefits are available in respect of pension, medical aid and housing. Transport costs are met only in part.

(ii) Taking into account the motor transport expenses to be borne by the chairman himself, it was recommended that compensation be payable according to a kilometre allowance on the basis applicable to the provincial administrations.

(b) This will be the situation when RSC's come into being on 1 July 1987.

Mr D J N MALCOMESS: Mr Chairman, arising out of the hon the Deputy Minister's reply, is he or the hon the Minister prepared to disclose to the public of South Africa the

amounts of money that are to be paid to the chairmen of regional services councils—the actual amount in rand and cents? Secondly, is he prepared to disclose what the average member of a regional services council is to receive in rand and cents?

This is the second time I have had a similar question on the Order Paper; both times I sought a figure in rand and cents. On neither occasion was I given the figure.

†The DEPUTY MINISTER: Mr Chairman, I replied to the question on behalf of the hon the Minister. If the hon member will formulate his question like he has done it now, I think the hon the Minister would certainly give his attention to it.

Mr D J N MALCOMESS: Mr Chairman, further arising out of the hon the Deputy Minister's reply, my question clearly asks what the annual salary is, including allowances. I do not know how much clearer I can be. I ask the hon the Deputy Minister whether he is prepared to give me that figure in rand and cents.

†The DEPUTY MINISTER: Mr Chairman, there are several adjustments and I think it is a matter for the Administrator who is actually personally responsible for the determination of these amounts. I think the Administrator will be able to furnish the exact figures as from 1 July.

\*2. Mr D J N MALCOMESS—Finance. [Reply standing over.]

Mamelodi: Inquest

\*3. Mr P G SOAL asked the Minister of Justice:

Whether, with reference to the reply to Question No 7 on 19 August 1986, the Attorney-General has reached a decision regarding the inquest into the deaths of the persons killed in Mamelodi on 21 November 1985; if not, (a) why not and (b) when is it anticipated that a decision will be reached; if so, (i) when and (ii) where will the inquest be held?

†The MINISTER OF LAW AND ORDER (for the Minister of Justice):

No.



# Supreme Court powers reduced, says top judge

JOHANNESBURG. — The rule of law has been eroded to such an extent that judges have been reduced to little more than "triers of cases", says a top Natal judge.

He is backed by opposition spokesmen, legal experts and lawyers who believe the rights of the individual are being slowly removed and the country's stability is at stake, the Sunday Star reported yesterday.

Mr Justice Leon, champion of human rights and civil liberties who overruled a number of far-reaching and oppressive regulations, this week announced his retirement from the Natal Bench.

He said: "What has happened over the years is that the rule of law has been eroded and the powers of the Supreme Court have in that way been reduced. The traditional role of the Supreme Court of standing as a bulwark between the executive and the liberty of the subject has been reduced and we have to a large extent become triers of cases."

President of the Natal Law Society, Mr Andries Geyser, said: "The rule of law allows a man certain rights. With the introduction of all these statutes under

the state of emergency, it takes away the rights of the individual.

"The rule of law represents the natural law of the land and it is being disturbed by an unnaturally large number of laws being introduced to change particular situations."

South Africa did not have a Bill of Rights nor has the Supreme Court the power to declare something unconstitutional.

Legal expert Professor Tony Matthews, of the law school at the Maritzburg campus of Natal University, said: "I agree substantially with Judge Leon's statement."

## Forum

"I think the permanent state of emergency is being steadily constructed by the present government so the powers of the court have clearly been diminished.

"There is still a fair amount of room for the courts to act in the protection of rights.

"The judges' role is not only to protect the citizen today but to create the kind of system in which the citizen is better protected tomorrow.

"Even more than that, they can start rebuilding the rule of law state.

"Their impact goes beyond

their immediate judgments."

Said Judge Leon: "Our powers of statutory review are limited. Where something is ambiguous we can interpret it in favour of liberty of innocence."

The director of the Legal Resources Centre in Durban, Mr Chris Nicholson, said he believed the only way to peace in South Africa was to return to the rule of law.

The Progressive Federal Party spokesman on justice, Mrs Helen Suzman, said: "The Bench in the past couple of years has given us some redirection towards the rule of law.

"Nevertheless, every time a judgment is given which emphasizes natural justice, it jolts the South African public into some realisation of what they should be enjoying in a normal society.

"The rule of the courts is not irrelevant and the role of the judges is not disposable.

"We must make use of every avenue. The courts are a forum as well. They are the main avenue whereby the media can report what is happening.

"We may end up as a police state, but until then, we have to use every thing we've got." — Sapa

time with



ber of Parliament while they were in the KTC squatter camp on the above date; if so,

- (4) whether any of these persons attempted to evade this member of Parliament when approached by him; if so, (a) what evasive action did they take, (b) why did they take this action and (c) what was the outcome;

- (5) whether any action has been taken as a result of this event; if not, why not; if so, what action?

†The MINISTER OF LAW AND ORDER:

- (1) Yes.
- (a) A section consisting of 6 members of the South African Police.
- (b) A Warrant Officer and 5 subordinate members.
- (c) (i) and (ii) The members were busy pursuing a number of persons who attacked two vehicles of the Security Forces with petrol bombs and stones with the purpose of arresting them.

- (2) Yes.

(a) to (c) Fall away.

- (3) Yes.

- (4) No.

(a) to (c) Fall away.

- (5) No, because the members were busy with the execution of a by law prescribed task, and by no means exceeded their authority.

*Note:* The incident to which the hon member refers, has bearing on his presence in the area when members were busy pursuing suspect persons who launched attacks on police vehicles, which could not be interrupted at that critical stage, because it could have defeated the purpose of the action with which they were busy and could have exposed them to unnecessary danger. The success in the pursuit of the persons is proved by one arrest that was made.

H o A

Upington: death of Mr X J Jacobs

\*29. Mr J J WALSH asked the Minister of Justice:

- (1) Whether, with reference to his reply to Question No 34 on 17 February 1987, Mr X J Jacobs died while being detained in prison in Upington; if so, what were the circumstances surrounding his death;

- (2) whether this person was kept alone in a cell; if so, for what period; if not, how many persons were with him in the cell when he died;

- (3) whether the inquest into the death of this person has been completed; if not, why not; if so, (a) what was the cause of death and (b) what were the findings of the inquest?

The MINISTER OF LAW AND ORDER (for the Minister of Justice):

- (1) and (2) As mentioned in my reply to Question 34 of 17 February 1987 the circumstances surrounding the death of Mr X J Jacobs are the subject of an inquest.

- (3) No. I caused enquiries to be made and it appears that the inquest was postponed at the request of the legal representative of the next-of-kin. The inquest will resume on 8 July 1987. (a) and (b) Fall away.

*Magistrates: conditions laid down*

\*30. Mr S S VAN DER MERWE asked the Minister of Justice:

With reference to the report tabled by him in Parliament on 2 June 1987 in terms of section 72 of the Internal Security Act, No 74 of 1982, what specified conditions were laid down by the magistrates of each relevant district in respect of (a) the funeral in East London of Ernest Lamati on 1 March 1987, (b) a meeting of mineworkers at the New Denmark Colliery rugby field in Standerton on 1 March 1987, (c) the funeral of Catharine Muthusi in Vryburg on 25 April 1987 and (d) the funeral of Bridget Malumise and Brian Malumise in Welkom on 31 January 1987?

The MINISTER OF JUSTICE (Question laid upon the Table with leave of House):

- (a) The Magistrate, East London laid down the following conditions:

"(i) Where the interment is to take place at a place which is not situated in the immediate vicinity of the place where the memorial service is held, the persons attending the interment may proceed to the cemetery by means of motor vehicles only.

- (ii) Only an ordained minister of a religious denomination or organisation may officiate at the proceedings at the funeral/interment/memorial service: Provided that during the proceedings such minister may not in any manner defend, attack, criticise, propagate or discuss any form of State or any principle or policy of a government of a State or any boycott.

- (iii) No flags, banners, posters, pamphlets or stickers may be displayed, exhibited or distributed during the proceedings pertaining to the funeral/interment/memorial service.

- (iv) No public address system may be used at any stage during the proceedings pertaining to the funeral/interment/memorial service.

- (v) The body of the deceased may only be conveyed by means of a mechanically driven vehicle.

- (vi) The route to the cemetery should be the shortest route from the place of the memorial service/church service".

- (b) The Magistrate, Standerton laid down the following conditions:

- "(i) No political speeches may be made;

- (ii) that the whole gathering is restricted to a prayer ceremony and religious service;

- (iii) that Mr Mashlangwako is held responsible for the maintaining of the peace and good order".

