TOTALITARIANISM — BANNING

1986

Defence argues case for Winnie

STAR
2/1/86
328

West Rand Bureau

Mrs Winnie Mandela's defence team argued earlier this week that her life would be in danger if she returned to her Brandfort house and banning her from the Johannesburg and Roodepoort magisterial districts would render her homeless.

Mrs Mandela appeared in the Krugersdorp Regional Court on Tuesday on charges of contravening her banning order, in terms of the Internal Security Act, after she was arrested on the M2 highway on Monday afternoon.

Mrs Mandela had flown to Jan Smuts Airport from Cape Town, allegedly defying her banning order to return to her Soweto home.

Regional magistrate Mr Chris Eksteen released Mrs Mandela on R500 bail on condition that she stay away from the two prohibited districts.

CUSTODY

Advocate Mr Gilbert Marcus, for the defence, argued that the State had supplied no legal basis to impose the banning as a condition of bail. He said an interdict would be submitted in the Rand Supreme Court on January 7, challenging the validity of the new banning order.

Mrs Mandela had been restricted to Brandfort in the Orange Free State, but returned to Soweto after her Brandfort house was attacked in August.

"There is no assurance that she is immune from arrest and no guarantee she will not be charged under Acts like the Group Areas Act," Mr Marcus said.

Mr Chris Krause, for the State, said Mrs Mandela's Brandfort house had been repaired and, if she refused to return there, the State would furnish the necessary housing in the form of custody.

Mrs Mandela will appear in the Krugersdorp Regional Court on January 22 on two charges of contravening the banning order.



Chanting youths outside the house Mrs Winnie Mandela visited in Kagiso township.



People scattered in all directions after police fired a teargas canister into the crowd.

STAR
2/1/86
328

Kagiso youths clash with police as Winnie visits

By Rich Mkhondo

A Catholic nun, Sister Bernard Mncube, yesterday intervened in what could have been an explosive situation as chanting and marching youths hurled insults at police who had given them three minutes to disperse in Kagiso, near Krugersdorp.

The youths were chanting in praise of Mrs Winnie Mandela, who, after a brief court appearance in Krugersdorp, visited a friend in Kagiso township.

Police and members of the Press followed her from the court to the house and soon after her arrival almost 1 000 people surrounded the house demanding to see her.

Her lawyer, Mr A Samon, had earlier told the Press they were stopping at the house to discuss the restrictions on Mrs Mandela not to enter the magisterial districts of Johannesburg and Roodepoort.

After an hour, more people arrived and scores of others chanting freedom songs emerged from the street corners singing ANC freedom songs and songs in praise of Mrs Mandela.

Police, who kept a low profile and had filmed the proceedings, surrounded the youths and the house.

Using a loudhailer, a police officer said: "Under the Internal Security Act you are now constituting an illegal gathering.

DISPERSE

"I give you three minutes to disperse or action will be taken against you."

Sister Bernard consulted with the police and later told the Press she told them that "there is nothing sinister in what the youths are trying to do. They are just happy that Mrs Mandela is in the area".

Sister Bernard urged the youths to disperse and stop singing freedom songs.

Police then took down names of all white members of the Press and gave them five minutes to leave the township.

After the Press had left, the police apparently fired teargas into the crowd.

A black television cameraman was briefly arrested as he tried to film the police action.

A British television correspondent argued that the township did not fall under the state of emergency regulations.

A police officer told all members of the media that, in terms of a Government ruling, an officer above the rank of a lieutenant could declare a place an emergency area.

After members of the Press had moved outside the township, police kept a close watch at the house where Mrs Mandela and her lawyers spent the afternoon.

She is due to appear in the Krugersdorp Regional Court on January 22 on a charge of flouting her banning order.

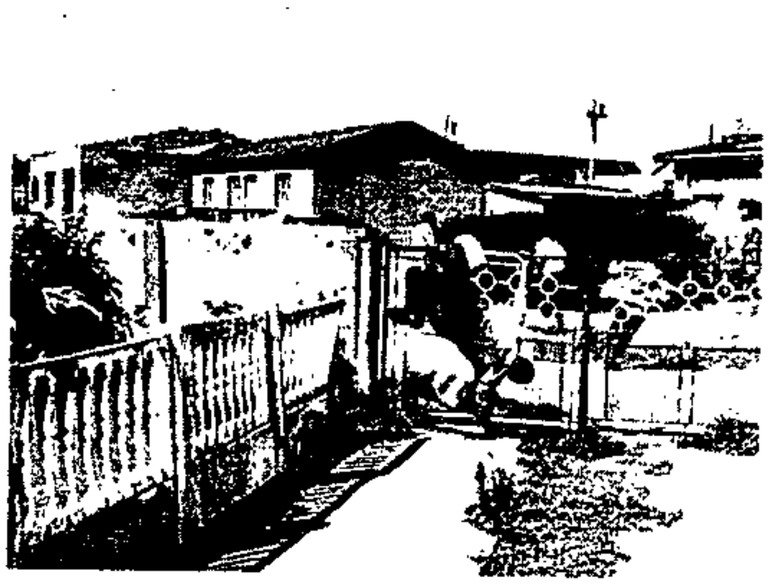
● Mrs Winnie Mandela's family did not attend her brief court appearance yesterday, because her grandson Zondwa was ill following an incident during which Security Police arrested his grandmother on a busy motorway.

During a dramatic freeway police swoop on Monday, Zondwa became the centre of attraction when a policewoman forcibly removed him from his grandmother's arms in a bid to arrest her.

JOSTLED

The boy's head was banged against the car door as journalists and police jostled during a heated verbal exchange between Mrs Mandela, the policewoman and the officer who finally arrested her.

His mother, Ms Zinzi Mandela, yesterday said that on Monday night Zondwa "had swollen lips and appeared to have pains all over his body".



A youth tumbles head-first over a locked gate while running away from the teargas.



The same youth on all fours after falling over a gate into the yard next door to the house Mrs Mandela was visiting.





R500 bail on condition that she stay away from the two prohibited districts.

CUSTODY

Advocate Mr Gilbert Marcus, for the defence, argued that the State had supplied no legal basis to impose the banning as a condition of bail. He said an interdict would be submitted in the Rand Supreme Court on January 7, challenging the validity of the new banning order.

Mrs Mandela had been restricted to Brandfort in the Orange Free State, but returned to Soweto after her Brandfort house was attacked in August.

"There is no assurance that she is immune from arrest and no guarantee she will not be charged under Acts like the Group Areas Act," Mr Marcus said.

Mr Chris Krause, for the State, said Mrs Mandela's Brandfort house had been repaired and, if she refused to return there, the State would furnish the necessary housing in the form of custody.

Mrs Mandela will appear in the Krugersdorp Regional Court on January 22 on two charges of contravening the banning order.

suits at police who had given them three minutes to disperse in Kagiso, near Krugersdorp.

The youths were chanting in praise of Mrs Winnie Mandela, who, after a brief court appearance in Krugersdorp, visited a friend in Kagiso township.

Police and members of the Press followed her from the court to the house and soon after her arrival almost 1 000 people surrounded the house demanding to see her.

Her lawyer, Mr A Samon, had earlier told the Press they were stopping at the house to discuss the restrictions on Mrs Mandela not to enter the magisterial districts of Johannesburg and Roodepoort.

After an hour, more people surrounded the youths and the house.

Using a loudhailer, a police officer said: "Under the Internal Security Act you are now constituting an illegal gathering.

DISPERSE

"I give you three minutes to disperse or action will be taken against you."

Sister Bernard consulted with the police and later told the Press she told them that "there is nothing sinister in what the youths are trying to do. They are just happy that Mrs Mandela is in the area".

Sister Bernard urged the youths to disperse and stop singing freedom songs.

Police then took down names

man was briefly arrested as he tried to film the police action.

A British television correspondent argued that the township did not fall under the state of emergency regulations.

A police officer told all members of the media that, in terms of a Government ruling, an officer above the rank of a lieutenant could declare a place an emergency area.

After members of the Press had moved outside the township, police kept a close watch at the house where Mrs Mandela and her lawyers spent the afternoon.

She is due to appear in the Krugersdorp Regional Court on January 22 on a charge of flouting her banning order.

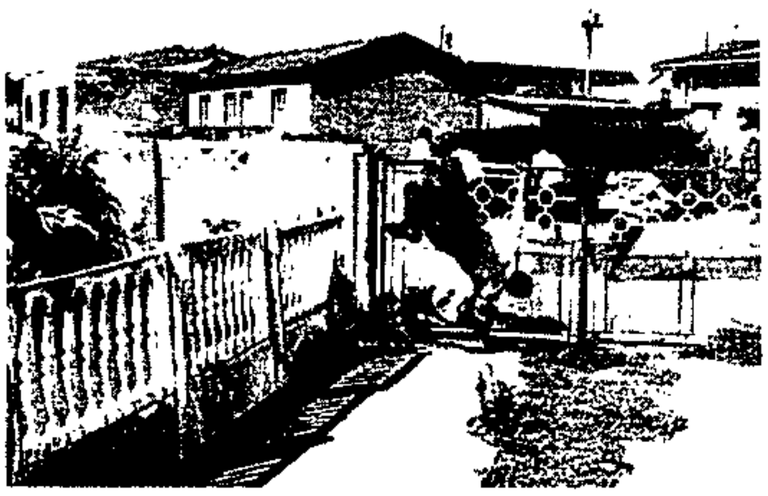
● Mrs Winnie Mandela's family

During a dramatic freeway police swoop on Monday, Zondwa became the centre of attraction when a policewoman forcibly removed him from his grandmother's arms in a bid to arrest her.

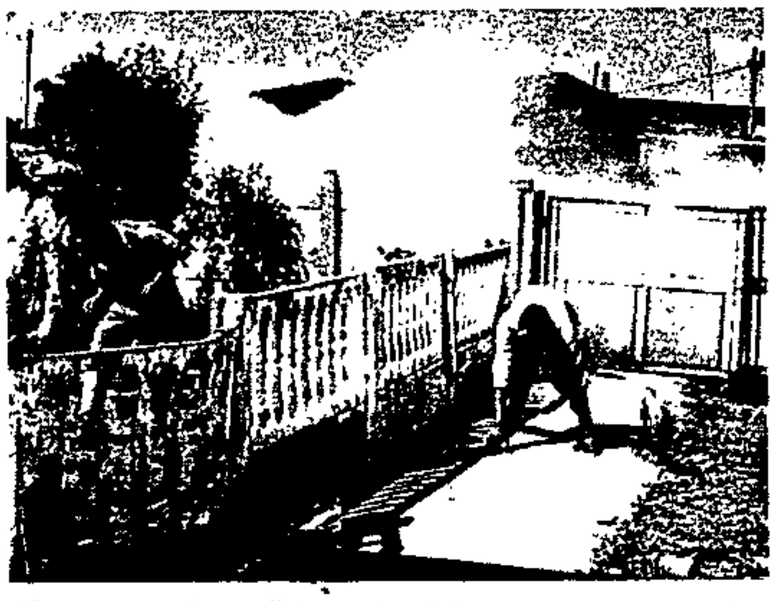
JOSTLED

The boy's head was banged against the car door as journalists and police jostled during a heated verbal exchange between Mrs Mandela, the policewoman and the officer who finally arrested her.

His mother, Ms Zinzi Mandela, yesterday said that on Monday night Zondwa "had swollen lips and appeared to have pains all over his body".



A youth tumbles head-first over a locked gate while running away from the teargas.



The same youth on all fours after falling over a gate into the yard next door to the house Mrs Mandela was visiting.





Country at Ellis Park

A duel is how cowboys sort out their differences and Mr Roland Olivier and Mr Jan van Niekerk are ready to draw. But this is not a real duel — the Ellis Park country festival provided adults with an opportunity to play cowboys-and-crooks again.

Ride 'em cowgirl! The mechanical bull provided some thrills and spills for Miss Gaynor Dearlove at the country music bonanza yesterday.



These country gals, Mrs Ansie May, Mrs Lenie Gouws, Mrs Lenie Human, Mrs Nelie Pistorius and Mrs Toy Kotze would look as at home in any saloon out West as they did at the Ellis Park country festival.



A country and western fan takes a snooze, protected from the sun under her Stetson.

● Pictures by Kevin Carter.

Jan. 1986

Seven groups appeal for couple's release

SEVEN organisations yesterday called on authorities to release banned community leader Johnny Yaccob Issel, his wife, Zubeida Jaffer, and all other detainees.

Issel and Jaffer were detained on December 16 under Section 29 of the Internal Security Act.

The Churches Urban Planning Commission, the Muslim Judicial Council, the Clothing Workers' Union, Friends and Families of Detainees, the Western Cape Traders' Organisation, Chamber of Muslim League Traders and the UDF held a joint Press conference at the home of Jaffer's mother in Wynberg.

The Concerned People and Organisations on Detention (CPOD) expressed alarm at continuing detentions.

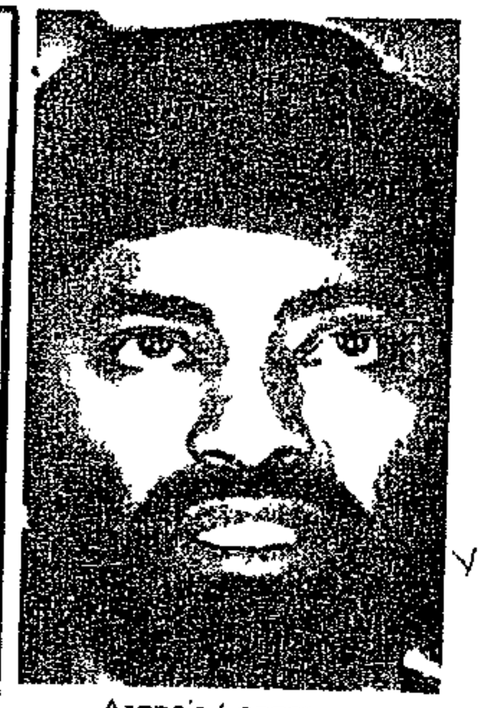
Adam Jaffer, Jaffer's brother, said his family did not even know where his sister or her husband were being detained. — Sapa.

Activist pair unbanned

The names of activists Mr Joseph Samuel Podbrey and his wife Leah have been removed from the consolidated bannings list, effectively releasing them from all restrictions. 328

In terms of a notice in yesterday's Government Gazette, their names have been removed in terms of Section 16 (6) (b) of the Internal Security Act.

No reasons were given for the unbanning. STAR 4/1/86



Azapo's Cooper: Let the people rule

'Abdicate now, Mr Botha!'

By MONO BADELA

SOUTH Africa's extra-parliamentary opposition groups have just one New Year message for President PW Botha: Abdicate.

They have urged Botha to immediately surrender power and hand over the reins to the masses.

In its New Year message, the United Democratic Front said: "To the Botha government we say they must immediately abdicate and allow a democratic government to be established."

And in *his* New Year message, new Azanian People's Organisation president Saths Cooper told Botha bluntly: "Step down – let the people rule."

He said this was Azapo's sole message to Botha and his "minority government, which has mismanaged the economy and created strife and ungovernability in our country".

The UDF also urged the white community to "ditch Botha and join the democratic movement in our struggle for a just and peaceful South Africa."

The UDF said the democratic movement had made momentous strides in the march to freedom and democracy – but the "toll in blood, sweat and tears had been phenomenal".

★ In his New Year message, Botha said the world demanded more reforms "virtually overnight" from the Government without contemplating the disastrous results for the country. He said "Christian values and civilised norms" would be upheld "with determination and a strong will", and commended the security forces for their "disciplined and devoted efforts" to maintain law and order.

★ The Release Mandela Committee says in 1986 it will intensify its campaign for the unconditional release of all political prisoners and strive for the unconditional return of all exiles and the complete abolition of all oppressive laws.

★ Associated Chambers of Commerce chief executive Raymond Parson said SA should focus its political, economic and business policies on achieving a much stronger rand this year.

★ The exiled Black Consciousness Movement of Azania said in its New Year message: "We have no interest in reforms, we want a complete destruction of the white minority regime's structure and the establishment of the people's government in its place."

SHE'S FREE –FOR NOW

By HERMAN LETSIE

"HOMELESS" Winnie Mandela faced a painful decision this week – to go to jail or stay in her house in Brandfort in the Orange Free State where she was banished to eight years ago.

This was hours before Krugersdorp magistrate C J Eksteen decided to grant Mrs Mandela R500 bail when she appeared before him on a charge of breaking her banning order. The banning order excludes her from entering the magisterial districts of Johannesburg and Roodepoort.

Mrs Mandela was arrested on a highway from Jan Smuts airport on Monday after she had been to visit her husband Nelson Mandela in Cape Town.

The courtroom packed with overseas television crews heard Magistrate Eksteen tell of his predicament in granting bail.



Winnie Mandela, welcomed outside court by RMC's Aubrey Mokoena.

Advocate Gilbert J Marcus, for Mrs Mandela, pointed out that the banning order effectively made her "homeless". Her house in Brandfort was petrol-bombed in a mysterious attack last year. She broke her banning order and returned to the Mandela home in Soweto.

In opposing the application, prosecutor C F Krause said: "If her Brandfort home is not safe, she can be kept in custody."

After her bail was granted, Mrs Mandela was besieged by a huge crowd which included officials from the Release Mandela Committee, members of the foreign Press and well-wishers.

A huge welcome for Ngoyi

CP Correspondent

THERE were chants of "Viva Comrade Ngoyi" from 35 000 singing mourners in Port Elizabeth at the weekend when Eastern Cape UDF president Edgar Ngoyi addressed a public meeting for the first time after seven months in Humansdorp prison.

Mr Ngoyi – released on R500 bail last Friday after being charged with murder – attended the funeral of unrest victims Kula Mvumbi, 26, and Mtutuzeli Kungwayo, 56, at Emmanuel Methodist Church.

By TEBELLO RADEBE

UNCERTAINTY surrounds the planned visit to South Africa next week by seven United States Congress members.

US Administration spokesman in Johannesburg Harvey Leifert said there was "nothing definite or official" on the tour yet. "But the members of Congress are expected to spend the whole of next week in South Africa," he added.

The party, which includes some of the most vocal enemies of apartheid in the US Congress, has been invited by SACC general secretary Beyers Naude.

Several Congressmen have visited South Africa recently.

Leifert said the congressional team was keen to visit SA.

Among the US Congressmen who plan to visit SA is Bill Grey, who is considered the most powerful black politician in the American capital.

He is also the Finance Committee chairman of the House of Representantive and took the leading role in moving sanctions measures against South Africa.

Walter Fauntroy, who was recently arrested after staging a sit-in protest at the SA Embassy in Washington, is also among the group which plans to visit SA. He is a prominent anti-apartheid activist.

'On-off' visit may be on

NEWS PLUS

★ LAW and Order Minister Louis le Grange has prohibited gatherings by 74 organisations in 30 magisterial districts for the next six months.

Most of the magisterial districts are in the Eastern Cape.

★ THE full bench of the Rand Supreme Court this week dismissed with costs an application for the release of 13 United Democratic Front and Transvaal Indian Congress members held under the emergency regulations in the Johannesburg Prison at Diepkloof and at Modderbee.

Argument in the court, heard on December 20, centered on the powers of the State President in terms of the Public Safety Act.

Eleven of the detainees have been held since the start of the state of emergency in July, and two since September.

★ THE release of a 15-year-old pupil has given substance to claims by Cape Town advocate Dullah Omar that children under 16 were being detained in Western Cape prisons.

The claims were not taken seriously until Nyanga East pupil Poulus Ramacwana was released after seven weeks in detention under the emergency regulations.

★ A SUSPECTED freedom fighter was arrested at an Igika Township shebeen near Butterworth in the Transkei last week.

City Ptess learnt the man was arrested by Transkei troops after a tip-off. Two AK47 rifles, grenades and ammunition were seized.

A second man allegedly vanished while a Transkei soldier, the only one at the shebeen at the time, went to call reinforcements.

Political comment on this issue and posters by PFD Secretary Geraldine Coleman, editor Ivy Gordon and Publisher Raymond Louw, 3rd Floor Street House, Fox Street, Johannesburg 2001. Tel: 838-6311. Telex: 4-22-SA. Cables: Citypress, Johannesburg. Printed by Perskor, Industria, Johannesburg.



Winnie Mandela cradling her grandson Zondwa moments before police arrested her in a dramatic swoop on her car on the Johannesburg M2 highway this week. Picture by Gideon Mendel of AFP

Winnie 'not in Soweto'

By HILTON HAMANN

SECURITY Police are satisfied Mrs Winnie Mandela, wife of the jailed ANC Leader, is not in hiding in Soweto.

And they have warned they would definitely act against her if she were.

The statement is the latest development in a cat-and-mouse game played by Mrs Mandela with the security forces ever since her banning orders were changed to allow her to go wherever she wants — except Johannesburg and Soweto.

"According to our information Mrs Mandela is definitely not in Soweto," said Brigadier Johan van der Merwe of the Security Police in Pretoria.

"If she were in Soweto we would definitely act against her for contravening her banning order."

Earlier Mrs Mandela's lawyer, Mr Ismael Ayob, said he was unable to comment on the rumours.

On Tuesday this week Mrs Mandela was granted R500 bail by Krugersdorp magistrate Mr Chris Eksteen after a dramatic arrest on the M2 motorway in Johannesburg.

She appeared in court on a charge of contravening her banning order in terms of the Internal Security Act.

In terms of her banning order, Mrs Mandela is restricted from entering the magisterial districts of Johannesburg and Roodepoort.

The drama began after Mrs Mandela and members of her family arrived at Jan Smuts Airport from Cape Town after visiting Nelson Mandela in Pollsmoor Prison.

As the party entered the domestic arrivals area they were met by a large contingent of Press members and Security Police.

There was a commotion as journalists tried to photograph her and ask her if she would defy her banning order.

Convoy

After consultations with her legal representatives, Mr Praktesh Diar, one of her lawyers, announced that the party would be going to Soweto.

Her party then left the airport followed by a convoy of cars belonging to the Press and Security Police.

Mrs Mandela's car was driven by Mr Aubrey Mokoena of the Release Mandela Campaign. As the car crossed the Johannesburg-Germiston border it was stopped by police.

It was Mrs Mandela's second arrest in eight days. On December 21 she was taken from her Soweto home and charged with defying her banning order.

She was informed by the police that she would be re-arrested if she returned to Soweto.

In the meantime Mrs Mandela has brought an urgent application before the Supreme Court challenging the order.

The hearing will take place on Tuesday in the Rand Supreme Court in Johannesburg.

LP call over Winnie Mandela

Political Reporter

A MOTION calling for an end to police harassment of Mrs Winnie Mandela, wife of the jailed ANC leader Mr Nelson Mandela, was adopted by the Labour Party congress on Saturday.

The motion was introduced by Mr Peter Hendrickse, MP for Addo, who said he wished to condemn the recent harassment she suffered at the hands of the police.

The motion condemned detentions without trial, bannings, house arrests and "all other actions which contravene the principles of natural justice".

Another motion calling for the unconditional release of Mr Mandela and all political prisoners was tabled but not adopted.

The party chairman, the Rev Andrew Julies, urged congress to leave the demand "in the capable hands of the leader (the Rev Allan Hendrickse)" who he said would personally pursue the release of Mr Mandela and others with the government.

Winnie met by excited crowd

● From page 1

not seat everyone and the side aisles were lined with observers.

Mandela brought an urgent application against Minister of Law and Order Louis Le Grange and Commissioner of Police General Johan Coetzee for a declaration that the amendment to her banning order, prohibiting her from being in Johannesburg and Roodepoort, was invalid.

The notice was issued on December 21 last year and Mandela has twice been dramatically arrested and twice appeared in court for contravening its terms.

Since August, when her house in Brandfort, in the Free State, was extensively damaged in an arson attack, Mandela has lived in Soweto.

"The attack on my house left me in no doubt that my life was endangered by unknown assailants. I decided to remain in Soweto for my own safety and for those in my care," she said in an affidavit.

The amendment was null and void, Kentridge said, because it was so "grossly unreasonable, arbitrary and capricious" to tell someone to leave her only home forthwith that Parliament could not have intended such an order.

She should at least have been given an opportunity to make alternative arrangements for herself and her two grandchildren who lived with her.

The validity of the notice is being attacked mainly on the ground that Le Grange did not give Mandela the reasons for radically altering the terms of her banishment order, even though they were relaxed.

He must have had specific reasons for deciding that she should not be in Johannesburg and Roodepoort in particular, Kentridge argued, adding that the minister was legally obliged — insofar as it was in the public interest to do so — to inform Mandela why he had made the change.

Because the minister did not give his reasons, Mandela was robbed of her right to make meaningful representations to him.

Mandela openly lived in Soweto for five months without the authorities taking action against her, and Kentridge said this was a tacit acknowledgement that the original order of 1983 was no longer in force and effect.

"You cannot amend a nullity," he said, adding that the 1983 order was in any case invalid as the minister had not provided adequate reasons for imposing it.

The case for the minister and the commissioner begins today.

paper 2
3
(4)?
7
(14)
15

Mandela ban 'inhumane'

Cape Times 9/1/86

328

JOHANNESBURG. — Defence counsel for Mrs Winnie Mandela yesterday told the Rand Supreme Court that the order which banned her from entering Roodepoort and Johannesburg was "inhumane" and "grossly unreasonable" because it took immediate effect.

Mr Sydney Kentridge, QC, told the court the banning order was invalid, because Mrs Mandela was entitled to a period of 14 days in which to make representations to the Minister of Law and Order, Mr Louis le Grange, about the order and the circumstances of the case.



Mrs Winnie Mandela

'Justice'

However, no reasons for the prohibition were submitted by the minister and "Mrs Mandela's right was limited unless she knew what the allegations were against her".

The order was also invalid because it was issued on December 21, 1985, and took immediate effect.

It was unreasonable and violated natural justice to order Mrs Mandela to get out of her own home "where she had lived openly since August 1985" and "it was completely inhumane" that she was not given enough time to make alternative arrangements.

Mr Kentridge described the forceful removal by authorities of Mrs Mandela from her Soweto home late last year as "unreasonableness ... so gross as to amount to inhumanity".

He added that Mrs Mandela had been allowed to stay in Soweto before the banning order with the minister's and the police's knowledge because her house in Brandfort had been razed by arsonists.

He added that he could not understand why the minister banned Mrs Mandela from Roodepoort and Johannesburg and allowed her to roam elsewhere freely.

'Subversive'

"If a person wants to promote subversive activities they can do so in any other place. There must be some special reasons why he picked out these two places."

Mr Kentridge said that if certain information about the banning order was privileged and detrimental to public interest, then at least the minister could have said so and disclosed only the necessary information.

Mr Kentridge, after a lengthy debate with the judge, Mr Justice L J le Grange, asked that the Minister of Law and Order pay costs.

The matter continues.

— Sapa

:ports of material
/ to be used in

TAMBO ... due to speak tod...

Sats plans to cash in on its properties

BUS DAY 8/11/86 25.

CHRIS CAIRNCROSS

CASH-STRAPPED SA Transport Services (Sats) plans to sell off or lease thousands of hectares of property to the private sector.

And yesterday several of the country's leading property developers expressed considerable interest in Sats' plans.

"A lot of innovative things can be done, say, on Johannesburg station and on wide concourses, which are for the most part largely empty," one said.

"It is not before time. Sats has a lot of prime land that can be made better use of," another developer said.

A Sats spokesman told *Business Day* a special property division had been set up to oversee the sale or lease of 32 000ha of property. The division was expected to be fully operational by the end of the month.

He said the the decision was spurred by the promulgation of the State Property Rating Act, which comes into effect this year and requires the state for the first time to pay assessment rates on all its properties.

"By leasing some of our properties we can at least recoup part of what we have to pay in terms of rates," he said.

The new property division will fall under Sats' technical department and is to be headquartered in Johannesburg.

Sub-committees are also being established in each main centre to handle and identify specific property developments peculiar to the region.

The idea of making better use of Sats' vast property holdings had been mooted for some time, the spokesman told *Business Day*. Property to be placed on the market included some farms.

Apart from unused land, Sats also has ambitious plans to lease out space in its stations, harbours and subways.

Ideas go as far as the leasing out of "air space" alongside railway lines and on railway bridges.

"We are also prepared to consider ideas for decking over certain sunken railway lines," the spokesman said.

One of the main tasks of the new property development division would be to look at all potential uses for Sats land and buildings, he said.

spokesman s...

AN...AL RI...
...ed a
la... Engl...
p... bomb e...
... of a
compa...
...tion an...
were fo...
...omes in
...ire and N...

...CE chiefs a...
...rming poli...

Big crowd greets Winnie

BUS DAY 9/11/86 CLIPP 328 321

LINDA ENSOR

AFTER her first "legal" day in Johannesburg yesterday, Winnie Mandela was escorted from the Rand Supreme Court by a throng of enthusiastic, fist-clenching and ululating supporters.

TV cameramen and clicking photographers, who had waited all day to catch her image in their frames, were part of the dense crowd.

Mandela, looking stunning in a purple batik caftan and a mauve turban and accompanied by friends and her family — including daughters Zeni and Zinzi — was present in court while her counsel, Sydney Kentridge SC, attacked the validity of her recently amended banning order.

The overcrowded court gallery could

● To Page 2

...nef
...thumbs

'Mrs Mandela has no civil liberties'

328

Argus 9/1/86

The Argus Correspondent

JOHANNESBURG. — Mrs Winnie Mandela's civil liberties could not have been affected when amended banning orders were served on her, because she had none, the Rand Supreme Court heard today.

Mr Johann Smit, SC, for the Minister of Law and Order and the Commissioner of Police, said that since at least 1977 Mrs Mandela had no right to move freely around the country.

The Minister and the commissioner are opposing an urgent application brought by Mrs Mandela challenging the validity of restrictions barring her from entering the magisterial districts of Johannesburg and Roodepoort.

RESTRICTED LIBERTIES

Mrs Mandela was in court today wearing a brown kaftan and head scarf.

Under the order banning Mrs Mandela to her Brandfort house and last month's amended notice, Mrs Mandela had no right to make representation to the Minister, Mr Smit said.

The principle of a right of a hearing was effective only when a person had civil liberties — and these were restricted.

Mrs Mandela had no right to move freely throughout South Africa and therefore did not have the right to make representations when these restrictions were in effect relaxed in December.

(Proceeding)

CAPE TIMES 10/1/86

Mrs Mandela decision soon

From GEOFFREY ALLEN

JOHANNESBURG. — Mrs Winnie Mandela strode out of the Rand Supreme Court into a torrential rainstorm after hearing that her application to be allowed home would be decided next week.

The significance of the rain was not lost on any of the hundreds of blacks who had gathered . . . in most black African cultures rain means "good luck".

Mrs Mandela is applying to have set aside a notice from the Minister of Law and Order prohibiting her from entering the magisterial districts of Johannesburg and Roodepoort.

In court her lawyer argued that the entire procedure followed by the Minister of Law and Order, Mr Louis le Grange, was "ultra vires" (beyond the law).

'Relaxation of orders'

Yesterday the minister, through his counsel, Mr Johann Smit SC, argued that the new notice served on Mrs Mandela five months after she had been living in the Johannesburg magisterial district was in fact a relaxation of her 1977 and 1983 banning and banishment orders respectively.

Previously she had been confined to a form of "house arrest" in Brandfort, but in December last year she was served with a new notice allowing her to live anywhere except in the two defined districts.

Mr Smit argued that Mrs Mandela's application was unreasonable because the effect of the new order served on December 21 relaxed the conditions imposed on her, and that she had been given a statutory 14 days in which to apply for relief.

Formulate a rebuttal

Mr Sydney Kentridge, QC, argued that "to say that this second notice does not affect Mrs Mandela's rights is to deprive language of all meaning".

He reiterated that it was obligatory on the minister to supply reasons for the banning so that she would be in a position to formulate a rebuttal.

Mr Kentridge said the minister may say that "wherever you go you attract a good deal of attention or that in the present conditions you may propagate something, but without reasons your rights become virtually meaningless".

Mr Justice L le Grange said he would inform both sides as soon as possible next week when he would deliver a judgment.

'No right' to banning reasons

WEEKLY MAIL REPORTER

A BANNED person had no right to make representation or ask to be given reasons for a banning order if the order did not adversely or prejudicially affect a person's rights.

This was one of the arguments Johann Smit, SC, for the State, put before Justice Louis le Grange in the Rand Supreme Court yesterday.

He was arguing in Winnie Mandela's case in an urgent application against the Minister and Commissioner of Police asking that a notice served on her be declared void and that the police be interdicted from arresting her.

Several riot squad members guarded the court entrance.

Mrs Mandela was accompanied by her two daughters, Zinzi and Zenani.

Winnie Mandela loses court battle

LINDA ENSOR

WINNIE Mandela yesterday lost her Rand Supreme Court application to have the amended banning notice issued last month declared invalid.

Facing a rain-soaked crowd of TV cameramen and journalists, Mandela's attorney, Ismail Ayob, said he was disappointed with the outcome.

He said he had thought it better for Mandela not to come to court yesterday, though this was not because he was worried about her being arrested.

A large gathering waited in the rain outside court to be informed of the court's decision.

Mr Justice Louis le Grange granted Mandela leave to appeal against his judgment, and this will be heard before a full bench of either the Witwatersrand Local Division or the Transvaal Provincial Division as soon as possible.

In dismissing with costs the application which Mandela brought against Law and Order Minister Louis Le Grange, and Commissioner of Police General Johan Coetzee, the judge said Section 42(1) of the Internal Security Act precluded him from passing judgment on the validity of a banning order after the lapse of 12 months from the date of issue.

Thus he was powerless to judge on the validity of either the 1983 order, which banished Mandela to Brandfort, or the amendment which prevented her entering Johannesburg and Roodepoort.

This legal bar had "serious" effects on all the other claims made by Mandela, except for her argument that the 1983 order had lapsed or been withdrawn before the amendment was issued on December 20.

He dismissed Mandela's claim that the 1983 order had lapsed or had been withdrawn after the arson attack on her Brandfort home. Le Grange, on learning of the fact that she was living in Soweto, said he had ordered an investigation with a view to a criminal prosecution.

"I find that the applicant has failed to show that she is entitled to to any relief against either of the respondents," the judge concluded.

Judge rejects plea on banning order

From GAVIN EVANS

JOHANNESBURG. — A Rand Supreme Court judge yesterday dismissed an urgent application by Mrs Winnie Mandela to overturn her banning order.

Mrs Mandela, wife of the jailed African National Congress leader, Nelson Mandela, was granted leave to appeal to a Full Bench of the Supreme Court by Mr Justice Louis le Grange.

"The matter is one of the personal freedom of the individual and is a question of great and important principal. I am therefore inclined to grant you leave to appeal," the judge said.

Mr Justice Le Grange said that he could not decide whether the decision by the Minister Law and Order to restrict Mrs Mandela was valid.

He found that he could not rule on the amendment to her 1983 banning order without ruling on the original order itself and the 12-month period to appeal against that order had expired.

The order restricts Mrs Mandela from entering the magisterial districts of Johannesburg or Roodepoort. Her preferred home is in Soweto which is in the Johannesburg magisterial district.

Her current "banning" order was described by the government as a relaxation of her previous set of restrictions issued on July 2 1983, which barred her from leaving the remote Free State town of Brandfort.

During the hearing, Mr Sidney Kentridge, for Mrs Mandela, argued that the order excluding her from her home town was "grossly unreasonable, arbitrary and capricious".

He said that the Minister of Law and Order, Mr Louis le Grange, did not give her the reasons for radically altering the terms of her previous order and therefore robbed her of her right to make meaningful representation to him.

Mrs Mandela did not attend the hearing yesterday. She had received special permission to attend previously.

Her attorney, Mr Ismael Ayob, said: "I suggested to Mrs Mandela that she did not attend the court hearing because I thought it in her best interests."

Mr Aubrey Mokoena, publicity secretary of the Release Mandela Committee, said she was staying in a "quiet place".

Leave to appeal granted as...

Court upholds restriction on Mrs Winnie Mandela

STAR 328 14/1/86

By Jenni Tennant

Mrs Winnie Mandela's application to have a notice barring her from entering Johannesburg and Roodepoort declared invalid was dismissed with costs in the Rand Supreme Court yesterday.

The wife of jailed African National Congress leader Nelson Mandela last week brought an urgent application against the Minister of Law and Order and the Commissioner of Police, contesting the validity of the order barring her from Johannesburg and Roodepoort.

Mrs Mandela was not in court to hear the outcome of the application, which lasted two days.

Mr Gilbert Marcus, counsel for Mrs Mandela, applied for leave to appeal.

In response Mr Justice L le Grange said: "The matter in issue is a matter of personal freedom of an individual and is an important principle. I am inclined to give you leave to appeal."

Mrs Mandela was granted leave to appeal to a Full Bench.

In a judgment which lasted more than an hour, Mr Justice le Grange said he had to determine how a notice issued in 1983 by the Minister of Law and Order — which prohibited her from leaving Brandfort, in the Free State — affected Mrs Mandela's rights prior to the issuing of a notice last year.

On December 21 last year Mrs Mandela was served with an order prohibiting her from being in the Johannesburg and Roodepoort magisterial districts.

"This finding may have an important and far-reaching effect on the fate of the application," Mr Justice le Grange said.

He found that the court was precluded from adjudicating on the matter in terms of section 42 of the Internal Security Act.

In terms of the Act no proceedings could be instituted after 14 days of the issuing and serving of an order, and a court could not decide on the validity of an order after a 12-month period.



Mr Ismail Ayob, Mrs Winnie Mandela's attorney, leaves the Rand Supreme Court yesterday after hearing the judgment on her application.

It was argued in court that the notice issued in 1983 had lapsed or been withdrawn after her house in Brandfort was burned last August and she had moved to Soweto.

On this question Mr Justice le Grange said: "It seems to me the only way the Minister can withdraw any prohibition or restriction is to issue a written notice in terms of section 24 of the Internal Security Act."

Mrs Mandela had failed to show she was entitled to relief against either the commissioner or the Minister, he said

more than $1m and consigned to pers Linda Fink owed Valiant "control authorities".

Winnie goes into hiding after court hearing

BUSDAY 23/1/90

WINNIE MANDELA left for an undisclosed location yesterday after a Krugersdorp Regional Court magistrate added a proviso to bail conditions prohibiting her from entering Johannesburg and Roodepoort.

Her attorney, Ismail Ayob, refused to say where Mandela was going after the hearing.

"She is in hiding from the Press," he joked.

About 150 cameramen and chanting wellwishers surrounded the wife of jailed African National Congress leader Nelson Mandela as she left court.

Police urged the crowd, which spilled on to the streets outside the court building, to disperse.

Motorists and passersby watched as Mandela exchanged a clenched fist salute with bystanders before leaving by car.

During the hearing, magistrate C J Eksteen granted an application that the words "unless she is lawfully in that area" be added to bail conditions prohibiting Mandela from entering the magisterial districts of Johannesburg and Roodepoort.

Prosecutor G Thiart said the magistrate at Brandfort, Free State, was the only person who could give Mandela permission to enter a prohibited area.

Ayob later explained that the amendment meant Mandela could return to Soweto without being constrained by the bail condition if a forthcoming appeal overturned a Rand Supreme Court decision to uphold her amended banning order.

Mandela was arrested at her home in Soweto on December 22 after the amended banning order, refusing her permission to enter the two areas, was imposed on December 21.

The hearing was postponed to February 19.

Mandela was not asked to plead to charges, in terms of the Internal Security Act, of failing to comply with the provisions of her banning order.

Bail of R500 was extended. — Sapa.

NEW YORK — Sharply lower

to $20 — in the past two days had

CAPE Times
23/1/86

Mandela bail plea granted

From MIKE CADMAN

JOHANNESBURG. — A Krugersdorp magistrate yesterday opened the way for Mrs Winnie Mandela to apply to a Brandfort magistrate for permission to enter Johannesburg and Roodepoort.

Following an application by Mrs Mandela's lawyer, Mr Ismail Ayob, the magistrate, Mr C J Eksteen, ordered that the words "unless she is lawfully in that area" be added to the bail conditions prohibiting her from entering the magisterial districts of Johannesburg and Roodepoort.

Mrs Mandela appeared in Krugersdorp Magistrate's Court yesterday on charges of breaking her banning order.

She was not asked to plead and the hearing was postponed to February 19 when a date for trial would be set.

The prosecutor, Mr G Thiart, said he had no objection to the amendment to the bail conditions asked for by Mr Ayob.

Mr Ayob said the validity of Mrs Mandela's amended banning order would be contested when they appealed against a decision by the Rand Supreme Court to uphold amendments imposed on December 21 last year.

A large crowd of journalists and about 100 supporters mobbed Mrs Mandela as she left the court.

Police ordered the crowd to disperse but many followed her to her car while bystanders watched.

A police crew filmed the crowd.

Mixed-marriage shopowner loses licence

E. Post 1/2/80

Weekend Post Reporter

A LEADING Kirkwood store, Salter's supermarket, was closed down by the police today after the municipality refused to renew the licence of the owner, who is married to a coloured woman.

The Town Clerk, Mr J C Muller, told the owner, Mr Jack Salter, in a letter yesterday that because he was married to a coloured woman, under the Group Areas Act he was re-classified coloured and was not allowed to trade in the white area.

Mr Salter is contesting the issue with an application for an interdict in the Supreme Court on Monday and will be sueing for damages — loss of business.

The closure today followed the brief arrest of his wife, Mrs Imelda Salter, who was charged with trading without a licence in Mr Salter's absence.

The latest crop of trouble (Mr Salter was detained for two weeks by the police during a consumer boycott last August) began yesterday afternoon when Mr Salter sought to renew his trading licence.

He sent it with the cash to the licensing officer, Mr Max Crouse, but it was returned with the instructions that he would have to present it on Monday because he "couldn't accept cash in the afternoon".

It warned that if he continued to trade he would be committing an offence.

Early today, Mr Salter drove into Uitenhage to buy stock and received a call at a warehouse telling him police had arrested his wife at the supermarket for trading without a licence.

She was released after being charged.

He also said his marriage, which took place in Umtata, was not recognised by various authorities in South Africa, including the Receiver of Revenue,



Mr JACK SALTER with his wife, IMELDA, and their son, LANCE. His supermarket was closed down today as a result of his marriage to a coloured woman.

11 000 HELD

SOWETAN 6/2/86.

POLICE detained almost 11 000 people during 1985 and arrested an estimated 25 000 on charges relating to political unrest, the Detainess' Parents Support Committee said yesterday.

SAPA

About 25 000 were arrested on charges such as public violence, malicious damage to property, arson and intimidation, the DPSC said, adding that "there is no way of knowing how many of those arrested were actually brought to trial or the outcome".

A total of 3 737 people were detained in South Africa and the national states under security legislation last year.

Another 7 361 were detained in terms of emergency regulations since the state of emergency was imposed on July 21 last year, bringing the total number of detentions to 10 998.

At the end of January there were 629 people still in detention — 294 under security legislation and another 335 under emergency regulations.

Thirteen people "arrested under circumstances appearing to be politically related" died in police custody, the DPSC said. Inquests relating to several of these deaths were in progress, it said.

Detained

The SAP detained a total of 1 684 people in terms of security legislation. Another 1 953 were detained in the national states of Transkei, Ciskei and Bophuthatswana last year.

25 000 others face unrest cases

Transkei held the highest total of detainees under security legislation in 1985 — 1 848 people. Detentions in the Transvaal totalled 262, followed by 197 in the Western Cape.

There were 75 detentions under security legislation in the Eastern Cape, but up to December 27 there were more detentions in terms of emergency regulations than in any other region — 3 151, or 42,8 percent.

The Transvaal region had the next highest total — 42,3 percent or 3 117 detentions under emergency regulations.

In the Western Cape there were 1 093 detentions in terms of the emergency regulations, the DPSC said.

The committee said an analysis of known detainees had shown that the main targets of detention were community and political workers, scholars, students and teachers.

Banned

These groups account for more than half the known detainees, "with the prime targets undoubtedly being the leadership of the United Democratic Front and its affiliates and also the membership of the Congress of South African students up to the time of its banning" last year.

Fifty-nine people were banned under emergency regulations — 53 of them in Cape Town.

Former deputy mayor on murder charge P2



FRED Mohajane.

Ex-deputy mayor on murder charge

WOMAN WAS SJAMBOKKED

MR FREDDIE Mohajane, former deputy mayor of Dobsonville, pleaded not guilty to a charge of murder when he appeared before Mr J J Muller in the Orlando Magistrate's Court yesterday.

SOWETAN REPORTER

Mr Mohajane, of Dobsonville, is accused of murdering Mrs Lydia Marite, a former staffer of the banned *Post* newspaper and former member of the Media Workers' Association of South Africa (Mwasa), in June last year.

Mr J B Gresse, who represented Mr Mohajane, told the court that his client would admit assaulting Mrs Marite with a sjambok on June 1 last year, but did not think that could have caused her death several days later.

He also submitted that both Mr Mchajane and Mrs Marite were under the influence of liquor on that day.

Miss Margaret Badirwang, who worked as a domestic for Mrs Marite, told the court that Mr Mohajane and Mrs Marite had been staying together before she died.

She said Mrs Marite was assaulted with a sjambok after she had appealed to him not to continue beating up her daughter, Leah.

"Mr Mohajane beat her several times in the body until she fell down. She asked to be forgiven, but he dragged her into the bedroom. The following morning her legs were swollen. She complained of a headache a few days later," Miss Badirwang said.

An eight-year-old State witness, who cannot be identified because of her age, said she saw Mrs Marite fall down as Mr Mohajane was continuously beating her up with a sjambok.

"She woke up after that and went to the bedroom where Mr Mohajane hit her with the back of a gun. She complained of a headache the following day," she said.

Earlier, Dr Herma Rabie, who conducted the post mortem at Diepkloof mortuary, told the court that Mrs Marite had multiple head and body injuries and that she died as a result of excessive bleeding in her head.

The case has been postponed to March 4 for judgment.

Detainee released, restricted

Staff Reporter

AS detainees in Johannesburg's Diepkloof Prison continue their hunger strike, a Western Cape member of the United Democratic Front, Cheryl Carolus, has been released under heavy restrictions.

A Department of Prison Services spokesman confirmed yesterday that 35 emergency detainees had not taken meals since breakfast on Tuesday.

The detainees have made it known that their strike is indefinite and is in support of demands for the release of all detainees, an end to the state of emergency and the withdrawal of troops from the townships.

Ms Carolus is confined to the Cape magisterial area of Wynberg and prohibited from taking part in UDF activities, from associating herself with any publication, from entering educational institutions and from attending meetings where Government policies are discussed.

Cheryl Carolus released

Staff Reporter

LEADING Western Cape United Democratic Front activist Ms Cheryl Carolus has been released from detention in Johannesburg and served with a sweeping restriction order.

She and UDF executive member Mr Murphy Morobe were detained on January 22 after Ms Carolus and three other UDF members returned from a visit to Sweden.

Prohibited

The restriction order on Ms Carolus, in force until the lifting of the state of emergency, is similar to that imposed recently on virtually every other member of the UDF regional executive in the Western Cape.

She may not leave the Wynberg magisterial district, is banned from participating in any activity of the UDF, she may not enter the premises of any educational institution and is prohibited from being associated with the preparation or production of a publication.

In addition, she is banned from attending any meeting where "government policies are attacked, criticized or discussed".

BUSDAY 19/2/86 328

Mandela charges 'withdrawn'

CHARGES pending against Winnie Mandela for allegedly contravening her banning order would be provisionally withdrawn today, it was announced yesterday.

Attorney-General for the Witwatersrand Local Division, K von Lieres und Wilkau, SC, had decided to provisionally withdraw the two charges today in the Krugersdorp Regional Court in Mrs Mandela's absence, a Press statement said.

He decided to provisionally withdraw charges after noting Mandela had appealed against a Supreme Court decision upholding the validity of a notice amending her banning order. "It has now come to my notice that Mandela, following her unsuccessful civil application to the Witwatersrand Local Division to have the notice issued on December 24, 1985 which amended the original restriction order dated June 1983 declared invalid, has noted an appeal to the Transvaal Provincial Division.

"The pending criminal charges are based on the validity of the Notice she now challenges and appeals against." Mandela has not been asked to plead to charges in terms of Section 56 (1) K of the Internal Security Act. — Sapa.

CAPE TIMES 14/2/86

Kraatz may go to court over permit

Staff Reporter

PASTOR Gottfried Kraatz, the Lutheran minister who was last week informed that his work permit would not be renewed, is investigating legal action to try to reverse the decision by the Minister of Home Affairs, Mr Stoffel Botha.

In a statement on Wednesday the Dean of the Western Cape Circuit of the Evangelical Lutheran Church of South Africa, Dean J A J Steenkamp, said Pastor Kraatz has already consulted lawyers on the matter.

"The lawyers are looking into the question whether there are any prospects of success in bringing an application to court.

"Should they find such prospects, the church would advise Pastor Kraatz to proceed with such application," Dean Steenkamp said.

Pastor Kraatz was informed on February 6 that his work and residence permits would not be renewed.

Pastor Kraatz has been a minister in Mitchells Plain for the past five years, and after being released from seven weeks' detention last year, was served with a restriction order valid until the lifting of the state of emergency.

Last October he applied for the renewal of his work permit to begin work in resettlement areas.

Drive to stop 'harassment of Mrs Mandela'

'Protect Winnie' move launched

7/2/86. STAR

B28

By Andrew Beattie

A national campaign "against the sustained harassment of Mrs Winnie Mandela" was launched yesterday and attended by patrons of the United Democratic Front, representatives of various other organisations and a large contingent of foreign and local media.

The launching was hurriedly organised at the Roman Catholic Church centre at Kagiso near Krugersdorp after a magistrate banned the meeting planned in Alexandra.

Chairing the meeting, Father Smangaliso Mkhatshwa, the Secretary-General of the Southern African Catholic Bishops' Conference and a patron of the UDF, said Mrs Mandela was "the most potent symbol for highlighting the State's harassment of its opponents".

He said the campaign was also being launched for reasons of her own personal security.

"She is the wife of a great patriot, a great hero, a great leader of the majority of the people of this country," said Father Mkhatshwa.

Initially there was concern when Mrs Mandela failed to arrive. Mr Aubrey Mokoena of the Release Mandela Committee said that she was either being "modest" or had been "intercepted".

However, she arrived later and was mobbed by pupils, and after talking privately with Dr Allan Boesak, also a UDF patron, she spoke briefly with the Press, although she may not be quoted.

Messages of support from several individuals and organisations were read out.

From the American Lutheran Church came the message that Mrs Mandela was "accused of a crime that doesn't exist anywhere else in the world — being at home in her own house".

Dr Boesak said it was good that the launching of the campaign came "as the Government is trying to save whatever may be left of its reform programme".

"They are trying to convince the international community that what the State President is saying is truthful, meaningful and is a fundamental programme of change.

Rumours

"Although rumours of Mr Mandela's release swing back and forth like a pendulum there is yet to be a firm statement from the Government that he is to be released.

"While rumours are allowed to continue, we do not hear about the release of other prisoners. Our demand is for the release of all political prisoners," said Dr Boesak.

Dr Boesak said that if the Government did not lift the state of emergency, the people would "come together and defy it".

Professor Fatima Meer, director of the Institute of Black Research, said: "Give Winnie her freedom so that she can pave the way for what is ahead of us — the release of Nelson."

Mandela had to be released, she said, so that he could "institute and bring in the new government that this country and its people have been waiting for for many, many decades."

Mr Neil Morrison, publicity secretary of the Johannesburg Democratic Action Committee, said: "Jodac believes that anyone who thinks that this Government can have a change of heart is misguided. The only thing they respond to is pressure. We see the Mandelas being symbols of the people who exerted that kind of pressure for democracy from inside this country.

Mr Mokoena said that attempts by the "fascist regime" to prevent the launch of the Winnie Mandela Support Committee actually helped to promote it. He said that it was the first time he was aware of a Press conference being banned.

Dr Boesak concluded saying that no UDF leaders had been allowed to visit Mr Mandela in prison.

"I would love to see him before he gets out. There have been no negotiations about his release, even his lawyers have not been allowed to see him for a couple of months. The stories about his release are simply rumours."

R135

MONT

AS

Mandela charges to be withdrawn

JOHANNESBURG. — Charges pending against Mrs Winnie Mandela for allegedly contravening her banning order will be provisionally withdrawn today.

The Attorney-General for the Witwatersrand Local Division, Mr K von Lieres und Wilkau SC, said in a statement he had decided to provisionally withdraw the two charges today in the Krugersdorp Regional Court in Mrs Mandela's absence.

He decided this after noting Mrs Mandela had appealed against a Supreme Court decision upholding the validity of a notice amending her banning order.

"It has now come to my notice that Mrs Mandela, following her unsuccessful civil application to the Witwatersrand Local Division to have the Notice issued on December 24 1985 which amended the origional restriction order dated June 1983 declared invalid, has noted an appeal to the Transvaal Provincial Division. The pending criminal charges are based on the validity of the notice she now challenges and appeals against."

Mrs Mandela had not been asked to plead to charges in terms of Section 56 (1) K of the Internal Security Act. — Sapa

4 held over train robbery

Own Correspondent

JOHANNESBURG. — Four men, all in their 20s, are to appear in the Pietersburg Magistrate's Court today in connection with the R1,4m train robbery on December 3.

Four robbers — be-

☎ 021-71 6098 (night).

Winnie's charges provisionally dropped

Charges pending against Mrs Winnie Mandela for allegedly contravening her banning order will be provisionally withdrawn today, the office of the Attorney-General announced yesterday.

The Attorney-General for the Witwatersrand Local Division, Mr K von Lieres und Wilkau, SC, had decided to provisionally withdraw the two charges today in the Krugersdorp Regional Court in Mrs Mandela's absence, a Press statement said.

He decided to provisionally withdraw the charges after noting that Mrs Mandela had appealed against a Supreme Court decision upholding the validity of a notice amending her banning order.

"The pending criminal charges are based on the validity of the notice she now challenges," the statement said.

Mrs Mandela had not been asked to plead to charges in terms of Section 56 (1) K of the Internal Security Act. — Sapa.

Winnie saluted USSR — Tass

The Star Bureau

WASHINGTON — Mrs Winnie Mandela sent a militant salute to the Soviet Union and thanked it for its fraternal solidarity, the Tass news agency has reported from Harare.

Tass correspondent Aleksandr Osipov's report from Harare of his telephone interview with Mrs Mandela in Johannesburg was broadcast on Moscow's radio service on February 13 and monitored in Washington.

Report restricted

Mrs Mandela is a banned person and may not be quoted. All of her comments reported in the interview have therefore been excised from this report. — Editor.

Police raid Winnie's Soweto home

By Rich Mkhondo

Police yesterday raided the Orlando West, Soweto home of Mrs Winnie Mandela, believing she was there illegally. They visited the home three times.

According to Miss Zinzi Mandela, her daughter, police arrived at their Soweto home at about 11am in three cars and a van. They returned at 1 30pm and at 4 pm.

In terms of Mrs Mandela's latest banning order she may not enter Soweto.

Miss Mandela told *The Star*: "They were armed, arrogant and demanded to see my mother saying they received information she was at home. They searched the house and and could not find her. While they were still there I telephoned my mother.

FORCE GATE

"She demanded to speak to the officer in charge, but he refused to speak to her and said he was acting on instructions from above. They left after about an hour."

Miss Mandela said she was told the police returned "in a show of force" while she was out, and came again at 4 pm and tried to force the main gate. They were unsuccessful and left after 15 minutes.

Police Public Relations Directorate in Pretoria "had no information about the raid".



Banished pastor to take to court

Pastor Kgabatsi Makwai

Staff Reporter

LUTHERAN Pastor Gottfried Kraatz, who is under orders to leave South Africa by midnight, says he will not be taking his fight to stay to the Supreme Court.

The Home Affairs Minister, refused to renew his residence permit, got him-self involved in several political organisations against which Kraatz had been warned.

Mr Stoffel Botha, Minister of Home Affairs, said Kraatz had been given five years to apply for permanent residence.

Mr Kraatz is a German-born congregational Lutheran minister.

His wife, Nini, said earlier that although the family was packed and prepared to be unprepared. "We have had received our things," she said. "Tremendous support" for their stand.

"We are still under orders to go.

"We are very tired of this whole thing. But we want to go through with it.

"Whatever happens we will not leave voluntarily."

Mr Kraatz was ordered to leave as at our home in Rondebosch," he said.

Asked what would happen to his four children, he said that decisions on their future depended on his principal, who are going to stands.

His wife, Nini, said earlier that although the family was decided on its course of action, it would be foolish to be unprepared. "We have had our things," she said. Mr Kraatz said the family was packed and prepared. "We have had received our things," she said. "Tremendous support" for their stand.

GREAT STRAIN

"We are still under orders to go.

"We are very tired of this whole thing. But we want to go through with it.

"Whatever happens we will not leave voluntarily."

Mr Kraatz was ordered to leave as at our home in Rondebosch," he said.

Asked what would happen to his four children, he said that decisions on their future depended on their principal, who are going to stands.

His wife, Nini, said earlier that although the family was decided on its course of action, it would be foolish to be unprepared. "We have had our things," she said. Mr Kraatz said the family was packed and prepared. "We have had received our things," she said. "Tremendous support" for their stand.

meantime.

He said he could not be planned court action to take aside for the Supreme Court in Minister's decision. Church for an interdict of the Evangelical Lutheran Synod in Southern Africa. Cape Town for an interdict stating that the Minister did not have the right to apply for the deportation order.

Mr Kraatz has been in the country for five years serving the congregation of Plain Street Lutheran Church in Johannesburg.

He was born in Germany and has been a South African citizen for the past five years.

Mr Kraatz was ordered to leave the country by midnight on Monday after he had been served with a deportation order by the Minister of Home Affairs on Friday.

He was served with the order at his home in Rondebosch by a plain-clothes security police officer.

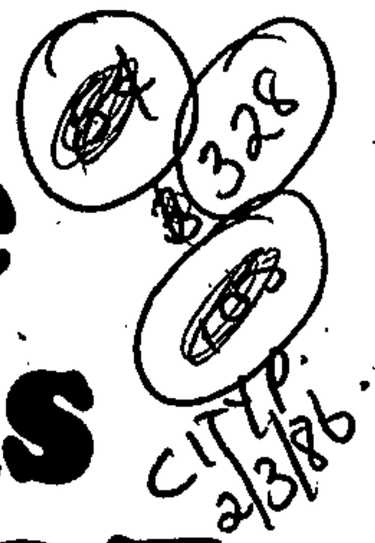
Mr Kraatz has been in the country for five years serving the congregation of Plain Street Lutheran Church in Johannesburg.

He was born in Germany and has been a South African citizen for the past five years.

Mr Kraatz was ordered to leave the country by midnight on Monday after he had been served with a deportation order by the Minister of Home Affairs on Friday.

He was served with the order at his home in Rondebosch by a plain-clothes security police officer.

Fort Hare kicks out 27



TWENTY-seven Fort Hare University students have been banned from the campus.

A list with the affected students' names was leaked to the Press this week.

It was put up on all notice boards when students went to register this year.

Six of the 27 students are members of the Students' Representative Council – president Steve Mosala, Dula Dumakatso Aphane, Mpumelelo Dlabantu, Tumelo Moshime, Sizwe Mbi and Vuyisani Piliso.

Others on the list are Michael Bashe, Gobolong Cibi, Sitembiso Chauke, Kholisile Gosani, Mluleki Gumse, Vuyisile Gwintsa, Siseko Mabutho, Mothibe Ramothibe, T Mdlalana, Ntobeko Maho, Z Morapele, Kayiwe Mkinza, Zolani Makalima, William Moeng, Chule Papiyana, Sibusiso Nkomo, M Mdlangisa, Sivuyile Mkebe, Bonga Radebe, Thanduzolo Segewnu and Sonwabo Thomas.

Mdlalana was arrested on Saturday for "trespassing" and paid a R10 admission of guilt fine.

She was arrested after allegations that she had entered the university as a banned student without the university authorities' permission.

A spokesman for the banned students said the authorities alleged they were barred from the campus because they are "undesirable elements" and "poisonous" on the campus.

University PRO Norman Holiday said the university council had refused between 10 and 20 students admission to the campus. "The council is not obliged to give reasons in terms of the University Act," he said.

Holliday said 131 other students were excluded purely on academic grounds by the "exclusion council".

The Azanian Students' Organisation – of whom most of the affected students are believed to be members – could not be reached for comment. – Veritas News Agency

(b) In the areas which were declared Emergency Areas.

(c) The particulars are not readily available.

(d) For the period 21 July 1985 to 4 February 1986.

(2) I refer the Honourable Member to question no 32 which I answered orally on 11 February 1986.

(3) (a), (b) and (c) The particulars are not readily available.

Riots

42. Mr E K MOORCROFT asked the Minister of Law and Order:

(1) How many members of the South African Police were (a) killed and (b) injured in the Republic in attempts to contain rioting in 1985;

(2) (a) how many buildings belonging to (i) the State and (ii) private individuals were destroyed or damaged as a result of rioting in 1985 and (b) what is the estimated (i) value of the buildings so destroyed and (ii) amount of the damage so sustained;

(3) (a) how many arrests of civilians were made in this connection in 1985, (b) on what charges were they arrested and (c) how many such civilians were still being held as at the latest specified date for which figures are available?

The MINISTER OF LAW AND ORDER:

(1) (a) 16.

(b) 330.

(2) (a) (i) 1 153.

(ii) 2 787.

(b) (i) to (ii) Whereas estimated values by the police in the past were considered as not authoritative, it has been decided not to present it any longer.

(3) (a) 4 806.

(b) Arson, Attempted Arson, Malicious injury to Property, Public Violence, Intimidation, Explosives Act, Murder, Attempted Murder, Serious Assault, Assault on Police, Sabotage.

(c) 901 on 7 February 1986.

Detainees

46. Mrs H SUZMAN asked the Minister of Law and Order:

How many visits to detainees held under section 29 of the Internal Security Act, No 74 of 1982, were made by (a) inspectors and (b) magistrates in 1985?

The MINISTER OF LAW AND ORDER:

(a) 2 823

(b) 3 407.

Restricted persons

47. Mrs H SUZMAN asked the Minister of Law and Order:

(a)(i) How many persons in the Republic are at present restricted under each specified section of the Internal Security Act, No 74 of 1982, and (ii) in respect of what date is this information furnished and (b) how many restricted persons left the Republic during the latest specified period of 12 months for which figures are available?

The MINISTER OF LAW AND ORDER:

(a) (i) Ten persons are at present restricted under sections 19(1) and

20 of the Internal Security Act, 1982.

(ii) 10 February 1986.

(b) None.

Group Areas

80. Mr G B D McINTOSH asked the Minister of Constitutional Development and Planning:

(1) How many group areas had been proclaimed in the Republic for (a) White, (b) Coloured and (c) Indian occupation as at 31 December 1985;

(2) what was the total area proclaimed for each group as at that date?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

(1) (a) 453.

(b) 341.

(c) 124.

(2) (a) 749 402 ha.

(b) 96 394 ha.

(c) 50 776 ha.

Housing rentals

81. Mr P G SOAL asked the Minister of Constitutional Development and Planning:

(1) Whether the payment of any housing rentals in respect of Black townships was outstanding as at 31 December 1985; if so, (a) what total amount is involved and (b) in respect of how many residences were such rentals outstanding in each specified township as at that date;

(2) whether any families (a) were and (b) are to be evicted from their homes for failing to pay their rent in 1985; if so, (i) how many families, (ii) from which townships, and (iii) what was the amount of their rental arrears, as at the latest specified date for which information is available?

The MINISTER OF CONSTITUTIONAL DEVELOPMENT AND PLANNING:

(1) (a) and (b) Yes. The Department of Constitutional Development and Planning does however not keep record of such details and the cost and time involved in conducting a survey to obtain such information is not considered to be justified.

(2) (a) and (b) Development Boards and Black Local Authorities act in their own right without my or my Departments' intervention and the information can therefore not be furnished.

Advertisements

112. Mr D J DALLING asked the Minister of Law and Order:

(1) What was the total amount spent by the South African Police in 1985 on placing advertisements for any purpose in newspapers in the Republic;

(2) what amount was paid to each specified newspaper in the above regard in that year?

The MINISTER OF LAW AND ORDER:

(1) R5 513,76.

(2)

Potchefstroom Herald	R 283,36
Publication of the Engineers Association of SA	R1 209,60
Rapport	R1 602,72
SA Associated News Paper	R1 602,72
Kalvin Publications	R 815,36
	R5 513,76

Advertisements

117. Mr D J DALLING asked the Minister of Foreign Affairs:

(1) What was the total amount spent by



Mr HENRY FAZZIE



Mr MKHUSELI JACK

Fazzie, Jack banned

328
Ebos
11/3/86

Post Reporters

THE two most influential black leaders in the Eastern Cape, Mr Mkhuseli Jack and Mr Henry Fazzie, were today served with banning orders.

Both men were banned for five years, police have confirmed.

Mr Jack is president of the PE Youth Congress and spokesman for the Consumer Boycott Committee, and Mr Fazzie is vice-President of the UDF in the Eastern Cape.

The move has left commerce and industry aghast.

The president of the Midland Chamber of Industries, Mr Bill Oddy, said: "The banning orders are quite ridiculous. Now is the time when communication is absolutely essential."

Mr Tony Gilson, director of the Port Elizabeth Chamber of Commerce, said: "We greet this banning news with shock and dismay. A carefully cultivated climate of negotiation is now in extreme jeopardy.

"Causes need to be established — not the symptoms tackled. What we need is a process of true negotation between all groups."

Mr Jack returned on Sunday after addressing anti-apartheid groups in Europe, among them MPs at the House of Commons.

Both men were detained last year during the four-month boycott which strangled trade at white shops. The boycott is due to be resumed in April, unless certain demands are met.

The UDF in the Eastern Cape said in a statement that the bannings had increased the probability of the boycott being resumed.

Mr Gilson said: "We question the wisdom of serving the orders on Mr Jack and Mr Fazzie. We have been involved in negotiations with them and the communities they represent. The consultations, we believe, were aimed at finding a solution to the problems facing the Eastern Cape and South Africa."

The Chamber believed the rule of law and the administration of justice should be safeguarded by the courts. It was opposed to detention without trial.

The Chamber would carefully consider what action it would take.

The banning orders, in terms of the Internal Security Act, were signed by the Minister of Law and Order, Mr Louis le Grange.

Lieutenant Colonel Gerrie van Rooyen, police liaison officer for the Eastern Cape, said the orders were in terms of Section 19(1)A and Section 20(A) of the Act.

Included in the restrictions were clauses restricting the men to the magisterial district of PE, confining them to their homes on Saturdays,

Turn to Page 2

P.T.O.

From Page 1

Mkhuseli Jack and Henry Fazzie banned

Sundays and public holidays, and between 7pm and 6am on weekdays.

There is also a restriction to the townships in which they live. They are still allowed into Port Elizabeth, but whether their jobs will affected is unknown. Mr Fazzie, who works full-time in the UDF offices, could be prevented from doing such work, because the men are barred from attending political gatherings and disseminating information of a political nature.

According to the orders, both men were considered by the Minister to "pose a threat to the maintenance of law and order."

No further information could be given because it could be "detrimental to the public interest," the orders say.

The president the East Cape branch of the UDF, Mr Edgar Ngoyi, said the UDF had learnt "with great anger and a sense of dismay of the grossly vindictive banning orders."

The orders were aimed at "doing away with the democratic voices of our people.

"We are growing more and more sick of the way repression is orchestrated in the name of law and order.

"Our people are rapidly becoming disillusioned with the legal apparatus which maintains this illegal system. We will not be silenced, our voices will be heard and we will win our freedom."

The Progressive Federal Party MP for Walmer, Mr Andrew Savage, reacted with dismay and anger at the bannings.

He said in Cape Town that he had planned to see Mr Jack and Mr Fazzie tomorrow to discuss the situation in the Eastern Cape, and particularly the possible re-introduction of a boycott in PE.

"I regard them as legitimate leaders of the black community, and I believe their banning is short-sighted and seriously damaging to race relations in South Africa.

"Both men have the status of national figures, and represent genuine leadership among the majority section of our community.

"An action like this banning can only be regarded as provocative in the extreme."

Mrs Judy Chalmers, chairman of Black Sash in the East Cape Region, said: "Black Sash is absolutely appalled at the bannings. The past six months have proved that these men represent effective, disciplined leadership at a time when South Africa needs it most.

"It would seem that at attempt has been made to silence the voice of democracy in South Africa. We regard this as an assault on human liberty."

Disclosing that two security policemen came for Mr Fazzie at the UDF office in North End, Mr Ngoyi said he viewed the incidents as "provocative."

He said the boycott committee had not yet had a chance to discuss "whether there have been any improvements" during Mr Jack's absence.

Only after they had met would they be able to organise a meeting with the Chamber of Commerce to discuss the situation.

Mr Ngoyi said that despite the lifting of the state of emergency, there was still a "troops presence" in the townships.

The boycott committee's other demands, including the release of political prisoners such as ANC leader, Nelson Mandela, the lifting of the ban on organisations and the return of exiles, had not been met.

ARGUS 11/3/86

Two Eastern Cape UDF men banned for five years

328

The Argus Bureau

PORT ELIZABETH. — Security police today banned for five years a leading black consumer-boycott activist and a United Democratic Front official — one day after a 10-month Eastern Cape boycott of white-owned shops was lifted.

Mr Mkhuseli Jack, head of the consumer boycott committee and chairman of the Port Elizabeth Youth Congress, and Mr Henry Fazzie, vice-president of the UDF in the Eastern Cape, were picked up by security police in the city today.

Police liaison oficer Lieutenant-Colonel Gerrie van Rooyen later said both men had been banned for five years in terms of the Internal Security Act.

Restrictions include confinement to their homes at night and at weekends, restriction of their movements to the Port Elizabeth magisterial district, and bans on attending public meetings and being quoted by the media.

Mr Jack returned at the weekend from a three-week overseas trip during which he addressed anti-apartheid meetings in Britain and Europe and met officials of the ANC and other banned organisations.

He said he was "unimpressed" with the lifting of the state of emergency, which had been a demand made by the boycott committee.

It would not prevent the consumer boycott — which crippled many Port Elizabeth businesses last year — from being reimposed later.

A spokesman for the Uitenhage boycott committee said the boycott had been suspended "to give people time to prepare for the national boycott to be launched soon" and because some of the demands of the organising committee had been met.

Ban on PE leaders slammed

Dispatch Correspondent

PORT ELIZABETH — Five-year banning orders imposed yesterday on two black Eastern Cape leaders have been widely condemned.

The banning orders, running to five pages, were served on Mr Mkhuseli Jack, president of the Port Elizabeth Youth Congress, and Mr Henry Fazzie, regional vice-president of the United Democratic Front, in the late morning.

Earlier Mr Jack had been held for questioning by the security police while on his way to the city.

Mr Jack, a UDF regional executive committee member, and Mr Fazzie were previously among a group of community leaders and residents detained in the Eastern Cape in security force swoops.

Yesterday's banning order prevents both men from taking part in labour, community and educational affairs or any "activities calculated to endanger the maintenance of law and order".

The MP for Port Elizabeth Central, Mr John Malcomess, said: "They are mad!" while both the Labour Party and the National People's Party expressed their abhorrence of the principles of bannings without trial.

Two National Party MPs, Mr Sakkie Louw (Newton Park) and Mr Dawie le Roux (Uitenhage) who saw the Minister of Law and Order, Mr Louis le Grange yesterday, said that they had had lengthy discussions with Mr Le Grange during which the minister had explained the action of the police "and we accept it".

Mr Malcomess said he could not imagine anything more calculated to re-start the consumer boycott on April 1.

"Jack and Fazzie are, by township standards, moderates."

The Labour Party leader, the Reverend Allan Hendrickse said his party had always "resisted the implementation of laws that interfere with the right of the individual to have recourse to the law".

"We believe that if the National Party government has a case against any person he should be charged in a court of law where such a person can defend himself.

The MP for Malabar, Mr Raman Bhana, speaking on behalf of the NPP said his party opposed detention without trial and also "the silencing of people through banning orders".

The UDF said the banning of Mr Jack and Mr Fazzie had increased the likelihood of the consumer boycott being reimposed.

April 1 is the deadline set for the government to meet the demands of the Port Elizabeth consumer boycott committee. The decision to lift the boycott temporarily was in line with an ultimatum issued by Commonwealth leaders in November, 1985, which gave the country six months to end apartheid before economic sanctions were instituted.

Mr Tony Gilson, the director of the Port Elizabeth Chamber of Commerce, said the chamber felt it was necessary to consider "right now" what action should be taken in connection with the bannings. He would not elaborate, however.

Mr Koos Alberts, the chairman of the Afrikaanse Sakekamer in Port Elizabeth, said he accepted that there had been a good reason for the banning orders.

DISPATCH
12/3/86

2 UDF MEN BANNED

TWO prominent eastern Cape political activists were yesterday banned in terms of the Internal Security Act.

Mr Mkhuseli Jack, head of the Consumer Boycott Committee and chairman of the Port Elizabeth Youth Congress, and Mr Henry Fazzie, vice president of the United Democratic Front in the eastern Cape, were detained by the Security Police in Port Elizabeth yesterday morning.

328 HA

By ALI MPHAKI

Lieutenant-Colonel Gerrie van Rooyen, police liaison officer for the eastern Cape, said the orders were in terms of Section 19 (1) A and Section 20 (A) of the Internal Security Act.

Restrictions on the two include confinement to their homes at night and at weekends, restriction of their movements to the Port Elizabeth magisterial district, and prohibitions on attending public meetings and being quoted by the media.

Their ban came only a day after a boycott of white-owned shops was lifted.

UDF president in the eastern Cape Mr Edgar Ngoyi said security police fetched Mr Fazzie from the UDF offices at about 11am. Mr Jack was stopped while driving through New Brighton township at about 10am. They were later released.

The UDF in the eastern Cape condemned the bannings, adding that they increased the probability of the consumer boycott being resumed.

Apartheid

The Azanian People's Organisation publicity secretary, Mr Muntu Myeza, said the bannings were a demonstration that the Government is incapable of withstanding opposition from people who do not agree with apartheid.

"The much vaunted move towards reform is furthermore showed to be void by this repressive act," he said.

The banning orders were signed by the Minister of Law and Order, Mr Louis le Grange.

Both men were detained last year during the four-month boycott which strangled trade at white shops, reducing some to near bankruptcy.

The banning of the two has left commerce and industry aghast.

The director of the Port Elizabeth Chamber of Commerce, Mr Tony Gilson, said yesterday the chamber would "as a matter of urgency, carefully consider what action it is going to take".

Mr Gilson said: "We greet this banning news with shock and dismay. A carefully cultivated climate of negotiations is now in extreme jeopardy."

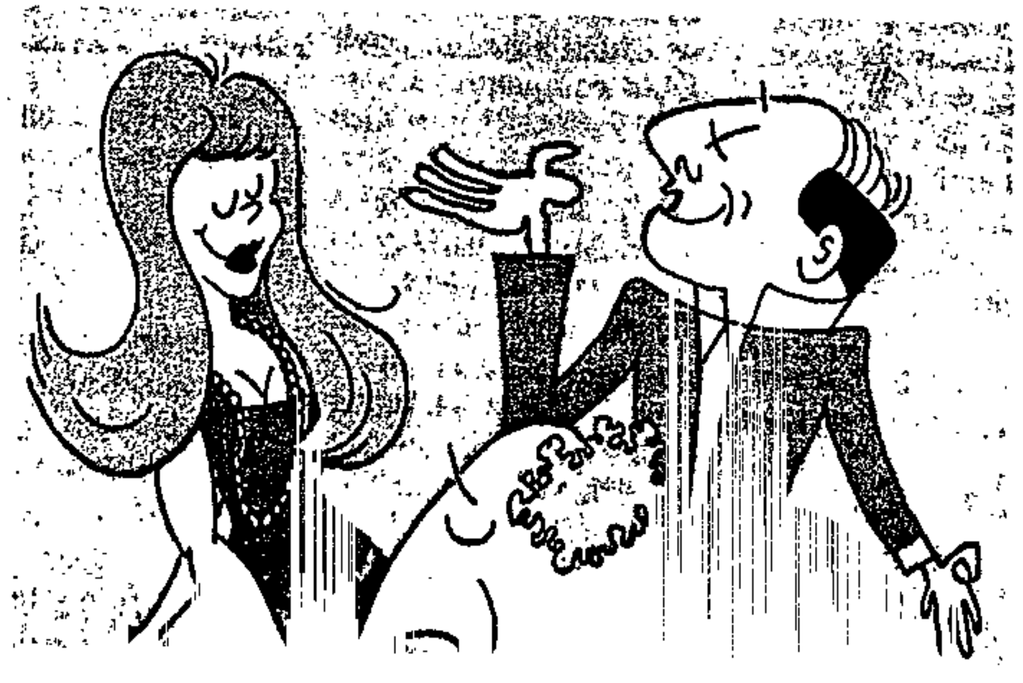
The national executive of the United Democratic Front has strongly criticised the banning of Mr Jack and Mr Fazzie.

A UDF statement issued to Sapa in Johannesburg yesterday said: "The banning and house arrest of two senior UDF members is part of a continuing onslaught against the UDF and its affiliates.

"These bannings confirm our view that the lifting of the state of emergency was merely an attempt to placate international opinion."

SOWETAN 13/3/86.

"When introduced to a lady, I can never remember who should make the first move to shake hands.
* But I do know precisely which cigarettes to present afterwards."



Banning orders for Jack, Fazzie

PORT ELIZABETH. — Two of the most influential black leaders in the Eastern Cape, Mr Mkhuseli Jack and Mr Henry Fazzie, were served with five-year banning orders yesterday.

The move surprised commerce and industry spokesmen.

Mr Jack is president of the Port Elizabeth Youth Congress and spokesman for the Consumer Boycott Committee. He returned on Sunday after addressing anti-apartheid groups in Europe. Mr Fazzie is vice-president of the UDF in the Eastern Cape.

Both men were detained last year during the four-month boycott which strangled trade at white shops, reducing some to near bankruptcy. The boycott is due to be resumed in April unless blacks are satisfied with moves on reform.

Included in the restrictions were clauses restricting them to the magisterial district of Port Elizabeth, confining them to their homes on weekends, public holidays and between 7pm and 6am on working days. — Sapa

● Protest at bannings, page 4

Protest at E Cape bannings

CAPE Times 12/3/86 (3rd)

Political Staff

OPPOSITION spokesmen have slammed the banning of black East Cape leaders, Mr Mkhuseli Jack and Mr Henry Fazzie, while National Party MPs have stated that they accept the reasons for the bannings.

The PFP MP for Port Elizabeth Central, Mr John Malcomess, said bluntly "they are mad!" while both the Labour Party and the National People's Party expressed their abhorrence of the principle of bannings without trial.

Boycott

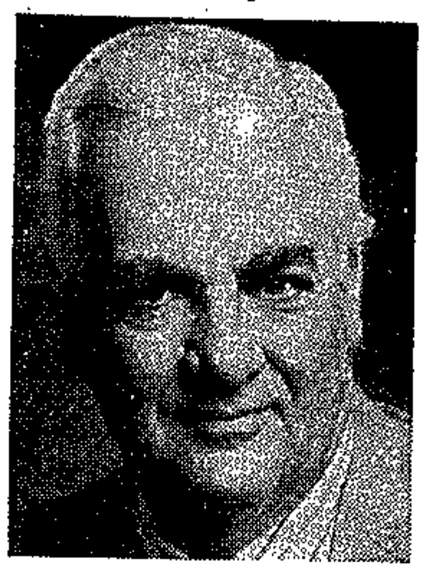
Two National Party MPs, Mr Sakkie Louw (Newton Park) and Mr Dawie le Roux (Uitenhage) who saw the Minister of Law and Order, Mr Louis le Grange, yesterday said that after lengthy discussions during which Mr Le Grange had explained the action of the police they accepted the reasons for the bannings.

Mr Louw held talks with Mr Jack during December.

A horrified Mr Malcomess said he could not imagine anything more calculated to re-start the consumer boycott on April 1.

"Jack and Fazzie are, by township standards, moderates," he said.

Mr Malcomess predicted that banning the two men for five years would "cause more strife and violence than to leave them at liberty.



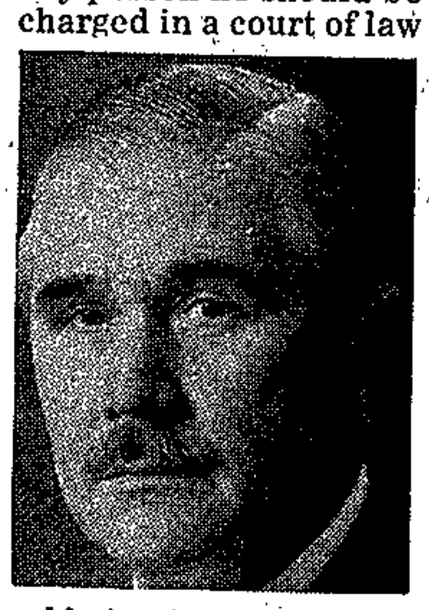
Mr John Malcomess

"I truly don't know what the police have against Port Elizabeth.

"From the Langa shooting to this last autocratic action, the actions of the police are making a return to normality in Port Elizabeth impossible," he said.