- (c) The Magistrate, Vryburg laid down the following conditions:

"(i) The funeral must be held between 12h00 and 18h00 (on 25 April 1987);

- (ii) all persons attending the funeral must disperse not later than 18h00;

- (iii) the corpse must be transported by motor vehicle over the prescribed route;

- (iv) that all persons attending the funeral must be transported on the prescribed route by means of mechanically driven vehicles;

- (v) the funeral procession must follow the following route:

from the deceased's house in a Western direction along Third Avenue Colridge, then South in Moffat Street to Voortrekker Street, along Voortrekker Street in an Eastern direction to the Roman Catholic Church, Huhudi; and from there to the Cemetery in Huhudi;

- (vi) only Rev Witbooi, Father Springer, Messrs Stephen Moeng, T J Africa, Dan Mabotse, Mrs Dooms and Sebitwane may deliver speeches at any stage during the gathering: Provided that the said persons do not in any way defend, attack, criticise, propagate or discuss any form of State, any principle or policy of a Government of a State or any kind of boycott, the existence of a state of emergency and the conduct of the Forces or members of the Forces;

- (vii) no flags, banners, posters, pamphlets or stickers may be displayed or distributed during the gathering;

- (viii) no loud speaker system may be used during the gathering".

- (d) The Magistrate, Welkom laid down the following conditions:

H o A

327 Standard 23/6/87



TUESDAY, 23 JUNE 1987

280

- "(i) The funeral shall take place on SATURDAY the 31st day of JANUARY 1987 between the hours 10h00 and 13h00. All proceedings in connection with the funeral including the service in the PHILLIP SMITH HALL, and the burial in the CEMETERY must be completed between the abovementioned hours.
- (ii) The number of persons attending the funeral shall not exceed 250.
- (iii) Only the ordained ministers, to wit, the Rev Mei of the Methodist Church, Thabong and the Rev Thothlahemajoe of the Assemblies of God, Thabong are allowed to conduct the burial service and to be speakers in the PHILLIP SMITH HALL and at the burial in the CEMETERY.
- (iv) The bodies of the two deceased are to be transported from their home to the PHILLIP SMITH CEMETERY, by mechanically driven vehicles only.
- (v) The cortège as a whole and at all relevant times during the proceedings shall consist of motor vehicles only and no pedestrians shall form part of the funeral procession.
- (vi) The hearses carrying the bodies of the deceased and the funeral procession as a whole, shall follow the shortest possible route from the home of the deceased to the PHILLIP SMITH HALL and to the CEMETERY.
- (vii) No speeches of a political nature or the singing of freedom songs are allowed as part of the night watch or the burial proceedings. No banners, posters, T-shirts, pamphlets, handbills or stickers bearing political slogans and aimed at the furtherance of the objectives of any organisation shall be displayed or distributed during the proceedings.

(viii) That all people attending the burial shall leave the CEMETERY immediately after the conclusion of the burial and in an orderly manner."

#### Children detained

\*31. Mr R M BURROWS asked the Minister of Law and Order:

Whether any children as defined in the Child Care Act, No 74 of 1983, were being detained in the Republic as at 10 June 1987; if so, (a) how many children who were under the age of (i) 18 and (ii) 16 were being detained as at the above date or the latest specified date for which information is available and (b) at what places were they being held?

#### The MINISTER OF LAW AND ORDER:

In commenting I wish to point out that the hon member gave no indication to which category of detainees he refers. Therefore I furnish particulars in respect of children who were in detention on criminal charges.

Yes.

- (a) (i) 51 children.  
(ii) 190 children.

(b) At different places in the Republic

Note: I want to point out to the hon member that these persons were detained only to ensure their presence in court and because of the seriousness of the reasons for their detention, it was not feasible to detain them in places of safety, or to release them on bail, or to hand them to their parents or custodians.

Mr R M BURROWS: Mr Chairman, arising out of the hon the Minister's reply, do I understand him correctly that his definition of "detention" refers simply and solely to criminal charges?

The MINISTER: Mr Chairman, I have just replied to the question that the hon member put on the Question Paper. If he wants any further particulars, I am prepared to try to help him, but then he must table his question, please.

281

TUESDAY, 23 JUNE 1987

282

Mr R M BURROWS: Mr Chairman, further arising out of the hon the Minister's reply, do I understand that his definition of "detention" refers exclusively to criminal charges? If not, then the definition of "detention" is a broad one.

The MINISTER: Mr Chairman, as I have said, I replied to the question the hon member put to me. If he wants further information he must please put his questions on the Question Paper.

#### Education moneys: financing formula

\*32. Mr R M BURROWS asked the Minister of National Education:

- (1) Whether a certain common financing formula for the allocation of education moneys, particulars of which have been furnished to the Minister's Department for the purpose of his reply, is available for public information; if not, why not;
- (2) whether he is obliged to (a) table and (b) publish any general policy on education; if so, (i) in terms of what statutory provisions and (ii) what is this policy;
- (3) whether he will make a statement on the matter?

The MINISTER OF NATIONAL EDUCATION:

- (1) No. General financing formulae for education have already been drafted, but have not been formalised as general education policy, as certain parties concerned still have to be consulted. Although these formulae are already being used as an interim frame of reference for the calculation of the education budget, these formulae will be announced later as part of general education policy.
- (2) (a) and (b) Yes.

- (i) Section 2 (2A) of the National Policy of General Education Affairs Act, 1984 (Act No. 76 of 1984).
- (ii) Policy on any matter referred to in section 2 (1) of the said Act.

(3) No.

#### Khayelitsha: housing

\*33. Mr K M ANDREW asked the Minister of Constitutional Development and Planning:

- (1) What was the estimated number of persons living at Khayelitsha in (a) conventional or starter-core housing and (b) informal or squatter-type housing or tents as at the latest specified date for which information is available;
- (2) whether the development of Khayelitsha differs in any way from the original development plan announced in March 1984; if so, (a) why, (b) in what respect, (c) (i) when was it decided to deviate from the original plan and (ii) who took this decision and (d) what will be the effects of these deviations on the economic viability of Khayelitsha;
- (3) whether any members of the Black community were consulted in regard to changes in this development plan; if not, why not; if so, (a) what persons were consulted, (b) why were they chosen to be consulted, (c) when were they consulted and (d) what were their views;
- (4) whether a new development or structure plan for Khayelitsha has been drawn up; if not, why not; if so, (a) (i) by whom and (ii) when was it drawn up, (b) who was consulted in the matter, (c) how does it differ from the original plan and (d) where can copies of this plan be obtained by members of the public?

The DEPUTY MINISTER OF DEVELOPMENT PLANNING:

- (1) (a)  $\pm 36\ 000$ .  
(b)  $\pm 100\ 000$ . 15 June 1987.
- (2) Yes.
- (a) To accommodate the increasing number of squatters in the Peninsula area.

HQA

23/6/87 *Andrew*

*Andrew* 23/6/87



Primary school Teachers

	1986	1987
Cape .....	243	0
Natal .....	119	0
OFS .....	0	0
Transvaal .....	83	26

(bb) Cape: this information is not available.

Transvaal: this information is not available.

OFS: not applicable.

Natal: Accountancy, Afrikaans, Art, Biology, Business Economics, English, Economics, Geography, German, General Science, History, Industrial Arts, Mathematics, Media Centre, Music, Physical Education, Religious Education, Physical Science, Typing, Woodwork;

(2) Yes.

	Number	Capacity
Cape .....	0	not applicable
Natal .....	1	as a clerk
OFS .....	0	not applicable
Transvaal ..	109	as teachers

The STATE PRESIDENT:

(a) The hon member is referred to Question 20 of 8 April 1987. The attention of the hon member is further drawn to the fact that the various interdepartmental committees meet regularly as necessary. The hon member is welcome to discuss the subject of the Security Management System with me, if more details are required.

Mr P H P GASTROW: Mr Chairman, arising from the hon the State President's reply, did I understand him correctly to say that details about the operation of the system will in future not be made public but can only be obtained by the leaders of the various political parties through personal discussions with the hon the State President?

The STATE PRESIDENT: Mr Chairman, it should be done preferably by way of discussion with me. Should the hon member however, wish to raise the matter during the discussion of my Vote, I will be prepared to reply to it.

Mr P H P GASTROW: Mr Chairman, further arising from the reply given by the hon the State President, does he not believe that it is in the interests of the public to have information about the system which presently ...

The CHAIRMAN OF THE HOUSE: Order! That question is disallowed. The hon member is trying to elicit information unconnected with the content of the original question.

†Indicates translated version.

For oral reply:

General Affairs:

State President:

\*1. Mr C W EGLIN—State President. [Withdrawn.]

State Security Council

\*2. Mr C W EGLIN asked the State President:

(a) How many inter-departmental committees of the working committee of the State Security Council had been established as at 1 June 1987, (b) what is the name of each such inter-departmental committee, (c) what are the terms of reference of each committee, (d) who is the chairman of each of these committees and (e) in which Government Department is each such chairman usually employed?

Ministers:

Algoa: Regional Services Council

\*1. Mr D J N MALCOMESS asked the Minister of Finance:

(a) What is the (i) annual salary, including allowances, and (ii) car allowance paid to the chairman of the Regional Services Council in the Algoa area and (b) in respect of what date is this information furnished?

†The DEPUTY-MINISTER OF FINANCE (Dr G Marais):

In terms of the Regional Services Councils Act, 1985, the remuneration and allowances of the chairmen and members of Regional Services Councils are determined by the respective Provincial Administrators.

(a) (i) It was recommended to the Council for the Co-ordination of Local Government Affairs that the chairman not be paid a salary but an all-inclusive annual emolument, linked to a maximum daily allowance varying according to the level of complexity and responsibility of the particular Regional Services Council. A loading of 25% is applied to the daily tariff for an ordinary Regional Services Council member and further loading of 50% is proposed, to compensate for the fact that no service benefits are available in respect of pension, medical aid and housing. Transport costs are met only in part.

(ii) Taking into account the motor transport expenses to be borne by the chairman himself, it was recommended that compensation be payable according to a kilometre allowance on the basis applicable to the provincial administrations. (b) This will be the situation when RSC's come into being on 1 July 1987.

Mr D J N MALCOMESS: Mr Chairman, arising out of the hon the Deputy Minister's reply, is he or the hon the Minister prepared to disclose to the public of South Africa the

amounts of money that are to be paid to the chairmen of regional services councils—the actual amount in rand and cents? Secondly, is he prepared to disclose what the average member of a regional services council is to receive in rand and cents?

This is the second time I have had a similar question on the Order Paper; both times I sought a figure in rand and cents. On neither occasion was I given the figure.

†The DEPUTY MINISTER: Mr Chairman, I replied to the question on behalf of the hon the Minister. If the hon member will formulate his question like he has done it now, I think the hon the Minister would certainly give his attention to it.

Mr D J N MALCOMESS: Mr Chairman, further arising out of the hon the Deputy Minister's reply, my question clearly asks what the annual salary is, including allowances. I do not know how much clearer I can be. I ask the hon the Deputy Minister whether he is prepared to give me that figure in rand and cents.

†The DEPUTY MINISTER: Mr Chairman, there are several adjustments and I think it is a matter for the Administrator who is actually personally responsible for the determination of these amounts. I think the Administrator will be able to furnish the exact figures as from 1 July.

\*2. Mr D J N MALCOMESS—Finance. [Reply standing over.]

Mamelodi: inquest

\*3. Mr P G SOAL asked the Minister of Justice:

Whether, with reference to the reply to Question No 7 on 19 August 1986, the Attorney-General has reached a decision regarding the inquest into the deaths of the persons killed in Mamelodi on 21 November 1985: if not, (a) why not and (b) when is it anticipated that a decision will be reached; if so, (i) when and (ii) where will the inquest be held?

†The MINISTER OF LAW AND ORDER (for the Minister of Justice):

No.

*Handwritten signature and date 23/6/87*

# SAP 'to serve, protect despite the danger'

## Political Staff

THE SA Police have been plagued by a spate of violent deaths in recent months, but this would never destroy their will to protect and serve the people of the country, said Law and Order Minister Mr Adriaan Vlok today.

He was speaking at a passing-out parade of police students at Bishop Lavis.

In a prepared text of his speech released by his office, Mr Vlok said the SA Police, like most successful police forces in the world, often came under severe attack from various quarters.

These attacks were normally two-fold — either a physical attack such as which took place in the Peninsula last night when seven policemen were injured by a grenade thrown at their patrol, or a far-more-sinister psychological and propaganda attack.

Mr Vlok said both forms came from those who did not like the police, either because they stood for law and order, or because they were a stumbling block to revolutionary ideologies.

Mr Vlok said: "The physical attack on the police force is a burden with which we can cope. We are saddened by the loss of our colleagues who are often brutally killed in gun-fights, bomb blasts or even beaten or stoned to death."

"But, what we really have to guard against are the psychological and propaganda attacks being launched against us. These are very real and extremely well-planned and executed."

## Attacked violently

"Those who stand for revolution realise that as long as the police are there to stop them they will never achieve their goal."

"Physically they will never be able to destroy the force, even although sometimes we are attacked violently."

"Their strongest weapon is to attack our credibility, to tarnish us with the public we must protect and serve."

Mr Vlok said the police had information that a new attack was soon to be launched against the force with the emphasis on so-called torture.

Everything possible was to be done to create an impression that the police were a brutal, callous force.

## Faceless "witnesses"

"We are again to be made out as torturers, vicious and violent."

"To try and prove their case so-called 'witnesses' will again be produced, most of them faceless by untested and one-sided allegations."

"It is a pity these false, unfounded or exaggerated stories are spread into the world, but even more so that it is often done by well-meaning people who are unwittingly used to propagate this cause."





# Emergency 'protects law'

## Political Staff

5799  
24/6/82  
327  
The state of emergency was necessary to protect the rule of law, said the Minister of Justice Mr Kobie Coetsee after emergency measures were attacked in the House of Representatives for eroding powers of the judiciary.

Mr Coetsee was replying to a private member's motion calling for the lifting of the state of emergency.

## THREAT TO LAW

"These people's courts which give the necklace as a sentence, aren't they a threat to the rule of law?" he said. "At stake is a person's life and his right to be tried and represented."

Detainees were released if the courts decided their detention was unlawful.

Mr Coetsee said the fact that he and Minister of Law and Order Mr Adriaan Vlok had paid up following court decisions that members of the security forces had "unlawfully assaulted" people arrested or detained was proof that the rule of law was operating.

In the same debate the Labour Party MP for Addo, Mr Peter Hendrickse, said he was particularly perturbed about the rehabilitation camps.

What, he asked, were the youths in the camps going to be taught — the ideals of democracy or the ideology of apartheid?

Wednesday, June 24, 1997 ★

# Vlok: Torture claims a plot 'by dissidents'

THE Minister of Law and Order, Mr Adriaan Vlok, said yesterday that dissidents had planned a new campaign of "false, unfounded and exaggerated" allegations of torture and brutality designed to undermine the security forces.

"We are again to be made out as torturers, vicious and violent," Mr Vlok told coloured police recruits at a parade in Bishop Lavis.

He said police had information that dissidents planned to attack the credibility of the police with charges of torture and brutality.

"To try to prove their case, so-called witnesses will again be produced, most of them with untested and one-sided allegations. It is a pity these false, unfounded and exaggerated stories are spread into the world," he said.

Lawyers and civil-rights groups have recorded hundreds of affidavits and statements alleging that police tortured blacks detained without charge under a year-old state of emergency.

Allegations by children, adults and priests have included whipping, electric shocks, suffocation, teargassing in confined spaces and assault with bricks, sticks and batons.

State of emergency restrictions prohibit the publication of allegations against the police without the permission of a magistrate, even when the charges are made in court evidence.

In a related development, Mr Vlok and other cabinet ministers yesterday rejected proposals by the independent Medical Association on the treatment of children in political detention and in prison.

The Medical Association published its code in the Medical Journal last week.

The code emphasized the "awesome responsibility" of detaining children without charge.

It urged authorities not to hold any child for more than two days without bringing charges and to ensure that every child is returned to the care of its parents as soon as possible.

Other proposals included a prohibition on interrogation without parents and lawyers present and the formation of a unit specially trained to deal with children.

"At present," the association said, "children are not granted any special protection in terms of (security) legislation physically, mentally or legally.

"The potential consequences... are very disturbing."

Mr Vlok and other ministers involved with prison administration said the code was unnecessary.

"Most of the provisions which form part of the code are already being carried out," they said in a statement released in Cape Town.

Mr Vlok has acknowledged in Parliament that up to 300 children under 16 years of age have been in detention for 30 days or more at any one time.

Civil-rights groups including the Detainees' Parents Support Committee say that children up to 17 years old account for up to 40% of the estimated 30 000 people held without charge for periods of a few days to a year.

Children detained under emergency rule are sometimes held with adult prisoners. They have no right of access to parents or lawyers and there is no formal limit on how long they can be held. — UPI



NR 64's 24/6/87

Commission urges more flexible approach to labour relations

# Law may protect strikers

Political Staff

IN a major report, the National Manpower Commission has recommended that the Government, including the security police, stay out of labour disputes as far as possible.

Legislation should be introduced to protect legally striking or picketing workers against security laws, the commission said in a report tabled in Parliament yesterday.

Workers and employers should be given maximum freedom to decide on ways of collective bargaining and settlement of their disputes.

"The theme of this report is the encouragement of collective bargaining and the use of statutory and non-statutory procedures for the resolution of disputes for all organisations, registered or unregistered."

## Force of law

The report recommends that disputes negotiated outside the ambit of the statutory industrial council system should still have the full force of law.

For instance, a strike may still be regarded as acceptable even though it follows the exhaustion of dispute settlement procedures which are not statutory.

The report generally urges a more flexible and pragmatic approach to labour relations.

Some of its recommendations, it says, merely reflect "only the statutory entrenchment of practices that have developed over the years".