Labour Party leader, the Rev Allan Hendrickse, said his party had always "resisted the implementation of laws that interfere with the right of the individual to have recourse to the law".

"We believe that if the National Party Government has a case against any person he should be charged in a court of law where such a person can defend himself.



Mr Louis le Grange

"We therefore call upon the government to either charge Mr Jack and Mr Fazzie or to unban them immedietely," Mr Hendrickse said.

The MP for Malabar, Mr Raman Bhana, speaking on behalf of the NPP, said his party opposed detention without trial and also "the silencing of people through banning orders.

"Should any person have committed a crime such a person should be tried in a court of law.

"The NPP believes in civil liberties and the upholding of the Rule of Law. The NPP believes in freedom of speech and association," he added.

UDF comment

● The National Treasurer of the UDF, Mr Azhar Kachalia, said: "The banning and house arrest of two senior UDF members is part of a continuing onslaught against the UDF and its affiliates.

"These bannings confirm our view that the lifting of the state of the emergency was merely an attempt to placate international opinion.

"We want to warn the government that we are determined to bring an end to apartheid — whatever the costs. Every act of repression will be answered with renewed determination."

Urgent steps on bannings

328 E.Post 12/3/86

Post Reporters

OPPOSITION MPs were today seeking an urgent meeting with Minister of Law and Order Mr Louis le Grange to try to persuade him to lift the five-year banning order on two influential Port Elizabeth black leaders, Eastern Cape UDF vice-president Mr Henry Fazzie and consumer boycott spokesman Mr Mkhuseli Jack.

Veteran human rights campaigner Mrs Helen Suzman and the PFP's three Eastern Cape MPs, Mr John Malcomess, Mr Andrew Savage and Mr Errol Moorcroft are to make up the official delegation.

The Port Elizabeth Chamber of Commerce is also considering urgent action in response to yesterday's shock banning.

The director, Mr Tony Gilson, said today the chamber was "in the process of planning our next step which will be taken as a matter of urgency."

It is understood this action might involve trying to meet high-ranking police officers in the Eastern Cape.

The president of the UDF in the Eastern Cape, Mr Edgar Ngoyi, said the possible reimposition of the consumer boycott in Port Elizabeth had not yet been discussed by the boycott committee.

He said that although the banning of Mr Jack and Mr Fazzie — which prevents them from serving as leaders of the boycott committee — was to be deplored, other leaders were available to take their place.

He described the organisation as being "like a conveyor belt — when they take one out at the front, there is another one ready to take his place."

He could not say when the boycott committee would be meeting or when a planned meeting with the PE Chamber of Commerce would occur.

Mr Nogyi said many people in the townhips were angry at the bannings, but the UDF was trying to "cool them". However, the people expected some type of action to be taken, he said.

"We can't fold our arms. Even the white community is not satisfied."

In Cape Town, senior police sources said that yesterday had been the first available opportunity police had had to serve the banning orders on Mr

● Turn to Page 3

Banning: chamber plans steps

(328) Evening Post 12/3/86

From Page 1

Jack and Mr Fazzie.

The sources were asked by the Evening Post why, in view of the fact that the banning orders were signed on February 26, they were only served on the two men yesterday.

One source pointed out that Mr Jack had only returned on Sunday after addressing anti-apartheid groups in Europe and "we cannot serve the banning order on the one man and not on the other — it is logical that it has to be done simultaneously."

It is understood from other informed sources here that the main reason for the Government's action was that Mr Jack and Mr Fazzie were believed by the authorities to be engaged in "forming an alternative government structure in which they, Mafia-style, demand control over the community."

The authorities believed this had to be stopped somewhere along the line."

An official spokesman for the Minister of Law and Order, Mr Louis le Grange, said he could not comment on the reasons for the bannings.

A senior Opposition spokesman on Law and Order, Mr Tian van der Merwe (PFP, Green Point), reacted today that if the police and Government had any evidence that Mr Jack and Mr Fazzie were engaging in illegal, subversive activities "they can charge them and bring them to trial."

Mr Van der Merwe added: "It seems, however, they are unable to sustain such a prosecution, a trend which is very evident in other instances, such as the withdrawal of the prosecution against a number of accused in the Pietermaritzburg treason trial."

Business Day

C (45c + 5c tax) For other prices, see Back Page

"THE VITAL VIEWPOINT"

Discover for yourself why Cargo's used cars are better than most people's new ones.

JOHANNESBURG Cargo Cares

DMB&B S2560/1e

B.DAY. 12/3/86 328

Horrified reaction to bannings of E Cape UDF leaders

CLAIRE PICKARD-CAMBRIDGE, PETER WALLINGTON and Sapa

ANTI-APARTHEID organisations, organised commerce and the Progressive Federal Party yesterday condemned banning orders served on two prominent United Democratic Front activists in the Eastern Cape.

The orders, served on Mkhusell Jack and Henry Fazzie, left commerce and industry in the Eastern Cape aghast.

PE Chamber of Commerce director Tony Gilson said the chamber would "as a matter of urgency, carefully consider what action it is going to take".

Gilson added: "We greet this banning news with shock and dismay. A carefully-cultivated climate of negotiation is now in extreme jeopardy."

A UDF spokesman said the banning and house arrest of Fazzie, regional vice-president of the UDF, and Jack, president of the PE Youth Congress, was part of the "continuing onslaught against the UDF and its affiliates".

He said the bannings confirmed the view that the lifting of the state of emergency was merely an attempt to placate international opinion.

PFP MP for Walmer Andrew Savage reacted with dismay and anger and said he planned to see Jack and Fazzie today.

"I regard them as legitimate leaders of the black community and I believe their banning is short-sighted and seriously damaging to race relations in SA," Savage said.

President of the Midland Chamber of Industries, Bill Oddy, said the banning orders were "quite ridiculous".

"Now is the time when communication is absolutely essential," he said.

Black Sash president Sheena Duncan said it was "incredible" government should silence the very people prepared to enter into negotiations and work non-violently for a better society.

Azanian People's Organisation (Azapo) president Saths Cooper said it was intolerable that government "can still have effrontry to ban anti-apartheid activists like Fazzie and Jack."

According to the UDF spokesman, Jack and Fazzie would be allowed to leave their homes only on weekends, public holidays and between 4pm and 7pm during the week. They were prohibited from leaving the PE magisterial district.

Boesak off to Sweden

Political Staff

THE president of the World Alliance of Reformed Churches, Dr Allan Boesak, has been given a travel document to attend the funeral of the assassinated Swedish Prime Minister, Mr Olof Palme, on Saturday.

The Minister of Home Affairs, Mr Stoffel Botha, said in a statement yesterday that he had decided to issue Dr Boesak with a travel document "for a limited period and only valid for the proposed visit to Sweden".

Mr Botha said he had received a telex in which Dr Boesak asked about his passport, saying he had received an invitation to the funeral from the Swedish Government.

Crocker condemns bans on 'moderates'

Govt 'shamming over negotiation'

The Star Bureau

WASHINGTON — It was a sham for the South African Government to say it wanted to negotiate with black leaders and then to ban them, Dr Chester Crocker told the United States Congress yesterday.

Dr Crocker, Assistant Secretary of State for Africa, said his government condemned in the strongest terms the banning of Mr Henry Fazzie and Mr Mkhuseli Jack, both decribed in the American Press as moderating influences on young black radicals in the volatile Port Elizabeth area.

He made it clear that the Reagan Administration agreed with the Press reports: "These are the kind of leaders who can help to defuse local crises."

Dr Crocker was answering questions by Democratic congressman Howard Wolpe, a fierce critic of South Africa, at a congressional committee inquiry into events in South Africa.

The two, lively opponents for past five years over US policy on South Africa, continued to differ sharply yesterday.

Mr Wolpe said the Crocker policy of constructive engagement had failed and he accused the State department of being deceptive in welcoming developments such as the lifting of the state of emergency when, he said, nothing fundmental had changed in South Africa.

"It is an invitation to the Afrikaner government to continue the police abuses..." Mr Wolpe said.

Welcomed

Dr Crocker rejected the claim that the policy had failed and said that to maintain credibility with all elements in South Africa, including the Government, it was important for the US to give credit where it was due.

The US had been trying to have the state of emergency lifted for months. In that sense its lifting had to be welcomed — but if it was replaced by "the same thing with a different name" then that was not progress.

It was important to calm the townships, to get black children back to school, to get troops and police out of the townships and if these aims were not accomplished then progress was very limited, he said.

During his exchanges with Mr Wolpe, Dr Crocker disclosed that the US Government had a "pattern of contact" with the African National Congress which it meant to maintain.

"We have some concerns about some aspects of that movement's activities and we have communicated these concerns very directly.

"There are inhibitions but we do have communication and we intend to continue them," he said.

In another exchange Mr Wolpe said the situation in South Africa was like that in the Philippines — government oppression was an open invitation to communism. He warned there was a danger the ANC and others would turn to the Soviets because of the ambivalence of US policy.

PE bannings: PW asked to intervene

By TOS WENTZEL, Political Correspondent

PRESIDENT P W Botha has been asked to intervene in the controversy over the banning of Port Elizabeth community leaders Mr Mkhuseli Jack and Mr Henry Fazzie.

The request was made today by the Leader of the Opposition in the House of Assembly, Mr Colin Eglin.

Mr Eglin delivered a letter to Mr Botha in which he requested him, as head of the Cabinet, to intervene urgently to have the bannings lifted.

Mr Eglin said he was appealing to Mr Botha directly because of the serious implications the bannings had for peace and stability.

And two Progressive Federal Party MPs are to seek an urgent interview with the Minister of Law and Order, Mr Louis le Grange, to urge him to review or rescind the banning orders.

The two are Mr Roger Hulley, Cape leader of the PFP, and Mr Andrew Savage, MP for Walmer.

They had discussions in Port Elizabeth yesterday with members of the Eastern Cape executive of the United Democratic Front, leading figures in commerce and the divisional commissioner of police in the Eastern Cape, Brigadier E S Schnetler.

Condemned

The bannings have been condemned by the United States.

In Washington Dr Chester Crocker, Assistant Secretary of State for Africa, said it was a sham for the South African Government to say it wanted to negotiate with black leaders and then to ban those who had to be part of the negotiations, the Argus Foreign Service reports.

Dr Crocker said yesterday that the US condemned in the strongest terms the banning orders on Mr Fazzie and Mr Jack, both of whom have been described in the American Press as moderating influences.

He made it clear that the Reagan administration agreed with the Press reports: "These are the kind of leaders who can help to defuse local crises in South Africa."

Mr Hulley said the banning orders had caused widespread anger and disillusionment in the township communities of Port Elizabeth.

Boycott

There was talk of resuming the boycott which, in turn, could lead to a fresh cycle of confrontation.

People were bitter about the action against respected and legitimate community leaders who had made valuable contributions during the past few months to normalise the situation, he said.



Hand-grenade charge: 3 in city court

Staff Reporter

THREE men appeared in Cape Town Magistrate's Court today in connection with an allegation of possessing a hand-grenade.

Mr Shafiq Adams, 34, of Salmons Street, Woodstock, Mr Yusuf Saban, 40, of George Street, Sherwood Park, and Mr Mervyn Frederick Paulse, 30, of 10th Avenue, Bokmakierie, were not asked to plead and no evidence was led.

The court heard that a fourth accused, Mr Walter Alexander Plato, 32, of Wens Road, Crawford, was in Valkenberg Hospital under observation.

A warrant for his arrest was held over until April 10.

Bail of R100 each was extended and the men were warned to appear on April 10.

Baby-snatch: City couple on R100 bail

Staff Reporter

A COUPLE charged with child-stealing were granted bail in Cape Town Magistrate's Court today.

Mrs Zienat Begun Abrahams, 23, and Mr Mogamat Fazieg Abrahams of 14th Street, Kensington, were not asked to plead and no evidence was led.

Their appearance followed the disappearance of week-old Nick-Paul Lykitsakos from Groote Schuur Hospital this week.

Mr and Mrs Abrahams were freed on R100 bail and warned to appear again on April 10.

Gold price jumps, rand quietly easier

Financial Staff

GOLD was fixed at $349,80 an ounce in London today, up sharply from yesterday's $344,25 London close.

The rand was quoted at $0,5030 in Johannesburg, down marginally from yesterday's $0,5040 close.

Bans wreck PE hopes of staving off boycott

WEEKLY M. 14/3/86.

328

By MIKE LOEWE

PORT ELIZABETH is poised for another outbreak of consumer warfare.

This follows the banning on Tuesday of the two most influential black United Democratic Front leaders in the Eastern Cape, Mkhuseli Jack and Henry Fazzie.

Jack, 27, is the president of the Port Elizabeth Youth Congress, spokesman for the hugely influential Black Consumer Boycott Committee. He serves on the UDF regional executive committee. Fazzie, 61, the regional vice-president of the UDF in the East Cape, spent 21 years on Robben Island.

Sources told Weekly Mail a renewed black consumer boycott of white businesses on April 1 was "an almost dead certainty".

In recent months the two had spent hours seated around the negotiating table with the city's top white businessmen and civic notables, discussing how to resolve the conflict which has regularly turned the black areas of the city into a war zone.

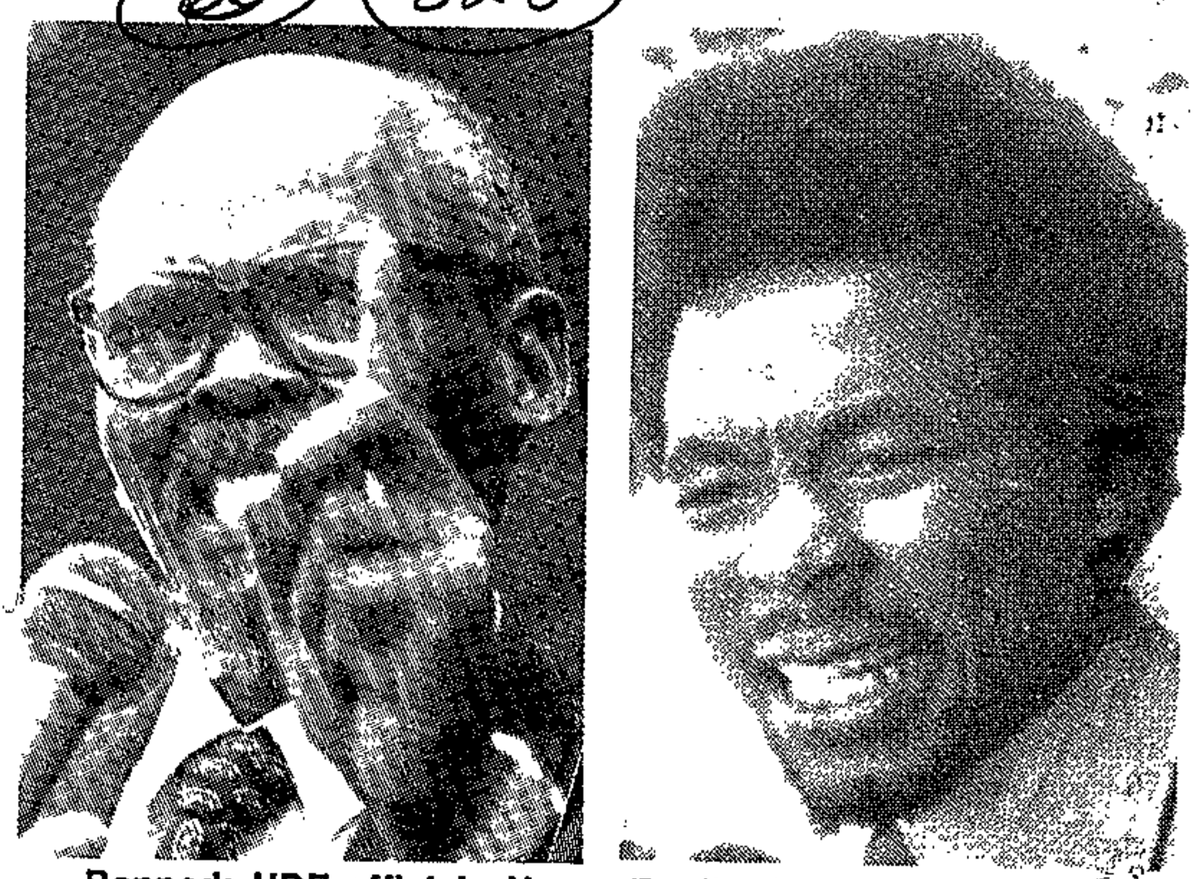
Now they are restrained to their small homes in New Brighton Zwide at night and may not involve themselves in the pioneering negotiation process they started with whites last year.

Some businessmen were appalled at the move. The Midland Chamber of Industries called the banning orders "quite ridiculous", and the director of the Port Elizabeth Chamber of Commerce, Tony Gilson, said he was shocked and dismayed.

Jack's boss, Rory Riordan, called the banning orders a "perfect definition of white South Africans as the last savages in Africa ... If you ever wanted one document to reveal the moral, legal, and intellectual bankruptcy of our country, this one is it. Any white man who could authorise such a document is throwing away his children's future in our country."

However, Koos Alberts, the chairman of the Afrikaanse Sakekamer in Port Elizabeth, said although there was good reason to ban the leaders, he felt the timing might create doubt about the government's intentions.

Black-white negotiations began in November, following a four-month near-total boycott of white merchants which drove about 40 of them into bankruptcy. It ended after the Chamber of Commerce successfully pressured police to release 19 opposition leaders from Emergency detention.



Banned: UDF officials Henry Fazzie, left, and Mkhuseli Jack, boycott negotiators in the Eastern Cape.

In a controversial move, the released leaders, in turn, agreed to call off the boycott until April 1, pending the release of Nelson Mandela and other political prisoners, the unbanning of the ANC and Cosas, and the safe return of political exiles.

The banning of Jack and Fazzie, whom businessmen describe as moderate, has effectively forced the two out of the discussions and bolstered the position of those leaders who were unhappy with the decision to call off the boycott.

The Minister of Law and Order, Louis le Grange, imposed the banning orders because, as he wrote on the five-page documents, the two "pose a threat to the maintenance of law and order".

Le Grange banned the men from:

- Entering the premises of any education institution.
- Attending any gathering.
- Preparing, compiling, or disseminating any information in any manner or publication as defined in the Internal Security Act of 1982.
- Leaving the Port Elizabeth magisterial district without his permission.
- Speaking to other banned persons.

The UDF described the bans as "virtual house arrest" and as "grossly vindictive" measures emanating from an "illegitimate government bent on doing away with the democratic voice of the people".

In a statement, the UDF said bannings were the use of laws for repression; as a result, UDF supporters were fast becoming disillusioned with the legal system.

The move was likely to hasten the decision to resume the consumer boycotts "and we will definitely understand people's reasons for doing so", the UDF said.

The UDF suspects more of its East Cape leadership is in line for a banning.

Edgar Ngoyi, 59, the East Cape UDF's president, was feared to be next on a banning list.

The son of the late Lilian Ngoyi, 1950s leader of the ANC Women's League, Ngoyi served 21 years on Robben Island for being an ANC member. He was shot by police in clashes last year.

Jack had hardly set foot on home soil when the ban was served. He returned on Sunday from a major tour of Europe where he addressed bankers, church leaders, and anti-apartheid audiences on the need for economic sanctions and an intensification of the anti-apartheid struggle worldwide. It was his first overseas trip.

PFP bid to to have PE bannings lifted fails

By TOS WENTZEL
Political Correspondent

ATTEMPTS by the Progressive Federal Party to have the banning orders on two Port Elizabeth community leaders lifted have failed.

President P W Botha and the Minister of Law and Order, Mr Louis le Grange, have turned down its appeal on behalf of Mr Mkhuseli Jack and Mr Henry Fazzie.

Today Mr Roger Hulley, MP for Constantia and Cape leader of the PFP, accused the Government of banning political opponents they could not take to court on charges that would stand up.

EGLIN LETTER

In reply to a letter from the leader of the party, Mr Colin Eglin, Mr Botha said he had been informed by Mr le Grange that on information supplied to him about the activities of Mr Fazzie and Mr Jack he was not prepared to rescind the banning order.

In his letter, Mr Eglin asked Mr Botha to intervene as the banning orders would polarise a divided society still further and undermine prospects for peaceful negotiation.

LE GRANGE

Mr Hulley and three other PFP MPs saw Mr le Grange yesterday but their representations also failed.

Mr le Grange said the decision to ban the two men had been seriously considered and he was not prepared to withdraw the orders.

He pointed out that they could go to the board of review within a fortnight.

Mr Hulley said today that the Minister had been entirely unmoved by what the MPs had to tell him.

IMPLICATIONS

In their discussions at the interview the two sides were clearly on entirely different wavelengths and the Minister had no appreciation of the implications of what had been done.

Mr Hulley said people he and the other MPs had talked to in the Port Elizabeth area, including prominent businessmen, felt the two had helped to normalise the situation.

The PFP would not let the matter rest and would support moves to have the bannings taken to the review board.

P W turns down plea o unban two leaders

B25 320 Mercury 14/3/86.

Chatsworth access issue 'a provincial matter'

The case for a second access road through the Stainbank Nature Reserve Chatsworth should be directed at the Natal Provincial Administration, the Minister of Environment Affairs and Tourism, Mr John Wiley, said yesterday.

'It's a matter for the Natal Administrator to decide — and who knows what the new dispensation may bring about,' he said, replying to the second reading debate on the National Parks Amendment Bill in the House of Delegates.

Earlier, Mr Pat Poovalingam (Sol Reservoir Hills) said the access road was badly needed and if cut through the Stainbank Reserve would reduce the distance by about 12 km.

This would result in a saving of tens of thousands of litres of petrol every day, he said.

Mr Poovalingam said that with the dissolution of provincial councils at the end of the month, the Natal Parks Board, which controlled the Stainbank reserve, was likely to come under the minister's jurisdiction.

The minister would then be in a position to help the Chatsworth people realise their access route dream, he said.

Mr Amichand Rajbansi, chairman of the Ministers' Council, said the Government should not agree to awkward conditions being stipulated in offers of land for parks and reserves.

The Stainbank family, which gave the Stainbank Reserve to the Province, had blocked a move to run the Chatsworth access route through the reserve through a stipulated condition in the donation, he said. — (Sapa)

Govt and PFP clash again on civil servants' salaries

Mercury 14/3/86.

ORMANDE POLLOK
Political Correspondent

THE Government and Opposition clashed again yesterday over salaries, with Mr Alf Widman, MP for Hillbrow, charging that not only Post Office workers were to get a 21 percent increase but that all civil servants would.

The row was started by Mr Pierre Cronje, PFP Greytown, earlier this week during the Post Office budget debate but Dr LAPA Munnik hit back and said the figures were incorrect.

In a statement later, Mr Cronje said Dr Munnik had in fact confirmed his views which led to a heated reply yesterday by Dr Munnik who said if Mr Cronje had to draw up a budget for anything the country would have to pray for mercy.

'He has created unwarranted expectations among civil service workers by suggesting the Post Office has broken ranks on the 10 percent increase,' said Mr Munnik.

Mr Cronje had taken a whole lot of figures, lumped them together and come to the conclusion that workers were getting 21 percent increases.

However, large sums of money which appeared on the salary bill were for specific purposes, such as achieving wage parity, and therefore went only to certain workers and could not be averaged out among all workers.

Other large amounts were on service bonuses for certain workers, and money was paid into pension and medical funds.

Mr Widman then said all civil servants were getting a 21 percent increase when the 10 percent increases, the reinstatement of the 3 percent cut and bonus cheques were taken into consideration.

Parliamentary Correspondent

CAPE TOWN—The State President has turned down a request by the Leader of the Opposition, Mr Colin Eglin, to lift the banning orders on Mkhuseli Jack and Henry Fazzie.

And, in an interview with four Progressive Federal Party MPs late yesterday, the Minister of Law and Order, Mr Louis le Grange was adamant that 'he would not reconsider his decision'.

In a letter to Mr Botha yesterday, Mr Eglin asked the State President to intervene and lift the banning orders imposed in terms of the Internal Security Act on Tuesday.

'There can be no doubt that the imposition of the banning orders on these two community leaders will polarise our divided society still further and undermine the prospects that still remain of solving our nation's problems through peaceful negotiation.'

Satisfied

In his reply, Mr Botha pointed out that the Minister of Law and Order was empowered under Sections 19 and 20 of the Internal Security Act to restrict people if he was satisfied that they were either engaging in activities which endangered or were calculated to endanger the security of the State or the maintenance of law and order.

The State President said he had been informed by Mr le Grange that he was satisfied that the activities of Mr Jack and Mr Fazzie fell within the ambit of these sections of the Act.

Mr Botha said that if either Mr Jack or Mr Fazzie felt 'aggrieved' by the banning orders they were at liberty to have the matter reviewed by the Board of Review or to approach a court of law for relief.

He added that in view of these considerations and 'since the Act does not empower me to intervene in the exercise of the minister's statutory powers, I do not see my way clear to accede to your request'.

Mr Eglin said he was 'extremely disappointed' at the State President's negative response.

Appealed

The four PFP MPs, Cape leader Roger Hulley and East Cape MPs John Malcomess, Andrew Savage and Errol Moorcroft, spent nearly an hour with Mr le Grange late yesterday.

In a statement issued afterwards, the MPs said they had:

Appealed to the minister to reconsider the banning orders;

Emphasised the probable negative consequences for Port Elizabeth, the East Cape and South Africa;

Pointed out the danger of a renewed economic boycott which could start a fresh cycle of violence;

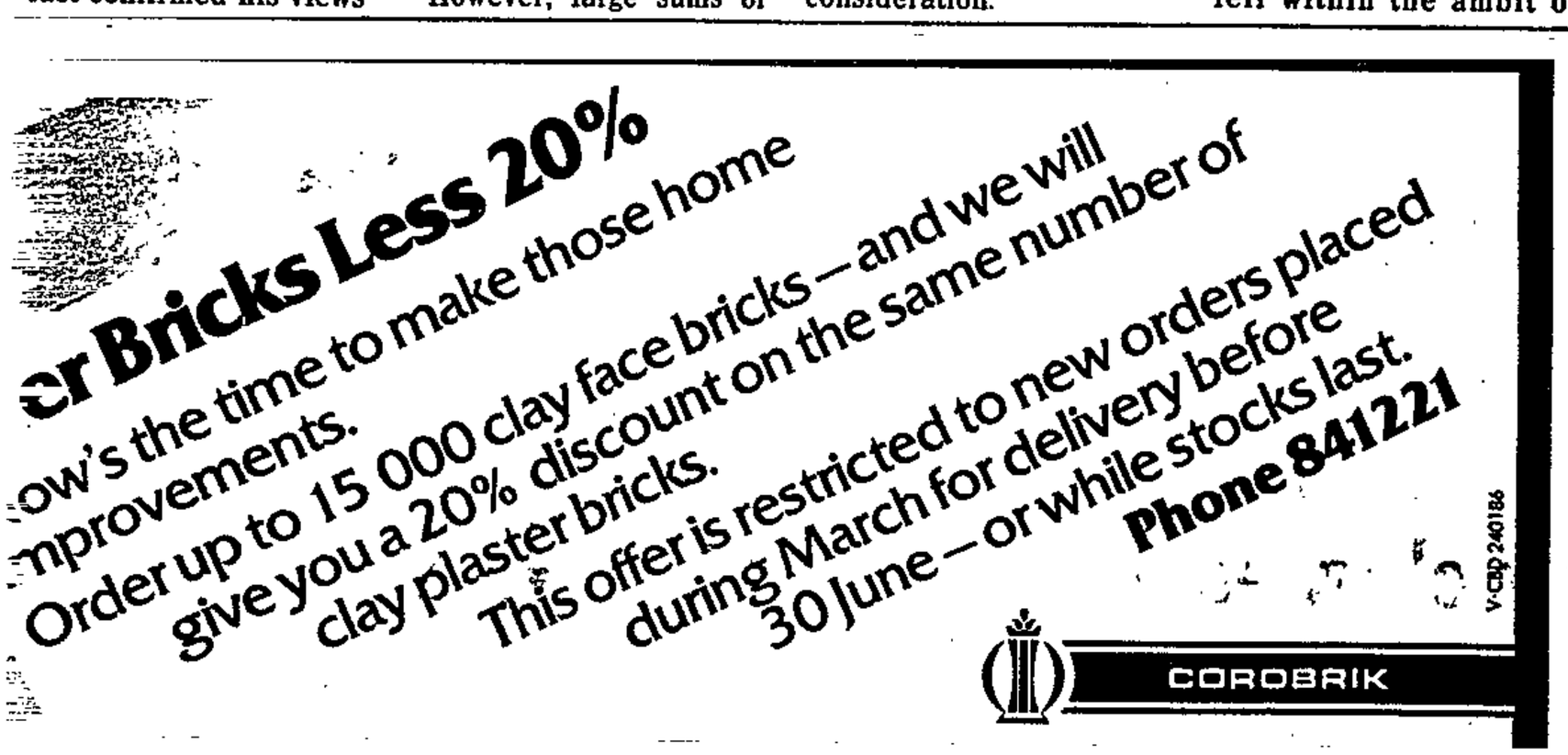
Pointed out that the consequences of the banning 'could be more damaging than the consequences of not banning these moderate blacks'.

The MPs said that the minister 'remained adamant that he would not reconsider his decision'.

The four said that nothing Mr le Grange had said had changed their minds and 'we still consider the bannings unwise and likely to have dangerous consequences'.

In addition, they appealed to the minister as a matter of urgency to consult and obtain the perspective of private sector bodies in the area.

● See Editorial Opinion



B-DIA-1 14/3/85
328


● BOTHA

P W adamant on Jack and Fazzie

PATRICK CULL

PRESIDENT P W Botha has turned down a request by Leader of the Opposition Colin Eglin to lift the banning orders on Eastern Cape black leaders Mkhuseli Jack and Henry Fazzie.

And, in an interview with four Progressive Federal Party MPs late yesterday, Law and Order Minister Louis le Grange was adamant he would not reconsider his decision.

In a letter to Botha yesterday, Eglin asked the President to intervene and lift the banning orders, imposed on Tuesday in terms of the Internal Security Act.

"There can be no doubt that the imposition of the banning orders on these two community leaders will polarise our divided society still further and undermine the prospects that still remain of solving our nation's problems through peaceful negotiation," Eglin declared.

Botha said the law and order minister was empowered under Sections 19 and 20 of the Internal Security Act to restrict people if he was satisfied they were engaged in activities which endangered, or were calculated to endanger, State security or maintenance of law and order.

The President said Le Grange had informed him he was satisfied that the activities of Jack and Fazzie fell within the ambit of these sections of the Act.

Botha said if either Jack or Fazzie felt aggrieved by the banning orders, they were at liberty to have the matter reviewed by the Board of Review, or to approach a court of law for relief.

Eglin said Botha's reference to the fact that the Act did not allow the President to intervene did not prevent him — as head of government and of the National Party — from dealing with the minister.

The four PFP MPs, Cape leader Roger Hulley and East Cape MPs John Malcomess, Andrew Savage and Errol Moorcroft spent nearly an hour with Le Grange yesterday.

They warned him of the danger of a renewed economic boycott, which could start a fresh cycle of violence. They said the consequences of the banning "could be more damaging than the consequences of not banning these moderate blacks".

'Courts must rule on Jack, Fazzie'

● From Page 1

statement.

Advocating economic sanctions, he said the bannings had demonstrated how SA's professed willingness to negotiate with black leaders was not to be taken seriously.

"It should disabuse the minds of those who believe that 'apartheid, President Botha and his regime are on a path of reform," he said.

In Cape Town Mr Wisner said he saw the US role in the SWA/Namibia issue as "as a mediatory one. We're prepared to use all our influence to encourage the parties to negotiate."

He believed it of extreme importance that the Nkomati Accord between SA and Mozambique be upheld and that Botswana's peace and democracy remain intact.

The US believed the next year would be of "great importance" for SA — "a year in which SA can move into a time when black leaders can help negotiate a future. We hope the commitment of the SA Government in this regard will be made tangible in the weeks ahead as Parliament continues its session."

The US had with "great concern" watched the military campaigns in southern Angola, the involvement of the Soviets and the "increased militarisation of the conflict".

"We cannot say our global adversary has not been busy," Mr Wisner added.

Ban: UDF man in court

Court Reporter

THE former regional secretary of the UDF, Mr Trevor Manuel, appeared in the Magistrate's Court yesterday in connection with breaking his banning order.

PE move to lift bannings

15/3/80
W. Post
328

By KIN BENTLEY

A HIGH-POWERED delegation — representing the bulk of commerce and industry in Port Elizabeth and Uitenhage — will travel to Cape Town on Monday to ask the Minister of Law and Order, Mr Louis le Grange, to lift the banning orders on Mr Mkhuseli Jack and Mr Henry Fazzie.

This was announced last night by Mr Wally Life, managing director of Goodyear.

The move follows an unsuccessful attempt by the Leader of the Opposition, Mr Colin Eglin, to persuade the State President, Mr P W Botha, to intervene and have the orders lifted.

Mr Botha said Mr Le Grange was satisfied, "on the information supplied to him", that Mr Fazzie and Mr Jack were engaging in activities which endangered or were calculated to endanger the security of the State or the maintenance of law and order.

Mr Le Grange was reportedly adamant that he would



Mr WALLY LIFE

the Urban Foundation, Mr Roger Matlock, also slated the bannings.

While there is a reluctance to staying in Uitenhage.

Weekend Post learnt from a reliable source that earlier this week, after hearing about the bannings, Mr Life invited 24 business leaders, including the heads of most of the region's multinational companies, to attend an urgent meeting.

Ten of the 24 men were able to attend the meeting, convened at three hours' notice. All the others said they would support moves to get the bannings lifted.

The names of the businessmen to accompany Mr Life have not been released, but it is understood that Mr Tony Gilson, director of the PE Chamber of Commerce, will

after a separate hour-long meeting on Thursday with four PFP MPs — Mr Roger Hulley, Mr John Malcomess, Mr Andrew Savage and Mr Errol Moorcroft.

At a function in PE last night, attended by 80 white businessmen and black trade unionists and community leaders, Mr Life condemned the bannings, describing them as evidence of the "moral bankruptcy" of the Government.

The regional director of cuss Monday's mission for fear of jeopardising its outcome, it is clear the five-year banning orders have dismayed many businessmen, including National Party supporters.

Heads of multinational companies were particularly upset, pointing out that the bannings would give impetus to the disinvestment lobby, especially in the United States.

Last night, Mr Life reiterated Goodyear's commitment to staying in Uitenhage.

name was also mentioned.

The group will also be in Parliament to hear the Budget speech by the Minister of Finance, Mr Barend du Plessis, on Monday afternoon.

They will seek the help of two local National Party MPs, Mr Sakkie Louw and Mr Dawie le Roux, to set up the meeting with Mr Le Grange, should initial attempts fail. These two MPs met Consumer Boycott Committee spokesman Mr Jack soon after his release from three months' detention late last year.

The basis of the new call to the Minister will be that the bannings have damaged the goodwill built up between business and black community leaders in Port Elizabeth and Uitenhage, following last year's protracted boycott, which was provisionally suspended until the end of this month. Businessmen fear the bannings will increase the chances of its resumption.

Call at funeral to unban Jack, Fazzie

5/3/86

339

Weekend Post Reporters

CALLS for the unbanning of the African National Congress, the Congress of South African Students and local black leaders Mr Henry Fazzie and Mr Mkhuseli Jack, were made at the funeral in New Brighton today of Mr Tanduxolo Mbethe, who died in a shootout with police last month.

Thousands of mourners listened to speeches from the Assemblies of God Church, or danced outside, while members of the SA Police and SA Defence Force watched.

Mr Edgar Ngoyi, president of the UDF (East Cape), said the people of South Africa had for long been speaking to the Pretoria regime, demanding their rights, but to no avail.

Mr Fikile Kobese, national secretary of Macwusa, said Uitenhage residents would commemorate the first anniversary of the March 21 Langa shootings by staying away from work.

Sapa reports from Cape Town that, as the funeral service for seven alleged ANC members, killed in a gun batttle with police on March 3, drew to a close at a sports stadium in Guguletu this afternoon, an estimated 15 000 mourners remained calm, though emotional.

A strong contingent of police, backed up by a "sneeze machine", stood by at a nearby police station, but no uniformed policemen were seen near the stadium.

Strict control of the crowd was maintained by marshals wearing United Democratic Front T-shirts and others in khaki uniforms with ANC ribbons.

Although the Chief Magistrate of Wynberg yesterday ordered that only ordained ministers were to speak, and banned political speeches criticising the Government or the police and the display of flags or banners, these restrictions were defied.

The ANC flag, a red flag bearing a hammer and sickle, a Cape Youth Congress banner, a Congress of South African Trade Union banner, and placards, pamphlets and stickers were seen at the stadium where the service was held.

About 20 clergymen and two nuns led the pallbearers carrying the seven coffins — all draped in ANC flags — into the stadium past a singing guard of honour wearing berets and military khaki shirts.

Buried today were Mandla Simon Mxinwa, Zola Alfred Swelani, Godfrey Jabulani Miya, Christoper Piet, Themba Mlifi, Zabonke John Konile and Themba Madiyana.

Funeral masses defy banning order

Mercury 328 17/3/86

Mercury Correspondent

CAPE TOWN—A tear-gas volley sent hundreds of Guguletu mourners running for cover at the end of Saturday's mass funeral which saw open defiance of a magisterial order banning any political content in speeches delivered during the service for seven suspected African National Congress terrorists.

The organisers said the initial crowd of about 6 000 people swelled to more than 30 000, but approached for comment yesterday afternoon, a police liaison officer for the Western Cape, Lt Attie Laubscher, said:

'We observed the crowd from our police helicopter and we estimated that there were not more than 3 000 people present at any stage of the funeral. To say there were 30 000 mourners is incorrect and false.'

The seven were buried in a ceremony which saw large support for the African National Congress.

Disregarding South African security laws, speakers eulogised the leaders of the ANC, the South African Communist Party and the ANC's armed wing, Umkhonto we Sizwe.

Most of the people present, including more than 100 whites, wore the colours of the United Democratic Front and the ANC.

Those whites present, most of them supporters of the United Democratic Front, were given a warm reception, and cries of 'viva maqabane' (long live comrade) went up as they mingled with the crowd.

A number of whites wearing UDF shirts were asked to act as a guard of honour paying tribute to the seven dead men.

An order published on Friday by the Chief Magistrate of Wynberg, Mr W Theron, that speakers had to be ministers of religion, were banned from criticising or discussing any form of government worldwide or the South African Police, and that no banners or placards be displayed, was totally disregarded.

Security forces threw a solid cordon of Casspirs, Buffels, sneeze machines and police vans around the township, but non-residents and journalists proceeding to the funeral were allowed through after being warned that entry was at their 'own risk'.

One person who came through even told of being given directions to the funeral by a surprised policeman.

The coffins of Mandla Simon Mxinwa, Zola Alfred Swelani, Godfrey Jabulani Miya, Christopher Piet, Themba Mlifi, Zabonke John Konile and Themba Madiyane were draped with ANC flags throughout the ceremony.

About 4 p m, as a huge crowd marched into Old Klipfontein Road, about 2 000 members of the crowd charged a police lookout mounted on an open stretch of land near the N2 highway.

The police unit retreated to a Casspir.

It was only about 5 p m, when several hundred mourners marched singing to within about 100 m of four Casspirs and four vans at a police roadblock, that police opened fire with a volley of tear-gas.

Shortly after the tear-gas was fired, youths erected a burning barricade.

● The Progressive Federal Party's alternate spokesman on law an order and MP for Green Point, Mr Tiaan van der Merwe, said in a statement yesterday that the 'mercifully peaceful' funeral could 'so easily have turned into a violent fiasco if any attempt was made to enforce the stupid restrictions imposed by the Government'.

'Somewhere in the hierarchy of the police force somebody was wise enough to prevent interference in spite of the patent disregard for the very oppressive and obnoxious conditions issued in the name of the Chief Magistrate of Wynberg.'

He said that 'Mr Louis le Grange, Mr P W Botha and the whole rotten Nationalist Government must realise that they would have been responsible if further deaths occurred on Saturday, because they are finally responsible for the laws and the officials that imposed these provocative conditions'.

Cape Times
17/3/86
328

UK govt slams E Cape bans

Own Correspondent

LONDON. — The British Government has condemned the banning of two prominent Eastern Cape community leaders as a set-back for "genuine dialogue" in South Africa.

"Action such as the banning of Mr Mkhuseli Jack and Mr Henry Fazzie in the Eastern Cape can do nothing to improve the prospects for genuine dialogue within South Africa," a British Foreign Office spokesman said on Friday.

The banning of Mr Jack, organizer of the black consumer boycott on Port Elizabeth, and Mr Fazzie, vice-president of the UDF, has been seen as a particularly retrogressive step because of the relationship that had developed between Mr Jack and local business leaders who intervened to secure the release of the two men from detention during negotiations for the temporary lifting of the boycott.

CAPE Times
18/3/86
328

Talks on bannings

Political Staff

A TOP-level delegation from Port Elizabeth headed by Assocom president, Mr Rocky Ridgeway, spent nearly two hours with the Minister of Law and Order, Mr Louis le Grange yesterday discussing the banning of community leaders Mr Mkhuseli Jack and Mr Henry Fazzie.

And, while the group were not as pessimistic as the PFP MPs who saw Mr Le Grange last week, it was obvious that there was little cause to hope for any immediate rescinding of the order.

Mr Ridgeway, who was accompanied by the president of the Port Elizabeth Chamber of Commerce, Mr Frank Wightman and the director, Mr Tony Gilson, said the talks had been cordial and that the issue had been fully discussed.

He said the minister had stressed that a complex review procedure existed and it was up to the two men to apply for their banning orders to be reviewed.

Pressure on Govt to lift ban on Fazzie, Jack

Argus 19/3/86

328

From KEN VERNON
Argus Bureau

PORT ELIZABETH. — The Government is facing increased pressure from Eastern Cape commerce and industry to lift the banning of community leaders Mr Mkhuseli Jack and Mr Henry Fazzie.

A second high-powered delegation meets the Minister of Law and Order, Mr Louis le Grange, over the issue today.

Earlier this week a group of businessmen led by the President of the Association of Chambers of Commerce, Mr Rocky Ridgeway, told Mr le Grange in talks that they were concerned about the "possible grave consequences" of the bannings and the damage they had done to the climate of negotiation.

LEGAL ADVISER

They were unable to persuade him to lift or review the orders.

Mr Brian Matthews, director of the Midland Chamber of Industries, said that he, Dr Johan van Zyl, the executive director of the Federated Chamber of Industries, and the federation's legal adviser, Professor Marius Wiegers of Pretoria University, would see Mr le Grange about the bannings and to discuss "other implications of government actions in the Eastern Cape.

"We have taken some time to prepare strong motivations on specific issues we want to discuss with the Minister and it is perhaps indicative of the thrust of our representations that we are taking along the federation's legal adviser," Mr Matthews said.

The director of the Port Elizabeth Chamber of Commerce, Mr Tony Gilson, said: "We expressed out concern to the Minister not only about the possible grave consequences of the bannings, but also about the damage they had done to the general climate of negotiation which we have been carefully fostering."

Mr Ridgway said Mr le Grange had replied that he did not take such decisions "lightly".

Mr Fazzie and Mr Jack were banned last week, one day after a black boycott of white businesses in Uitenhage was lifted.

Many people in the business community fear new boycotts in an already crippled regional economy as a result.

Port Elizabeth Chamber of Commerce's executive committee will discuss the problem this week before the issue is taken up at the chamber's annual meeting on Monday.

Today sources close to the banned men said they had taken legal advice and intended to fight the validity of the banning orders in court.

● See Page 3

market, thereby accelerating the decline

Crunch looming at black schools

BLACK schools closed yesterday for the end-of-term holidays amid widespread boycotts, stayaways and the suspension of classes affecting more than 80 000 pupils in more than 100 schools.

Government has just over a week to meet pupils' demands before the major educational conference, convened by the National Education Crisis Committee, takes place at the end of the month.

THELMA TUCH

At the moment classes at 21 Western Transvaal Schools have been suspended, tension is rife in Alexandra, near Johannesburg, where pupils are boycotting three secondary schools, thousands are staying away from 61 Port Elizabeth schools and stayaways have been reported in Heidelburg, Nelspruit, White River and Bethal.

Bianco, who also announced the formal resignation of the Socialist Cabinet headed by Laurent Fabius.

Chirac accepted the challenge after 48 hours of deliberation and had to form a government acceptable to Mitterrand, who reportedly rejected first choices for foreign, defence and interior ministers.

The government also had to be evenly balanced between the RPR and the five-party Union for French Democracy coalition. They jointly have a one-seat margin over the 289 absolute majority in the National Assembly. — Sapa-Reuter.

● See Page 10

JSE overall hits new high

LIZ ROUSE

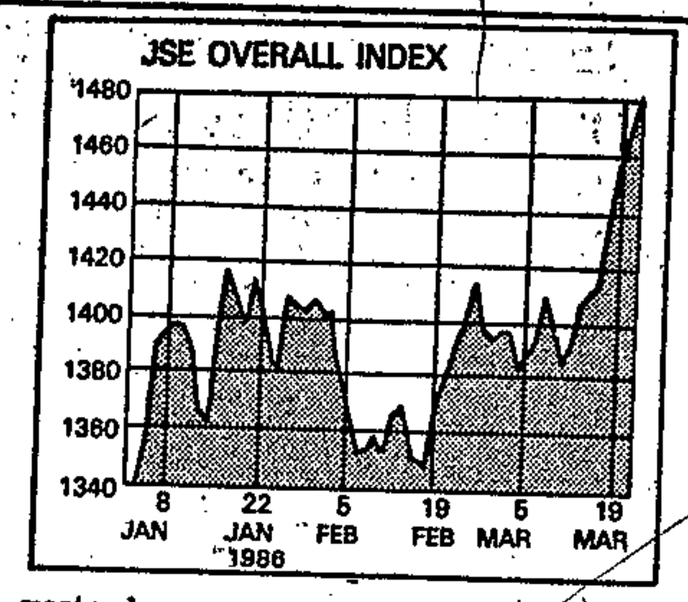
THE wave of institutional and public buying of minings and industrials swept the JSE overall index up 26 points (1,8%) to a new high of 1 482 yesterday.

Although gold shares were a shade easier towards the close, turnover remained above the R40m mark.

The industrial index has risen 6,8% from its level of 1 392 a week ago. Brokers expect the current run to continue in the next few weeks in line with other major stock markets such as Wall Street and London.

The JSE is soaring on a lower rand and a firmer gold price, which is giving a buy signal, say chartists. Conversely, it is also running on fears of inflation, while other markets are hitting new peaks on non-inflationary indicators.

The entire board was on the move yesterday.



Prices were mixed in other markets.

In London, prices closed at record levels after an active session.

In New York, stock prices were sharply higher in active early trading, pushing the Dow Jones industrial average above the 1 800 mark.

In Frankfurt, prices closed mixed. The Commerzbank index rose 6,9 points to close at 2 102,2.

● See page 16

M & R slashes interim dividend

PRISCILLA WHYTE

MURRAY & ROBERTS, the diversified industrial group that grew out of the construction industry, was hard hit in the first half year to December 1985, with attributable earnings falling 43% to R11,1m.

The interim dividend has been slashed to 10c (20c), as earnings a share dropped to 42c from 74c.

Chief executive Bill Bramwell predicted earnings for the full year would be of the same order, possibly even worse. He declined to indicate what the final dividend would be.

"While steps have been taken to rectify those problem areas over which we have control, there appears little possibility during the balance of the financial year of any increase in gross domestic fixed investment on which the group is heavily dependent," the directors reported.

Showdown looms over E Cape bannings

BUSINESS and government are heading for a showdown over the bannings this month of leading Eastern Cape community leaders Henry Fazzie and Mkhuseli Jack.

Snubbed by Law and Order minister Louis le Grange, the Federated Chamber of Industries (FCI) now plan to take him to court to try and force government to lift the banning orders.

The FCI and the Midlands Chamber of Industries met Le Grange on Wednesday and failed to persuade him to change his mind. The Association of Chambers of Commerce (Assocom) had an equally unproductive meeting with the unrelenting minister on Monday.

ALAN RUDDOCK

FCI executive director Johan van Zyl said the bannings had "raised a question mark against government's sincerity in negotiating with accepted community leaders".

Government officials said there was little liklihood of Le Grange lifting the bannings, which were described yesterday by one leading Eastern Cape industrialist as "crass and stupid".

The bannings of Jack and Fazzi have drawn sharp criticism both locally and internationally, prompting US assistant secretary of state for African affairs Chester Crocker to accuse Pretoria of "perpetrating a sham by saying it wanted to negotiate with black leaders while banning anti-apartheid campaigners".

Le Grange has refused to disclose the reasons for the bannings.

Pick 'n' Pay chairman Raymond Ackerman warned yesterday that government's refusal to reverse the ban would lead to another consumer boycott in the region.

PRICE MOVES AT A GLANCE

REUTERS

KEY MARKET MOVEMENTS — MARCH 19 to MARCH 20

Gold $/oz	Gold $/oz	Gold R/oz	JSE Krugerrand	Previous $/R Comm	Previous $/R Fin	Previous DM/$	Latest £/R	Latest 3 months $ A	Johannesburg Stock Exchange All Gold BD Index	Johannesburg Stock Exchange BD Indust Index	Johannesburg Stock Exchange JSE Ov'all Index
350,00	350,65	730,52	760	0,4895	0,3350	2,2630	0,3309	12,25	1248,5	1305,3	1482,1
347,50	346,75	708,37	740	0,4800	0,3275	2,2535	0,3228	12,20	1230,7	1291,7	1455,6

LONDON — LONDON AFTERNOON

Businessmen fail to have Jack banning order lifted

BUSINESSMEN mediating in the banning of two prominent community leaders hope to see the restricted men to report a failed attempt to have the bans lifted.

The delegation met Law and Order Minister Mr Louis le Grange in Cape Town on Monday to urge him to lift or review the action against boycott committee leader Mr Mkhuseli Jack and UDF official Mr Henry Fazzie.



Mr Louis le Grange

Banning orders were put on them last week, one day after a black boycott of white businesses in Uitenhage was lifted. Many people in the business community feared new boycotts in an already crippled regional economy as a result.

Port Elizabeth Chamber of Commerce's executive committee will discuss the problem this week before the issue is taken up at the chamber's annual meeting on Monday.

Chamber president, Mr Frank Wightman, a member of the delegation, said the businessmen had spoken with Mr le Grange for almost two hours.

Industrialists step up action against ban on legal plan

NATIONAL/INTERNATIONAL

4/6/86 20/5/86 328

Staff Reporter

TOP industrialists are planning legal action to force the Government to lift banning orders on two Eastern Cape community leaders.

Business leaders, who failed yesterday to persuade Law and Order Minister Mr Louis le Grange to overturn the bannings, say the official action has damaged the "sincere efforts" of people trying to solve South Africa's problems.

Two influential delegations speaking for commerce and industry in Port Elizabeth made fruitless trips to Cape Town this week in attempts to persuade Mr le Grange to lift the restrictions on boycott committee leader Mr Mkhuseli Jack and regional United Democratic Front official Mr Henry Fazzie.

After yesterday's meeting, a joint delegation of the Federated Chamber of Industries (FCI) and the Midlands Chamber of Industries (MCI) said they would take legal action "which will hopefully have the effect of reversing the banning orders".

Confidential

In the delegation were Mr Brian Matthews, director of the MCI, Dr Johan van Zyl, FCI executive director, and Mr Chris Newton, chairman of the FCI's parliamentary committee.

A spokesman for Mr le Grange said last night the Minister would not comment on the talks.

Mr Matthews said the talks were confidential.

A statement issued last night by Dr van Zyl said the delegation had stressed that using banning powers under the Internal Security Act raised a question mark against the Government's sincerity in negotiating with community leaders.

Dr van Zyl said: "Organised industry stressed to Mr le Grange that both of these community leaders have been involved for some time in negotiations with the local chamber of industries to find ways of reducing tensions in the Port Elizabeth area and to return the strife-torn situation to relative normality."

A delegation of Port Elizabeth businessmen who met Mr le Grange earlier this week was also unsuccessful.

APARTHEID BAROMETER

EMERGENCY DETENTIONS (July 21 1985 - Mar 7 1986)
Total number of people detained: 7992
Number released Mar 7: 292
Summary of emergency detentions (Feb 28):

Transvaal	3398 (42,8%)
Eastern Cape	3246 (40,9%)
Western Cape	1288 (16,2%)

An average rate of nearly 1100 people were detained each month under the State of Emergency (over 35 a day).

SECURITY DETENTIONS (Feb 28, 1986)
Number of persons believed to be in detention on Mar 10: 241
Summary by detention status:

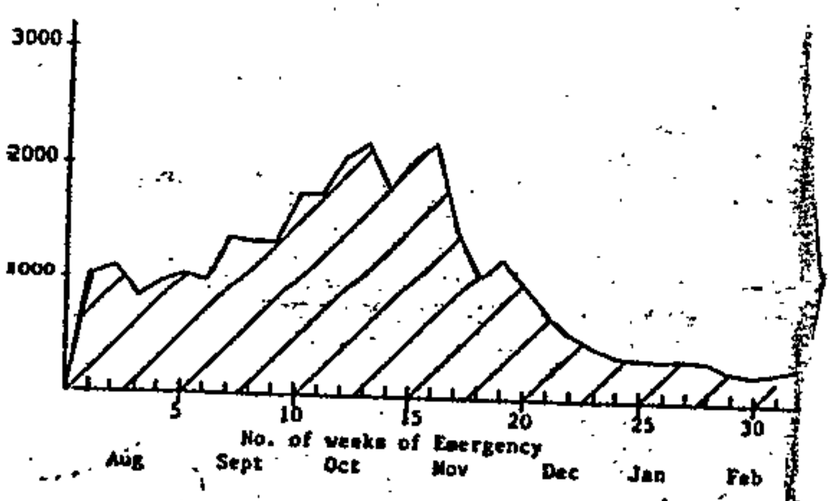
Internal Security Act, S. 28	8
ISA, S. 29	133
ISA, S. 50	71
ISA, S. 31	9
Ciskei National Security Act	5
Transkei Public Safety Act	6
Venda Terrorism Act	9

PERSONS BANNED UNDER EMERGENCY REGULATIONS

Total	68
Transvaal	5
Eastern Cape	2
Western Cape	61

PERSONS BANNED UNDER SECURITY LEGISLATION
Number of people banned: 12
Henry Fazzi, 56, UDF Eastern Cape vice president and a former Robben Island prisoner and Mkhuseli Jack, 27, Port Elizabeth Youth Congress president and Eastern Cape Consumer Boycott leader, were banned for five years on Tuesday.

POLITICAL TRIALS
Trials completed Dec 1985 - Feb 1986: 40
Trials completed Dec 1985: 9
Trials completed Jan 1986: 15
Trials completed Feb 1986: 16
Number on trial: 285
Number convicted: 46
Number acquitted: 77
Charges withdrawn: 162
Breakdown of people on trial: Treason: 13 (convicted 1; acquitted 12). Murder: 19 (convicted 5; acquitted 9; withdrawn 5). Terrorism/furthering aims of banned organisations/possession of weapons: 50 (convicted 32; acquitted 18). Public violence/subversion/intimidation/assault: 12 (convicted 3; acquitted 2; charges withdrawn 7). Illegal gathering: 183 (convicted 1; acquitted 34; charges withdrawn 148). Possession of banned literature: 6 (convicted 4; acquitted 1; charge withdrawn 1); Breaking banning order: 1 (charge withdrawn). Prisons Act conviction (appeal upheld).
Number still on trial March 1: 246
Treason: 32
Internal Security Act: 214



Graph by the Detainees Parents Support Committee indicates that the number of detainees dropped dramatically from November. Since January, the average monthly rate has been about 300

CONSCIENTIOUS OBJECTION
Two conscientious objectors appeared before the Board of Religious Objectors last week. Phillip Wilkinson, 22, from Port Elizabeth was refused religious objector status but was granted non-combatant status which he refused to accept. David Raimund Bosch, 26, son of theologian Professor David Bosch, was granted community service.

SADF SUICIDES (SADF figures)
A total of 74 people serving in the SADF committed suicide in the past 30 months, the Minister of Defence, General Magnus Malan, said.

GROUP AREAS ACT LAND ALLOCATIONS
More than 83 percent of the land proclaimed under the Group Areas Act by the end of last year was allocated for whites, the Minister of Constitutional Development and Planning, said in parliament. 759 402 ha out of 896 572 ha were proclaimed as white Group Areas.

BANNED BOOKS, PUBLICATIONS AND OBJECTS, Feb 28- Mar 6:
Kiss my ass; A boss is like a nappy - always on your ass and always full of shit; Doing a job here is like being a prostitute, the better you perform the more they suck you (all three produced by persons unknown); PK 267 Kneeling on chair; PK 257 Nude in Nightgown (both by Toppan Top Stereo Zurich); Throb (Not Stated); Hers beer mug with naked man's inscription; His and Hers beer mug with naked woman's inscription "his" (both by Kernewek, Cornwell, England); Beer mug in shape of woman's breasts with inscription 'Tit Bits" (not stated); Dad, why are the soldiers here? - pamphlet (Counter Propaganda Committee Wester Cape M/Plain); Woman Arise - calender (Fedtraw); June 16 Movement (not stated); Zimbabwe News, Vol 16 No 7 (Dept of Information and Publicity, Jongwe, Harare); ANC of SA fight for Mandela's Freedom - T-shirt (ANC); 11986 Africa Calendar (Vakalisa Art Ass Landsdowne); Silhouettes; Great Sporting Bodies; Golden Girls; Desk Pad; Jumbo Multipic; Supreme (all 1987 calendars by Assoc Optima Group, Johannesburg); Wilhelm van Gloeden Photographer (Charles Leslie); Crisis Cassette (WECTU Athlone Central); Lenin Selected Works (Progress Publishers, Moscow); Sleeping with soldiers (Rosemary Daniell).
Unbanned:
Vengeance is Black (George G Gilman); Basic Facts on Republic of South Africa and the Policy of Apartheid (Julian R Friedman); The ILO and Apartheid (International Labour Office, Geneva); Racism and Apartheid in Southern Africa (The Unesco Press Paris 1984); Fundamentals of Human Sexuality, second edition (Herant A Katchadourian and Donald T Lunde); Marx and Engels - a Conceptual Concordance (Gerard Bekerman); Rebel Pity - the life of Eddie Roux (Eddie Win Roux).

PRISONER OF CONSCIENCE: PETER MOKABA.
Peter Mokaba, 28, a Northern Transvaal UDF leader and former Robben Island prisoner; has been held without trial at Diepkloof (Johannesburg) prison for 271 days. He was detained under section 28 of the Internal Security Act ("preventative detention") on July 16 last year. It is his third period of detention.
Mokaba, a Unisa student, is an executive member of the Mankweng Civic Association and the Mankweng Youth Congress, both UDF affiliates. In 1980, when he was a student at Turfloop University, he was one of the founders of the Azanian Students Organisation (Asazo). Four years ago he was sent to Robben Island after being convicted for terrorism. He spent 16 months on Robben Island before being transferred to Pretoria Central and later to Pietersburg Prison while awaiting his appeal. In 1984 he was granted a re-trial after a judge found that the magistrate who convicted him should have recused himself. He was eventually acquitted of the terrorism charge and was convicted for illegally possessing a firearm. He was given a complete suspended sentence in March last year, after spending three years in jail. Four months later he was detained.

DONATION TO HELP UPGRADE TEACHER TRAINING

THE African Explosives and Chemical Industries company has donated R100 000 to the Promat College in Kempton Park for the upgrading of black teachers' training.

Mr Mike Sander, managing director of AECI recently presented the money to Mr Tertius Spies, chairman of the Fund-raising Committee of Promat College, during a ceremony at Spartan, near Kempton Park.

Sof'n Easy
YOUR NO 1 . . .
IN HAIR CARE
S 12423

Promat is a full-time college for young black adults above the age of 18. It offers a concentrated one-year course in a variety of subjects leading to matriculation.

It opened near Mamelodi, Pretoria in 1983. This pilot venture succeeded beyond expectations and a second college, Promat 11, was opened at Spartan in January 1986.

The R100 000 donation is intended to make provision for black teachers with Standard 8 education and two years' professional training to return to school to complete Standard 9 and 10 in one year.

He said by the year 2 000 South Africa will need an additional 250 000 black teachers.

"This will have a ripple effect, improving the standard of education in the country as a whole. The money for the donation comes from AECI's "Quality of Life" plan, whose main objective is to play a positive and constructive role in the development of South African society," a spokesman for the company said.



Mr TERTIUS SPIES, chairman of the Fund-raising Committee of Promat College, accepts a R100 000 cheque from Mr Mike Sander, managing director of AECI.

The spokesman said since failure to provide an adequate and relevant educational experience for the majority of the country's future work-force could have a seriously detrimental effect on growth and prosperity, particular emphasis in the AECI plan has been placed on black education.

FCI plans legal action on bannings

Own Correspondent

CAPE TOWN — Top industrialists are planning legal action to force the Government to lift banning orders on two Eastern Cape community leaders.

Business leaders — who failed yesterday to persuade Law and Order Minister Mr Louis le Grange to overturn the bannings — say the official action has damaged the "sincere efforts" of those trying to solve South Africa's problems.

A joint delegation of the Federated Chamber of Industries (FCI) and the Midlands Chamber of Industries said legal action "will hopefully reverse the banning orders" on boycott committee leader Mr Mkhuseli Jack and regional UDF official Mr Henry Fazzie.

FCI plans legal action on bannings

Own Correspondent

CAPE TOWN — Top industrialists are planning legal action to force the Government to lift banning orders on two Eastern Cape community leaders.

Business leaders — who failed yesterday to persuade Law and Order Minister Mr Louis le Grange to overturn the bannings — say the official action has damaged the "sincere efforts" of those trying to solve South Africa's problems.

A joint delegation of the Federated Chamber of Industries (FCI) and the Midlands Chamber of Industries said legal action "will hopefully reverse the banning orders" on boycott committee leader Mr Mkhuseli Jack and regional UDF official Mr Henry Fazzie.

PE bans: FCI to go to court

Dispatch Correspondent

JOHANNESBURG — Business and government appear to be headed for a court confrontation over the bannings this month of leading Eastern Cape community leaders Mr Henry Fazzie and Mr Mkhuseli Jack.

Snubbed by Law and Order Minister Mr Louis le Grange, the Federated Chamber of Industries (FCI) now plans to take him to court to try to force the government to lift the orders.

The FCI and the Midlands Chamber of Industries met Mr Le Grange on Wednesday and failed to persuade him to change his mind. The Association of Chambers of Commerce (Assocom) had an equally unproductive meeting on Monday.

FCI executive director, Mr Johan van Zyl, said the bannings "raised a question mark against government's sincerity in negotiating with accepted community leaders" and they "only jeopardised the sincere efforts of those seeking solutions to the country's problems".

Government officials said there was little likelihood of Mr Le Grange lifting the bannings, which were described yesterday by an Eastern Cape industrialist as "crass and stupid".

Mr Van Zyl said it was stressed to Mr Le Grange that Mr Fazzi and Mr Jack "had been involved for some time in negotiations with the local chamber of industries to find ways of reducing tensions in the Port Elizabeth area and to return the strife-torn situation to relative normality".

The bannings have drawn sharp criticism locally and internationally, prompting US Assistant Secretary of State for African Affairs, Dr Chester Crocker to say the SA Government was "perpetrating a sham by saying it wanted to negotiate with black leaders while banning anti-apartheid campaigners".

The FCI said it hoped the legal action would "have the effect of reversing the banning orders".

Businessmen fear that Mr Le Grange's failure to respond to the plea to lift the bannings could lead to another damaging consumer boycott in the Eastern Cape.

Pick 'n Pay chairman, Mr Raymond Ackerman, said a lack of response would lead to another boycott "and it is the small trader who is going to get hurt, while at the same time government is trying to promote small businesses. If government does not tell commerce and industry why these people have been banned — even confidentially — it will be a major snub".

2/3/86 DISPACH

Mass service ban slated

328

Dispatch Reporter

KING WILLIAM'S TOWN — The King William's Town Civic Association yesterday strongly condemned the banning of a mass service that was to have been conducted by the president of the World Alliance of Reformed Churches and patron of the United Democratic Front, Dr. Allan Boesak, on Wednesday night and a public meeting last night.

A spokesman for the association, Mr J. Smith, said the association was "totally disgusted by the banning "of what was to have been a bona fide church service."

Although they had become used to expect almost anything from the authorities, the banning of the service nevertheless came as a total surprise to them, he said.

"In our view, it is certainly a testimony to the fact that there is no real freedom of religion in South Africa," he said.

"It would appear as if black people in this country are only free to practise religion as long as no mention is made of injustices that prevail in our society."

Dr Boesak would return to King William's Town in the near future to preach the truth of God, he said.

Mr Smith said the service scheduled for tonight would go ahead as planned. It was not affected by the banning order, because the order expired at 6 p.m.

CONSUMER BOYCOTTS

The Jack factor

The banning orders imposed on Port Elizabeth community activists Mkhuseli Jack and Henry Fazzie last week, have led to a storm of protest from anti-apartheid groups and business organisations alike. More importantly, they have made a resumption of the black consumer boycott of the local CBD next month a near certainty.

Jack is co-ordinator of the PE Consumer Boycott Committee and Fazzie is the regional vice-president of the United Democratic Front (UDF).

Law and Order Minister Louis le Grange is receiving a number of high-level appeals to reconsider the bannings. A delegation from Assocom and the PE Chamber of Commerce met him in Cape Town on Monday. However, their lobbying for the withdrawal of the banning orders seem to have had little effect. State President P W Botha has strenuously confirmed the bannings.

The delegation included Assocom president Rocky Ridgeway and PE Chamber of Commerce director Tony Gilson, who played a key role in negotiations with Jack during the last boycott. After the meeting, the delegates indicated that Le Grange had conceded nothing more than an agreement that the bans would be subject to the established review procedures.

Le Grange has also agreed to meet a Federated Chamber of Industries (FCI) delegation, probably sometime this week.

Angry protests against the bannings have come from the UDF and from Jack's employer, Rory Riordon. The bannings were described as "an act of short-sighted political stupidity" by the Progressive Federal Party's spokesman for black affairs in the eastern Cape, Errol Moorcroft. The SA Institute of Race Relations describes the bannings as a blow to government's own stated aim of encouraging genuine negotiation.

Koos Alberts, the chairman of the Afrikaanse Sakekamer in Port Elizabeth, said he accepted there had been a good reason for the banning orders served on Jack and Fazzie, but questioned the timing of the move.

In East London, meanwhile, the consumer boycott resumed on March 3 and, according to East London Chamber of Commerce director, Jock Alison, it is "100% effective." Demands from boycott leaders largely relate to national political issues such as the release of political prisoners and detainees; and the presence of security forces in the townships.

Talks between boycott leaders and the chamber are continuing. "But there is little we can do about these demands," says Alison. ■

FCI to fight government over bannings

CAPE TIMES 21/3/86

328

Own Correspondent

JOHANNESBURG. — Business and government are heading for a showdown over the "crass and stupid" bannings this month of leading Eastern Cape community leaders Mr Henry Fazzie and Mr Mkhuseli Jack.

After an unsuccessful meeting with the Minister of Law and Order, Mr Louis le Grange, the Federated Chamber of Industries (FCI) now plans to take him to court to try to force the government to lift the banning orders.

The FCI and the Midlands Chamber of Industries met Mr Le Grange on Wednesday. The Association of Chambers of Commerce (Assocom) met the minister on Monday — without result.

'Jeopardized'

Mr Johan van Zyl, executive director fof the FCI, said the bannings "raised a question mark against government's sincerity in negotiating with accepted community leaders" and that they "only jeopardized the sincere efforts of those seeking solutions to the country's problems".

Mr Van Zyl said it was stressed to Mr Le Grange that Mr Fazzie and Mr Jack "have been involved for some time in negotiations with the local chamber of industries to find ways of reducing tensions in the Port Elizabeth area and to return the situation to relative normality".

Government officials said there was little likelihood of Mr Le Grange lifting the bannings, which were described yesterday by one leading Eastern Cape industrialist as "crass and stupid".

The bannings of the two have drawn sharp criticism both locally and internationally, prompting the United States Assistant Secretary of State for African Affairs, Dr Chester Crocker, to say the South African Government was "perpetrating a sham by saying it wanted to negotiate with black leaders while banning anti-apartheid campaigners".

However, the legal options open to the FCI are not extensive. Legal experts say Mr Le Grange's discretion could be challenged in the Supreme Court, in which case the minister might well be forced to disclose his reasons for banning Mr Jack and Mr Fazzie. So far, Mr Le Grange has maintained that it is not in the public interest to disclose his reasons.

Businessmen fear that Mr Le Grange's failure to to lift the bannings could lead to another damaging consumer boycott in the Eastern Cape.

Court overturns banning of Jack

'I thank whites for support'

By JIMMY MATYU

"IT'S a major victory," Mr Mkhuseli Jack said today as he tore up his banning order.

The order, placing severe restrictions on him for five years, was overturned today by the Supreme Court, two weeks after it had been served.

Mr Jack said he was happy that the Minister of Law and Order, Mr Louis le Grange, had been "exposed" for the way he used the security laws.

He made this comment soon after his employer, Mr Rory Riordan, broke the news to him of the successful outcome of his court application.

This was followed by jubilant scenes at his home and in the streets of New Brighton.

Mr Jack grabbed his banning order and started tearing it up. He kept about three pages, saying he would destroy them at a mass funeral later in the day.

In an interview, he accused Mr Le Grange of misusing the security laws against "those fighting for justice and peace in this country".

"The outcome of my application has convinced me that the ban was unjust and the outcome has also strengthened my resolve to campaign more vigorously for the immediate release of political leaders," he said.

Mr Jack thanked those people — especially in the white community of Port Elizabeth — who had stood by him.

"It was a major breakthrough in race relations — the first time they have shown such concern. I appeal to them not to stop doing so, but to continue with such gestures.

"I must also make a special mention of my employer, Rory, and his associates, for showing they are people of principle who gave me encouragement at that dark period in my life."

Mr Jack also thanked "progressive organisations" and the black community for their courageous and steadfast stand behind him.

"It is appreciated that some people in the judiciary can take a stand and show that Mr Le Grange and his agents must not think they are above the law."

Mr Jack said he would now campaign for the unbanning of Mr Henry Fazzie, vice-chairman of the United Democratic Front (East Cape) and Mr Trevor Manuel, executive UDF member in Cape Town, and for the release from detention of the Rev Arnold Stofile, Border secretary of UDF, who is in detention in the Ciskei.

Mr Riordan commented: "I am absolutely elated by this moment of justice in a few bad weeks. Long may it last."

Mr Edgar Ngoyi, regional president of UDF, said the court decision had shown that the Government was doing things "without first thinking properly".

"The UDF is pleased with the outcome. I hope this will result in Mr Fazzie being unbanned as well. The Government had bungled by banning the two leaders," he said.

The vice-president of Peyco, Mr Mpumi Odolo, said his organisation, and the entire community, was extremely happy that Mr Jack had been unbanned.



Surrounded by a crowd of well-wishers, a jubilant Mr MKHUSELI JACK, president of the PE Youth Congress, and spokesman for the Consumer Boycott Committee, with pieces of the banning order he tore up after learning that the Supreme Court had declared the order invalid.

By CHRIS RENNIE, Court Reporter

THE banning of Mr Mkhuseli Jack, president of the Port Elizabeth Youth Congress and spokesman for the Consumer Boycott Committee, was overturned by the Port Elizabeth Supreme Court today.

The court ruled that the notices served on him in terms of the Internal Security Act earlier this month were invalid and of no force or effect.

This was the result of an urgent application by Mr Jack brought before Mr Justice Van Rensburg.

The decision could have far-reaching effects and lead to the challenging of other banning orders, including the one imposed on Mr Henry Fazzie, vice-president of the United Democratic Front in the Eastern Cape, who was banned at the same time as Mr Jack.

When today's hearing started, Mr C W Mouton, who appeared for the Minister of Law and Order, Mr Louis le Grange, handed in a telexed affidavit from the Minister.

Mr Le Grange said he had not had an opportunity to read the application, but that the crux of it had been transmitted to him telephonically, and he wished to explain his attitude to the court.

He said he had studied the successive court decisions such as Gumede and others v the Minister in September, 1984, Nkondo and others v the Minister, the full bench decision in Gumede and others v the Minister in October, and the subsequent Appeal Court decision on Thursday this week.

The decisions dealt with a technicality in the addendum to the notices served in terms of Section 29 of the Internal Security Act. When preparing these notices, he had endeavoured to follow the guidelines given in the various decisions.

In the Appeal Court decision of Thursday — it ruled 16 detention orders invalid — new guidelines were set. As a result, he was reconsidering all existing orders in the light of the new guidelines, to establish their validity.

He would not oppose this application, and, in the light of the technicality revealed by the Appeal Court, would consider issuing new notices.

In his application, Mr Jack, who described himself as a salesman, said that on February 26 the Minister signed a notice restricting his movements.

The same day, the Minister signed a second notice prohibiting him from attending certain gatherings.

These notices were served on him on March 11 by a police officer. Attached to each notice was a statement by the Minister in terms of Section 25(1) of the Act.

Both notices were invalid, he submitted, because the statements had merely given the conclusions the Minister had reached and not the reasons he had for reaching them, as required.

He submitted this was an improper exercise of the discretion vested in the Minister, who had also failed to give reasons why the disclosure of the information that led him to his conclusion would be detrimental to the public interest.

This first notice confined Mr Jack to his home, except between 6am and 7pm on any day not a Saturday, Sunday or public holiday. It also prohibited him from being in any black area except New Brighton, any coloured or Asiatic area, any factory, any printing or publishing establishment, the premises of any organisation which attacked or critisised the State, any trade union premises or educational institution.

He was also banned from preparing, publishing or disseminating any publication defined in the Internal Security Act, or communicating with any person whose name appeared on the consolidated list referred to in the Act.

The second notice prohibited him from attending any gathering at which the State or government policy was critisised, protest meetings, demonstrations or student gatherings.

The attached statements by the Minister merely said he was "satisfied that Mkhuseli John Jack promotes activities which endanger the maintenance of law and order," and that the information which led the Minister to this conclusion could not be disclosed without detriment to the public interest.

Mr J D Pickering, instructed by the Legal Resources Centre, appeared for Mr Jack. Mr Mouton was instructed by the Deputy State Attorney.

● See Page 2.

Banning of UDF man is 'invalid'

PORT ELIZABETH. — The Port Elizabeth Supreme Court today annulled the banning of prominent black activist Mr Mkhuseli Jack.

The court accepted the argument that the banning order was invalid because the Minister of Law and Order, Mr Louis le Grange, had not stated his reasons.

There was joyous reaction to the court's decision from businessmen, industrialists, various political figures and supporters.

Jubilant friends and supporters crowded Mr Jack's home to congratulate the delighted 28-year-old activist, and legal experts speculated that the ruling could affect other banning orders in force.

But the experts noted that the Government could reimpose the restrictions if it stated its reasons.

"Critical point in talks"

Mr Jack and another Port Elizabeth activist, Mr Henry Fazzie, got orders on March 11 restricting them to their homes from dusk to dawn and on weekends, and forbidding them to leave the Port Elizabeth area, attend political meetings or be quoted in the media.

Businessmen and newspaper editorialists said the bannings were inexplicable, especially at such a critical point in the black consumer boycott negotiations.

In his appeal Mr Jack argued that this was "improper exercise of the discretion vested in the Minister, who had also failed to give reasons why the disclosure of the information that had led him to his conclusions would be detrimental to the public interest".

Mr Jack is president of the Port Elizabeth Youth Congress, a black group affiliated to the United Democratic Front. He was spokesman for the consumer boycott committee.

It was the third time this week that the judiciary has overturned a controversial Government measure.

On Thursday the Bloemfontein Appeal Court ruled that Mr le Grange served invalid detention orders on 16 anti-apartheid activists in August 1984. He had not provided insufficient grounds.

Hours later, a Johannesburg Supreme Court judge ordered three black detainees released, saying the court suit against their being held was based on the same grounds as that of the 16.

"Victory for justice"

Mr Tony Gilson, director of the Port Elizabeth Chamber of Commerce, said today the chamber was delighted.

Mr Bill Oddy, president of the Midland Chamber of Industries, also expressed delight.

Mrs Judy Chalmers, chairman of the Eastern Cape branch of the Black Sash, said today: "It is a tremendous victory for justice."

The court decision has been welcomed by the United Democratic Front: "We are now more than ever convinced that no justification existed in the decision to silence the two." — Sapa.

Banning orders all likely to go

Cart Tints 24/3/86

328

ALL banning orders are likely to be invalidated since the Port Elizabeth Supreme Court's decision at the weekend to lift the banning order on Eastern Cape community leader Mr Mkhuseli Jack.

It seems likely, however, that the government will issue new, valid banning orders rather than allow all the restrictions to fall away.

The Supreme Court declared Mr Jack's banning order invalid following an urgent application brought before Mr Justice Van Rensburg.

The order was declared invalid because the Minister of Law and Order, Mr Louis le Grange, had failed to state reasons for the order served on the president of the Port Elizabeth Youth Congress and spokesman for the Consumer Boycott Committee.

It is the first time a banning order has been overturned.

No reasons supplied

The move is a direct result of Thursday's decision of the Appeal Court in Bloemfontein that the detention orders of 16 activists be declared invalid because the police and Mr Le Grange had not, in accordance with Section 28 of the Internal Security Act, supplied reasons for the detentions.

About 14 people in South Africa, including Mrs Winnie Mandela, wife of jailed African National Congress leader Mr Nelson Mandela, and a number of United Democratic Front officials, such as Mr Trevor Manuel, are affected by banning orders.

The Port Elizabeth Supreme Court's decision to lift the banning order on Mr Jack was widely welcomed yesterday. Attorneys for Mr Henry Fazzie, vice-president of the United Democratic Front in the Eastern Cape, are expected to apply for his order to be declared invalid.

The director of the Midland Chamber of Industries, Mr Brian Matthew, said he was "delighted" that the banning order had been set aside.

Industry in the Port Elizabeth/Uitenhage area had been disturbed at the banning of leaders with whom they had negotiated during the consumer boycott and who had been instrumental in "normalizing" the tense situation in the townships. The bans should not be reimposed.

An attorney, Mrs Priscilla Jana, said she had served notice on Friday of an application for the detention orders of four Pollsmoor prisoners — all of whom are UDF activists — to be declared invalid. She said she had been informed that they would be released.

The Appellate Division's decision on Thursday would inevitably restrain the authorities from arbitrary detentions and banning orders as they would now have to account for their actions by providing reasons, according to the director for the Centre for Applied Legal Studies in Johannesburg, Professor John Dugard.

He doubted that the government would overule the decision made by the Appellate Division as both the coloured and Indian houses in Parliament would oppose this, even though their opposition could be overruled by the President's Council.

● Hours after having his banning order lifted and being cheered by thousands at a funeral of three unrest victims, Mr Jack urged the international community to put pressure on Pretoria until apartheid was dismantled.

In an interview Mr Jack repeated the call for the release of Mr Mandela and all political prisoners, the dismantling of apartheid as a prelude to negotiations between the government and "the peoples' leaders" and permission for all exiles to return.

Mr Jack said that if the demands put before the government were not met there would be no peace. — Own Correspondent and Sapa

 ARGUS 24/3/86 3-28

Women seek release of detained children

JOHANNESBURG. — A memorandum calling on the Government to end alleged assaults, intimidation and harassment of children by the security forces and the immediate release of all children in detention was to be presented to two Cabinet Ministers in Cape Town today.

A delegation of women representing 14 organisations travelled to Parliament to present the memorandum to the Minister of Law and Order, Mr Louis le Grange, and the Minister of Justice, Mr Kobie Coetsee.

The organisations say that in compiling the memorandum, "they were horrified by the overwhelming evidence of violence perpetrated by the State.

"In fact at least 68 children have died. Thousands of children and their parents are demanding that the Government listen to their grievances.

"We believe that unless they are heard, the future of our children and South Africa is in jeopardy.

"The punitive response and brutal methods used by the State in an attempt to silence them can only exacerbate the current desperate situation throughout our country."

In an addendum, the organisations say the memorandum was compiled in response to the declaration of a state of emergency and is based on complaints made during that period.

"However, complaints of the same nature were received from areas not subject to the emergency regulations and complaints continued to be received by lawyers and concerned organisations," the addendum says. "The treatment of children remains essentially unchanged.

"Furthemore, we believe that most of our criticisms levelled at the authorities and the law itself also apply to the treatment of children in terms of ordinary criminal procedure and particularly to their treatment under current security legislation."

The delegation includes representatives from the National Council of Women, the Child Welfare Society, Lawyers for Human Rights, Women for Peace, Union of Jewish Women, Thabisong Detainee Parents' Support Committee, Committee of Concern for Children, Black Sash and the Catholic Women's League. Sapa.

Government may issue new restriction orders

328

ARGUS 24/3/86

Political Staff

THE Government may issue new restriction orders on people affected by recent court decisions.

This was seen today as one of the options open to the Minister of Law and Order, Mr Louis le Grange, following the court decisions which were a setback to the system of bannings and detentions.