More specifically, it recommends that:

- An overriding clause should be inserted in the Labour Relations Act to protect workers participating in acceptable strikes against security laws.

- The law should be amended to allow some forms of picketing and similar forms of industrial action.

- Lawfully picketing workers should be protected against security and other laws.

- The commission should further investigate the legalising of picketing under certain conditions.

These conditions could include that no intimidation or

violence takes place and there is no obstruction of entrances to workplaces.

- The possibility of extending the right to strike and lock-out to certain workers in the public sector should be investigated.

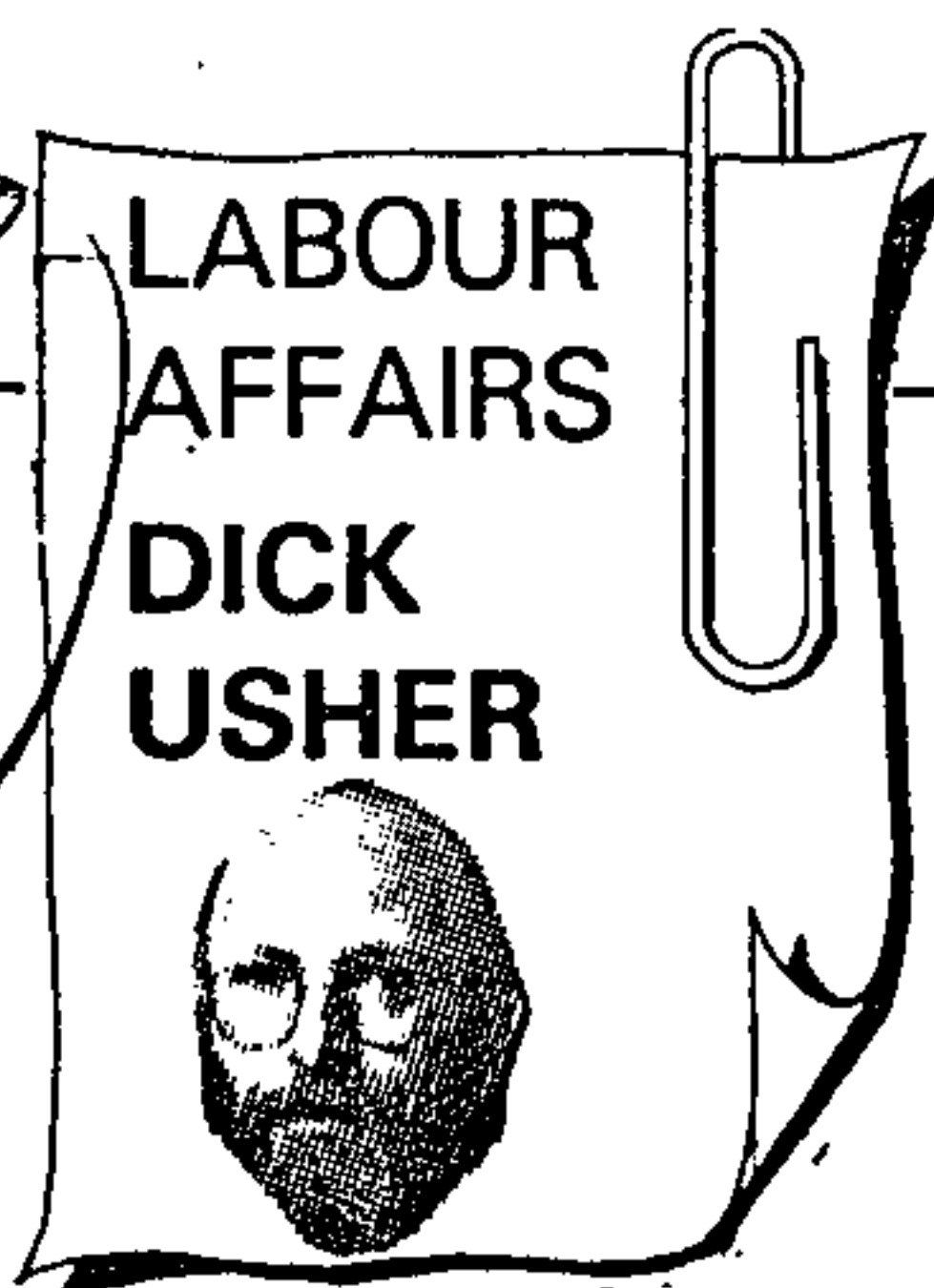
- The notion of the acceptability of strikes should be written into the Labour Relations Act, and

- The Industrial Court be given extra powers to enforce collective agreements, hear disputes where the dispute settlement machinery of the Labour Relations Act is not used, decide on the acceptability of strikes or lock-outs and whether or not striking workers should be dismissed, and issue interdicts where strikes or lock-outs are unacceptable.

W/6/1987  
26/6/87

327

## Sowing seeds of division



IT'S a bit difficult to comprehend what motivated whoever it was who put out a pamphlet trying to undermine the Food and Allied Workers' Union (Fawu) last week.

The pamphlets turned up all over the Western Cape, almost everywhere the union is organised, and were obviously an attempt at sowing seeds of division and mistrust.

Fawu is the strongest affiliate of the Congress of South African Trade Unions (Cosatu) in the Western Cape. It was formed from an amalgamation of the Food and Canning Workers' Union (FCWU), Retail and Allied Workers Union and Sweet, Food and Allied Workers' Union in line with Cosatu's policy of one union, one industry.

The Food and Canning Workers' Union was established in 1941, later affiliating to the South African Trades and Labour Council. When this broke up in the 1950s FCWU, which at that point had split into two branches under National Party apartheid legislation, played an active role in the formation of the South African Congress of Trade Unions (Sactu).

During these years it has developed a strong and loyal membership, and the utility of distributing what a Fawu spokesman called "disinformation" seems a trifle obscure.

The spokesman said it was not the first time it had happened, but was certainly the most widespread.

Creating disharmony among workers would, in these economic times, appear to be counter-productive. Divisions among workers can very quickly lead to problems in the workplace which can easily spill over into the community, both of which hamper productivity.

At the same time, managements prefer to deal with united, confident unions which can negotiate with a full mandate from membership, rather than unions weakened by division.

The major advantage for both parties is the knowledge that agreements so negotiated will be solid and not subject to factional disputes.





**TOWNSHIP CRIME SWOOP** ... Security forces move into position for the massive crime-prevention operation at KTC yesterday.

# Crime raid at KTC

By CHRIS BATEMAN and  
JOHN van der LINDEN

**AT LEAST 110 KTC residents were yesterday held in the biggest security force crime-prevention swoop in a black Peninsula township this year.**

Dozens of Casspirs, Buffels and police vans surrounded the squatter camp about 10.30am. Soldiers and policemen then moved in to begin house-to-house searches.

## Black talks: Govt's dramatic new move

IN A dramatic new gesture to get negotiations with black leaders off the ground, Dr Stoffel van der Merwe, who was recently appointed to spearhead the drive, said yesterday that he would be prepared to talk to people in jail or detention.

Dr Van der Merwe, who was appointed Deputy Minister of Constitutional Planning by the State President, Mr P W Botha, last month to head the negotiations, also said he would not demand that black leaders renounce violence before talking to them and that he would not rule out speaking to "elements" of the UDF.

Dr Van der Merwe's conciliatory approach reflects a significant shift in government thinking. It seems determined to initiate discussions with a far wider range of black people and organizations than ever before, including organizations strongly opposed to government policies.

But he would "think twice" before speaking to someone who was publicly committed to violence.

□ Interview, page 12

Several youths fled into Guguletu minutes before a police helicopter began to circle the squatter camp.

A police spokesman said that by early evening all but 14 of the 110 suspects had been released. He said 800 security force members had taken part in what he said was a "routine crime-prevention operation".

The swoop follows Monday's grenade attack near KTC which left seven policemen slightly injured, and two attacks on vehicles near KTC on Tuesday in which two people were hurt. Last week the wife and daughter of Guguletu community councillor Mr Denys Lobi, and two special constables, were hurt in successive grenade attacks on his NY 72 home.

Security force members yesterday handed out pamphlets to residents describing the crime-prevention operation as a search for stolen property and unlicensed firearms and ammunition. The pamphlets said the swoop was an attempt to "identify suspects and arrest them" and promised residents rewards for information leading to arrests and convictions. "We rely on you, the concerned citizen, to help us identify suspected arsonists, petrol bombers and stone throwers," it said.

It said the swoop was necessary to maintain law and order and to "protect you from troublemakers".

Members of the Peninsula Reaction Unit confronted several local and foreign news teams and escorted them out of Guguletu.

The raid ended about 1.30pm and security forces withdrew as small groups of residents danced in the streets.

No shots or teargas canisters were seen being fired by security forces during the operation.

The 14 suspects were charged with possession of dagga and mandrax, public violence, car theft, and murder. Police had confiscated "suspect" television sets, electricity generators, radios, hi-fi sets, a "walkman" and two cars, the police spokesman said.

A spokesman for Guguletu Day Hospital said no residents with injuries which could be attributed to the operation had been treated.

The raid came a day after the Divisional Commissioner for the Western Cape, Brigadier Ronnie van der Westhuizen, issued a Government Gazette notice banning access to the KTC land which was cleared and levelled after last year's violence.

CHM Tink

26/6/87

371



# Hendrickse: Police probe charges

Political Staff

17/6/87 327  
POLICE are investigating charges under the emergency regulations against Cabinet Minister the Rev Allan Hendrickse, chairman of the Ministers' Council in the House of Representatives.

The Minister of Law and Order, Mr Adriaan Vlok, indicated this in Parliament yesterday in reply to a question from Mr Peter Mopp, Democratic Party MP for Border.

Mr Vlok did not mention Mr Hendrickse by name but Mr Hendrickse's son, Addo MP Mr Peter Hendrickse, confirmed today the person referred to in the question was the Labour Party leader.

Mr Vlok's reply disclosed police had begun an investigation against Mr Hendrickse for an alleged infringement of emergency regulation 224, paragraph (1), published on December 11.

## DEMOCRATIC PARTY

The clause forbids anyone from calling for a commercial boycott.

Mr Vlok indicated that charges had been laid against Mr Hendrickse in his home town, Uitenhage, on April 28.

Mr Peter Hendrickse said they had been laid by members of the opposition Democratic Party.

They followed a speech by Mr Hendrickse senior in which he had called on people not to buy from a Uitenhage shop owned by Mr Peter Muller, a nominated Labour Party MP who crossed to the Democratic Party.



# Challenge to 'Emergency' inside an Emergency

THE Weekly Mail challenge to the new State of Emergency starts in the Durban Supreme Court today.

In a double-handed challenge to the Emergency, the first application is being brought jointly by Weekly Mail Publications, the Release Mandela Campaign and its official, Aubrey Mokoena. A second application, to be argued in tandem, is being made by a Durban detainee, Melisiwe Queen Shamase, who has been detained since December 12 last year.

The first application challenges the validity of the Emergency on two main grounds:

- It was declared while another Emergency was in force, something not provided for under the law.

- The state president's opinion published in the new proclamation — that the Emergency was being declared "because the ordinary law of the land was inadequate" — could not have been "properly formed".

They claim the first Emergency was declared in June last year soon after the government said it did not have adequate legislation to deal with the situation in the country. The proposed new legislation ran into difficulties when neither the House of Delegates nor of Representatives would pass a new security Bill, and the Emergency was then proclaimed.

However, during the first weeks of that Emergency, the proposed legislation was passed through the intervention of the President's Council.

Since the time these amendments became law, the need for the Emergency no longer existed as the state had the legislation it had said was necessary to control law and order and safeguard public safety.

The validity of the media restrictions re-imposed in the new emergency are also tested by the Weekly Mail and the RMC.

Among the restrictions challenged in particular by the WM is the definition of a subversive statement, the definition of security force action, the power to confiscate publications and the ban on publishing blank spaces indicating material that has had to be censored through the regulations.

The application, set down to begin today, is likely to be postponed to a later date, and a date will be set for the state to file their answering affidavits.

The applicants in the media case will be represented by Advocate Ismail Mahomed SC, assisted by Shaun Naidoo and Leonard Gering, instructed by attorneys from the firms Bell, Dewar and Hall and Priscilla Jana and Associates.

26/6-2/7/87

## It's agreed: Blue Velvet's artistic

By CHARLOTTE BAUER  
and JEFF ZERBST

AT an unusual Publications Appeal Board review of David Lynch's *Blue Velvet* in Pretoria yesterday an uncommon situation arose: all parties agreed on the film's artistic merit.

The board has deferred its decision on the film until Monday.

The hearing took place at the behest of Home Affairs Minister Stoffel Botha who, using his powers under the Publications Act, called for a review of the publications committee's decision last year to pass the film with two cuts.

W/Mail 327  
● TO PAGE 3

## It's agreed: Blue Velvet's artistic

Johann van der Westhuizen, of the directorate of publications, was called to put forward possible objections to the film.

When the attorney for Ster-Kinekor, Lauren Jacobson, said she also wished to challenge the existing cuts, the chair of the appeal board, Professor Cobus van Rooyen, declined to hear her argument.

● From PAGE 1

Danie Olwage, appearing for the publications committee, agreed with Jacobson and Van der Westhuizen that the film, albeit, "powerful and disturbing", was in no way designed to awaken the bizarre sado-masochistic tendencies in any reasonable adult.

26/6-2/7/87

W/Mail 327



# Foreign media 'undermined SA'

CHE T1018  
26/6/87  
327

Staff Reporter

THE foreign media have seriously undermined international political and financial confidence in South Africa, according to Mr David Steward, chief of the Bureau for Information.

Speaking on the foreign media at a seminar in Johannesburg yesterday, Mr Steward alleged there were "some scoundrels" among foreign newsmen. "But," he said, "for the most part they are honest and professional journalists."

However, the "caricature" of South Africa presented abroad did not accord with reality and the foreign media had failed the grasp the complexities of the country's situation.

The media regulations had not resulted in a decline in interest in South Africa nor a reduction in the number of foreign correspondents.

"They continue to congregate around Johannesburg's plush watering holes; they continue to prowl the country in search of some new angle," he said.

There were 190 foreign media personnel accredited with the Bureau, which comprised "the largest press corps outside the great world capitals".

Mr Steward said that while extensive foreign news coverage of "South Africa's torment" had seriously undermined confidence in the country, it was "nonsense to infer that the foreign media caused our problems."

"The roots of conflict in our society are much deeper and more complex than that. But, it is true that the radicals knew how to make use of the media and that they (the media) were often tipped off in advance about impending unrest," he said.

And it was true that in their simplified coverage of events, the



MR DAVE STEWARD ... "inaccuracies and inconsistencies".

foreign media had "conveyed a seriously distorted image of our country".

The print media had done a better job in conveying South African news than television because newspaper readers were forced to engage "some of their brain cells".

"TV news, on the other hand, by-passes all the higher brain functions and impacts directly on the visual and emotional centres."

The assertion that the camera displayed images of relentless and dispassionate objectivity was utterly wrong — "the camera does exactly what its manipulator wants it to do".

The real story in South Africa was not about black/white conflict but about the fact that South Africa was at the interface between the First and Third worlds; Western and Eastern values.

The Foreign Correspondents' Association of Southern Africa

said it had "noted Mr Steward's remarks with a certain degree of confusion."

"Given his previous calls for factual and balanced reporting, we are surprised that his own remarks should contain a number of inaccuracies and inconsistencies," the statement said.

"For example, the leaders of the Christian Phalange in Lebanon may be somewhat surprised to learn that they enjoy the support of Ayatollah Khomeini of Iran, a claim made uniquely by Mr Steward."

"We learn also from Mr Steward that the Western media ignored North Vietnamese atrocities in the Indo-China war. He appears to have overlooked the Hue massacre of 1968 which was fully reported in the West."

"Mr Steward's observation that the Western media's interest in Vietnam ceased once the last helicopter had taken off from Saigon will again be of surprise to the body of foreign correspondents who remained in Saigon after its fall and whose coverage of the situation there was halted only when the government took action against the media."

"The plight of the Vietnamese boat people would not have been reported had the Western media not maintained a continuing interest in the fate of that country."

"Mr Steward refers to some foreign correspondents in South Africa as 'scoundrels'. No journalist would employ such language without supporting his allegation with properly sourced facts."

"The FCA is further confused by Mr Steward's reference to the limited 'brain functions' of television viewers given that television was the principle vehicle through which the so-called Peace Song was promoted by his own department, the Bureau for Information."

# Emergency detention rules eased

Dispatch Correspondent

CAPE TOWN.— A number of the tough rules affecting emergency detainees have been repealed and replaced by less stringent regulations similar to those applying to awaiting trial prisoners.

President P. W. Botha promulgated relaxed or improved regulations in the Government Gazette yesterday which provide for compulsory medical examinations after arrest, segregation from "ordinary" prisoners, study by correspondence and a maximum police lockup period of 14 days.

The powers of the Minister of Justice, Mr Kobie Coetsee, to make the rules for detainees were repealed, and with them the rules themselves.

The rules prevented detainees from receiving reading matter, letters or study material and provided for a number of other measures such as stiff penalties for petty offences.

However, in terms of the new regulations detainees will still be disqualified from buying for themselves from outside prisons any newspaper or foodstuffs or procuring a radio, record player, tape recorder, musical instrument or television set.

However, the writing and receiving of censored letters will apparently be permitted. Visits will still be subject to approval by the minister.



# Bid to declare curbs invalid

DURBAN — An application to have the emergency regulations, proclaimed by the State President on June 11, declared invalid has been adjourned in the Natal Supreme Court.