All the Minister would say today was that the department had taken serious note of the court decisions and was looking at the situation.

If necessary new steps would be taken to comply with the court decisions.

An Opposition spokesman warned today attempts to change legislation to give the Government wider powers would lead to a national and international outcry.

Courts have recently set aside detention as well as banning orders — the Appeal Court the detention orders on 16 people and the Port Elizabeth Supreme Court the banning order on community leader Mr Mkhuseli Jack.

The courts ruled that orders issued by the Minister of Law and Order, Mr Louis le Grange, were invalid and that he should have stated reasons for the bannings.

It is understood that the Minister will have another look at provisions of the Internal Security Act in terms of which people are banned.

It appears the Government has several options: it could reissue banning orders and give reasons; it could lift the banning orders or it could change legislation.

In terms of present legislation the Min-

(Turn to Page 3, col 7)



Mr Mkhuseli Jack is congratulated by his employer, Mr Rory Riordan.

Fazzie to apply for ban to be quashed

Staff Reporter

MR Henry Fazzie, vice-president of the United Democratic Front in the Eastern Cape, will apply to court "as soon as possible" to have his banning order declared invalid, according to his close friend, Mr Mkhuseli Jack.

Mr Jack, president of the Port Elizabeth Youth Congress and a spokesman for the consumer boycott committee, said today that "the community would unban Mr Fazzie if the court did not".

Both were banned for five years on March 11.

On Saturday the Supreme Court, Port Elizabeth, upheld argument that Mr

(Turn to Page 3, col 7)

Govt rethinks banning laws

Continued from Page 1

ister need not give such detailed reasons that sources of information be revealed.

Mr Peter Gastrow, MP, one of the Progressive Federal Party's law and order spokesmen, said the courts had confirmed that the Minister had exceeded wide arbitrary powers given him in the Internal Security Act.

REACTION

Any attempt to withdraw all banning orders and to issue new ones with no reasons or attempts to tighten legislation would result in widespread national and international reaction.

Any attempt to amend legislation to do away with giving reasons would, in effect, give the Minister carte blanche and would result in even sharper reaction.

The only way out was to allow a form of judicial testing of whether or not justifiable reasons in terms of the Act existed.

Meanwhile The Argus Correspondent in Pretoria reports that the Department of Law and Order confirmed today there are 10 people under banning orders in terms of the Internal Security Act.

Among those who are restricted are Mrs Winnie Mandela, whose latest banning order expires on June 30 1988.

Plea on banning order

(Cont. from Page 1)

Jack's banning order was invalid because Mr le Grange had not stated his reasons for banning him.

Mr Jack said Mr Fazzie would follow the same procedure as soon as possible.

"It's just a matter of time. But Henry and his attorney are working on it," Mr Jack said.

Mr Jack said that Saturday's court order "came just in time because I was on my way to a funeral".

The community, he said, had had enough of banning orders and wanted him to attend a funeral on Saturday.

"I was going to break that banning order if the court did not declare it invalid. The community will also unban Mr Fazzie if the court does not."

The Argus Port Elizabeth Bureau reports that Mr Jack has called on the Government to release all political detainees, allow exiles to return and "come to a table with the real leaders to discuss a viable and stable future for this country".

He also called on business leaders to step up their pressure on the Government by rejecting "apartheid structures" such as regional services councils.

While appreciative of the way business leaders challenged the ban on him and Mr Fazzie, Mr Jack said it was now time for "all sections, including business and churches, to expose the bankruptcy of the present regime".

● Organised commerce today called on Mr le Grange not to reimpose a ban on Mr Mkhuseli Jack.

Mr Tony Gilson, director of the Port Elizabeth Chamber of Commerce, said businessmen would take further action if Mr Jack was banned for a second time.

"Mr Jack and Mr Fazzie are important leaders in the Eastern Cape. Any further action against Mr Jack will be counter-productive. We will take further action if Mr le Grange bans him again," Mr Gilson said.

Mr Brian Matthews, chairman of the Midlands Chamber of Industries, said he was watching the situation carefully.

"We expect Mr Fazzie to apply to have his banning order rescinded as well. If he succeeds, both bannings would have been overturned on technicalities. And there is nothing to prevent Mr le Grange from imposing them again. I hope he does not do this," Mr Matthew said.

Jack in call to push the Govt

Post 24/3/82

38

By KIN BENTLEY

MR MKHUSELI JACK, whose banning order was ruled invalid on Saturday, today called on the Government to release all political detainees in South Africa and "come to the negotiating table with the real leaders to discuss a viable and stable future for this country".

The Government should also allow political exiles to return to the country, he said.

The Port Elizabeth Consumer Boycott Committee spokesman also called on business leaders to step up their pressure on the Government by rejecting such apartheid structures as the proposed Regional Services Councils.

"All people with good intentions for our beloved country must join forces," he said.

Commenting on his successful application to the PE Supreme Court to have his banning order lifted on Saturday, Mr Jack said the way the Minister of Law and Order, Mr Louis le Grange, had "abused the banning order" proved the Government was ruling undemocratically.

He reiterated his call for the establishment of a non-racial society in which justice would be done.

Mr Jack also called for Mr Le Grange to unban Mr Henry Fazzie, vice-president of the UDF in the Eastern Cape.

"If we said or did anything wrong, the Government could have charged us under a number of laws."

Turning to the possible resumption of a consumer boycott in Port Elizabeth at the end of the month and a possible national consumer boycott, Mr Jack repeated his call for the Government to "meet our demands as soon as possible".

Many of the peoples' representatives were in prison or in exile, he said.

Mr Jack said that while he appreciated the way business leaders challenged the ban on himself and Mr Fazzie, it was now time for "all sections, including business and churches, to expose the bankruptcy of the present regime".

The Government was denying the South African community the opportunity of having a non-racial society, which was needed now.

Asked what he thought business leaders should do, he said they should give "moral and other forms of support to progressive organisations and put pressure on the Government to abandon its disastrous course of apartheid".

Business leaders in South Africa should reject the proposed Regional Services Councils to show their commitment to having apartheid scrapped.

He said the proposed RSCs would prove: "a waste of taxpayers' money". They were constituted on a racial basis and were therefore rejected by the majority of people

New look at law on bannings, detention

Political Staff

CAPE TOWN — The Government is examining legislation on bannings and detentions after setbacks the system has suffered in recent court decisions.

An Opposition spokesman warned today that attempts to change legislation to give the Government wider powers would lead to a national and international outcry.

The Appeal Court recently set aside the detention orders on 16 people and the Supreme Court, Port Elizabeth, the banning order on community leader Mr Mkhuzeli Jack.

The courts ruled that orders issued by the Minister of Law and Order, Mr Louis le Grange, were invalid and that he should have stated reasons.

A spokesman for the Department of Law and Order said today that the Minister would have another look at provisions of the Internal Security Act, in terms of which people were banned.

ARBITRARY

One of the problems was that, if reasons were given, sources of information could be divulged, said the spokesman.

It appeared today as if the Government had three options: reissuing banning orders and giving reasons; lifting banning orders, or changing legislation.

Mr Peter Gastrow, MP, one of the Progressive Federal Party's law and order spokesmen, said today that the courts had confirmed that the Minister had exceeded wide arbitrary powers given by the Internal Security Act.

Any attempt to withdraw all banning orders and to issue fresh ones with no reasons, or attempts to tighten up legislation, would result in widespread national and international reaction.

The only way out was to allow a form of judicial testing of whether justifiable reasons, in terms of the Act, existed.

3 DAY

Release welcomed

24/3/90 THELMA TUCH

SATURDAY's court decision to lift the banning order on Eastern Cape community leader Mkhusell Jack was welcomed yesterday.

The question of whether Law and Order Minister Louis le Grange will issue a new order remains unanswered.

Attorneys for UDF Eastern Cape vice-president Henry Fazzie are expected to apply for his banning order also to be declared invalid.

Although Le Grange did not contest the application, he could rewrite the banning orders on the two activists, in line with the court's demand that he must furnish reason for the banning orders.

Notices on Jack declared invalid

THE notices served on the president of the Port Elizabeth Youth Congress and spokesman for the Consumer Boycott Committee, Mr Mkhuseli John Jack, in terms of the Internal Security Act earlier this month, were declared invalid by the Supreme Court at the weekend.

This was the result of an urgent application brought before Mr Justice van Rensburg by Mr Jack in the Port Elizabeth Supreme Court.

When the hearing started, Mr C W Mouton, who appeared for the Minister of Law and Order, Mr Louis le Grange, handed in a telexed affidavit from the Minister.

In it Mr le Grange stated he had not had an opportunity to read Mr Jack's application, but that the crux of it had been transmitted to him telephonically and he wished to explain his attitude to the court.

He said that he had studied previous court decisions such as Gumede and others v The Minister in September 1984, Nkondo and others v The Minister, the full bench decision in Gumede and others v The Minister in October and the Appeal Court decision last Thursday.

These cases all dealt with a technicality in the addendum to banning notices served in terms of Section 20 of the Internal Security Act.

When preparing these notices he had tried to follow guidelines given in the various court decisions.

In Thursday's Appeal Court decision new guidelines were set. As a result, he was reconsidering all existing orders in the light of the new guidelines to establish their validity.

In the meantime he would not oppose the application, and in the light of the latest Appeal Court findings, would rather consider issuing new notices.

In its application, Mr Jack said on February 26 the Minister signed a notice restricting his movements in certain places and during certain times.

The same day the Minister signed a second notice prohibiting him from attending certain kinds of gatherings. These notices were served on him on March 11 by a police officer.

Attached to each notice was a statement by the Minister in terms of Section 25 (1) of the Act. Both these notices were invalid because the statements had merely given the conclusions the Minister had reached and not the reasons he had for reaching them as required. — Sapa.

Many applaud ruling on Jack

Weekend Post Reporters

THE Port Elizabeth Supreme Court's decision to overturn the banning order on Mr Mkhuseli Jack, spokesman for the PE Consumer Boycott Committee, was widely welcomed today.

Prominent businessmen, industrialists and various political figures applauded the ruling.

Mr Tony Gilson, director of the Port Elizabeth Chamber of Commerce, said the chamber was delighted by the news.

It felt strongly that Mr Jack should not have been banned in the first place.

The chamber had made strong representations to the Minister of Law and Order, Mr Louis le Grange, to have the banning orders on both Mr Jack and Mr Henry Fazzie, regional vice-president of the United Democratic Front, withdrawn.

"We sincerely hope no other form of action will now be taken against Mr Jack," Mr Gilson said.

He hoped the banning order on Mr Fazzie, who was banned at the same time as Mr Jack, could also be overturned.

Mr Bill Oddy, president of the Midland Chamber of Industries, said he was "delighted" that the banning order had fallen away.

Mrs Judy Chalmers, chairman of the Eastern Cape branch of the Black Sash, said: "It is a tremendous victory for justice.

"One can consider this as a victory for all South Africans who are coming together to fight and give support to the true leaders."

The court decision was also welcomed by the UDF.

A spokesman said the front would also like to see Mr Fazzie's banning order set aside.

The organisation was more convinced than ever that there had been no justification for the Minister's decision to silence Mr Jack and Mr Fazzie.

The spokesman said a campaign was being mounted against all banning orders imposed on political activists in the country.

Le Grange: bannings will be examined

D.D. 24/3/86

Dispatch Correspondent

PORT ELIZABETH — The Minister of Law and Order, Mr Louis le Grange, has said the validity of all cases like the banning of Mr Mkhuseli Jack will have to be re-examined and "put right if necessary".

He said this in a telexed affidavit submitted to the PE Supreme Court on Saturday, when the ban on Mr Jack was declared invalid. However, Mr Le Grange said he would consider new banning orders.

Saturday's court ruling followed a decision by the Appeal Court in Bloemfontein on Thursday which annulled detention orders on 16 anti-apartheid activists because Mr Le Grange had failed to give reasons for the detentions.

As a result of this ruling, the minister said, he did not contest the appeal made on the same point of law by Mr Jack.

The minister said in his affidavit he gave cognisance to the ruling which stated the banning notices served on the 16 activists were invalid because the orders did not comply with Section 28 (3)(b) of the Internal Security Act.

In the banning order against Mr Jack, the minister stated he was satisfied Mr Jack was promoting activities which endangered the state, but did not furnish the reasons which led him to this conclusion. Two five-year orders were served on Mr Jack on March 11, one prohibiting him from attending gatherings and the other confining him to his home, except between 6 am and 7 pm on working week days.

About 14 people in South Africa, including Mrs Winnie Mandela, the wife of the jailed African National Congress leader, Mr Nelson Mandela, are affected by banning orders. An application for Mrs Mandela's recently amended banning order to be declared invalid is to be heard within the next two months.

The Port Elizabeth Supreme Court's decision to lift the banning order on Mr Jack was yesterday welcomed, but the major question of whether Mr Le Grange would slap on a newly written banning order remained unanswered.

Attorneys of Mr Henry Fazzie, vice-president of the UDF in the Eastern Cape, are expected to apply for his order to be declared invalid according to the same principles.

Yesterday Mr Le Grange refused to indicate what he intended to do. He said he was not prepared to discuss the matter on a Sunday afternoon.

The director of the Midland Chamber of Industries, Mr Brian Matthew, said he was "delighted", but was concerned at the possibility of a rewritten order. He said he hoped the concern of the business community in the PE-Uitenhage areas would influence Mr Le Grange not to do so.

The Chamber of Industries and the PE Chamber of Commerce spearheaded the campaign to get the banning orders lifted.

Editorial opinion page 12

New challenge on banning order soon

Own Correspondent

JOHANNESBURG. — At least one other person intends challenging his banning order within the next few days.

The legal representative for Mr Mordekai Mothibe Tatse of Soweto, Ms Priscilla Jana, yesterday confirmed that her client was looking into the matter.

However, all of the people who are known to be banned are expected to challenge their orders following the lifting of Mr Mkhuseli Jack's order on Saturday after the Port Elizabeth Supreme Court ruled it invalid because the Minister of Law and Order had failed to state reasons for the order.

Three people under banning orders which expire at the end of this month — Mr Achmad Cassiem, trade unionists Mr Maxwell Khululekile Madlingozi and Mr Dumile Denis Makande — are also expected to challenge their orders.

According to the Detainee's Parents Support Committee others who are still under banning orders include: Mr Trevor Andrew Manuel, Mr Roly Israel Arenstein, Mr Abel Sgubhu Dube, Mr John James Issel, Mrs Winnie Mandela, Mr Mathatha Godfrey Tsedu and Mr Henry Fazzie. The latter's banning order is presently being contested.

SECURITY LAWS

ARGUS 25/3/86 328 ~~329~~

Caught in a legal tangle with no dignified escape

HUGH ROBERTON reports on the implications of two watershed court decisions on South Africa's controversial security legislation

LAST week's judgments in the Supreme Court and the Appeal Court overturning Ministerial banning and detention orders have enmeshed the Government in an embarrassing legal tangle from which there is probably no dignified escape.

In both judgments it was found that the Minister of Law and Order, Mr Louis le Grange, had exceeded the wide powers given to him under the Internal Security Act by failing to provide adequate reasons for ordering the detention or banning of individuals.

Until now the Minister has been able to ban or detain a person under the Internal Security Act by stating simply that he was satisfied the person constituted a threat to the maintenance of law and order. Now that is no longer considered good enough.

"Nobody really thought to challenge Section 28 (3) (b) of the Act before now, because nobody had the faith that their challenge would succeed," Mr Fink Haysom of the Centre for Applied Legal Studies at the University of the Witwatersrand said yesterday.

"Under the Act the Minister is required to state the reasons for detaining someone. In the past the Minister was able to get away with merely stating that on the evidence presented to him he was 'satisfied' that the person concerned was a threat to the maintenance of law and order.

"But the argument was put to the Appeal Court that this was the Minister's conclusion and did not constitute the reasons which he was required to furnish in terms of the Act. The Appeal Court judgment upheld this view and it means that the Minister is now required to state the reasons for his conclusion so that the person concerned knows clearly why he or she is being detained," Mr Haysom said.

"Armed with this precedent, lawyers acting for Mr Mkhuseli Jack argued before the Eastern Cape division of the Supreme Court that the same obligations rested on the Minister in respect of banning orders. The Supreme Court accepted this argument and ruled that the Minister acted beyond his powers in banning Mr Jack and that, likewise, the 'reasons' he offered for banning Mr Jack were inadequate."

Lawyers say it would seem that all 10 people now banned under the Internal Security Act — including Winnie Mandela and other leading individuals in the black community — could successfully challenge their banning orders, too.

"These appear to be progressive judgments with wide implications and they have created a healthier situation. As a lawyer I find unacceptable this sort of Ministerial action which supplants the role of the courts, but accepting that it exists at the very least people obviously should know why action is being taken against them in clear and understandable terms, so that if they see fit they can challenge it in court," Mr Lee Bozalek, director of the Cape Town branch of the Legal Resources Centre, said yesterday.

Lawyers representing clients who have been banned or detained believe the court judgments are a watershed in South Africa's legal history and present the Government with a choice which could either significantly improve security legislation or give the Minister unchallengeable powers of the sort found in banana republics.

"It's a real crossroads situation," a Cape Town attorney said. "Either the Minister accepts the court judgments and provides fuller reasons for banning or detaining people, or he changes the law and gives himself outright dictatorial powers in order to circumvent the courts. If he chooses the latter option, we take the Hitlerian path. If he chooses the former we might just be able to restore a modicum of the rule of law in these matters."

Both options present a legal and political headache for Mr le Grange. As one of the PFP's spokesmen on law and order, Mr Peter Gastrow, remarked yesterday: "By providing fuller reasons, the Minister would be placing his own credibility to the test insofar as his use, or misuse, of the powers given to him under the Act are concerned.

"Also, the fuller reasons could well open the way for a further cycle of court cases.

"If he decides to amend the law, it is uncertain whether he could actually get amendments through the House of Representatives and the House of Delegates. If they baulked at it, the matter would have to go to the President's Council, which would mean grave domestic and international embarrassment, with delays and hearings and a debate.

"Until provisions like Section 29 of the Internal Security Act are phrased in such a way as to give courts the power to decide on the merits of the Minister's decisions, we will continue to be embroiled in this sort of controversy."

Govt reviews banning orders

THE Government is looking at legislation on bannings and detentions following setbacks to the system through recent court decisions.

An opposition spokesman warned yesterday that attempts to change legislation to give the Government wider powers would lead to a national and international outcry.

Courts have recently set aside detention as well as banning orders — the appeal court, The detention orders on 16 people and the Port Elizabeth Supreme Court. The banning order on community leader, Mr Mkhuzeli Jack.

The courts ruled that orders issued by the Minister of Law and Order, Mr Louis le Grange, were invalid and that he should have stated reasons.

A spokesman for the Department of Law and Order said yesterday that the Minister would have another look at provisions of the Internal Security Act in terms of which people were banned.

Problems

One of the problems was that, if reasons were given, sources of information could be divulged.

The State could also consider appealing against one court decision.

It appeared yesterday as if the Government had several options. It could reissue banning orders and give reasons (semi), it could lift the banning orders or it could change legislation.

In terms of present legislation the Minister need not give such detailed reasons that sources of information be revealed.

Mr Peter Gastrow, MP, one of the Progressive Federal Party's law and order spokesman, said that the courts had confirmed that the Minister had exceeded wide arbitrary powers given by the Internal Security Act.

Any attempt to withdraw all banning orders and to issue fresh ones with no reasons or attempts to tighten up legislation would result in widespread national and international reaction.

Any attempt to amend legislation to do away with giving reasons would, in effect, give the Minister *Carte Blanche* and would result in even sharper reaction.

The only way out was to allow a form of judicial testing of whether or not justifiable reasons in terms of the act existed.

Issel, Manuel bans lifted

THE banning orders on Cape Town community leaders Mr Johnny Issel and Mr Trevor Manuel have been lifted after being found invalid "for technical reasons" by the Minister of Law and Order, Mr Louis le Grange.

An order on the longest-banned person in the country, Mr Rowley Arenstein, of Durban, was also lifted yesterday.

A former attorney and listed communist, Mr Arenstein was first banned in the 1950s and since then has continuously been under house arrest or other restrictions.

And in Port Elizabeth, the vice-president of the Eastern Cape region of the United Democratic Front, Mr Henry Fazzie, who was banned for five years two weeks ago along with Mr Mkuseli Jack, had his banning orders set aside in the Port Elizabeth Supreme Court yesterday.

On Saturday Mr Jack's banning was set aside by the Supreme Court.

Mr Issel was banned for three years in 1983 and Mr Manuel for five years last November, both under the Internal Security Act.

'Of no force or effect'

A lawyer for the two men was told yesterday by an official of the Deputy State Attorney's office that Mr Le Grange had "conceded that the orders were of no force or effect".

The lawyer, Mr Ebrahim Mohamed, was told that Mr Le Grange had found the orders to be invalid as they did not comply with the provisions of the Internal Security Act.

Mr Mohamed said the Minister had made this finding after receiving notice from Mr Issel and Mr Manuel that they would bring a court application to declare the orders invalid.

Mr Mohamed said this notice had been given "following the recent Supreme Court decision invalidating the banning order of Mr Mkhuseli Jack."

Mr Jack's order was set aside when it was found that Mr Le Grange had not stated reasons for issuing the order.

A spokesman for Mr Le Grange confirmed yesterday that the two orders were no longer in force. — Staff Reporter and Own Correspondent.

"THE VITAL VIEWPOINT"

Banning orders on three leaders set aside for 'technical reasons'

328

Own Correspondent

THE banning orders on Eastern Cape UDF leader Henry Fazzie, and Cape Town community leaders Johnny Issel and Trevor Manuel, were yesterday set aside after being found invalid "for technical reasons".

Fazzie, vice-president of the Eastern Cape region of the United Democratic Front, was banned a fortnight ago for five years, along with UDF leader Mkuseli Jack.

Issel was banned for three years in 1983 and Manuel for five years last November.

Jack's banning was set aside by the Supreme Court on Saturday after an urgent application against Minister of Law and Order Louis le Grange.

The Supreme Court invalidated the banning when it found that Le Grange had not stated reasons for issuing the order.

A lawyer for Issel and Manuel, Ebrahim Mohamed, was told yesterday by a member of the Deputy State Attorney's office that Le Grange had "conceded that the orders were of no force or effect".

Mohamed said the Minister had made this finding after receiving notice from Issel and Manuel that they would bring a court application to declare their banning orders invalid.

When the application for Fazzie was brought before Mr Justice F Kroon yesterday, H J Liebenberg for the Minister told the court that he had been instructed that the Minister, in view of a recent decision of the Appeal Court, was "prepared to concede that Fazzie could take the order" setting aside his restriction orders.

The Minister was also ordered to pay costs.

A spokesman for Le Grange confirmed yesterday that the restriction notices of the three men were no longer in force.

He said that in the light of the Appeal Court decision of April 20 invalidating the detention orders of 16 people, the orders had been withdrawn "for technical reasons".

The Appeal Court declared the detention orders of the 16 invalid after finding that Le Grange had insufficient grounds for the detentions.

Issel said the lifting of his order would enable him "to contribute, unfettered, to a peaceful and just society.

"I think the government has to come to terms with negotiating with authentic leaders. The restrictions on all the leaders have to be removed."

Manuel calls on Govt to unban ANC

By DENNIS CRUYWAGEN
Staff Reporter

MR Trevor Manuel, Western Cape secretary of the United Democratic Front, has called on the Government to unban the African National Congress.

In his first interview since Mr Louis le Grange, Minister of Law and Order, lifted the banning orders on him and Mr Jacoob Issel yesterday, Mr Manuel vowed to become more deeply involved in the fight to end apartheid, called for the release of all political prisoners and for all political exiles to be allowed to return unconditionally.

Mr Manuel was banned for five years last year.

"Of course I am happy that the order has been lifted. Now I will become deeper involved in the fight to end apartheid. We challenged the State and won."

The two orders were revoked for "technical reasons", according to Mr E Mohammed, of Essa Moosa and Associates.

On the strength of Saturday's decision by the Port Elizabeth Supreme Court to declare the banning order on Eastern Cape community leader Mr Mkhuseli Jack invalid, attorneys for Mr Manuel and Mr Issel had asked the Minister to cancel their banning orders on the same grounds.

BACK AT WORK

The Argus Port Elizabeth Bureau reports that minutes after his five-year banning order was declared invalid by the Port Elizabeth Supreme Court yesterday afternoon Eastern Cape United Democratic Front vice-president Mr Henry Fazzie was back at work.

However his delight was tempered by a feeling that the respite might be temporary.

"I am sure that Mr le Grange will be working on ways to reimpose my banning order in a manner which will be acceptable to the courts," he said.

● See Page 7

Fazzie's ban set aside

26/3/86 328 DISPATCH

Dispatch Reporter

PORT ELIZABETH — The vice-president of the Eastern Cape region of the United Democratic Front, Mr Henry Fazzie, who was banned for five years two weeks ago along with Mr Mkuseli Jack, had his banning orders set aside in the Port Elizabeth Supreme Court yesterday.

On Saturday Mr Jack's banning order was also set aside by the Supreme Court following an urgent application against the South African Minister of Law and Order, Mr Louis le Grange.

When the application for Mr Fazzie was brought before Mr Justice F. Kroon yesterday, Mr H. J. Liebenberg, for the minister, told the court that he had been instructed that the Minister, in view of a recent decision of the Appeal Court, was "prepared to concede that Mr Fazzie could take the order" setting aside his restriction orders.

Mr Justice Kroon ruled that the restriction orders served on Mr Fazzie in terms of the Internal Security Act on March 11 this year, were invalid and of no force or effect. The minister was also ordered to pay costs.

In the restriction orders, which were signed by Mr Le Grange on February 26, and served on Mr Fazzie on March 11, the minister said he was satisfied that Mr Fazzie promoted activities which endangered the maintenance of law and order.

He said in his opinion no information, concerning the order, could be disclosed without detriment to the public interest.

● The restriction orders on Cape Town community leaders Mr Johnny Issel and Mr Trevor Manuel have been lifted after being found invalid "for technical reasons" by Mr Le Grange.

Mr Issel was restricted for three years in 1983 and Mr Manuel for five years last November, both under the Internal Security Act.

In tatters: the rule of the gag

Weekly Mail 27/3/86

328

For years it has been one of the pillars of apartheid: the power to ban and detain troublesome opponents at whim. But last week's Appeal Court ruling has brought the edifice toppling. ANTON HARBER reports

PREVENTIVE detention and bannings, two essential elements of the government's security system, are in tatters as a result of an Appellate Division judgment last week.

Within a week of the ruling, eight detainees have been freed and at least five people released from severe banning orders. More are likely to follow.

In all these cases the Minister of Law and Order, Louis le Grange, has conceded that he failed to meet the requirements of the Internal Security Act when imposing restrictions on people.

This has thrown into question a number of Le Grange's activities in the past 18 months, particularly in relation to detainees and banned people.

The court ruling related to individuals who had been involved in the clampdown prior to the 1984 tricameral elections. It indicated that their original detention — which led to the British Consulate sit-in, the scandal over the Coventry Four and the abortive Pietermaritzburg treason trail — was improper.

More importantly, however, the power of Le Grange to continue to impose such orders in the way he has done until now has been thrown into question.

The Appellate Division ruled the Minister had failed to give proper reasons when "sentencing" individuals to preventive detention.

The law requires him, when issuing a preventive detention or banning order, to "set forth the reasons ... and so much of the information which induced the Minister to issue the notice in question as can, in the opinion of the Minister, be disclosed without detriment to the public interest".

This is to enable the prisoner or banned person to make representations to the Minister.

In most restriction orders, Le Grange simply said he was satisfied that the person involved "engages in activities which endanger the maintenance of law and order".

The information on which this was based was simply given as: "By acts and utterances (this person) did ... create a revolutionary climate ... thereby causing a situation endangering the maintenance of law and order".

In some he added: "No other information can, in my opinion, be disclosed without detriment to the public interest."

Advocate Ismail Mahomed, SC, argued that these reasons and information did not match what was required by the law. They constituted "conclusions" rather than reasons, he said.

He was assisted by Leonard Geering and instructed by Priscilla Jana and Associates.

The Judge President, Justice P J Rabie, agreed with him, and four other judges concurred. They declared the detention orders invalid and ordered the state to pay full costs for the case — and the three Supreme Court cases that preceded it.

The reaction was fast. The same day, last Thursday, the Rand Supreme Court ordered the immediate release of four people in preventive detention.

On Saturday, a court declared the controversial banning of Mkhuzeli Jack, a Port Elizabeth United Democratic Front leader, to be invalid. Next to fall were the banning orders of Trevor Manuel, a Cape UDF executive member, Johnny Issel, a well-known Cape Town community activist, Henry Fazzie, Eastern Cape UDF leader, and Roley Arenstein, a long-standing activist who has been banned for many years.

Most of these cases did not even get to court. Lawyers had only to inform the Minister of an intention to go to court for him to withdraw their bannings quickly.

The two that went to court were unopposed.

Other banned people are also likely to take action. Winnie Mandela, for example, already has a Supreme Court case pending. She is likely to take action next week to precipitate a speedy decision and release herself from her many years of restriction.

Others who are still banned are Achmad Cassiem, Abel Dube, Maxwell Madlingozi, Dumile Makanda, Mordecai Tatsa and Mathatha Tsedu.

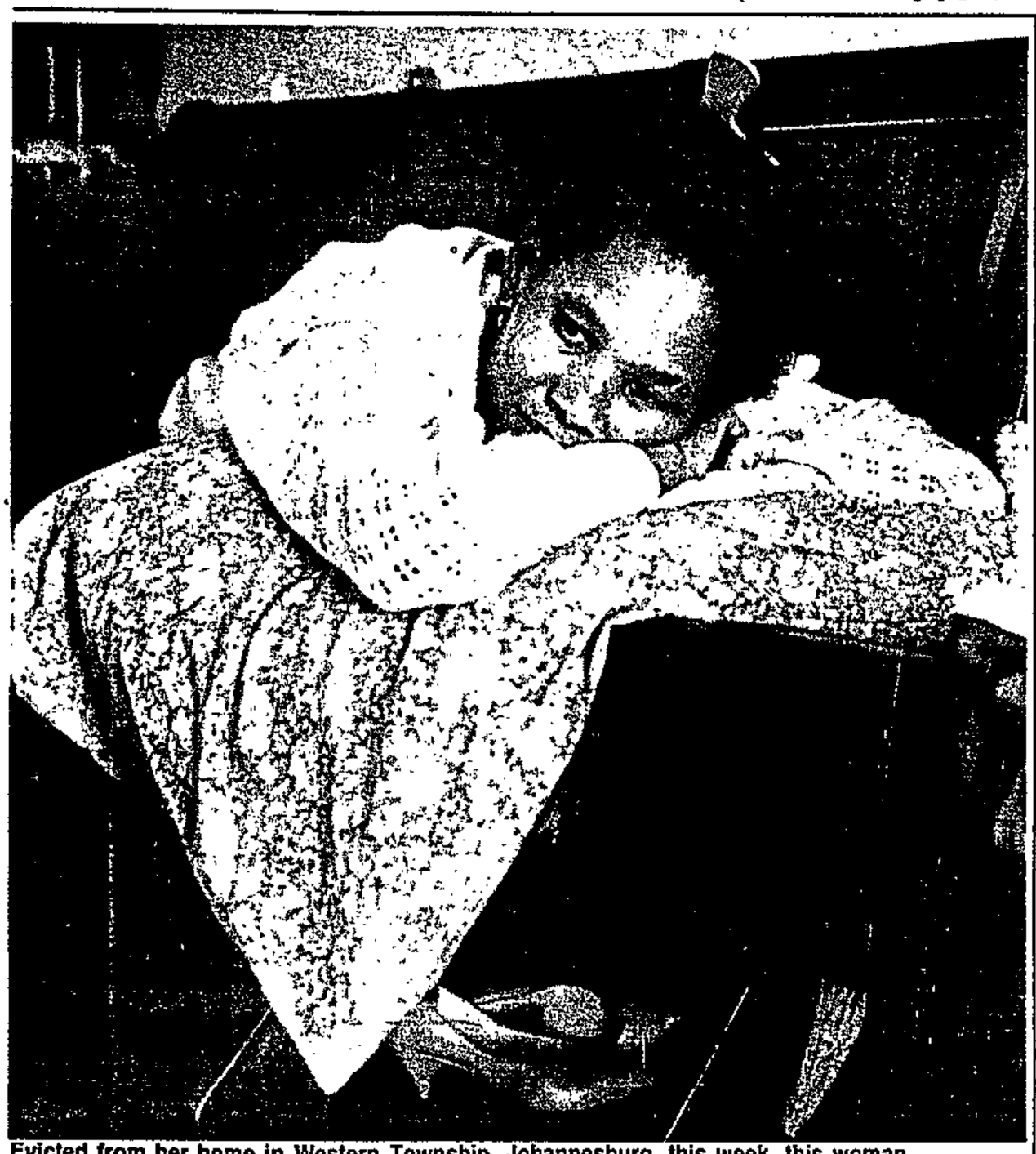
It is possible that some of these people were given fuller reasons for their restrictions and will thus have more difficulty in challenging their bannings.

As for those who are now released from prison or their banning orders, the Minister has three options: he can issue new banning orders giving fuller reasons, he can change the law or he can leave these people to live freely.

If he chooses the first option, he will almost certainly face further court action, either because he still has not given full reasons or because the reasons he gives are not proper. Mahomed also presented a number of other important arguments against the validity of the bannings which were not addressed by the Appellate Division. He is certain to use these again if new bannings are imposed.

If the Minister chooses the second option, he will have to get new security laws through the coloured and Indian houses of Parliament and this will cause political problems.

Only the latter option is likely to be widely welcomed, both at home and overseas.



Evicted from her home in Western Township, Johannesburg, this week, this woman has only one place to stay: a pew inside the Westbury Methodist church. Picture: GILL DE VLIEG, Afrapix

Crucial meeting for National Forum

WEEKLY MAIL 27/3/86

By SEFAKO NYAKA

THE two-day conference of the National Forum Committee, which gets under way at the Himalaya Hotel in Durban on Saturday morning, may be the most crucial in the NFC's three-year history.

According to publicity secretary Lusiba Ntloko, in the past the NFC has not been able to intervene in any major issue involving the people, such as rents and workers' rights.

But "we hope to change all that by reviewing our whole attitude towards non-violence and adopting a more aggressive stance that would move us forward towards a socialist Azania."

He said the NFC hopes to engage the whole community in positive action. The Forum is presently engaged in forming a broad base of all left-wing organisations in the country.

The theme of this weekend's conference — "The National Convention — problem or solution" — grows out of an issue debated at a previous conference, which identified the convention as a problem, said Ntloko.

"Recent developments have called for a re-evaluation of our earlier stand. If the conference decides that the national convention is a problem, then we will have to find what the solutions are."

Ntloko denied reports that a new organisation will be formed at the NFC conference.

And he declined to name the three guest speakers expected at the conference because, he said, they are still trying to sort out their visa problems.

He confirmed, however, that the speakers, who have been involved in high profile activity in their respective countries, come from Zimbabwe, Namibia and the United States.

The NFC has also sent out invitations to other organisations outside the Black Consciousness fold.

Although the NFC claims to have invited the United Democratic Front and the Congress of South African Trade Unions, both organisations have denied receiving the invitations.

And the NFC convenor, Saths Cooper, said he was going to hand-deliver new invitations to the UDF and Cosatu. But Cosatu has indicated that it will not accept.

"We won't attend the National Forum because of the education crisis conference taking place in Durban on the same weekend," said a Cosatu representative.

"This would still be the position, even if we had received an invitation to attend.

"Education is the topmost issue on the agenda of the democratic masses in the country."

The UDF acting publicity secretary, Murphy Morobe, said the Front won't be sending delegates to the conference "since we were not invited".

Unbanned — after 26 years

FOR the first time in 26 years, veteran anti-government campaigner Roley Arenstein was able this week to move about freely, attend meetings and go to the harbour, black townships, university and school premises.

Arenstein, who has been banned, jailed or house arrested for 28 of the 67 years of his life, was one of five anti-apartheid activists released from restriction orders this week.

Arenstein was the longest serving banned person in the country. He was first listed as a communist in 1951 and banned from 1953-55.

Since 1960 until this week he was banned, jailed for his membership of the Communist Party or under house arrest.

Arenstein may still not be quoted because he is "listed".

However, the other four released from such restrictions immediately spoke out.

Mkhuseli Jack, the president of the Port Elizabeth Youth Congress, warned that the local consumer boycott was still set to resume as scheduled on Sunday.

"I thanked them (the white businessmen who helped him challenge his banning) on the grounds that this has been the call on all South Africans, black and white, to come up against this Botha regime and voice their displeasure

"But that does not mean the people's demands have been answered.

"Still, there are days when I am optimistic that the demands of the people can be met from now up to April 1. The only thing that will set the foot on the brakes of the boycott is that these demands are met.

"We are hoping that by March 30 Nelson Mandela will be a free man, that all political exiles are back, that the ANC and Cosas are unbanned, all security laws are scrapped. Then, therefore, the whole boycott will be scrapped. For sure, if they are not met, nothing will stop the boycott.

These are the people the government tried to silence — and failed.
WEEKLY MAIL REPORTERS spoke to some of the anti-apartheid activists whose banning orders were declared invalid this week.

"The economy is going to be our soft target and we are going to hit it very hard. We are going to be merciless in dealing with it. We know that some people react to loss of profits more than to loss of lives. The loss of lives is an important thing for us, the loss of profits is nothing.

"We are prepared to suffer for justice and a new order. Nelson Mandela, when he refused to get out of that prison last year, said everybody must be prepared to sacrifice. The community has taken those statements in great spirit."

Jack also spoke about life under a banning order: "Terrible. Torture. To be confined to my shack. It really frustrated me.

"Every day I had been at a meeting attending to people's problems. Here, I was confined by Le Grange to sit and not do what I had chosen to do as part of my life in the struggle for the people. I defied the banning order two days after, I went to (Henry) Fazzie's place, where I was banned from going, and the police saw me and they came and warned me they would not tolerate that.

"I told them: It's up to you. You can charge me for that," he said.

He was warned by his lawyers not to be defiant because they were dealing with court proceedings.

"I said after they were finished that I would defy, because a youth leader could never be expected to obey such draconian laws. Remember that thousands of our young people have died at the hands of this regime. I couldn't afford the luxury of obeying the order," he said.

Trevor Manuel, a UDF executive member, was yesterday back at work in the organisation's office only hours after his order was lifted.

"The joy which I experienced at the lifting of my banning order is a political joy because the state has been challenged and forced back. I would like to believe that this is a chink in their armoury of repressive legislation and that we have the ability to force them back even further.

"I say this with the fullest understanding that the apartheid regime has no political solution and will be forced to rely increasingly on measures such as bannings and detentions.

"Clearly, the Minister will attempt to reimpose restrictions in one or other form. I have come out of this experience more determined. The campaigns now are for the release of political prisoners, the unbanning of the ANC and the unconditional return of all exiles.".

action were already taking ... ed States Sixth Fleet.

Reworded banning orders may be served

STAR 24/3/88.

328

By David Braun
Political Correspondent

CAPE TOWN — Reworded banning notices are likely to be served on most of those people whose restriction orders have been invalidated by recent court rulings.

Those whose orders were due to have expired within the next few months, however, may not be banned again.

This deduction is based on the acknowledgement by the Minister of Law and Order, Mr Louis le Grange, that orders he had served on several people were "of no force or effect".

Neither the Minister nor his office would comment on the situation today, other than to say the matter was being considered.

The banning orders on two Cape Town community leaders, Mr Johnny Issel and Mr Trevor Manuel, were lifted yesterday after Mr le Grange found them invalid "for technical reasons".

An order on the person banned for the longest period in the country, Mr Rowley Arenstein of Durban, was also lifted.

Mr Henry Fazzie, vice-president of the Eastern Cape region of the United Democratic Front who was banned for five years two weeks ago, had his banning order set aside in the Port Elizabeth Supreme Court yesterday.

It is understood the Government is unlikely to amend the legislation providing for bannings and Mr le Grange is expected to review each banned person's case to determine whether to issue fresh orders.

SOWETAN/Thursday/March 27/1986

Reworded notices likely to be served

BAN ORDERS - GOVT'S NEW MOVES

838 SOWETAN

REWORDED banning notices are likely to be served on most of those people whose restriction orders have been invalidated by the recent court rulings.

However, those people whose orders were due to have expired within the next few months may not be banned again.

This deduction is based on the Minister of

SOWETAN Correspondent

Law and Order, Mr Louis le Grange's acknowledgement that orders he had had served on several people were "of no force or effect".

Neither the Minister or his office would comment on the situation yesterday other than to say the matter was being considered.

The banning orders on two Cape Town community leaders, Mr Johnny Issel and Mr Trevor Manuel, were lifted this week after Mr le Grange found them invalid "for technical reasons".

An order on the longest banned person in the country, Mr Rowley Arenstein, of Durban, was also lifted this week.

Mr Henry Fazzie, the vice-president of the eastern Cape region of the United Democratic Front who was banned for five years two weeks ago, had his banning order set aside in the Port Elizabeth Supreme Court this week.

Mr Mkuseli Jack, who was banned at the same time as Mr Fazzie, had his order set aside by the Supreme Court on Saturday.

Mr le Grange found the banning orders on Mr Issel and Mr Manuel invalid after receiving notice from them that they would bring a court application to set them aside.

The action was to be based on the fact that the Minister had not stated reasons for issuing the order.

It was understood yesterday that the Government was unlikely to amend the legislation providing for the banning of people.

It is apparently felt that the law is adequate but that the banning orders had not been adequately worded to meet its requirements.

It is expected that Mr le Grange will review each banned person's case with a view to determining whether to issue fresh orders or not.

About 12 people are understood to be involved.

FAZZIE IS FREE AGAIN

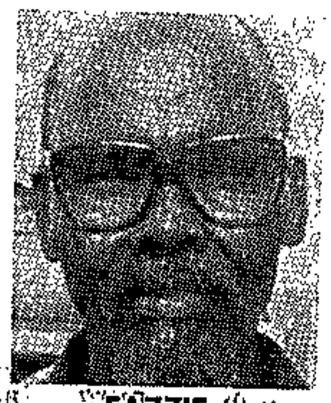
~~SA~~ CITY P

328

30/3/88

PORT Elizabeth UDF boss Henry Fazzie – banned two weeks ago by Law and Order Minister Louis le Grange – can get back into politics again.

Fazzie's five-year banning order – and the restrictions on community leaders Johnny Issel and Trevor Manuel of Cape Town and Durban's Rowley Arenstein – were set aside this week.



FAZZIE: Unbanned

This follows the urgent PE Supreme Court application last week which resulted in PE Consumer Boycott leader Mkhuseli Jack's banning being set aside.

Jack and Fazzie, 65, were both restricted by Le Grange two weeks ago.

Their bannings were condemned by many organisations, including the PE Chamber of Commerce and the US Government.

The court invalidated the banning order when it found that Le Grange had not stated reasons for issuing the order.

Fazzie – who played a leading role in the four-month consumer boycott which crippled white businesses in PE – told *City Press* he was "very pessimistic about the future because reasons for his banning could easily be formulated.

And, he says, the State could easily reimpose the ban.

By MONO BADELA

Fazzie said he approved of the help he received from white businesses, but said the decision to reimpose the boycott – suspended in November last year – would be taken by the community as whole.

He has been out of touch with other community leaders, he said.

● PE's consumer boycott was suspended on condition it would be resumed on April 1 if SADF troops were still stationed in the townships.

Fazzie – who spent 21 years in Robben Island for ANC activities – said he still had to find out what the situation was like from the community.

When Fazzie's application was brought before Judge Kroon on Tuesday, attorney HJ Liebenberg (for Le Grange) said he had been instructed that the Minister was prepared to concede that Fazzie's banning order could be set aside.

The Minister was ordered to pay the costs.

● Issel was banned for three years in 1983 and Manuel – a leading UDF official in Cape Town – for five years last November.

Winnie's ban order stands

LAW and Order Minister Louis le Grange said on Sunday that an order silencing black activist Winnie Mandela was still in force.

Orders gagging five anti-apartheid activists have been overturned in court or set aside by government since a landmark court ruling 10 days ago.

Le Grange said he was not prepared to speculate on her banning order as it was subject to an appeal.

Political comment in this issue by Nigel Bruce. Newsbills by Terry Lofthouse. Headlines and sub-editing by Gordon Amos. All of 171 Main Street, Johannesburg.

Govt notice bans gatherings

SOWETAN 1/4/86

328

A NOTICE prohibiting outdoor public gatherings, with certain exceptions, under Section 46 (3) of the Internal Security Act — deemed necessary for the maintenance of public peace — for 12 months from today, was gazetted in Pretoria on Friday.

Indoor gatherings to promote school boycotts or work stayaways are also banned. Sport is not affected.

The promulgation, signed by the Minister of Law and Order, Mr Louis le Grange, prohibits any gathering in the Republic from April 1 this year up to and including March 31, 1987, "except any gathering for the purpose of a bona fide sport occasion or which is held within a building."

The promulgation also prohibits any gathering in any building in the Republic during this period, "if such a gathering is a gathering organised, convened or held or otherwise brought about to:

- Advise, encourage, propogate, advocate or promote the non-attendance or opposition to the attendance of any school, college, university or other educational institution by any person; or
- Advise, encourage, instigate or incite, except in so far as it is not prohibited in terms of section 65 of the Labour Relations Axt, 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 will not apply to any gathering expressly authorised by Mr le Grange, or, subject to the provisions of section 46 (3) of the Internal Security Act, by the magistrate of the district in which the gathering is to be held. —Sapa

Bans on three people expire

Political Reporter

BANNING orders on three people expired yesterday, a spokesman for the Minister of Law and Order, Mr Louis le Grange, has confirmed.

They are Mr Achmad Cassiem, former president of the South African Student's Association, Mr Dumile Makanda and Mr Mazwell Madlingozi, both executive members of the Motor Assemblers and Component Workers Union of South Africa (Macwusa).

A spokesman for Mr Le Grange yesterday confirmed that the "restriction orders" on the three men — which expired on March 31 — had not been renewed.

Island

A Macwusa spokesman in Port Elizabeth confirmed that the two members of the union's national executive had not been served with new banning orders.

Mr Cassiem was banned on his release from Robben Island in 1969 after a five-year sentence for conspiring to commit sabotage.

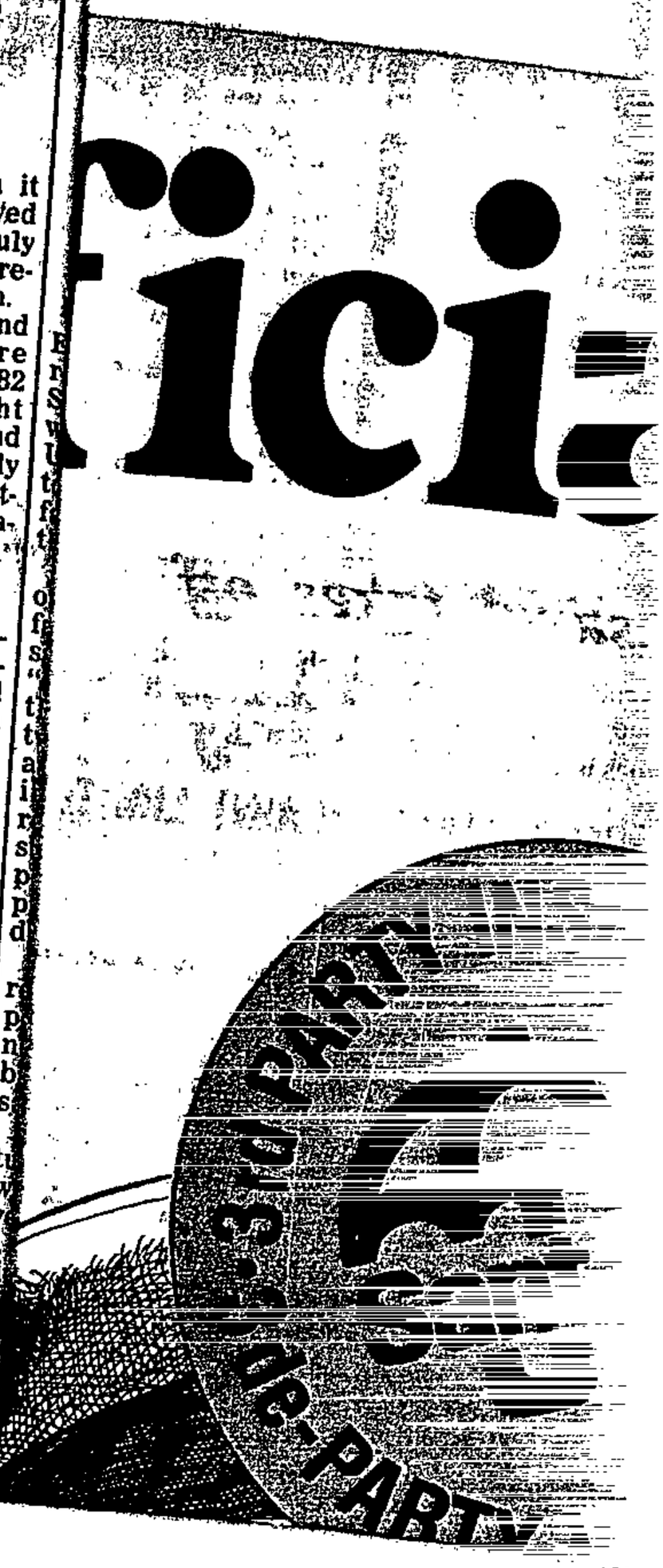
The order was not renewed in 1974 when it expired, but was served again in 1979 and in July 1983, when he was restricted to Cape Town.

Both Mr Makanda and Mr Madlingozi were banned in April 1982 after spending eight months in detention and were rebanned in July 1983. Both were restricted to PE and the Kwazakhele township.

Appeal

Those still banned include Mrs Winnie Mandela, wife of the jailed ANC leader, Mr Nelson Mandela. She is banned till June 30, 1988. Mrs Mandela's banning order prevents her from entering Johannesburg, including Soweto, and is the subject of an appeal to the Supreme Court.

Other banned persons are Mr Mathada Tsedu, Northern Transvaal president of the Media Workers' Association of SA, banned till June 30; Mr Mordecai Tatsa, former member of the banned South African Students' Movement, banned until August 31, and Mr Abel Dube, restricted to Messina and banned until October 1987.



WINNIE MANDELA BAN TO BE LIFTED

ARGUS 2/4/88 328



Mrs Winnie Mandela

The Argus Correspondent

JOHANNESBURG. — The banning order on Mrs Winnie Mandela is to be lifted. The announcement was made by Mrs Mandela's lawyer, Mr Ismail Ayob at a Sandton hotel where Mrs Mandela has been staying since December.

Within hours of hearing the news Nrs Mandela packed her bags in the hotel and set off for her Soweto home — which has been out of bounds to her for almost a decade.

It is understood that her legal representatives have been negotiating the matter with the authorities since the historic Supreme Court ruling which lifted the ently imposed banning order on Port Elizabeth Consumer Boycott Committee leader Mr Mkhuseli Jack.

First indications of the imminent lifting of the ban on Mrs Mandela came at the weekend when Ministry of Law and Order liaison officer Mr Leon Mellet said that the authorities would probably treat Mrs Mandela's case as they had treated thsoe of several other banned persons who had been de-restricted in the wake of the Jack judgment.

This was seen to indicate that Minister of Law and Order Mr Louis le Grange would agree to the lifting of the order before a court application was made.

Mrs Mandela, a qualified social worker, married in 1958 by special permission during the Rivonia treason trial which ended with Nelson Mandela and several co-accused being jailed for life.

She was originally banned in 1963 and remained under banning orders continuously until September 1975.

She was freed of restrictions for 11 months, then taken into "preventive detention" in August 1976.

She was released at Christmas that year and immediately put under another banning order.

ARGUS 3/4/80 328

Jubilation as Winnie goes home to Soweto

The Argus Correspondent

JOHANNESBURG. — Mrs Winnie Mandela made a triumphant return to her Soweto home and was welcomed by shouts of "viva Mandela", embraced by neighbours and surrounded by schoolchildren.

She immediately addressed a barrage of foreign and local newsmen but may not be quoted.

Mrs Mandela was first banned in 1963. Her banning order was lifted in 1975. In 1977 she was banned again and restricted to Brandfort, near Bloemfontein.

In August last year her Brandfort house was fire-bombed and she returned to her home in Soweto.

In December her banning order was eased and she was allowed to live anywhere in South Africa except in the Johannesburg and Roodepoort magisterial districts.

On December 23, Mrs Mandela was removed from her Soweto home and arrested by police.

She was released and again defied an order barring her from entering Soweto. Mrs Mandela was re-arrested and fined R500.

She lodged an urgent application in the Rand Supreme Court challenging her banning order but lost the case and appealed.

Asked for comment, a spokesman for the Police Directorate of Public Relations in Pretoria referred to a statement issued by the Minister of Law and Order, Mr Louis le Grange, saying: "His (Mr le Grange's) statement laid before the Port Elizabeth Supreme Court on March 22, when the banning order on community leader Mr Mkhuseli Jack was declared invalid for lack of reasons, also applied to Mrs Mandela."

The police spokesman said Mr le Grange had said in his statement that he would review banning and detention orders in the light of "current events."



Mrs Winnie Mandela is welcomed home in Orlando West, Soweto, by well-wishers and neighbours.

Ban on Winnie 'still in force'

THE restriction order on Mrs Winnie Mandela has not been lifted, a spokesman for the Department of Law and Order said today.

This confirms a statement made by a spokesman for the police public relations directorate in Pretoria today on behalf of Brigadier Johan van der Merwe, head of the Security Police.

The directorate spokesman said: "The banning order has not been lifted. It is only under review by the Minister."

Yesterday Mrs Mandela's attorney, Mr Ismail Ayob, announced in Johannesburg that a member of the State Attorney's office had said over the telephone that Mrs Mandela had been "unbanned".

"WOULD NOT CONTEST APPEAL"

Mr Ayob also said he had been informed that the State would not contest the appeal by Mrs Mandela against her banning order. He said this "will have the effect of unbanning Mrs Mandela".

The spokesman for the Department of Law and Order denied that the State Attorney had said Mrs Mandela had been "unbanned". The State Attorney dealing with Mrs Mandela's case, Mr P Kleynhans, today said that to the best of his knowledge the banning order was still in force.

"If the Minister wants to review this it is his privilege and he may," said Mr Kleynhans.

● Asked to comment, a spokesman for Ismail Ayob and Associates reported Mr Ayob as saying: "If the State Attorney is denying that the banning order has been lifted then I have nothing to add." — Sapa.

● Jubilation over Winnie — Page 2.

Warm welcome for freed Winnie

SIPHO NGCOBO

FREEDOM SONGS, ululating and dancing by a crowd of youths greeted the return to her home in Soweto of Winnie Mandela, wife of jailed ANC leader Nelson Mandela, after the lifting of her banning order yesterday.



● MANDELA

Ismail Ayob, legal representative for the Mandela family, said he had been told by telephone by a member of the State Attorney's office yesterday morning that Winnie Mandela had been "unbanned".

He had been given no details.

In a brief statement quoted by a police spokesman, Law and Order Minister Louis le Grange said his statement laid before the Port Elizabeth Supreme Court on March 22 — when the banning order on UDF official Mkhuseli Jack was declared invalid — applied to Mandela.

Ayob said Mandela remained a "listed" person and could not be quoted.

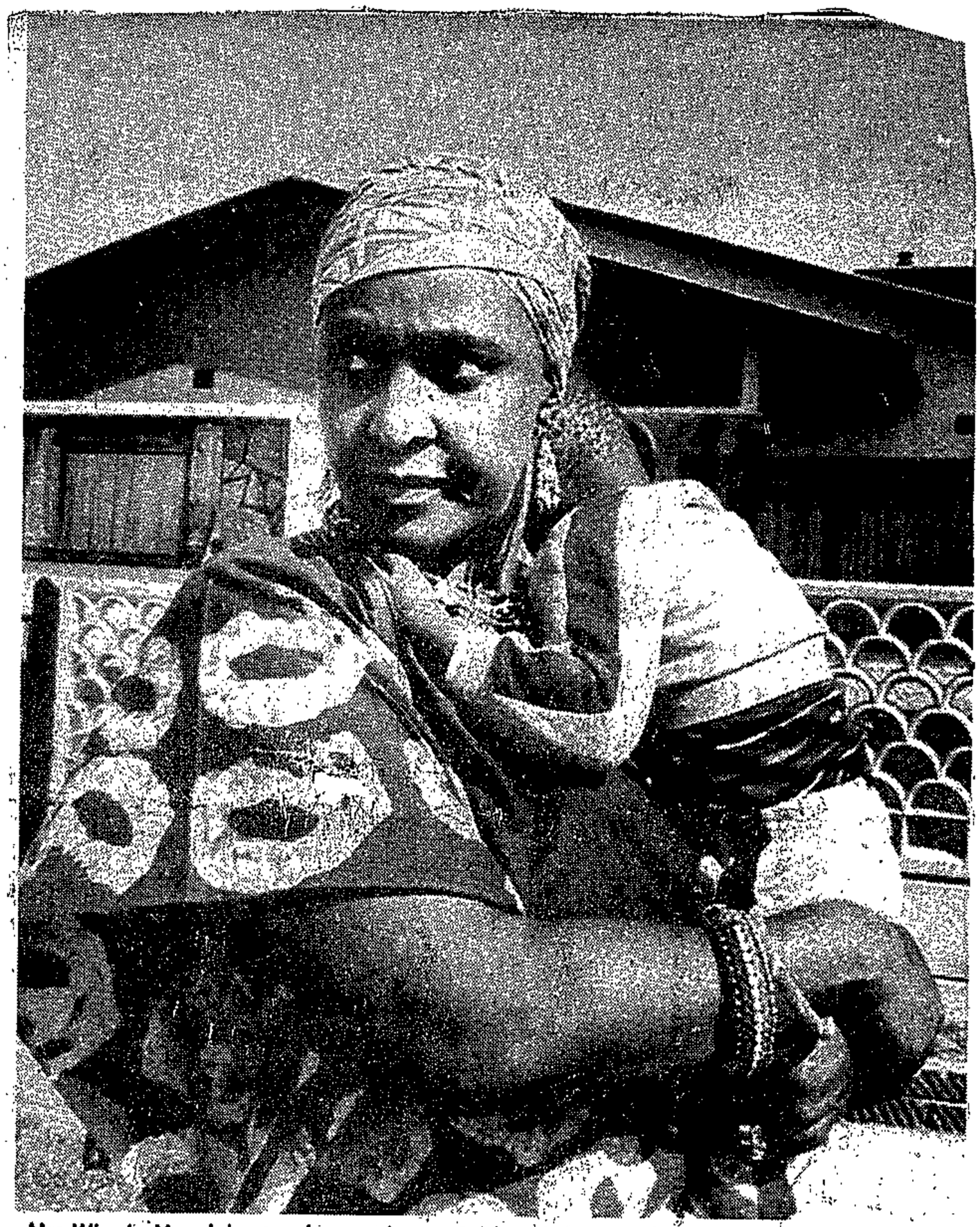
Her return to Soweto followed "the State Attorney's promise that her banning order would be lifted" after negotiations with her lawyers, Ismail Ayob and Associates.

In January, an urgent application brought before the Rand Supreme Court by Mandela to have her banning order declared invalid and as having no force in law, was dismissed with costs.

☐ The British Foreign Office said it had "noted the move" and was taking steps to establish exactly what it would mean to Winnie Mandela.

While this reaction was guarded, Whitehall sources last night welcomed the development with enthusiasm.

The stand of the British government was that Nelson Mandela should be unconditionally released from jail. To have any restriction on his wife lifted could, therefore, only be welcomed as a "positive step in the right direction".



Mrs Winnie Mandela stands outside a neighbour's house after her return to her home in Orlando West yesterday.

Well-wishers greet Winnie Mandela on return to Soweto

STAR 3/4/86 328

By Rich Mkhondo

Hundreds of well-wishers thronged to the home of Mrs Winnie Mandela this morning.

Chants of "Viva Mandela!" and "she is our mother" were sung by a group of youths outside her house last night and this morning.

Mrs Mandela — who returned to Soweto yesterday after her lawyer said she was being unbanned — is to return to Brandfort, whence she had been exiled, to attend a funeral of an unrest victim.

Mrs Mandela and members of her family were kept busy throughout last night by a steady stream of people who had come to wish her well and congratulate her for having "withstood an onslaught on her by the government."

MAY NOT BE QUOTED

Today is the first day in which Mrs Mandela will be able to move about — possibly without being followed by members of the police who have watched her every move since she was banned in 1977 and banished to Brandfort.

Mrs Mandela made a triumphant return to her home yesterday. She was welcomed by shouts and embraced by excited neighbours as schoolchildren surrounded her.

Mrs Mandela immediately addressed a barrage of foreign and local newsmen — but she may not be quoted.

● See Page 4.

Back to her Soweto home

BAN IS LIFTED

328
SOWETAN
3/4/86



Mrs WINNIE MANDELA . . . yesterday's picture.

THE banning order on Mrs Winnie Mandela was lifted yesterday, her lawyer said.

Within hours of hearing the news Mrs Mandela packed her bags in the Sandton hotel where she has stayed since December and set off for her Soweto home — which has been out of bounds to her for almost a decade.

SOWETAN Reporters and SAPA

The announcement that Mrs Mandela's restrictions had been lifted was made by her lawyer, Mr Ismail Ayob, at the Indaba Hotel in Sandton at lunch time yesterday.

Mr Ayob added she was still "listed" and could not be quoted.

It is understood that her legal representatives have been negotiating the matter with the authorities since the historic Supreme Court ruling which lifted the recently imposed banning order on Port Elizabeth Consumer Boycott Committee leader Mr Mkhuseli Jack.

First indications of the imminent lifting of the ban on Mrs Mandela came at the weekend when Ministry of Law and Order liaison officer Mr Leon Mellet told a newspaper that the authorities would probably treat Mrs Mandela's case as they had treated those of several other banned persons who had been derestricted in the wake of the Jack judgment.

This was seem to indicate that Minister of Law and Order, Mr Louis le Grange, would agree to the lifting of the order before a court application was made.

Banished

Mrs Mandela has been banned and restricted in various ways since 1962. In 1977 she was physically banished from Soweto and confined to the tiny Free State town of Brandfort.

After an arson attack on her Brandfort home in the second half of last year, Mrs Mandela returned temporarily to her Orland West, Soweto, home.

Sapa reports that a spokesman for the Police Directorate of Public Relations said yesterday when asked for confirmation that the banning order on Mrs Mandela was to be lifted, that the Minister of Law and Order, Mr Louis le Grange, had referred all enquiries to a recent statement he handed in at court.

Cops sued for R2,2-m

AN AMERICAN community worker is suing Lebowa Police for $1-million (about R2,2-m).

Ms Berth Ann Burris alleges that the Lebowa Police assaulted her on March 8.

Her attorney, Mr Don Nkadimeng, confirmed yesterday that he had demanded the damages from the Lebowa Police Department on March 14.

The deputy commissioner of the Lebowa Police, Colonel J M D Mphehele denied yesterday that papers had been served on the police.

He admitted police were investigating assault charges laid by Ms Burris.

Sources at the Lutheran Church in Seshego revealed that the letter of demand was handed to Colonel Mphehele in Bishop S E Serothe's office on March 14.

They also indicated that Ms Burris had turned down a request by the police to make a statement at their head office in Seshego on March 12.

The second secretary at the American Embassy in Pretoria, Mr Gerald Jackson, visited Ms Burris in Seshego. He also saw top Lebowa officials, including the Chief Minister, Dr C N Phatudi, and the Minister of Lebowa Police J M Duba to protest against the police action.

Ms Burris sustained body and head injuries when she was sjambokked on March 8. She was treated at the Knobel Hospital.

More than 30 people, who had attended an Azanian People's Organisation regional congress, were arrested that day when police allegedly threw teargas in the church centre and into the house of a parish priest, the Reverend P Chere.



Mrs Mandela returns home

Cape Times 3/4/86 328

Own Correspondent

JOHANNESBURG. — Freedom songs by a ululating crowd of youths greeted Mrs Winnie Mandela on her return to her Soweto home yesterday after the lifting of her banning order.

Mr Ismail Ayob, lawyer for the Mandela family, said he had been told by telephone by a member of the State Attorney's office yesterday morning that Mrs Mandela had been "unbanned".

He said he had not been given any details.

In a brief statement, quoted by a police spokesman, the Minister of Law and Order, Mr Louis le Grange, said his statement to the Port Elizabeth Supreme Court on March 22 when the banning order on a UDF official, Mr Mkhuseli Jack, was declared invalid, applied to Mrs Mandela.

Mr Ayob said Mrs Mandela remained a "listed" person and could not be quoted.

The lifting of Mrs Mandela's ban followed "the State Attorney's promise" during negotiations with lawyers that her banning order would be lifted.

Negotiations ended on Thursday last week when the State Attorney informed the lawyers that her banning would be lifted, Mr Ayob said.

Mrs Mandela has had various restriction orders placed on her by the government over the past 23 years.

Relatives, residents, friends and prominent political leaders, mostly from the United Democratic Front, packed the tiny yard of her home. Some of them hugged and kissed her amid shouts of "the nation is back".

Youths, clad in Release Mandela T-shirts and black, green and gold ribbons, sang freedom songs in praise of her husband, the jailed ANC leader, Mr Nelson Mandela.



In January, the urgent application brought before the Rand Supreme Court by Mrs Mandela to have her banning order declared invalid and having no force in law was dismissed with costs.

The order imposed on Mrs Mandela last year and described by the government as a relaxation of a previous set of restrictions prohibited her from entering the magisterial districts of Johannesburg and Roodepoort.

A member of the Mandela family said the lifting of the order on Mrs Mandela would not bring any major change at home "as the nucleus of the family, Nelson Mandela, and other black political leaders were still imprisoned".

"Had the State not decided to lift her banning order, Winnie would have subjected herself to further arrests by defying the order," the person said.

'Oom Ben' Schoeman dies

Cape Times 3/4/86

PRETORIA — Former Minister of Transport Mr Ben Schoeman died here last night at the age of 81.

Mr Schoeman was admitted to the Little Company of Mary Hospital last week after developing pneumonia.

Born in Johannesburg on January 19, 1905, Barend Jacobus Schoeman — "Oom Ben" — spent 31 years in Parliament. He was also in the cabinet for 26 consecutive years.

In 1948, at the age of 43, Mr Schoeman became the youngest-ever member of the cabinet when he was appointed Minister of Labour.

He held the transport portfolio from 1954 until his retirement, a record 20 years. — Sapa

● From clerk to minister, page 4

in SA, says Wiley

Winnie goes home after lifting of her ban

Within hours of hearing that her banning order was lifted yesterday, Mrs Winnie Mandela packed her bags in the Sandton hotel where she has stayed since December and set off for her Soweto home — which has been out of bounds to her for almost a decade.

The announcement that Mrs Mandela's restrictions had been lifted was made by her lawyer, Mr Ismail Ayob, at the hotel at lunch time.

It is understood her legal representatives have been negotiating the matter with the authorities since the historic Supreme Court ruling which lifted the recently imposed banning order on Port Elizabeth Consumer Boycott Committee leader Mr Mkhuseli Jack.

PHYSICALLY BANISHED

First indications of the imminent lifting of the ban on Mrs Mandela came at the weekend when Ministry of Law and Order liaison officer Brigadier Leon Mellet told the *Sunday Star* the authorities would probably treat Mrs Mandela's application as they had treated those of several other banned persons who had been derestricted in the wake of the Jack judgment.

This was seen to indicate that Minister of Law and Order Mr Louis le Grange would agree to the lifting of the order before a court application was made.

Mrs Mandela has been banned and restricted in various ways since 1962.

In 1977 she was physically banished from Soweto and confined to the tiny Free State town of Brandfort.

After an arson attack on her Brandfort home in the second half of last year, Mrs Mandela returned temporarily to her Orlando West, Soweto home.

She was arrested there days before Christmas and charged with breaking her banning order.

At about the same time the terms of her ban were altered, so that she was no longer confined to Brandfort but was still forbidden to enter the Johannesburg and Roodepoort areas.

In early January, with the earlier case still pending, Mrs Mandela was again arrested in a high-speed chase on the M2 highway, shortly after entering the Johannesburg area.

An urgent application to the Rand Supreme Court to have her banning order declared invalid failed in January and the appeal on this case was pending when the ban was lifted.



Mrs Winnie Mandela is escorted home by her lawyer, Mr Ismail Ayob, after almost a decade in the cold. A neighbour's child gives her a welcoming hug.

Condemnation from Right: black leaders reserved

By Rich Mkhondo and Duncan Guy

Black and white spokesmen, organisations and parties yesterday gave varied reactions to the partial lifting of the banning orders on Mrs Winnie Mandela.

The Conservative Party (CP) and the Herstigte Nasionale Party (HNP) condemned the lifting of the banning order.

Most black spokesmen and organisations praised Mrs Mandela and welcomed the lifting of her banning order, but said it should not have been imposed in the first place.

The Bishop Suffragan of Johannesburg East, the Rt Rev Simeon Nkoane, said: "It is wonderful. It is also frustrating because it was not justified. The kind of suffering that she went through is one of the things for which future generations will not forgive us."

The Anglican Bishop of Johannesburg, the Rt Rev Desmond Tutu, said: "Why all these games — her harassment and being taken to court? It's so ridiculous. Now she is allowed home where she should have been in the first place."

The CP said in a statement: "With the security situation the way it is, it was not the right thing to happen".

HNP leader Mr Jaap Marais said he accepted that Mrs Mandela would be banned again one day and said the sooner this happened, the better. "It is obvious, especially from her publicity in the Soviet Union that she has communist affiliations," he said.

Opposition Spokesman for Law and Order Mrs Helen Suzman said: "I regret that all restrictions on Mrs Mandela have not been removed, while I do welcome the lifting of restrictions on her mobility."

Winnie not free yet



MANDELA

PETER WALLINGTON
and Sapa

MINISTER of Law and Order Louis le Grange is not likely to oppose an appeal by Winnie Mandela against her banning order when the case is heard.

This emerged yesterday after confusion over whether she had been unbanned.

The state attorney dealing with Mandela's case, P Kleynhans, said yesterday he had spoken to Mandela's attorney, Ismail Ayob, and that the possibility of the state not opposing Mandela's appeal had been discussed. He denied, however, that a decision not to oppose the appeal had finally been made.

Ayob said earlier he had been informed the state would not contest the appeal. Yesterday a spokesman for the Department of Law and Order said Mandela's banning had not been lifted and Le Grange and his advisers were reviewing the case.

The PFP's Helen Suzman said yesterday she was disappointed to hear the ban had not been lifted.

Winnie in 'self exile'

Mrs Winnie Mandela has left her Orlando West home in Soweto and is in "self exile" until the status of her banning order is resolved.

However, Mrs Mandela could soon return to her home after the Minister of Law and Order's office last night said it would not contest her appeal to have her ban lifted.

Confusion over Mrs Mandela's status reigned on Wednesday when her lawyer, Mr Ishmael Ayob, said restrictions had been lifted but she was still listed.

He said: "The implication of the whole matter is that the Government is abandoning its attempts to uphold Mrs Mandela's banning order."

A spokesman then said Mr Louis le Grange was reviewing banning and detention orders.

SALDRU
SCHOOL OF ECONOMICS
U.C.T.

WEEKLY MAIL 4/4/86
328

Le Grange in a corner over Winnie banning



Louis Le Grange



Winnie Mandela speaks to newsmen as she returns home in defiance of her banning order

Picture: REUTER

WINNIE MANDELA has Louis le Grange in a corner over her banning order as dispute grows over whether she is still banned.

Mandela's case has highlighted the collapse of the government's power to restrict persons and ban the publication of their words — a crucial pillar of South African security legislation.

This collapse is the result of a recent Appellate Division judgment which had the effect of making most existing banning orders invalid.

To all intents and purposes, Mandela is no longer a "restricted" person. She has moved back to her Soweto home — in contravention of her "order" — without being arrested.

However, a spokesman for Le Grange, Minister of Law and Order, yesterday said Mandela's restriction order had not been lifted.

WEEKLY MAIL REPORTER

Her attorney, Ismail Ayob, remains adamant that a deal was struck with the State Attorney last week lifting her banning order.

Ayob issued a statement saying the "State Attorney, acting on behalf of the Minister of Law and Order and the Commissioner of Police, came to an agreement that he would abandon judgment. He was to serve the final written notice of withdrawal on April 1. This has not yet been received, but is expected".

The State Attorney, P Kleynhans, yesterday denied that such a deal had been made.

He said he had talks yesterday with Ayob in which the possibility of the state not opposing Mandela's appeal had been discussed. He denied, however, that a final decision had been made.

Yesterday Ayob stood by his statement: "If the State Attorney is denying that the banning order has been lifted, then I have nothing to add."

The Minister is adamant that Mandela is still banned and issued a statement to that effect yesterday.

However, in a later statement, a spokesman for his office said the Minister was not likely to oppose an appeal by Mandela against her banning order. Such a decision would be an admission that her banning order was invalid.

At the same time, the Minister's office also said Mandela's banning order was under review. Last night he was locked in discussion with his law advisers over "the entire matter of banning restrictions".

It is clear from these confusing signals that Le Grange is in a corner.

He has to comply with an Appellate Division ruling that banning orders such as Mandela's are not valid.

On the other hand, he wishes to keep her silent and is desperately seeking a way of preserving the restriction on her being quoted.

Thus, yesterday's moves appeared to be a bid to buy time while he and his law advisers try to find a way around

● To PAGE 2

Day one of the KwaNatal indaba

264) 504A WEEKLY MAIL 4/4/86

INSIDE: KwaNatal: The footsie-footsie option Page 12

By PATRICK LAURENCE

THE first step toward establishment of a single legislature for KwaZulu and Natal was taken yesterday when delegates representing all races and more than 30 organisations met at the Durban City Hall for the first session of an indaba on the region's future.

Co-hosted by the KwaZulu government and the largely moribund Natal Provincial Council, the indaba's primary task is to seek consensus as far as possible on the structure and composition of the envisaged legislature. Yesterday's session was the first of many to come.

Whether delegates representing political parties and institutions, ranging from Inkatha through the politically antediluvian New Republic Party to the Afrikaanse Handelsinstituut, will be able to devise a common formula, either by consensus or majority vote, remains to be seen.

But even if they do — and they have already invoked predictions of failure from several sceptical, head-shaking observers — that will only be the beginning of the problem. The National Party sent observers only. It will thus not be bound by any decision hammered out at the indaba.

The idea of a single nonracial or multiracial legislature for Natal is, of course, contrary to government policy. It will negate the racially-structured regional councils on which Constitutional Affairs Minister Chris Heunis has spent so much time and so much taxpayers' money. But even if the NP does approve a united nonracial or multiracial KwaNatal, as the proposed integrated region has been dubbed, it will still suffer from a major if not fatal defect.

The indaba has been shunned by major political forces: the United Democratic Front and the Azanian People's Organisation, as well as the outlawed African National Congress and Pan-Africanist Congress (to whom invitations were sent out of naivete or as part of a publicity ploy).

If, as some observers contend, there can be no regional solution in KwaNatal without Buthelezi and Inkatha, the time is rapidly approaching when there can be no solution without the UDF and the ANC and, to a lesser extent, Azapo and the PAC.

If, however, there were Jeremiahs yesterday forecasting doom for the indaba — one saw the participation of the NRP as a desperate but futile attempt by it to ward off political death — there were also people who feared that it might succeed: whites from ultra-rightist organisations, including the Herstigte Nationale Party and the Action White Natal.

They handed out pamphlets lambasting the organisers as the tools of profit-making capitalists; Anglo-American was a central factor in the plot to sacrifice whites for profit, the HNP averred.

But Buthelezi was concerned about a different danger. He warned delegates in his opening address to be careful of saboteurs, citing the burning down of the university offices of one of the key men behind the indaba, Professor Lawrence Schlemmer, as a reason for his counsel to delegates to be careful.

But his speech contained hopeful and apocalyptical notes. The indaba was a "tryst with destiny", an opportunity to "cut the Gordian knot of racism and injustice", a "forum where the people's voice will be heard" and a chance to "banish violence from our political scene".

...ment comes after 12

Banning of Mrs Mandela under review

Own Correspondent

JOHANNESBURG. — Mrs Winnie Mandela's banning order has not been lifted, although it is under review by the Minister of Law and Order, Mr Louis le Grange.

A spokesman for Mr Le Grange yesterday said the minister and his legal advisers were reviewing the entire matter of banning orders at present and that Mrs Mandela's case fell into this category.

And according to the State Attorney's office, no decision has been taken yet whether to oppose Mrs Mandela's appeal against her banning order.

She lost a Rand Supreme Court application in January to have her banning order declared invalid, but was granted leave to appeal. The case is to be heard soon.

Subsequently, the Port Elizabeth Supreme Court set aside the banning order on anti-apartheid activist Mr Mkhuseli Jack because Mr Le Grange had failed to state reasons for the order.

Since then the banning orders imposed on four other activists have been lifted. Three other orders lapsed at the end of March. There are three people still banned, including Mrs Mandela.

Mrs Suzman 'disappointed'

The PFP spokesman on law and order, Mrs Helen Suzman, yesterday said she was disappointed to hear that the ban had not in fact been lifted.

Earlier this week Mrs Mandela's lawyer, Mr Ismail Ayob, said he had been told by telephone by the State Attorney's office that Mrs Mandela had been "unbanned".

Mr Ayob also told the press he had been informed that the State would not contest the current appeal by Mrs Mandela against her banning order and that this would have the effect of unbanning her.

However, the police directorate of public relations in Pretoria yesterday said on behalf of the chief of the security police, Brigadier Johan van der Merwe, that the restrictions had not been lifted.

Mr Ayob could not be reached for comment yesterday, but a spokesman at his office said he had nothing to add to what had already been said.

Winnie Mandela's ban: State waiting for police report

By Gary van Staden,
Political Reporter

The State Attorney's office in Johannesburg is apparently waiting for a report from the Security Police before making a decision on whether or not to oppose Mrs Winnie Mandela's appeal against her banning order.

Legal sources said today that the State Attorney's office was waiting for a memo from the security branch and approval from the Ministry of Law and Order before formally withdrawing opposition to Mrs Mandela's appeal.

The Security Police, the Police Directorate of Public Relations in Pretoria, and the Ministry of Law and Order refused to confirm or deny that such a report was being compiled.

And — according to spokesmen for the Department of Justice and Department of Law and Order — no plans exist to amend the Internal Security Act to close the legal loophole exposed by a recent Appellate Division judgment that effectively declared most banning orders invalid.

In the meantime, however, Mrs Mandela's status is officially exactly the same as it has been for almost 10 years — she is still banned.

"The restriction order still exists — Mrs Mandela is still a banned person," Brigadier Leon Mellet, spokesman for the Ministry of Law and Order said today.

But while Mrs Mandela's official status may not have changed, the recent Appeal Court ruling had the effect of making most existing banning orders invalid.

According to Mrs Mandela's lawyer, Mr Ismail Ayob, State Attorney Mr Piet Kleynhans agreed last week not to oppose her appeal and undertook to issue a formal notice in this regard by April 1. A spokesman for Mr Ayob's office said today that the notice had not yet been received.

But even if the State Attorney does lodge such a notice and Mrs Mandela's appeal proceeds unopposed, it would still require an Appeal Court ruling before the banning is legally set aside.

Minister of Law and Order Mr Louis le Grange can short-circuit this procedure by lifting Mrs Mandela's banning order before her appeal is heard.

According to the legal sources, Mr le Grange is considering such a step and a decision is expected soon. Brigadier Mellet confirmed that Mr le Grange and his advisers were meeting to review all existing banning orders.

Asked to comment on the existence of the Security Police report on Mrs Mandela, Brigadier Mellet said that he could not. "I have no knowledge of it at all. You will have to ask the State Attorney's office."

The police directorate in Pretoria had referred a request for comment to Brigadier Mellet.

Approached for comment on whether or not it was compiling such a report, the Witwatersrand Division of the Security Branch refused to do so. "We cannot comment one way or the other," a spokesman said.

In a related development, a spokesman for the Department of Justice in Pretoria said he knew nothing of plans to alter the Internal Security Act to plug the legal loophole.

Star 5/4/86 (328)

Lawyer at forefront of ban challenges

By Jo-Anne Collinge

It is a long and winding legal path that has led to the point where Mrs Winnie Mandela can return to her Soweto home without fear of immediate arrest for breaking her banning order.

It is a path that links names that have gone around the world — starting with trade unionist Solly Sachs in the 1950s; leading more recently to the Durban Six who occupied British consular offices to evade re-detention in 1984; and involving Port Elizabeth Consumer Boycott Committee leader Mr Mkhuseli Jack.

The principle argued by lawyers who succeeded in getting the Port Elizabeth Supreme Court to declare Mr Jack's banning order invalid was the same as the argument which the Appellate Division upheld in declaring "preventive" detention orders issued on the eve of the 1984 tricameral elections to be defective.

This was that the Minister of Law and Order was compelled to give reasons for the detention or banning at the time of issuing the order. To reproduce as a reason his conclusion that those named in the order were endangering public order was insufficient, the court accepted.