The application was brought by the Release Mandela Campaign, a Soweto businessman and national co-ordinator of the campaign, Mr Dundubela Aubrey Mokoena and by the publishers of the Weekly Mail, W. M. Publications.

They cite as respondents the State President, the South African Government the Minister of Law and Order, the Commissioner of Police, the Minister of Home Affairs and the Minister of Justice.

In the application before Mr Justice Leon yesterday, the applicants asked the court to declare that the proclamation of the emergency regulations was without force and effect in law.

Alternatively, they claim that certain sections of the regulations and of the media regulations are invalid.

Mr I. Mahomed, SC (for the applicants), said it had been agreed that the case be adjourned to July 13 to allow the respondents time to file opposing documents.

Adjourning the matter, Mr Justice Leon said it would be for the presiding judge to decide whether it was a matter of such urgency as to be heard on July 13. — Sapa

## Emergency regulations queried

BLOEMFONTEIN — The Appeal Court here yesterday, in a majority decision, gave judgment in three appeals, in regard to the 1985 and 1986 emergency regulations.

At issue is the validity of regulation 3(3), regulation 3(10)(a) and rule 5(1).

The court dismissed, with costs, the appeal by Mr Abdullah Mohamed Omar, a Cape Town advocate, and five others, against the dismissal by a full bench of the Cape

Supreme Court on December 20, 1985, of an urgent application by them for their release from custody.

Since the hearing of the application, all six have been released.

The court also dismissed the appeal by Mrs Marjorie Fani and three others from Fort Beaufort and Zwide.

This appeal was against the refusal of a full bench of the Eastern Cape Supreme

Court, to grant a rule nisi in connection with the detention of members of their families and a friend, detained on July 26, 1985.

The third appeal, by the State President, the Government of South Africa and the Minister of Law and Order, against an order that the Minister must furnish the Moderator of the Evangelical Presbyterian Church of SA, Rev Jean-Francois Bill, in writing, with grounds for

his continued detention in terms of the 1986 regulations, was upheld.

The latter order was made in the Witwatersrand Local Supreme Court on August 4, 1986, on the application of Mrs Mary Cameron Bill.

The majority judgment was given by the Acting Chief Justice, Mr Justice Rabie, with the concurrence of Mr Justice Joubert, Mr Justice Viljoen and Mr Justice Boshoff (acting judge of appeal). — Sapa

...the Boston Hotel and the ... A spokesman for the board said licences.

277  
CASE FILED 27/6/82

# Bid to challenge emergency

Own Correspondent

DURBAN. -- An application challenging the validity of certain emergency regulations declared by the State President on June 11 this year, was brought before Mr Justice Leon in the Supreme Court here yesterday.

In the application by the Release Mandela Campaign, Mr Dundubela Aubrey Mokoena and W M Publications (Pty) Ltd sought to declare invalid the 1987 state of emergency and regulations under the Public Safety Act.

Certain sections of the emer-

gency media regulations were also attacked.

Mr Mokoena, a Soweto businessman and co-ordinator of the RMC, said that W M Publications, publishers of the Weekly Mail, was "vitally" affected by the 1987 media regulations.

"The Weekly Mail carries extensive news items, commentary and advertisements on matters which are ostensibly prohibited and affected by parts of the 1987 media regulations," he said in an affidavit before court.

Counsel for the applicants, Mr I

Mahomed, said it had been agreed by both parties to adjourn the hearing till July 13.

He also asked the judge to direct that the matter be convened before a full Bench.

Adjourning the hearing, Mr Justice Leon told counsel he could give them no assurance that it would be heard on July 13.

"I am not giving any ruling that the matter is of such urgency to be heard on that day."

He said it would be for the presiding judge to decide.

WATCHES — 18 & 21 GOLD RUBY AND DIAMOND DRESS RINGS — ANTIQUE GOLD  
BLUE SAPPHIRE AND DIAM

WOOL-TRE

282/4



# Discrimination still exists — Russell

EAST LONDON — The Bishop of Grahamstown, the Right Reverend David Russell, said there was still discrimination between races, sexes and churches.

Bishop Russell told delegates attending the Grahamstown Diocesan Mothers' Union conference, being held at Holy Cross Anglican Church in Mdantsane, that discrimination should be fought and removed by the church.

"Women have rights in the church and in the world," he said.

Bishop Russell told delegates that one of the issues to be discussed at a conference in London next year, would be the ordination of women to priesthood.

He said this would be a major issue since it could tear the Anglican church apart as there were many people against the move.

The women were the backbone in the



BISHOP RUSSELL

church and their role was important Bishop Russell stressed.

He told the delegates that women had been treated as second class citizens and black women were treated as third class citizens.

The theme of the three-day conference, which started yesterday, and ends on Sunday, is "Thrift — Lord place a guard at my mouth, a sentry at the door of my lips."

It was Bishop Russell's first official address to the Mothers' Union since he was enthroned after the retirement of Bishop Kenneth Oram in March. — Sapa



327

SUNDAY TIMES, June 28, 1987

25



CENSORS' DILEMMA: Sex rears its ugly/lovely head in "The Berlin Affair", currently on circuit with a 2-21 age limit



327

S.T.

28/6/87.

# Two of MY books were banned. But still I warn: We must not open the floodgates of pornography

**N**O aspect of life in the West is more greatly prized than individual freedom. And of all the forms that freedom takes it is perhaps the freedom of speech that is the most fundamental component of our liberal heritage.

When Jefferson said he preferred a free Press without government to government without a free Press he was expressing the core idea of liberal thinking, the bulwark that would ensure, in his case, that Americans would never again be subjected to tyranny.

In an ideal society, composed of

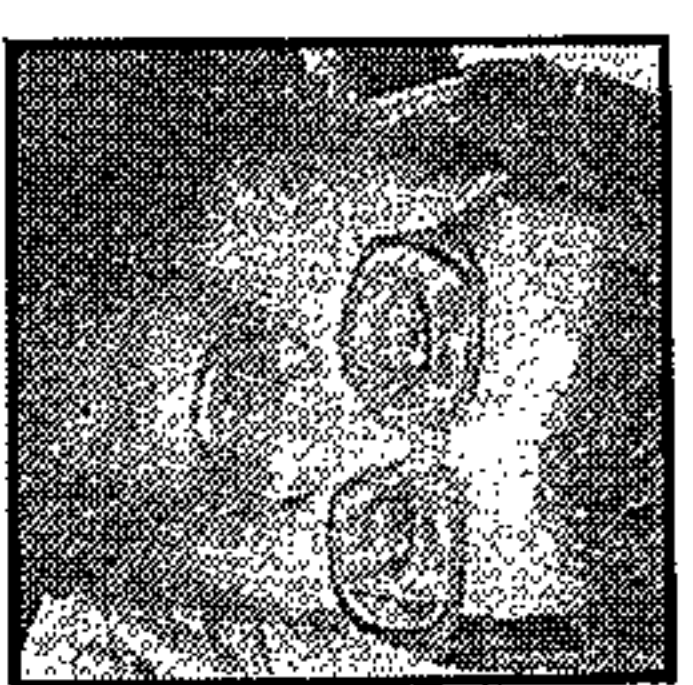
5-T  
18/6/87

327

# SFIRP

THE Publications Appeal Board this week reviewed the movie "Blue Velvet" amid indications of a tougher Government approach to public morality. Sunday Times Arts Editor Barry Ronge and South African author Wessel Ebersohn cross quilts on the issue of censorship ....

## Ape we to cut our links with the rest of the world for a bit of skin and a few bruises in Blue Velvet?



By  
**Barry  
Ronge**

erated many who might previously never have expressed themselves because of their fear of the consequences, and that has been appreciated by the international community.

The arts in South Africa are doing exactly what everyone bleats about doing. We are talking to the international community and they are talking back to us. In fact, the only bannings and restrictions of importance have been imposed by outsiders.

Steven Spielberg's "The Colour Purple", with its powerful anti-racists stance, would certainly have been banned 10 years ago.

The censors passed it — but screening has been prevented by the scruples of black author Alice Walker who, in sympathy with the cultural boycott, has refused permission to have it screened here.

The censors also granted screenings of Kevin Harris's controversial anti-apartheid film which were prevented by the American producer who also pro-

fessed sympathy with the cultural boycott.

Which is why the cry for tougher censorship to shelter us from the flood of pornography that films like "Blue Velvet" allegedly unleash is like watching another ox-wagon being wheeled into the laager to obscure our already hazy view of the rest of mankind.

### Pathetic

The only reason we still have films at all is that distributors from this country have been able to tell producers that our censorship has changed and our films are screened in multiracial cinemas.

Nobody understands how close we have come, how close we still are, to seeing a shutdown of the entertainment industry in this country because of indiscriminate cuts and bannings.