Lawyers point out that it is the Minister's application of the Internal Security Act that has been open to legal attack and not the provisions of the Act itself. The banning and preventive detention system is still quite intact, they caution.

And the experience of the Durban Six may be instructive. Within days of the Natal Supreme Court judge declaring that the detention orders served on seven men — including five of the Durban Six — were invalid, fresh detention orders had been prepared.

This move provoked the Durban Six to take refuge in the British consulate, claiming they were not fugitives from the law but from political persecution.

In the case of banning orders, the position taken by the Department of Law and Order in the wake of the Jack case is that all banning orders are being reviewed. Observers have taken this statement to be not without threat to those recently derestricted.

In addition to bannings and detentions, the execution of other sections of the Internal Security Act has been successfully attacked on several occasions in the past year.

The effectiveness of attorney-generals' certificates prohibiting a court from considering bail in political trials was undercut in the Maritzburg and Delmas treason trials which featured leading United Democratic Front figures. In the Maritzburg trial the court subsequently granted bail, while in Delmas two judges refused bail.

The grounds of attack were again the vagueness of the certificates issued — the fact that they did not specify particular acts which would constitute grounds for keeping the accused behind bars.

Bans on particular gatherings were also declared invalid.

The legal name that links all these challenges to the application of the Internal Security Act is advocate Ismail Mahomed SC, the man who forced the State to abandon the Maritzburg trial in respect of 12 of the 16 accused.

Mr Mahomed is a judge of the appeal courts of Swaziland and Lesotho, a member of the Bar in Johannesburg, the BLS countries and England and an authority on the Group Areas Act.

Mr Mahomed's name is now firmly linked with the legal initiatives that have taken dozens of prominent anti-apartheid leaders out of cold storage and put them back in operation.

Winnie free but still gagged



Welcome Home, Mother Africa. Winnie Mandela arrived amid cheers in Soweto this week after her banning order was lifted.

By MONO BADELA

ALTHOUGH Winnie Mandela was unbanned this week, she is still gagged.

According to her lawyer Ismail Ayob, Mrs Mandela – who has been banned and restricted since 1962 – is still "listed" and may therefore not be quoted.

Her unbanning follows the recent Supreme Court ruling which lifted the banning order imposed on Port Elizabeth Consumer Committee boss Mkuseli Jack and resulted in the unbanning of several other community leaders.

Mrs Mandela's unbanning also meant that she could return to her Orlando West home in Soweto, from which she was barred after her house in Brandfort in the Free State was destroyed by arson.

It also precipitated an appeal against an unsuccessful civil application which barred her from entering the Johannesburg magisterial district.

Both the South African Council of Churches and the Release Mandela Committee have hailed the removal of the restrictions as a "major victory".

SACC general secretary Dr Beyers Naude said Mrs Mandela's unbanning should be a source of tremendous joy to her husband, jailed ANC leader Nelson Mandela.

"If Winnie Mandela is unbanned, why can't Nelson be released and the ANC unbanned," Naude said.

He said the lifting of her restrictions is a clear indication that the Government has come to realise that bannings were counter-productive and achieved no meaningful purpose.

RMC boss Aubrey Mokoena said Mrs Mandela's unbanning was a direct response to the efforts of their recent campaign which called on the Government to stop harrassing her.

A similar campaign in support of former UDF president and trade unionist Oscar Mpetha – jailed for five years at Pollsmoor – would be launched soon, he said.

Mrs Mandela – who for years quietly challenged Government orders from her Brandfort home – last year suddenly emerged as a symbol of black defiance.

She held a Press conference at Ayob's offices in October last year, made a speech at a memorial service for former ANC cadre Benjamin Moloise and later at a mass funeral in Mamelodi.

'The people' have the right to hear Mandela speak

STAR 7/4/86 328

Mrs Nomzamo Winnie Mandela can be quoted, legal advisers of *The Star* pointed out at the weekend after studying very thoroughly the exact wording of her "banning" order which appears to be causing confusion about her standing in terms of the Internal Security Act. Staff Reporter JON QWELANE spoke to Mrs Mandela in a lengthy interview.



Mrs Winnie Mandela . . . we have learnt to abhor the word 'reform' as much as 'apartheid'.

Q: What are Mandela's views on sanctions against South Africa?

A: Let him come out and tell the people of South Africa what his views are on sanctions. They mandated him to lead them, they have a right to hear him; they have a right to hear his direction, they chose him and other leaders to lead them, (the people) have a right to get that direction from him and not from other people speaking on his behalf.

Q: What are your own views regarding sanctions against South Africa?

A: My own views have always been well known. I have always been quoted as one of those who are calling for sanctions against this country. I have called for total sanctions, mandatory sanctions.

We are asking the international community to assist us in saving the lives Ian Smith could have saved if he had listened during the (HMS) *Tiger* talks.

We believe sanctions are the only other open road for us, the only measure that is peaceful. Anyone who says anything to the contrary is a benefactor of apartheid.

One can understand why, those whose pockets are filled with gold from Pretoria's coffers, obviously oppose sanctions and hypocritically pretend sanctions will hurt blacks.

We bury people every day, we see blood flowing around us. With all that is happening, with 100 percent unemployment, with us living in ghettos and owning 13 percent of our land, we are still supposed to suffer when sanctions are applied to this land, when we have suffered so much.

Those whose pockets get fatter and fatter, who aspect of our lives — we, in the majority.

The whites invaded our country in 1652 and colonised us, they now turn around and say: "If you take over, guarantee the protection of minorities." The insanity of the white man.

What they say about reform, speaking that kind of language, is absolute rubbish which is no longer the language on our lips.

We have knocked on closed doors generation after generation, and now Ronald Reagan talks about constructive engagement. The one thing Mandela said to me when have never been party to that power they are talking about sharing.

We are talking about our power, the people's power.

Q: As you have been seeing Mandela often, what is his vision of a future South Africa?

A: His vision of a future South Africa is the same as it has always been. It is the same as it was on June 12 1964 when he and his colleagues were sentenced to life imprisonment. His colleagues' vision is the same.

They believe in a democratic South Africa in which the wealth of the country will be shared

ate; prisoners cannot negotiate.

Mandela (and his fellow prisoners) cannot be expected to give direction from behind bars; the Government is free to release him in order to hear his views, and he has gone out of his way to invite the State to come and discuss with him behind bars, instead of quoting him and speculating what his views are supposed to be, and sending all kinds of demagogues to see him and then analysing what he has had to say.

But the Government never had any intention to release Mandela. At any rate, they (the prisoners) are not in the least interested about what Botha is doing and saying concerning their release, about the deals linking them with Sakharov and Du Toit.

But anybody who thinks our leaders will be released from jail by the Government is misguided. They will be fetched from Pollsmoor by the people of this country themselves.

Q: Have you been involved, as was reported on at least one occasion, by the authorities or someone else like Chief Kaizer Matanzima of Transkei, to assist in efforts to secure Mandela's release or even persuade him to accept the Government's offers?

A: What disproves such reports lies in the treatment that Pretoria has meted out to me. Only in South Africa can a person be prosecuted for coming to their home, as I have been.

It should be obvious then that they could never approach me to send me to my husband with their deals on his release.

My alleged mediation was utter fabrication. Nothing could be further

STAR

7/04/86

528

Q: What do you think of the Government's proposed "reforms" like the scrapping of the dompas, citizenship for blacks, freehold rights and open CBDs?

A: What Pretoria says is of no relevance whatsoever. Once you mention the word (reform) which we have learnt to abhor as much as apartheid ... we do not speak that language of "reform".

Our leaders went to prison in the first place for speaking reform. They wanted a transitional sharing of power. That alone was some kind of reform in the sense that they were prepared to sit at a round-table conference and understand the white man's obsession, the white man's fear of being swamped by the black tide.

They were prepared to accommodate those fears, they were prepared to accommodate the obsessions (about) the protection of minorities.

The temerity of the white man. He ill-treats the majority, does what he pleases with the majority, prescribes for us our education, living conditions, each and every

1985) was: "Reagan is talking of constructive engagement when we have been constructively engaged for 74 years in the ANC. The man is that much out of step, he is that outdated."

We cannot speak the language of dismantling apatheid step by step. The blacks are going to dismantle apartheid totally, in its totality, in its entirety.

Q: Would that be an all-or-nothing option?

A: Who are they to prescribe the quantity of power we, the majority of this land, want? Who are these white minority settlers, who are they to talk about the quantity of power?

Power belongs to the people, the country belongs to the natives of this land. Those with black skin, black hands — they will determine how that power is shared, and not the other way round.

Q: But will Mr Botha's "reforms" and proposed "power-sharing" lower the level of conflict inside the country?

A: The language of reform is spoken by (Mr) Botha and his clique; it is they who are bothered. We are not interested, we are not party to that. We

equally by its people; they believe in the same freedoms for all the people of the country, and they believe in a total democracy free of racism and oppression.

Q: How has the series of bannings — adding to more than a quarter-century of restrictions — affected you and your family?

A: I have not been affected in any way by the restrictions because suffering at the hands of the Nationalist Government is part and parcel of the struggle of my people.

Q: But are you bitter that your life has been restricted for so long?

A: I have often been asked that question, and I never really answer it because it is obvious that (generally) a black person is bitter because we have no other choice, we have been forced to hate.

Q: There have been several moves concerning the release of your husband from prison. Could you go on record about the behind-the-scenes wheeling and dealing regarding the release of Mandela and his colleagues?

A: As he himself stated in February of last year, only free men can negoti-

from the

What happened was that Matanzima approached me, and I stated that openly. Matanzima is Mandela's nephew, and throughout the years of their political disagreement they have never lost their blood relationship, they have close family ties.

When Matanzima approached me in Brandfort and asked to see his uncle, I simply conveyed the message that said wasn't it about time he considered coming out to the Transkei as he (Matanzima) was about to retire.

(Matanzima said) one of the last things he wished, was to see to it that his uncle joined him in retirement, and that he had actually gone out of his way to prepare accommodation for him. It was open, and I had nothing to do with Botha or any other official.

Matanzima approached me as he had always done about family matters and by that I am not saying he was not manoeuvred by Pretoria. Because it is quite obvious he never meant what he said then and he had not approached his uncle as his uncle, but as Pretoria's messenger.

Invalid ban permitted Mandela interview

Mrs Winnie Mandela confirmed at the weekend she has been actively campaigning for total economic sanctions against South Africa.

The Star's legal representative explained why the newspaper had decided to go ahead yesterday and publish the Mandela interview.

According to the legal representative the decision was based on an argument that the order restricting Mrs Mandela's movements was invalid, that the ban on quoting her was linked to this order and so was also invalid.

Mrs Mandela, wife of the jailed African National Congress leader, Mr Nelson Mandela, has been restricted for the past 11 years.

On the basis of a recent Appelate Division decision, followed by an Eastern Cape Supreme Court decision setting aside the banning order of community leader Mkuzile Jack, *The Sunday Star's* legal representatives decided the restrictions placed on Mrs Mandela were also invalid, lawyer Mr Peter Reynolds said.

Someone who, like Mrs Mandela, started off as a person restricted under Section 19 of the Internal Security Act, was automatically placed on the "consolidated list" and may not be quoted.

If Mrs Mandela's banning order was invalid, then putting her name on the consolidated list was invalid and therefore she could be quoted, Mr Reynolds said.

● See Page 6.

She's been banned — but not beaten by the system

SPEAR B28 7/4/86

By Jon Qwelane

Mrs Winnie Nomzamo Mandela has not been cowed by the banning orders and restrictions she has suffered for more than a quarter of a century.

The restrictions were lifted briefly in 1975 but reimposed in 1977 after she was released from prison, where she was held without trial for the last months of 1976.

The banning order of nine years ago was also a banishment order and early one morning policemen arrived to supervise her removal to the dusty Free State dorp of Brandfort.

She has appeared many times in court in connection with contravening her banning orders.

Her new home in Brandfort was extensively damaged by petrol bombs last year. Without the obligatory permission of the Brandfort magistrate she immediately left for Soweto where she stayed at her Orlando West home.

After some months she was told by police she should return to her rebuilt house. She did not, and stayed in Soweto until she was physically removed by police and charged with entering Soweto illegally.

She left her Soweto home at dawn one day last year and drove to Pretoria to be outside the maximum security prison when convicted African National Congress member Ben Moloise was executed for the murder of a Pretoria security policeman.

Hours later she walked past dozens of policemen outside Khotso House in Johannesburg for Moloise's memorial service. She addressed the meeting, once again defying her banning orders.

Warning of total boycott in PWV area

The Release Mandela Campaign warned last night that any action by the Government against Mrs Winnie Mandela "would precipitate an immediate and total consumer boycott and mass stayaways" in the PWV complex.

The warning comes as the Eastern Cape townships resume their boycott of white businesses following the shooting of at least 10 people alleged to have attacked a liquor outlet.

A spokesman said the PWV boycott would involve all the major unions and could spread to the whole country.

Winnie ban remains

JOHANNESBURG. — A spokesman for the Minister of Law and Order, Mr Louis le Grange, said restrictions on Mrs Winnie Mandela, wife of jailed African National Congress leader Nelson Mandela, were still in force in spite of the decision by a Sunday newspaper to publish an interview with her.

Brigadier Leon Mellet, the Minister's Press secretary, was reacting to the publication of quotations by Mrs Mandela in the Sunday Star. The report also appeared in the Sunday Tribune.

Under the heading "Winnie's gag goes at last", the article said Mrs Mandela may now be quoted, according to the newspaper's legal advisers. It then proceeded to quote her.

Brigadier Mellet declined to comment on possible steps to be taken against the newspaper for quoting a banned person.

Another Law and Order Ministry spokesman suggested that provisions of the Police Act could be invoked against the Sunday Star. — Sapa.

3 papers quote Mrs Mandela

Own Correspondent

JOHANNESBURG. — Two more newspapers followed the Sunday Star yesterday and quoted Mrs Winnie Mandela, the banned wife of jailed ANC leader Mr Nelson Mandela.

Yesterday's edition of the Sowetan quoted Mrs Mandela extensively, while the Star ran a face-to-face interview with her.

By late yesterday the government had not decided whether to prosecute the newspapers for quoting Mrs Mandela.

A spokesman for the Minister of Law and Order, Mr Louis le Grange, yesterday said a decision had not yet been taken, adding that Mrs Mandela remained a banned person.

Government sources indicated that no action was planned until the confusion surrounding banning orders has been cleared up.

Mrs Mandela's appeal against her banning order is due to be heard soon and Mr Le Grange and his legal advisers are still reviewing the entire matter of banning orders.

The Star's legal representatives yesterday said their decision to allow the article to be published was based on the argument that the order restricting Mrs Mandela's movements was invalid. The ban on quoting her was linked to this order and was therefore also invalid.

Another lawyer said this was a valid argument if the initial conclusion — that the order restricting Mrs Mandela's movements was invalid — was correct. The second consequence would follow if no other restriction order had been issued.

However, he said it was difficult to comment without going into the history and the facts relating to Mrs Mandela's banning order, and the order itself.

The confusion arose last week after her lawyers said Mrs Mandela, first banned in 1962, had in fact been unbanned.

Her attorneys said the State Attorney had agreed that the ban was no longer in effect following last month's Port Elizabeth Supreme Court decision overturning a similar ban on United Democratic Front official Mr Mkhuseli Jack.

The State Attorney denied that such a decision had been taken.

● Mrs Mandela has been banned in terms of section 19 (1) (a) of the Internal Security Act from entering certain areas and attending gatherings. Because of the banning order her name appears on the Consolidated List of Persons who may not be quoted.

PE's Jack in hiding as boycott bites



JACK
In hiding

CP Reporter

PORT ELIZABETH consumer boycott leader Mkhuseli Jack went into hiding on Tuesday – as white businessmen in the "Friendly City" were beginning to feel the bite of the week-old boycott.

Colleagues of Jack's told City Press the community leader has not been to work since Tuesday, when police called there for him.

"He has gone into hiding, apparently fearing action against him," one said. Attempts to locate Jack were unsuccessful.

City Press was also told UDF regional vice-president Henry Fazzie – who leads the boycott campaign alongside Jack – was quizzed by security police for a few hours on Wednesday and released.

Both were briefly banned and house arrested last month – but successful court action by Jack just 12 days later effectively invalidated banning orders throughout the country.

The consumer boycott of white businesses was relaunched in PE on Monday – and, says Fazzie, was virtually total within 48 hours, in line with last year's successful four-month boycott.

While most businessmen were not eager to comment to City Press, an outfitter who relies on black customers for his business, said: "We've had it. Business slumped with the recession and now this. We'll never survive the boycott."

Black traders are reported to be doing roaring business, but in Korsten coloured township, traders say they have been hit by a complete boycott.

'An unbanned Winnie harms the cause in SA'

The Star Bureau

LONDON — By disregarding the banning order on Mrs Winnie Mandela the South African authorities — in effect, if not in law — may unwittingly be dealing the anti-apartheid movement there its greatest blow for years.

So says *The Times* in an editorial today headed "Mrs Mandela's Call to Action."

It says: "The more Mrs Mandela is heard to advocate violence as the only means of achieving majority rule, the greater will be the misgivings, not only on the part of the white population, but on the part of many blacks as well."

The paper describes Mrs Mandela as "a passionate and powerful speaker whose symbolic influence as Nelson Mandela's wife goes far beyond her personal influence with blacks.

"Both her rhetorical gifts and her symbolic leadership status give her an obligation to show responsibility. To judge by the past week's performance, this is an obligation she has not yet appreciated."

Many South Africans, blacks included, are convinced that violence can and must be avoided at all costs, says the paper. They are quietly hopeful the limited reforms already made towards ending segregation will eventually yield more.

Such people are appalled by the riots, the lynching and the murder proliferating in the townships. They see such violence as counter-productive: An illustration of why the white minority is so reluctant to cede power.

Although change has been slow, it originated largely from a sense of realism and moral outrage on the part of the white, English-speaking minority, not in response to violence in the townships.

The Times says Mrs Mandela's hints that the white population can no longer be left out of the violence will only alienate that constituency.

● Britain has made clear it does not accept Mrs Mandela's rejection of dialogue and her apparent advocacy of violence to bring about change in South Africa.

In what is seen as support for violent revolt in South Africa, Mrs Mandela is reported as saying at the weekend the "time for speeches and debate has ended — we will return fire with fire".

The British Government has declined to comment specifically on Mrs Mandela's remarks, but has repeated its determined commitment to peaceful negotiation.

APARTHEID BAROMETER

DETENTIONS (According to DPSC Report)
During the State of Emergency (July 21, 1985 — March 7, 1986), the following numbers of detentions were recorded by the DPSC:

Under Emergency regulations:	7992
Internal Security Act:	2262
"Homelands" legislation:	1890
Total:	12144

The above figures are determined by a combination of detentions known to the DPSC and detentions of unknown persons deduced from statistics published by the police and revealed in parliament by the Minister of Law and Order.

BANNINGS (of persons, organisations and gatherings)
March began with 10 people living under banning orders in terms of Sections 19, 20 and 21 of the Internal Security Act. On March 11 two further banning orders were issued on Port Elizabeth activists. The validity of one of these was successfully challenged on March 24 in the Port Elizabeth Supreme Court. As a result of this action, several more banning orders have either been upset or withdrawn. As at the end of March:

Banning orders withdrawn:
Arenstein, Rowley (who had been restricted to Durban until June 30, 1988.)
Fazzie, Henry (restricted to Port Elizabeth until March, 1991)
Essel, Johnny (restricted to Athlone, Cape until July 31, 1986)
Jack, Mkhuseli (restricted to Port Elizabeth until March, 1991)
Manuel, Trevor (restricted to Cape Town until August 31, 1990)
Tsedu, Mathatha (restricted to Seshego until June 30, 1986)

Banning orders which expired on March 31, 1986:
Cassiem, Achmed (who had been restricted to Wynberg, Cape)
Madlingozi, Maxwell (restricted to Port Elizabeth)
Makande, Dumile (restricted to Port Elizabeth)

Banning orders under application:
Dube, Abel (restricted to Messina until October 31, 1987)
Mandela, Winnie (excluded from Johannesburg and Roodepoort until June 30, 1988)
Tatsa, Mordecai (restricted to Soweto until August 31, 1986)

Banning of organisations:
The South African Allied Workers' Union (SAAWU) has been declared an unlawful organisation in the Transkei under the Transkei Public Security Act.

Ministerial banning of gatherings:
For a decade the Minister of Law and Order has imposed a ban on all outdoor gatherings other than sports meetings. On March 22, 1985, the annual renewal of the ban was gazetted in Government Notice 705, valid to March 31, 1986. For the first time, the notice also extended the ban to all indoor gatherings which advocated educational boycotts. In September 1985, Government Notice 2221 extended the ban to all indoor gatherings advocating work stoppages or stay-aways. The renewal of these bans for the period April 1986 to March 31, 1987 was announced a few days before the end of the month.
Also currently in effect (from December 31, 1985 to June 30, 1986) is a ban on all meetings, regardless of purpose, of 74 specified organisations (mostly UDF affiliates) within 30 specified districts (21 in Eastern Cape, seven in OFS and two in Transvaal), under Government Notice 2869. The above bannings are in terms of Section 46 of the ISA.

RACIALLY EXCLUSIVE TRADE UNIONS
There were 96 racially exclusive registered trade unions by the end of last year: 46 confined their membership to whites, 24 to coloureds and Asians, and 26 to blacks. There were 100 racially mixed unions. Union membership at the end of last year was 511 171 blacks, 458 110 whites, and 295 987 coloureds and Asians, according to Piet du Plessis, Minister of Manpower.

STRIKERS ARRESTED
A total of 1 280 black workers were arrested for striking illegally in 1985, said Law and Order Minister Louis le Grange.

GAP IN DEVELOPMENT AID
According to Peter Jacobs, House of Representatives, recent budget announcements reveal a gap in the amounts allocated in terms of development aid for race groups: R1-billion rand has been budgeted for blacks, coloureds and Asians. But R2,1-billion was budgeted for white development aid.

EXECUTIONS
The number of executions during 1985 was 136, said Minister of Law and Order Louis le Grange in reply to a question by Helen Suzman, PFP Houghton. Of these 96 were black, 35 were coloureds and five were white.

LIFE SENTENCES
According to recent figures released by Justice Minister Kobie Coetsee, 22 people are serving life sentences for offences against the security of the state as at March 12 this year.

UNREST DAMAGE
Total unrest damage in South Africa since September 1984 has been calculated at about R138-million, according to a report by the Institute of Strategic Studies at the University of Pretoria. Special risk insurance claims have rocketed and by February 1986 had amounted to R65-million. In 1985 there were 136 so-called "terror incidents", compared with 44 in 1984. Roughly a third of the incidents were directed against so-called "economic targets" (business premises and electrical sub-stations).

BANNED BOOKS, PUBLICATIONS AND OBJECTS (April 3 - April 18)
Of the 1 347 films submitted to the Directorate of Publications last year, 622 were approved, 533 were accepted with an age restriction and 147 were rejected outright.
Apartheid (by Jan Balicki); Women and Resistance in South Africa (by Cheryl Walker); and Rosa Luxemburg Speaks (edited by Mary Alice Waters) have been declared not undesirable.

PRISONER OF CONSCIENCE: BENSON ZONO
Benson Zono, 19, of Thabong near Welkom, was detained in September 1985 under Section 29 of the Internal Security Act. His lawyers say no charges have been laid. At the time of his detention he was a Standard 10 pupil at the Lebohong High School. Zono is chairman of the Thabong Students Organisation and a representative of the students on the UDF area committee.

APARTHEID BAROMETER

DETENTIONS (official figures)
From January 1 1985 to April 3 this year, detentions in terms of Section 29 (1) of the Internal Security Act numbered 554. Of that number, 466 were black, 50 coloured, 22 Asian and 16 white.
As at April 3, 471 males and 83 females were being held in terms of this section.

POLITICAL PRISONERS (according to the latest DPSC report)
The following statistics were released in Parliament by the Minister of Justice regarding persons serving sentences for "crimes against the security of the State".
As at March/April 1985 the total was 337, of whom 39 were serving life sentences. Of these, 21 were Namibians and 17 of them were serving life.
As at 13 February 1986 the total was 314 of whom 12 are whites, five are coloureds, 296 are blacks and one is Asian.

TREASON TRIALS (According to DPSC)
There are 32 people facing charges of treason in four trials as follows:
Ongoing in Johannesburg:
Dubasi, James; Sisulu, Jongamsi; Mkhefa, Happy Lumkile; Matose, David; Maja, Joseph.
From April 14 in Johannesburg:
Passtoors, Helene Therese.

RESTRICTIONS
According to a recent statement by the Minister of Law and Order, Louis Le Grange, a total of 20 people were restricted under the Internal Security Act as at February 26 this year.

PRISONS AND PRISONERS
South African prisons are designed to accommodate 81 783 people. In December last year the daily average prison population was 113 792. These figures were released by Minister of Justice, Kobie Coetsee in answer to David Dalling (PFP Sandton).
In reply to a question from Helen Suzman (PFP Houghton), he said a total of 1 385 complaints of alleged assault by prison warders against prisoners were received and registered in 1985.

POLICE DISCHARGED
In a written reply to Peter Gastrow, (PFP Durban) Le Grange said only 62 of the 221 policemen convicted of common assault last year had been discharged. Another 43 were convicted of assault to do grievous bodily harm, 14 of culpable homicide and four of murder. Forty-four of the 221 had previous convictions, including drunken driving, assault with intent to cause grievous bodily harm, theft, negligent driving, crimen injuria, housebreaking and theft and assault.

UNREST STATISTICS
According to the yearly report of the Commissioner of Police which was released in Parliament for the year ended June 1985, there were 86 "acts of terrorism".
Public violence increased from 164 cases the previous year to 4 408 for this year.
The report lists the following figures as an indication of the proportions of the unrest: 617 petrol-bomb incidents; 1 156 arson incidents; 574 cases of fire damage; 343 incidents of looting; 29 hand-grenade incidents; 160 people killed; 661 people injured by others; 264 people killed by security forces; 1 004 people wounded by security forces; 15 people killed by development board officials; 23 injured by development board officials; seven members of security forces killed, with 256 injured and 21 280 arrests.
Total damage to property was estimated at R59 million. A total of 169 schools were either burnt down or damaged by fire and another 127 schools were damaged by stone-throwing or other means.
In a report on the effects of violence, Women For Peace stated that "One of the ravaging effects of violence is that thousands of people will have emerged seriously disabled. It has been estimated that for every serious injury there are 10 minor injuries. In the light of this 1:10 ratio, it can be estimated that at least 9 400 people have been seriously injured through violence in South Africa during the last two years."

TEACHERS' STATISTICS
A total of 126 blacks, coloureds, Indians and Chinese applied for admission to Teacher Training Colleges under the control of the white "Own Affairs" administration this year, but none were admitted, according to Minister of Education and Culture Piet Clase.
In a recent reply to a question in parliament, Dr Gerrit Viljoen, Minister of Education and Development Aid, said there was a shortage of 6 579 teachers in black schools last month. He said the worst shortage was in the Orange Vaal area, where 1 468 teachers were needed. Just over 21 percent of teachers in the Northern Transvaal and 18,68 percent on the Highveld were inadequately trained.

BANNED BOOKS, PUBLICATIONS AND OBJECTS (April 11-May 1)
In terms of section 14 (4) of the Publications Act, 1974, the undermentioned publications have been declared not undesirable: Stag vol 5, Mar 1986 (by Viclen Promotions); Descom Bulletin vol 8, May 1985 (issued by Durban Detainees Support Committee); For My People - Black Theology and The Black Church (by James H Cone).
The undermentioned publications have been declared not undesirable subject to certain conditions: The High Cost of Living (by Marge Piercy) may only be distributed by bookshops, lending libraries and bookdistributors; Stern no. 1, 23 December 1985 (by Gruner and Jahr AG & Co, Hamburg), may not be displayed in public for purposes of distribution; Woman Plus Woman: Attitudes towards lesbianism (by Dolores Klaich) has been declared not undesirable subject to the condition that the publication may not knowingly be sold, hired or lent out by lending libraries to persons under 18.
Publications or Objects which have been declared undesirable:
Comfortable Corner, A (by Vincent Virga);Mates (by Tom Wakefield); T-hemp met/ T shirt with graffitti No "A" (not stated); The Catholic (by David Plante); Flower of Love (by Janet Louise Roberts); Black Experience in Black Theology (by Gobi Clement Mokoka); What is Dialectical Materialism (by V Krapivin);Ingxoxo Nekomanisi (by SACP).

PRISONER OF CONSCIENCE: DR VEJAY RAMLAKAN
Vejay Ramlakan, 29, was detained under Section 29 of the Internal Security Act on December 24 last year. He is a past president of Natal University Medical Students Council and at the time of his detention he was a surgery registrar and member of NAMDA. He is currently being held incommunicado in a prison in the Natal area and has had no access to lawyers or members of his family since his detention. His wife, Sandra Afrika, was detained with him but was released six weeks later because the couple have a young baby which needed caring for.

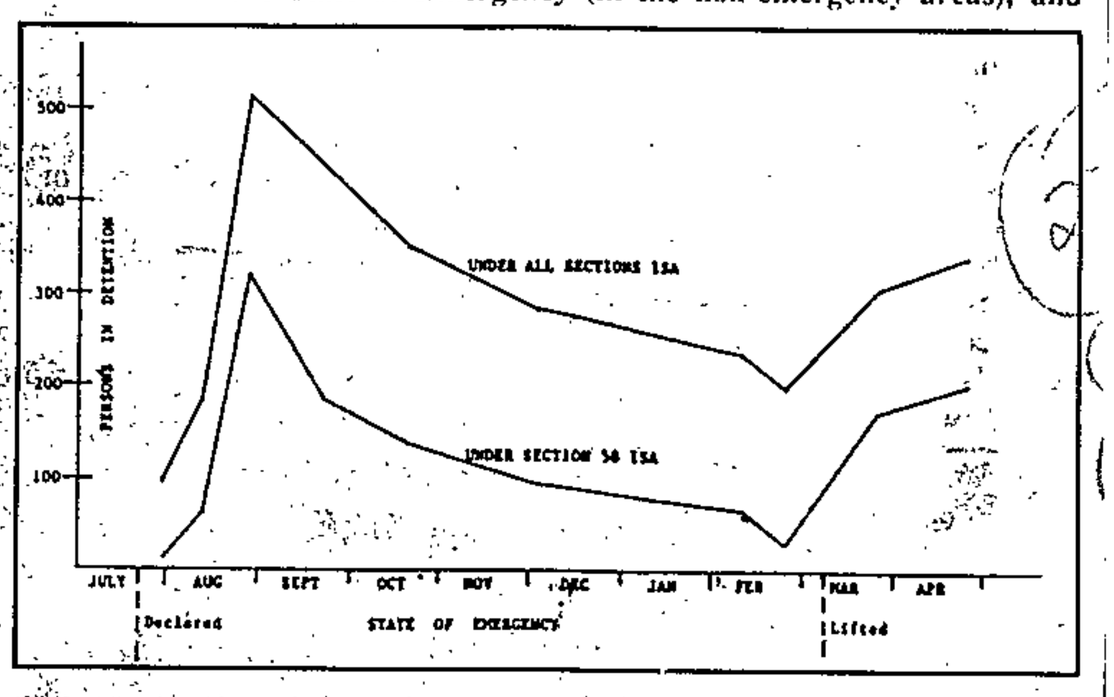
POLICE MERGE
In reply to a question from John Malcomess (PFP, PE) the Minister of Transport Affairs, Hendrik Schoeman, said that no date had been set for the proposed amalgamation of the Railway Police and the South African Police. Conditions and particulars of the move are still being investigated.

SATS PATROL TOWNSHIPS
The investigation into the use of a South African Transport Services vehicle by Security Forces for patrolling townships had been completed, the Minister of Law and Order, Louis le Grange, said in reply to a question by Reuben Sive (PFP, Bezuidenhout). Post mortem reports on those killed in a clash with members of the Security Forces had been submitted to the Attorney General for his decision.

SHORTAGE OF HOMES
There was an estimated shortage of more than 134 270 homes for blacks in the "national states" at the end of 1985, said the Minister of Education and Development Aid, Dr Gerrit Viljoen, in a written reply to a question by the leader of the PFP, Colin Eglin. An additional 14 948 homes were needed on other South African development trust land. The shortage ranges from 2 000 homes in Gazankulu to between 80 000 and 100 000 in KwaZulu.

APARTHEID BAROMETER

DETENTIONS (Detainees Parents Support Committee report)
By April 30 about 1 000 people had been detained since the beginning of the year. The number still held on April 30 was 393 (183 named, 210 unnamed).
The diagram below was prepared by the DPSC from SAP statistics. It represents the number of persons held in detention under security legislation since the State of Emergency was declared. It illustrates how detention under the security laws, and in particular Section 50 (short term "preventative" detention), escalated immediately upon the declaration of the State of Emergency (in the non-emergency areas), and



confirms the contention that a *de facto* State of Emergency operated throughout the entire country. Similarly, the lifting of the Emergency was accompanied by another immediate surge in security detentions, particularly Section 50. According to the DPSC, these detentions are serving as a temporary expedient until the Emergency can be reintroduced under the guise of "unrest areas" which the government intends to declare through its proposed Public Safety Amendment Bill.

PERSONS STILL IN DETENTION ON APRIL 30 (known detainees only)
Detained during 1984, 3; Jan-Sept 1985, 9; Oct 1985, 3; Nove 1985, 2; Dec 1985, 21; Jan 1986, 19; Feb 1986, 30
March 1986, 34; April 1986: 62
TOTAL: 183

SUMMARY BY DETENTION STATUS
ISA Section 29: 83 (Police figure, 97); ISA Section 31: 8 (Police figure, 43); ISA Section 50: 41 (Police figure, 202) Ciskei Nat Sec Act: 16
Transkei Pub Sec Act: 20
Venda Terrorism Act: 9
Unknown legislation: 6

PUBLIC VIOLENCE TRIALS
According to a report tabled in parliament last month by the Commissioner of Police, during the year ending June 1985 a total of 4 408 cases of public violence were recorded, compared with 163 for the previous year.

UNREST DEATHS (South African Institute of Race Relations figures)

Sept 1984 - April 30 1986:	1 559
Jan 1985 - April 30 1986:	1 410
Jan 1986 - April 30 1986:	531
March 1 - April 30 1986:	314
April 1 - April 30 1986:	143

Last month's unrest death toll was the third highest, surpassed only by March 1986 (171) and August 1985 (163).

EMIGRATION/IMMIGRATION
South Africa lost 518 people in January 1986 compared with a gain of 1 547 in January
1985. Of the 1 247 people who left in January, 211 were professional, technical and related worker (this does not include their families). In January South African gained 107 immigrants in these fields. During 1985 emigration rose by 33,3 percent while immigration dropped by 40 percent.

SADF FIGURES
- A total of 35 372 SADF troops were used in 96 black South African townships during 1985, according to the Minister of Defence, General Magnus Malan.
- 15 percent (R908,2-million) of this year's Defence Budget went to General Support "to provide and maintain a centralised infrastructure to provide common supplies and services in support for all SADF objectives". General Support includes grants to various organisations, including: School cadets (R1 085 000); Boy Scouts, Voortrekkers and Naval Cadets (R1 000 each); SA Shottist Union (R30 000); SA Red Cross (R36 000), St John's Ambulance (R39 000); Noodhulpligarm (R88 000); International Committee of the Red Cross (R50 000).
- The army's 121 Battalion, a Zulu unit based at Mtubatuba, has launched a recruiting drive. The battalion, which numbers between 500 and 600 at present, wants 300 more recruits. The battalion, which has

BANNED BOOKS, PUBLICATIONS AND OBJECTS (May 2)
Miz Lucretia of Falconhurst (Ashley Carter); Tidal Wave (Roberta Latow); Phambili Nolwazi! Discussion papers on the struggle in South Africa; Forward with knowledge! (ERIC, Observatory); Umsebenzi Vol 2, No 1, 1986 (South African Communist Party); Newera,Vol 1, No 1, March/April 1986 (Grassroots Publications, Cape Town); Stag's Art Collection No 1 (Viclen Promotions Pty Ltd, Turffontein).
Unbanned:
Rich and Poor in New Zealand (David Bedggood); Sudafrica vor der Revolution? (Franz J T Lee); Brutal Mandate (Allard K Lowenstein).
PRISONERS OF CONSCIENCE: Alusani Nevhutalu, Dick Ralushayi and Gabriel Malaka.
All three were detained under the Venda Terrorism Act on January 31 and have been held without trial for 105 days. They are founder members and leaders of the Northern Transvaal Action Committee and part of a group of nine Venda detainees whose cases were taken up by Amnesty International. Six were released on May 13. Malaka was admitted to the Donald Fraser Memorial Hospital six weeks ago suffering from mental breakdown. He is currently on a hunger strike. Nevhutalu is also reported to have been hospitalised. Ralushayi is a former Venda detainee.

MINISTER, COPS LOSE APPEAL

THE appeal court in Bloemfontein yesterday dismissed with costs, including those of two counsel, an appeal by the Minister of Law and Order, the Commissoner of Police and the Divisional Commissioner for Port Natal in connection with the detention of Mr Gerald Patrick Kearney, director of Diakonia in Durban.

Sapa

Mr Kearney was detained in his office under Section 29 (1) of the Internal Security Act on August 26, 1985. On September 11, 1985 the Acting Deputy Judge President of Natal, Mr Justice R N Leon, in the Durban and Coast Local Supreme Court granted an application by the Archbishop of Durban, Denis Eugene Hurley, and Miss Carmel Patricia Rickard, wife of Mr Kearney.

Mr Justice Leon declared the detention of Mr Kearney to be unlawful and of no force and effect. He ordered Mr Kearney's immediate release, the minister, commissioner and divisional commissioner were ordered, jointly and severally, to pay the costs of the application.

Mr Justice Leon found that while the Archbishop and Miss Rickard had given detailed reasons for their statements that no reasonable man could have cause to believe that Mr Kearney had committed an offence under Section 54 (1) of the act.

Video cut - witness

A STATE witness yesterday agreed in the Delmas Circuit Court that a video tape shown in court was not a complete recording of a June 16 commemoration service held in 1984.

The service was held at the Regina Mundi Church in Soweto.

The witness, who may not be identified, said this at the trial of 22 men appearing before Mr Justice K van Dijkhorst, and two assessors. They are charged with high treason, murder, subversion and terrorism.

They have pleaded not guilty to all the charges.

Under cross-examination by Mr George Bizos, SC, for defence, the witness said some speeches by the speakers at the service were cut from the recording.

(Proceeding)

FATHER MKHATSHWA IN COURT

THE general secretary of the Southern African Catholic Bishops' Conference, Father Smangaliso Mkhatshwa, and Mr Sam Mkhabela appeared briefly in the Pretoria Regional Court yesterday charged with illegally possessing a firearm.

Many spectators packed the courtroom and others stood outside court 14 amid a heavy police presence in the corridors. Both accused were not asked to plead.

The magistrate, Mr J Carstens, postponed the hearing to June 16 pending further investigations.

Father Mkhatshwa was carried shoulder-high by crowds of well-wishers immediately after both accused were released on warning.

A group of high-ranking Dutch, Italian, Belgian and German members of the European Parliament were among the prominent observers at the hearing.

Press ban imposed on Winnie — lawyer

STAR
17/6/86
328

By Jo-Anne Collinge

New restrictions have been imposed on Mrs Winnie Mandela, wife of jailed African National Congress leader Nelson Mandela.

They effectively place her under night-time house arrest until Friday this week and prohibit her from giving interviews to the Press for the same period, according to her attorney Mr Ismail Ayob.

He said, on the basis of a telephone conversation he had yesterday evening with Mrs Mandela, it appeared the restriction on Press interviews applied only to interviews with media representatives in the Transvaal.

RESTRICTIONS

Mrs Mandela has been restricted — by house arrest, by bans which have kept her from attending meetings and living where she chooses, and by "listing" which has prevented her being quoted — for about two decades.

Less than three months ago her last ban became inoperative after a precedent case in which the Supreme Court set aside a ban on Port Elizabeth Consumer Boycott Committee leader Mr Mkhuseli Jack.

Cape Times 26/6/86

Ban extends also to meetings

By TONY WEAVER

THE Government Gazette banning statements by 119 Western Cape organizations also bans the organizations from holding any meetings, or advertising meetings.

This was learnt yesterday when a full text of the Gazette, number 10309 of June 21, 1986, was obtained by the Cape Times. Only an abbreviated copy of the order was previously available.

In terms of the full gazette, none of the 119 organizations may: "Organize, arrange or hold or otherwise bring about any gathering in any building in (the magisterial districts of Simon's Town, Wynberg, the Cape, Goodwood, Bellville or Kuils River) and no person shall organize, arrange, hold or otherwise bring about such a gathering on behalf of or under the auspices of or with the assistance of such an organization."

In addition, no person is allowed to "at any time attend such gatherings or propagate, encourage or promote such gathering or the attendance thereof or do so or attempt to do so".

It is illegal to "print, publish or disseminate a notice in which such a gathering has been arranged or advertised".

Under the heading, "prohibition on publications", the gazette states that none of the 119 organizations may "make, manufacture, print, reproduce, publish, distribute, disseminate or display any placard, pamphlet, hand-bill or poster or any other publication".

The same ban applies to individuals who are banned from producing such publications "in the name of or under the auspices of or with the assistance of or on behalf of such an organization".

The only person who can grant an exemption from the bannings is a Divisional Commissioner of the SA Police.

The third section of the gazette is headlined: "Prohibition on the publication of speeches of office-bearers and officers of certain organizations". The gazette stipulates that:

"Nobody shall, except for the purposes of the proceedings of any court of law, without the permission of the Divisional Commissioner of the SA Police, print, publish, disseminate or reproduce by mechanical or other means any speech, pronouncement, utterance, writing or statement made or produced at any time at any place by any office-bearer or officer" of the organizations.

The gazette defines officer and office-bearer in terms of the Internal Security Act (Act 74 of 1982), in which an "office bearer" is defined as:

"A member of the governing or executive body of the organization; any branch, section or committee of the organization; or any local, regional or subsidiary body forming part of the organization."

An "officer" is defined as: "any person working for the organization or for any branch, section or committee of the organization, or for any local, regional or subsidiary body forming part of the organization".

CAPE Times 7/7/86 328

Curbs on freed sick priest

JOHANNESBURG. — A sick priest freed from detention under emergency regulations has been ordered not to give media interviews and been prohibited from visiting schools and attending political meetings, a relative said yesterday.

Restrictions on the German priest, who cannot be named, are in force for the duration of the state of emergency imposed on June 12, she said.

He was "very ill" on release on Friday and was being treated for "something in line with pneumonia", she added.

The priest was allegedly detained in Pietersburg on June 27.

Restrictions imposed on him also include a gagging order against interviews, and a ban on leaving Johannesburg and having any writings published, the relative said.

● The Bonn Foreign Ministry appealed to Pretoria to lift the restrictions placed on the priest. — UPI, Sapa-AP

Curbs on Winnie Mandela lifted

PRETORIA. — All restrictions on Mrs Winnie Mandela, wife of imprisoned ANC leader Mr Nelson Mandela, have been lifted.

However, the media should still obtain legal advice before quoting her, a spokesman for the Minister of Law and Order, Mr Louis le Grange, confirmed yesterday.

Mrs Mandela's name did not appear on either of the two lists of banned people published in terms of the Internal Security Act in the Government Gazette on Friday.

"I can confirm that all restriction orders on Mrs Mandela have been lifted," Captain Henry Beck said in response to a request for clarification.

This includes a restriction order compelling her to remain within the magisterial district of Brandfort in the Free State.

Captain Beck said there was no specific directive prohibiting the media from quoting Mrs Mandela in news reports. "But I would suggest legal advice be obtained before doing so as this is a complicated matter."



Mrs Mandela

Instances in which Mrs Mandela could not be quoted were, for example, if her utterances contravened state of emergency regulations, or furthered the aims of the ANC.

Mrs Mandela, who has frequently defied her banning orders, has been quoted in recent months by the media and government spokesmen.

Extracts of her "matchboxes and necklaces" speech at Krugersdorp a few months ago were widely quoted in South Africa by both the media and the government. — Sapa

'My own fight has won through'

Lifting of bans insignificant, says Winnie

SIPHO NGCOBO

WINNIE Mandela, wife of jailed ANC leader Nelson Mandela, says the lifting of her restriction orders is "no particular achievement, no human gesture by the Botha government".

It was her own defiance and unrelenting fight that had won through, she told *Business Day* in an interview at her Orlando home yesterday.

"The so-called lifting of the order is something that came into being because of my endless fights and sustained defiance. I defied it in Brandfort and came back home. I subjected myself to arrests. I even fought it in Botha's own courts and won," Mandela said.

But Mandela said she believed government was now working on new restrictions to be imposed on her.

"I know that they are not going to sit idle while these so-called restrictions have failed. I believe they are working on alternative measures to have me restricted again. But I am not perturbed. We have taught ourselves to live through such restrictions," she said.

Asked how she felt about the lifting of such measures after 25 years of banning, she likened it to an "open prison where I am only able to see other prisoners in other cells".

Mandela was angered by speculations that her husband and Soviet dissident Andrei Sakharov would be freed in the European autumn as part of the East-West prisoner exchange.

"Equating our leaders to Russian dissidents and spies is an insult to our leadership, our intelligence as a nation and our liberation struggle."

She also said that her husband would not agree to see British Foreign Secretary Sir Geofrey Howe on his peace mission to SA.

Referring to Howe as "that clown", she said he should know that he was unwelcome in the eyes of the people.

"Mandela's wishes are the wishes of the people and the fact of the matter is that the people see Howe's visit as being of no significance, which is why Mandela will not talk to him."

Out of prison, but still unfree

By SIMON PAMPHILON

THE government has resorted to a novel device it introduced during last year's State of Emergency — releasing detainees under conditions very similar to those of a banning order.

Last week the head of the SA Council of Churches' Commission for Justice and Reconciliation, Dr Wolfram Kistner, was released from Diepkloof Prison under these conditions.

In terms of the order, which was authorised by Minister of Law and Order Louis le Grange, he may not:

- Absent himself from the magisterial district of Johannesburg;
- Enter the premises of any educational institution;
- Contribute in any way to any publication;
- Conduct any interview with any journalist of any newspaper or magazine, or any member of any radio or television network;
- Take part in the activities of any organisation for the purposes of regulating relations between themselves or their employees;
- Attend any gathering at which any principle or policy, or action or contemplated action by the government is attacked, criticised, or discussed.

The only major difference between the conditions of Kistner's release and that of a banning order is that he may be quoted. This is irrelevant, however, as he may not speak to journalists.

Unlike a banning order, the restrictions on Kistner do not carry a time limit. They hold until the Emergency is lifted.

Last year a number of detainees were released under similar conditions, shortly before their lawyers were to contest the validity of their detention. It was believed they were released so that the detentions would not be tested in court.

The penalty for breaking these restrictions — 10 years in prison or a fine of R20 000 — is far more severe than for breaking a banning order. Another significant aspect of the restrictions is that they do not have to be made public through the Government Gazette.

- A representative of the Department of Information said they were not prepared to release information on this subject, or reveal if anyone else had been released under the same conditions.

Western Province, Eastern Province

BUS DAY 328 15/7/88 "THE VITAL VIEWPOI

Cosatu president freed from detention after two weeks 'but restrict

PRESIDENT of the 500 000-member Congress of SA Trade Unions (Cosatu) Elijah Barayi was released on Friday after two weeks of detention, a union spokesman said in Johannesburg yesterday.

A National Union of Mineworkers (NUM) spokesman said Barayi was "released under strict conditions on his movements and his rights".

He was not allowed to leave the magisterial district of Carletonville without permission from government.

The Police Directorate for Public Relations said it was not prepared to comment on alleged restrictions on Barayi.

NUM Press officer Marcel Golding said Barayi's recent release had contributed to the lack of widespread action on the mines yesterday.

Cosatu's call for protest action against the state of emergency met with a sporadic response yesterday, except in the Eastern Cape where there was a fairly widespread stayaway.

CLAIRE-PICKARD CAMBRIDGE, DIANNA GAMES and Sapa

Thousands in the Eastern Cape reported for work but returned home shortly afterwards. Nearly 3 000 municipal workers left their offices in the Eastern Cape, while General Motors in Port Elizabeth closed its plant after hundreds of workers returned home.

The Labour Monitoring Group reported a 24% stayaway among blacks in Cosatu-organised factories in the manufacturing sector of the Pretoria-Witwatersrand-Vereeniging (PWV) area and an 11% stayaway in the region's retail industry.

The group was not aware of action, such as stoppages, by those who came to work yesterday.

Major employers in Durban and Pinetown only reported a few isolated stayaways.

Cosatu called off the stayaway in the Western Cape and Northern Natal at the weekend. Union leaders on the Ree it had been difficult to organi stayaway as restrictions on union made communication difficult.

Mines affected by the stayaway terday were Anglo American's Fre Rand Mines' Duvha and Rietspruit lieries, Gencor's Matla colliery and coal's Arnot colliery. NUM said coal's Kriel colliery had also affected, but this was not confirme management.

Still no passport for unionist Pandelani

The Department of Home Affairs has refused a passport to trade union leader Mr Pandelani Nefolovhodwe for the fourth time in two years.

He was invited to Australia by the Australian Labour Council at the beginning of July. The department wrote to him on July 15 to say his passport application was again refused.

"The letter told me I could make representations to the department about the refusal. I was told to supply documents detailing the purpose of my visit and my itinerary, to explain why I was undertaking the journey and who would be responsible for my expenses," he said.

"Many trade unionists travel but I have never been allowed to leave SA."

Freed UDF man restricted

An official of the United Democratic Front (UDF) and Transvaal Indian Congress (TIC), Dr R A M Salojee, was yesterday released from detention after being held for nearly two months, but at the same time was placed under restrictions.

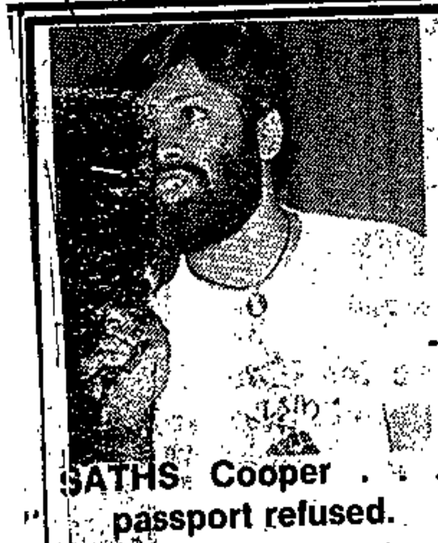
Also released was Mr Haroon Patel, an Azapo official.

No restrictions were placed on Mr Patel. Dr Salojee, however, may not leave the Johannesburg magisterial district.

Nor may he take part in any activities of the UDF or the TIC, enter the grounds of any educational institution, or attend political gatherings.

Mrs Sarah Salojee said she had no idea her husband was to be released yesterday.

"I can't put my feelings into words — I am just so happy," she said.



SATHS Cooper . . . passport refused.

Govt turns down Saths

THE leader of the Azanian People's Organisation and of the National Forum, Mr Saths Cooper, has again been refused a passport to travel to the United States where he has been offered a scholarship to further his studies in clinical psychology.

On his release last week from detention under the state of emergency, he found a letter dated June 30 from the Department of Home Affairs rejecting his application. No reasons were given.

Mr Cooper, a former Robben Island prisoner, has been offered the Fulbright Scholarship in the US as well as a scholarship by the British Council.

He said yesterday he had planned to study for a doctorate in clinical community psychology at Boston University.

Mr Cooper was also refused a passport in May this year, and he reapplied shortly before his detention on June 12.

—Sapa.

Tambo interview: SAAN fined

THE board of directors of South African Associated Newpapers (SAAN), owners of the Cape Times, has paid a R300 admission-of-guilt fine for publishing an interview with African National Congress leader Mr Oliver Tambo.

But the board staunchly defends its belief that South Africans should be aware of ANC policies.

"The board holds fast to the view that the public has a right to know and it is important that South Africans be aware of the policies of the ANC and what is said by its leaders. Without adequate information informed judgments cannot be made," SAAN said in a statement.

Cape Times editor Mr A H Heard was originally charged with contravening the Internal Security Act by quoting Mr Tambo after an interview in London. The interview was published on November 4 last year.

After several postponements the charge, for which imprisonment is the only punishment, was withdrawn and the company summonsed.

The board of directors decided the company should pay the fine rather than contest the matter. —Sapa.

Bishop's visa is withdrawn

Own Correspondent

CAPE TOWN — The South African Government withdrew a visa issued to the head of the church in China within hours of granting him permission to attend the enthronment of Archbishop Desmond Tutu.

And other foreign guests are in Nairobi waiting to hear whether they will be granted visas.

Mr Terry Crawford-Browne, a Press officer, said yesterday the Anglican Church had been advised by a reporter of the *South China Morning Post* in Hong Kong that the visa issued on Wednesday to Bishop Ding Guangxun had been withdrawn less than 24 hours later.

No reason was given.

Mr Crawford-Browne said Archbishop Tutu had been delighted when he heard the bishop was to attend and would "obviously be very disappointed".

● See Page 11.

Mawu wants Mayekiso out

THE Metal and Allied Workers' Union has called for the release of general secretary Moses Mayekiso, presently being held under Section 29 of the Internal Security Act.

Mayekiso was initially held under emergency regulations, but police announced later that he was now held under Section 29.

Mawu said the SA police told them this week that Mayekiso was detained because they have information that he has been involved in actions aimed at overthrowing the State".

Mawu said: "We do not believe Mayekiso has been in any way involved in overthrowing the State.

"Mawu does believe that, as an important member of the community in Alexandra, he played a role in trying to improve the appalling living conditions in the township.

"Gangsterism was rife in the area, there is terrible overcrowding, and the bucket toilet system is still in use – with up to six families using one bucket."

The statement added: "The State has allowed conditions in Alex to deteriorate, hoping this would encourage people to move to Soweto.

"No trade unionist could refuse to participate in attempting to improve these disgusting conditions."

Restriction orders on freed detainees

328

Own Correspondent

JOHANNESBURG. — Restriction orders have been placed on several freed emergency detainees after their release.

According to a spokesman for the Detainees' Parent Support Committee (DPSC), the restrictions are similar to banning orders.

A DPSC report issued yesterday named 15 people who have been restricted.

The orders are also similar to those imposed on a number of detainees freed during the previous state of emergency and include restraints on the movements, utterances, occupation, attendance at educational institutions, access to specified buildings, presence at gatherings and participation in organisations.

A lawyer confirmed that the orders are issued under emergency regulations and will last as long as the emergency. He believed more than 15 people had received orders of this nature.

Those restricted include: Dr Wolfram Kistner, SACCC director of Justice and Reconciliation; Dr Rashid Saloojee, Transvaal UDF vice-president; Ms Clair Wright, Wits SRC president; trade unionist Mr Sendile Nongxa; Black Students Society president, Mr Dali Mpofu; CUSA regional co-ordinator, Ms Joyce Sedibe; Transport and Allied Workers Union president, Mr Alex Mahlatjie; Ikageng Civic Association chairman, Mr Joe Monchosi; the Rev Abe Visagie of the Midlands Council of Churches; SA Chemical Workers Union organizer Mr Samela Manene; Mr Busisiwe Mabuza, a Turfloop student; Mr Elijah Barayi, the Cosatu president; Mr Jerry Thibedi of the Metal and Allied Workers Union; Garment Workers Union official Mr Ray Lazarus and Ms Elizabeth Erasmus of the Clothing Workers Union.

Meanwhile **Patrick Cull** reports that the MP for Port Elizabeth Central, Mr John Malcomess, said yesterday said that the restrictions imposed on Ms Sandy Stewart, a Port Elizabeth member of the Black Sash, who was released from detention at the weekend, were "a clear indication that the government has no idea of the meaning of democracy or justice".

Mr Malcomess said that Ms Stewart was prevented from attending any meeting at which any past or future actions of the government were criticized.

Picture: ANNE LAING

Restriction orders on freed detainees

Own Correspondent

JOHANNESBURG. — Restriction orders have been placed on several freed emergency detainees after their release.

According to a spokesman for the Detainees' Parent Support Committee (DPSC), the restrictions are similar to banning orders.

A DPSC report issued yesterday named 15 people who have been restricted.

The orders are also similar to those imposed on a number of detainees freed during the previous state of emergency and include restraints on the movements, utterances, occupation, attendance at educational institutions, access to specified buildings, presence at gatherings and participation in organisations.

A lawyer confirmed that the orders are issued under emergency regulations and will last as long as the emergency. He believed more than 15 people had received orders of this nature.

Those restricted include: Dr Wolfram Kistner, SACCC director of Justice and Reconciliation; Dr Rashid Saloojee, Transvaal UDF vice-president; Ms Clair Wright, Wits SRC president; trade unionist Mr Sendile Nongxa; Black Students Society president, Mr Dali Mpofu; CUSA regional co-ordinator, Ms Joyce Sedibe; Transport and Allied Workers Union president, Mr Alex Mahlatjie; Ikageng Civic Association chairman, Mr Joe Monchosi; the Rev Abe Visagie of the Midlands Council of Churches; SA Chemical Workers Union organizer Mr Samela Manene; Mr Busisiwe Mabuza, a Turfloop student; Mr Elijah Barayi, the Cosatu president; Mr Jerry Thibedi of the Metal and Allied Workers Union; Garment Workers Union official Mr Ray Lazarus and Ms Elizabeth Erasmus of the Clothing Workers Union.

Veteran unionist's court bid

Cape Times 13/9/88 328

Supreme Court Reporter

A VETERAN trade unionist has asked the Supreme Court to rule invalid "conditions of release" imposed on her when she was allowed to leave jail after over two months in detention.

The 61-year-old Mrs Elizabeth Nanna Abrahams, an official of the Food and Canning Workers' Union (now the Food and Allied Workers' Union) for over 26 years, says the "conditions" are unlawful because they are grossly unreasonable, uncertain and either mala fide or the result of a failure by the Minister of Law and Order to apply his mind.

Mrs Abrahams also seeks an order declaring invalid section 3 (1), (3) and (6) of the emergency regulations. The sections deal with powers of arrest, detention and conditional release.

Mrs Abrahams, who was banned in 1963 for eight years, is now the union branch secretary in Paarl, with duties extending to Wellington which is outside the Paarl magisterial district.

The "conditions" imposed on her forbid her to leave the Paarl magisterial district except to travel between home and her place of work, or on "bona fide" union business when she must first inform the police of her intended period of absence, place of residence during absence and nature of business.

Other "conditions" forbid her from giving interviews or statements to journalists except on "bona fide" union matters, and from "attending any gathering at which any action or contemplated action by the government is in any manner whatsoever attacked or criticized".

The application was postponed by agreement until September 17.

Mr Justice H C Nel presided. Mr P B Hodes SC, with Mr S A Jordaan and instructed by the State Attorney's Office, appeared for the respondents. Mr J J Gauntlett, instructed by Bernadt, Vukic and Potash, appeared for Mrs Abrahams.

Trade unionist challenges conditions of her release

Staff Reporter

POLICE have alleged in the Supreme Court, Cape Town, that veteran unionist Mrs Elizabeth Nanna Abrahams is an office-bearer in an organisation which seeks to promote "revolutionary feelings and aims" in Paarl.

The allegations are contained in affidavits replying to Mrs Abrahams's application for an urgent interdict invalidating what she claims are "grossly unreasonable" conditions of her release from emergency detention.

The application has been postponed without a date.

Mrs Abrahams, Paarl secretary of the Food and Allied Workers Union, was detained from June 18 to August 25. The conditions of her release prevent her speaking to journalists, attending meetings where the Government is criticised and leaving Paarl without notifying police.

Mrs Abrahams, 60, said in papers the conditions made it impossible for her to perform her union duties. She claimed her detention was invalid and consequently the conditions of release were illegal.

The respondents are the State President, the Minister of Justice and the Minister of Law and Order.

Lieutenant-Colonel D F le Roux said that in 1962 Mrs Abrahams was elected to the national management committee of the South African Congress of Trade Unions (Sactu), "the labour wing of the banned African National Congress".

She was elected deputy chairman of a Paarl community organisation, the primary aim of which was "to further the revolutionary feeling and aims in the black community".

Replying, Mrs Abrahams said Sactu was an independent labour movement. She had never been a member of the ANC or the South African Communist Party.

COSAS HAS TO WAIT FOR OUTCOME

THE Congress of South African Students will have to wait to hear the outcome of its bid to have the organisation's banning overturned.

After hearing argument for both sides Mr Justice Leon reserved his judgment in the Supreme Court, Durban, on Monday.

The Minister of Law and Order, Mr Louis le Grange, issued a proclamation in the Government Gazette on August 28 last year declaring Cosas to be an unlawful organisation in terms of Section 4 (1) of the Internal Security Act No 74 of 1982.



MINISTER Le Grange' ... respondent.

Force

Cosas has asked for an order making the Minister's declaration to be of no force and effect.

The application was heard by Mr Justice Leon.

A student, Glen Gabriel Goldstone, who was the Cosas national treasurer and served on the national executive until the banning, said in an affidavit that there was no lawful reason for the Minister to have banned the organisation.

Mr Goldstone said Cosas was dedicated to attaining a society where free compulsory education was a right and not a privilege.

He said no Cosas office bearer had been convicted of an unlawful act while in office.

Certain members, he added, acting as individuals had fallen foul of the law but thee was no institutional link between the organisation and any unlawful act.

BID TO HAVE BAN ORDER LIFTED

Mr Goldstone said Cosas had been given no advance warning of the banning nor was it or any of its office bearers given an opportunity to put any information before the Minister or anyone else.

He said before the banning Cosas did not receive any written notice from an advisory committee as required by section 7 (5) of the Act.

Mr Goldstone said if an advisory committee had been appointed by the Minister in terms of the Act neither it or any other reasonable committee could possibly have formed the opinion that there were any grounds that made it necessary not to comply with the provisions of Section 7 (5).

He claimed that the banning was invalid because an advisory committee had not been convened in terms of Section 7.

In his replying affidavit the Minister of Law and Order, Mr le Grange, said he had received information on Cosas since its inception.

Military

This information had come from a number of sources which included military intelligence, the security police, the National Intelligence Service and the intelligence section of the railways police.

The Minister said he had come to the conclusion that Cosas was involved in activities that endangered the safety of the State and maintenance of law and order.

After hearing argument for both sides Mr Justice Leon reserved his judgment.

WEEKLY MAIL 26/9/86

328

A rare peep inside the banning machinery

A court case in which the outlawed student organisation Cosas is contesting its banning order, has provided a rare glimpse of the elaborate process by which the state monitors and bans organisations. JO-ANN BEKKER reports

DETAILS of how the government monitors political organisations and sets about banning them were revealed in papers before the Natal Supreme Court this week, when the Congress of South African Students (Cosas) contested its banning.

Cosas, which was banned on August 28 last year, is the first organisation in South African history to fight a banning order.

Its national treasurer Glen Gabriel Goldstone, who brought the application, said Cosas "was dedicated to attaining a society where free and compulsory education would cease to be a privilege but would be a right". Its aims were pursued peacefully, and no office bearer had been convicted of any unlawful activity in his or her official capacity, he added.

The respondent, Law and Order Minister Louis le Grange, said in papers before the court that Cosas had been involved in boycotts, intimidation and violent acts which endangered public security and threatened the lives of individuals.

Le Grange revealed that, since its formation in 1979, Cosas had been monitored by the SA Police's Security Branch, the National Intelligence Service, Military Intelligence, "the information sections of government departments" and the Security Branch of the SA Railways Police.

He said "a point was reached during November 1984" when he asked the Minister of Justice to request the State President to form an advisory committee to investigate whether Cosas should be declared a banned organisation — a procedure required by the Internal Security Act.

The three-person committee was chaired by a former president of the Industrial Court and Northern Transvaal regional magistrate, Benjamin Parsons. Its other members were M E Tucker, SC, former Attorney General of the Orange Free State, and J A Venter, a Northern Transvaal magistrate.

After 84 day-long sessions which began on February 20, 1985 and ended on August 12, the committee recommended that Cosas be banned.

A major point of dispute in the application hinges on the fact that Cosas was not informed that the investigation was under way, nor was it given an opportunity to put its case to the committee.

Goldstone claims this ommission invalidates the committee's findings and thus the banning order.

Parsons, in his affidavit, says the decision was taken in the public interest after careful thought. And Le Grange states that he had already come to an independent decision to ban Cosas, when he received the advisory committee's 224-page report.

In his affidavit, Le Grange states Cosas was one of three groups which called a meeting in the Vaal Triangle on September 3, 1984, the day the current wave of unrest began. At this meeting, he said, a section of the audience, "where people wearing Cosas T-shirts were sitting", called out that community councillors should be killed and their property burnt.

In his replying affidavit, Goldstone said these allegations were among the most serious made by Le Grange. Although these claims overlapped with the substance of the Delmas treason trial, where the accused are charged with instigating the Vaal unrest, not one member of Cosas was among the 22 accused or had even been charged.

Justice Leon will also have to rule on two ouster clauses. The State argues that the applicants should have contested their banning within 14 days, and that no court may challenge an advisory committee.

Goldstone contests the 14-day deadline and argues that only the functions of the advisory council cannot be challenged, not its decision to keep its investigation into Cosas from the organisation itself.

Judgement was reserved.

Judge objects so book is withdrawn

SUNTIMES 328 28/9/86

By NEIL HOOPER

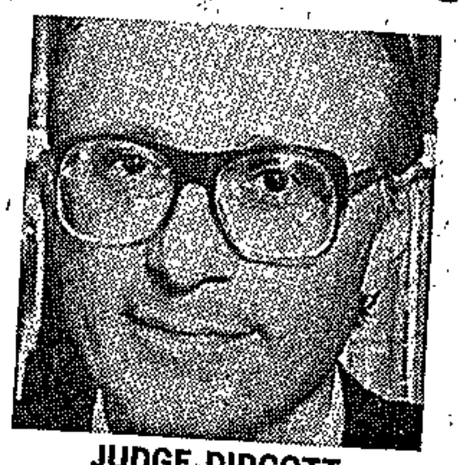
A NATAL judge, Mr Justice Didcott, has forced the publishers of a book on the history of communism in South Africa to withdraw it from sale — or face the threat of a court action.

The book is "A History of Communism in South Africa" by American conservative Baptist minister Dr Henry Pike and is one of the most comprehensive of its kind written for laymen.

The often outspoken judge this week refused to comment, but both the Central News Agency (CNA) and the publishers, Christian Mission International of South Africa, confirmed the withdrawal of the book.

Mr Richard Brand, merchandising manager of the CNA book division, said: "We had a letter from a judge in Natal who took exception to part of the book. After taking legal advice the book was withdrawn from sale."

Mr Brand declined to name the judge who complained.



JUDGE DIDCOTT
No comment

Deleted

The general secretary of Christian Mission International in South Africa, Mr Doug Steytler, said his organisation, which published the book in South Africa last year, had received a letter from Judge Didcott in June complaining about the book.

"He objected to two sentences referring to Nusas and its former relationship with the International Union of Students, and asked us to withdraw the book immediately from all outlets until the passage had either been deleted or amended," Mr Steytler said this week.

"We notified the CNA and all other outlets selling the book to withdraw it temporarily until we had sorted out the matter.

"We then had an amended passage printed which we intended sticking over the passage to which Judge Didcott had objected.

"But he found this unacceptable and for the time being the book will remain withdrawn from sale," Mr Steytler said.

There author of the book, Dr Henry Pike, who spent 10 years in South Africa, is both outspoken and conservative, and an avowed opponent of communism.

On the book's flyleaf he is described as "not sympathetic to the evil ramifications of apartheid-but considers the one-man, one-vote policy a suicidal answer to South Africa's problems in view of its destructive results in other countries.

"He is totally opposed to the left, the radical right, psuedo-liberalism and every shape, form and fashion of Marxism-Leninism."

The publishers add that although the book is "basically scholarly and written with true Christian candour, it is nevertheless a hard-hitting narrative which unsparingly uses many adjectives to describe persons, places and events as they are ..."

The publishers predict that the book "will prove highly informative to sincere persons of upright motives and of different political persuasions. It will be a pure delight to the conservative Christian".

Judge Didcott, too, is not a person to mince words. He has hit the headlines on several occasions, most recently when he and a full bench of the Natal Division of the Supreme Court in Durban declared certain clauses of the emergency regulations invalid.

Cosas application dismissed

Cape Times 2/10/86 Own Correspondent 328

DURBAN. — An application by the Congress of South African Students to have its banning order reversed was dismissed with costs by Mr Justice Leon in the Supreme Court here yesterday.

The organization was banned by the Minister of Law and Order, Mr Louis le Grange, in August last year.

In his judgment, Mr Justice Leon said the papers had not suggested that the minister's conduct in issuing the ban was other than impeccable.

The minister had followed the provisions of the statute in considering the report and recommendations of his advisory committee and other relevant information and only after that had he reached a decision.

Mr I Mahomed, SC, with Mr E Cameron, instructed by Pampallis and Randles, appeared for the applicants. Mr J H Combrink, SC, assisted by Mr J A Booyens, instructed by the Deputy State Attorney's office, appeared for the minister.

Objector Wilkinson released from detention

Own Correspondent

PORT ELIZABETH. — Conscientious objector Mr Philip Wilkinson has been released after 111 days in detention.

Detained under the emergency regulations on June 14, Mr Wilkinson was released on Friday.

Commenting on his release yesterday, Mr Wilkinson said he was "delighted" to be out, but said restrictions served on him, which were effective until August 31, 1987, had only provided him with "partial freedom".

The restrictions prohibit him from:

• "Organizing or attending any address of any gathering consisting of more than five persons in connection with any proposed action with regard to any constitutional, political, social or economic aim of the government.

• "Holding any office in the PE Area Committee or the End Conscription Campaign (ECC) committee.

• "Taking part in the activities of the PE Area Committee or the ECC directed at demonstrating or protesting against any action or proposed action by the government with regard to any constitutional, social, economic or political aim of the government."

Mr Wilkinson objected to military service on religious grounds earlier this year and was arrested shortly before he was to address an ECC rally.

After spending seven days in detention, he was charged with failing to report for a military camp on April 28 and released on R100 bail. The case was postponed until July 29, but charges were provisionally withdrawn on July 19.

CAPE TIMES 17/10/86

28 ex-detainees restricted — RMG

By CLARE HARPER

THE number of known ex-detainees served with strict restriction orders has increased to 28, according to the latest Repression Monitoring Group weekly fact sheet.

However, the chairman of the Detainees Parents Support Committee, Mr Max Coleman, said the number of people served with the restriction orders was "well into the hundreds".

"It is impossible to keep track of the numbers, because the new restrictions — which are basically another form of banning — are not required to be gazetted," he said.

The most recent restrictions signed by the Minister of Law and Order, Mr Louis le Grange, were served on three clergymen: The Anglican Bishop Suffragan of Johannesburg West, the Rev M S Ndwandwe, the Rev L P Kolisang and Father S S Kolisang following their release from detention last month.

Those restricted include lawyers, trade unionists, church and student leaders, politicians, civic leaders and journalists known for their active opposition to apartheid, Mr Coleman said.

A spokesman from the police public relations directorate in Pretoria said "no centralized records of restriction orders are kept".

Restricted people known to the Cape Times are: Mrs Elizabeth Nana Abrahams, Mr Elijah Barayi, Ms Elizabeth Erasmus, Dr Wolfram Kistner, Mr Gert Koenana, the Rev L P Kolisang, Ms Rae Lazarus, Mr Mike Loewe, Mr Alex Mahlatjie, Mr Stanley Mathatha, Mr Llewellyn McMaster, Mr Samela Menene, Mr Joe Monchosi, Mr Maxwell Moss, Mr Dali Mpofu, Mr Busiswe Mabuza, Father S S Masopha, the Rev M S Ndwandwe, Mr Sandile Nongxa, Dr Rashid Saloojee, Ms Joyce Sedibe, Mr John Smith, Mr Jerry Thibedi, Mr Petros Tom, Mr Dudley van Heerden, Father G van den Sompel, the Rev Abe Visagie and Ms Claire Wright.

WEEKLY MAIL
17/10/86
328

Court sets restriction orders aside

By JO-ANN BEKKER

TWO Johannesburg trade unionists this week successfully challenged restriction orders served on them on their release from detention.

It was the first time the restriction orders, issued in terms of Regulation 3 (6) of the Emergency decree, had been contested in court.

Although the ruling did not set aside the regulation itself, lawyers believe the judgement could have far-reaching implications for the more than 30 Emergency detainees served with similar orders on their release.

In terms of the orders, Council of Unions of South Africa (Cusa) executive member Daniel Manene Samela and regional co-ordinator Nana Joyce Sedibe had to ask official permission to leave their home magisterial area. They were barred from giving interviews and from attending meetings at which the government was criticised.

Judge R Goldstone of the Rand Supreme Court said it was unnecessary for him to rule on the validity of Regulation 3 (6), as both parties had agreed that the particular conditions relating to the Cusa unionists were incorrect.

He set aside the restriction orders and ordered costs to be paid by the respondents, the State President and the Minister of Law and Order.

ork. Mr Ghenassia — Sapa-Reuter

More ex-detainees restricted

Cape Times 20/10/86 328

By CLARE HARPER

THE number of known ex-detainees served with strict restriction orders has increased to 28, according to a Repression Monitoring Group weekly fact sheet.

However the chairman of the Detainees' Parents Support Committee, Mr Max Coleman, said on Friday that the number of people served with the restriction orders was "well into the hundreds".

"It is impossible to keep track of the numbers, because the new restrictions — which are basically another form of banning — are not required to be gazetted," he said.

The most recent restrictions signed by the Minister of Law and Order, Mr Louis le Grange, were served on three clergymen — the Anglican Bishop Suffragan of Johannesburg West, the Rev M S Ndwandwe, the Rev L P Kolisang and Father S S Masopha — following their release from detention last month.

A spokesman from the Police Public Relations Directorate in Pretoria said that "no centralized records of restriction orders are kept".

Restricted persons known to the Cape Times are: Mrs Elizabeth Nana Abrahams; Mr Elijah Barayi; Ms Elizabeth Erasmus; Dr Wolfram Kistner; Mr Gert Koenana; the Rev L P Kolisang; Ms Rae Lazarus; Mr Mike Loewe; Mr Alex Mahlatjie; Mr Stanley Mathatha; Mr Llwellyn McMaster; Mr Samela Menene; Mr Joe Monchosi; Mr Maxwell Moss; Mr Dali Mpofu; Mr Busiswe Mabuza; Father S S Masopha; the Rev M S Ndwandwe; Mr Sandile Nongxa; Dr Rashid Saloojee; Ms Joyce Sedibe; Mr John Smith; Mr Jerry Thibedi; Mr Petros Tom; Mr Dudley van Heerden; Father G van den Sompel; the Rev Abe Visagie and Ms Claire Wright.

Hang glider flies off Mt Everest

ire, Mr Eben [illegible] New DEC chief appointed [illegible]

Cape Times
27/10/86
328

Court plea on terms of release

Supreme Court Reporter

CONDITIONS of release imposed on veteran trade unionist Mrs Elizabeth Abrahams by the Minister of Law and Order "subvert what the minister himself set out to do", the Supreme Court heard last week.

Mr J J Gauntlett was arguing in support of an application brought by Mrs Abrahams, Paarl branch secretary of the Food and Allied Workers' Union, for an order declaring invalid conditions imposed on her when she was released on August 26 after more than two months in detention.

The conditions forbid her from leaving the Paarl magisterial district except on bona fide union work, when she must report in person to the Paarl police her intended period of absence, place of residence during absence and nature of business.

She is also forbidden to grant any interview or submit any communication — except those that have a direct bearing on trade union matters — to any journalist.

The third condition forbids her to "attend any gathering at which any action or contemplated action by the government ... is in any manner whatsoever attacked or criticized".

Mr Gauntlett said the minister acknowledged that Mrs Abrahams had primary work commitments in Paarl, Wellington and Groot Drakenstein. The minister also asserted that he considered Mrs Abrahams could resume her trade union activities on her release.

Yet the conditions of release framed by the minister prevented Mrs Abrahams from doing so. The only conclusion was that the minister had failed to apply his mind.

This conclusion was supported by the "startling admission" of Lieutenant-Colonel Daniel le Roux, the security policeman most directly concerned with action against Mrs Abrahams, that he did not have actual knowledge of her working circumstances.

Mr Gauntlett attacked the conditions of release on a number of other fronts.

Mr P B Hodes SC, for the State President, the Minister of Justice and the Minister of Law and Order, said the conditions did not prevent Mrs Abrahams from doing her job.

Judgment was reserved.

Mr Justice H C Nel presided. Mr Gauntlett was instructed by Bernadt Vukic and Potash. Mr Hodes appeared with Mr S A Jordaan and was instructed by the State Attorney.

and also decided to swim to shore.

Judgment on unionist's bid reserved

Staff Reporter

JUDGMENT has been reserved in the Supreme Court, Cape Town, in an application by Paarl trade unionist Mrs Elizabeth Nanna Abrahams for an order invalidating retrictions on her movements and declaring her detention unlawful.

The court heard that since being released from detention in August she had been barred from leaving Paarl without police permission and banned from giving newspaper interviews and taking part in meetings where the Government was criticised.

Mr J J Gauntlett, for Mrs Abrahams, said the Minister of Law and Order, Mr Louis le Grange, did not apply his mind when authorising the restrictions.

He said Mr le Grange decided in August that it was no longer necessary to detain Mrs Abrahams.

FREEDOM CONFINED

Mr Gauntlett said the restrictions on Mrs Abrahams's freedom were framed in such a way that her right to move freely and without permission was confined to the Paarl magisterial district.

He said the restriction on giving interviews to journalists was so wide that Mrs Abrahams could violate them if she returned a subscription form to a circulation manager or entered a competition run by a magazine.

Mr P Hodes SC said Mrs Abrahams used her position as a trade unionist and as a member of the United Democratic Front to influence people.

Mr Justice H Nel reserved judgment.

Mr Gauntlett was instructed by Bernadt, Vukic and Potash. Mr Hodes, assisted by Mr S A Jordaan, was instructed by the State Attorney.

...corner 3rd AVENUE & 9th STREET...
Plenty parking
...n 6 days a week 8.30 am — 7.30 p...
...ABLE TODAY TILL SATURDAY 1/11/...
ANY MORE IN-STORE SPECIALS. PR...
CHICKEN BRAAI PACKS ... R...
CONDENSED MILK ... R...
...ED BEANS ...
IGAR 500 g ...
...
...OLLS ...
...OFFEE 750 g ...
NEEDLE BROWN RICE 2 kg ...
5 kg ...


SAVE MONEY
SALE
...165 x 13...

328

SILENCED

NOT everybody was saddened by the restrictions imposed on Dr Rashid Saloojee when he was released from detention recently.

Some people were somewhat overjoyed — not out of spite or lack of sympathy, but out of self-interest because they stood to benefit from his restricted movements.

Dr Saloojee, of Lenasia, was detained on June 12, the day the current state of emergency was declared. He was held at Diepkloof Prison and was released on August 1.

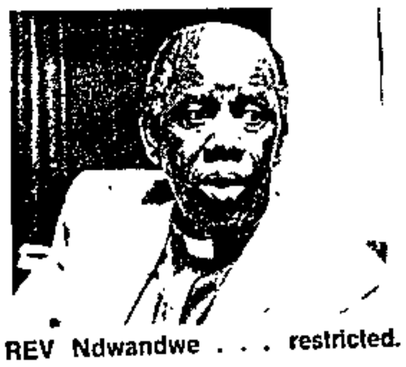
His release was subject to conditions that he refrain from active involvement in political activities and from leaving the magisterial district of Johannesburg without permission.



Dr RASHID Saloojee . . . restricted.



Mr ELIJAH Barayi . . . restricted.



REV Ndwandwe . . . restricted.

Relief

For his wife, Sarah, the restrictions on Dr Saloojee's movements came as a relief because he will now be able to spend more time with his family. As an official of more than 10 organisations, Dr Saloojee spent most of his time away from home.

His patients were also relieved. They sometimes waited for hours at his surgery and he would either be late or not turn up at all because of commitments with political, religious or community affairs.

From August 1 this year until June 11 next year, Dr Saloojee may not take part in activities of the United Democratic Front and the Transvaal Indian Congress, of which he is vice-president.

He is also barred from entering or being in the premises of any school, university, college or educational institution. He may not attend any gathering at which State policy or principles are attacked, criticised or discussed.

Gatherings of pupils or students, or those at which any local authority is attacked, criticised or discussed also fall into this category.

Dr Saloojee may also not publish or cause or assist in the preparation, compilation, publication or dissemination of any publication as defined in the Internal Security Act of 1982.

This means, among others, that he may not be quoted and may not grant an interview to the Press.

But these restrictions are confusing. As a medical practitioner, Dr Saloojee has to attend lectures from time to time to keep himself up at date with developments in medicine.

Also, although he is a resident of Lenasia, he may not go to Lenasia South to treat his patients there because the area falls under the magisterial district of Westonaria.

A new hospital is to start operating in the area soon.

Patients

In terms of his restrictions, even if he were to refer patients to the hospital, he would not be able to go to the hospital to check on them.

Dr Saloojee was first detained on the eve of the "coloured" elections on August 22, 1984 and was released on December 10 after four months behind bars.

His next detention was on July 22, 1985 when a state of emergency was declared for the second time in South Africa.

He was released on November 12 and was also served with restriction orders. In terms of those orders he was not allowed to enter buildings of trade unions or churches, black residential areas or premises of the South African Council of Churches.

Restrictions, signed by the Minister of Law and Order, Mr Louis le Grange, have been issued to 23 other emergency detainees who include politicians, student leaders, trade unionists, lawyers and civic leaders.

The restrictions do not differ substantially from those that the Government used to impose in terms of the Internal Security Act when it was stated that they were imposed because the Minister of Law and Order had reason to believe that the person restricted engaged in activities which threatened the maintenance of law and order in the country.

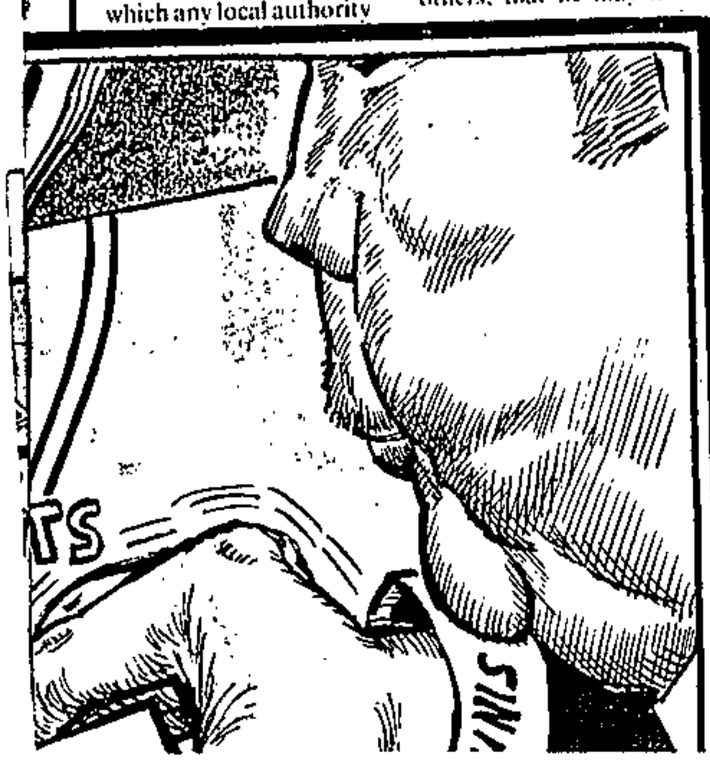
Another difference is that the restrictions will last for a year, whereas previously they used to vary from three to five years. Also, restricted people are not required to report at the police station regularly.

Some of the restricted leaders are Dr Wolfram Kistner, of the SACC; Mr Elijah Barayi, president of the Congress of South African Trade Unions and the Anglican Bishop Suffragan of Johannesburg West, the Rev Sigisbert Ndwandwe.

By a stroke of the pen

FOCUS

By SAM MABE



The Media Council

THE South African Media Council is an independent body established to deal with various matters affecting media reporting and comment.

One of the council's functions is to receive and act upon complaints from members of the public who have not been able to get satisfaction by approaching a newspaper or other news

Restriction orders on seven

JOHANNESBURG. — Seven people have been banned from taking part in anti-apartheid activities.

The seven, members of the Johannesburg Democratic Action Committee (Jodac), the End Conscription Campaign (ECC) and Black Sash, have been prohibited under the Public Safety Act of 1953 from taking part in any activities of the Black Sash, Detainees Parents Support Committee, the ECC, the Federation of Transvaal Women, Jodac, the National Education Union of South Africa and the United Democratic Front.

"Human rights"

Those restricted are Karen Cooper, Colin Purkey, Marguerite Schneider, Joy Harnden, Sheila Weinberg, Aneene Dawber and Annemarie Rademeyer.

A Jodac spokesman said that when they were served with their orders the members were told that the restrictions were an alternative to detention.

He said the Government was not prepared to tolerate any criticism "especially in the field of human rights and democracy". — Sapa.

A new style in 'banning' orders

By JO-ANN BEKKER

THE government is using a new, streamlined restriction order to curtail extra-parliamentary political work after repeated attempts to ban activists have been thrown out by the courts.

Seven white Johannesburgers — members of the United Democratic Front-affiliated Johannesburg Democratic Action Committee (Jodac) or the End Conscription Campaign (ECC) — became the first recipients of the latest Emergency restriction orders last Friday.

Previously, Emergency "banning orders" had been served on a number of activists and unionists on their release from detention. The latest restrictions, however, were served instead of — and not as a sequel to — detention.

Over the last nine months, bannings — in terms of both the Internal Security Act and the Emergency regulations — have been invalidated by court rulings, either on the grounds of vagueness or because adequate reasons were not given.

Winnie Mandela, who has suffered one restriction order or another for 10 years, Port Elizabeth Consumer Boycott Committee leader Mkhuseli Jack, and Elijah Barayi, president of the Congress of South African Trade Unions, are just three of the activists who benefitted from judgements brought on their behalf or on behalf of others with similar restrictions.

The new Emergency bannings are less sweeping than the previous restrictions which often confined people to one magisterial district and banned all political activity. But the latest orders are more tightly worded, and lawyers believe they will be less easy to challenge in court.

Unlike Internal Security Act bannings, they are effectively indefinite as they will remain intact for as long as there is a State of Emergency. The fact that these restrictions have been issued has in itself been seen by some observers as a sign that the authorities are not planning to lift the Emergency in the near future.

The restrictions against the Johannesburg seven appear to be aimed at preventing them from campaigning in the white community.

They are banned from participating in meetings of certain organisations in the district of Randburg and Johannesburg — the black areas of Soweto, Diepkloof or Meadowlands are specifically excluded from the prohibited zones — at which they incite members of the public to support or promote:

- Calls for the release of Emergency detainees or political prisoners, the lifting of the State of Emergency, the unbanning of the African National Congress, the withdrawal of the SA Defence Force from any area, or an end to compulsory military service, or
- Protests against any Security Force actions.

A puzzling factor, however, is that while the seven are forbidden to campaign for the resignation of members of the (coloured) House of Representatives or the (Indian) House of Delegates, no restriction is placed on similar calls on members of the (white) House of Assembly.

The seven may also not participate in the ECC's "Tie a Yellow Ribbon for a Just Peace" campaign.

Those restricted are Marguerite Schneider, Karen Cooper, Sheila Weinberg, Anne Marie Rademeyer, Aneen Dawber, Joy Harnden and Colin Purkey.



Order restricts range of activities

By CLARE HARPER

A NEW type of restriction order is being served on people, other than released detainees, banning them from taking part in a wide range of activities, including supporting or promoting calls for MPs to resign.

A copy of the restriction order appears in the October 31 edition of the Detainees Parents Support Committee Fourth Special Report on the emergency.

DPSC spokesman Dr Max Coleman said yesterday: "It appears that the authorities feel threatened by the strong response to the calls. The restrictions are amongst the first attempts to declare such calls illegal."

He said the restrictions were a form of nullifying the activities of people in progressive organizations, other than by detaining them.

People served with these orders are forbidden to take part in the activities of eight organizations if the activities are intended to have the affect of "inciting the public to support a call or promote a call" for:

- ☐ The release of any detainee or detainees.
- ☐ The lifting of the state of emergency.
- ☐ The unbanning of the African National Congress.
- ☐ The withdrawal of the South African Defence Force from the townships.
- ☐ Any particular member of members of the House of Representatives or the House of Delegates to resign.

The organizations are the United Democratic Front, the Black Sash, the DPSC, the Detainees Support Committee, the End Conscription Campaign, the Federation of Transvaal Women, the Johannesburg Democratic Action Committee and the National Education Union of South Africa.

Dr Coleman said the DPSC knew of eight people from the ECC and Jodac who had been served with this particular type of restriction order.

Cape Times 14/11/86

Suzman condemns 'order'

Staff Reporter

THE PFP and the Black Sash have "strongly condemned" the new type of restriction order which prohibits people from taking part in a wide range of activities of several extra-parliamentary opposition organizations.

Those served with the order are banned from, among other things, "inciting the public to support or promote a call" for certain MPs to resign, the release of detainees, the unbanning of the ANC or the lifting of the state of emergency.

The Progressive Federal Party spokeswoman on law and order, Mrs Helen Suzman, said the restriction order was "outrageous".

Mrs Suzman said the order was a "further infringement of individuals' rights to promote causes — all of which are completely legal".

She said the orders were a "far-reaching and objectionable exercise of state power under the emergency" and a "gross violation of the right of free association and free speech".

The national president of the Black Sash, Mrs Mary Burton, said that in spite of the release of some Sash members, they were still not free to work again as a result of the restrictions.

328

+ EMERGENCY UPDATE +

PFP call to lift new 'muzzling' restrictions

The Argus Correspondent

PRETORIA. — The Progressive Federal Party has denounced the restriction orders being served on a number of people, forbidding them from taking part in certain activities.

The orders, issued in terms of the emergency regulations, fall under Section 7 (1) of the Public Safety Act.

At least eight people from the End Conscription Campaign and Johannesburg Democratic Action Committee (Jodac) have been served with this order.

A spokesman for the PFP Unrest Monitoring Group said today that the PFP "deplored" the restriction placed on people which prevented them from participating in the activities of legal organisations.

"The cornerstone of these organisations is to bring about a peaceful solution to the problems besetting this country. We are disturbed by this new development which is obviously aimed at muzzling such organisations and call on the Minister of Law and Order to lift these restrictions immediately."

'INFRINGEMENT'

One of the people issued with the order, Mrs Sheila Weinberg, a member of Jodac, described the order as an "infringement on my lifestyle". It prevented her from participating in any public activity of Jodac.

The orders forbid those restricted from taking part in the activities of eight named organisations if these activities are intended to have the effect of "inciting" the public to support or promote a call to end the state of emergency, release detainees, unban the ANC, withdraw troops from the townships or call on any particular member or members of the House of Representatives or Delegates to resign.

The organisations are the ECC, Jodac, the Detainees Parents Support Committee, the Black Sash, the UDF, the Federation of Transvaal Women and the National Education Union of SA.

Utasa hits at political interference

By Susan Pleming, Education Reporter

The Union of Teachers' Associations of South Africa (Utasa) has condemned "in the strongest possible terms" the apparent increase in party political interference in education.

At a meeting in Bellville at the weekend Utasa said interference by party politicians was on the increase in coloured schools.

The meeting also condemned the creation of the whites-only Teachers' Federal Council and a recent decision to preclude some students from qualifying for state bursaries.

Utasa called for the immediate lifting of the state of emergency and the release from detention of all students and teachers.

Utasa president Mr Franklin Sonn said: "'Teachers are being summoned in writing to the offices of the MP in response to formal correspondence they submitted to the department.

"We want to call on them to leave education alone, to stop provoking our teachers and pupils and to stop their oppressive and contemptuous actions against the teaching profession."

In a memorandum sent on November 5 to the acting director of education in the Department of Education and Culture in the House of Representatives, Mr D N Pfaff, Utasa asked the department to "seriously address" the problem.

"Persistent reports are still received of the interference of politicians in the administration of schools, their involvement in appointments to teaching posts and the apparent precedence of party political considerations over purely educational concerns," the memorandum said.

The assistant secretary of Utasa, Mr D Matsepe, said the meeting condemned the creation of the Teachers' Federal Council and had called for one council where teachers of all race groups could register.

UDF's national treasurer 'restricted'

A restriction order was yesterday served on Mr Azhar Cachalia, the national treasurer of the United Democratic Front.

The order restricts Mr Cachalia from taking part in the following UDF campaigns and organisations: Johannesburg Democratic Action Committee; National Education Union of South Africa; Federation of Transvaal Women; End Conscription Campaign; Detainees Support Committee; Detainees Parents Support Committee and Black Sash.

Mr Cachalia is restricted from taking part in the following campaigns: the release of political prisoners or detainees; an end to the state of emergency; unbanning of the ANC; withdrawal of the SADF from the townships; resignation of members of the House of Representatives and the House of Delegates; compulsary military service; the Yellow Ribbon campaign and the Campaign for National United Action which the UDF has undertaken in collaboration with the SACC and Cosatu.

Mr Cachalia was banned for five years in 1981 in terms of the Internal Security Act.

He said this order came at a time when the UDF had just announced its major Christmas Against the Emergency campaign. — Sapa.

TOTALITARIANISM — BANNINGS

1988

...TEWORD
...ry 6, 1988

FOCUS

Tough year ahead for the Press

SAPA-REUTER

SOUTH Africa's press faces its toughest year in 1988, with several anti-apartheid newspapers fighting for survival in the face of Government threat to close or censor them.

"I think it's going to be the gloomiest year for a free flow of information," said Mr Gabu Tugwana, acting editor of the *New Nation*, one of six publications which could be closed under Government moves against what it calls "subversive propaganda."

Mr Rex Gibson, deputy editor of *The Star*, said there had been a pattern for many years of increasing restrictions on the Press in South Africa.

"No government, having embarked on this course, is ever happy with the powers it has got. It always needs a little bit more," he said.

South Africa provoked a worldwide uproar by imposing tight restrictions on the media when a national state of emergency was declared in June 1986 after months of black protest violence.

Revolution

The curbs barred first-hand reporting of political unrest and severely restricted news about strikes, anti-apartheid boycotts and unofficial township structures like people's courts and street committees.

They were reinforced in August 1987 with sweeping new powers which enable Home Affairs Minister Stoffel Botha to censor or close down for up to three months any newspaper which he believes is fanning revolution.

A three-month ban could financially ruin a newspaper.

Newspaper editors say Mr Botha's restrictions are subjective and it is impossible to know when they have been broken.

Difficult

They say the present battery of regulations already makes it difficult for newspapers to operate, with many stories cut or dropped on legal advice.

Mr Botha can act against a newspaper which he believes consistently enhances the image of outlawed black nationalist groups, promotes the breakdown of public order or foments hatred of the security forces.

Four publications — *New Nation*, the leftwing *South*, the far-rightwing *Die Stem*, and the labour journal *Work in Progress* – have been warned by Mr Botha that they have broken the regulations and could be closed any day.

Two other newspapers — South Africa's biggest-selling black daily, the *Sowetan* and the leftwing *Weekly Mail* — have received one warning.

The Catholic-funded *New Nation*, *South*, *Weekly Mail* and the *Sowetan* are all widely read by blacks and carry some of the best reporting on life in black townships under apartheid race segregation laws.

The *New Nation*, set up just two years ago, has won three journalism awards, including one from Harvard University in the United States.

Censor

Media lawyers believe that Mr Botha will first try to impose an in-house censor on offenders and allow them to close themselves if they refuse. Newspapers like the *Sowetan* say they would fight Government action in court.

If Mr Botha imposed an in-house censor, it would make the journalist's job impossible, Mr Aggrey Klaaste, Deputy Editor of the *Sowetan* said.

Credibility

"The guy is going to come into the office and start putting the red pen across whatever you do. The little credibility you have in the market place is gone.

"I don't suppose many journalists of standing are going to work under such a situation. They are just going to leave the job," he said.

Black newspapers fear that Government action against them could close one of the few remaining pressure valves for the voiceless black majority and lead to more frustration and violence in the townships.



AGGREY Klaaste . . . *Sowetan.*



GABU Tugwana . . . *New Nation.*

Feelings

"For black people, papers like ours are the only kind of avenue where they can vent some of their deeply held feelings, and now it's going to be stopped.

"It's just going to go underground or into the streets and it's going to get uglier by the minute," Mr Klaaste said.

Detained

Mr Tugwana said the Government should have used the black Press as a barometer to see whether it had moved enough towards reform of apartheid.

"You reform what is wrong. But if you don't know what is wrong what are you reforming?" he asked.

Mr Botha's regulations were presented as directed at the so-called "alternative" Press. But editors say mainstream newspapers are not exempt as the caution to the *Sowetan* showed.

The Star sounded a warning about diminishing freedom of speech in a recent editorial headlined "The lights go out."

"Today it is *Die Stem* and *Weekly Mail* which may be blacked out. Tomorrow it could be *Business Day* or this newspaper," it said.

Mr Tugwana believes there has been a concerted campaign against the *New Nation* since its editor Mr Zwelakhe Sisulu was detained in December 1986. Mr Sisulu, son of jailed African National Congress leader Walter Sisulu, is still being held.

Protest

Mr Tugwana called on the international community to protest against the erosion of Press freedom in South Africa.

"There's a definite need for serious action which will make Pretoria feel it cannot get away with it," he said.

Mr Klaaste (47) and Mr Tugwana (33) are no strangers to Government action against journalists. Both have spent periods in detention without trial and Mr Klaaste worked for the *World* newspaper which was banned in 1977.

Truth

Mr Tugwana spent 20 months in detention during 1976 and 1977, including 13 months in solitary confinement. He was never charged and believes it was punishment for his journalism.

"When you tell the truth in this country, you really pay the price for it," he said.

His detention made him more determined to write about the realities of apartheid despite Government restrictions.

"I read in the Bible that Jesus died for the truth. So I took myself to have been almost like Jesus, who had to be crucified for the truth. Because when you tell the truth, in the end it's the truth which wins," he said.

Police ban ANC birthday and Mbeki rallies

By Jo-Anne Collinge

The Acting Commissioner of Police has used emergency powers to impose a 10-day ban on all rallies in Johannesburg and Roodepoort that commemorate the 76th anniversary of the founding of the African National Congress and to honour recently released ANC leader Mr Govan Mbeki.

The move appears to be designed to counter a rally planned by the South African Youth Congress (Sayco) for noon today at Khotso House in Johannesburg.

Sayco — a national organisation of local youth groups representing some 700 000 members — had declared today the anniversary of the founding of the ANC, Govan Mbeki Day, and had called on its affiliates around the country to hold meetings.

ORDER

The banning order was published in a special Government Gazette yesterday by Acting Police Commissioner Roelof Jansen van Vuuren under regulations promulgated in terms of the Public Safety Act.

Until January 18 it will be illegal to hold any gathering at which:

- "The 76th year of existence of the African National Congress is commemorated or celebrated.
- "Homage is paid to Govan Archibald Mbeki.
- "The release from detention of Govan Archibald Mbeki is commemorated or celebrated."

Sayco said its decision to honour Mr Mbeki on the anniversary of the founding of the ANC should be understood in the proper context.

ADVERTS

"We want to make our position known that we are not a front of the ANC nor do we have any organisational relationship with the ANC. But we recognise its centrality and leadership in resolving the South African problem."

The Release Mandela Campaign (RMC) has placed adverts in several newspapers noting the ANC anniversary.

Commenting on the ban on meetings, RMC national organiser Mr Aubrey Mokoena said: "The ban is a farce because the ANC is a reality of the South African situation. There is no wisdom or sanity in the Government trying to wish it away."

Court action against State President PW

AN urgent application was this week served on the Minister of Home Affairs, Mr Stoffel Botha, and the State President, Mr PW Botha, to interdict them from suspending the weekly newspaper, *New Nation*, in terms of the emergency regulations, a front page article in the paper said yesterday.

The newspaper, funded by the Southern African Catholic Bishops Conference, has also applied for an order declaring that the media restrictions imposed on August 28 last year are invalid and are of no force in law.

Editor

New Nation's editor, Zwelakhe Sisulu, has been in detention for 399 days and Mr Stoffel Botha has issued two warnings to the newspaper, one in the Government Gazette of November 27.

On December 7, Mr Stoffel Botha said he was considering taking further action which could mean a three month banning of the publication or the appointment of a Government censor to read copy in the newspaper's offices.



STATE President PW Botha

Four issues of *New Nation* have been banned, but the banning of three issues were overturned on appeal and an appeal on the fourth is under way.

The *New Nation* has alternatively asked the court to declare the warning notices invalid and of no force.

An editorial in the same edition looked back on the first two years of the *New Nation's* existence. The newspaper will be two years old tomorrow.

"It would have been fitting for this newspaper and its readers to mark this historic day with its founding editor, Zwelakhe Sisulu.

"But Sisulu is languishing in a Johannesburg prison cell," the editorial said.

It added that the past two years had not been easy "but our readers can rest assured that their favourite newspaper will continue to uphold the highest standards — despite the concerted effors by various Government officials to phase us out".

Standard

The editorial said the *New Nation's* standard could be judged by the awards given to it and the reasons for them.

The *New Nation* has received the Pringle Award by the Southern African Society of journalists for "committed and courageous journalism".

It has also received awards from Harvard University and the "Freedom Scroll" for contributions to "The Struggle for a Free and Democratic Press". — Sapa.

Censor crackdown threat

Govt fears right-wing backlash

PETER FABRICIUS

CAPE TOWN — Government fears of a conservative backlash against the recent more liberal approach to censorship seem to herald a toughening up of censorship of sex and violence in films and publications.

This appears to be behind an announcement by the Director of Publications, Dr Braam Coetzee, that Home Affairs Minister Mr Stoffel Botha had asked him for an investigation into possibly updating or renewing the Publications Act.

Dr Coetzee said after the investigation he had decided no new legislation or radical amendments to the Act were necessary at this stage, but he also hinted at a tougher approach to censorship.

He said he was convinced that the publications committees and appeal board would combat undesirable portrayals of sex which might give rise to an "inadmissable liberal-mindedness . . ."

Publications, films and public entertainment would be evaluated "in terms of present-day requirements as far as they had an influence on security."

SATV and M-Net material would also be handled "according to the needs presently pertaining within the community."

The present chairman of the Publications Appeal Board, Professor J C W van Rooyen, has been responsible for inititating a far more liberal approach to censorship in which account is taken of the "likely reader or viewer" of the material.

National Party sources have been concerned for some time about a backlash against this liberal approach, especially on the platteland.

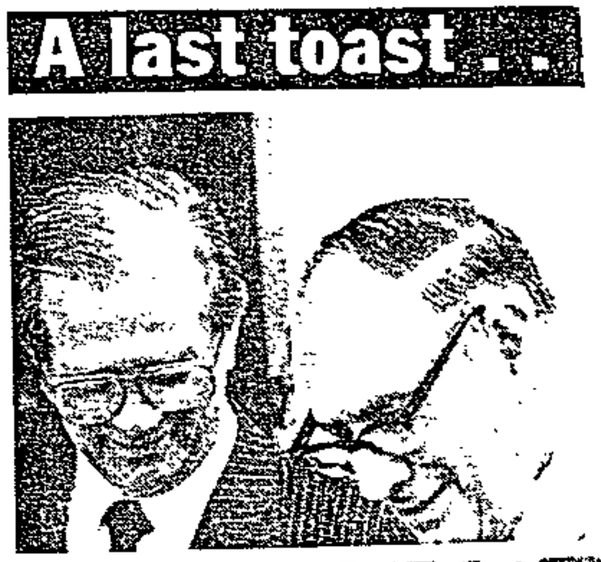
It seems certain that political motivations have prompted the latest look at the censorship system and Professor van Rooyen is unlikely to be pleased by a possible tightening up of the standards he has so carefully relaxed.

Dr Coetzee said in a statement that "developments in the film industry regarding sex and violence had placed greater strain on the Publications Act" and that Mr Botha had asked him to establish if the present Act was still able to deal with the changing circumstances in the film industry and whether a new Act was needed.

He said film-makers and scriptwriters allowed themselves greater permissiveness in the portrayal of sex scenes and the use of crude language, and film techniques had been developed to portray violence more realistically and sometimes in a grotesque manner.

"After considering the whole matter and all the mechanisms which have already been employed to adapt to the changed circumstances, my advice to the Minister is that new legislation or radical amendments to the existing Act cannot be recommended at this stage until such time as all the possibilities available under the Act have been fully exploited," he said.





A last toast . . .





An Afrikaner son is laid to rest. Scenes at the funeral of Dr Connie Mulder, deputy leader of the Conservative Party, in Randfontein. Top left: a fireman drinks a toast and (right) Dr Andries Treurnicht bows his head in sadness. Bearded AWB leader Mr Eugene Terre-Blanche (lower left) was among the many mourners.

Minister's door may not 'always be open'

Home Affairs Minister Stoffel Botha is not "obliged to give any person a hearing" when considering action against a newspaper under the latest press curbs.

This was laid down in a Government Gazette proclamation which clarifies last year's "slow-motion censorship" curbs involving a series of warnings and counter-representations, possibly leading to closure or the calling in of Government censors.

The regulation stipulating that newspapers do not have automatic access to the Minister follows a statement by Mr Botha, in announcing the curbs last year, that his "door was always open".

A spokesman for the Department of Home Affairs said yesterday there was "nothing sinister" in the new regulations.

CLAIRE ROBERTSON
Pretoria Bureau

The affected papers are still allowed to make written representation to the Minister after he objects to certain items.

The proclamation also sets down that the Minister — who is responsible for deciding when newspapers have endangered public safety to the extent that they must be closed or censored by the Government — is not required to "disclose any grounds for such action to any person".

The Minister does not have to give the newspaper publisher anything other than a list indicating which comments, articles, advertisements or photographs are being taken into account in his action against the paper.

Nor is the Minister obliged to disclose anything other than "an indication why each item is being taken into account".

The new censorship system includes a series of warnings and counter-representations from the paper, possibly leading to a gazetted warning which may be followed by closure for three-month periods or the imposition of pre-publication censorship.

Three newspapers have received formal warnings, and the *Weekly Mail* and *New Nation*, have recieved specific objections to their publications.

The new regulation was backdated to last year. However, a spokesman for the Department of Home Affairs said this back-dating would not affect the ongoing *New Nation* application to have its warning set aside.

B/day 25/1/88.

Judge rules in favour of Press

PRETORIA — A Pretoria Supreme Court judge on Friday refused the State leave to appeal against a judgment which set aside an emergency Press curb last year.

The Commissioner of Police and Law and Order Minister were ordered to pay the costs of the application.

After hearing argument for the State by P C van der Byl, SC, Mr Justice Daniels said it was not necessary to hear the replying argument from The Argus and Times Media Ltd newspaper groups and refused the application.

The commissioner and minister were appealing against a decision handed down in January last year which set aside an order restricting reporting on any unlawful organisation.

The order was issued by the commissioner in terms of the emergency regulations after newspapers published advertisements calling for the unbanning of the ANC.

The order, which applied countrywide, prohibited editors from publishing any advertisement or report calculated to improve the image of any unlawful organisation or any report which explained or defended any unlawful organisation's resistance strategies.

Judge Daniels ruled at the time that the commissioner had exceeded the powers granted him by the emergency regulations because he made the order applicable to the whole of SA.

The regulation, in terms of which the order was made, only empowered him to forbid the actions of any person in a "particular area", the judge found. This did not mean the entire country.

Van der Byl argued another court could decide that "particular area" could include the entire Republic.

The judge asked him: "Then why did the legislator use the words 'particular area'? Why did he not simply say 'the Republic of SA'?". — Sapa.



Home Affairs Minister Stoffel Botha . . . tightened-up media curbs mean that his opinion is the only yardstick.

Minister's sweeping new grip on the media

By Claire Robertson, Pretoria Bureau

New media regulations, which were announced on Friday, "entrench Home Affairs Minister Stoffel Botha's own opinion as the only yardstick for determining whether any publication is 'guilty of disseminating subversive propaganda'," according to a Johannesburg media lawyer.

The regulations tighten up media curbs issued in August last year which provide for a system of warnings from and representations to the Minister when he considers material in any publication objectionable. He is empowered to close or have censored any publication.

The latest regulation sets out that the Minister has to give only a list of what he finds objectionable, and "an indication" why.

NATURAL JUSTICE

This means the Minister can make out "a very cursory case, and this amendment is to meet the point that he has to provide more particulars (about the nature of the objection) — a point which follows the rules of natural justice: that the accused must understand the case against him," the lawyer said.

In terms of the new regulation, the Minister does not have to give any person a hearing when deciding what steps to take against a publication.

It is understood that the publications warned have each included a request for an oral hearing in the written reply to the Minister which they are allowed to submit in terms of the regulations.

In announcing the new curbs the Minister gave an assurance that his "door was always open" to discuss the issue.

"It makes the case that much harder when seeking to challenge or reply to an order from the Minister," said the lawyer, who asked not to be named for professional reasons.

CLOSE LOOPHOLES

The lawyer said that the new regulation sought to close "some of the loopholes possibly highlighted by the *New Nation* case", referring to the application brought by the Johannesburg newspaper to have its warning set aside.

"The Minister realises that he has to close those loopholes if he is to utilise this legislation effectively in future," the lawyer said.

The Cape newspaper *South*, the periodical *Work in Progress* and the right-wing publication *Die Stem* have all entered the second phase of the "slow-motion censorship" in receiving formal, gazetted warnings.

Die Stem has closed down, claiming to have been threatened with censorship, which the Government denies.

The *New Nation* and the *Weekly Mail* have both received lists of material which the Minister finds objectionable. *New Nation* has responded with the court application, while the *Weekly Mail* has replied in writing to the Minister, informing him that it "cannot even understand" the warning.

New Nation fights curbs

The Catholic Church-owned weekly newspaper, *New Nation*, today begins a legal challenge in the Rand Supreme Court to Home Affairs Minister Mr Stoffel Botha's press curbs.

The newspaper is among several which have been warned for allegedly publishing "subversive" material.

New Nation is seeking a court order declaring restrictions issued by Mr Botha on August 28, 1987 invalid. Alternatively it wants the court to declare warnings against it invalid. — Sapa.

SMC 26/1/88



MR GILBERT Marcus and Mr Jules Browde, SC, at the Rand Supreme Court yesterday. They are representing the ***New Nation,*** whose case has been postponed to Monday.

New Nation case held over

THE *New Nation* case challenging media restrictions has been postponed until Monday at the Rand Supreme Court, a statement from *New Nation* said yesterday.

This follows a consultation between the Judge President of the Transvaal and counsel for the newspaper.

New Nation, a South African Catholic Bishops' Conference publication, was given a warning notice in terms of the emergency regulations in November last year and Minister of Home Affairs Mr Stoffel Botha later indicated he was considering taking further action which could result in a three-month ban or the appointment of a censor.

The newspaper is asking the court to declare media restrictions issued in August last year invalid and unlawful. It is also asking that warning notices issued against the newspaper be declared invalid and set aside.

Bishop Reginald Orsmond, Bishop of Johannesburg, said in an affidavit before the court that the newspaper had asked for a personal audience, because Mr Botha had indicated his door would always be open to editors, but it was refused.

The Minister's refusal to grant an audience and his summary rejection of representations made to him by the newspaper, had made him apprehensive about his future conduct, Bishop Orsmond said.

He said *New Nation* had encountered genuine difficulties in interpreting the regulations. *New Nation* was completely committed to a peaceful resolution of the conflict in South Africa.

He said the emphasis in the newspaper was on current events which have a particular bearing on the black community.

If the newspaper was suspended, it would have the effect of permanently closing the newspaper. It would lose its advertisers, its readers and possibly its staff.

However, the staff of the newspaper felt it would be intolerable to work under a censor and felt it would "utterly compromise the journalistic profession," Bishop Orsmond said.

Mr Botha said in papers that he had come to the decision that *New Nation* published material which caused a threat to public safety, the maintenance of public order and the termination of the state of emergency.

338 Sunday Tribune 27/11/88

New Nation seeks interdict to prevent ban

HOME Affairs Minister Stoffel Botha will not prohibit publication of New Nation newspaper until an application challenging the validity of the regulations empowering him to do so have been heard by a full bench or another court, his legal counsel said yesterday.

New Nation's owners, Catholic Bishops' Publishing Company, have applied to the Rand Supreme Court for an interdict preventing Botha from issuing an order banning the newspaper for up to three months.

SUSAN RUSSELL

They have also asked the court for an order declaring invalid the regulations promulgated by the State President which empower the Minister to warn and then ban a publication.

In terms of the media regulations amended in August the Minister may study a series of issues of a periodical to ascertain whether it has been systematically publishing matter calculated to threaten public safety or the maintenance of public order.

If he forms this opinion he may warn the periodical. Thereafter he may ban publication for up to three months if publication of the offending matter has continued.

The Catholic Bishop of the Johannesburg diocese, Reginald Orsmond, said in an affidavit New Nation was threatened with an order of closure.

The Bishop said the powers purportedly vested in the Minister by the State President exceeded those authorised by the Public Safety Act and were therefore invalid.

In answering affidavits the State President and the Minister denied they had acted in bad faith in the implementation of the regulations.

Toms asks reason for university's fear

ROGER SMITH

CONSCIENTIOUS objector Dr Ivan Toms has responded to the banning of a meeting he was to have addressed at Stellenbosch University by asking what the university was afraid of.

He told an End Conscription Campaign (ECC) meeting at Wits University it appeared the Stellenbosch University authorities were scared of allowing students to hear about the ECC or about his experiences with the SADF and in Crossroads squatter settlement, where he had run a clinic.

Media fanning revolt — Botha

Press slammed for subjective interpretations

HOUSE OF ASSEMBLY — Home Affairs Minister Stoffel Botha lashed out yesterday at segments of the SA media for seeing themselves as agencies for change and attempting to influence their readers by practising "advocacy journalism".

During the no-confidence debate Botha said there were enough examples in newspapers of negative and contentious reporting and comment on the emergency regulations to show the extent to which this new breed of journalist was active in not reporting facts objectively but presenting material it wanted people to believe.

Botha called on the SA Media Council to give attention to its responsibilities and promote its code of conduct in a manner that would cause the Press to use its powers more positively.

He said some newspapers were, wittingly or unwittingly, playing a role in the worldwide propaganda war against SA by helping to fan the attempted revolution against the entire SA system.

Botha said the application of the

CHRIS CAIRNCROSS

emergency regulations and their validity were currently the subject of court proceedings and he would not comment further on them.

He had, however, taken note of relevant comments published in various newspapers, decribing them as an attempted "trial by newspaper".

He was aghast, in this regard, at the Press statement made on January 28 by SA Media Council chairman Mr Justice Louis van Winsen, believing it to be in contravention of the *sub judice* rule.

Botha said the various newspaper comments on the manner in which the emergency regulations would be applied to the media were mainly thumb-suck, contrived and aimed at misleading the public and placing government in the worst possible light.

He said there was no question of government wanting to control what people might know, nor was there any way in which government could control people's knowledge.

CP takes credit for fresh curbs

328 B(day) 12/2/88

THE CP yesterday claimed credit for forcing the new anti-permissive initiative launched by Home Affairs Minister Stoffel Botha at the weekend.

At the same time, the PFP said if right-wing views were to dictate standards, it would be "a return to the Middle Ages".

Nominated CP MP Clive Derby-Lewis said he saw Botha's move as a direct response to the call he (Derby-Lewis) had made in Parliament last year for a tightening up of censorship laws.

He said it was not surprising the new initiative, which was prominently reported in newspapers such as Beeld, would be used by the NP in the current by-election campaigns. (By-elections are taking place in the *platteland* constituencies of Standerton, Randfontein and Schweizer-Reneke).

PFP home affairs spokesman Tian van der Merwe said the existing censorship system did not allow for the Minister's personal views to play a part in the

ROGER SMITH

approval of films.

"If the Minister is promising a tightening up of standards and does not envisage new legislation, then he is talking nonsense."

He said Botha should say exactly what he meant by tightening up standards, "otherwise it is clearly a statement for political purposes in the context of the by-elections".

Botha has said no new legislation is envisaged. He has denied his new initiative is a by-election ploy.

The director of the Publications Control Board Braam Coetsee has said some increased censorship can be expected.

(Report by R Smith, TML, 11 Diagonal Street, Johannesburg.)

(328) Sowetan

PUBLISH AND BE BANNED'

Message of the latest restrictions on the media

FOCUS

By JOE LATAKGOMO – Editor

THERE will be very few readers who do not realise that the task of producing a newspaper under the present emergency laws requires the utmost skill, care and ingenuity. What is probably not realised is that since August 1987, the newspaper editor's task has become almost impossible to perform because of Minister of Home Affairs and Communications Stoffel Botha's new powers as chief censor and protector of the nation against the evils of subversive propaganda.

Until August 1987, experienced journalists could still determine, albeit with a fair degree of difficulty and with the help of lawyers, what could or could not be published. This was despite the huge number of Press restrictions contained not only in the emergency laws but also in the hundred or so other laws affecting newspapers.

Heel

One could be forgiven for thinking that the Government had already cast its net wide enough, and that newspapers had been brought to heel. But this is not how the State President saw matters. In his view, so we are given to understand, there still existed a further category of matter over which no law had been passed — this was the so-called "subversive propaganda."

Those readers who have any idea of legal niceties may ask "how is it possible to make a law prohibiting propaganda? After all, subversive propaganda is a subjective concept." The State President was not deterred by this, and his August 1987 regulations overcame the difficulty by providing that subversive propaganda would be what the Minister of Home Affairs determined it to be.

Consequently, the new regulations which have caused so much misery for newspaper editors provided that any newspaper which repeatedly published reports, articles, cartoons or photographs (to avoid repetition we shall call them all "articles". which the minister, in his opinion, considered to be subversive, could, after a warning be closed down, or be host to an in-house Government appointed censor.

It must be stressed that the regulations are not aimed at prohibiting the publication of articles which are unlawful. In other words, even although what is published may be legal, it could still be categorised as subversive propaganda and, if repeatedly published, expose a newspaper to the possibility of being closed down, at the minister's whim. This prospect has caused great concern to even the most experienced newspapermen because, in effect, it requires newspapers to be able to predict in advance, of which articles the minister will disapprove.

Revolution

What is it then that the minister will regard as being subversive? It is only possible to glean a vague indication from the regulations themselves, which state, that if in his opinion the minister decides that any series of articles constitute a systematic or repeated publication of matter which he (again in his opinion) believes will have the effect of:

- Promoting or fanning revolution or uprising in the Republic;
- Promoting, fanning or sparking the perpetration of acts of unrest;
- Promoting or fanning the breaking down of the public order in the Republic;
- Stirring up or fomenting feelings of hatred or hostility in members of the public towards the police or the army or municipal security forces or toward members of any other population group;
- Promoting the public image or esteem of an unlawful organisation;
- Promoting the establishment or activities of peoples' courts or street committees;
- Promoting, fanning or sparking boycott actions, riots or acts of civil disobedience; and
- That any of the above items have the further effect of causing a threat to the safety of the public, maintenance of public order or the delay in the termination of the state of emergency.

He can implement steps which could lead to the closing down of the newspaper.

It would probably be true to say that instinct and guesswork are the predominant factors in deciding whether or not any particular article will offend the minister. The biggest problem is that no matter how many interpretations of the regulations exist, only one counts, and that is the minister's!

Publishing a newspaper in today's climate is no job for the faint-hearted and editors are seldom short of courage. But even editors can be excused for treading cautiously, when faced with awesome ministerial powers such as these, and the uncertainly of having to abide by vague and difficult to interpret regulations.

The Duke of Wellington's challenge — "publish and be damned" — as applied today, is a lofty ideal, but with the danger of an imminent banning, it is not surprising that many editors err on the side of conservatism.

In a nutshell, the latest media restrictions carry a sobering message for South African newspapers — "publish and be banned".

"While obeying the law, we will nevertheless go as near to the edge of the precipice as our nose for danger allows us, but any further could be disastrous. We live dangerously!"



PRESIDENT Botha . . . "subversive propaganda."



Lest we forget...

THE *Sowetan* today remembers journalists around the country who are in detention:

Board lifts bans

Sunday Tribune 22/2/88 328

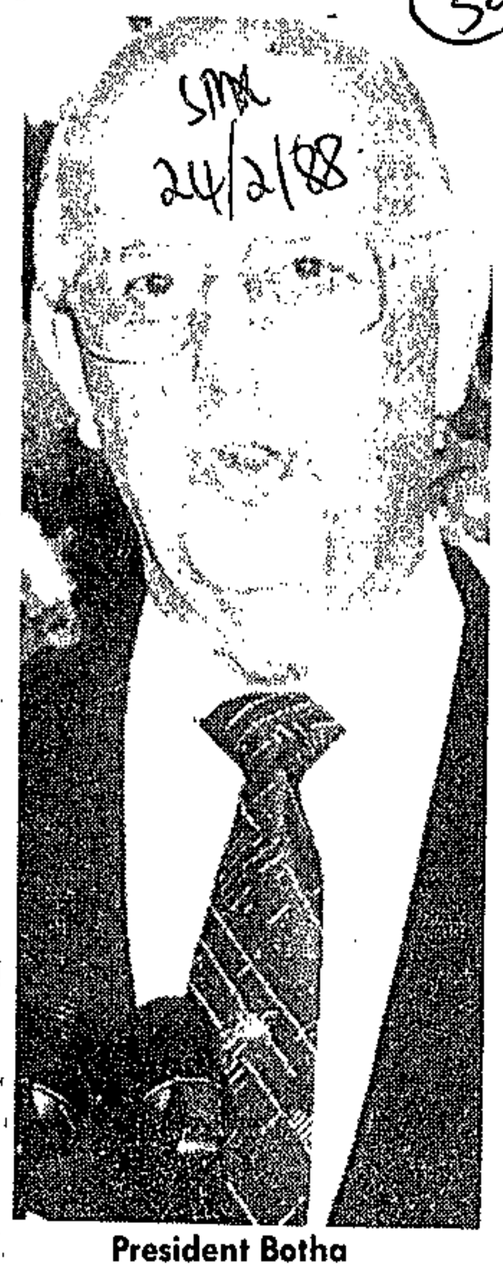
THE Publications Appeal Board has lifted the ban on the August edition of *South*, a Cape Town newspaper.

South, together with *Work In Progress* and *Die Stem* received formal warnings from the Government last year in terms of the latest media curbs.

The board also lifted the ban on the January 1988 (Vol. 5, No. 1) edition of *Bunny Girl* produced by Republican Press in Durban.

A publications committee has also ruled that *The Eye* and *The Sun* by S Vavilov is not undesirable. It had been declared undesirable under the Repealed Customs Act, 1955 by the Minister of the Interior. — Sapa.

Sweeping new powers promulgated



President Botha

Political Correspondent

CAPE TOWN — The sweeping new powers to curb organisations and individuals taken by the Government today have been made possible by amendments to the emergency regulations in place in terms of the state of emergency.

The regulations have been promulgated by the State President in terms of the Public Safety Act of 1953.

The most important amendments are to regulation six, with other more technical amendments being made to regulations one, seven and nine.

Regulation 6 is amended by inserting regulations 6A and 6B, providing for the restriction of activities and acts of organisations (6A) and the restriction of activities and acts of natural persons (6B).

In terms of 6A, if the Minister is of the opinion that it is necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, he may, without prior notice to any person or without hearing any person, issue an order by notice in the Gazette to prohibit an organisation named in the order, subject to sub-regulation (4), from carrying on or performing:

- Any activities or acts whatsoever.
- An activity or act specified in the order.
- Activities or acts of a nature, class or kind specified in the order.

The order is valid for such period as may be specified, or until it is withdrawn, or until the state of emergency expires or is lifted.

No person may on behalf of, or in the name of, or as an office-bearer engage in any of the prohibited activities or acts specified in the order.

Sub-regulation 4 stipulates an order shall not be construed as prohibiting an organisation from: preserving its assets, keeping its books and records up to date and performing administrative functions in connection therewith, complying with an obligation imposed on it by or under any law or court of law, taking legal advice or legal steps, or carrying on such activities as the Minister may have consented to.

Regulation 6B provides for the Minister, without prior notice to any person or without hearing any person, to issue an order whereby a person specified in such order is prohibited from:

- Carrying on an activity or performing an act specified in the order.
- Carrying on activities or performing acts of a nature, class or kind specified in the order.
- Being, at any time or during the hours specified in the order, outside the boundaries of an area likewise specified.
- Being, during the hours specified in the order, outside the boundaries of the premises where he lives.

Orders issued in terms of 6B have the same period of force as those issued under 6A.

17 Organisations silenced

Govt moves to silence anti-apartheid stalkers

By David Braun,
Political Correspondent

Cape Town

The Government today effectively closed down 17 extra-parliamentary organisations, including the United Democratic Front (UDF), the Azanian People's Organisation (Azapo), the Detainees Parents' Support Committee (DPSC) and the National Education Crisis Committee (NECC).

It also put a strait-jacket on the political activities of the Congress of South African Trade Unions (Cosatu), by banning the organisation from a wide range of specified actions.

The curbs have been imposed in terms of sweeping new powers the Government has taken to prohibit specified activities of any organisations or individuals it may name, and which also provide for the confinement of individuals to specified districts or to their homes.

It was not clear early today whether any action had been taken against individuals in terms of the new restrictions.

Amended

The curbs are provided for in amended emergency regulations, signed by President Botha last night and published in the Government Gazette today.

They take immediate effect.

Immediately in terms of the amended regulations, Law and Order Minister Mr Adriaan Vlok today prohibited the following 17 organisations from "carrying on or performing any activities or acts whatsoever": Azanian People's Organisation, Azanian Youth Organisation, Cape Youth Congress, Cradock Residents' Association, Detainees Parents' Support Committee, Detainees' Support Committee, National Education Crisis Committee, National Education Union of South Africa, Port Elizabeth Black Civic Organisation, Release Mandela Committee, Soweto Civic Association, Soweto Youth Congress, South African National Students' Congress, South African Youth Congress, United Democratic Front, Vaal Civic Association, and the Western Cape Civic Association.

Details

Full details of these and actions Cosatu is prohibited from taking part in are published separately in The Star today.

The curbs on the 17 organisations and Cosatu are, in terms of the notices, to be in force until the orders are withdrawn or until the state of emergency is lifted.

The ban on all activities of the 17 organisations does not preclude them from: maintaining their assets, keeping their books and records up to date and performing the administrative functions connected therewith, complying with obligations imposed on them by or under law or by a court of law, and taking legal advice or legal steps.

Reasons given by Mr Vlok and by Security Police chief General Johan van der Merwe are published separately.

● See Page 9.

officials pleaded for millions of doll
mudslides and floodwaters from R



MINISTER Vlok

UDF, Azapo and 15 other groups are restricted

VLOK WIELDS BIG STICK

328
Sowetan
25/2/88.

See also pages 4, 6

MR Adriaan Vlok, Minister of Law and Order, has effectively banned the UDF and 16 organisations because he is of the opinion that it is "necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency."

The regulations which effectively ban the organisations read that they are prohibited from carrying on or performing:

- Any activities or acts whatsoever;
- Any specific listed activity or act, and any activities or acts of a nature, class or kind specified.

They continue that the orders shall be in force until they are withdrawn or when the state of emergency expires or is withdrawn.

In terms of the regulations no person shall:

- On behalf or in the name or in a capacity as office bearer of an affected organisation carry on an activity or perform an act which the organisation is prohibited, or
- Participate in an activity or act of that organisation which the organisation is carrying on or performing in contravention of that order.

The regulations, however, say that the restrictions should not be construed as prohibiting the affected organisations from:

- Preserving their assets;
- Keeping books and records up to date and performing connected administrative functions;
- Complying with an obligation imposed on it by or under any law or by

● To Page 2

Those hit by curbs

THE organisations effectively banned by the Government yesterday are:

Azanian People's Organisation, Azanian Youth Organisation, Cape Youth Congress, Cradock Residents Association, Detainees Parents Support Committee, Detainees Support Committee, National Education Crisis Committee, National Education Union of South Africa, Port Elizabeth Black Civic Association, Release Mandela Committee, Soweto Civic Association, Soweto Youth Congress, South African National Students Congress, South African Youth Congress, United Democratic Front, Vaal Civic Association, and the Western Cape Civic Association.

Advise

● From Page 1

a court of law;
- Taking legal advice or judicial steps; or
- Any activity for which the Minister of Law and Order has given his specific consent. The consent would only be granted if the Minister was convinced that it would not result in the safety of the public or the maintenance of public order being threatened "or the termination of the state of emergency being delayed."

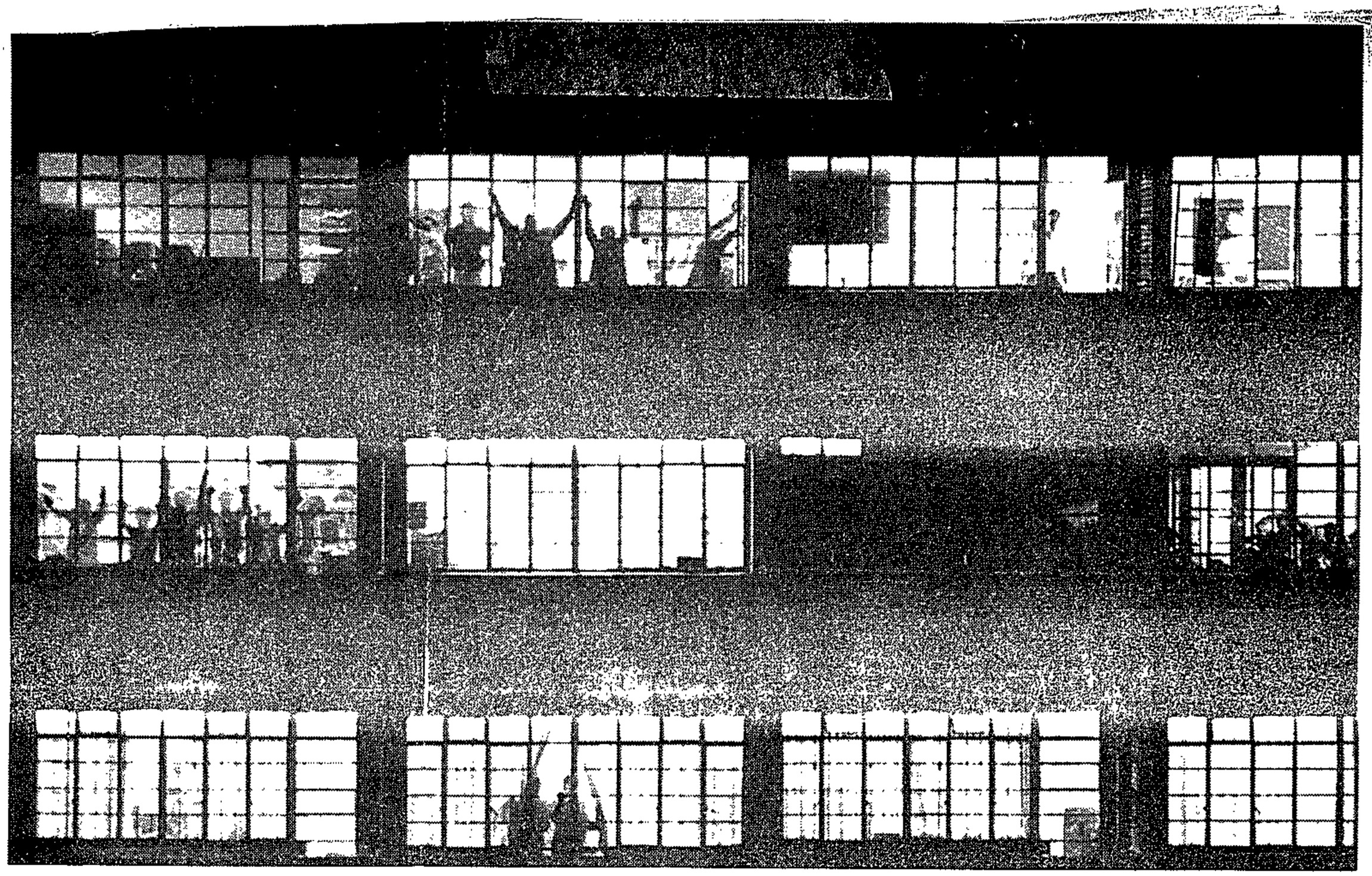
328

TPPOSTATEM

276

25/02/88

328



Heavily-armed security forces surrounded Cosatu House at the height of the railway workers' strike in April 1987 and searched the building. It was later severely damaged by an explosion. Cosatu is one of 17 organisations effectively closed by Government decree yesterday.
Picture: Afrapix.

"heavy-handed method of crushing opposition" which would "prove as ineffective and counter productive as have all similar previous attempts by the government".

Mr Wynand Malan's **National Democratic Movement** said the Government had "declared war on black politics" with the bannings.

Kangwane's **Chief Minister Enos J Mabuza** called on the Government to "reconsider before the anger of the people destroys any real hope of reason and we find ourselves cast into a ring of fire that will ultimately consume us all".

The restrictions made it abundantly clear that South Africa was being ruled by oppression rather than negotiation, the **Catholic Archbishop of Cape Town**, Archbishop Stephen Naidoo, said in Cape Town.

The **South African Council of Churches** (SACC) general-secretary, the Rev Frank Chikane, expressed fears that South Africans would "see force as [illegible] way of ending apartheid".

The **National Council of Trade Unions** (Nactu) said the bannings were "insidious" and "tantamount to preventing the organisations from operating".

The **Black Sash** said: "Banning people, breaking organisations and silencing opposition does not guarantee submission — instead this creates divisions, hampers political education and discussion and lays the foundations for increased frustration and violence."

Ms Gael Neke, a spokesman for the **Five Freedoms Forum**, said the restrictions showed the desperation with which the Government was trying to preserve "this undemocratic, unjust South Africa".

The **Repression Monitoring Group** (RMG) said it would not be exaggerating in saying that lawful extra parliamentary political activity died yesterday.

Mr Barry Jammy, national vice-chairman of **Lawyers for Human Rights**, said the potential eventual consequences of this type of radical authoritarianism must be very frightening to anyone with the long-term interests of the country at heart.

Neil Lurssen reports from Washington that SA ambassador Dr Piet Koornhof was called to the State Department early yesterday to be told of American "shock and distress" at what Dr Chester Crocker termed the SA Government's "inexplicable" actions.

The anti-apartheid lobby in Washington believes that the latest restrictions will boost their efforts to move even tougher sanctions through the Congress this year.

Canada's Secretary of External Affairs, Mr Joe Clark, said the restrictions would further limit peaceful, legal opposition in South Africa.

A "shocked and saddened" **British Foreign Secretary** Sir Geoffrey Howe declared Pretoria's action amounted to "the suppression of non-violent political activity" and said the clampdown could lead to frustration, despair and more violence.

Labour leader Mr Neil Kinnock said: "Those who argue that the South African regime is sincere in its talk of reform must now know that their beliefs are mocked by the despots who run the apartheid state.

Liberal Party leader Mr David Steel condemned the new measures and said Britain's refusal to contemplate even the minimum sanctions recommended by the EPG group "continues to shame us".

Conservative Party MP Mr Tim Rathbone said: "This is a further tragic step in the wrong direction.

Former South African ambassador to Britain, **Dr Denis Worrall**, visiting London this week, said the clampdown was "baffling", particularly as it was widely accepted in Britain that the UDF and other extra-parliamentary organisations had been very demoralised as a result of the state of emergency".

The **ANC** accused the South African Government of a "crime

25/2/88 (328)

People's Convention, both of which were banned in 1977.

Azapo functions through branches rather than affiliates and, although it has concentrated support in several areas, it does not have the national presence that the UDF has.

The Azanian Youth Organisation also falls within the Black Consciousness fold and is a much more recent addition than Azapo.

Its counterpart among UDF affiliates is the South African Youth Congress, which was established only a year ago but which rested on much older local level structures spread across the country.

COMRADES

Plans for a national organisation of young people who had no political "home" had been laid as early as 1982, but it was decided to delay launching the umbrella body until a truly national grassroots network existed.

At its launch, Sayco claimed that its affiliates represented 700 000 members and that a much wider circle of "comrades" associated themselves informally with it.

UNDERGROUND

Sayco was launched underground and many of its leaders remain in hiding.

Specific youth congresses have been banned from functioning in terms of the new order.

They are the Soweto Youth Congress and the Cape Youth Congress, which functions across race barriers in the Peninsula.

The South African National Students' Congress is a UDF affiliate which organises students in institutions of tertiary education.

The Release Mandela Campaign emerged in Natal at the start of this decade and in Johannesburg about two years later.

New curbs will enable forces to ensure safety

Political Correspondent

CAPE TOWN — The additional emergency regulations promulgated by the Government would enable the security forces to ensure the safety of the public and to maintain law and order more efficiently, Security Police chief General Johan van der Merwe said yesterday.



Johan van der Merwe

And the Minister of Law and Order, Mr Adriaan Vlok, said the Government was determined to take all reasonable steps to ensure the safety of the public order in its bid to end the state of emergency.

Both men were reacting in press statements to the new curbs, which were signed by President Botha on Tuesday night.

General Van der Merwe said revolutionaries and activists, realising that armed confrontation and violent revolution could not be successfully implemented in South Africa, applied various other strategies in an attempt to achieve their goals.

These strategies included mobilising the masses, rendering the country ungovernable, making impossible demands on the Government, destroying existing Government structures and replacing them with alternative structures, instituting boycotts, illegal strikes, stay-aways, and propagating comprehensive and compulsory coercive measures against South Africa with the aim of disrupting the economy and isolating the country.

Mr Vlok said it was a world-wide phenomenon that revolutionaries and activists, apart from the perpetration of acts of terror and violence, also specialised in other activities to render countries ungovernable. South Africa did not escape these attempts, he said.

He said: "There are organisations and people in South Africa who persist in establishing, maintaining and promoting a revolutionary climate.

"To a certain extent, the enforcement of the emergency regulations and the actions of the security forces kept violence in check.

"Revolutionaries and activists, realising that armed confrontation and violent revolution cannot be successfully implemented in South Africa, created various other alternative strategies to reach their goal.

Mr Vlok said the State President yesterday promulgated regulations to amend the existing emergency regulations to make it possible to restrict the activities of organisations and individuals.

"After careful consideration of the information at my disposal, I have decided to issue the order as promulgated in the Government Gazette in respect of organisations mentioned," he said.

"It must be emphasised the South African Government does not wish to prohibit all activities of the organisations concerned, only those which endanger the safety of the public, the maintenance of law and order, or the termination of the state of emergency."

against the people".

"Unable to quell the people's spirit of rebellion, the Government has resorted to attempting to emasculate the organisations which represent the democratic aspirations of the people."

Britain's **Trades Unions Congress** said it was shocked at the crackdown.

"None of the groups can be described as violent ... and there is no justification for this abhorrent action".

Anti-Apartheid Movement leader, Archbishop Trevor Huddleston, who will lead a protest outside South Africa House in Trafalgar Square today, has written to Prime Minister Margaret Thatcher asking for wider British trade sanctions.

The new curbs have also been condemned by **Commonwealth Secretary-General**, Mr Shridath Ramphal, who urged the international community to "make it clear to Pretoria that this repression is as intolerable as apartheid itself".

Dutch anti-apartheid movements have demanded that the Dutch government retaliate by expelling South African diplomats from The Hague.

In a hard-hitting editorial **The Times** said that in one broad stroke Mr P W Botha had revived the sanctions campaign, revitalised black protest and had given new impetus to the ANC.

More damage

The Times said Mr Botha's new clamps had "done more to damage South Africa's long-term security than the 17 organisations concerned were ever likely to do by themselves".

The Indian **Progressive Reform Party** said in Cape Town yesterday that the arbitrary restrictions placed by the Government on the UDF, Azapo and Cosatu would restrict democracy in South Africa and would be a constraint in the way of reconciliation.

The **National Peoples Party** spokesman on Law and Order, Mr George Thaver, said the restrictions did not in any way deny the liberty of any individual or organisation to carry out their work.

In Geneva, **IMF general secretary** Mr Herman Rebhan said the clamps would "put South African trade unionists at the mercy of security police and employers". — Sapa-Reuter-AP, Own Correspondents and Staff Reporters.

25/02/88

328

Full text of State President's new order

CAPE TOWN — The following is the relevant text of the order promugated by President Botha with regard to Cosatu in the Government Gazette, deemed to be effective from Monday, February 22.

1. In these regulations, unless the context otherwise indicates:

"The Regulations" means the regulations published by Proclamation R96 of 1987, as amended by the regulations published by Proclamation R106 of 1987.

Amendment of regulation 1 of the Regulations.

2. Regulation 1 of the Regulations is hereby amended —

(A) by the insertion after the definition of "Minister" of the following definition:

"'Office-bearer', in relation to an organisation, means a member of the governing or executive body of:

(a) the organisation; or

(b) a branch or division of the organisation;

(B) by the insertion after the definition of "Officer" of the following definition:

"'Organisation'" includes any association or body of persons irrespective of whether or not any such association or body has been incorporated and whether or not it has been established or registered in accordance with any law;" and

(C) by the addition of the following sub-regulation, the existing sub-regulation becoming sub-regulation 1:

"(2) No provision of these regulations conferring a power on an authority specified in such provision, shall be construed as authorising such authority to exercise the relevant power in conflict with section 3 (3) of the Act."

Insertion of regulations 6A and 6B in the Regulations.

3. The followings regulations are hereby inserted in the Regulations after regulation 6:

"Restriction of activities or acts of organisations.

6A (1) If the Minister is of the opinion that it is necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, he may, without prior notice to any person and without hearing any person, issue an order by notice in the Gazette prohibiting an organisation specified in the order, subject to subregulation (4), from carrying on or performing —

(a) any activities or acts whatsoever;

(b) an activity or act specified in the order; or

(c) activities or acts of a nature, class or kind specified in the order.

(2) An order issued under sub-regulation (1) shall be of force for such period as may be specififed 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.

(3) No person shall while an order under subregulation (1), read with subregulation (4), is of force in respect of an organisation —

(a) on behalf or in the name or in a capacity as office bearer of that organisation carry on an activity or perform an act which the organisation is prohibited by the said order from carrying on or performing; or

(b) participate in an activity or act of that organisation which the organisation is carrying on or performing in contravention of the said order;

(4) An order under subregulation (1) shall not be construed as prohibiting the organisation in respect of which it is of force from —

(a) preserving its assets;

(b) keeping up to date its books and records and performing administrative functions in connection therewith;

(c) complying with an obligation imposed on it by or under any law or court of law;

(d) taking legal advice or judicial steps; or

(e) carrying on such activities or performing such acts as the Minister may have consented to, in so far as such activities are carried on or such acts are performed in accordance with any condition subject to which the Minister has granted such consent.

(5) (a) No consent contemplated in subregulation (4) (e) shall be granted by the Minister unless he is convinced that the granting of such consent will not result in the safety of the public or the maintenance of public order being threatened or the termination of the state of emergency being delayed.

(b) Each consent granted by the Minister under subregulation (4) (e) shall be made known by the Minister by notice in the Gazette.

Restriction of activities or acts of natural persons.

6B (1) If the Minister is of the opinion that it is necessary for the safety of the public, the maintenance of public order or the termination of the state of emergency, he may, without prior notice to any person and without hearing any person, issue an order under his hand whereby a person specified in the order is prohibited, or is prohibited without the written consent of the Commissioner, from:

(a) carrying on an activity or performing an act specified in the order; (b) carrying on activities or performing acts of a nature, class or kind specified in the order;

(c) being, at any time or during the hours specified in the order, outside the boundaries of an area likewise

Specified; or

(d) being, during the hours specified in the order, outside the premises where he lives.

(2) An order issued under sub-regulation (1) shall be in 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.

(3) (a) A consent contemplated in subregulation (1) may be granted by the Commissioner on such conditions as he may determine.

(b) No consent contemplated in subregulation (1) shall be:

Granted by the Commissioner unless he is convinced that the granting of such consent will not result in the safety of the public or the maintenance of public order being threatened or the termination of the state of emergency being delayed.

(4) The provisions of regulation 7(4) and 8(e)

Shall mutatis mutandis apply in respect of an order issued under the:

Subregulation (1), and in any such application a reference in the

Said provisions to the Commissioner shall be construed as a reference to the Minister.

Amendment of regulation 7 of the Regulations.

4. Regulation 7 of the Regulations is hereby amended by the insertion after the subregulation (3) of the following subregulation:

(3A) (a) A consent contemplated in subregulation (1)(b) may:

Be granted by the Commissioner on such conditions as he may determine.

(b) No consent contemplated in subregulation (1)(b).

Shall granted by the Commissioner unless he is convinced:

That the granting of such consent will not result in the:

Safety of the public or the maintenance of public order being threatened or the termination of the state of emergency being delayed.

Amendment of regulation 9 of the Regulations.

5. Regulation 9 of the Regulations is hereby amended —

(a) by the insertion in paragraph (b) after the expression

"3(9)'Of the expression"", 6A(4)(e), 6B(3) or 7(3A)"; and

(b) by the insertion after paragraph (b) of the following paragraph:

"(ba) contravenes a provision of regulation 6A(3);".

Commencement:

6. These regulations shall be deemed to have come into operation on 22 February 1988.

The text of the main order restricting 17 political and community organisations, issued by the Minister of Law and Order, Mr Adriaan Vlok, in terms of the regulations under the Public Safety Act, reads as follows:

"Under the powers vested in me by regulation 6A of the regulations published under the Public Safety Act of 1953, by proclamation R96 of 11 June 1987 and Proclamation R23 of February 24 1988, I Adriaan Johannes Vlok, Minister of Law and Order, hereby prohibit the organisations mentioned in the schedule hereto, as from the date of publication of this order and subject to regulations 6A (4) of the said regulations, from carrying out or performing any activities or acts whatsoever."

The organisations listed in the schedule are: Azanian People's Organisation, Azanian Youth Organisation, Cape Youth Congress, Cradock Residents' Association, Detainees' Parents Support Committee, Detainees' Support Committee, National Education Crisis Committee, National Education Union of South Africa, Port Elizabeth Black Civic Organisation, Release Mandela Committee, Soweto Civic Association, Soweto Youth Congress, South African National Students Congress, South African Youth Congress, United Democratic Front, Vaal Civic Association, Western Cape Civic Association.

25/02/88

328

World laments SA's 'black day'

Warnings that restrictions could lead to calls for tougher sanctions

UDF affiliates feel brunt of the new curbs

25/02/88

By Jo-Anne Collinge

The political goal of achieving a non-racial democratic state based on universal franchise is the common denominator in 15 of the 17 organisations of which certain activities were outlawed yesterday by the Minister of Law and Order, Mr Adriaan Vlok.

At the head of the list in terms of size and influence is the United Democratic Front. Most of the organisations listed in Mr Vlok's order are affiliates of the UDF.

The National Education Crisis Committee, also on the list, is a close ally of the UDF and both organisations were committed to "campaigns of united action" with the giant labour body the Congress of South African Trade Unions.

Also on the list, but occupying a different ideological position in the struggle against apartheid, are the Azanian People's Organisation and the Azanian Youth Organisation, both of which subscribe to the Black Consciousness ideal.

The United Democratic Front is a loose alliance of 700 organisations, ranging from village associations to national youth and student organisations with hundreds of thousands of members.

FREEDOM CHARTER

The UDF was founded in August 1983 to oppose the tricameral Parliament and the new black local authorities.

Its central political aim is the achievement of a non-racial democratic state based on universal franchise. Last year, after months of debate, it formally adopted as its guiding document the Freedom Charter, which was drawn up for the Congress of the People in Kliptown in 1955 and later endorsed by organisations of the Congress Alliance, including the then legal African National Congress.

Veterans of the struggle of the 1950s, waged by the Congress Alliance, have always held prominent offices in the UDF. Its patrons are the Rivonia Triallists and its co-presidents are Mrs Albertina Sisulu and Mr Archie Gumede.

The UDF began its political life with protest rallies, a petition-like Million Signature Campaign against the "reform" package. Through its affiliates, which determined their own campaigns and strategies, it came to support initiatives such as the rent boycotts and the consumer boycott of white businesses.

According to monitoring groups, activists linked to the UDF have born the brunt of repression, accounting for 70 to 80 percent of detentions made under the emergency.

The UDF has close links with the Congress of South African Trade Unions and the National Education Crisis Committee, which emerged at the end of 1985 to attempt to break the deadlock between boycotting high school pupils and the authorities. It was the intervention of the NECC that obtained a return to school by pupils in 1986 after two boycott-riddled years.

The NECC, which comprises pupils, parents and teachers, has been a proponent of the concept of "people's education", promoting particularly the idea that syllabus content should be relevant to the experience of pupils and that community members should form structures outside the official channels to influence the course of education.

The Azanian People's Organisation, founded in the late '70s, subscribes to the Black Consciousness ideology which emerged almost a decade earlier and was nurtured by such organisations as the South African Students' Organisation and the Black

The effective banning of 17 extra-parliamentary organisations was widely condemned yesterday by political parties, churches, trade unions, anti-apartheid organisations and student and youth groups.

Many western countries, including Britain, expressed shock and condemnation and warned the restrictions could lead to violence in South Africa and to increased pressure for greater international sanction.

A **Chamber of Mines** spokesman said: "The Chamber's perception is that threats to law and order posed by these organisations could be adequately addressed through due process of existing law."

The **Conservative Party** dismissed the Government's action as "inadequate" and "too late".

But Mr Chris de Jager, the CP's justice spokesman, said that "an impossible burden is placed on the people to distinguish between legal and illegal activities in the regulations".

Speaking in his personal capacity, **Dr Alan Boesak**, UDF patron and president of the World Alliance of Reformed Churches, vowed to continue his fight against the Government "at every single opportunity" and said that if the UDF could not call people to non-violent action he would do so in his own name.

Criminalised

"Every single action we can take has now been criminalised," he said.

Several of the affected organisations held a press conference in Johannesburg yesterday. In terms of the proclamation The Star may not report what they said.

Archbishop Desmond Tutu said many people would see the bannings as a declaration of war by the Government.

"There is now not the slightest possible doubt that its idea of reform is to smash all effective possible political opposition in the country, no matter how peaceful or lawful, and to rule with the jackboot," he said.

The Progressive Federal Party's Law and Order spokesman, Mr Tian van der Merwe, said the Government had by its actions treated Parliament with contempt.

It was a black day for South Africa, he said.

The PFP's Mrs Helen Suzman described the bannings as a

328 B/day 25/2/88.

IN 1977, Minister of Police Jimmy Kruger banned 16 black consciousness organisations in terms of the Internal Security Act, blaming them for being responsible for increasing the revolutionary climate.

Yesterday, government acted against another 17 organisations — but it apparently sought to avoid invoking permanent legislation in its clampdown.

For this reason it used the temporary powers granted it under the emergency regulations and not the Internal Security Act, according to Professor John Dugard, Director of the Centre for Applied Legal Studies at the University of the Witwatersrand.

"In effect, the two sets of bannings (1977 and yesterday) are substantially similar. The difference is that the Internal Security Act is part of the permanent law of the country, whereas this is an emergency measure," he said.

HOW THE NEW BANNINGS WILL WORK



☐ VLOK . . . approachable

At the Minister's pleasure

PATRICK BULGER

The effect of the latest regulations would be to allow the organisations in question "to operate at the pleasure of the Minister".

"But politically these organisations will be finished."

Dugard said he believed the orders had been timed to gain right-wing approval in the coming by-elections in the Transvaal.

The orders would also enable government "to take firm action against student meetings on campus," as several of the organisations were campus-based.

Law and Order Minister Adriaan Vlok said yesterday government did not want to stop all the activities of the organisations it had named — "only those which endanger the safety of the public, the maintenance of law and order or the termination of the state of emergency".

The organisations would still be able to maintain assets, keep books, comply with court orders and take legal advice.

They could also approach him "for permission to continue with certain activities which do not endanger the safety of the public".

The Congress of South African Trade Unions (Cosatu) was banned from any political activity and effectively restricted to trade union affairs.

The new regulations prohibit Cosatu from campaigning for the unbanning of illegal organisations and the release of detainees; opposition against the system of local government or negotiations on a new constitution; boycott actions; and making calls for disinvestment and sanctions against SA.

Cosatu may also not organise commemorations or celebrations of riots, public violence or unrest in the past, or in honour of a prisoner, "whether he be alive or dead".

In addition to the clamps on organisations, individuals may be restricted by the Minister. It was announced yesterday that orders were being served on 18 people, some of whom are in detention.

Those in detention would be released after the orders had been served on them.

No names were given.

Security Police Chief Lt-General Johan van der Merwe said "revolutionaries and activists, realising that armed confrontation and violent revolution cannot be successfully implemented in the SA, apply various other strategies in an attempt to achieve their goals".

These included mobilising the masses, rendering the country ungovernable, making impossible demands on government, destroying existing structures and instituting boycotts.

Lawyers acting for the 17 organisations have said they intend taking whatever legal action was possible against the orders.



☐ TAMBO . . . 'underground'

Tambo quoted on 'ANC links'

MINISTER of Law and Order Adriaan Vlok yesterday authorised the quoting of ANC leader Oliver Tambo to demonstrate the ANC's alleged links with some of the organisations served with restriction orders yesterday.

Chief of the Security Police Lt-General Johan van der Merwe issued a statement quoting Tambo at length. The quotations included:

"We have also succeeded to create mass democratic organisations representative of these conscious and active masses, ranging from street committees to Cosatu, the UDF, the NECC and their affiliates and other democratic formations" (January, 1986).

"We also sieze this occasion especially to welcome most warmly the formation of the Congress of South African Trade Unions . ." (January, 1986).

'Mighty arm'

"Organisationally, that enhanced level of unity has found expression in the growth of that mighty arm of the workers of our country, the Congress of South African Trade Unions and its affiliates" (January, 1988).

Practice had more than amply demonstrated that "the struggling masses of our country need the UDF as an instrument to maintain, advance and deepen our united action".

The "National Liberation Alliance," headed by the ANC, would be able to guide the UDF only "if we have our underground structures within the UDF" (January, 1987).

On education, Tambo was quoted as saying, in January 1987: "The school, the college, the university is for us more than a place of formal education. It is also our assembly point, the location from which we marshall our forces, organise them and take the opportunity to give the order of the day."

The system of people's education had to be introduced as a "decisive element" in the future of the country. — Sapa

The banned seventeen

DIANNA GAMES

MOST OF the 17 organisations effectively banned yesterday are township community groups, the majority of which have already had their activities greatly hampered by the detention of leaders.

Now, in terms of the new regulations under the Public Safety Act, the 17 will have no effective powers, with government allowing them merely to exist and maintain their assets, keep books and records up to date and perform administrative functions.

The organisations listed under the regulations are:

UNITED DEMOCRATIC FRONT: Formed in response to government's constitutional proposals for the tricameral Parliament, the UDF was launched nationally in August, 1983.

It is a loose association of about 400 labour, political, civic, church, women's and students' organisations, and is led by a national executive including Albertina Sisulu, wife of jailed ANC leader Walter Sisulu, Natal lawyer Archie Gumede and Johannesburg lawyer Azhar Cachalia.

Its launch represented the broadest alliance of anti-government groups since the congress movement of the Fifties.

In 4½ years it has been involved with a vast number of campaigns opposing government, and thousands of people belonging to its affiliated organisations have been detained at various times. It was declared an "affected organisation" in August, 1986.

AZANIAN PEOPLE'S ORGANISATION (Azapo): Formed in 1978, six months after the 1977 bannings, from the Soweto Action Committee, which comprised mostly activists who had eluded the security clampdown.

It is still linked to the black consciousness movement and has been involved in on-going conflict with the UDF. Its president, Nkosi Molala, served seven years on Robben Island.

PORT ELIZABETH BLACK CIVIC ORGANISATION (Pebco) — Formed in 1979, it had a meteoric rise, led by Thozamile Botha, a key figure in PE's labour upheavals at that time. He was detained with other Pebco leaders in 1980 after staging Ford strikes in 1980 and organising protest marches and stayaways.

In 1984, two released Robben Island prisoners, Edgar Ngoyi and Henry Fazzie, were elected to lead it.

Pebco became one of the best organised and most widely supported civic groups, leading major stayaways and protests. But its effectiveness was greatly reduced by the emergency regulations and detentions.

SOWETO CIVIC ASSOCIATION (SCA): The Committee of Ten, formed in 1977 to fill the leadership vacuum in Soweto after the 1977 bannings, gave birth to the SCA in 1984 to look after community affairs.

It is involved with, but not officially affiliated to, the UDF. Chairman is Dr Ntatho Motlana.

AZANIAN YOUTH ORGANISATION: Azapo's youth wing, formed about 1984.

SOWETO YOUTH CONGRESS (Soyco): A UDF affiliate, Soyco was one of three youth congresses formed in 1983. It comprises mostly young educated people, many of them unemployed.

CAPE YOUTH CONGRESS: Described as a radical organisation, it was formed in 1983 as part of the same movement as Soyco. It is a community youth body and many of its members are former members of banned groups.

CRADOCK RESIDENTS' ASSOCIATION: A UDF affiliate, the association was led by Matthew Goniwe, also a UDF regional organiser, who was ambushed and murdered on the roadside near Port Elizabeth in 1985, with three other members.

It pioneered street and area committees and was one of the first organisations to advocate negotiations with government, primarily regarding the schools boycott.

DETAINEES PARENTS' SUPPORT COMMITTEE (DPSC): A national organisation formed to monitor detentions, support political detainees and work for their release.

DETAINEES SUPPORT COMMITTEE: A similar group which was absorbed by the DPSC.

NATIONAL EDUCATION CRISIS COMMITTEE (NECC): A UDF affiliate, it was formed in December 1985, born from the Soweto Parents' Crisis Committee. Its primary objective was to end the schools boycott, and it went as far as negotiating with the Department of Education and Training before its leadership was detained.

NATIONAL EDUCATION UNION OF SA: A union of "progressive" teachers involved with alternative educational groups, such as the NECC, and an advocate of people's education. It is led by Curtis Nkhondo.

RELEASE MANDELA CAMPAIGN: A UDF affiliate started in 1983, committed to working for the unconditional release of political prisoners, the unbanning of political groups, the dismantling of apartheid and the unconditional return of exiles.

SOUTH AFRICAN NATIONAL STUDENTS CONGRESS (Sansco): A UDF affiliate, Sansco was formerly the black consciousness orientated Azanian Students' Organisation. It is concerned with problems affecting black students, and its aim was to mobilise students in their struggle against oppression.

SOUTH AFRICAN YOUTH CONGRESS (Sayco): Launched early last year to co-ordinate youth movements. It comprises local and regional youth groups.

VAAL CIVIC ASSOCIATION: A UDF affiliate formed in 1983 as a protest against black local authority elections in the Vaal Triangle. Most of its leaders are in detention and some of them, including Popo Molefe, are appearing as accused in the Delmas treason trial.

WESTERN CAPE CIVIC ASSOCIATION: Formed in 1983, it has become a low profile organisation, co-ordinating community activities. Its first chairman, Johnson Nxobongwana, changed sides and led the Witdoeke in the Crossroads conflict. Nxobongwana is now mayor of Crossroads.

MENT

11) 673-4160

been keenly watch-
elopments in Ango-
are now convinced
still believes what
Defence Force says
there will believe

it is what South
lerally become — a
refers to believe
challenge the word of
rticular.
g that in any war
paganda war often
eat — and truth is

HOW THE REGULATIONS AFFECT COSATU

THE Congress of South African Trade Unions (Cosatu) has been banned from a whole host of political activities under the new Emergency Regulation 6A.

Cosatu will no longer be able to conduct publicity campaigns to get public support for,

- The unbanning of banned organisations,
- The release of persons. The suspension or remission of sentences on persons,
- The abolition of a local authority.

It will also be prevented from conducting publicity campaigns to "stir-up" public opposition to,

- Detentions
- The system of local government in the RSA,
- Any negotiations or proposed negotiations on a new constitutional dispensation to which the Government is likely to be a party.

Cosatu is also forbidden from conducting publicity campaigns calling on, encouraging or inciting the public to,

- Boycott any local authority election or prevent, frustrate or impede such an election,
- Observe any particular day,

(I) Commemorating the founding of any unlawful or affected organisation,

(II) Commemorating or celebrating an important event in the history of such an organisation

(III) Commemorating a riot, or protest,

(VI) Commemorating the death of a person,

(V) Which honours a prisoner or prisoners.

Cosatu is also prevented from founding, propagating, organising, managing or operating alternative structures.

It can also not conduct publicity campaigns calling on the public to "meddle" or interfere with the affairs of a local authority.

It is prevented too from making calls for or inciting,

- People to disinvest from the Republic or not to do business with the Republic,
- The Government of another country to apply trade, economic or other punitive measures against South Africa or to sever or restrict diplomatic relations with it,
- People outside South Africa to end, suspend or sever affiliation or ties with a person or body inside South Africa.

Cosatu is also forbidden from arranging, organising or propagating any public gathering to advise, discuss or advocate any of the restricted activities.

The order is effectice immediately.

328 B/day 29/2/88.

IN 1977, Minister of Police Jimmy Kruger banned 16 black consciousness organisations in terms of the Internal Security Act, blaming them for being responsible for increasing the revolutionary climate.

Yesterday, government acted against another 17 organisations — but it apparently sought to avoid invoking permanent legislation in its clampdown.

For this reason it used the temporary powers granted it under the emergency regulations and not the Internal Security Act, according to Professor John Dugard, Director of the Centre for Applied Legal Studies at the University of the Witwatersrand.

"In effect, the two sets of bannings (1977 and yesterday) are substantially similar. The difference is that the Internal Security Act is part of the permanent law of the country, whereas this is an emergency measure," he said.

HOW THE NEW BANNINGS WILL WORK



☐ VLOK ... approachable

At the Minister's pleasure

PATRICK BULGER

The effect of the latest regulations would be to allow the organisations in question "to operate at the pleasure of the Minister".

"But politically these organisations will be finished."

Dugard said he believed the orders had been timed to gain right-wing approval in the coming by-elections in the Transvaal.