The work of the censors, the liberating changes they have made, have given our theatre

managements, performers and film companies valid proof that change is happening in this country, proof which lends credibility and keeps them in business, with the jobs, revenue, profits and services they offer to everyone here.

To go backwards would be to cut their legs out from under them and to close one of the few existing lines of communication that we have with the rest of the world. And for what? For a bit of skin and some bruises in "Blue Velvet"?

It's pathetic but it's true. "Blue Velvet" is as far from being pornographic and violent as "Star Wars". The really pornographic violence of movies like "Cobra" or "Rambo", with their racist, vigilante bloodlust, is applauded unquestioningly.

Indeed, while the country has been going into shock about "Blue Velvet", another movie called "The Berlin Affair" about interracial lesbianism, bi-sexual adultery and group sex has been playing in the cinema next door

without provoking comment. Why? Because nobody told the public what it was about. In an attempt to play fair, to let intelligent adults know what they are in for, the film company and the critics made it clear what to expect from "Blue Velvet".

"If you are squeamish," said the ads, "don't go. You will be shocked." So the squeamish all rushed off to see it, were shocked and came out screaming for someone to protect them from films that so shock their sensitive souls.

We don't need tighter censorship to protect us. We need better education, broader minds and the kind of independent individual judgment which, in my silly way, I have always considered a cornerstone of democracy, in the name of which we fight for survival.

Tougher censorship will only enshrine the existing ignorance and give licence to intellectual hoodliganism of which we have seen far too much already.



human beings, complete freedom of expression would be ideal situation. It is a matter of regret that nothing in life is

Societies everywhere, democratic and authoritarian, permissive and dictatorial, have chosen to protect themselves by exercising at least some measure of control over publications.

Nowhere in the world do the authorities allow material to be published that offers the reader instruction on how to construct and detonate explosives. The facts on how to make the ultimate petrol bomb may be old hat among a certain section of the Korean university population, but producing a leaflet on the step-by-step procedure is likely to meet with disapproval by their government or any other.

Description of the weak spots in national radar systems, the nature of the security alarm devices in use at military installations or how much arsenic to add to the mother-in-law's marmalade are also subjects that are forbidden everywhere.

At stake here is the integrity of society itself. That which is useful and just in any community needs protection. A society can wither and die because its members have lost respect for the institutions that form its core.

**T**HAT unjust and harmful social and political practices should be free game to the writer is beyond dispute in the Western world. But that established and benevolent norms should be ignored to fill bank accounts or fuel neuroses among the more unsavoury elements in the entertainment and publishing industries cannot be to anyone's benefit.

It is common cause among students of human behaviour that the young learn chiefly by imitation. A series of notable American experiments, conducted in the early '70s, showed that small children, seeing a dummy maltreated by a member of the scientific team, would imitate the adult's actions when left alone with the dummy.

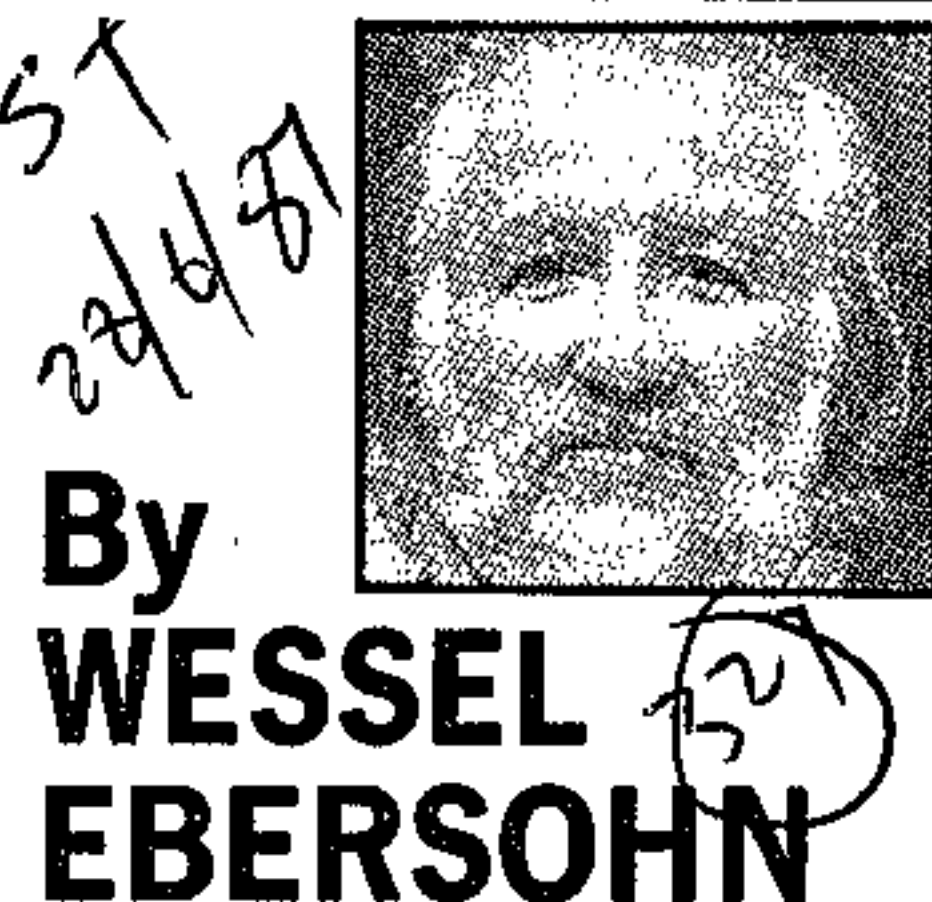
Consider this against the likely effect of the sort of film that elevates violence to the level of a superior human activity; especially consider its effect on the young and the mentally deficient.

The likes of Mr "Dirty Harry" Eastwood urging his delinquent captive to "Make my day, punk" may be having an effect far beyond his own imaginings.

A few years ago a senior religious presenter at the SABC distributed copies of a notorious document entitled the "Protocols of the Elders of Zion", a crude attack on Jewish people that has turned up from time to time in almost every part of the world. The document itself is the work of the secret police of Czar Nicholas towards the end of the 19th Century.

In the '60s a film by the name of

# CENSOR



"Africa Addio", a product of an admirer of the late Benito Mussolini, was screened in popular cinemas throughout the country. It portrayed black Africans as little more than baboons. Helen Suzman, with every justification, petitioned the authorities to ban it.

Regrettably, not every book is the work of a serious writer who takes pride in his craft, not every film is without malicious intent and not every periodical is part of the freedom-loving Press which sees its main role as getting at the facts.

What was occupying Jefferson's mind was the idea of political censorship. No believer in the democratic way of life can ever agree to political restrictions being placed on the Press.

But no half-way sensible father wants his young children exposed to the worst forms of violent pornography at the corner café or in the local drive-in theatre.

There are many whose faculties are immediately darkened by a great cloud of indignation when faced with the sort of arguments I am presenting here. In the case of liberal objections, I disagree with them, but they are worthy of respect. At least we poor liberals try to judge all men by the same standards.

**I**N the case of the real Left, their objections are nothing more than naked hypocrisy. Try discussing the application of the principles of free speech in black African countries with them and you will find that a completely different set of standards applies.

The indications are that the Left wants the freedom to assert itself now, but the power to suppress everyone else after the revolution. The plain fact is that, despite our government's well-documented disapproval of many basic freedoms, we have probably greater freedom of speech than any other country on the continent.

Two of my own novels have been banned by the Publications

Directorate. In both cases the reasons were both varied and colourful.

They maligned a section of the population; they were a danger to the state, employed indefensibly coarse language, depicted the act of sexual intercourse in an irreverent manner and generally breached every possible area of good manners and even the most feeble code of literary ethics.

In both cases the bans, opposed by that most able of counsels, Professor John Dugard, and presided over by that most even-handed of jurists, Professor Kobus van Rooyen, were lifted on appeal.

In the years since then the banning of literary works seems to have stopped altogether.

As far as the writer is concerned, having a degree of resistance from the state is an advantage. There is a tautness and immediacy about South African society that translates to a greater urgency in the work of the novelist.

**M**ORE passion and energy is generated by working in our antagonistic climate than is the case in the gentler ambience of the West.

All this is not intended to suggest that we become less vigilant when protecting real freedom of speech, but let us not at the same time open the sluices of permissiveness to every sort of obscenity.

Of course black South Africans should be represented on the Publications Appeal Board, of course Hindu and Muslim feelings should be considered and not only those of the Nederduits Gereformeerde Kerk, of course incitement that is not permitted on the left should also not be permitted on the right: we are a diverse society and a diversity of needs and views needs to be considered.

I have often been asked where I think the line should be drawn in the application of censorship, and I am afraid that I have no easy answers.

Indeed, it is not for me to answer. We, white and black, radical and reactionary, we are the community. It is up to us to see that the most important of our values are respected.

Let concerned citizens form a watchdog committee to ride herd on the Publications Directorate. Let the battle to regain the full freedom of the Press continue.