The orders would also enable government "to take firm action against student meetings on cam-

endanger the safety of the public, the maintenance of law and order or the termination of the state of emergency".

The organisations would still be able to maintain assets, keep books, comply with court orders and take legal advice.

They could also approach him "for permission to continue with certain activities which do not endanger the safety of the public".

The Congress of South African Trade Unions (Cosatu) was banned

sition against the system of local government or negotiations on a new constitution; boycott actions; and making calls for disinvestment and sanctions against SA.

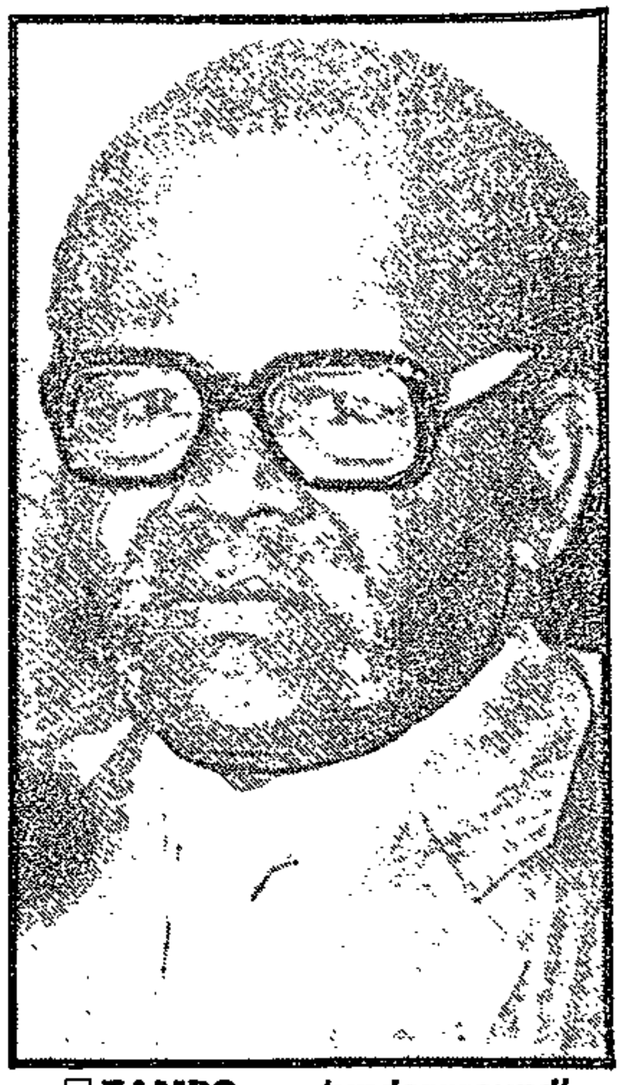
Cosatu may also not organise commemorations or celebrations of riots, public violence or unrest in the past, or in honour of a prisoner, "whether he be alive or dead".

leased after the orders had been served on them.

No names were given.

Security Police Chief Lt-General Johan van der Merwe said "revolutionaries and activists, realising that armed confrontation and violent revolution cannot be successfully implemented in the SA, apply various other strategies in an attempt to achieve their goals".

These included mobilising the masses, rendering the country un-



☐ TAMBO ... 'underground'

Tambo quoted on 'ANC links'

Page One Comment

YESTERDAY marked another sad day for democracy, and a black day for South Africa. Once more, the Government has seen fit to silence black organisations which are critical of it. Sowetan (3rd) 25/2/88

While the Government says that these organisations can still operate legally, they have effectively been banned from doing anything without the permission of the authorities.

For years now, we have taken leaps from the Rule of Law. For years, we have taken giant leaps further and further back into the dark ages. Having reached a stage recently that we believed we could not sink any lower, the Government has once more shown its ability to surpass itself.

None of the organisations against which the Government has acted has been found guilty of any offence in a court of law. If, as the Government charges, they had been guilty of an offence, surely that is what the courts exist for.

But then we would be expecting too much from the Government. The courts have largely become irrelevent in this country. People are jailed after secret trials by bureaucrats. They do not have the right to defend themselves, nor do they have recourse to legal channels. This is the stuff the banana republic dictatorships are made of.

Clearly, the Government wishes to give the impression that it knows more than the average citizen of this country. It seems to suggest that this country is under such onslaught that it has to take these extraordinary steps. The reasons advanced now for its action are not new. Indeed, they are tired old phases that have introduced no new dynamics.

The sad truth is that the latest actions only confirm how sick South Africa has become. To eliminate the remaining channels for peaceful protest and resistance is to invite uncontrollable under-ground activity, which can be far more dangerous than anything the Government can imagine.

The Government must take full responsibility for the consequences of its action, for no amount of repression can put out the light of freedom and democracy.

Black opposition in disarray

Tough curbs hit anti-govt groups hard

BLACK political opposition and labour groupings were thrown into disarray yesterday by government's effective banning of 17 organisations and the imposition of wide-ranging restrictions on Cosatu.

The order, gazetted in terms of a new set of emergency regulations, will total-

● Reaction — Page 3
● Details of the ban — Page 8
● Comment — Page 8

ly curtail the political activities of the UDF and the Azanian People's Organisation (Azapo), the two major extra-parliamentary opposition groups in the country.

Although they remain legal, they must have the permission of Law and Order Minister Adriaan Vlok to perform any functions other than internal administrative activities such as maintaining assets and keeping books without

The restrictions on Cosatu — less severe and apparently designed to limit its activity to purely bread-and-butter trade union matters — follow recent ministerial and police statements about its political activities.

PATRICK BULGER and ALAN FINE

Cosatu's plans for campaigns against the October municipal elections and for the release from custody of Moses Mayekiso — general secretary of its second-largest affiliate — now appear doomed.

However, lawyers said most facets of Cosatu's "living wage" campaign as well as its campaign against the pending Labour Relations Amendment Bill are unaffected by the restrictions.

The curbs do not apply to Cosatu's individual affiliates.

The orders also threaten to scuttle talks aimed at ending the Maritzburg conflict. Two of the key participants in the talks, UDF leaders Archie Gumede and A S Chetty, were served with restriction orders prohibiting, among other things, any involvement in UDF activity without the permission of the SA Commissioner of Police.

And Cosatu media officer Frank Meintjies said Cosatu would be prohibited from calling for the release from detention of participants in the peace

● To Page 2

Restrictions slapped on UDF leaders

GOVERNMENT moved against leading anti-apartheid activists yesterday, slapping restriction orders on at least five senior UDF office holders.

The restrictions were issued in terms of new emergency regulations issued by Law and Order Minister Adriaan Vlok, who said 18 people, some of whom were in detention, would be restricted.

UDF co-presidents Archie Gumede and Albertina Sisulu and UDF Natal Midlands chairman A S Chetty received restriction orders late yesterday afternoon. In Maritzburg former Methodist Church president Simon Qgubule received a ban, as did Cape Town UDF members Willie Hofmeyer and Joey Marks. Release Mandela Committee office bearer Jabu Ngwenya was also served with an order at his Soweto home.

Gumede's order prohibits him from taking part in UDF activities, talking to the Press, addressing gatherings of more than 10 people and preparing material for publication as defined by the Internal Security Act.

Lawyers acting for the affected organisations were yesterday studying the restrictions and said they would be

SIPHO NGCOBO and PATRICK BULGER

mounting a legal challenge in the near future.

Police swooped on the Johannesburg offices of the Azanian National Youth Unity (Azanyu) — not one of the listed groupings — and removed documents yesterday. Although the offices were locked, police allegedly used their own keys, Azanyu officials said.

The raid came less than 10 minutes after an Azanyu official single-handedly removed almost every document and other office goods from the office after tip-offs from four anonymous callers.

The lone official also removed a photo-copying machine, boxes of literature and 600 T-shirts printed for this week's 10th anniversary of the death of PAC founder Robert Sobukwe.

P. T. O.

Political Correspondent
and DENNIS CRUYWAGEN,
Staff Reporter

LEADERS of extra-parliamentary organisations went underground today to avoid being served restriction orders as lawyers considered challenging the Government's new curbs in the Supreme Court.

A Government source indicated today that police were looking for some people.

In terms of the state of emergency regulations, members of any of the 17 organisations which were severely limited yesterday, can be restricted in various ways.

In terms of some orders which have been served, the leaders are confined to certain magisterial areas and to their homes at certain times. They are also prohibited from addressing gatherings of more than 10 people, from preparing material for publication and from talking to the Press.

Curbs "vague"

Lawyers who were studying the curbs today with a view to challenging them in court said they were "vague" and words such as "activity" and "act" were not defined properly.

Restricted people "were left in doubt about what they could and could not do".

The Minister of Law and Order, Mr Adriaan Vlok, has signed 18 restriction orders.

A spokesman indicated that some of these might be served on detained people when they were released.

His department declined today to give the names of people who had been served with orders. Other sources have confirmed the names of a number of restricted people.

They include Western Cape United Democratic Front office-bearers, Mr Joe Marks, his son Mr John Joseph Marks and Mr Willie Hofmeyr, Mr Reggie Oliphant, UDF Southern Cape president and member of the editorial committee of Saamstaan newspaper in Oudtshoorn, and his colleague Mr Derek Jackson.

UDF presidents

Also restricted are UDF co-presidents Mr Archie Gumede and Mrs Albertina Sisulu, UDF Natal Midlands chairman Mr A S Chetty, former Methodist Church president and UDF patron the Rev Simon Qgubule, Release Mandela Committee office-bearer Mr Jabu Ngwenya and Dr R A M Salojee, vice-president of the Transvaal Indian Council and a member of the UDF.

Mr Joe Marks is restricted to the Wynberg magisterial district and confined to his Steenberg home between 6pm and 5am daily.

He is prohibited from taking part in the activities of the UDF, the Release Mandela Committee, the Cape Youth Congress, the Cape Areas Housing Committee, the Detainees Parents Support Committee and the Western Cape Civic Association.

He may not address a gathering of more than 10 people or contribute or compile material for publication.

Hamper business

Mr Marks's daughter Brenda said her father was a self-employed greengrocer and fishmonger and the restrictions would hamper his business.

"He has to go to Epping municipal market today but he needs permission to leave Wynberg."

He also needed permission to go to Yzerfontein to buy fish, she said.

Mr Joseph John Marks, a University of the Western Cape student, has been similarly restricted.

Details of Mr Hofmeyr's order are not known.

Today nothing was known about the future plans of the restricted organisations.

(Turn to page 3, col 8)

P.T.O.

SA's best friends are dismayed, says Worrall

Political Correspondent

SOUTH Africa's very best friends in Britain are "utterly dismayed" at the Government's actions in restricting extra-parliamentary organisations, says Dr Denis Worrall who is in London.

He said favourable perceptions of the economic reform package had been wiped out.

In a telephone interview today the former ambassador and leader of the Independent Movement said he had spent much of this week talking to leading businessmen. Much of the discussion had been about the Government's economic reform package.

WIPED OUT

The reaction had been good, but the steps announced yesterday wiped all of that out.

"These organisations are perceived over here to have been engaged in legitimate non-violent political activities and the restrictions on them are seen as almost a suicidal action from the Government's point of view," he said.

"South Africa has been off the TV screens and the front pages. It is now back on."

Asked about his personal reaction, Dr Worrall said he thought it was an incredibly foolish and irresponsible action.

"It puts a question mark in the minds of all reasonable South Africans as to what precisely the Government means by 'revolutionary climate' and its concept of 'law and order'.

"The measures also obviously show that the Government's claim to be interested in negotiating the political future of South Africa is a sham.

"I believe there are a great many people in the National Party who must share the sense of utter depression which actions of this kind cause."

● From Washington The Argus Foreign Service reports that the US State Department said South Africa had taken a "giant step backwards" by cracking down on dissident black political groups.

The department's chief spokesman, Mr Charles Redman said the US was appalled by the effective outlawing of the activities of a large number of organisations.

"The South African Government has dealt a severe blow to efforts to achieve a peaceful solution to South Africa's problems," Mr Redman said.

"This is a giant step backward for South Africa."

President Ronald Reagan called on the South African Government to work toward a multiracial democracy rather than oppress political organisations.

MADE CLEAR

Mr Reagan said the US view had been made clear to the South African Government, but he did not repeat the harsh words used by his senior officials in one of the toughest statements yet made by the Americans about South African actions.

Former US ambassador Mr Herman Nickel said the Government's action showed a turning away from any pretence of wanting to talk to the black majority and it signified an attempt to break the opposition instead.

"You can put the lid on the kettle, but you cannot keep the kettle from simmering," Mr Nickel said.

In London a "shocked and saddened" British Foreign Secretary Sir Geoffrey Howe said Pretoria's action amounted to "the suppression of non-violent political activity" and said the clampdown could lead to frustration, despair and more violence.

(The Minister of State in the Foreign

(Turn to page 3, col 6)

ARGUS
Political
Bureau

Churchmen refuse to be silenced by restrictions

By Jo-Anne Collinge

Twelve church leaders have vowed that, regardless of the consequences, they will continue many of the activities which have become illegal for the 17 political organisations to pursue.

The group has called on churches to organise "major services of witness and protest against the restrictions in every area of the country" at 3 pm on Sunday.

The clerics, including Cape Town's Anglican Archbishop Desmond Tutu, South African Council of Churches general secretary the Rev Frank Chikane, SACC president Dr Manas Buthelezi, and the outgoing general secretary of the Southern African Catholic Bishops' Conference, Father Smangaliso Mkhatshwa, attended an urgent meeting in Johannesburg yesterday.

'Central to Gospel'

They released a statement declaring: "The activities which have been prohibited are central to the proclamation of the Gospel.

"We must make it quite clear that no matter what the consequences, we will continue as a matter of course:

- "To campaign for the release of prisoners.
- "To call for clemency for those under sentence of death.
- "To call for the unbanning of our political organisations.
- "To call for negotiations involving the true leaders of our country to bring about a transfer of power from a minority to all the people of our country.
- "To commemorate significant events in the life of our nations and those who have died in what the State calls 'riots'.
- "And to call upon the international community to apply pressure to force the Government to the negotiating table."

The churchmen have also been highly critical of the restriction of the joint presidents of the United Democratic Front, Mrs Albertina Sisulu and Mr Archie Gumede.

Their statement said: "Mrs Sisulu has been struggling to bring about peace between opposing groups in KTC, Cape Town. It is widely acknowledged that Mr Gumede has been a key advocate of peace in the fighting in Maritzburg."

The other members of the group are the Rev Khoza Mgojo, a former head of the Methodist Church; the Rev D N P Luthuli of the Evangelical Lutheran Church in SA; the Rev D S Madisapodi of the African Methodist Episcopal Church; the Rev L Marokoane of the African Catholic Church; four members of the Council of African Independent Churches — Archbishop N H Ngada, the Rev P Makhubu, the Rev O T Xulu and the Rev T W Ntongana.

● See Page 15.

Activists' centre gets Black Sash streamers

Khotso House in central Johannesburg, which houses the United Democratic Front and the Detainees' Parents' Support Committee offices, was draped with long black streamers yesterday by members of the Black Sash, which also occupies the building.

The hall and meeting facilities of Khotso House, which is owned by the South African Council of Churches, have been frequently used by many of the 17 organisations who have been clamped down on by the Government.

A Black Sash statement said their use of black sashes across the building was "to demonstrate the extent of our abhorrence of the latest spate of bannings (which) are bound to provoke anger, protest and unrest, thus giving the State further opportunities for repressive action against its opponents".

The Black Sash regarded South Africa as being in a state of mourning which would only be relieved when "the shackles of apartheid are removed and we begin to move forward towards enlightenment and civilised rule".

In Khotso House, the DPSC offices, normally filled with workers and relatives of detainees, were empty. A staff member was connecting answering machines to telephones and there was a notice on the door stating that the offices would remain closed until certain legal procedures had been completed.

● Picture — Page 15.

26/02/88 328

ing."

MOCKED BY REGIME

Labour leader Mr Neil Kinnock said Mrs Thatcher's condemnation of apartheid was "mocked by the Botha regime".

Even the British Premier, he said, must be convinced now that it was time for sanctions.

The ANC held a press conference to marshal condemnation of apartheid and to pressure Britain and the EC to impose sanctions.

The meeting was addressed by Mr Thabo Mbeki, the ANC's publicity secretary, who is banned under the Internal Security Act and may not be quoted in South Africa. He dealt with the question of political and violent opposition to the government.

- Anti Apartheid Movement president Archbishop Trevor Huddleston wants to meet the British Foreign Secretary and West German Foreign Minister to propose that all European Community ambassadors be recalled from Pretoria "as a public expression of outrage".
- Sir Richard Attenborough, who showed his film "Cry Freedom" to parliamentarians on Wednesday, said of the clampdown: "The last embers of democracy have just been snuffed out."

Report Restricted

Parts of this report have been omitted to comply with the Internal Security Act.

Chalker.

But during an interview on the television current affairs programme Newsnight Wednesday, Mrs Chalker said Britain would need another meeting with its Commonwealth colleagues to thrash out new strategies on the South African question.

Other Commonwealth countries, who to a man support full sanctions, are now expected to intensify the pressure on Britain to fall into line with them.

However, Mrs Chalker's remarks make it clear that future talks would again highlight the Commonwealth split — so evident at last year's heads of government meeting in Vancouver — on how to deal with the South African issue.

Mrs Chalker said during the Newsnight interview that the British Government continued to believe that negotiation was the way to peace in South Africa.

The new curbs, she said, had "destroyed" previous hopes of a speedy resolution to the conflict.

But comprehensive sanctions, she said, would only worsen the situation. "We want no more (economic) measures — we must find a way of impressing on the South African Government that what is needed is a new way of finding peace.

PW pandering to Right wing, says UK newspaper

The Star Bureau

LONDON — The State President, Mr P W Botha's, determination to suppress or curb black political and trade union institutions is a "flawed strategy" which reduces the chances of genuine reform.

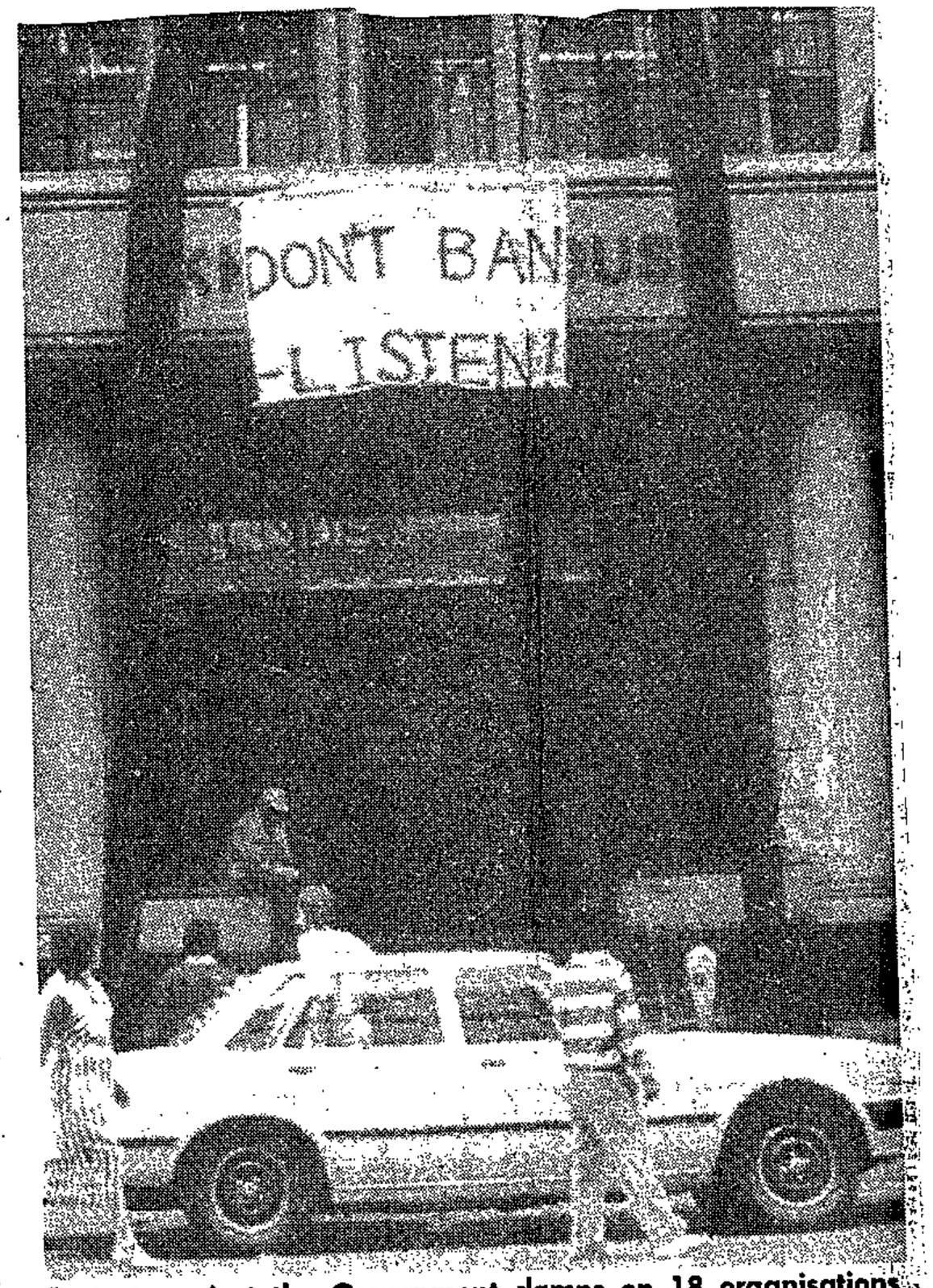
So says the *Financial Times* in a lengthy editorial today devoted to an analysis of what it sees as Mr Botha's attempts to pander to the Right wing by cracking down on black opposition groupings.

Mr Botha, it warns, will "sooner or later" be forced to deal with some of the very organisations he has recently proscribed.

"The long-promised talks about South Africa's constitutional options will only take place with black leaders of Pretoria's choosing, with an agenda which precludes any challenge to white control of central government."

But, says the leader writer, "the homelands themselves are fragile, as two recent coups illustrate. Add to this the instability of southern Africa as a whole and "clearly the West, and particularly Britain, should be deeply concerned".

Making sanctions tougher now, says the paper, would probably have little effect on Pretoria. An option would be to help African states reduce their trading links with South Africa.



Protest against the Government clamps on 18 organisations . . . Khotso House in central Johannesburg, which houses United Democratic Front and Detainees' Parents Support Committee offices, was draped with long black streamers yesterday by members of the Black Sash, which also occupies the building.

26/2/88

528

ANC calls for resistance to new Govt restrictions

LUSAKA — The African National Congress called yesterday for "resistance and defiance" in response to the virtual bannings of South Africa's anti-apartheid organistions.

The ANC said the ban imposed on Wednesday on political activity by 18 groups was an attempt to crush the campaign for non-racial democracy.

"The organisations and civic bodies that have been banned were committed to non-violent forms of struggle," the ANC said in a statement from Lusaka.

"The fact that they have now been proscribed demonstrates clearly that it is not advocacy of or engagement in armed struggle that the regime fears, but the very expression of democratic opposition," the statement said.

The ANC described the ban as "an open challenge to all patriots either to submit to the juggernaut of the police state or to devise new and better methods of continuing the struggle".

"The ANC calls on the people of South Africa to rise to this new challenge as never before by adopting a posture of resistance and defiance to the tyrannical measures," the statement said.

Foreign ministers of the Organisation of African Unity (OAU) meeting in Addis Abbaba yesterday adopted a strong declaration condemning the banning and decided to call on the United Nations Security Council to convene an emergency session on the situation immediately. — Sapa.



Wits University students march to the campus boundary yesterday to protest at the Government banning of organisations.

26/02/88

328

in overseas press

"But it is precisely this kind of vacillation which has encouraged the rise of the new right inside and outside the white political structure.

"By stealing the new opposition's clothes he risks encouraging white voters to choose the real thing; why should they return to the ranks of a party which seems to them to have lost its way after 40 years in power and plunged the country into crisis?"

The Independent said: "The immediate reason for the draconian and unwarranted restrictions imposed by the South African authorities on the peaceful political activities of 17 moderate and multiracial protest groups is that two by-elections are to take place shortly in the Afrikaner heartland of the Transvaal.

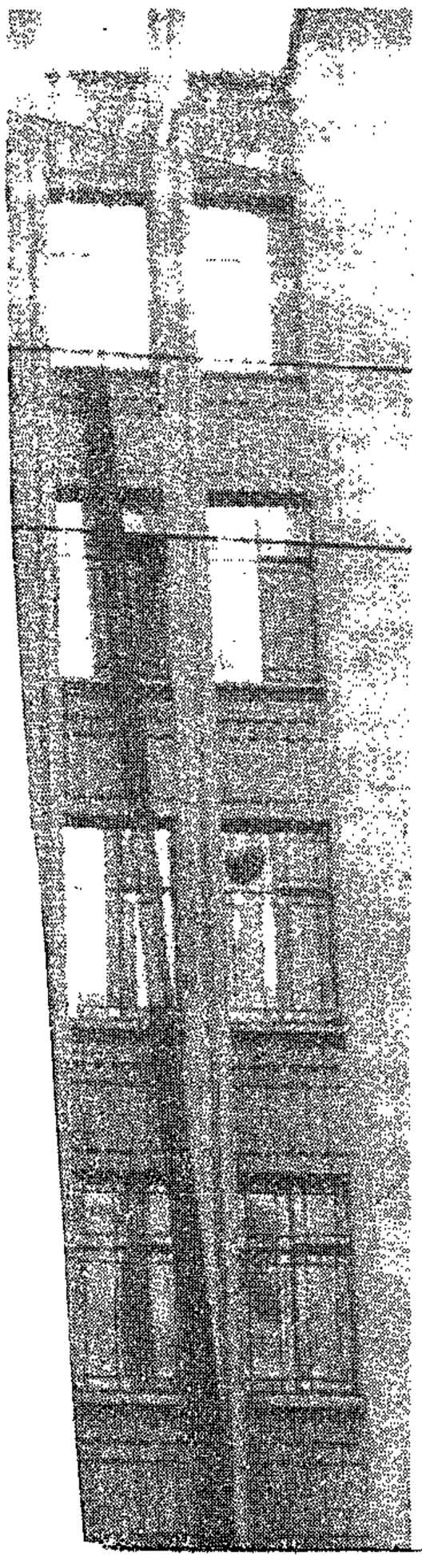
"The opposition Conservative Party is hoping to increase its majority in all three seats and so demonstrate that Afrikaner opinion has moved away from any interest in even marginal amelioration of apartheid.

"President Botha, in response, is signalling that his Government is not dominated by revisionists and neither is it soft on dissent.

"It is a sign of the current mood in South Africa that such a brutally repressive regime still feels itself to be more vulnerable, politically, to right-wing white criticism than to the censure of its traditional, liberal opponents.

"That mood was also reflected in the president's recent address to Parliament in which he chose largely to ignore the crying need for fundamental political and constitutional reform."
— Sapa.

ply concerned'



How Govt moved to curb opposition

The Government's ban on political activity by 17 opposition organisations on Wednesday was the most extensive crackdown in 10 years. Here is a chronology of previous Government moves to restrict political opposition and to curb violence, and the reaction to some of these moves.

● 1955: A national Peoples' Congress is broken up and 156 black leaders, including Nelson Mandela of the African National Congress, and Pan Africanist Congress leader Zeph Mothopeng are charged with treason. All were acquitted after lengthy trials.

● March 21 1960: The ANC and PAC call for peaceful protests against laws requiring blacks to have passes to enter white areas. Police shoot dead 69 blacks at a rally in the Sharpeville township.

● March 30 1960: National state of emergency declared, granting police wide powers to prohibit gatherings, search people and premises, and resort to force. New powers of detention without trial were introduced and after the emergency ended, many of the new powers became law.

SOWETO RIOTS AND BOYCOTTS

● April 1960: Parliament outlaws the ANC and PAC.

● 1961-62: ANC and PAC military wings formed. Sabotage campaign begins.

● August 5 1962: Nelson Mandela arrested and, in 1964, sentenced to life imprisonment for treason and sabotage.

● June 16 1976: An estimated 13 000 black students demonstrate in Soweto to protest a requirement that lessons be taught in the Afrikaans language. Police shoot to death several students, touching off riots and boycotts that sweep South Africa for more than a year, claiming 575 lives by official count.

● Sept 12 1977: Steve Biko, founder of the Black Consciousness movement, dies in police detention.

● October 19 1977: Government bans 18 organizations and the two largest black newspapers, and detains 47 black leaders.

● May 1978: The Azanian Peoples' Organisation is formed to replace the Black Consciousness organisations banned after Biko's death.

UDF LEADERS HELD ON TREASON CHARGES

Curbs on Saamstaan workers are slated

By Jo-Anne Collinge

The restriction of three workers on the tiny Oudtshoorn paper, *Saamstaan* has been greeted with outrage by journalists' organisations and the Anti-Censorship Action Group (Acag).

The three men are Mr Clive Stuurman, Mr Reggie Oliphant and Mr Derrick Jackson. They have been house-arrested by night, prevented from participating in the activities of key community groups and confined to the municipal area of Oudtshoorn.

A spokesman for the Association of Democratic Journalists (ADJ) pointed out that *Saamstaan* workers had been subjected to untold repression and danger in the course of bringing out their fortnightly paper for the last three years.

Several had been detained, at least one was badly assaulted and there had been mystery attacks on their premises.

The restriction of 17 popular organisations has been described as the silencing of the most important voices of the voteless majority of South Africa.

"At the stroke of a ministerial pen, the South African Government has all but banished the voices, views, actions and aspirations of the vast majority of the population of this country," says Acag.

It highlighted the possible effect of the clamp on activities of the Detainees' Parents Support Committee. "Without their consistent monitoring and information about detainees, the country will have to rely on Government handouts. Acag fears that means we will sink into an Argentinian situation with people simply disappearing off the face of the earth."

The Southern African Society of Journalists stated: "Journalists do not for one minute believe that all opposition activity will end because the government has so decreed. Instead, it will be driven underground and journalists will be unable to tell readers what

26/02/88

328

SA crackdown in headlines

LONDON — The South African Government's latest crackdown has received prominent coverage in the British media.

It was a headline item on Wednesday night's television and radio news bulletins, and all yesterday's "quality" newspapers carried reports on their front pages.

The London *Times* headlined its report "Outrage greets Botha's curbs on opposition" and described the measures as "sweeping".

Under the headline "Outcry as South Africa bans 17 groups", the *Daily Telegraph* said South Africa had introduced "draconian powers" to silence its opponents.

The *Financial Times* headlined its story "South Africa puts restrictions on black political groups".

The *Guardian* with its headline, "Pretoria bans UDF in new crackdown" and *The Independent* with "South Africa arouses world anger" both carried editorials.

The *Guardian* said: "The new restrictions have been imposed long after generalised protest in the townships declined to what Pretoria seems to regard as a tolerable and containable level.

"This can only mean that the real target is the white electorate in two Transvaal constituencies where by-elections are due next week.

"The ruling National Party hopes to win back voters who have deserted in droves to the ultra-right Conservatives, making them the second-largest party in the white chamber at last year's whites-only election.

"This forced a change of front upon President Botha, who now finds himself resisting pressure to revert to full-blown apartheid instead of demands to moderate it by limited reform.

"White liberals are on the defensive and increasingly divided while the far-right has successfully mobilised the fears of less prosperous whites behind its campaign to restore apartheid.

"In his anxiety to prove himself as tough as anyone in confronting black dissent, Mr Botha has reverted to type by abandoning appeasement altogether in favour of repression.

Thatcher: sanctions would not help

The Star Bureau

LONDON — The British Prime Minister, Mrs Margaret Thatcher, condemned yesterday President Botha's crackdown on black opposition groups, but told Parliament she still believed sanctions "will only make worse a very difficult situation".

This persistent anti-sanctions stance was expected to earn the British Prime Minister another tongue-lashing from critics in the House during a three-hour debate on Monday on Britain's responsibilities in South Africa.

The debate will once again place South Africa in the focus of British public opinion and step up pressure for Mrs Thatcher to ditch her opposition to sanctions.

South African Ambassador to London Mr Rae Killen was summoned yesterday for a 10-minute meeting with Minister of State in the Foreign Office Mrs Lynda Chalker, who told him Britain believed the new restrictions would drive opposition further underground and encourage violence.

Questioned on the curbs in Parliament, Mrs Thatcher said the latest crackdown would prove "a great setback to peaceful negotiations".

"But sanctions will not be helpful. You do not make a difficult situation better by bringing starvation and poverty to the people you should be help-

Thatcher 'deep

LONDON — British Prime Minister, Mrs Margaret Thatcher, was yesterday reported to be "deeply concerned" about the South African Government's latest crackdown.

BBC Television said the issue was discussed when Mrs Thatcher had talks in London yesterday morning with Dr Denis Worrall, the former South African Ambassador to Britain who now leads the Independent Party in South Africa.

BBC TV said it was believed that Mrs Thatcher told Dr Worrall that the South African Government's clampdown was "deplorable", and "a major setback".



Mrs Thatcher . . . said to be deeply concerned

Dr Worrall yesterday said South Africa's very best friends in Britain were "utterly dismayed" at the Government's actions.

Dr Worrall, who is on a visit to Britain, said favourable perceptions of the economic reform package had been wiped out.

He said he had spent much of this week talking to leading businessmen and much of the discussions had been about the Government's economic reform package.

The reaction had been good but the steps announced on Wednesday wiped all of that out.

"These organisations are perceived over here to have been engaged in legitimate non-violent political activities and the restrictions on them are seen as almost a suicidal action from the Government's point of view.

"South Africa has been off the TV screens and the front pages. It is now back on."

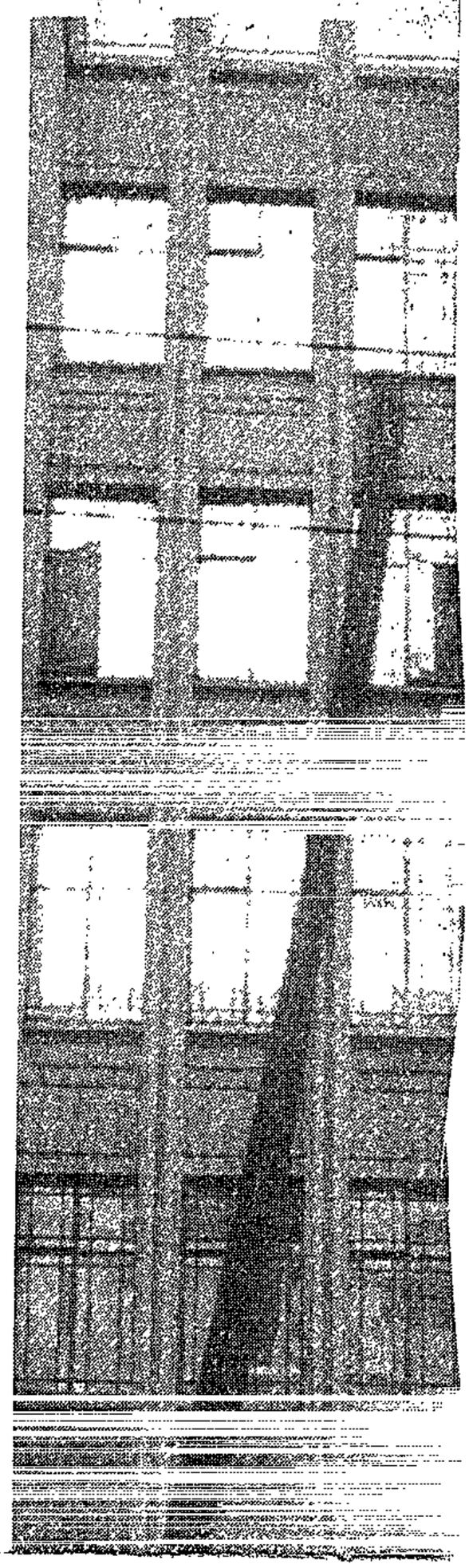
British opposition parties yesterday criticised Mrs Thatcher for refusing to implement tough economic sanctions against South Africa.

Mrs Thatcher has maintained that such measures would do more harm than good.

Vicious jackboot rule

Labour Party leader Mr Neil Kinnock, said: "Mrs Thatcher's government bears a heavy responsibility. Because it has been so weak against apartheid we now have even more vicious jackboot rule."

In spite of its shock at President P W Botha's latest crackdown the British Government would continue to oppose comprehensive



● August 20 1983: The United Democratic Front is launched to organise opposition to a planned tri-cameral parliament, including representation for all race groups except the black majority. In next four years, UDF becomes largest, legal anti-apartheid group.
● September 1983: Riots break out in Sharpeville, touching off three years of widespread violence, claiming 2 500 black lives.
● February 19 1985: Arrests of UDF leaders on treason charges. More than 22 have been arrested and their trials are continuing.
● July 20 1985: President P W Botha declares a state of emergency in 36 black cities and towns, the first such declaration since 1960. The emergency decrees cover about have the country. About 1 000 activists are detained in the first week.
● December 1985: Congress of South African Trade Unions (Cosatu) is formed to consolidate labour and political activity of black unions.
● March 7 1986: Government lifts state of emergency, saying conditions have improved.
● June 4 1986: Government bans all meetings related to 10th anniversary of Soweto riots.
● June 12 1986: More than 1 000 anti-apartheid activists detained in pre-dawn raids. Botha imposes nationwide state of emergency, with broad press curbs, wide powers for police and restrictions on many forms of protests and statements. The emergency remains in effect, and an estimated 30 000 people have been detained.
● October 9 1986: Government bans UDF from receiving funds from outside the country. All but three of its executives are in detention, in hiding or on trial.
● November 7 1986: New orders issued restricting activities of white opponents, prohibiting them from participating in certain organisations, publishing statements or attending rallies.

GOVAN MBEKI RELEASED

● December 1986: Press banned from reporting many anti-government statements or being within sight of protest activity.
● May 6 1987 — Headquarters of Cosatu blown up on election day. Conservative Party makes big gains, becoming the official parliamentary opposition on campaign against any apartheid reform.
● August 27 1987: New curbs announced to suppress anti-government press, by threatening shutdown or in-house censors. Seven newspapers warned about articles government considers objectionable.
● October 1987: Universities told funds will be cut if they don't stop protests on campus. ANC leader Mr Govan Mbeki is released after 24 years in prison.
● December 1987: Government restricts Mr Mbeki to Port Elizabeth, bans him from talking to press or addressing rallies.
● February 24 1988: Government bans political activity of 18 organisations, including Cosatu, UDF and Azapo. — Sapa-AP.

happening in this society.

The SASJ warned that the restriction of individuals in the Maritzburg area as well as the organisational curbs might add fuel to violence there.

The ADJ said: "The banning of 17 organisations demonstrates clearly that the National Party is incapable of seriously addressing mass popular demands for democracy in our country.

"It also vividly underlines what journalists have long known, that Pretoria's suppression of freedom of expression and of the right to inform and be informed cannot be separated from the denial of other rights and freedoms."

24/02/88

328

Restricted 18 won't be named

CAPE TOWN — The South African Police would not issue the names of persons served with restriction orders in terms of the announced curbs on the UDF and other organisations, a spokesman said yesterday.

Brigadier Leon Mellet, spokesman for the Minister of Law and Order, said the names of the 18 persons in respect of whom the restriction orders were made would not be made public.

The orders were published in a special Government Gazette on Wednesday, backdated to Monday. — Sapa.

Students march in protest at curbs

By Sally Sealey

University of the Witwatersrand students marched to the edge of the campus yesterday after a meeting to protest against the banning of 17 organisations and the imposing of restrictions on another.

At least 300 students were in the march, but turned back on reaching Jorissen Street in Braamfontein.

Police were present, but there were no incidents.

The march came after an emotionally-charged protest meeting attended by at least 500 students.

The meeting was addressed by several student organisations, and by Mr Aubrey Mokoena of the Release Mandela Campaign, one of the affected organisations, Ms Amanda Kwadi of the Federation of Transvaal Women (Fedtraw), and Professor June Sinclair, dean of the faculty of law.

Professor Sinclair said it was important to realise that the Government had restricted the organisations under existing emergency regulations rather than the Internal Security Act.

She said the Government hoped to solicit more support this way.

"Countries would be more sympathetic to the extension of emergency laws than they would be to the imposition of the Internal Security Act.

"We are not misled by such duplicity. Basic freedoms have been violated," she said.

Professor Sinclair said that by banning organisations, the Minister of Law and Order, Mr Adriaan Vlok, had provoked outrage.

President of the Black Students' Society, Mr James Maseko, said: "We are not here to mourn but to re-group and organise. Amid talk of reform and change, the Government persists in tightening its hold on to power by refusing to allow democratically-minded people the right to organise and strive for true justice and freedom."

Ms Rose Hunter, president of the Students' Representative Council, condemned the banning of national organisations.

A spokesman for the Young Christian Students said the time had come for all Christians to take sides.

A statement released by the Muslim Students' Association condemned the Government, saying: "The effective banning of 17 organisations lays to rest the State's claim of 'peaceful reform'."

Mrs Winnie Mandela, wife of jailed African National Congress leader Nelson Mandela, was to speak at the meeting, but was called away to attend to an urgent matter in Soweto.

New regulations hang over all like sword of Damocles, says Eglin

The Government was busy turning South Africa into a banana republic where real power was not with Parliament, the courts or the people, but in the hands of the "restricted political clique" which operated the security apparatus, Progressive Federal Party leader Mr Colin Eglin said yesterday.

Speaking in the third-reading debate in the House of Assembly on the Own Affairs mini-budget, he said that after an examination of the new emergency regulations announced on Wednesday, he found they were even worse than he had believed from first reports.

The PFP was appalled not only by their draconian content, but also by their implications for the future of the country.

"The restrictions do not only deal with 16 organisations and one trade union," he said. "They hang like a sword of Damocles over every individual and every organisation in South Africa. They hang over this Parliament."

Revolutionary

At a stroke of a pen political expression, political activity and association, even if it was lawful, could cease to be a basic right.

The Government gave as its reason for the restrictions that it was dealing with the creation of a revolutionary climate.

There could be many factors contributing to the revolutionary climate, Mr Eglin said, but none was more potent than the failure of the Government to scrap apartheid and its denial, over 40 years in office, of basic human rights to the majority of the citizens of South Africa.

By banning lawful political activity the Government was driving people into the hands of the revolutionaries. It was going to drive otherwise open and lawful political activity underground in a way never seen in the past.

Failure

The restrictions would further polarise and politicise the trade union movement and would assist those in South Africa who wanted to convert the political struggle into a class struggle.

The Government was also undercutting "in a massive way" those people abroad who were opposed to sanctions.

When a Minister could, by decree and without reference to Parliament or the court, illegalise otherwise legal activities, how could people be expected to have respect for the law, the moral authority of the Government or for a constitution that permitted this kind of action in the name of democracy?

The regulations were a monument to the failure of the Nationalist Government.

Mr Eglin also said he was apalled at the way Parliament was "just bypassed" when the regulations were made public.

"That announcement should have been made in this House — not the pie-in-the-sky and mother love type of announcements that are made here from time to time."

At the start of his speech he referred to Minister of Health Dr Willie van Niekerk, who spoke immediately before him, as "that smiling Minister", and said "what the blazes you have to smile about in this Cabinet I don't know". — Sapa.

Crackdown 'will strengthen resistance'

The new crackdown would further strengthen resistance to economic self-sacrifices, Mr Charles Redcliffe (UDP Schauderville) said yesterday in the House of Representatives.

Speaking in the second-reading debate on the Additional Appropriation Bill, Mr Redcliffe said the problem with the demand for short-term sacrifices on the part of all to fight inflation was that blacks were historically disadvantaged.

And as long as they were not politically accommodated, resistance would be always be a problem.

He said that the request for additional bridging finance for the public sector made "a mockery" of the main Budget as a planning instrument.

The country had wasted economic opportunities and unless a five percent annual growth rate was achieved, the level of unemployment would worsen.

Replying, Minister of Finance Barend du Plessis said it was absurd to suggest that fiscal and monetary authorities could engineer or manipulate a country's growth rate to suit its demand.

He agreed that a five percent growth rate was needed, but there was no way South Africa could force other countries to buy more from it.

He did not believe it was true to say that many blacks were not accommodated in a political system.

As far as criticism of the lack of general salary increases for civil servants this year was concerned, Mr du Plessis said about half of those on scales would get increments. — Sapa.

BIG

ou!

Y STAR is just

give you

and lots

erty information

The Star WEEKEND!

328 B/day 26/2/88

Thatcher hits at SA curbs

education they would not otherwise receive.

She said: "But sanctions will not be helpful. You do not make a difficult situation better by bringing starvation and poverty to the people you should be helping."

In Washington, President Reagan said the SA government "should be working toward a multi-racial democracy and not oppressing political organisations there and we have made our feelings clear about that".

The bannings were also criticised by Japan, Israel, the EC, the OAU, the SA Council of Churches, the National Union of Namibian Workers, the United Municipalities of SA and students at the Natal and Western Cape universities.

British opposition groupings launched a joint campaign yesterday to put pressure on Thatcher to revise her policy on sanctions against SA, while a special debate will be held in the Commons on Monday.

PFP leader Colin Eglin, who will address a lunchtime protest meeting in Cape Town today, told Parliament yesterday real power in SA was not in the hands of Parliament, the courts or the people as a whole, but with "the restricted political clique who operate the security apparatus".

Hundreds of Witwatersrand University students waving placards and chanting political slogans were stopped by riot police from marching off campus yesterday. The march followed a protest meeting.

As students were about to leave the campus and move on to Jorissen Street, police — some wearing gas masks — appeared. The students retreated.

Students were addressed by representatives of some of the banned groups.

Opposition to the curbs was accompanied by warnings that they would further discourage black participation in

● From Page 1

official political initiatives.

Officials of the affected organisations have gone into hiding and at least one organisation, the Detainees' Parents' Support Committee, has closed its Johannesburg offices while it studies a legal challenge to the curbs.

Leaders of the organisations will meet at the weekend to discuss strategy in response to the curbs.

The curbs have abruptly ended a low-key debate within several of the organisations — inclduing the UDF — about participation in the October municipal elections.

The SA Institute of Race Relations (SAIRR) said: "It is significant that some of the organisations were apparently rethinking their opposition to participating in official political structures.

"Simply adding the names of 18 organisations to those that were already on the long list of banned organisations, raises further obstacles to peaceful change and presents no creative opportunities for meaningful negotiations."

The Urban Foundation said it viewed "with real concern the severe restrictions". They would generate tension and would "have a limiting effect on the ability of the foundation to carry out its development work with the involvement and co-operation of communities that is necessary".

Azanian National Youth Unity (Azanyu) leaders telephoned Business Day from hiding, vowing to go ahead with preparations for the 10th anniversary of the death of PAC leader Robert Sobukwe.

Carter Seleka, Azanyu general secretary, said a memorial lecture would be held at Soweto's YWCA this evening while the main service would be held at Regina Mundi Church in Soweto tomorrow.

328 Smuts Hm

26/2/88

Cain asks Vlok to act on SACC

THE United Christian Action yesterday welcomed the banning of the UDF and 16 other organisations and urged the Government to consider extending the restrictions to the South African Council of Churches.

In a statement released by its director, Dr Edward Cain, UCA said the decision by the Government to greatly restrict the UDF is greeted with relief in the South African Christian community.

"Far from being a uniting force in South Africa, the UDF and its affiliates have greatly contributed to the climate of instability, violence and revolution in the country over the last three years.

"The revolutionary climate in South Africa will only come under complete control once the substantial overseas funds for radical organisations have been effectively cut off.

Hatred

"These organisations include a number of church bodies, especially the South African Council of Churches (SACC). The UCA urges Mr Vlok to consider extending the restrictions to those who promote class-hatred and civil disobedience under the cloak of religion and christian reconciliation," Mr Cain said.

Other churchmen have reacted differently to the latest Government crackdown.

At a joint Press conference at Bishopscourt, Archbishop Tutu said many South Africans would see the restrictions as a "declaration of war by the Government."

Speaking in his personal capacity, Dr Boesak, president of the World Alliance of the Reformed Churches, vowed to continue his fight against the Government "at every single opportunity" and said that if the UDF could not call people to non-violent action he would do so in his own name.

Speaking at a Press conference here which he shared with the Archbishop of Cape Town, the Most Reverend Desmond Tutu, he said he would continue to follow a course of peaceful, non-violent opposition to the Government.

LONG HISTORY OF BANS

How Govt restricted opposition

THE Government's ban on political activity by 17 opposition organizations on Wednesday was the most extensive crackdown in 10 years. Here is a chronology of previous Government efforts to restrict political opposition.

In 1955 — a National People's Congress is broken up and 156 black leaders, including Nelson Mandela of the African National Congress and Pan-Africanist Congress leader Zeph Mothopeng are charged with treason. All were acquitted after lengthy trials.

March, 21, 1960 — the ANC and PAC call for peaceful protests against laws requiring blacks to have passes to enter white areas. Police shoot dead 69 blacks at a rally in Sharpeville.

March 30, 1960 — National State of Emergency declared, granting police wide powers to prohibit gatherings, search people and premises and resort to force. New powers of detention without trial were introduced and after the emergency ended, many of the new powers became law.

April, 1960 — Parliament outlaws the ANC and PAC.

1961 — 62 — ANC and PAC military wings formed. Sabotage campaign begins.

August 5, 1962 — Nelson Mandela arrested and, in 1964, sentenced to life in prison for treason and sabotage.

June 16, 1976 — an estimated 13 000 black students demonstrate in Soweto to protest a requirement that lessons be taught in Afrikaans. Police shoot to death several students, touching off riots and boycotts that sweep South Africa for more than a year, claiming 575 lives by official count.

September 12, 1977 — Steve Biko, founder of the black consciousness movement, dies in police detention.

October 19, 1977 — Government bans 18 organizations plus the two largest black newspapers, and detains 47 black leaders.

May, 1978 — the Azanian People's Organization is formed to replace the black consciousness organization banned after Biko's death.

August 20, 1983 — The United Democratic Front is launched to organize opposition to a planned Tri-cameral Parliament including representation for all race groups except the black majority. In next four years, UDF becomes largest legal anti-apartheid group.

September 1983 — riots break out in Sharpeville, touching off three years of widespread violence claiming 2 500 black lives.

February 19, 1985 — arrests of UDF leaders on treason charges begin. More than 22 have been arrested and their trials are continuing.

July 20, 1985 — President P W Botha declares a State of Emergency in 36 black cities and towns, the first such declaration since 1960. The emergency decrees cover about half the country. 1 000 activists detained in the first week.

December, 1985 — Congress of South African Trade Unions formed to consolidate labour and political activity of black unions.

March 7, 1986 — Government lifts State of Emergency, saying conditions have improved.

June 4, 1986 — Government bans all meetings related to 10th anniversary of Soweto riots.

June 12, 1986 — More than 1 000 anti-apartheid activists detained in predawn raids. Botha imposes nationwide state of emergency, with broad Press curbs, wide powers for police and restrictions and many forms of protests and statements. The emergency remains in effect, and an estimated 30 000 people have been detained.

October 9, 1986 — Government bans UDF from receiving funds from outside the country. All but three of its executive are in detention, in hiding or on trial.

November 7, 1986 — new orders issued restricting activities of white opponents, prohibiting them from participating in certain organizations, publish- Press banned from reporting many anti-Government statements or being within sight of protest activity.

May 6, 1987 — headquarters of Congress of South African Trade Unions blown up on election day. Conservative party makes big gains, becoming the official parliamentary opposition on campaign against any apartheid reform.

August 27, 1987 — new curbs announced to suppress anti-Government Press, by threatening shutdown or inhouse censors. Seven newspapers warned about articles Government considers objectionable.

October, 1987 — universities told funds will be cut if they don't stop protests on campus. ANC leader Govan Mbeki released after 24 years in prison.

December, 1987 — Government restricts Mbeki to Port Elizabeth, bans him from talking to Press or addressing rallies.

February 24, 1988 — Government bans political activity of 18 organizations, including, UDF and Azapo — Sapa-AP.



HECTOR Petersen . . . the first victim of the June 1976 upheaval in Soweto.



WORLD OUTCRY OVER CLAMPS

SOWETAN 26/2/88 328



MRS MARGARET Thatcher . . . Britain.



PRESIDENT Reagan . . . America.



DR PIET Koornhof . . . ambassador.

LONDON — South Africa has been roundly condemned in the capitals of Europe for its clampdown on extra - parliamentary opposition groups, drawing some of the harshest criticism ever from the British Government.

Most critics have warned that the move could lead to more violence at home — and increased pressure for comprehensive sanctions abroad.

• A "shocked and saddened" British Foreign Secretary Sir Geoffrey Howe declared Pretoria's action amounted to "the suppression of non-violent political activity" and said the clampdown could lead to frustration, despair and more violence.

• Britain's Trades Unions Congress said it was "shocked" at the crackdown. "None of the (banned) groups can be described as violent . . . and there is no justification for this abhorrent action," TUC general secretary Mr Norman Willis wants to meet Sir Geoffrey Howe to discuss a British protest.

• Anti - Apartheid Movement leader, Archbishop Trevor Huddleston, who was due to lead a protest outside South Africa House in Trafalgar Square yesterday, has written to Prime Minister Margaret Thatcher asking for wider British trade sanctions.

• The new curbs have also been condemned by Commonwealth Secretary-General, Mr Shridath Ramphal, who urged the international community to "make it clear to Pretoria that this repression is as intolerable as apartheid itself." Countries throughout the Commonwealth, he said, were outraged at the news.

• The Dutch Foreign Office said the new measures "place an extra stumbling block on the path to dialogue between whites and blacks and means a further deterioration of the political climate in South Africa."

Dutch anti-apartheid movements have demanded that the Dutch Government retaliate by expelling South African diplomats from The Hague.

• The United States on Wednesday condemned South Africa's white rulers for banning the activities of 17 leading anti-apartheid organisations.

State Department spokesman Charles Redman said South African Ambassador Piet Koornhof was summoned to the State Department by Chester Crocker, Assistant Secretary for African Affairs, so the United States could express its "shock and distress" at the South African Government announcement.

• Draconian new restrictions on anti-apartheid groups would further limit peaceful, legal opposition in South Africa, the Canadian Secretary of External Affairs, Mr Joe Clark, said.

SOWETAN FOREIGN SERVICE and SAPA-REUTER



ARCHBISHOP Trevor Huddleston . . . protest march.

UK SAYS 'NO' TO SANCTIONS

SOWETAN FOREIGN SERVICE

LONDON — In spite of its shock at President P W Botha's latest crackdown on extra-parliamentary opposition groups, the British Government will continue to oppose comprehensive sanctions, says Minister of State in the Foreign Office Mrs Lynda Chalker.

But during an interview on the television current affairs programme *Newsnight* on Wednesday, Mrs Chalker said Britain would need another meeting with her Commonwealth colleagues to thrash out new strategies on the South African question.

Other Commonwealth countries, who to a man support full sanctions, are now expected to intensify the pressure on Britain to fall into line with them.

Curbs hit headlines

LONDON — The South African Government's crackdown on its extra-Parliamentary opposition made all the major news bulletins and most front pages here yesterday.

And in a hard-hitting editorial headed "Bad Banning", the *Times* said in one broad stroke Mr P W Botha had revived the sanctions campaign, revitalised black protest and "given new impetus to the ANC".

Most of the media forecast that the clamps, although not an outright ban, would all but close the UDF and the 16 other organisations affected. They would be reduced, in the words of the *Financial Times*, to "formal shells without substance".

A number of newspapers and television observers here saw the new curbs as an attempt to demonstrate to the voters in the two looming Transvaal by-elections that South Africa is safe in Mr Botha's hands.

But, said the *Times* editorial, Mr Botha's new clamps had "done more to damage South africa's long-term security than the 17 organisations concerned were ever likely to do by themselves".

The state of emergency, said the *Times*, had done much to stifle township violence. Sanctions had become a "dead issue" and black leaders "have been forced to come to terms with the fact that white power will not be easily dislodged".

— Sowetan Foreign Service.

Why ban black organisations only?



JOE'S BURG

Perfect timing, I would call it. I have always known that the South African Government is very good at shooting itself in the foot, but did not realise that they are in fact sharp-shooters at it.

Very few people will ever forget that day, in 1977, when the Government decided, in its wisdom, to close down 18 black organisations — including two newspapers.

That day came to be known as Black Wednesday. It was the day on which black opposition to the Government was virtually wiped out.

At the end of the day, it seemed that the Government could sit back and enjoy themselves, indulging in their petty politics while the country continued burning with no one to sound the warning signals. It was a job well done, and fell just short of being called Triomf Day.

Resilience

But, as usual, the Government had underestimated the black people's resilience. They had underestimated the driving force behind the resistance. They had thought that there was

tions emerged not only just organisations, but organisations even stronger than the Government ever dreamt were possible.

First out of the dust and ruin of that demolishing job came the Azanian People's Organisation. And then they came — in droves, too. The Government was back at the job it is so good at — putting out fires here, there, everywhere. They were burning their fingers all through this process.

And finally, this week, it happened once more. Black Wednesday all over again. It was almost like a replay of a recording of that day, almost eight years ago.

I felt like I was dreaming when, walking into the office, the news flashed on the telex. I remembered how I felt that

same laugh this week. But then, just like it happened in 1977, there will be people who cannot muster that laugh. They are the people who will resign themselves to the fact that all attempts at peaceful protest are futile.

They will disappear from the face of South Africa for a while, and when next we hear of them, they will be carrying an asortment of weapons of war. They will have stopped caring how they achieve the objective of transforming this country into one in which we will all — blacks and whites, Indians and coloureds, all of us — share in the prosperity that is beckoning us.

Problem

That is the problem we are facing. And a problem that the Government does not seem to realise they are getting us into. But then, who cares? Afterall, it could be that the Government is simply using this strong-arm tactic because there are a few by-elections coming up.

The right-wing has been accusing the Government of being "soft on security". The right wing clearly took the lead from the Government itself, for that is the same tactic the Government used against the Progressive Federal Party.

The PFP could do nothing to dramatically illustrate that they are not soft on security. The Government is capable of doing something, which they duly went ahead and did.

Is that perhaps the reason why organisations like the Afrikaner Weerstand Beweging, which has been described as being fascist, is not among those listed?

Is it that the Government is so scared of the right-wing that they are incapable of acting against it, and they now assume that they can, with impunity, act against black organisations because blacks cannot hit back through the ballot box? Only history will judge this aspect.

Of course, white South Africans will remain quiet, believing that the Government must know something which we all do not know, for it to have acted in the manner they did. But that is an attitude we are all going to have to pay dearly for.

Government, to resist the draconian measures that were being introduced, to fight for a just and democratic society.

A few people, they thought, were responsible, and, in any event, those organisations did not have the support of the majority of the people of this country.

In theory, therefore, if those organisations are silenced, that would be the end of resistance. If the leaders were jailed, the people would remain without leaders. It would pave the way for the "moderates" that the government wished to speak with to go on with the job of the day, and the majority of the people would support them if these "revolutionary" organisations are outlawed.

But, as I said, the Government had its calculations wrong. From the dust and ashes of those organisa-

shock. Then you feel nauseated. Then you feel angry. And then, finally, resigned, almost, you laugh. But then you realise it is no laughing matter.

Then you say to yourself that if you do not laugh, you will probably quit the country and take up arms, or go out and get a crash course on explosives. So you laugh. That deep, meaningless laugh that only blacks are capable of.

That laugh that says that you are hurt, but it does not matter, things will come right. That laugh that the white man has interpreted as being acceptance of the status quo, but that blacks know is a message of pain, of frustration.

I laughed that same laugh when my newspaper was banned on the first Black Wednesday. I laughed that

FOUR ACTIVISTS FREED

Served with restriction orders, partial house arrest

by LINDA GALLOWAY
Weekend Argus Reporter

FOUR prominent Western Cape activists have been released from detention and served with restriction orders which include partial house-arrest.

The move follows the Government's clampdown earlier this week on the UDF and 16 other organisations.

The four are Mr Zoli Malindi, president of the UDF in the Western Cape; former UDF vice-president Mr Christmas Tinto, former Cape president of the Cape Youth Congress (Cayco) Mr Roseberry Sonto; and the Western Cape president of the Federation of South African Women (Fedsaw), Mrs Dorothy "Mama" Zihlangu, who were released on Thursday afternoon.

They are prohibited from taking part in the activities of organisations to which they belonged and placing them under house arrest between 7pm and 6am.

They are also prohibited from addressing meetings where State policy or black local authorities were criticised or where boycotts were called for.

Mr Malindi had been in detention for almost 14 months, Mr Tinto for 13 months, Mr Sonto for 12 months and Mrs Zihlangu for four months.

Mr Malindi is a listed person and cannot be quoted. His wife, Lettie, said he was "a little shell-shocked" to be out of detention after nearly 14 months.

"He's finding it strange to be opening doors for himself after having wardens opening and closing them for so long."

She said they had not made any plans but intended to see family and friends this weekend.

Mr Tinto, a member of the UDF regional executive who was detained on January 27 last year, was feeling "fine and well" last night but said his restriction orders made it feel as though he had "left one prison to go to another".

"However, one expects such things when you can be detained for more than a year without trial," he said.

Mr Sonto said he found it difficult to express his feelings at being released but was relieved, although it was "not a release in the true sense of the word".

He said he felt "bad" about leaving others behind in detention but expected "at the very least" that they also should be released.

Partially blind

Mrs Zihlangu, 67, was active in the African National Congress in the 1950s and was the first chairwoman of the United Women's Organisation, which later became the United Women's Congress. She is a diabetic and partially blind.

Asked to comment on the releases, Colonel Steve van Rooyen of the police directorate of public relations in Pretoria said: "It is our policy not to comment on detentions or releases."

The Minister of Law and Order, Mr Adriaan Vlok, his deputy, Mr Roelf Meyer, and members of his Press secretariat were unavailable for comment.

Western nations are now quite baffled

FRANS ESTERHUYSE

CAPE TOWN — A question which baffled western governments and many opinion makers this week was: what caused South Africa's clampdown on the United Democratic Front (UDF), Congress of SA Trade Unions (Cosatu) and other organisations?

The flood of criticism — from abroad and inside South Africa — showed clearly that the Government's official reasons for the new restrictions have not been convincing, and are not being believed.

Government claims about defusing a "revolutionary climate" have drawn warnings from a wide range of opinion-makers that the clampdown could have the opposite effect.

And speculation is mounting that the real reasons for the move could be linked with factors such as Government fears of further inroads by the right-wing movement, and the possible political role of the UDF and its associates in countrywide municipal elections this year.

The astonishment and puzzlement of western opinion-makers over the move was reflected in responses from various quarters this week.

The European Economic Community (EEC) showed disbelief at the official reasons.

A major theme of much of the criticism has been that the clampdown has diminished the prospects of peaceful negotiation to seek solutions to the country's problems.

Government spokesmen claim that the clamp-down is necessary to curb the strategies of "revolutionaries and activists".

Minister of Law and Order Adriaan Vlok said the activities of these organisations and people not only threatened public safety and the maintenance of order, but also went against the ending of the state of emergency.

And the head of the Security Police, General Johan van der Merwe, linked the African National Congress (ANC) in a statement with the activities of UDF, Cosatu and their associates.

Thousands protest against latest political restrictions

SATURDAY STAR REPORTERS and CORRESPONDENTS

More than 2 000 people gathered at two venues in Cape Town yesterday to demonstrate their rejection of the Government's latest curbs on extra-parliamentary political activity.

At the University of Cape Town, more than 2 000 students were addressed in the Jameson Hall by speakers who included Dr Allan Boesak, the president of the World Alliance of Reformed Churches; Mr Cameron Dugmore, the president of the UCT students' representative council; and Professor Dennis Davis, of the university's department of commercial law.

About 175 people attended a Progressive Federal Party protest meeting in St George's Cathedral addressed by PFP leader Mr Colin Eglin and the party's Pinelands MP, Mr Jasper Walsh.

Professor Davis said the Government had effectively banned 17 organisations.

Dr Boesak said the Government had now openly said there was no more room for peaceful protest in South Africa.

"Banning an organisation does not mean that what it stands for will cease to exist," he added.

Mr Dugmore said that in acting against its extra-parliamentary opponents, the government had acted from a number of motives. These included the Conservative Party threat in the Transvaal by-election and the failure of the State of Emergency imposed almost two years ago.

"The restrictions stop short of a total banning. This is a cynical attempt to retain some support for South Africa from the West," Mr Dugmore said.

He pointed out that it was now an offence for the South African National Students Congress (Sansco) to speak on the university campus.

"We regard this attack on Sansco as a direct attack on ourselves," Mr Dugmore said.

He added that it was "absolutely ludicrous" for the Minister of Law and Order, Mr Adriaan Vlok, to claim the Congress of SA Trade Unions (Cosatu) had been exempted from the restrictions.

"How can you prevent a trade union from dealing with the living conditions of its members?"

A statement by Nusas (National Union of South African Students), distributed at the meeting, described the restrictions as an act of "complete lunacy".

"The Government has practically banned every legal opposition group representing democratic South Africans," it said.

There will be special church services throughout the country tomorrow afternoon to protest against the bannings.

A service at the Central Methodist Church in Johannesburg will be led by the president of the Methodist Church, Dr Khoza Mgojo, the Rev Peter Storey and the Rev David Newby.

An inter-denominational protest meeting will also be held at the Pretoria Catholic Cathedral.

Protests grow on crackdown

27/2/88 · PAT DEVEREAUX (328 SPM)

Widespread condemnation of the Government's ban on the political activities of 17 opposition organisations on Wednesday — the most extensive crackdown in 10 years — continued last night.

The Azanian National Youth Unity (Azanyu) — a Pan Africanist organisation — condemned the Government for the restrictions.

It said it would go ahead today with services to commemorate the 10th anniversary of the death of the founder of the Pan Africanist Congress of Azania (PAC), Mr Robert Mangaliso Sobukwe, in spite of threats.

The Five Freedoms Forum criticised the new restrictions on the organisations and individuals for reinforcing "a disturbing pattern which included the continued disruption of peace talks in Maritzburg".

● TO PAGE 2.

Curbs under fire (328 SPM 27/2/88)

● FROM PAGE 1.

It added: "The State appears to benefit from continued conflict, for it allows the image of black-on-black violence to confuse South Africans and individuals overseas."

The Forum also queried whether there was any Government sincerity in promoting peace when it restricted individuals — among them Mr Archie Gumede, Mr A S Chetty and Dr Simon Gquobule — directly concerned with peace talks on the Maritzburg violence.

A statement from The Call of Islam said the Government's decision to restrict the UDF and other organisations, while not entirely unexpected, was a blow for the few remaining prospects of peaceful change.

Progressive Federal Party MP Mrs Helen Suzman said: "This heavy-handed action of the Government in banning organisations which might help to solve many of the current problems peacefully has put paid to any hope of negotiations.

"Banning organisations has never in any way prevented opposition by the extra-parliamentary organisations.

She added: "It is significant that conspicuous by their absence from the list of banned organisations are the AWB and the BBB".

Koinonia Southern Africa — a group that works towards bridging the gap between whites and blacks — and the Pretoria Initiative for Reconciliation (PIR) yesterday called on the Government to lift the ban on the UDF, Azapo and their affiliates.

In a statement, the Rev Ivor Jenkins, national cordinator of Koinonia, said the groupings "represent the voice of a large percentage of the people of South Africa, including many Christians."

He appealed to all Christians to "register their protest against this unjust act" and to join in condemning the move.

Church services will be held throughout the country tomorrow afternoon to protest against the clampdown.

● See Page 7.

Two more on ban list

GOVERNMENT has limited further the number of senior ANC spokesmen who may be quoted in SA.

In a recent listing, Pallo Jordan, a close adviser of ANC leader Oliver Tambo, and the Rev Samuel Fumanekile Gqiba, the ANC's head of religious affairs and inter-faith chaplaincy, were both named.

The two were added to the list of persons who may not be quoted in a Government Gazette of February 19.

Jordan, in particular, was known as an effective and forceful spokesman. With most ANC executive members listed, he played an important role in providing a viewpoint from Lusaka.

ROGER SMITH

He was prominent at the Dakar talks last year between the ANC and a predominantly Afrikaner delegation from SA.

Most recently, he was involved in an exchange of open correspondence with political scientist Hermann Giliomee and exiled author Breyten Breytenbach on the Dakar talks published in the latest issue of Die Suid-Afrikaan.

Jordan became a member of the ANC in the early sixties.

Gqiba was a priest in Langa, Cape Town, until he left to join the ANC in exile in 1985.

MYNKAR

HOLDINGS LIMITED

Incorporated in the Republic of South Africa
Registration number 70/08484/06

"MYNKAR"

ANNOUNCEMENT

Shareholders are referred to the acquisition announcement published on 17 February 1988 and to the Interim Results for the six months ended 31 December 1987 published today and are advised that the effect of the acquisition on Mynkar will be:

Govt adds Jordan, Gqiba to ban list

Own Correspondent

JOHANNESBURG. — The government has further limited the number of senior ANC spokesmen who may be quoted in SA, with the recent listing of Mr Pallo Jordan, a close adviser of ANC leader Mr Oliver Tambo, and the Rev Samuel Fumanekile Gqiba, the ANC's head of religious affairs and inter-faith chaplaincy.

The additions were published in the Government Gazette of February 19.

Mr Jordan in particular was known as an effective and forceful spokesman. With most ANC executive members listed, he played an important role in providing a viewpoint from Lusaka.

He was prominent at the Dakar talks last year between the ANC and a predominantly Afrikaner delegation from SA.

Most recently he was involved in an exchange of open correspondence on the Dakar talks with political scientist Mr Hermann Giliomee and the exiled author Mr Breyten Breytenbach, which were published in the latest issue of Die Suid-Afrikaan.

Mr Jordan became a member of the ANC in the early sixties.

Mr Gqiba was a priest in Langa, Cape Town, till he left to join the ANC in exile in 1985.

'Clampdown is historic blunder'

SM 29/5/88 328

By Jo-Anne Collinge

The Government's ban on 17 organisations last week had left supporters of those movements feeling that the only options left were to "submit or fight", the general secretary of the South African Council of Churches, the Rev Frank Chikane, said.

He and two other leading clerics — the president of the Methodist Church, the Reverend Khoza Mgojo, and a former head of the Methodist Church, the Reverend Peter Storey — addressed a service of prayer and protest against last week's ban on anti-apartheid organisations in Johannesburg yesterday. The service was attended by about 100 people.

OBLIGATION TO TAKE ON ACTIVITIES

People belonging to the 17 organisations, which were committed to non-violent change, were being pushed into a situation where the only possible courses of action were to disregard the laws and embark on a course of defiance or to take the military option, as the Government had already done, said Mr Chikane.

"They (the rulers) are drawing the people into violent terrain where we as churches have said we do not want people to go."

Mr Chikane and Mr Mgojo asserted that Christians had an obligation to take on the activities which the 17 organisations and the Congress of South African Trade Unions (Cosatu) had been stopped from pursuing.

"It is a challenge for us to pick up the activities of these organisations," said Mr Mgojo.

Mr Storey described the banning of the organisations as an "historic blunder of mammoth proportions".

He added: "Governments can make mistakes. They can even make mistakes a second time — but a third time! To do a third time what has already failed twice is rank stupidity."

Mr Storey said he had been involved in the efforts to secure peace in Maritzburg where political conflict has cost more than 400 lives in a year. Convinced that the release of certain leaders from detention was essential to the peace talks, the peacemakers had appealed to the State President to set these people free.

Instead, entire organisations vital to the talks had been wiped away, he said.

In the Bonteheuwel Anglican Church in Cape Town, Archbishop Desmond Tutu told a congregation of about 200 people: "Apartheid is evil, apartheid is immoral and apartheid is un-Christian."

He described the South African Government as "illegitimate", and suggested that church leaders would initiate a civil disobedience campaign in coming days.

● An international labour leader has called for union members world-wide to engage in anti-apartheid demonstrations in protest against the bannings, reports Mike Loewe.

ECONOMIC SANCTIONS

Mr Dan Gallin, secretary-general of the two-million-strong International Food and Allied Workers' Associations (IUF), made the call in Johannesburg at the weekend in terms of a resolution taken by his organisation.

Mr Gallin said the resolution was aimed at increasing sanctions. "There isn't a single international labour organisation in the world today that does not favour economic sanctions against apartheid. What the government has just done may push the level of emotion in the world over the threshold."

Arrests after march on Parliament

Churches in challenge to the state

328 B/day 1/3/88

Business Day Reporters

Journalists were warned to leave the area shortly after the leading churchmen were arrested.

Many journalists and television crew members were arrested in Wale Street while they were leaving.

Film and video tapes were confiscated.

CHURCHES yesterday laid down the gauntlet to government over its latest security clampdown.

Twenty-five church leaders, who said they represented 12-million Christians, were arrested when they marched to Parliament to present a petition to President P W Botha urging him to reconsider last week's restrictions.

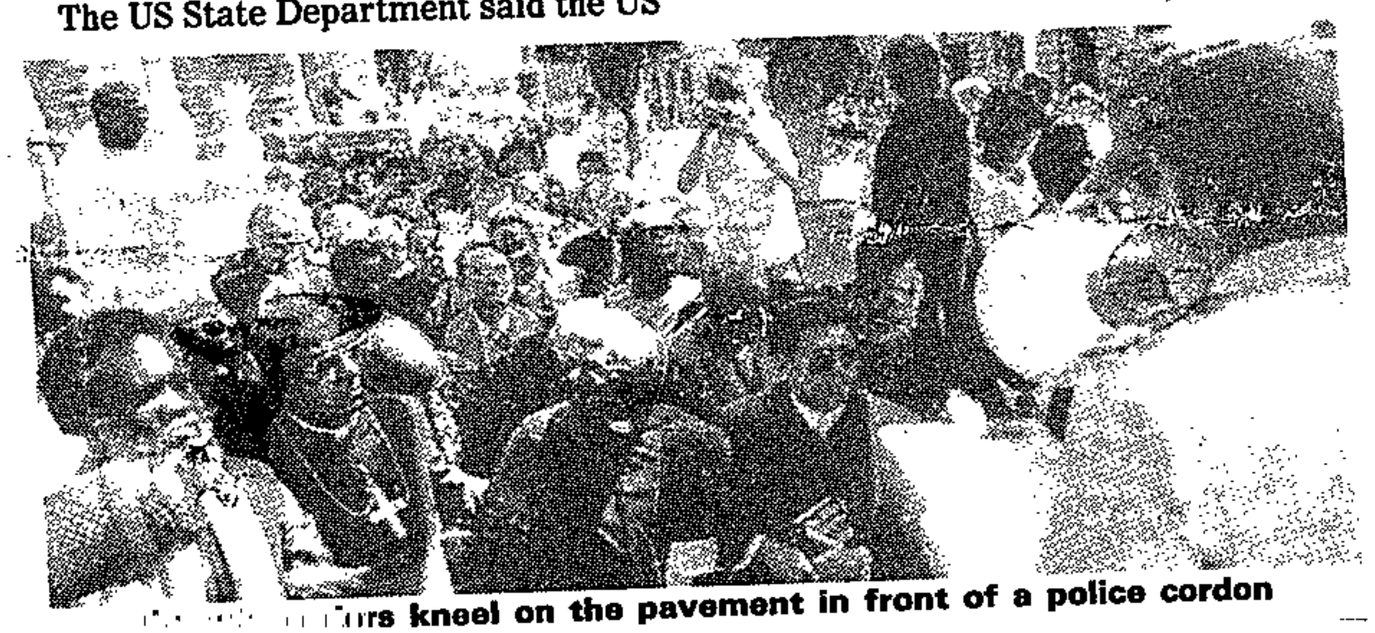
Later released, the churchmen said they were committed to non-violent action and had stepped in to fill the "vacuum" left by the effective banning of the 18 anti-apartheid organisations.

The arrests brought swift condemnation from abroad, being criticised by British Foreign Secretary Sir Geoffrey Howe and West German Chancellor Helmut Kohl.

The US State Department said the US strongly condemned the SA government's forceful repression of peaceful demonstrators. By criminalising and suppressing the exercise of basic political human rights, the SA government was shutting off avenues for non-violent change.

There were also renewed calls for sanctions from former Australian prime minister Malcolm Fraser and Commonwealth secretary-general Sir Shridath

● To Page 2



...irs kneel on the pavement in front of a police cordon

328 B/day 1/3/88

Churches challenge govt over curbs

Ramphal.

And PFP MP Helen Suzman is to call a special debate in the Assembly today on the arrest of the church leaders.

Those arrested included Anglican Archbishop Desmond Tutu, Catholic Archbishop Stephen Naidoo and Dr Allan Boesak.

Tutu said church leaders who took part represented 12-million Christians and were not the "usual rabble-rousers like me and Boesak" but "respectable" clergy.

He said: "We've committed ourselves. We are going to be with our people where it hurts in KTC and Lawaaikamp. If being their witnesses has consequences like being arrested. Then hard luck."

The march, which was a sequel to a religious service in the Anglican cathedral, ended when a cordon of about 80 policemen stopped the procession near Government Avenue.

The procession, which was led by Tutu, Naidoo, Boesak, Frank Chikane, general-secretary of the SA Council of Churches, and Methodist Church president Khoza Mgoja, had covered a short distance with arms linked when the cordon of police blocked their path.

The clergy were told that the gathering was illegal in terms of the emergency regulations. A police officer said if the gathering failed to disperse "the necessary force will be used".

● From Page 1

Police then moved in and removed the leading ranks of clergymen to waiting police vehicles and took them to Caledon Square police station. They were informed charges against them were being investigated and they were released on their own recognisance.

Soon after the first arrests took place, those remaining in the procession crossed Wale Street and knelt on the pavement opposite the cathedral, singing hymns. A police truck equipped with a water cannon moved up the street from the Supreme Court and directed powerful jets of water at them. Some were knocked flying. All were thoroughly soaked and then were arrested and taken to Caledon Square.

At Caledon Square, clergy and others sang hymns while waiting for their names to be taken. They were also warned charges were under investigation and they were released on their own recognisance.

Court hears New Nation challenge media curbs

BRONWYN ADAMS

HOME Affairs Minister Stoffel Botha would be acting beyond his powers if he attempted to have a censor vet the New Nation or any other publication, the Rand Supreme Court heard yesterday.

It is the first court challenge to the media curbs since they were introduced in August last year.

A full bench of three judges heard the New Nation's application which seeks to prevent the minister from suspending the newspaper for three months.

Jules Browde SC for the New Nation argued that emergency regulations imposed in August last year were unlawful. He said only the State President was authorised to delegate power to specific known persons.

These persons could not then delegate this power to further unknown persons, such as a censor, since this was clearly ultra vires.

Browde said: "It is startling to see what has been set up to help the minister to form his opinions. This structure is not administrative but quasi judicial. Such power cannot be delegated to an unknown person".

Browde argued that the censor's actions could not be purely mechanical. He said such a person would undoubtably administer descriminatory powers, beyond his jurisdiction.

The bench submitted that the minister had two options available to him in terms of restricting the New Nation — he could either appoint a censor or suspend the paper. Since his intention from the start had been to suspend the paper, the bench wondered whether Browde's argument on censorship was not purely academic.

Browde responded that the argument was not only applicable to the specific case relating to the suspension of the New Nation but reflected on the validity of the media restrictions as generally applied.

The hearing continues today.

Court told of 'unfettered' powers

Media curbs face a stiff challenge

By Jo-Anne Collinge

If the Minister of Home Affairs followed emergency provisions and appointed unnamed persons to exercise their "entirely unfettered discretion" in censoring newspapers before publication, he would be acting unlawfully, a full Transvaal Bench was told yesterday.

The submission was made in the Rand Supreme Court by Mr Jules Browde, SC, representing the weekly publication *New Nation* in its application against the media curbs introduced last August.

The provisions allow the Minister of Home Affairs to issue orders suspending publications for periods of up to three months if he is of the opinion that they produce material which will fan revolution or uprisings, promote "unrest" or the breakdown of public order, stir up hostile feelings to various authorities, or promote the public image of unlawful organisations.

The Minister forms his opinion by scrutinising a series of issues of the publication. He is obliged to warn the publication by notice in the *Government Gazette* that he is considering acting against it.

He is also bound to give the publishers notice before issuing warnings and suspension orders and to afford them the chance to make written submissions about the proposed actions to be taken against the publication. The suspension is brought into operation if the publication continues to publish material about which the Minister has warned it.

According to court papers, a decision to suspend *New Nation* between January and April had already been taken, but its implementation was preempted by the present court action, which was launched in January and postponed.

As an alternative to suspension, the Minister may order that material to be published be submitted to a censor nominated by himself. Mr Browde argued that the Minister would be acting ultra vires in appointing an unnamed person whose powers would be discretionary.

He said that Parliament had given awesome powers to the State President, and he alone was bound to shoulder them. When he delegated functions, he was obliged to say expressly to whom he was assigning them.

Mr Browde argued that the media regulations were ultra vires because they purported to vest in the Minister, Mr Stoffel Botha, powers which were greater than those vested in the State President.

He said it was not clear whether a publication had to act unlawfully to be considered to be achieving the effects stated in the regulation. In the case of *New Nation*, there was confusion whether it was the subject matter or the presentation of material that rendered it objectionable in the eyes of the Minister.