But let us not sacrifice every treasured value as we attempt to attain a level of freedom that can never be more than illusory.

A MONTH ago, Mbongeni Ngema and his play "Asinamali" were nominated for Tony awards on Broadway. A film about South Africa, made by South African film-maker Kevin Harris, was nominated for an Oscar this year.

The "Woza Africa" festival in New York saw some of our best plays and players showcased in a week of South African theatre, and similar events happen at the Edinburgh festival and other festivals throughout Europe.

And it is not just high-profile political work that is exposed. Johnny Clegg and Savuka are off on a European tour, "The Gods Must Be Crazy" is still showing in Los Angeles and, next month, Leon Schuster's "You Must Be Joking Too" has a world premiere in Paris.

Why, when South Africa is the pariah and whipping boy of the world, are artists, actors, dramatists and film-makers welcomed internationally?

Because they have a credibility that was, in large measure, gained because the censorship which crippled and silenced so many of them for so many years no longer rules as rigidly as once it did.

Indeed, in the confusing blend of standstills and zig-zags which have been offered to South Africans as reform, only one area has displayed a consistent and genuine change for the better — the growing enlightenment about our censorship procedures.

## Tough

I say enlightenment rather than relaxation because the latter word would be misleading. We still have tough censorship in this country, some of the most stringent in the world.

What has happened is a changed response, a vastly increased sensitivity, to the seriousness and artistic merit of work that might, in the past, have fallen victim to a blanket ban.

The result is a strengthened flow and exchange of ideas in theatre, film and art of a certain high standard, while in just about every other field of activity, we have been sent to Coventry.

The stigma of State censorship and its implied compromise of imagination and creativity is gone. Self-censorship out of fear and commercial expediency is pernicious and that, more than the bannings of books and films, impeded the flow of honest topical creativity in this country.

The change of standards has lib-



Cape Times 29/6/87 327

# Appeal Court rules on three regulations

**BLOEMFONTEIN.** — The Appeal Court has, in a majority decision, given judgment in three appeals with regard to the 1985 and 1986 emergency regulations.

At issue is the validity of Regulation 3(3), Regulation 3(10)(a) and Rule 5(1).

On Friday the court dismissed, with costs, the appeal by Mr Abdullah Mohamed Omar, a Cape Town advocate, and five others against the dismissal by a full Bench of the Cape Supreme Court on December 20, 1985, of an urgent application by them for their release from custody. Since the hearing of the application all six have been released.

The court also dismissed the appeal by Mrs Marjorie Fani and three others from Fort Beaufort and Zwide against the refusal of a full Bench of the Eastern Cape Supreme Court to grant a rule nisi in connection with the detention of members of their families and a friend detained on July 26, 1985.

The third appeal, by the State President, the government of South Africa and the Minister of Law and Order, against an order that the minister must furnish the moderator of the Evangelical Presbyterian Church of SA, the Rev Jean-Francois Bill, in writing with grounds for his continued detention in terms of the 1986 regulations, was upheld.

The latter order was made by the Witwatersrand Supreme Court on August 4, 1986, on the application of Mrs Mary Cameron Bill.

## Belhar pupil

The majority judgment was given by the Acting Chief Justice, Mr Justice Rabie, with the concurrence of Mr Justice Joubert, Mr Justice Viljoen and Mr Justice Boshoff (acting judge of appeal).

In the minority judgment, Mr Justice Hoexter agreed with the majority decision in the Fani case, but was unable to agree that the Omar appeal should be dismissed. He believed that the judgment in the Bill case should have been affirmed.

The appellants with Mr Omar were the Rev Howard Sikolake Marawo, assistant secretary of the Executive Conference of the African Reform Church; Mr Marcus Chinnosamy Solomon, projects co-ordinator of the SA College of Higher Education; Mr Leslie Andrews, a lecturer at Athlone Technical College; Mr Derrick Rabin-drath Naidoo, a teacher at the Harold Cressy High School, and Mr Neville Naidoo, a pupil at Belhar Secondary School.

Mrs Fani had appealed for her father, Mr Mannie Zetu; Mrs Mandisa Nomdumo for her husband, Malungelo, her brother-in-law and his wife, Mr Zamide and Mrs Florence Nomdumo, sister-in-law Mrs Mandisa Mhlana, cousins Mr Albert and Mr Vukile Nomdumo and friend Miss Phumla Zakhe; Miss Constance Wil-

liams for her father, Mr David Williams, and Mrs Ethel Neer, of Zwide, for her husband, Mr Dennis Neer.

In the Omar judgment, Mr Justice Rabie disagreed with the submission that the State President's decision to make Regulation 3(3) in the form that he did, showed that he acted improperly in not properly applying his mind to the issue, had regard to improper or irrelevant considerations, or that he acted with gross unreasonableness.

The appeal concerning the validity of Regulation 3(10)(a) and Rule 5(1) could also not succeed.

In the Fani appeal, counsel had relied on the same arguments as he had used in the Omar case. It followed from what was said in regard to Omar's appeal that the decision of the lower court in the Fani case was correct and that the appeal against it could not succeed.

In the Bill case, the Acting Chief Justice held that Mr Justice G Leveson had erred when he found that Regulation 3(10)(a) and Rule 5(1) were "ultra vires".

## Did not agree

On the right to make representations, the judge said it was clear that Regulation 3(3) does not say that a detainee is not entitled to make written representations to the minister after an order for his further detention has been made. This does not justify the conclusion, however, that a detainee can, after such an order has been made, call on the minister to furnish him with the grounds on which the order was made.

This was not to be understood that a detainee may not make written representations to the minister concerning his detention. The judge did not, however, agree with the view that the minister was obliged to furnish the grounds on which the further detention was ordered.

## Further detention

In his minority judgment, Mr Justice Hoexter disagreed with the conclusion that Regulation 3 does away completely with the "audi alteram partem" (hear the other party) rule.

He was impelled to the conclusion that after the minister has ordered the further detention of a detainee, the latter is entitled to require the minister to furnish him in writing with the grounds for such further detention; that the minister was obliged in law to inform that detainee in writing of such grounds and to give due consideration to such written representations as the detainee may make in response thereto.

Regulation 3(10)(a) and Rule 5(1), he said, in the case of a category 2 detainee, enjoined something to be done which cannot in any reasonable way advance or be related to the purposes mentioned in 3(1). To that extent they were bad in law. — Sapa



# SA may 'assist' Africa's rebels

CAF Tm's  
29/6/87

327

**THE government gave a strong signal at the weekend that rebel movements bent on overthrowing neighbouring governments could look forward to more open and aggressive South African support in future.**

Hints that South Africa could adopt a more active role in regional conflicts were contained in a hardline statement issued by the Minister of Defence, General Magnus Malan.

The warnings, if implemented, would lead to a further escalation of wars in the sub-continent and a further deterioration of South Africa's already strained relations with African and Western governments — a number of whom have recently repeated charges that South Africa was guilty of destabilizing its Southern African neighbours.

In an apparent reference to Renamo in Mozambique and Unita in Angola, General Malan said: "There are pro-Western groups that are confronted by the Soviet expansionism in Southern Africa but that do not have the ability to survive on their own."

"Where such groups ask South Africa for assistance, it must be considered in principle, taking into consideration factors that will ultimately bring stability and peace to the region."

ple, taking into consideration factors that will ultimately bring stability and peace to the region."

Gen Malan asked whether South Africa could be expected to withhold such support simply because it might be accused of "destabilization".

Destabilization, he submitted, came from Russian expansionism, and then added: "South Africa surely does not need to apologise to anyone for halting Russian expansionism."

Gen Malan said South Africa should at all times place its own national interests first.

"It cannot play a passive role in a situation where Soviet interventionism is blatantly taking place in the name of liberation."

The minister's remarks came just days after the US Assistant Secretary of State for African Affairs, Dr Chester Crocker, told a Senate sub-committee that South Africa continued to support Renamo in spite of the Nkomati Accord and had been responsible

for the recent raid on Maputo which left three dead.

Dr Crocker's testimony was immediately attacked by the Minister of Foreign Affairs, Mr Pik Botha, as being unfactual and unfounded.

The South African government has in the past acknowledged that it furnished Unita with "material, humanitarian and moral assistance".

The latest indication of stepped-up support to groups like Renamo coincided with accusations by Gen Malan that the Soviet Union and Mozambique were conducting a propaganda campaign to discredit South Africa ahead of the release of the Margo Commission Inquiry into President Samora Machel's death in an air crash last year.

He said the Soviets and their "Marxist lackeys" were masters at the manipulation of perceptions.

"Thus a series of accusations are being made in advance of the report that brand the RSA as a destabilizer."

"It can be expected that the Russian and Marxist attack on the RSA will intensify. Their sole purpose is consistently to present the RSA as the guilty party and a destabilizer in an effort to make the Margo report suspect," he said.

**By ANTHONY JOHNSON**  
**Political Correspondent**