It was also not clear in what way the newspaper had continued to produce material for which it had been warned — and what precisely had led to the decision by the Minister to suspend it.

The hearing continues.

BOTHAS WIN CASE

Judges uphold right to suspend papers

9/3/88

338

By SOWETAN Reporter

A FULL Transvaal Bench has upheld the right of the Minister of Home Affairs to suspend publications for periods of up to three months and to install censors in the offices of newspapers and magazines in order to screen them before publication.

These powers, vested in the Minister by virtue of emergency regulations, are applicable only to those publications considered by the Minister to systematically publish material detrimental to public order and which have continued to do so after receiving an official warning.

The judgment made in the Rand Supreme Court by Mr Justice D J Curlewis, with Mr Justice T T Spoelstra and Mr A M van Niekerk concurring, came half way through the second day of an application by the weekly newspaper, *New Nation*, which challenged the validity of the media curbs imposed in August.

The application was dismissed with costs and *New Nation* was given leave to appeal.

The newspaper was

• To page 2

REPORTS, pictures and comment in this edition may be censored in terms of the Government's state of emergency.

Innocents victimised



THE Soweto Council continued with its crackdown on rent-owing households yesterday, evicting scores of families for being in arrears.

Six families were evicted and their furniture confiscated during rent raids in Senaoane. Some of the families were told by council officials they owed as much as R2 400.

Among those left homeless were these three children — innocent victims of the evictions.



Bothas win case

• From page 1

also granted immediate relief in the form of a temporary interdict preventing the Minister from imposing an order suspending the paper or appointing a censor for the publication.

This temporary interdict was granted in the light of the fact that *New Nation* had already received a formal warning that the Minister intended to act against it and that the Minister had indicated in the course of the application that he had intended to suspend *New Nation* from January to April.

The bringing of the application had pre-empted the execution of the order.

Mr Justice Curlewis made it clear that the interdict applied only to an order which was made as a consequence of the warning mentioned in the application and was not a general suspension of the powers of the Minister.

If the interdict were not made, it was possible that the Minister could issue an order in a *Government Gazette Extraordinary* and immediately ban the newspaper.

(328) B/day 9/3/88.

New Nation loses application over suspension

HELEN CHAPPEL

NEW NATION newspaper yesterday lost its application in the Rand Supreme Court against the President and Home Affairs Minister for an order preventing government from suspending the paper in terms of the emergency regulations.

New Nation, represented by the Catholic Bishops Publishing Company, was granted leave to appeal (to the appellate division as the application was itself heard before three judges) against the dismissal.

However, because of the danger of an extraordinary Government Gazette being issued that would immediately render meaningless an appeal, the newspaper was granted interim relief — until Thursday — pending another application to interdict the Minister from suspending the paper before the appeal is finalised.

Mr Justice Curlewis recognised the financial loss which New Nation would suffer if the paper were to be suspended while awaiting the appellate division hearing.

Giving evidence, Jules Browde, SC, for New Nation argued the Public Safety Act authorised sub-delegation only to specified people.

Women march

A GROUP of about 500 women were yesterday dispersed by the police as they gathered outside the Chamber of Mines offices in Johannesburg demanding it take a tougher stand against the Government's restrictions on 18 organisations.

Sapa reports that nine media representatives were briefly held following the women's protest.

It quotes a senior police spokesman, Colonel Frans Malherbe, as saying video and camera film had been confiscated and that the newspeople could face charges "if they have done something wrong."

Colonel Malherbe also

To Page 2

328 B/ Smuts 9/3/88

Women march

From Page 1

said the protesters — who were demanding the Chamber of Mines take a stand against the bannings and restrictions placed on organisations and individuals — dispersed when police told them the protest contravened emergency regulations.

A spokesman for the Chamber of Mines confirmed that a memorandum was handed over by a group of women and that an official statement would be issued later.

Smuts 9/3/88

New Nation given leave to appeal as . . .

Minister's right to censor is upheld

By Jo-Anne Collinge

A full Transvaal Bench has upheld the Minister of Home Affairs' right to suspend publications for periods of up to three months and to install censors in the offices of newspapers and magazines in order to screen them before publication.

These powers, vested in the Minister by virtue of emergency regulations, are applicable only to those publications considered by the Minister to systematically publish material detrimental to public order and which have continued to do so after receiving an official warning.

The judgment — made in the Rand Supreme Court by Mr Justice Curlewis, with Mr Justice Spoelstra and Mr Justice van Niekerk concurring — came half way through the second day of an application by the weekly newspaper, *New Nation*, which challenged the validity of the media curbs imposed in August.

TEMPORARY INTERDICT

The application was dismissed with costs and *New Nation* was given leave to appeal.

The newspaper was also granted immediate relief in the form of a temporary interdict preventing the Minister from imposing an order suspending the paper or appointing a censor for the publication.

This temporary interdict was granted in the light of the fact that *New Nation* had already received a formal warning that the Minister intended to act against it and that the Minister had indicated in the course of the application that he had intended to suspend *New Nation* from January to April.

The bringing of the application had pre-empted the execution of the order.

Mr Justice Curlewis made it clear the interdict applied only to an order made as a consequence of the warning mentioned in the application.

If the interdict were not made, it was possible that the Minister could issue an order in an extraordinary *Government Gazette* and immediately ban the newspaper.

COULD EFFECTIVELY BE BANNED

It would be technically more proper for the interdict to be granted only after a fresh application was brought by *New Nation*, the judge acknowledged. But the practicality was that the newspaper could effectively be banned before it had a chance to return to court.

Mr Justice Curlewis ordered that a formal application to extend the interdict until the Appeal Court sat should be made as soon as possible, and that the applicant should file papers by tomorrow.

The court found that the State President was fully entitled, in terms of the Public Safety Act, to delegate to the Minister of Home Affairs certain functions pursuant to the preservation of public safety.

The judgment added that it was not open to publications to question the grounds on which the Minister formed an opinion that a publication was presenting material that fanned revolution, promoted unrest, caused hostility towards various authorities and promoted the public image of banned organisations.

Some AWB activities likely to be curbed

Political Correspondent

CAPE TOWN — Action is likely to be taken soon to curb certain activities of the Afrikaner Weerstandsbeweging (AWB).

Law and Order Minister Mr Adriaan Vlok has already announced police are investigating the organisation, while setting a firm policy that policemen may not be members of the AWB.

Nationalist politicians expect the Government to prohibit AWB members from wearing military-style uniforms and to carry weapons in public.

It is also likely that the Government will ban the AWB's emblem — the three-sevens emblem which it displays at its meetings and which bears a resemblance to the four-legged symbol of Hitler's Germany.

The emblem is offensive to the Jewish community and is featured prominently in international television footage on South Africa, creating the impression abroad, according to Government sources, that the South African white community supports neo-Nazism.

Action to ban this symbol and further curbs on the AWB is likely to come this session of Parliament.

The Star

Gagged press hurts State credibility

THE WRITING is on the wall for the *New Nation* newspaper and perhaps the entire press after a full Bench of the Rand Supreme Court this week upheld the Government's right to suspend publications and install censors in the offices of newspapers and magazines.

The *New Nation's* challenge failed when the court found that the Minister of Home Affairs has the power, vested in him by the State of Emergency, to take action on publications that systematically publish material which he considers detrimental to public order.

The newspaper had received a warning from the Minister. It challenged the warning and lost the case with costs. While *New Nation* has sought temporary relief from immediate action pending an appeal, its problems are far from over. The paper has suffered seriously with the continued detention of its editor, Mr Zwelakhe Sisulu. To date he has been jailed without trial for 452 days.

The problems of *New Nation* and other papers so far warned by the Minister — besides "alternative" media they include the country's second biggest-selling daily, *Sowetan* — are the most visible symptom of the Government's general assault on the media. Other newspapers will be watching their future anxiously. So will citizens who care about their right to be properly informed about what is happening in the country.

As each new restraint is implemented, inevitably the press, already forced to operate with great caution not to fall foul of the barrage of restrictions, will be able to impart less and less information on matters of vital concern.

Both the suspension of publications or the installation of official censors in their offices would damage their credibility. That is bad enough — from a journalist's point of view. But worse, far worse, is the Government's seeming inability to understand that, without credible media, no one will believe Government statements either.

Court action against media curbs fails

B/day
328
22/3/88

PRETORIA — Home Affairs Minister Stoffel Botha may suspend further publication of the New Nation at any time from yesterday after an unsuccessful application for an interdict against the minister in the Pretoria Supreme Court.

Lawyers for the publishers of the newspaper, the Catholic Bishops Publishing Company, sought an order restraining the minister from invoking media curbs against the New Nation, while a Rand Supreme Court ruling is taken to appeal.

The Rand Supreme Court earlier dismissed an application which would have effectively voided ministerial warnings against the newspaper, issued in terms Public Safety Act regulations.

The applicants said the regulations were vague, invalid or applied incorrectly.

In passing judgment in Pretoria yesterday, Mr Justice Curlewis said counsel for the New Nation had not made out a prima facie case about possible hardship for the newspaper resulting from any action by the minister.

He also said an affidavit handed to the court about possible financial damage to the newspaper was based on belief and speculation.

The minister had acted properly, the judge said.

The heart of the matter was that the rights of individuals have to give way to the rights of the state.

The newspaper employs 22 fulltime employees and 32 correspondents, and has a salary bill of R29 000 per month. Seven employees had already resigned because of the uncertainty of the newspaper's future, according to evidence before the court.

The situation had already led to the newspaper losing advertisers, and 60 000 readers would lose a source of information if publication of the paper was suspended.

The ruling left the minister in a position to prohibit publication of the newspaper for three-month periods, or to make the publication of each issue subject to prior approval by a government censor. — Sapa.

AL and CAPE 80c (71c + 9c tax)

328 b/day 23/3/88

New Nation closed for three months

NEW NATION became the first victim of government's emergency Press curbs yesterday and will disappear off the streets for three months.

The newspaper closed its offices yesterday, after notice from Home Affairs Minister Stoffel Botha that he intended publishing a Government Gazette notice banning the newspaper for three months in terms of Press regulations published last year.

Botha apparently chose to disregard the option of appointing a censor to vet the publication for three months.

The ban followed New Nation's unsuccessful application to the Pretoria

SOPHIE TEMA

Supreme Court earlier this week for an interdict to restrain the minister from issuing an order suspending the newspaper while an appeal against a Rand Supreme Court ruling was pending.

Sapa reports Deputy Information Minister Stoffel van der Merwe said the failure by government to act against New Nation would have meant the resurgence of growing resistance, violence and disorderliness in the country.

He said government was not trying to root out criticism as such, but "that sort of propaganda which does not lead people to try to change government (by democratic means), but to overthrow it by violence".

After careful study over "months and months" government had come to the conclusion that the actions of New Nation were aimed at stimulating revolution. He said it had identified itself with communism.

Van der Merwe said the action against New Nation had not been the result only of a decision taken by "a little group of

● To Page 2

328 b/day 23/3/88

Govt clamps 3-month ban on New Nation

● From Page 1

people who get round a table in Tuynhuys", but had been asked for by numbers of other people.

He said the United Christian Action organisation, which said it represented 14 organisations and 4-million South Africans, had asked that the newspaper be banned because it carried communist propaganda.

Asked if similar action was contemplated against other publications, he said there was an ongoing investigation into particular publications. It was not in his brief to give their names.

Four other publications facing closure by the minister are the Weekly Mail, South, Work in Progress and the Sowetan.

Bishop Reginald Orsmond, chairman of the Catholic Bishops Publishing Company which publishes New Nation, yesterday assured the newspaper's 22 full-time employees and 32 correspondents they would be retained and would earn their full salaries during the ban.

Orsmond said: "There is no way we can predict what will happen in the future, but we will not be prepared to abandon our original purpose."

Acting editor Gabu Tugwana said staff training courses would be run during the ban.

Sapa reports that the Media Workers' Association (Mwasa) and the South African Society of Journalists (SASJ) condemned the three-month ban.

New Nation editor Zwelakhe Sisulu has been in detention under the emergency regulations since mid-1986.

ONE STOP ENTRE

Simond-
nnesbur

of motor claims r

now you can

efficient settl

the spot. You

with the cheq

your hand!

If you're insured
Mutual & Federal, y

SAUER

Paper gets warning

CAPE TOWN — The Oudtshoorn-based community newspaper, *Saamstaan*, has been warned by the Minister of Home Affairs, Mr Stoffel Botha, that he is considering gazetting a warning for the publication of "subversive propaganda".

In a hand-delivered letter to the newspaper yesterday, Mr Botha said he had examined the editions of October, November and December 1987.

He took exception to reports on the "honouring" of political activists, public violence, the Harare convention and Mr Govan Mbeki's release.

Saamstaan has two weeks in which to make a written submission. It is the seventh publication to be warned in terms of the state of emergency press curbs. Last week, a similar notice was sent to *Grassroots Publications* in Rylands, Cape Town.

Cape Times 6/4/88

UDF man in court

328

Staff Reporter

UNITED Democratic Front executive member Mr Willie Hofmeyr appeared briefly in the Magistrate's Court yesterday in connection with the contravention of a restriction order.

He was not asked to plead and no evidence was led. It is believed the charge may arise out of the fact that Mr Hofmeyr, 33, of Jarvis Street, recently moved house, possibly in contravention of the order.

Boys, aged15 held

South

329

1-13/4/88

By AYESHA ISMAIL

TWO 15-year-old Oudtshoorn youths have been detained under Emergency Regulations.

Reza Miller, of Rocky Hill and Anthony Hurling of Bridgton, were both detained at their homes last month.

They are pupils at Morester High School in Oudtshoorn.

Miller was detained on March 25. His mother, Mrs Gairoenisa Miller, a businesswoman, said her son was fetched by four security policemen at 5 am.

"I was shocked when they told me he would be held under the Emergency Regulations. I sent him to school everyday and don't know when he found time to engage in other activities," she said.

Mrs Miller said her son was being held at George Prison

Hurling's mother, Mrs Johanna Hurling, an employee of Mrs Miller, said her son was fetched by police at 6.45am on March 29.

Questions in the House

105 deaths in police custody

A total of 105 people died in police custody last year, Law and Order Minister Adriaan Vlok said yesterday in written reply to a question from Mrs Helen Suzman (PFP Houghton).

From a practical point of view and because it was not in the interests of the relatives of the people, he was not prepared to give their names.

Fifty of them had commited suicide, 36 died as a result of natural causes, 11 from assaults by fellow prisoners and eight as a result of gunshot wounds sustained when attempting to escape from custody.

They had been held on a variety of charges, ranging from murder to drunken driving. In none of the 41 cases in which inquests had been completed had the presiding officers laid blame on the police. Inquests into the remaining 64 had not been completed.

84 detainees hospitalised

A total of 84 juveniles held under the emergency regulations had been admitted to hospital between January 1 1987 and February 11 this year, Law and Order Minister Adriaan Vlok said in written reply to Mr Tian van der Merwe (PFP Green Point).

They comprised 22 people aged 20, 25 aged 19, 19 aged 18, 13 aged 17, 12 aged 16, two aged 15 and one aged 14. They had been sent for treatment for a number of reasons, including chest pains, sore knees, pubic pains, epigastric pains, abscesses and warts.

49 meetings prohibited

A total of 49 meetings throughout the country had been prohibited, in terms of the emergency regulations between June 12 1986 and February 22 this year, Law and Order Minister Adriaan Vlok said in written reply to Mr Tian van der Merwe (PFP Green Point).

Law Minister to oppose challenge on restrictions

19/4/88

The Minister of Law and Order has indicated that he will oppose court applications by the United Democratic Front, the Congress of South African Trade Unions and other organisations challenging the restrictions imposed on their work by the Government on February 24.

A Johanesburg attorney representing Cosatu and the Detainees' Parents Support Committee said he had been advised that their applications would be opposed by the Minister.

The applicants, four of the 18 organisations restricted in terms of the emergency regulations in February, filed papers in the Cape Town Supreme Court several weeks ago.

The UDF, DPSC and the Release Mandela Committee are among 17 organisations which have been prevented from carrying out any activities whatsoever, while Cosatu has been forbidden from pursuing a range of campaigns and protests.

The four applications, filed separately, will be argued simultaneously.

The applicants will submit that the emergency measure imposed is too vague to be valid in law and that it makes such fundamental inroads on the rights of ordinary people that Parliament could never have contemplated the enabling law would be use in this manner.

The applicants have not requested the court to treat their application as a matter of urgency.

Govt cracks down on the Weekly Mail

HOME Affairs Minister Stoffel Botha issued a gazetted warning to the Weekly Mail newspaper yesterday in terms of the media regulations.

At the same time Botha sent the editors a telex offering to meet them.

The Weekly Mail is the seventh publication to receive a gazetted warning, the penultimate step to a three-month ban

ROGER SMITH

or vetting by a government censor.

Co-editor Anton Harber said they did not understand Botha's objections and needed clarification to know how to deal with the situation.

He would not say at this stage whether they would meet Botha.

328

B/day 27/4/88

328

28/4/88 Bloody

Stoffel mum on why Weekly Mail offends

ROGER SMITH

THE contents of the letter of warning issued to the Weekly Mail by Home Affairs Minister Stoffel Botha in December give the only indication so far of what he finds objectionable in the newspaper.

In the gazetted warning issued this week, Botha had only to state it was his opinion the Weekly Mail was promoting or fanning revolution and preventing the ending of the emergency, without stating his grounds.

But in the letter, published in the Weekly Mail on December 18, Botha referred to several articles whose contents he found objectionable.

Articles which Botha said promoted revolution by mustering support for revolutionary organisations included those on: ANC president Oliver Tambo's 70th birthday; the release of Robben Island prisoners Govan Mbeki and John Nkosi; and changes in the hierarchy of the ANC's armed wing, Umkhonto we Sizwe.

In responding to Botha's letter of warning, Weekly Mail editors Anton Harber and Irwin Manoim said they found his reasons difficult to understand. They pointed out the articles cited all related to matters "extensively and routinely reported by the entire media".

● See Page 10

MAY DAY BAN ON UNION RALLY

So weta
23/4/88
328

SOWETAN REPORTER

AN application by the Congress of South African Trade Unions to hold a May Day rally at Embaleni Stadium on Sunday has been turned down by an Evander magistrate.

The application was among several the union has made to a number of magistrates throughout the country to hold the celebrations.

In a statement released yesterday, the organisation said May Day rallies this year were taking place in a climate of increased repression against trade unions.

"Like last year, we have generally been refused permission to hold regional May Day rallies. Also Cosatu publicity material has been seized and tens of thousand of anti- Cosatu smear pamphlets have been distributed," the union said.

It said it firmly aligned itself with the international trade union movement which used May Day as a platform to focus on the hardship and exploitation of workers worldwide and to call for a social order where the interest of the working class was paramount.

It said it rejected the Government's declaration of May 6 as a public holiday because that holiday applied only to workers who were covered by the Factories Act.

"Various Cosatu affiliates are demonstrating their rejection in different ways. Some Cosatu affiliates have negotiated for workers to work on this day in exchange for another holiday, such as March 21.

"Other workers will attempt to attend work as normal, while the majority will stay home, but not as an alternative to fighting for May Day to be a paid public holiday for all workers," the union added.

Press must not bow to Stoffel's grand deception

Behind government's attack on "alternative" newspapers lies a threat to SA's mainstream Press: co-operate or else. This is an extract from a recent speech by IRWIN MANOIM, co-Editor of the Weekly Mail, which this week became the seventh newspaper to have a Gazetted warning in terms of the media regulations

WHAT PUZZLES many people is why a government which has banned newspapers with a mere flourish of the pen should design a brand-new process to close newspapers.

We can now see why. The new system ensures that any public outcry will fade to a whimper long before the climax of the whole tediously boring, excruciatingly drawn-out process of death by a thousand pinpricks.

Government has closed one newspaper, New Nation, and is on the verge of closing another, South. Others, including Weekly Mail, hover one step behind. Has this prompted a public outcry? Some, yes. But not very much.

Internal Affairs Minister Stoffel Botha has every reason to be pleased with himself. He has managed to wield the bludgeon without the neighbours complaining.

He introduced a new set of Press regulations remarkable for their bureaucratic clumsiness. The new regulations entitle the Minister to suspend a newspaper for a period of no more than three months, and only after a lengthy to-and-fro waltz of written "warnings" from his department, followed by responses from the newspapers, with ample opportunity to argue their defence.

The regulations also permitted the Minister to impose a censor upon a newspaper, although an editor was entitled to ignore the censor's opinion, at his own risk. The general impression was of a procedure which was slow and clumsy, perhaps, but not unreasonable.

Best of all, there was no talk of permanent banning: the worst possible penalty was the cooler, not the hangman.

Near the end of last year, notices were sent to a number of newspapers announcing that the Minister required a free copy of every issue published. These copies were for perusal by a faceless committee of experts, who, using criteria too secret to divulge, would determine what was and what was not acceptable.

Then came the warning letters, which showed so little sign of a mind actually engaged in examination of the contents of the objectionable publication that they tended to produce guffaws rather than alarm.

The Sowetan, for example, was warned for a wire service report which was carried by almost every other paper in the country, including several staunch allies of government. New Nation was warned for an article on Govan Mbeki, lifted word-for-word from a Weekly Mail article to which the Minister expressed no objection.

The Weekly Mail in turn was warned for quoting Govan Mbeki's words at a Press conference broadcast live on SABC-TV and organised by the Minister's own department.

The letters of warning invite the newspapers to make representations in their own defence. The Minister may accept these representations or move on to the next step, which is to publish a notice in the Government Gazette warning that he is considering action against the newspaper.

This is what he has done against the analytical journal Work in Progress, the community newspapers Grassroots and Saamstaan and the anti-conscription journal Out of Step. This week he took this step against the Weekly Mail, which has already received two "warning letters" from him.

The Minister may then write another letter to the newspaper, saying that his warning has clearly had no effect and that he is considering suspending the newspaper.

One publication has been suspended — New Nation, a Transvaal-based weekly owned by the Catholic Bishops' Conference. There was no more than a ripple of protest to greet the first silencing of an "alternative" newspaper.



☐ STOFFEL BOTHA . . . free papers

New Nation was suspended for just 10 weeks. A mild enough punishment, it would seem. There has been no seizure of assets, no raids from the police. But there is nothing to prevent the Minister from renewing that suspension the day it ends.

New Nation is fortunate: its church backers have said they will support it though the suspension. But other papers, faced with suspension for a few weeks, may be less lucky. It's a rare newspaper which can sustain its staffing and rental bills, its leases and its other expenses, without a cent of income.

Suspension will indeed mean death — commercial death. And the Minister will be free to protest: "My hands are clean. I didn't close them."

The Minister has chosen to work out on the margins of the mainstream Press, where he is least likely to be disturbed by angry pressure from white public opinion or business leaders.

He began his attacks with New Nation, South, Grassroots and Saamstaan, township papers which few of the shapers of white opinion are likely to have heard of, let alone read, and which most, if they read them, would almost certainly hate.

Yet the repercussions affected not only the "alternative" Press. Indeed, while the current attack may appear to be confined to the small papers, it is in fact part of an attack on the Press as a whole.

The National Party has been at war with the English Press since the day it came to power.

There has been a relative lull in hostilities in the past 18 months, but the Minister had other matters to divert him: the foreign television crews, for one, the alternative Press for another.

The foreign television crews have been blindfolded. With the alternative Press out of the way, the mainstream Press is left once more with its flanks exposed.

The Minister is signalling to the mainstream Press: not only can I silence the small papers, but in doing so I can lean on you, too. And there is more than a hint of that in the fact that one of the first papers to receive a warning was the Argus company's own Sowetan.

The Minister seems to be aiming for two things. First, to silence the more pesky radical Press, particularly that Press with union and political group ties; second, to extract deals from the more moderate mainstream.

It is probably not mere accident that at January's Parliamentary session, the Minister chose to attack not the New Nation or the Weekly Mail but The Star and the Sunday Times, accusing them, mysteriously, of harbouring a new breed of advocate journalists. His attack was unexpected and couched in the same language usually reserved for the alternative Press.

Now it is hardly likely that the Minister would close The Star and the Sunday Times. But he has already set up the machinery to allow him to pressure them. He can issue letters of warning, which stop short of closure, provoking alarm within the newspaper, but not much protest from outside.

What does the Minister, representative of a government which has shown little love for the English Press in 40 years, want from this Press? He talks about stamping out revolutionary journalism, but we know this is a cover.

What he wants is co-operation. Gentlemen's agreements that certain issues will not be covered. For an indication of how the Minister thinks, we have only to examine a remarkable interview he gave the magazine Leadership SA last year.

The Minister, despite the protestations that all he sought was balanced reporting, made it clear that what worries him is not the stirring of revolution, but acknowledgment of the depth of the crisis SA is in.

The Minister is not looking for honest reporting; he seeks partners in government's grand deception.

The task for us must be to deny the Minister this partnership. He has started his campaign of destruction out on the margins of the media, and he is gradually widening those margins. We must act now to deny him his victory, before it is too late for New Nation and South, and before those margins grow wide enough to swallow us all.

And above all, we must not let him make us partners in his grandest deception — that no crisis at all faces the Press.

328

Mbeki's restriction challenged by lawyers

The Argus Correspondent

JOHANNESBURG. — Lawyers for African National Congress leader Govan Mbeki have served papers on the State President and others, challenging the restriction which was imposed on their client within weeks of his release from Robben Island last November.

Mr Mbeki, 77, served 23 years of the life sentence imposed on him during the famous Rivonia Trial, in which Nelson Mandela and other top ANC men received similar sentences.

In terms of the emergency regulations Mr Mbeki was served with an order restricting him to the magisterial area of Port Elizabeth, preventing him from taking part in political activities and restraining him from communicating with the Press.

INVALIDATION

Mr Mbeki is applying to the Eastern Cape Supreme Court to:

● Declare invalid the entire state of emergency on which the order rests.

● Alternatively, declare invalid the particular regulation in terms of which the Commissioner of Police is delegated powers to make orders.

● Or, thirdly, to declare the order itself invalid.

It will be argued, among other things, that the order restricting Mr Mbeki is too vague to be lawful and that the municipal boundaries of Port Elizabeth are not definitely ascertainable.

NO BASIS IN LAW

It will also be submitted that there was no basis in law for the Commissioner of Police to have issued the order against Mr Mbeki. The only grounds for issuing such an order are to protect public safety, maintain public order or help to terminate the state of emergency.

Mr Mbeki's counsel will argue that the order imposed on his client cannot be justified on any of the above grounds.

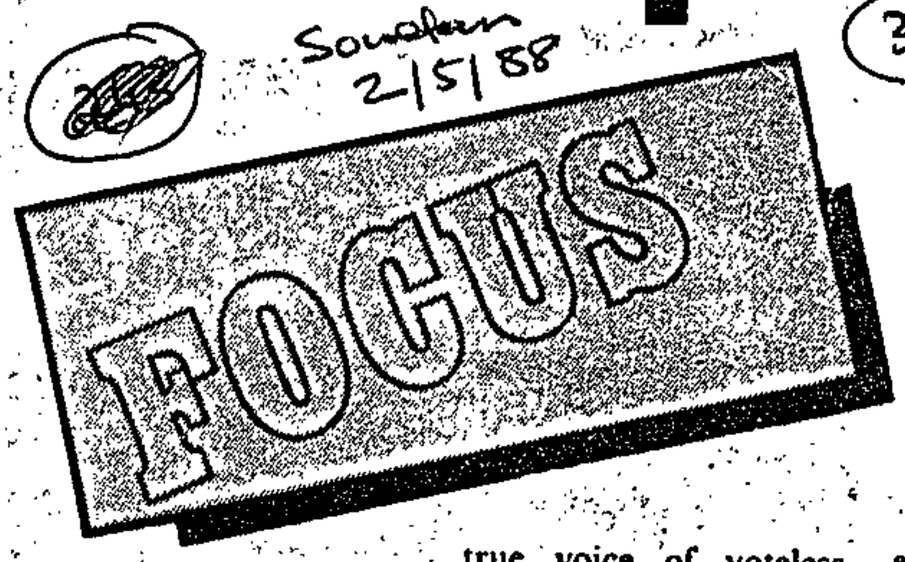
The four respondents in the case are the State President, the Government of the Republic of South Africa, the Minister or Law and Order and the Commissioner of Police.

● Mr Mbeki's attorney says he has been refused permission to visit his wife in Transkei.



THE acting editor of the ***New Nation,*** Mr Gabu Tugwana . . . we will not stop fighting against Pretoria's unjust practices.

Staff produces mock paper



GABU Tugwana, acting editor of the *New Nation*, surveys a newsroom where journalists work to produce a paper that only they will read.

This scene has been played out daily since March 22, when the South African Government gagged the anti-apartheid paper with a renewable three-month ban.

"We still produce a mock paper for our staff and stockpile stories for June 10 when we finally hit the street," Mr Tugwana added.

Mr Tugwana remains defiant although the paper's editor, Mr Zwelakhe Sisulu, is in detention and the publication ban could be extended for further three-month periods until the *New Nation*'s Roman Catholic Church backers can no longer subsidise it.

"We will not stop fighting, we will not stop protesting against Pretoria's unjust practices. The closure of the paper would not be the first attack on basic democratic freedoms — nor would it be the last," Mr Tugwana said.

Meanwhile bored reporters listlessly run up huge phone bills to fill the time in their downtown offices and wonder about their future.

The newsrooms of every outspoken anti-Government newspaper in South Africa may soon look like this as the Government presses home its attack on the non-commercial "alternative Press" using tough emergency regulations announced last August.

The Government has already issued warnings to the *Weekly Mail*, to *South*, a Cape Town-based weekly, to the *Sowetan* and six other publications.

According to Mr Tugwana, the Government is using three-month bans to disguise the fact it is shutting the newspapers down for ever.

"But that is what they mean to do," he said.

The *New Nation* used to sell about 60 000 copies a week and had a much wider readership.

Mr Tugwana said he had received thousands of letters from concerned readers and had scores of sympathetic visitors.

Last Thursday two members of West Germany's Greens Party dropped in for a 45-minute meeting with Mr Tugwana, after which they praised the paper as the true voice of voteless blacks.

What is it about the *New Nation* that irritates the South African Government?

"I guess it must be its stand against apartheid," said Greens member of parliament Willi Hoss.

Pretoria has praised "the commercial Press" saying there has been a reduction in reporting that could promote a revolutionary climate, one of the grounds on which the Government can close a newspaper under the emergency regulations.

But Professor Charles Villa-Vicencio, chairman of the Trustees of *South* newspaper, said the commercial Press could be next in line after the Government is finished with the alternative Press.

Last Tuesday, the Minister of Home Affairs, Mr Stoffel Botha, warned the *Weekly Mail* it could be next in line to be shut for three months under the Government's Press curbs.

Clean

Weekly Mail associate editor, Mr Irwin Manoim, said in an article last Thursday that for his paper the three-month suspension is the same as a death sentence. The paper does not have the same backing as the *New Nation.*

"Suspension will indeed mean death — commercial death. And the Minister will be free to say his hands are clean, he did not close us," Mr Manoim said.

Mr Manoim sais supporters of the alternative Press formed a committee last week to fight for their survival.

"If we are closed down, we won't go unnoticed," he said.

In Cape Town, Mr Rashid Seria, editor of *South*, said he expected his newspaper would be closed down this month.

"The Minister has given us till May 4 to argue, but we believe he plans to close us down, most definitely," Mr Seria said.

He said *South*, with weekly sales of 12 000, would have trouble surviving a three-month closure "but it is true that we are getting a lot of support and pledges of assistance". — Sapa-Reuter.



The Media Council

Pro-UDF periodical is banned

PRETORIA — Production of the anti-apartheid periodical South has been totally prohibited according to a notice in the Government Gazette in Pretoria yesterday.

The notice, signed by Home Affairs Minister Stoffel Botha, said the banning was effective from yesterday's date until and including June 10, 1988 — the last day of the current state of emergency.

South, which supports the UDF, is the second newspaper to be banned for a limited period in terms of emergency censorship powers invoked in October last year. — Sapa-Reuter.

328
B/day 10/5/88

(32B
B/day 20/5/88-

PFP slams NP moves on Press

Political Staff

THE PFP yesterday called government's latest threats against the Press "outrageous" and "an insult to the intelligence of the public".

Home Affairs Minister Stoffel Botha told the House of Representatives this week it was up to the editors of The Weekly Mail not to trangress "the prohibition against propaganda" if they wished to avoid government action.

The minister has power to ban a newspaper for up to three months at a time or to appoint government censors to oversee its operation.

PFP media spokesman Dave Dalling said that, by continuing to level threats at the media, Botha was behaving in an authoritarian manner and putting the interests of the NP before those of the country.

"It is incongruous to hold the sword of governmental closure over newspapers who 'trangress the prohibition against propaganda' when those very rules, framed in repressive regulations, are so vague and lacking in clarity that editors on a day-to-day basis find it impossible to make rational decisions on content of articles and reports.

"In the end, it is an NP politician who is given the power to close down the voice of opposition."

Dalling said New Nation and South had already suffered this fate and The Weekly Mail "seems to be next on the Nationalist hit list".

Botha was systematically destroying the freedom of the Press and "throwing a dark blanket" over the reporting of current events and government actions.

Dalling said: "The NP's heavy-handed and undemocratic actions against the Press are placing weapons in the hands of the enemies of SA and hastening the imposition of further sanctions against the Republic by the US and Western European countries.

"We should remember freedom is indivisible and that, in terms of these current regulations, their turn for repression may yet come."

Tutu's mandate queried

IT was time to question whether Archbishop Desmond Tutu spoke for the whole of the Anglican Church, Abie Williams (LP Mamre) said yesterday.

Speaking in the budget debate on Law and Order, he said although Tutu said he was against violence, unemployment caused by sanctions led to violence. — Sapa.

328 B/day 20/5/88

PARLIAMENT

Govt claims Press curbs stop fostering of revolt

PRESS freedom in SA had to be looked at in the context of an attempted violent revolution by the ANC and its mentor, the SA Communist Party, Home Affairs Minister Stoffel Botha said yesterday.



● BOTHA

He said these organisations blatantly admitted they collaborated with the mass media to further their revolutionary struggle for the total takeover of SA.

"That they cannot be allowed to do," Botha said.

This was what the state of emergency media regulations were about.

It astounded him there were journalists in SA with the intelligence, knowledge and background to write on public affairs who claimed they could not understand this.

"Journalists such as these might give some thought to the question of whether humanity would not be better served by taking into account the realities of revolution in Africa, instead of moralising about freedom of information.

"The point is that freedom of expression in SA will not be allowed to such an extent that it fosters chaos and revolt in the country."

Botha said he wanted to ask a rhetorical question:

"How long must the government and I, as the responsible Minister, continue to caution in a friendly tone and to elicit the co-operation of the Press in these major matters of national interest, before those sectors of the Press which so grossly underestimate the threat against SA, will come to their senses?"

Botha said he was not talking about the predominantly responsible Press in SA, but about the "negative Press".

"Unfortunately the behaviour of the 'negative Press' is inclined to be detrimental to the integrity and credibility of the Press in general and this is unfair ... but is it acceptable to the responsible Press?

"I sometimes wonder whether the honest proponents of journalism in SA are not at some stage or other going to disassociate themselves from their negative colleagues."

Our political staff reports Defence Minister Magnus Malan said he found a report in yesterday's Cape Times in which the term "ANC guerrilla" was used "shocking but also extremely deplorable".

Malan said the report was "another example of indifferent and reckless handling of security matters".

The section of the report to which Malan objected stated in indirect speech that Malan had told Parliament that SA reserved the right to strike back at ANC guerrillas in their hiding places in neighbouring countries.

Malan said he had previously explained "in great detail" in the House of Assembly the difference between guerrillas and terrorists.

"Terrorists shamelessly kill and maim innocent victims with the aim to terrorise and intimidate people. This is what the ANC and Swapo does.

"Guerillas are irregular solidiers who wage war on regular military forces."

Malan said he had called upon "our media" to distinguish between guerrillas and terrorists and report accordingly.

"In not doing so, they neglect to inform the public." — Sapa.

(328) B/day 23/8/85

So let there be darkness, says Learned Stoffel

KEN OWEN

HOME AFFAIRS Minister Stoffel Botha, the only member of the Cabinet who is known positively to read books, says newspapers publish a mass of information which promotes violent revolution. I must agree.

True, I did sign the petition to Learned Stoffel to spare the Weekly Mail, but I did so out of cowardice. I did not wish to be seen as the only English Editor who thought it a pitiful waste of time to try to convince so well-read a man as the Minister of the role of a free Press. He knows.

Anyway, our newspapers abound with examples of information that — to use the Minister's words — "promotes violent revolution".

One is tempted to say that publication of the salaries of public servants might provoke a certain class of taxpayer to murder — that is why government hides the salary scales — but this is not a time for flippancy. The days when excessive taxes, unjust laws, overweening public servants, arrogant rulers and corrupt administrations caused revolutions are thankfully long past. Modern revolutions are caused by negative images.

Among the serious examples of revolutionary publication which Learned Stoffel cites is to mention that Oliver Tambo, president of the African National Congress, is honoured on certain occasions.

Sis! say I. It is quite obvious that when people pin medals to Tambo's chest it is likely to drive our State President to tear up the tricameral constitution in a fit of revolutionary pique. It could drive him to chew the carpet of the Winter Palace. Not even Riaan Eksteen or Allan Hendrickse has dared to go so far in taunting the Great Man.

Similarly, it is very dangerous, as Learned Stoffel explained, for newspapers to publish reports which evoke sympathy for ANC detainees or prisoners. Everybody who felt sympathy for Steve Biko or Neil Aggett should examine his conscience; he may have cause to feel guilty.

The Minister put his finger precisely on the solution to the problem when he said: "The facts are that the ANC, and the SACP, and other revolutionary organisations have been ordered by law to cease to exist. But these organisations are now being kept 'alive' by means of one-sided positive publicity."

It's powerful stuff, that one-sided positive publicity. Some of our generals think it is our most potent military weapon, better than the Kukri and the G-6. It captures hearts and minds, which are often harder to capture than Cubans. If one-sided positive publicity ever fell into the hands of the ANC or Swapo, one hates to think what might happen.

In fact, if one goes back across the history of the past 40 years, it is plain that Learned Stoffel is using well-tried means to preserve the Republic against a total onslaught. The Communist Party was ordered in 1949 to cease to exist; its mouthpiece, variously called the Guardian and New Age and New Era, was ordered in the Fifties to cease to exist; the liberal newspaper, Contact, was ordered to cease to exist in the early Sixties.

It is an awesome thought that when two scruffy little fringe publications were ordered to cease existence, the idea that SA had a free Press also ceased to exist. Since then we have known that we can say what we like so long as it does not enrage the Great Man too much.



☐ BOTHA . . . power of publicity

Some newspapers have survived by lying low, some by adopting codes of conduct, some by inventing councils to police them, and some by firing their *verligte* editors and concentrating on publishing girly pictures and stories of family murders. But some have wilfully sought their own destruction by mentioning the honours showered on Oliver Tambo or publishing dirty words like "a luta continua," or "Umkhonto we Sizwe".

John Vorster knew how to deal with that sort of thing. "Let there be dark," he said when he become Minister of Justice, and darkness fell. It lasted until 1985, when the Weekly Mail suddenly appeared, full of youthful idealism and good English, and crammed with one-sided positive publicity.

Apparently its appearance breathed new life into the ANC, the PAC and Oliver Tambo. So far it has not been able to breathe fresh life into Steve Biko or Neil Aggett, but who knows? That one-sided positive publicity is powerful stuff. It may even overcome cease-to-exist orders.

Still, there is a puzzling gap in the historical record. Between the disappearance of Contact and the appearance of the Weekly Mail, the SACP and the ANC — according to the theory of Learned Stoffel — obediently ceased to exist. By 1976, according to books which Learned Stoffel has surely read, the ANC was almost forgotten. There was indeed a small, seedy organisation in London to which young black people "escaped" along a route which was virtually managed by Craig Williamson, a policeman.

Nobody wrote about the ANC; nobody even thought much about it. Hence it ceased to exist.

Meanwhile, young men and women banded together in SA to form the Black Consciousness movement, and AZAPO and CUSA and SASO and the Black People's Convention. They did not think much of the ANC. They began an entirely new revolutionary movement of their own. This revolutionary impudence shocked the non-existent ANC back to life in miraculous fashion.

The ANC leaders, according to other books which Learned Stoffel has surely read, were frantic with anxiety when it seemed their long-awaited revolution was starting without them. They must have felt like Moses at the Jordan, in sight of the Promised Land, but forbidden entry. So they all shifted to Lusaka to be close to the frontline, and have been pestering Learned Stoffel ever since.

Wondrously, it all happened without the help of the Weekly Mail, or of Saamstaan, or New Nation or South. First came the violence of 1976, then came the ANC and then the newspapers. Learned Stoffel has not so far explained this sequence, but no doubt he will soon issue cease-to-exist orders against whispers in the dark, against silent nods and stealthy signals, against any expression of a sense of grievance against the wicked, brutal and corrupt rule under which many people think they suffer.

Then, I am sure, he will issue a cease-to-exist order against the Conservative Party which is a far, far greater threat to the National Party, and to Learned Stoffel, and to democracy, than any person so far ordered to cease to exist. Then we shall all be free.

☐ This column said erroneously on March 25 that Wits had sent Professor Mervyn Shear to the Alan Paton memorial service in St Mary's Cathedral. In fact, Professor Shear was invited by Paton's son. I gladly apologise to Wits for suggesting that it sent Professor Shear to pay tribute to Paton, and to Professor Shear for suggesting that he was sent.

328 Bday 8/6/88.

Restrictions 'ban' UDF man from job

Political Staff

UDF executive member Reggie Oliphant has been effectively banned from his job by the restrictions imposed on him, Jan van Eck (independent Claremont) said yesterday.

Oliphant is the school book representative in the southern Cape for a major publishing house, but in terms of the restrictions he is not allowed to leave Oudtshoorn, where he lives.

"The government is destroying his salary which is largely based on commission," Van Eck said.

"He has not been charged with any crime, but because the government does not like his politics, they are preventing him from earning his salary."

Representations

Van Eck said this after Law and Order Deputy Minister Leon Wessels told him Oliphant's legal adviser had made representations that "certain of the restrictions be totally or partially lifted on a permanent basis".

After additional information was requested, the legal representative was informed on March 19 that the representations had been rejected, "but it was pointed out to him that applications for the relaxation of such representations may be considered on an ad hoc basis".

The restrictions were imposed on Oliphant on February 24. He had been informed in writing of these restrictions.

"It is not in the interest of any other person to make known these restrictions," Wessels said.

Restriction orders served

STY 13/6/88 Pretoria Bureau (328)

Two executive members of the Mamelodi Youth Organisation and Mamelodi Civic Association, Mr Michael Seloane and Mr Sandy Lebese, were served with restriction orders after their release from detention on Thursday night.

They are prohibited from participating in the activities of local organisations, including the Detainees' Parents Support Committee, Detainees Support Committee and the UDF.

They are also restricted to the magisterial area of Pretoria and may not address any gathering of more than 10 people.

UDF's Azhar Cachalia restricted

JOHANNESBURG. — The national treasurer of the United Democratic Front, Mr Azhar Cachalia, was issued with a restriction order at the weekend.

The order forbids him to take part in any activity of the UDF, the South African Council of Churches, the Lenasia Youth League, the Transvaal Indian Congress, the Release Mandela Committee and the South African Youth Congress.

Mr Cachalia is also prohibited from addressing a gathering at which 10 or more people are present, and from taking part in an interview with a journalist. He may not contribute to the compilation of any publication.

Mr Cachalia was also refused a passport by the Department of Home Affairs. — Sapa

Govt tightens grip on Mbeki

Restriction orders on Mr Govan Mbeki, the African National Congress leader who was sentenced to life imprisonemnt but released from Robben Island last year, have been re-imposed in a more severe form, his Johannesburg lawyer said today.

Attorney Mrs Priscilla Jana said Mr Mbeki was now prohibited from being in the company of more than 10 people at a time.

As before, he is confined to the Port Elizabeth area and may not address meetings or give press interviews.

A challenge to the restrictions imposed on Mr Mbeki late last year was recently filed in the Eastern Cape Supreme Court, but the matter had not been heard when the emergency expired.

A fresh legal challenge to the tougher restriction order will be launched shortly, Mrs Jana said.

She said that another of her clients, United Democratic Front co-president Mrs Albertina Sisulu, had also been served with fresh restriction orders.

CAPE TIMES 14/6/88 (328)

Mbeki's restrictions tightened

JOHANNESBURG. — Restriction orders on Mr Govan Mbeki, the African National Congress leader who was sentenced to life imprisonment but released from Robben Island last year, have been reimposed in a more severe form, his attorney said yesterday.

Mrs Priscilla Jana said Mr Mbeki was now prohibited from being in the company of more than 10 people at a time.

As before, he is confined to the Port Elizabeth area and may not address metings or give press interviews.

A challenge to the restrictions imposed on Mr Mbeki late last year was recently filed in the Eastern Cape Supreme Court, but the matter had not been heard when the emergency expired.

A fresh legal challenge to the tougher restriction order will be launched soon, Mrs Jana said.

She said another of her clients, United Democratic Front co-president Mrs Albertina Sisulu, had also been served with fresh restriction orders. — Sapa

328

Freed UDF 5 face tough restrictions

FIVE members of the United Demoratic Front executive committee were released from detention yesterday and returned home to emotional welcomes.

"It seems so unreal," was the reaction of Ms Lynne Mathews, wife of Trevor Manuel, who was released and restricted after 695 days of detention without trial.

Also released and restricted were UDF executive members Mr Ebrahim Rasool and Mr Mzonke "Whitey" Jacobs; Mrs Hilda Ndude, president of the Cape Youth Congress; and UDF press officer Mr Mountain Qumbela.

Mr Manuel had been in detention since August 1986, Mr Jacobs since December 1986, Mr Rasool since June 1987 and Mr Qumbela since October. Mrs Ndude was detained last month.

Mr Manuel, former regional secretary of the UDF, was issued with a restriction order which confines him to the Cape Town magisterial district and forbids him to leave his Kensington home between 6pm and 5am.

He is also forbidden to grant interviews to journalists for the purpose of publication and his views on any subject may not be published. He may not address any gathering of more than 10 people. He may not take part in the activities of the UDF or the Cape Areas Housing Action Committee and may not attend any gathering which attacks or criticizes government actions or policies.

Mr Manuel, who was detained in terms of the emergency regulations, yesterday held his two-year-old son who was two months old when he was detained.

"He was held for almost two years without being charged. Even now they found it fit to jail him at home," said Ms Matthews.

Mr Ismail Rasool, father of Mr Ebrahim Rasool, said the family was "overjoyed" to have him home after 13 months.

His son has also been restricted and confined to the Wynberg magisterial district and may not take part in the activities of the Call of Islam or the UDF.

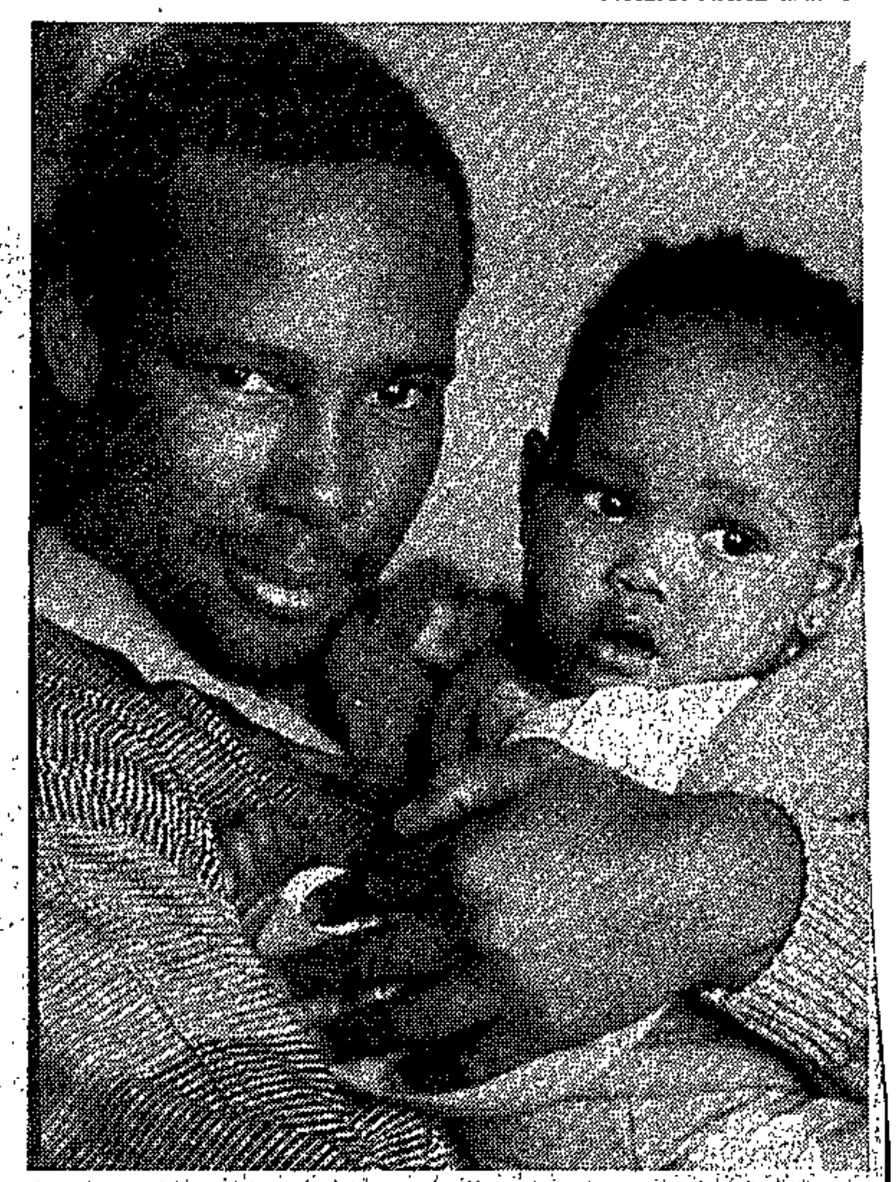
"We can't say he's free, the restrictions are very unfair. He did not commit a crime," he said.

Mr Jacobs yesterday held his 15-month-old daughter Lina for the first time. He was served with similar restriction orders and may not leave his home between 7pm and 6am.

Lawyers acting for Mr Qumbela and Mrs Ndude said they had been released and restricted but they were unable to specify the conditions of the restriction orders served on them.



REUNITED ... Mr Trevor Manuel at home after 695 days in detention. With him is his wife Lynne, his two-year-old son Govan and their dog Pascha.
Picture: ANNE LAING



FIRST TIME ... Mr Whitey Mzonke Jacobs with his 15-month-old daughter Lina who he was able to hold for the first time yesterday after spending 19 months in detention.
Picture: FANIE JASON

Ban on Mandela concert

WHILE the world joins together to publicly celebrate Nelson Mandela's 70th birthday on Monday, official permission for SA's celebratory "Mandela 70th birthday party" concert, scheduled for Sunday, has been refused.

Justice Minister Kobie Coetsee and Johannesburg's chief magistrate yesterday refused permission for the open air concert, which was to have been held at Fun Valley, outside Johannesburg. About 25 000 people were expected.

Krish Naidoo, legal adviser to the concert organisers, the Mandela 70 Committee, said an alternative venue indoors was not being considered. He

Business Day Reporters

would not say what legal action would be taken, although earlier this week he said action would be taken if magisterial permission was refused.

Free Mandela mania will reach a fever pitch in Europe this weekend, Mike Robertson reports from London.

The birthday celebrations planned include an address to an expected 250 000-strong crowd at Hyde Park on Sunday by Archbishop Desmond Tutu, with public

● To Page 2 ⇨

328 Bday 15/7/88

Permission for Mandela concert refused

events scheduled this weekend in West Germany, Belgium, Norway, Ireland, Denmark, Sweden, as well as in other countries spanning the globe from Australia and Japan to the US and India.

The Africa News Organisation reports that Soviet TV will show a recording of a concert in his honour at London's Wembley Stadium. The $60 000 paid by the Soviets for the right to transmit the concert will go to the Victims of Apart-

⇦ ● From Page 1

328

heid. Bday 15/7/88

Thousands more people are sending congratulatory notes and birthday cards.

Dutch Anti-Apartheid Movement spokesman Bart Luirink said more than 50 000 congratulatory messages for Mandela would be handed over to Mandela's family.

328

Ban on quoting four exiled men

Cape Times 16/7/88

PRETORIA. — The Minister of Justice, Mr Kobie Coetsee, has effectively banned the media from quoting four people who have left South Africa.

The notice, in terms of the Internal Security Act, was gazetted in Pretoria.

The four are:

- "Chris" Martin Hani, 46, formerly of Cape Town and now living in Lusaka;
- Sefofane Khunyeli, 59, a former Johannesburg clerk now in Paris;
- Jerry Mamabolo, 32, formerly of Soweto and now in Maputo, and
- Ntiti Shope, 62, a former social worker of Johannesburg now in Lusaka. — Sapa

CAPE Times 21/7/88

328

Crossroads man released from prison

Staff Reporter

A YOUNG New Crossroads father was released yesterday from Robben Island where he had been imprisoned for the past year for failing to report the presence of a trained ANC member to the police.

Mr Mbuyiselo Samuel Hans, 30, spoke to the Cape Times soon after his arrival on the mainland. However, Mr Hans is now a listed person and may not be quoted.

On July 21 last year he and two other men were sentenced to three years' imprisonment, of which two years were suspended for five years.

Mr Hans's family said he was looking for a job to enable him to support his family. At the time of his arrest early last year, Mr Hans worked at a quarry as a driver of earth-moving machinery.

His family said he would like to work as a driver again, but was also qualified to do clerical work.

SOUTH AFRICA faces a ban on the distribution of all US movies following the Government's banning of the film Cry Freedom.

Top international distributors are considering blacklisting South Africa as a market for their productions — movies, videos and even the TV soapies watched by millions daily.

The furore follows a bizarre saga of intrigue and heavy-handedness as the Government banned the movie on the death of the young Black Consciousness activist Steve Biko 11 years ago.

The Publications Appeal Board passed the movie with a 2-19 age limit 30 minutes before it was due to go on the open circuit.

The move so outraged some right-wing quarters that Professor Kobus van Rooyen, chairman of the board, was this weekend under police guard after death threats.

Pressure

Late on Friday afternoon police seized all copies of the movie in a country-wide raid on cinemas.

The launch, meanwhile, was accompanied by a number of mysterious bomb blasts at cinemas showing the movie.

Nobody was injured and the bombs caused minimal damage.

The explosions were later used by Government spokesmen in part justification for the banning.

In Washington — where anti-South African feeling is running high in the run-up to the US presidential election campaign — political pressure is growing on UIP-Warner, the producers of Cry Freedom, to pull out of South Africa altogether.

And officials at Universal Pictures, UIP's American parent body, hinted earlier that they may seek an industry-wide initiative to stop the distribution of all American movies in South Africa.

Mr Michael Williams-Jones, president of UIP-Warner in London, confirmed pressure was mounting against his company to pull out.

Although he was against such a move, the company had to weigh up its options.

In London, where police

CRY FOUL?
See Page 19

raids on cinemas received splash coverage in newspapers and on television, hopes for a relaxation of the ban by the actors' union Equity on the sale of BBC-TV drama material to South Africa suffered a new blow.

The maker of Cry Freedom, Sir Richard Attenborough, yesterday called on all British businesses to end any connection with South Africa.

And he has lobbied the powerful Motion Picture Association of America — which provides 90 percent of the movies in South Africa — to impose a total ban on South Africa.

Sir Richard, speaking from the south of France, said: "They are furious with the way Cry Freedom has been treated. They feel enough is enough.

Opposed

"There is a very real possibility the MPAA will impose a total ban on South Africa and that will be a major blow."

He said he hoped as many South Africans as possible would still see the film and claimed that if enough whites saw it, "it could topple the Government".

Universal yesterday declined to elaborate on the boycott threats.

But films currently on circuit that could be affected by a UIP boycott include the Paul Hogan hit sequel Crocodile Dundee 2, Three Men and a Baby, Police Academy 5, Deadly Pursuit, starring Sydney Poitier, the animated feature The Fox and the Hound and Overboard with Goldie Hawn.

UIP-Warner distributes the Disney and Touchstone films as well as United International Pictures and Warner Bros.

In America, the movie group's chairman, Mr Tom Pollack, said: "Universal Pictures is opposed to the censorship of free expression wherever it exists.

"We must speak out against any attempt to deny

□ To Page 2

AS SA faces movie and TV boycott in wake of Biko

BOYCOTT

BY DRIES VAN HEERDEN, PAT CHENEY, DAVID JACKSON AND JEREMY BROOKS

SOUTH AFRICA and its A
could thrash out a ceasefi
Tuesday.
But indications are that ther
uestion of a complete Cuban tr
uba's economy.
Agreement on a ceasefire has now
egion between reinforced Cuban a
eported attack on a water installa
ngolan army uniforms.
The three antagonists are
nderstood to be already con-
derably advanced in talks
bout a ceasefire while a for-
ula for a permanent settle-

Ri

'Sharpeville Six' among 417 on new banned list

PRETORIA .— The condemned "Sharpeville Six," several guerrilla leaders, a dead communist lawyer and a woman jailed for treason are among 417 named in a new list of banned people.

The list, published here by the Justice Ministry, names people who may not be quoted by the media.

Jailed ANC leader Nelson Mandela and his chief lieutenant, Walter Sisulu, are not on the list but are restricted by prison regulations.

New ANC commander Chris Hani and colleagues Steve Tshwete and Victor Moche are listed for the first time.

Other leaders of the movement, including president Oliver Tambo and spokesmen Tom Sebina and Thabo Mbeki, have been banned for some time and remain on the list.

The "Sharpeville Six," five men and a woman, were condemned to death for their part in the 1984 murder of a black township councillor.

Among the banned dead people are Bram Fischer, the lawyer who helped defend Mandela and was once a leader of the banned Communist Party, and Ruth First, the writer killed by a letter bomb sent to her home in Mozambique.

Prisoners banned because they are serving sentences for security-related crimes include dissidents Barbara Hogan and Marion Sparg.

The Minister of Justice may ban anyone he considers a threat to State security or public safety or who he believes is an advocate of communism. — Sapa-Reuter.

Anti-draft group 'banned' by Vlok

328 SDM 22/8/88

By David Braun,
Political Correspondent

CAPE TOWN — The End Conscription Campaign (ECC) was effectively banned today.

Law and Order Minister Mr Adriaan Vlok used Regulation 7 of the emergency security regulations to prohibit the ECC from carrying out or performing any activity or act.

The same emergency regulation was used in February this year to similarly restrict the United Democratic Front and 16 other organisations.

Government action against the ECC has been expected for the last fortnight — particularly since Defence Minister General Magnus Malan slated the organisation after 143 South Africans declared they would not do their National Service.

A statement released by the Ministry of Law and Order today said the ECC attempted to create an impression of political neutrality, but it was not difficult to see the organisation's role in the revolutionary onslaught against South Africa.

The statement said: "South Africa is the target of a multi-dimensional revolutionary onslaught . . . the SADF is responsible for safeguarding the borders of our country against terrorists.

"As a result of the ECC's campaigns, many liable for national service are influenced to refuse to do military service."

The statement said it was also known the ECC actively assisted service dodgers who left South Africa to acquire residence permits in the United Kingdom.

"The dangers posed by the activities and acts of the ECC to the safety of the public, the maintenance of the public order and the termination of the state of emergency, left no other choice than to act against the ECC and to prohibit the organisation from continuing any activities or acts," the statement said.

BANNED: by Nationalist decre

W/C ARGUS 27/8/88

by ROBERT HOUWING
Weekend Argus Reporter

378

IF you can't beat it or simply don't like it ... ban it. That, in a nutshell, is more or less how the Nationalist government has reacted to dissenting views in 40 stormy years of rule.

This week's effective banning of the End Conscription Campaign came unexpectedly to some, considering that "cordial" talks between the ECC and Defence Force mainly on the subject of possible alternative service, took place earlier this year.

But Minister of Law and Order Mr Adriaan Vlok's swift, sweeping steps in terms of the emergency regulations typified the iron-fist approach that has characterised government measures down the years.

The ECC has joined countless organisations and individuals in feeling the full force of the Nationalist whip since the late forties.

Right across the spectrum, from the banning of popular movements and meetings to the deportation of a tomato-thrower, the Nationalists have always made it very clear just who is the boss.

Teachers, doctors, professors, lecturers, advocates, journalists, students, trade union organisers, businessmen and actors — all have been either banned, banished, placed under house arrest or jailed under a multitude of laws for expressing views a little too divorced from those of the government.

Under its regular list of banned publications in the Government Gazette, it has forbidden everything from books, newspapers, pamphlets and stickers to undesirable underwear.

"FROM 1963 onwards, I have closely witnessed the ever-increasing erosion of normal civil liberties," says Mrs Helen Suzman, PFP MP for Houghton and veteran government monitor.

"It started well before that, of course, and has never shown signs of letting up.

"The thin red line between 'subversion' and lawful dissent has got more and more faint over the years.

"I know I have said this before, but it can certainly be said again — the government has always encouraged intransigence through its actions; loads of people who could once be described as silent dissenters have become more extreme.

"One of my saddest observations after years of government suppression is that the white electorate is no longer shocked about things like detention without trial.

"In spite of its clear undermining of the rule of law, they accept it as part of the cycle of life in South Africa."

THE Nationalists did not take long to assert their authority after coming to power in 1948.

Bitterly opposed to communism, they set about the task of outlawing both the ideology itself and the Communist Party of South Africa, active since 1921.

The Suppression of Communism Act of 1950 effectively silenced both. The Communist Party went underground and the Act stayed on the statute until its incorporation into the Internal Security Act.

But the government did not always feel obliged to resort to its array of legislation in explaining its actions. In July 1954, the then Native Affairs Minister, Dr H F Verwoerd, served removal orders on two East London blacks, Joel Lengisi and Alcott Gwentshe. They were ordered to leave forthwith for farms in the Transvaal.

Dr Verwoerd's reason? "Their presence in East London is inimical to the peace, order and good government of the Natives in the East London district."

The East London branch of the African National Congress protested their banning to "remote areas of the Transvaal."

In the same year, Police Commissioner Major-General C I Rademeyer referred to the "undoubted success" of the Suppression of Communism Act: "Police vigilance has been largely responsible for reducing Communist opportunities to make propaganda in South Africa.

"The Communist needs a platform for spreading his creed and somehow he seems to have lost it here."

In February 1955, Minister of Justice M C R Swart placed a 20-day ban on all ...lic meetings on the Rand.

He said the move was pr... fact that young blacks ... Western Areas, "arm... pistols, home-m... and dynamite... resist ste...

One observer commented: "The government is using a sledgehammer to kill a mosquito."

In May 1959, ANC president-general and Nobel Prize winner Chief Albert Luthuli was served with a banning order prohibiting him from attending or addressing gatherings around the country.

In the same month, banned ANC secretary Mr Walter Sisulu was charged with breaking a condition of his order, allegedly having attended a gathering in Bloemfontein "to partake of, or be present whilst others partake of refreshment in the nature of tea and/or some such other liquid refreshment and/or edibles and/or a meal."

A month later, the chairman of the Worcester branch of the ANC, Mr Ben Bartman, was banished to Mngomezulu, Natal, after 18 years in the Boland town and Oliver Tambo, then deputy president-general, banned from meetings for five years.

There was widespread condemnation in October when Mrs Elizabeth Mafekeng, a mother of 11 and president of the African Food and Canning Workers' Union, was ordered from Paarl to Southey near Vryburg.

THE tragic events at Sharpeville in March, 1960, led to the first state of emergency and a 12-month ban on the ANC and rival Pan Africanist Congress (PAC). The ban was renewed in 1961 and has never been lifted.

A five-week ban on all gatherings around the country in 1961 led to magistrat... ing "flooded with exemption ap... for activities from political ... wedding receptions to ru... braaivleis."

In July that year ... oured National ... Mr H G ... er, in ... ba...

United Party accused Mr B J Vo... Minister of Justice) of "usurping ... tions of the courts by imposing puni... for an undisclosed crime without tri... was the shape of things to come ...

Four years later, the government ac... against an increasingly vociferous foe, th... National Union of South African Students (Nusas). Its president, Ian Robertson, was banned under the Suppression of Communism Act. Steps against scores more student leaders would follow, to the present day.

In April 1968 the Liberal Party, formed in 1953, was forced to disband after the government passed the Prohibition of Political Interference Act which forbade racially mixed membership of parties. Its national president at the time was Dr Alan Paton.

The seventies were characterised by tough new security legislation, including the Affected Organisations Bill and Riotous Assemblies Amendment Bill, and the ban on a major newspaper since ... of President Paul Kruger. It ... Percy Qoboza's mass-ci... World.

In 1982, Section ... Act became Se... rity Act, wi... terly ... with...

BANNED: by nationalist decree

W/C ARGUS 27/8/88

by ROBERT HOUWING
Weekend Argus Reporter

IF you can't beat it or simply don't like it ... ban it. That, in a nutshell, is more or less how the Nationalist government has reacted to dissenting views in 40 stormy years of rule.

This week's effective banning of the End Conscription Campaign came unexpectedly to some, considering that "cordial" talks between the ECC and Defence Force, mainly on the subject of possible alternative service, took place earlier this year.

But Minister of Law and Order Mr Adriaan Vlok's swift, sweeping steps in terms of the emergency regulations typified the iron-fist approach that has characterised government measures down the years.

The ECC has joined countless organisations and individuals in feeling the full force of the Nationalist whip since the late forties.

Right across the spectrum, from the banning of popular movements and meetings to the deportation of a tomato-thrower, the Nationalists have always made it very clear just who is the boss.

Teachers, doctors, professors, lecturers, advocates, journalists, students, trade union organisers, businessmen and actors — all have been either banned, banished, placed under house arrest or jailed under a multitude of laws for expressing views a little too divorced from those of the government.

Under its regular list of banned publications in the Government Gazette, it has forbidden everything from books, newspapers, pamphlets and stickers to undesirable underwear.

"FROM 1963 onwards, I have closely witnessed the ever-increasing erosion of normal civil liberties," says Mrs Helen Suzman, PFP MP for Houghton and veteran government monitor.

"It started well before that, of course, and has never shown signs of letting up.

"The thin red line between 'subversion' and lawful dissent has got more and more faint over the years.

"I know I have said this before, but it can certainly be said again — the government has always encouraged intransigence through its actions; loads of people who could once be described as silent dissenters have become more extreme.

"One of my saddest observations after years of government suppression is that the white electorate is no longer shocked about things like detention without trial.

"In spite of its clear undermining of the rule of law, they accept it as part of the cycle of life in South Africa."

THE Nationalists did not take long to assert their authority after coming to power in 1948.

Bitterly opposed to communism, they set about the task of outlawing both the ideology itself and the Communist Party of South Africa, active since 1921.

The Suppression of Communism Act of 1950 effectively silenced both. The Communist Party went underground and the Act stayed on the statute until its incorporation into the Internal Security Act.

But the government did not always feel obliged to resort to its array of legislation in explaining its actions. In July 1954, the then Native Affairs Minister, Dr H F Verwoerd, served removal orders on two East London blacks, Joel Lengisi and Alcott Gwentshe. They were ordered to leave forthwith for farms in the Transvaal.

Dr Verwoerd's reason? "Their presence in East London is inimical to the peace, order and good government of the Natives in the East London district."

The East London branch of the African National Congress protested their banning to "remote areas of the Transvaal."

In the same year, Police Commissioner Major-General C I Rademeyer referred to the "undoubted success" of the Suppression of Communism Act: "Police vigilance has been largely responsible for reducing Communist opportunities to make propaganda in South Africa.

"The Communist needs a platform for spreading his creed and somehow he seems to have lost it here."

In February 1955, Minister of Justice Mr C R Swart placed a 20-day ban on all public meetings on the Rand.

He said the move was prompted by the fact that young blacks in Johannesburg's Western Areas, "armed with machine guns, pistols, home-made pipe guns, grenades and dynamite bombs," were attempting to resist steps to move them to Meadowlands.

One observer commented: "The government is using a sledgehammer to kill a mosquito."

In May 1959, ANC president-general and Nobel Prize winner Chief Albert Luthuli was served with a banning order prohibiting him from attending or addressing gatherings around the country.

In the same month, banned ANC secretary Mr Walter Sisulu was charged with breaking a condition of his order, allegedly having attended a gathering in Bloemfontein "to partake of, or be present whilst others partake of refreshment in the nature of tea and/or some such other liquid refreshment and/or edibles and/or a meal."

A month later, the chairman of the Worcester branch of the ANC, Mr Ben Bartman, was banished to Mngomezulu, Natal, after 18 years in the Boland town and Oliver Tambo, then deputy president-general, banned from meetings for five years.

There was widespread condemnation in October when Mrs Elizabeth Mafekeng, a mother of 11 and president of the African Food and Canning Workers' Union, was ordered from Paarl to Southey near Vryburg.

THE tragic events at Sharpeville in March, 1960, led to the first state of emergency and a 12-month ban on the ANC and rival Pan Africanist Congress (PAC). The ban was renewed in 1961 and has never been lifted.

A five-week ban on all gatherings around the country in 1961 led to magistrates being "flooded with exemption applications for activities from political meetings and wedding receptions to rugby matches and braaivleis."

In July that year, the South African Coloured National Convention was banned.

Mr H G Lawrence, then MP for Salt River, in an article titled *This Nationalist banning frenzy*, said: "Why have coloured people been refused the right of free assembly and speech? Surely not because this was to be a gathering of communist-inspired agitators? Is it not because the Prime Minister wishes to prevent the ordered expression by non-whites of views which do not fit into the granite-wall programme of apartheid?"

In 1962 came the banning of the SA Congress of Democrats and the placing under house arrest of Mrs Helen Joseph. The United Party accused Mr B J Vorster (then Minister of Justice) of "usurping the functions of the courts by imposing punishment for an undisclosed crime without trial." It was the shape of things to come ...

Four years later, the government acted against an increasingly vociferous foe, the National Union of South African Students (Nusas). Its president, Ian Robertson, was banned under the Suppression of Communism Act. Steps against scores more student leaders would follow, to the present day.

In April 1968 the Liberal Party, formed in 1953, was forced to disband after the government passed the Prohibition of Political Interference Act which forbade racially mixed membership of parties. Its national president at the time was Dr Alan Paton.

The seventies were characterised by tough new security legislation, including the Affected Organisations Bill and Riotous Assemblies Amendment Bill, and the first ban on a major newspaper since the days of President Paul Kruger. It was the late Percy Qoboza's mass-circulation *The World*.

In 1982, Section 6 of the 1967 Terrorism Act became Section 29 of the Internal Security Act, which further entrenched the bitterly condemned practice of detention without trial.

Since 1985, when widespread unrest led to President PW Botha declaring the first state of emergency under his leadership, curbs on organisations and individuals have been increasingly toughened.

In April last year, the government banned all campaigns for the release of detainees and, in October, came the Sally Hutchings affair.

Mrs Hutchings was deported for throwing two tomatoes at the feet of President Botha at a meeting at Unisa, Pretoria.

Even Dr Andries Treurnicht, leader of the Opposition in the House of Assembly, described the step as an "over-reaction." He said political leaders all over the world faced this sort of hazard.

IN February this year, restrictions were placed on 17 extra-parliamentary organisations, including the United Democratic Front and Azapo. Like Monday's move against the ECC, it effectively froze all their activities.

Restriction order served on ECC man

Police yesterday served a restriction order on End Conscription Campaign executive member Mr Gary Cullen.

A friend said police were waiting for Mr Cullen after a Five Freedoms Forum meeting in Johannesburg.

The restriction order prohibits him from speaking to a gathering of more than 20 people or to the press. Also he may not write papers or articles.

Restriction order on ECC organizer

JOHANNESBURG. — The national organizer of the End Conscription Campaign (ECC), Mr Gary Cullen, was served with a restriction order after a Five Freedoms Forum meeting on conscription held here yesterday.

Mr Alistair Teeling-Smith, former national secretary of the ECC, said Mr Cullen, 26, was taken to John Vorster Square by police after the meeting and was served with the restriction order.

The order prevents him from speaking to a group of more than 20 people, and from being quoted in the press or writing articles for publication.

The order does not prevent him from remaining a member of the ECC.

Earlier, the leader of the PFP in the Johannesburg City Council, Mr Tony Leon, told the Five Freedoms Forum meeting that at least three major issues taken up by the ECC had since become conventional views.

The meeting took place at the Central Methodist Church despite a bomb scare.

Mr Leon said that when the ECC proposed peace in Angola and the withdrawal of the SADF, this was dismissed as a heresy.

Furthermore, the system of a reasonable alternative to national service had now become common coinage among more mainstream persons.

He said the exposure by the ECC of the National Security Management System and Joint Management Centres meant they were no longer fringe concerns, but matters of much worry. — Sapa

Biko services banned

328

THE Divisional Commissioner of Police in Far Northern Transvaal has banned all services in the area planned to commemorate the death in police custody of black consciousness leader Steve Biko.

By MATHATHA TSEDU and MOKGADI PELA

A notice to this effect was pinned at the entrance of the Workers Centre in Pietersburg on Saturday morning. The notice said all services to commemorate Biko's death were banned in the Far Northern Transvaal. A service organised by the Northern Transvaal Peoples Co-ordination Committee was scheduled for today.

Reacting to the ban, NTPCC information secretary, Mr Kgalabe Kekana, said the police measures would not "erase the memory of Steve Biko from our minds. The black masses will struggle tirelessly for our freedom which Biko fought and died for."

Following the banning of services in the Far Northern Transvaal marking the 11th anniversary of Steve Biko, the Azanian Co-ordination Committee said the move was not surprising because the man had been banned even in his own life time.

The Azacco statement went on to say: "Recently we saw a movie, *Cry Freedom*, being literally taken off the streets and now our people are being denied to remember their heroes."

Hong Kong

Biko services banned in N Tvl

328

SMC 12/9/88

Police in the Far Northern Transvaal have issued a blanket ban on services organised to mark the death in detention 12 years ago of Black Consciousness leader Mr Steve Biko, the Azanian Co-ordinating Committee said.

A spokesman for the committee said four services, to be held at the weekend and today, had been organised for the northern Transvaal.

He said the local police commissioner, Brigadier M J van Staden, issued an order on Friday saying that no commemoration services could be held in the Far Northern Transvaal in terms of the emergency regulations. — Sapa.

Bizarre Mandela birthday row as court bans soccer match and the tea-party afterwards

OFF-SIDES!

B 328 S/Times 17/7/88

R200m

S/Times 17/7/88

The price of Transkei corruption under the Matanzimas

By BILL KRIGE

TRANSKEI is trying to recover more than R200-million misappropriated or stolen over more than a decade — including R40,6-million in overpaid salaries.

A pattern of massive bureaucratic breakdown coinciding with the rule of the Matanzima brothers is emerging, showing how ministers and an army of officials plundered millions.

Officials put the tab at "at least R200-million" and doubt if more than a fraction will be recovered.

Salary scams and unjustified expense claims since independence in October 1976 rose to a phenomenal R523-million by March 1986 — up R6,8m in a single year, the office of



Nelson's Dutch treat: 50 000 cards!

By JEREMY BROOKS and ALAN DUGGAN

ELEVEN mailbags containing 50 000 birthday cards and greetings from the Netherlands will be delivered this weekend to the Mandela family.

The mail — all 250kg of it — comes from 150 000 people and is only part of the torrent of goodwill messages sent from abroad to imprisoned ANC leader Nelson Mandela for his 70th birthday tomorrow.

And while the Mandela family has turned down the opportunity to celebrate with the head of the family in his Pollsmoor prison, birthday bashes are being held at various spots around the world.

Archbishop Desmond Tutu is to address huge crowds of anti-apartheid demonstrators in London's Hyde Park today at a celebration rally.

Organisers of the demonstration — probably the

By MANDLA TYALA, JANINE LAZARUS and ALAN DUGGAN

A COURT has blown the whistle on the strangest soccer match of the century — the Mandela XI against the Delmas Dazzlers, an invitation team of treason trialists.

The game was to have been played on a makeshift pitch on a smallholding north of Johannesburg to coincide with imprisoned ANC leader Nelson Mandela's 70th birthday.

But Roodepoort magistrate Mr D C van Greunen on Friday granted an SA Police application that the match be banned.

And for good measure the tea party planned for after the match was also banned.

The action was part of a massive state clampdown at the weekend on all festivals, celebrations, events or services aimed at marking the aged prisoner's 70th birthday tomorrow.

Early yesterday the hostess for the event, Mrs Miranda Harris, wife of television journalist Roger Harris, went to the Supreme Court to seek an urgent interdict overturning the magistrate's ruling.

The return date was set for August 9.

A handful of spectators, players and dignitaries ended up milling around the paddock-cum-soccer pitch closely watched by a police contingent in a Casspir and police vehicles.

Notice

Major Tienie Halgryn, West Rand's police liaison officer, warned: "A tea party of this nature is against the Internal Security Act. The soccer players and the fans were given enough notice not to pitch up today."

R250 000 MUST BE WON!
See Business Times

Diana SHATTERED BY HER PARENTS' DIVORCE: Magazine

HUNSENSE IS HABIT FORMING!



50 000 cards!

By JEREMY BROOKS and ALAN DUGGAN

ELEVEN mailbags containing 50 000 birthday cards and greetings from the Netherlands will be delivered this weekend to the Mandela family.

The mail — all 250kg of it — comes from 150 000 people and is only part of the torrent of goodwill messages sent from abroad to imprisoned ANC leader Nelson Mandela for his 70th birthday tomorrow.

And while the Mandela family has turned down the opportunity to celebrate with the head of the family in his Pollsmoor prison, birthday bashes are being held at various spots around the world.

Archbishop Desmond Tutu is to address huge crowds of anti-apartheid demonstrators in London's Hyde Park today at a celebration rally.

Organisers of the demonstration — probably the world's biggest anti-apartheid event — were this week expecting 250 000 people to converge on the park whose precincts have witnessed so many protest speeches.

A video message from Winnie Mandela will be relayed over a giant video screen, while musical tributes to Mandela will be played by rock stars. The rally also coincides with the "Nelson Mandela Freedom March" as 25 demonstrators end a 35-day 1 000km walk across Britain.

Foreign governments also added their voices to the growing demands for the release of the ANC leader who has been behind bars for 26 years.

Sir Geoffrey Howe, British Foreign Secretary, said the release was crucial to the prospect for peaceful change in South Africa. The Swiss embassy in Pretoria sent a message to Mandela expressing its profound hope that he would soon be free.

The foreign ministers of Denmark, Finland, Iceland, Norway and Sweden also pledged that they would continue to demand the release of Mandela and other political prisoners.

They said in a birthday message to Mandela: "We hope that the time is not far off when you will be able to celebrate your birthdays in freedom in a South Africa liberated from the bonds of apartheid."

A similar message came from Belgium, Canada and Greece.

THE MANDELA OPTION: Page 18
THE MAN I KNEW... by DOC BIKITSHA Page 19

treason trialists.

The game was to have been played on a makeshift pitch on a smallholding north of Johannesburg to coincide with imprisoned ANC leader Nelson Mandela's 70th birthday.

But Roodepoort magistrate Mr D C van Greunen on Friday granted an SA Police application that the match be banned.

And for good measure the tea party planned for after the match was also banned.

The action was part of a massive state clampdown at the weekend on all festivals, celebrations, events or services aimed at marking the aged prisoner's 70th birthday tomorrow.

Early yesterday the hostess for the event, Mrs Miranda Harris, wife of television journalist Roger Harris, went to the Supreme Court to seek an urgent interdict overturning the magistrate's ruling.

The return date was set for August 9.

A handful of spectators, players and dignitaries ended up milling around the paddock-cum-soccer pitch closely watched by a police contingent in a Casspir and police vehicles.

Notice

Major Tlenie Halgryn, West Rand's police liaison officer, warned: "A tea party of this nature is against the Internal Security Act. The soccer players and the fans were given enough notice not to pitch up today."

The Dazzlers are drawn from the accused in the three-year-old Delmas treason trial — South Africa's longest-running treason trial since the celebrated Rivonia Trial in which Nelson Mandela was jailed for life in the '60s.

The teams, claimed Mrs Harris in her affidavit before court yesterday, were to have competed for a trophy donated by PG Glass.

Mrs Harris said the area where the football game was to have been played and where refreshments were to have been served was entirely fenced with a six-foot high security fence with barbed wire.

She said the gathering had "no connection with Nelson Mandela" other than the fact that tomorrow was his birthday and various members of the family would be at the gathering.

Mrs Winnie Mandela, wife of the imprisoned leader, was to be the guest of honour.

"The occasion is contended to be a sporting occasion at which people will eat, drink, watch the game and enjoy the company and the events of the afternoon," she claimed in her affidavit.

"There is nothing sinister, dangerous or threatening about the gathering."

Mrs Harris said it had never occurred to her to ask permission from the magistrate. She had held many such parties on her property before.

Armed

"It is respectfully submitted that by no stretch of the imagination could it be said that a gathering of such a nature would seriously endanger the public peace."

Armed police sat atop the Casspir yesterday surveying the house with binoculars and stopped cars from going in.

Inside the grounds of the house in Pierre Road, Ruimsig, wooden trestles covered with white tablecloths had been laid in out for a tea party for the soccer guests.

Dr Harris, of worldwide

□ To Page 2

THE contents of this issue of the Sunday Times have been restricted in terms of the

ivorce?



a bit
the
as
d Mr

and
rob-
ring
he

her
ould
ions
a di-

M
MI
ST
P.T.O.

Mandela committee chief is served with new banning order

By Jovial Rantao

Mr Aubrey Dundubela Mokoena, chairman of the Release Mandela Committee (RMC) and a leading member of the United Democratic Front (UDF), was served with a restriction order by the Minister of Law and Order, Mr Adriaan Vlok, on Friday.

The restriction order, is the second imposed on him. The first was imposed 10 years ago.

The order came three days after a trio consisting of Mr Murphy Morobe (acting secretary of the UDF), Mr Mahommed Valli Moosa (acting treasurer of UDF) and National Education Crisis Committee chairman, Mr Vusi Khanyile, took refugee at the American consulate in Johannesburg.



Mr Aubrey Mokoena was served with a restriction order on Friday.

The order prevents Mr Mokoena from taking part in activities of the UDF, the RMC, the Black Students Society (BSS) and National Union of South African Students (Nusas).

He is also not allowed to give interviews to the media.

Mr Mokoena is also prohibited from attending or addressing any gathering brought about to attack, criticise or protest against the system of local government or local authority.

The restriction order requires Mr Mokoena not to leave the premises of his Orlando East home between 6 pm and 5 am.

He is also not allowed to leave the magisterial district of Johannesburg and Roodeport.

A well-known figure in local politics, Mr Mokoena worked for the Black Community Programmes (BCP) with people such as the late Black Conciousness leader Steve Biko and Doctor Mamphele Ramphele, before the organisation was banned in 1977.

He later worked at Premier Milling Company for five years before he was controversially dismissed in 1984.

Mr Mokoena was detained for 13 months after the banning of BCP and was served with a four-year banning order on his release in 1978.

GOVT RESTRICTS 2 SOWETO LEADERS

TWO prominent Soweto residents, Mr Aubrey Mokoena and Mr Phillip Matthews, were served with restriction orders last week.

SOWETAN REPORTER

Mr Mokoena, who is chairman of the Release Mandela Campaign, was served with an order signed by Minister of Law and Order Mr Adriaan Vlok confining him to his home between 6pm and 5am and also barring him from criticising "any acts or policies of government or local authorities."

Mr Mathews of Orlando West is the father-in-law of South African Council of Churches official, Mr Tom Manthatha. His restriction orders are in many respects similiar to those of Mr Mokoena.

Three more members of the Black Consciousness Movement who were released last week after spending almost two years in detention, were served with restriction orders bringing to 13 the figure of those restricted in Bekkersdal township alone in the past two months, writes MOKGADI PELA.

The conditions of their release prohibit them from taking part in activities of the Azanian People's Organisation, the Azanian Youth Organisation and the Azanian Students Movement.

The orders further restrict them to the magisterial district of Westonaria, on the West Rand. The orders prohibit them from attacking the local authority system and encouraging people to boycott elections.

Police ban

POLICE imposed routine emergency regulation restrictions on Friday on the funeral of Mr William Kgobo Mabotja of Soweto who was killed by a bomb blast recently at a Northcliff, Johannesburg, shopping centre.

Banning shock

SOWETAN REPORTER

FORMER chairman of the Consumer Boycott Committee, Mr Jabu Ngwenya, returned home from a three-month overseas trip this week to find he has been restricted in terms of the state of emergency regulations dating from June.

According to his mother, Mrs Lucy Ngwenya, the order was signed by the Minister of Law and Order, Mr Adriaan Vlok, on June 6.

In terms of the order Mr Ngwenya has been banned from participating in any activities of several organisations including the United Democratic Front, the Release Mandela Campaign and the Black Sash.

The UDF and the RMC were restricted together with 15 other organisations on February 24.

Mr Ngwenya has been restricted to his Senaoane, Soweto, home and may not leave it between 6pm and 5am daily. He may also not leave the magisterial area of Johannesburg.

He returned from West Germany and Italy on a church mission on Tuesday.

Banning now by 'remote control'

By MANDLA TYALA

THE Government has implemented measures which enable it to ban its opponents by "remote control" — by merely publishing their names in the Government Gazette.

It promulgated an amendment to the emergency regulations last week which empowers it to restrict people without having to find them.

Previously house arrest orders had to be handed by the police to the affected people in writing — but that now falls away.

Lawyers said the provision had always existed under the Internal Security Act, but they believed it had never been put into use.

Fears

In human rights circles, it was feared the amendment could be the prelude to a wave of bannings of on-the-run anti-apartheid activists whose position would thereby be criminalised.

Police have said their recent clampdown on activists was aimed at ensuring that next month's municipal elections ran smoothly. More than 30 politically active people are known to have been detained in the past few days alone.

The banning of a Cosatu anti-apartheid conference in Cape Town was slammed by Dr Beyers Naude, former SA Council of Churches secretary-general, as likely to lead to even more radicalism among youngsters.

The conference was seen in political circles as the most significant since 1955's Congress of the People in Kliptown where the Freedom Charter was adopted. Issues that would have been discussed included the state of emergency.

Five more people were detained yesterday in the Cape, bringing to 28 the number of activists detained in the area during the past three days.

329

25/9/88. S Times

Cape Times 26/9/85

Ban-by-gazette is to 'flush out' those in hiding

328

Political Correspondent

THE government's new 'banning and restriction order is a bid to flush activists out of hiding and silence those who manage to remain underground, an official said yesterday.

PFP MP Mrs Helen Suzman said the measure demonstrated yet again "the government's utter contempt for even the most elementary process of law".

In terms of a proclamation in the latest Government Gazette, the Minister of Law and Order can ban or restrict people simply by publishing their names in the gazette.

It raises the prospect of people being banned without knowing it.

Law and Order ministry spokesman Brigadier Leon Mellet said those who eluded police by going underground had good connections and would have little difficulty finding out about the restrictions.

He said the new regulations would flush out hiding certain people and also provide the minister with the option of silencing those who still managed to elude the police.

328



Allan Boesak . . . Law and Order Minister afraid

Govt slammed for ban

Cosatu, Boesak hit out at apartheid conference clamp

Special Correspondent

SEVERAL organisations, including the giant Congress of SA Trade Unions, and activists like Dr Allan Boesak have slated the government's banning of an anti-apartheid conference which was to have been held in Cape Town last weekend.

The banning showed the government's weakness and fear of opposition, according to members of several organisations speaking at a Press conference held at the University of Cape Town.

"The banning shows the panic that the government faces in the face of a growing call for freedom," said Cosatu general secretary Jay Naidoo.

The conference had been called in the face of attempts to divide people, to unite them across the spectrum against the root cause of violence in South Africa – which was apartheid.

He rejected government allegations that the conference had been called as an extension of ANC policy to promote violence around the October 26 municipal elections.

It had been called, rather, to seek a way out of the civil conflict in South Africa, he said.

World Alliance of Reformed Churches president Dr Allan Boesak said he hoped the banning of the conference might have one positive effect by opening to reality the eyes of people inside South Africa and beyond who, in their innocence and naivety, still supported the government.

The Minister of Law and Order knew he was talking nonsense with his claims that the conference had been part of an ANC-SACP conspiracy, he said.

"What he was really afraid of was white people speaking and coming across in a different way to how they were portrayed in government propaganda," said Boesak.

Other organisations represented at the Press conference included the National Association of Democratic Lawyers, SA Council on Sport, the Black Sash, the Anglican Church and the University of the Western Cape.

● Meanwhile, the controversial circular asking principals of black high schools in Cape Town to spy on staff, pupils and other organisations was nothing but a document with "agenda points for a meeting" between officials and school "management", according to Sam De Beer, Deputy-Minister of Education and Training.

The "cryptic wording" had regrettably, yet understandably, given rise to misinterpretation and conjecture, he said in a letter to the Education Forum, which called for an investigation.

The circular, which was given to headmasters a fortnight ago, asked them to name "radical" teachers and provide information about "progressive" parent, pupil and other organisations.

It also questioned the involvement in black education of people like PFP MP for Gardens Ken Andrew, Lungile Daba, chairman of the Joint Parent-Teacher-Student Association, the Black Sash and Democratic Teachers' Union.

According to De Beer the document was neither a circular nor a questionnaire, but a communication between the deputy-director of his department and the "top management (including principals) in the Peninsula".

The 14-point document asked principals to name "leftist/radical" teachers and groups active in schools.

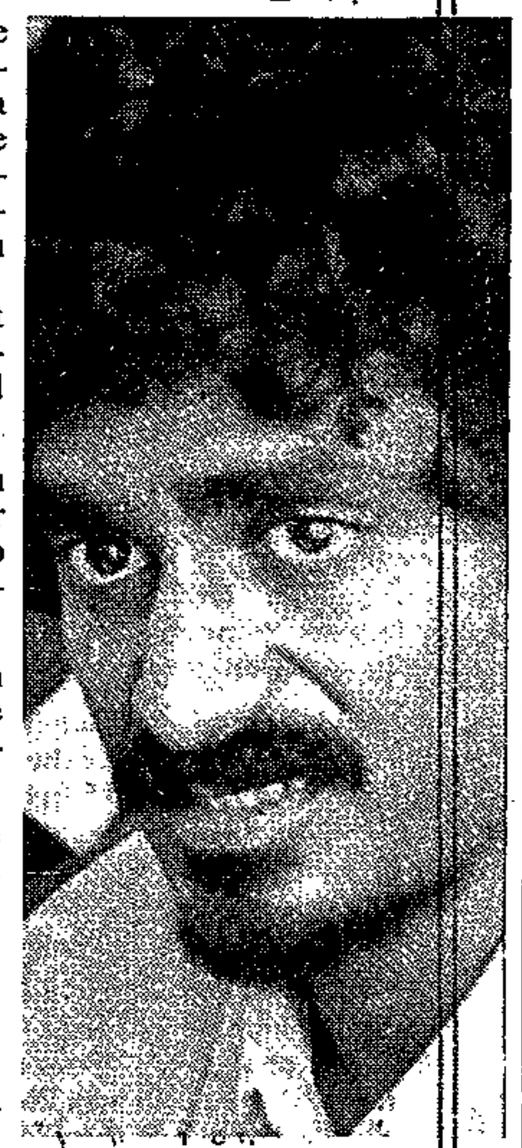
Referring to the point on "undesired teachers", De Beer said it referred to those who were habitually late, ill-prepared and absent.

Andrew, PFP spokesman on education and a member of the forum, rejected De Beer's explanation.

"De Beer is unwise if he accepts the bland assurances that have been given to him.

"At best, the questionnaire illustrates the incompetence and insensitivity that has bedevilled black school education in the Peninsula.

"In reality, however, I believe the document is far more sinister.



Jay Naidoo . . . Government faces panic

Curbs on unionists

RESTRICTIONS have been imposed on two Northern Transvaal trade unionists facing charges under emergency regulations, the Congress of South African Trade Unions said yesterday.

The two are Mr David Nkoane, an organiser with the Chemical Workers' Industrial Union and Mr Elias Nongo of the Commercial Catering and Allied Workers' Union of SA.

The two are out on a bail of R2 000 each and will appear in court on October 14.

Cry Freedom ban — Publications Board explains

SIR — On behalf of the Publications Appeal Board, I would like to clarify some of the crucial issues surrounding the controversial banning of the film, *Cry Freedom*.

The film was submitted to the Board and after considering all the possible implications or results of the film's release in South Africa, it was decided that the film accurately reflected many of the realities of the South African situation and should therefore be released onto the circuit.

The ruling of the Publication Appeal Board was premised on the belief that the film did not in any way contribute to the promotion of racial hatred or misrepresent the facts in any way and furthermore that the film had artistic merit.

The Board therefore released the film for distribution with no cuts or age restriction. This ruling was then challenged by the Minister of Home Affairs, Mr Stoffel Botha, who ordered the Board to reconsider its ruling.

The issue was then resubmitted to the Board who ruled that the film should be released free of cuts but with an age restriction of 2—19.

It is this ruling which the Minister and the South African Police over-ruled and this was followed by the seizure and banning of all copies of the film.

The arbitrary action was in flagrant disregard of the autonomy of the Publications Appeal Board and the expert evidence collected and opinions formulated by the Board.

In over-ruling the carefully considered opinions and decisions of the Board, the Minister and the South African Police have undermined the credibility and authority of the Board on the basis of an unfounded claim that the film would contribute towards a greater understanding of South Africa's problems.

The banning and the authoritarian actions of the South African Police merely confirm the central message of the film, namely that excessive police action and the arbitrary abuse of power is rife in South Africa and threatens the very fabric of our society.

The Publications Appeal Board abhors this abuse of power and disassociates itself from the entire issue.

Prof J C W van ROOYEN,
Chairman of the Publications Appeal Board.

CNC Trial
6/10/88 328

ECC, UDF men 'gagged' by orders

JOHANNESBURG. — The national secretary of the End Conscription Campaign, Mr Alastair Teeling-Smith, was issued with a restriction order yesterday afternoon as he left a Lawyers for Human Rights meeting in Pretoria.

Mr Teeling-Smith, who had addressed the meeting on alternatives to national service, is barred from addressing any gathering of 20 or more people, conducting interviews with journalists, contributing matter for publication or attending gatherings where government policy is criticised.

Meanwhile it is reported from Durban that Mr Yunus Ismail Mahomed, an executive member of the UDF in Natal, received a similar order this week. — Sapa.

UDF member restricted

DURBAN — Yunus Ismail Mahomed, an executive member of the UDF in Natal and a Natal Indian Congress leader, was served with a restriction order by the Security Police in Durban this week. 6/10/85

Mahomed is prohibited, unless he obtains the written consent of the police commissioner or the Port Natal divisional commissioner, from being outside the boundaries of the magisterial districts of Durban, Pinetown, Umlazi and Inanda at any time. He may not take part, in any manner whatsoever, in the activities of the UDF.

He may also not contribute, prepare, compile or transmit any material for publication in any publication as defined in the Internal Security Act, nor help someone to do so. Mahomed spent 145 days in solitary confinement detention in 1982. — Sapa. (328) B/day

Legal action

Sapa

PUBLICATIONS Appeal Board chairman, Professor J C "Kobus" van Rooyen, said last night he was considering legal action following the publication of a letter on the movie *"Cry Freedom"* in the *Sowetan* yesterday which purpoted to come from him.

"I did not write the letter or request anyone to do so and state catergorically that it is a falsification," Prof van Rooyen said in a statement to Sapa.

Prof van Rooyen said in his statement he regarded the letter as a "malicious attempt at driving a wedge between myself and the authorities and to cause embarrassment to both myself and the appeal board."

He also said he refused to identify himself with the letter's contents — "which in any case contain factual errors."

The Professor also resented the fact that the *Sowetan* made no attempt to verify the authenticity of the document before publication.

"The fact that other newspapers repeated the contents of this falsification stresses the gravity of my concern."

He added he was considering legal action.

Meanwhile, the statement by Prof van Rooyen, that his letter was a forgery, is being investigated.

(328) Clarion 9/10/88

Govt restrictions aim to generate black disunity

Selective banning is smear tactic – Inkatha

CP Reporter

THE South African government should not be allowed to use banning and restriction orders on individuals and organisations to generate disunity within black political ranks.

In a paper for the publication *Clarion Call* on the implications of the recent restrictions, Dr Oscar Dhlomo, KwaZulu Minister of Education and Culture and Secretary-General of Inkatha, said blacks should, instead, counter the government's divisive tactics by transforming its Draconian measures into instruments of black unity.

"We must close ranks in defiance of the enemies of black unity," he said.

RESTRICTIONS

Anybody who cherished the ideal of non-violent and democratic opposition to apartheid must condemn the recent restrictions on 18 organisations and several of their leaders, he said.

Dhlomo asked what the real motives of the South African government were with regard to the restrictions.

"Is black disunity a National Party priority?" KwaZulu and Inkatha were tempted to conclude that is was, he said.

CYNICS

"We are constantly asked by cynics of all descriptions why the South African government decided to restrict the UDF, Cosatu, Azapo and others and left Inkatha and Uwusa unrestricted.

"Obviously, the government must have been fully aware that certain political observers and leaders would begin to speculate that Inkatha was not banned because it allegedly co-operated with the apartheid regime," and therefore could not be a trusted ally in the black liberation struggle.

"This is a classic smear tactic," he said.

"During the past few months we have already been subjected to this apartheid-inspired speculation, which we vehemently reject.

"The government has tried to pull the rug from beneath our feet in the past and there is no reason for us to think that they have stopped trying to do so. For us the real enemy has always been apartheid and the racist policies of succesive SA governments.

MARGINALISE

"To try to marginalise us politically just won't work. We won't allow it, we will continue to oppose the government's racist legislation. We will continue to strive for a united, non-racial South Africa," he said.

"No matter our differences with some organisations in the struggle, we have always recognised that they revolve around tactics and strategies and that we are totally united in a common aim of destroying apartheid."

Dhlomo said it was unfortunate that ANC President Oliver Tambo, and Commonwealth Secretary-General Sir Shridath Ramphal, had "walked into a government trap" when expressing their views about why Inkatha had not been restricted.

"These two distinguished leaders have said that Inkatha was not banned because unlike other organisations it does not pose a political threat to the South African government.

"It is remarks such as this that ensure that the apartheid-inspired roots of black disunity continue to sink deeper into our society."

Inkatha found it strange, he added that the South African government decided to restrict the UDF at a time when a strategic debate was going on within the organisation on the question of participation or non-participation in government-created structures.



Oscar Dhlomo . . . we must close our ranks.

HOMELANDS

"This is the kind of debate Inkatha had to grapple with more than a decade ago when the homelands policy was rammed down our throats.

"Restricting the UDF has of course meant that this debate – no matter what its outcome would have been – was nipped in the bud by the very same government that claims to be the champion of negotiation politics in our country."

Inkatha also found it strange that this same restriction was imposed at a time when leaders like Archie Gumede and others, whom the government has now clamped down on, were co-operating with Inkatha leaders in promoting UDF/Inkatha peace talks in the strife-torn Maritzburg area.

> "If black politics were to decree that all authentic leaders had to graduate from Pollsmoor Prison, or that they first need to be annointed by a banning or restriction order, the struggle would be delayed."

"Once again the restrictions meant that these vital UDF/Inkatha negotiations could not continue and the South African government could claim that so-called black-on-black violence and not apartheid was the greatest socio-political problem in our country," Dhlomo added.

"All these disturbing developments prompt us to ask: How serious is the South African government in its declaration that it wants to negotiate with all leaders who subscribe to the politics of negotiation?

CLANDESTINE

"How involved is the South African government in clandestine attempts to foster disunity within black ranks in an effort to prolong white domination?"

Dhlomo said he believed black leaders should at all times keep the following axioms in mind whenever the South African government acted against their organisations:

SORDID

"Political organisations in South Africa did not ban or unban themselves. This was the sordid task reserved for the South African government. Therefore, in as much as it would be futile and shortsighted to ask the UDF (and not the SA government) why it was restricted, it would be equally futile to ask Inkatha why it was not restricted.

As far as Inkatha was aware, he said, it was not the policy of the UDF, Cosatu, Azapo, Inkatha or any other organisation to get itself banned or restricted.

REGRETTABLE

A banning order was therefore an "unwelcome and regrettable setback in the liberation struggle and one which should never be used as a yardstick to sort our so-called authentic freedom fighters from so-called collaborators.

ACTIVIST

"It would be unfair, for instance, to dismiss an indefatigable human rights activist like Archbishop Desmond Tutu as insincere in his campaign simply because he has never been banned or imprisoned for political offences."

POLLSMOOR

"If black politics were to decree that all authentic political leaders had to graduate from Pollsmoor Prison or Robben Island, or that they first needed to be annointed by a banning or restriction order, then the struggle would be delayed indefinitely," he said.

AUTHENTICITY

Similarly, Dhlomo said, "if black politics were to decree that a political organisation acquired as certificate of authenticity via a banning or restriction order, then many authentic but as yet unbanned political organisations would be unable to mobilise the populace in the interests of the struggle."

Group 'a threat to the public'

BBB banned, restrictions put on leader

328

B/day

18/8/88

THE ultra right-wing Blanke Bevrydigingsbeweging (BBB) was banned yesterday by Law and Order Minister Adriaan Vlok, who also imposed restrictions on its leader Professor J C Schabort.

Vlok described the BBB as a "group of fanatical right-wing extremists which favours an active form of violence to take racism to its extreme".



BBB leader Johan Schabort, pictured last year.

PETER DELMAR

The order, issued in terms of the emergency regulations, prohibits the self-described racist organisation from carrying out any activities whatsoever, and places it under the same restrictions as those on a number of left-wing organisations.

Schabort was restricted to the magisterial district of Brits and prohibited from attending any meeting at which more than 10 people were present.

The Law and Order Ministry said: "This action follows the minister's announcement that strong action will, in future, be taken against any form of radicalism."

Vlok said the BBB also aimed to promote an attitude of anti-Semitism among whites. He said: "The aims of the BBB pose a serious threat to the security of the public, the maintenance of public order and the ending of the state of emergency."

Action against the BBB was a "message" to "all radical organisations that we are serious".

Government had constantly warned those organisations to cease their activities but some had not listened.

Vlok said: "Whipping up racial emotions are responsible for the sort of action we saw in Pretoria. Barend Strydom emerged from the right-wing."

Police had been investigating various organisations and, although Vlok would not say which ones, he emphasised they were "to the right and the left".

● To Page 2

Exception

Yesterday's banning follows the shooting of six blacks in Pretoria earlier this week by an alleged AWB member and warnings by government spokesman that they would act against right-wing as well as left-wing radicals.

Schabort was quoted yesterday as having warned that the BBB's banning may lead "to more serious things".

While an AWB spokesman, C P Beyers, said government action against organisations such as the AWB or BBB would be "fatal". The banning of PW's nonsense. We have nothing to fear from the government."

He reiterated his organisation's independence from the BBB and described relations between the two as "not unfriendly".

Sapa reports that CP leader Andries Treurnicht said he took serious exception to what he said was an attempt by National Education Minister F W de Klerk to link himself and the CP to the Pretoria shootings.

He said: "It is to be regretted that Mr de Klerk (who is the NP's leader in the Transvaal) tried to make political capital out of these tragic events, especially after I and my party publicly expressed revulsion at the shootings."

Boerestaat Beweging leader Robert van Tonder said the banning of the BBB was not unexpected. He said he thought government would take the same action against the AWB.

He said: "Government is creating more opposition among people. The government is driving its opposition into a corner."

PFP law and order spokesman Helen Suzman said she was opposed in principle to ministerial bannings but added: "If there is anyone who should be banned it is the BBB.

"As long as they are banning left-wing groups, they might as well ban these people."

Right-wing leaders said Schabort's restrictions would have a severe effect on the organisation, which was essentially a "one-man show". The BBB's membership is not known, but Schabort has claimed it has organised structures in all four provinces. The BBB managed to fill the Johannesburg City Hall last year.

strong winds. homes.

Weekly Mail warned again

338
Umathu
13/10/88

THE Minister of Home Affairs, Mr Stoffel Botha, issued a warning to the *Weekly Mail* newspaper in terms of the Media Regulations yesterday.

Co-editor Mr Irwin Manoim said a letter received from the Minister on Wednesday stated that Mr Botha had read six issues of the newspaper since the confiscation of an edition earlier this year.

He objected to eight of the articles.

These included a personal opinion piece by the General-Secretary of the South African Council of Churches, the Reverend Frank Chikane, an article on the constitution of the African National Congress, to which the Department of Home Affairs had contributed and a story about a number of people refusing to serve in the South African Defence Force.

Mr Manoim said the newspaper was given two weeks in which to respond to the letter. The Minister was then empowered to suspend the newspaper.



Title deeds

A TOTAL of 241 title deeds for blacks had been registered at the Johannesburg deeds office by the end of August this year.

Figures released by the department of public works and land affairs in Pretoria indicate that most people were still registered under the 99-year leasehold with few conversions to or direct registrations of freehold.

SOWETAN, Monday, October 17, 1988

328

Black Wednesday

BANNINGS ARE RECALLED

SERVICES to mark the 11th anniversary of the banning of 18 community organisations and three newspapers on October 19, 1977, will be held throughout the country on Wednesday.

The day has since been dubbed Black Solidarity Day on South Africa's black political calendar.

On that Black Wednesday, the Government banned, among others, the South African Students Organisation (Saso), the Black People's Convention (BPC), the *World* newspaper, *Weekend World* and *Pro Veritate* newspapers; the Association for the Educational and Cultural Advancement of Blacks in South Africa and the Black Community Programmes.

By MOKGADI PELA

The commemoration services have been organised by the Azanian Co-ordinating Committee (Azacco) and the National Youth Co-ordinating Committee (Naycco).

According to Azacco, most of the services will be held at the offices of trade unions.

In Johannesburg the service will be held at Lekton House, 6 Wanderers Street at 12,30pm on Wednesday.

In Standerton, the service will be held at the social centre starting at 9am.

Services

In Pretoria the starting time is 12 noon at the offices of the Black Allied, Mining and Construction Workers' Union.

On Saturday services have been planned for the Roman Catholic Church in KwaThema at 2pm; Mathale Hall, KwaNdebele at 2pm. The organisation said more venues will be announced later.

In a statement Azacco said: "By banning Black Consciousness organisations, the regime had hoped to dampen the liberatory efforts of the oppressed and the exploited masses. Thus throwing the liberation movement in disaray as they had done when they banned the organisations in 1960."

Kagiso Trust slams Vlok restriction order

The Kagiso Trust has condemned the restriction order served on a founder-member and trustee, Mr Yunus Mahomed.

The order, signed by the Minister of Law and Order, Mr Adriaan Vlok, prohibits Mr Mahomed from engaging in the activities of the restricted United Democratic Front. It also confines him to Durban.

"It is obvious ... The real purpose is to prevent Mr Mahomed's participation within the Kagiso Trust and thereby attempt to disrupt the activities of the Trust," a Kagiso Trust statement said yesterday.

Two officials of the Trust, Mr Eric Molobi and Miss Joyce Mabudafazi, are still in detention. Mr Molobi, a national trustee, has been in custody since December last year and Miss Mabudafazi since October 1986. Mr Khotso Crutze, a Transvaal regional trustee, spent five months in detention this year.

"All these actions form a pattern of systematic harassment aimed at disruption of the Trust's legal activities," it said. "We are aware of attempts by the State to associate the Kagiso Trust with 'subversive' organisations." — Sapa.

Candidate dies





'Freedom march goes on'

328
Sowetan
18/10/88

THE banning of black organisations in 1960 and 1977 was an attempt to halt the march of the oppressed and exploited to freedom, justice and independence, a meeting of workers was told at the weekend.

Addressing a meeting of shopstewards of affiliates of the National Council of Trade Unions (Nactu) at Lceufontein near Marble Hall, Mr Saul Raphalalani said just as the 1960 and 1977 attempts had failed to quell the black man's thirst for his freedom.

Speaking on the significance of the October 19 1977 bannings of black organisations and newspapers, Mr Raphalalani said it was not sufficient for people to "simply gather and moan. We must, on those days, remember our fallen heroes such as Biko and Mohapi and rededicate ourselves to tirelessly fight for the ideals for which they died. Ideals embodied in the black consciousness ideology," he added.

IPI cables Botha on threat to Mail

IAN HOBBS

LONDON — The International Press Institute (IPI) yesterday accused Home Affairs and Communications Minister Stoffel Botha of threatening to shut down the Weekly Mail as part of a concerted campaign of censorship and harrassment.

In a cable to Botha, IPI director Peter Galliner said: "The IPI, representing leading journalists, editors and publishers throughout the free world, wholeheartedly supports the right of all journalists in SA to seek and impart information, and the public's right to know.

"Your final warning to the Weekly Mail is a total violation of this right and we deplore the arbitrary way this publication may now be closed or forced to submit to prior censorship.

"We strongly urge you not to take further action against the Weekly Mail and to cease your concerted campaign of harassment and intimidation against it and other similar publications that take a clear editorial position against apartheid."

In a separate cable to President P W Botha, Galliner said the IPI was distressed to hear of the attack on the office of the Namibian last week by a right-wing group calling itself *Wit Wolwe*.

"We urge that you take immediate steps to investigate this cowardly attempt to silence the Namibian and that you ensure it is allowed to be published without further harrassment or intimidation from whatever source."

328 WMAIL 21-27/10/88

The Mail: One pen-stroke from closure

THE *Weekly Mail* is one pen-stroke from closure.

Minister of Home Affairs Stoffel Botha will need no more than a signature to close the *Weekly Mail* at any time he chooses, from next Wednesday on.

He may choose to act immediately, or to string out the waiting period ... for days, even months.

The letter the minister delivered to the paper last week was the last step in a complex system of warnings under Emergency regulations. All that is left for him to do now is to consider representations from the newspaper — due on October 26 — and make his decision on its future.

He need consult no one. He has to apply his mind to the matter, read the representations, and then publish his decision in a Government Gazette.

His choice will be to suspend the newspaper for up to three months, impose a censor on it, or allow it to continue indefinitely under threat.

There is every sign that the minister is serious about his latest warning to the three-year-old publication. Diplomatic and other sources indicate he intends to act soon against the *Weekly Mail*.

The question this raises is: can Stoffel Botha be dissuaded?

When he last threatened the newspaper, in April/May, there was large-scale and high-level reaction, locally and internationally. Botha faced appeals not to act against the publication from top business leaders, a number of governments, including South Africa's major trading partners, and thousands of ordinary citizens who protested in some way.

After meeting the newspaper's editors, Botha declined to carry out his threat and the matter lay in abeyance — until last week, when he suddenly missued another warning.

The *Weekly Mail* is now drawing up further representations, to be served on him before the Wednesday deadline. The newspaper is also considering court action.

And protests are pouring in. The powerful American Society of Newspaper Editors, the World Press Freedom Committee and the Committee for the Protection of Journalists are some of the organisations that have called on the government not to act against the *Weekly Mail*.

There have also been a number of major initiatives from diplomats and members of the business community.

The Save the Press Committee in Johannesburg has also called on Botha to reconsider and the Association of Democratic Journalists held a picket in central Johannesburg.

Weekly Mail would be the third newspaper to face a suspension imposed by Botha. Earlier this year, both South and New Nation were closed for short spells. Both have since returned to the street.

Weekly Mail has faced all sorts of action — seizures, threats of prosecution, petty harassment of its drivers, bomb threats aimed at its printers — but it has never come so close to actual closure.

Whatever happens, we'll be back

A THREE-MONTH suspension will not be the end of the Weekly Mail.

While the paper does not have a large financial base, and will struggle to survive through the period, contingency plans have been made.

A key factor will be whether the journalists, the readers, the subscribers and the advertisers can hold together during three months of silence.

● We intend to return. We will do all in our power to ensure that those who have subscribed will not lose their money.

● Various special offers have been made. If you buy a friend a Caroline Cullinan calendar (See PAGE 4), you're also helping the *Weekly Mail* to come back.

It is illegal for the newspaper to publish a substitute or continuation of the *Weekly Mail*.. However, plans are being made for the staff to take up other forms of publishing — of both news and other material — during a period of suspension.

Although these plans are not yet definite, one thing is clear: the newspaper and its staff are not going to disappear.

D-day dawns for the Weekly Mail

328

B/day 26/10/88

PETER DELMAR

TODAY is D-day for the Weekly Mail, the independent weekly newspaper threatened with suspension by Home Affairs Minister Stoffel Botha.

The Weekly Mail's editors will make their final representations to the Minister today but Botha is not expected to decide before tomorrow at the earliest whether to suspend the newspaper for up to three months or impose a government censor.

Co-editor Irwin Manoim said yesterday Botha had refused an interview with him and co-editor Anton Harber. They had had no indication when he would announce his decision on the Mail's fate.

"No one knows when the axe is going to fall. Keeping people waiting is a handy way of breaking staff morale."

Manoim said, however, that staff remained optimistic and had made a number of contingency plans to see out a possible three-month suspension. These included doing research work.

Speculation that Mail staff members would bring out a fortnightly magazine was unlikely to materialise, he said.

Manoim confirmed Harber had held meetings with "almost all" the European embassies in SA. He said some had agreed to take up the Mail's cause with the Foreign Affairs Department.

Diplomats interviewed by Business Day said their governments were particularly concerned about the latest threat to the Mail and warned that SA's recent diplomatic achievements could be severley undermined by a move to suspend the newspaper.

☐ IP leader Denis Worrall yesterday appealed to Botha "not to do something which will weaken our already attenuated democracy, damage a major institution and hurt a quality newspaper".

Journalists and politicians, Worrall said, generally had an adversarial relationship, with both sides wanting something the other could not offer: pragmatic considerations.

He said the Mail's well-educated, high-income readership was unlikely to be at the forefront of any revolution. "I suspect that they are better equipped than the readers of most newspapers in this country to detect humbug, distortion and propaganda when it is presented to them.

"The IP believes that South Africans will best be able to adapt to the changing realitities of our situation if they are exposed to all points of view and all information."

2 GROUPS GAGGED

26/10/88 (328) Sowetan

Azacco, Sosco banned

RATS EAT DEAD MAN



WALTER Mpangane in the derelict car in which his friend Mr Thabo "Mafutha" Mlangeni's body was attacked by rats.

RATS nibbled away at a dead Soweto man — eating away both ears and the skin on his face — minutes after he had died.

The incident occurred last Wednesday inside a derelict car in Orlando East.

The dead man was Mr Thabo Mlangeni, who was known to Orlando East residents as "Mafutha" or "Fats".

The police liaison officer, Major Hartwell, said it appeared that Mr Mlangeni died of natural causes before rats attacked his body. He said the body was taken to the government mortuary.

Mr Mlangeni's body was discovered by his friend, Mr Walter Mpangane yesterday morning. Mr Mpangane said he was "shocked" and "trembled" when he saw his friend's face "looking white".

"I took a closer look and saw the whole flesh from the face and ears missing. A few rats were nibbling at his left eye," he said.

Mr Mpangane said he "scared the rats away" and discovered several other rats biting off Mr Mlangeni's fingers while some sprung into hiding from the dead man's limbs.

Residents who gathered at the scene on that day described the incident as "horrifying". Mr Noza Xaba (34), who stays in a shack nearby, said he could not believe "rats could do such damage".

Mr Xaba said he had seen rats — almost the size of a small cat. "I do not know how many times I bought trousers and takkies". They, (rats) can tear anything apart."

Hours after the incident was made known on Wednesday, shack dwellers in the vicinity doused the derelict car with petrol and set it alight. When the *Sowetan* arrived to investigate yesterday, we saw three rats inside the charred car.

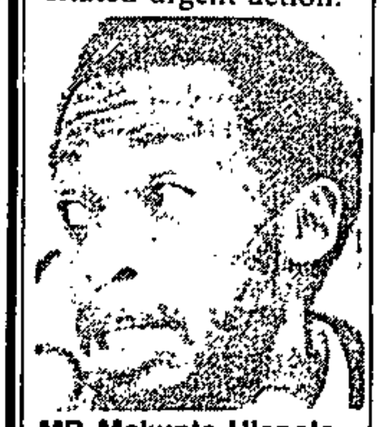
The rats incident came as a "shock" to the Medical Officer of Health for Soweto, Dr Woodthorpe Matsie, who said the increasing number of rats in Soweto could cause a number of diseases.

Dr Matsie said efforts were made in Soweto to spray burrows where the rats dwell. He also said rats breed in "huge amounts of rubble" that accumulate in the streets of Soweto.

By SELLO RABOTHATA

THE Azanian Co-ordinating Committee and the Soweto Students' Congress were yesterday prohibited from carrying out any activities by the Minister of Law and Order, Mr Adriaan Vlok, on the eve of the municipal elections.

In a statement released from his Pretoria office, Mr Vlok said increasing violence and intimidation, as well as incitement to violence, on which these organisations were concentrating, necessitated urgent action.



MR Makunte Hlapolosa ... Azacco publicity secretary.

He said Sosco had been responsible for the planning, execution and enforcement of several schools, consumer and rent

To Page 3 ➔

REPORTS, pictures and comment in this edition may be censored in terms of the Government's state of emergency.

"Groups banned

• From page 1

boycotts since its establishment in December 1985.

The banning of the two organisations came on the eve of the day when South Africa prepares to go to the polls in one of the most controversial elections in the history of the country.

Shrouded

The municipal elections have been shrouded in controversy since their announcement was first made in Parliament early this year, with most black this year, with most blacks dismissing them as a non-event. This is the first time in the country's history that whites, Indians, coloureds and blacks will be voting for local authority on the same day. They will, however, not be voting for whoever they like but for people belonging to similar race groups.

Availa
20 and 30,

England's Luxury

Manufactured in the U K and South A

Nine raids in six weeks for embattled Al-Qalam

328
WMAIL
28 Oct - 3 Nov 1988

By CHARLOTTE BAUER

THE offices of the anti-apartheid Muslim newspaper, *Al-Qalam*, were this week raided by security police for the ninth time since the seizure of the last issue six weeks ago.

When *Al-Qalam* editor, Mahomed Faizal Dawjee, arrived at work on Monday, he found the doors locked with three policemen and his secre-secretary inside.

But Dawjee was hardly surprised by the sight of police rummaging through drawers and filing cabinets — since August, they have "visited" the offices at least once a week. The ritual confiscation of documents and photographs and the issuing of receipts for material taken away has become almost routine.

The first issue of *Al-Qalam* following seizure of the August edition is still not ready for the printers, a setback Dawjee attributes largely to the repeated raids, saying they have "certainly disrupted the normal functioning of the newspaper and its staff".

The recent raids, combined with the Emergency seizure in August and three bannings under the Publications Act in the past year, have rendered *Al-Qalam* South Africa's most embattled newspaper.

In the wake of Monday's raid, Dawjee commented that "the imminent closure of the *Weekly Mail*, the harassment of journalists and the repeated raids on media institutions is proof of the state's growing instability and fear of the truth".

He went on to insist that "intimidation of this nature will in no way compromise the stance of *Al-Qalam's* editorial content ... we are convinced that our message ... has become the target of the regime because it completely undermines the apartheid state and calls for its destruction."

Next month, an appeal will be heard concerning the March issue of the paper, banned because it contained an interview with executive member of the African National Congress, Jacob Zuma.

The August issue of *Al-Qalam* was seized under section 9(1) of the Media Emergency Regulations for the placing of an anti-election advert by the paper's own editorial board.

The board decided not to challenge the seizure as, according to Dawjee, "challenging the Emergency is a no-win situation which would cost us a lot of money we don't really have".

328 WMAIL 28 Oct – 3 Nov 1988. WEEKLY

NOT GUILTY

The Weekly Mail's reply to Stoffel Botha

SHOULD the *Weekly Mail* ignore allegations of security force abuses in Namibia or Angola?

And if the SA Defence Force is investigating those allegations, should the newspaper ignore that too?

These are questions raised by the *Weekly Mail* in representations submitted this week in response to the threat by the Minister of Home Affairs, Stoffel Botha, to close the newspaper.

The *Weekly Mail* publishers produced nine pages of careful argument challenging Botha's suggestion that it had systematically published "subversive propaganda".

They also asked Botha to meet the paper's editors. The Minister said last week that the time was not appropriate for such a meeting, but the newspaper has repeated its request.

"We received your recent (warning) letter with some degree of surprise and disappointment," the publishers said, pointing to the fact that the Minister had been silent about the newspaper for five months.

"Our newspaper is an independent and critical publication ... not a purveyor of one brand of criticism against apartheid and the present National Party government.

"We believe that we produce a weekly newspaper which provokes thoughtful and necessary debate regarding the current South African condition."

The paper is read, the editors argued, by a wide range of leading academics, trade unionists, businessmen, politicians, professionals and community and church leaders. "These are agents of change in our society. Surely we do not wish to restrict their information but rather to make it as broad and as wide-ranging as possible.

The Minister had objected to two kinds of material: coverage of security force action, particularly allegations of abuses, and reports of restricted or banned resistance organisations.

Both of these could be found in the mainstream press more than in the *Weekly Mail*.

"In Afrikaans and English daily newspapers, there are continual references to the activities and utterances of unlawful organisations, predominantly the ANC, and continual reports of allegations of maltreatment of detainees and others at the hands of the security forces.

"We continue to fail to understand why the *Weekly Mail* is singled out in regard to the publishing of such matters," they said.

Dealing with individual articles cited by the Minister, the publishers said:

● Two of the articles cited by the Minister dealt with the ANC's new constitutional guidelines and allegedly promoted the public image or esteem of the banned organisation.

These guidelines had been published in a number of newspapers, including *Business Day*, *The Sowetan* and *The Star*. The *Weekly Mail* report was a "relatively sober analysis ... including hostile comment from significant leadership figures in our country.

"We cannot understand how such critical and analytical pieces can promote the image and esteem of the ANC any more than the daily, sensationalistic coverage of, for example, Dr Danie Craven's talks with the ANC."

One complaint was about a PAC statement which was highly critical of the ANC's constitutional proposals. "We cannot agree with your understanding of this piece. It is published in the context of a general debate about the ANC proposals.

"The context makes it clear that the intention could never have been to improve the esteem or image of the PAC," they said.



Home Affairs Minister Stoffel Botha

● Another article, "Is the spirit of Robert Sobukwe rising?" (August 5-11), was by Dr Tom Lodge, "a respected political scientist ... (who) holds no brief for the Pan Africanist Congress and whose analysis is fundamentally objective."

● A report headlined "A Matle in Maputo" (September 23-29) was alleged to have enhanced the image of the ANC. Written by one of 14 Stellenbosch students who visited Maputo during that month, it dealt only in passing with their discussions with the ANC.

On allegations that the *Weekly Mail* had fomented feelings of hatred or hostility towards the security forces, the editors charge that Botha has taken no account of the nature of the newspaper and the perceptions of the likely reader.

"Our newspaper is not a mass circulation daily. It is an in-depth weekly review of current events, political development, arts, sport and the economy with an average sales figure of approximately 25 000."

The likely reader was "a serious and highly literate person who in all probability reads widely and does not merely rely upon the *Weekly Mail* for information.

"Such a reader is able to balance copy which is critical of the security forces with material that is found in other publications.

"The SADF itself recognises that these abuses take place and has constituted a tribunal to investigate the allegations and try the offenders," they said.

Reporting of alleged atrocities in the Angola/Namibia conflict was responsible reporting as long as it was well-researched and the editors had reasonable grounds for believing the allegations to be well-founded, they added.

In the report on allegations of misconduct in Namibia, it was significant that the story ended with the description of an ordinary citizen injured in a Swapo attack. "There are suggestions of atrocities on both sides and ultimately the real victims are those ordinary citizens caught in the middle," they said.

The final article objected to was an opinion piece written by the general secretary of the South African Council of Churches, the Reverend Frank Chikane. This represented a single and personalised view which was well-known and had been widely publicised by the media, including SABC.

"By citing this article, you leave us with no conclusion to draw other than that merely quoting Frank Chikane or allowing him to put his personal view is impermissible."

The representations end by noting that the publishers had been advised there were grounds to attack Botha's warnings in court and listed the legal grounds for such an attack.

However, the publishers said they hoped this would not be necessary, and that the Minister would agree to meet the editors.

MESSAGES OF SUPPORT POUR IN

THE *Weekly Mail* has received a flood of support letters and statements. A number of foreign governments, businessmen, trade unions, local and international anti-censorship organisations and others have made representations to Botha urging him not to close the paper.

Among the reactions were:

● US Ambassador Edward Perkins issued a statement saying: "The position of my government on freedom of the press is well-known. The United States deplores any attempt to censor the press, for its end result is to rob all citizens of their right to be informed."

● The Reverend Frank Chikane, general secretary of the SA Council of Churches, and the author of one of the articles cited by Botha in his warning, said: "Restrictions on the truth are a recipe for disaster.

"One of the articles cited is an opinion piece I wrote on the harassment of my family by the police. The doublespeak of the state is again clear.

"My article is supposed to stir up hatred against the forces, yet it was a word-for-word factual account of actions that took place; it merely exposed the truth about the situation and experiences of my family (and echoed the experiences of many other families) that are raided and subjected to such harassment.

"Rather than my article being a problem, it is the action of the security forces that stirs up feelings of hatred and hostility against the security forces," he said.

"One cannot stop a volcano from erupting by not reporting about it. Rather the reports should be a barometer or indicator, for all the residents of our country to gauge the danger we face if the root cause of the crisis in our country is not dealt with as a matter of urgency.

"Without such barometers as the *Weekly Mail*, some will slide towards the destruction unknowingly," he said.

● The American Society of Newspaper Editors' Bill Kovach, who is also editor of the *Atlanta Journal* and *Constitution*, urged the Minister to take no further steps against the paper. "Actions such as those taken against the press in South Africa render the form of free government transparent and reveal an authoritarian substance," he said in a statement.

● The International Federation of Journalists, representing more than 150 000 journalists, joined the call, saying actions against opposition newspapers "are a testament to the fact that a free press, the bedrock of any democracy, is not safe in the hands of South Africa's present rulers".

● The World Press Freedom Committee in Washington expressed dismay at the action against the *Weekly Mail*, saying it "could only damage the image of a country in the world".

● Dr Denis Worrall, leader of the Independent Party, urged Botha "not to do something which will weaken our already attenuated democracy, damage a major institution and hurt a quality newspaper".

● The International Confederation of Free Trade Unions (ICFTU), in an appeal to Botha, warned that "violations of press freedom remove the very foundations of dialogue".

● *Index on Censorship* warned in its letter to Botha that "the domestic and foreign press in your country are already heavily censored; to apply further gags would be a backward step.

Two activist groups hit by restrictions

358 BOC 1988

By MUSA ZONDI

THIS week's restrictions on the Soweto Students Congress (Sosco) and the Azanian Co-ordinating Committee (Azacco) brings to 21 the number of organisations which have been hit by the Emergency regulations this year, according to the Human Rights Commission.

The two organisations were effectively banned by Minister of Law and Order, Adriaan Vlok, the day before the municipal elections.

Biko Foundation chairman Muntu Myeza, speaking in his personal capacity, said this was yet another sacrifice of democracy "at the alter of racial capitalist supremacy".

The Southern Transvaal Students' Congress (Strasco) dismissed claims by Vlok that Sosco, a United Democratic Front affiliate, was involved in planning boycotts.

Mbangwa Xaba, Strasco publicity secretary, described the banning as the "last kick of the dying horse".

Vlok accused the two organisations of inciting violence, saying this "necessitated urgent action".

Vlok accused Sosco of planning, executing and enforcing school, consumer and rent boycotts and establishing alternative structures.

Sosco was formed in December 1985 after the Congress of South African Students was banned.

Over the past two years, about five Sosco members have been killed in mysterious circumstances.

Johannes Shibango was gunned down by three assailants last year, Sicelo Dhlomo was killed early this year, and Sifiso Ndhlovu, Oupa Maboja and a member identified only as Sidwell were killed, a Strasco representative said.

Three executive committee members are currently in detention. They are general secretary Lawrence Bayana, Charles Manganye and Thembi Mthemba, an organiser in Sosco's women's section.

In an advert appearing in a major Johannesburg newspaper, Sosco condemned the large-scale detentions of its members and called upon students to write their final examinations under protest.

Azacco was formed in February this year after the Azanian People's Organisation was banned. Vlok accused Azacco of furthering revolutionary aims.

328 ST 1 col 30/10/88



SALMAN RUSHDIE

Muslims want author banned

Sunday Times Reporters

A PRIZE-WINNING author is due to arrive in South Africa today — but could be blocked from entering the country by furious Islamic organisations opposed to his latest book.

Controversial author Salman Rushdie, a previous Booker Prize winner and in the final listings of the annual award announced this week, has been invited to South Africa to speak on censorship.

But, ironically, local Muslims who claim he has insulted Islam in his latest book "Satanic Verses" want the author censored.

His book, short-listed in this week's Booker Prize award ceremony which was won by Australian writer Peter Carey, has provoked intense controversy and been banned in India, Pakistan and other Middle Eastern countries.

Mr Rushdie was born in India and now lives in Britain. He is scheduled to take part in Book Week, which begins tomorrow at the Baxter Theatre in Cape Town.

Painful

Islamic organisations have strongly criticised "Satanic Verses" as "blasphemous".

Mr A H I Omarjee, president of the Jam'iatu Ulama of Natal, said: "It's highly objectionable and deeply painful and repugnant to the feelings of the Muslims.

"We demand as a religious right that this book be banned totally since it is completely void of Islamic truth and meaning."

Anton Harber, co-editor of the Weekly Mail, which is organising Book Week, called for critics to respect Mr Rushdie's right to his viewpoint.

Instrumental in the banning of "Satanic Verses" overseas was Mr Sayed Shahabuddin, editor of the Muslim India magazine and a member of the opposition Janata Party, who slammed it as "filthily abusive".

Part of the book deals with an incident taken from the life of the prophet Muhammed.

Mr Shahabuddin claimed that the life of the prophet should be left alone as a holy example of human behaviour.

He said that India should not have to stomach the "Western fondness" for mixing up the sacred and the profane. But he admitted he had not read the book.

Roll call

THE Red Cross Museum in Geneva has put on display the longest telegram in the world — a 72-metre list of German soldiers captured in the Second World War.

Vlok slaps banning orders on two groups

(338)

PRETORIA — Law and Order Minister Adriaan Vlok has restricted two youth organisations — the Port Elizabeth Youth Congress and the Transvaal Students Congress — from carrying out any acts whatsoever.

Vlok ordered the restriction in terms of regulation 7 (4) of the security emergency regulations in a Government Gazette yesterday. — Sapa.

B/Burg 1/11/88.

Cape Times 4/11/88

Vlok bans two more

PRETORIA. — The Minister of Law and Order, Mr Adriaan Vlok, has restricted two youth organisations — the Port Elizabeth Youth Congress and the Transvaal Students Congress — from carrying out any acts whatsoever.

This brings to about 24 the number of organisations that have been restricted since February.

Mr Vlok ordered the restriction in terms of the emergency regulations. — Sapa

ng [illegible]
tricity from SA.

The Portugese news agency Lusa quoted a spokesman for the state-owned Electricidade de Mozambique as saying rebels blew up an unspecified number of pylons, about 14km from Ressano Garcia, on Friday.

Lusa said the attack cut power supplies to Maputo for about half an hour before alternative power supplies were brought into operation.

The power company official said there would be power cuts in some areas of the city today as repair work continued.

Lusa said Beira was also still suffering from the effects of a rebel sabotage attack on power lines on October 13. — Sapa-AP.

Durr blasted De Pontes over false claim

● From Page

company Papillon, in which De Pontes and Palazzolo were the sole directors.

From submissions made to the commission it appears the company was created as a vehicle to siphon off funds provided by Palazzolo into various ventures proposed by De Pontes and some of his East London associates.

These included a bank in Ciskei, for which the rights had been granted verbally by President Lennox Sebe.

De Pontes earlier admitted that the issues surrounding Palazzolo's efforts to seek permanent residence in SA were abnormal, and admitted he was aware there was a warrant out for Palazzolo's arrest in Italy on charges of exchange control fraud.

Meanwhile De Pontes continues to reject calls for his resignation as an MP, the latest coming from new East London mayor Donald Card.

Censors ban The Satanic Verses on eve of author's visit

CAPE TOWN — The controversial novel The Satanic Verses by Salman Rushdie, due in Cape Town to deliver an address on censorship this week, has been banned by the Directorate of Publications.

Deputy director S F du Toit said the book had been found undesirable in terms of the Publications Act because it was "blasphemous" and "offensive to the religious convictions or feelings of SA's inhabitants".

Rushdie was due to deliver a keynote address at the Weekly Mail Book Week at the Baxter Theatre last night but was delayed because of ill health.

Viewed with outrage by sections of the Muslim community, the book was banned in India. Rushdie has also caused controversy in the SA Muslim community. Some sections, including the Muslim Judicial Council, demanded that the Weekly Mail cancel his visit while others said he should be allowed to speak.

Penguin Group MD John Allen said the banning of The Satanic Verses had been processed unusually speedily by the censors.

Penguin had not submitted the book to the directorate as was its usual practice with a book it thought might "be a difficult one".

Allen said: "The censors must have got a copy elsewhere. Perhaps they had pressure from the Muslim community."

He said Penguin would appeal. — Sapa.

There are two sets of clues, but the answers are the same

528

Weekly Mail banned

Quietfun 2/9/88

• From page 1

Mr Botha said: "I have carefully considered the circumstances pertaining to the *Weekly Mail* and I am convinced that my decision is justified."

He said that this step followed a warning to as well as a previous discussion with the publishers of the *Weekly Mail*. "At present there are thousands of registered periodicals. To date I have only had cause to issue similar orders in respect of two other periodicals," the Minister said.

The order to suspend the *Mail* was delivered in terms of the provisions of regulation 7 of the Media Emergency regulations and prohibits the *Weekly Mail* from being published from yesterday up to and including November 28.

The *Mail* is the third newspaper to be banned by Botha. *New Nation* and magazine *South*, were each temporarily suspended earlier this year. Under emergency powers, Botha can suspend for up to three months any publication he deems to be subversive.

The *Mail* co-editor, Irwin Manoim, said the newspaper had been bracing for a three-month suspension after a series of warnings from Mr Botha.

"We are pretty sure we can survive this. We have had 13 months to mull over this possibility," he said.

Meanwhile, anti-apartheid organisations have condemned the Government for taking this drastic step.

WEDNESDAY, NOVEMBER 2, 1988 MORNING FINAL

WEEKLY MAIL

BAN

By ALI MPHAKI and SAPA

THE Weekly Mail was banned for one month under the state of emergency regulations by Minister of Home Affairs, Mr Stoffel Botha, yesterday.

The ban was published in a special edition of the Government Gazette, which also contained a warning to the publishers of the periodical Free Azania, that the published matter endangered public safety and order.

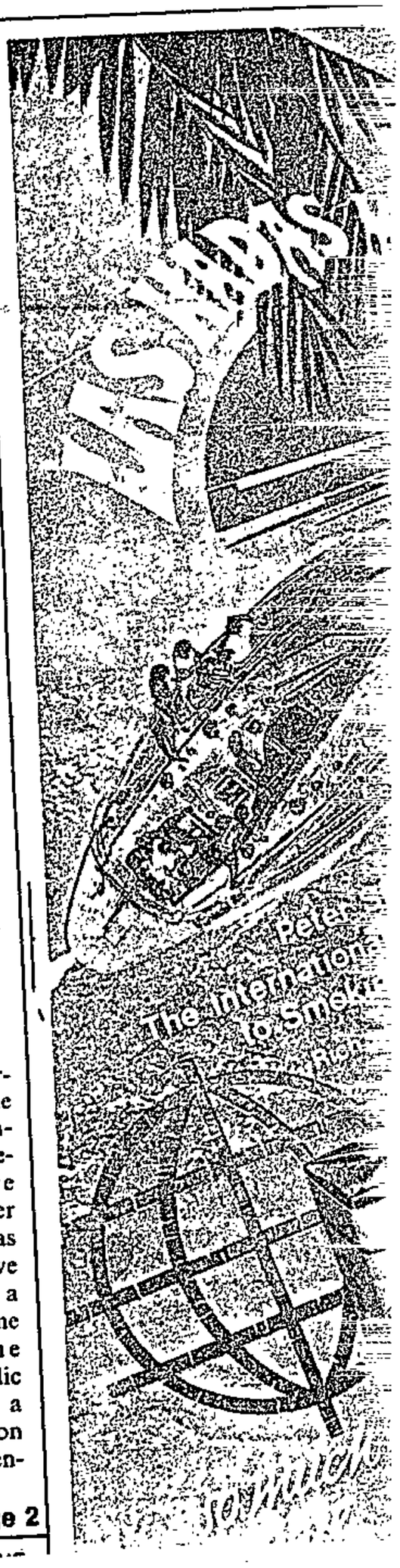
It was the most serious move the Government has taken to quell the anti-apartheid Press since introducing sweeping media controls in June 1986. This is the second time the *Weekly Mail* has been taken off the streets.

Order

In a statement yesterday, Mr Botha said the newspaper had "continued with the systematic or repetitive publishing of matter which in my opinion has or is calculated to have the effect of causing a threat to the safety of the public or to the maintenance of public order or is causing a delay in the termination of the state of emergency".

● To page 2

Paper to stress st one mon



Old folk await payout



SOME of the pensioners who arrived early yesterday morning at the pension payout centre in Diepkloof, Soweto, waiting for their turn to receive their bi-monthly pension allowance.

Pic: MBUZENI ZULU

Elderly women hacked to death

By MATHATHA TSEDU

TWO elderly women, both aged fifty, were hacked to death with a panga at Ga Matlala

The police said the

said.

The police also reported another slaying in Seshego township where a 44-year-old man

Mail: Stoffel must explain

328
Sowetan
3-9/11/88

From MONO BADELA

JOHANNESBURG. — The Weekly Mail will weather its banning by Home Affairs Minister Stoffel Botha, according to co-editor Anton Harber.

Although the month-long ban was a serious problem and would drain its resources, "we have thought very carefully about how we will deal with it and we will survive," Harber told a press conference on Wednesday.

He said the latest suspension would not prompt the Mail to change its stance, adding that they would continue to print as much as possible within the law.

"We will do all we can to keep South Africans informed," Harber said.

The ban on the Mail is drawing an avalanche of protest worldwide, led by the American and British governments, newspaper unions, churches and human rights groups.

Veil of secrecy

Harber lashed out at Botha for hiding behind a "veil of secrecy" and challenged him to give his full reasons for silencing the newspaper.

He said Botha owed the Mail an explanation instead of hiding behind his "evasive two-line statements".

The Weekly Mail believed the suspension was an irrational act of narrow-mindedness and intolerance.

The staff believed that Botha did not even read the newspaper, claiming he saw only selected copies and had failed to take into account the context of articles he objected to.

Harber also questioned why Botha had banned the newspaper for only one month.

By banning the Mail the government was throwing into disarray the country's relations with the outside world at such a crucial time.

CENSORSHIP 328 FIN MAIL 4/11/88

Harpooning Salman

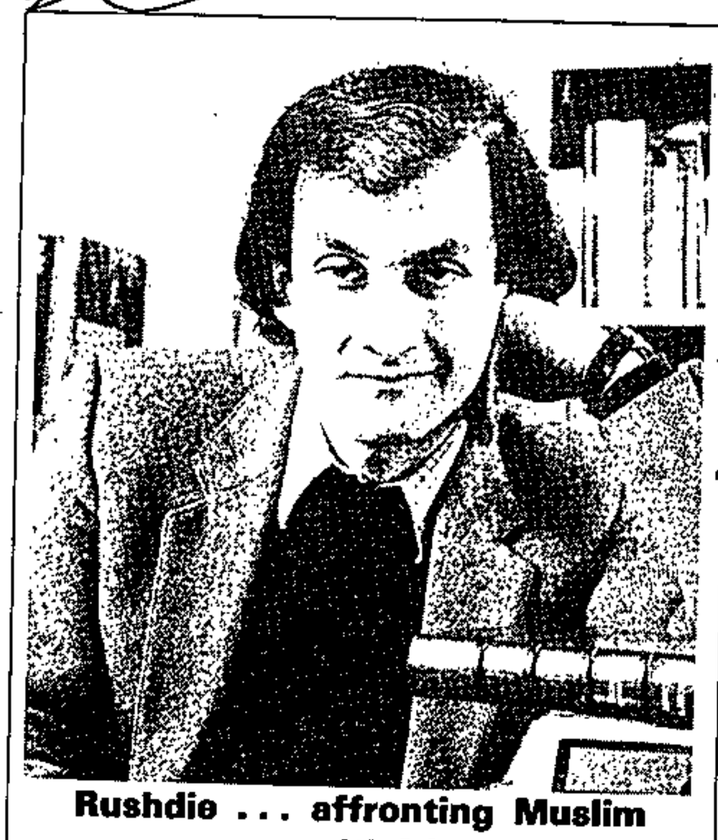
A waiting game has developed between the government and the organisers of *The Weekly Mail's* Book Week over the impending arrival of award-winning novelist Salman Rushdie.

Several sources indicate that government wants the conference organisers to withdraw their invitation in the light of unprecedented local Muslim protest — a step the organisers will not countenance. The question is: will government now rescind Rushdie's visa? This week the censorship board banned his latest novel *The Satanic Verses*, and government suspended *The Weekly Mail*. (Incidentally, a new Afrikaans weekly, *Vrye Weekblad* of the same stripe as the Mail was due to hit the news-stands this Friday.)

Rushdie was due to arrive in the country this week to give the Book Week's keynote speech on censorship. He knows all about it by now: his book has provoked hysteria in the Muslim world with accusations that it defiles the name of the prophet Mohammed. While it was shortlisted for the Booker Prize, it has been banned in India and Pakistan. And the censors here have been unusually swift in banning *The Satanic Verses*, which has become the biggest international literary cause célèbre since *Lady Chatterley's Lover*.

Longman Penguin, the local representatives of Rushdie's publishers Viking, are puzzled by the banning, saying that even they had not received any copies of the book — and had definitely not submitted a copy to the board; so where did they acquire their copy? Added to this, the banning runs counter to a new relaxation in the formerly puritan standards of the board. In the normal run of things books are usually distributed to booksellers weeks before banning orders are

328



Rushdie ... affronting Muslim sensitivities

issued — "(The board) is a government office after all," as one publisher remarked.

The organisers of the Book Week now find themselves in the centre of a controversy of which they had no prior warning. Rushdie's novel was only published in Britain in September, some time after he had been invited. The Bombay-born, Muslim author has created a global furore with the release of *The Satanic Verses*.

The main thrust of the Muslim protest seems to have originated in Saudi Arabia where religious leaders have called Rushdie a "heretic." The local Muslim community, led by Sheik Nazeem Mohammed of the Muslim Judicial Council, has called upon *The Weekly Mail* to withdraw its invitation to Rushdie, on the grounds that his presence in the country is "an affront to the religious sensitivities of all Muslims." This uproar is even more surprising seeing that the book is not available locally. The source of their outrage seems to be that the "naughty bits" have been faxed to them from abroad. Rushdie seems unfazed — many of his novels have enjoyed similar notoriety on publication.

His arrival in the country has been delayed due to illness but he has assured the function's organisers that he will be here later this week, insisting that the main purpose of his visit is to address the question of censorship and is not a promotional tour.

Despite the dense, almost impenetrable quality of much of Rushdie's writing, he is a highly respected novelist and the winner of four major literary prizes. His previous novels have also sailed close to the wind, although none was dubbed "blasphemous."

In his novel *Shame* he created the characters Raza Hyder and Iskander Harappa — generally thought to be parodies of Pakistan's General Zia and Zulfikar Ali Bhutto. In the novel Harappa has a daughter Arjumand nicknamed "The Virgin Ironpants" and Benazir Bhutto is known to be extremely unhappy with the characterisation.

As an indication of how the issue has gripped the community, the Transvaal Indian Congress was due to meet on it as the *FM* went to press. ■

Activist restricted

AN ACTIVE member of the Black Consciousness Movement was yesterday served with a restriction order restraining him from participating in the activities of four political organisations and the executive committees of a union and a labour federation.

He is Mr Charles Mabitsela, who lives and works in Sasolburg. He has also been restricted to the area — which he can only leave with magisterial permission.

The order served on Mr Mabitsela yesterday morning was signed by top security officials on October 25 — the eve of the countrywide municipal elections.

The order bans Mr Mabitsela's participation in Azapo, Azasm, Azayo and the recently banned Azacco, which he served as an organiser after the banning of Azapo in February.

Mr Mabitsela was Azapo's national organiser before its banning.

He was also an executive member of the Black Domestic Workers' Association (Bladwa), a position which saw him serving on the executive committee of the National Council of Trade Unions (Nactu).

No logic to Stoffel Botha's behaviour

by Irwin Manoim

co-editor of the suspended Weekly Mail



ABOUT five minutes after the Weekly Mail was suspended for a month, I received what was to be the first of many identikit phone-calls from sympathisers. It went something like this:

"You're so lucky! Only ONE month! Aren't you relieved?"

Yes, we are indeed lucky. We could have been banned for three months. Or forever. We could have had a censor wheeled in to peer at each article before publication. We could have been detained. Who knows, we could even have been bombed.

Rejoice

But wait ... the Government has just shut down a newspaper. Why is it that perfectly sensible people consider this reason to rejoice?

Home Affairs Minister Stoffel Botha, author of the Weekly Mail's suspension notice, is to be congratulated on the skill with which he has changed bad luck into its opposite.

He does this by applying a simple formula: Speak loudly and carry a small sjambok. First, the bellicose speech. Then the anxious wait. Then the wrist slap.

Is there logic to this behaviour? Indeed there is: The yawn factor. There is a limit to the number of times that even the most passionate free-speecher can hear of the imminent death of the Weekly Mail and still shed tears.

This week's suspension of the Weeky Mail is the culmination of a slow, nay, leisurely process, which started 13 months ago with a letter requesting that copies of the newspaper be forwarded for scrutiny by a faceless committee of experts, well schooled in the syntax of subversion.

In May, the Minister published a notice in the Government Gazette, part of a peculiar ritual of his own invention, in which grievances are formalised by appearing in the solemn grey uniform of the government printer.

There was a huge public outcry. The Minister responded with a series of ferocious speeches, in Parliament and on television, in which he coined such memorable terms as "revolutionary journalist", "organised hysteria" and "media terrorist".

There was hardly a sane observer who did not believe that the Weeky Mail's final hour had come.

Accusing

But the Minister seemed to forget about us, and we, about him. Until two weeks ago, when an artifact from a bygone era arrived, a letter with a familiar accusing tone, warning us that there would be no more warnings. This week the Minister acted. We were declared undesirable for the month of November, although we may return to respectability in December. After all the hue and cry, it seemed to many rather lenient.

What do we learn from this strange and drawn-out ritual? That the Minister is an amiable enough Oom, whose bluster disguises a kindly heart?

Insidious

Perhaps, but the effects are more insidious. The heart of it is confusion. No pattern is discernible. We have no idea why the Minister acts now and not yesterday, why against this victim but not that one, why this article offends but that one does not.

The result is anxiety and turmoil. There has not been a month this year when the Press has not faced some threat, whether the registration of all journalists, or the registration of only freelance journalists, the closure of one newspaper or another, the seizure of publications or raids on newspaper offices.

The pressure cannot but have its effects. It drains energy and resources. Editors become part-time journalists and full-time lawyers or lobbyists. Planning becomes impossible when the unknowable future shrinks to just a fortnight away. Morale sags.

Dangerous

This Government does not have a difficulty with the Weekly Mail. It has a difficulty with reality. It cannot discern between the word and the deed. To report on stone-throwing is tantamount to throwing stones, to warn of looming crisis is to precipitate it.

When a film like the Biko one, Cry Freedom, portrays celluloid unrest, it becomes equivalent to unrest itself. When the Weekly Mail debates options for the future, it has plotted revolution.

This is a dangerous strategy. When dissent is outlawed, it simply changes its form. When debate ceases to appear in newspaper columns, it moves on to the streets. Those who objected to the elections last month registered their votes in a more savage form: With the limpet mine. Those who objected to the boycotters registered their votes in the same way: With petrol bombs in church halls.

If the Government cannot tell ideas from deeds, then it cannot express astonishment that its rivals on left and right, cannot tell the difference either and choose to write their ideas, not in the columns of the newspapers, but in blood.

The Weekly Mail silenced

Four more bodies banned

By KERRY CULLINAN

FOUR more organisations have been banned in the past week, and the government has warned that more organisations could join the 23 organisations silenced this year alone.

The most recent casualties are the Azanian Coordinating Committee, Soweto Students' Congress, Transvaal Students' Congress and the Port Elizabeth Youth Congress.

They join 17 organisations, including the UDF, that were banned on February 24. Cosatu was restricted from taking part in political activities at the same time.

A spokesman for the Minister of Law and Order, Brigadier Leon Mellet, ascribed the latest bans to "an upsurge in revolutionary activity in certain quarters", and added that "more could come".

He said that the police had the security situation well under control and would never allow a 1976-type situation to develop in South Africa again.

Meanwhile, the Human Rights Commission said this week it was concerned by the scant media coverage of the bans.

Since the National Party came to power in 1948, over 50 organisations have been banned.

Angry world and local reaction to one-month gag of newspaper

By KERRY CULLINAN

MINISTER of Information Stoffel Botha may have silenced the *Weekly Mail's* name for a month, but he will not be able to silence the people who put the newspaper together, said co-editor Irwin Manoim in reaction to the paper's one-month suspension.

"We believe – and see no evidence to the contrary – that this is just an irrational act of narrow-mindedness and intolerance," added Anton Harber, the paper's other editor.

Harber challenged Botha to give reasons for the suspension, and contended that the Minister did not even read the *Weekly Mail* himself.

"The articles he objected to are legal," added Maniom.

"But we are not intending to change our approach, which is to publish as much as we can within the law," he added.

The 30 *Weekly Mail* staffers have unanimously agreed to stay together during the month and will continue to generate news and work on other publications. A publication on censorship in South Africa and a human rights dossier – both for overseas publication – will be produced, as well as a news wrap-up for the year, which will be sold in South Africa.

While both editors expressed that the month-long suspension would seriously deplete the resources of the self-financing paper, they were adamant that they would survive.



See, hear and talk no evil: Freedom of expression has been dealt another blow.

"This is not a fight we will ever give up," said Harber.

He added that, while the paper had been offered financial assistance, the staff was determined to avoid handouts and would continue to work to generate income.

Meanwhile, the paper has been flooded by support messages from all over the country, as well as from overseas.

Both the British and US governments have expressed their dismay at the ban, while Cosatu, student and youth organisations and the director of CNA Gallo have expressed support.

The *City Press* editor and staff, as well as *South*, *Business Day* and *Vrye Weekblad* staff have expressed solidarity.

In a message to the *Weekly Mail*, *City Press* acting editor ZB Molefe said: "Unless the *Weekly Mail's* right to publish is protected, South Africa will have an even worse time making judgments and decisions.

"What your publication stands for is this precious right. We stand with you in this dark hour for South Africa's Press in general and the *Weekly Mail* in particular."

The Association of Democratic Journalists said the ban showed the government's determination to close channels for democratic expression, while the Media Workers' Association of SA called for the unconditional lifting of the ban.

The Human Rights Commission, Black Sash, the PFP, National Democratic Movement and Independent Party have also lashed out at the ban.

The Southern African Catholics Bishop's Conference, owners of *New Nation*, which has recently come back from banishment, said: "Having ourselves experienced similar action, we can symphathise fully with you and your staff."

'Diplomatic role in lighter ban on Mail'

PETER DELMAR

DIPLOMATIC pressure on Home Affairs Minister Stoffel Botha may have persuaded him to suspend the Weekly Mail newspaper for just one month and not the three-month period he was entitled to do, diplomatic sources said at the weekend.

The 12 member countries of the EC issued a strongly worded statement at the weekend condemning government's decision to suspend the Mail and calling for an end to Press restrictions.

"The recent ban on the circulation of the Weekly Mail, despite the 12's *démarche* on October 26, can only aggravate the existing tensions and polarisation," the statement said.

"The 12 reiterate their belief that the freedom of the Press is a constructive agent, rather than an impediment to the peaceful process of reform in SA."

In a top-level joint representation last month, the local European embassies appealed to Botha not to take action against the Mail.

It is understood that no threats were levelled against the SA government.

To Page 2

'Diplomatic role in lighter ban on Mail'

From Page 1

However, the sources disclosed that virtually all the European missions in SA would have been shut down if government had rejected a joint representation made earlier this year on behalf of the so-called Sharpeville Six.

"That possibility could not have been far from Mr Botha's mind when he considered the Weekly Mail," one diplomat said.

DAN SIMON reports that police yesterday confirmed the detention in Pretoria on Friday in terms of the emergency regulations of eight people at a protest demonstration against the banning of the Weekly Mail.

They had not been released by late yesterday.

328 B/days 8/11/88.

d
child
d ar-
ial in
e and
lieved
ith a
after
exual

rge
lleged
mem-
AK-47
skins
imals
uld be
pokes-

eports
eking
Maj
e Pat
chutte
three
ed on
court

epart-
appli-
dition
erday.

rged
ela Si-
early
larged
Barag-
spital
y.

Ringo
a Bach
lcohol-
esman

Weekly Mail angered at comments

Editors weigh up legal action against Botha

THE Weekly Mail says it is considering legal action against Foreign Minister Pik Botha for his comments on the paper during the controversial Foreign Correspondents' Association dinner at the weekend.

Co-editors Irwin Manoim and Anton Harber referred to Botha's comments that the paper was one of the most "vicious" he had seen and it "contributed to more violence in this country".



● HARBER

A Weekly Mail statement said: "Not satisfied with his government's decision to silence us, Mr Botha now attacks us by making public allegations that are both unfounded and defamatory.

"There is not a shred of truth to Mr Botha's allegations. To report on violence is very different from orchestrating it."

It added they believed Botha should be asked to show whether his allegations had any more substance than those made by Information Minister Stoffel Botha and they were consulting lawyers about legal action against Pik Botha.

DIANNA GAMES

Botha could not be reached for comment yesterday.

Sapa reports the Foreign Correspondents' Association board yesterday expressed regret at incidents during the question-and-answer period at the dinner.

The board said it dissociated itself from actions that "broke the standards of professional conduct, or that represented a discourtesy to the invited speaker".

Chairman Peter Hawthorne said they had not examined the possibility of a formal apology to Botha.

One of the questioners at the dinner, Mike Hanna, from Britain's Channel Four TV, saaid yesterday that, by choosing the topic — What it is like to be a South African — and moving out of his portfolio, Botha had laid himself open to some justifiable questions.

# of Ciskei now in Transvaal

actually. It's
denly over-
with all the
Ve attracted
d for think-
tis still full of
yen to possi-

anufacturers
by coming
no company
t of 15%, a

60% transportation rebate and subsidized housing for key personnel. And now they're showing returns by growing here. We've now opened a branch of the Ciskei Peoples Development Bank in Johannesburg.

The new office will supply all the necessary information and provide a contact point. It will serve as a window into Ciskei and all we have to offer. So while we certainly do encourage you to come down and see our incredible growth and enormous potential for yourself, the new office will provide advance guidance.

A lot of familiar names are making it in Ciskei. Shouldn't you broaden your horizons too? Call Cheryl le Roux in Johannesburg on 4930224 for more information.

ei Peoples Development Bank

You can make it in Ciskei.

Ukuthola Skelton Coordination Ciskei PDB 528

8 in court after protest against Weekly Mail ban

PRETORIA — Hours after Law and Order Minister Adriaan Vlok was notified an application would be made to the Supreme Court yesterday for the release of eight people detained at a protest meeting on Friday, they appeared before a Pretoria magistrate, legal representative Bill Sceales said.

They were held in terms of the emergency regulations after protesting in Sunnyside against the banning of the Weekly Mail.

The eight — Patrick Malewa and Zacharia Ranzedi (PFP), Minette Caarstens, Laura Best, Helene Zaaiman and Cornelia Scholtz (Students for a Democratic Society), Kerry Harris (Black Sash) and Libby Lloyd (freelance journalist) — were warned to appear in court on December 7. — Sapa.

528

ing 10/11/85

The politics of censorship

The invitation to Booker prize-winning author Salman Rushdie by the organisers of the Weekly Mail Book Week had leading organisations within the democratic movement debating censorship. AMEEN AKHALWAYA considers some of their arguments

A POTENTIAL rift pitting supporters of the "democratic movement" against each other has been averted following the decision to withdraw Salman Rushdie's invitation to speak at the Weekly Mail Book Week in Johannesburg and Cape Town this month.

The "Rushdie Rumpus" has forcibly thrown the spotlight on the question of what constitutes censorship and the rights of individuals or organisations.

It is a multi-faceted question that poses all sorts of dilemmas for all sorts of individuals and organisations. And it has produced no clear-cut answer in an emotion-charged atmosphere.

Rushdie has a reputation in the West as a writer of substance and an opponent of colonialism and racism.

Books banned

But his books have been banned in predominantly Muslim countries on the grounds that they are anti-Islamic.

Before his latest book, Satanic Verses, was published recently, the Weekly Mail, Cosaw and several SA book publishers invited him to be the keynote speaker at the Weekly Mail Book Week.

Had they known beforehand that the novel would arouse such deep anger, they probably would not have invited him.

Islamic organisations like the Muslim Youth Movement and the Call of Islam, while condemning the contents of the novel, stood firm in their belief of freedom of expression. They believed — and the Call of Islam still believes — that Rushdie should be allowed into SA.

So intitially did the TIC, whose publicity secretary Firoz Cachalia said the TIC would endorse Rushdie's "right to be heard even if we disagree with the contents of his book".

This sparked another row. Several UDF sympathisers pointed out "inconsistencies" in the TIC's and Cosaw's stand.

One said affiliates of the UDF had not extended the "right to be heard" to some of those who participated in the tricameral system.

Indeed, UDF-supporting youths had disrupted a meeting in Lenasia addressed by a senior PFP member.

On another tack, a caller expressed his concern that very few Islamic organisations had reacted when a Durban Muslim missionary produced a highly controversial video on Hinduism.

Another person asked whether Cosaw and the others would have similarly stood their ground had they discovered, for example, that their guest had written a novel attacking Nelson Mandela and his family.

Yet another pointed out that a senior Cosaw official had supported a ban on "apartheid collaborators" entering India. If Cosaw believed such people had no "right" to enter India, could it be argued that Rushdie had a "right" to come to South Africa?

The Weekly Mail received a number of anonymous threats.

If it withdrew the invitation to Rushdie, would it be accused of practising censorship too?

An unprecedented meeting was then held in Lenasia. For once, representatives of every major Muslim organisation were present, as well as TIC president Cassim Saloojee (who attended in his personal capacity), Actstop's Mohammed Dangor, observers, and a Cosaw representative.

Muslims expressed their horror as selected passages from Rushdie's novel were read.

The Cosaw representative explained the circumstances surrounding the invitation and the threats one of its members had received. Muslim speakers, distancing themselves from anonymous threats, pointed out the anger the book had aroused.

Some delegates were angered when they heard the censor board had been asked by a Muslim organisation to ban Satanic Verses. Delegates from the Muslim Youth Movement felt it was wrong to approach those who were responsible for regularly banning the MYM's Al-Qalam newspaper and other publications.

Others felt that the Rushdie book had caused such deep offence that they would use any legal means to stop it.

Saloojee described Satanic Verses as evil, and pointed out that Islam had also been insulted by the NGK, which "under-pinned the apartheid system".

The meeting agreed that Islam condemned racism, and therefore the apartheid system was evil.

Whatever differences there were over whether Rushdie should be allowed to speak in SA, one thing was accepted without question by all: The book was deeply offensive to Muslims.

The meeting passed a resolution demanding that the invitation to Rushdie be withdrawn. A 12-man delegation — including Salojee and Dangor — was elected to put the matter to the co-hosts.

Accept hurt

The Book Week organisers said they could understand and accept the hurt caused to Muslims, but could not back down. The Weekly Mail expressed concern about death threats its staffers had received.

It was argued that Islam was too strong a religion to be threatened by a novel such as Rushdie's.

The TIC might have been in danger of losing a substantial chunk of its support had it not stood by the views of so many Muslims. Its decision to support the withdrawal of the invitation apparently received the backing of the Natal Indian Congress, which also stood to lose a lot of support.

There were fears that the "ranks of the oppressed" would be split, since there were claims that other groups in the democratic movement had also supported the stand of one side or the other.

The invitation to Rushdie was withdrawn after the organisers had reconsidered the issue.

'Paper a benefit to business'

JCI boss slams Weekly Mail ban

JCI chairman Murray Hofmeyr yesterday praised the Weekly Mail as a forum for improving industrial relations.

He told a Johannesburg meeting protesting at the paper's one-month banning that it had helped to improve management-labour relations by enabling ideas to be floated on either side.

"The free exchange of ideas in the industrial relations context is of inestimable value. Closure will not only deprive the business community of this benefit but further alienate those whose co-operation and goodwill are essential for economic advancement for all," he said.

Hofmeyr said that, by speaking in the strongest terms possible against the ban, he was restating views expressed by many businessmen in representations to Home Affairs Minister Stoffel Botha.

World Alliance of Reformed Churches president Allan Boesak said protests against government actions against the people should continue despite their regularity. Protests were important so that one did not "become used to the appalling

DIANNA GAMES

misuse of government power".

He added the Weekly Mail's banning had been inevitable because the paper appeared to have more influence than government felt it should.

Boesak said when government said SA was a democracy, the paper said it was not true because 80% of the people did not think so.

"And when government says we have a revolutionary situation, the Weekly Mail asks why, and the government gets upset."

He said it was also true SA was a racist, oppressive society that needed to be radically changed.

Boesak said government members were able to keep their seats only "by the power of the gun".

Nelson Mandela was the true leader of SA, he said.

The meeting resolved to pass on to Botha a call for the paper's unbanning.

It also pledged that any further bannings would be fought.



Allan Boesak (right) and Murray Hofmeyr . . . protesting publicly at ban on Weekly Mail.

Assurer warns on acts of terrorism

THE possibility of injury or death from acts of terrorism could no longer be excluded in any analysis of individuals' life assurance requirements, said AA Life's marketing deputy GM Bruce Howard in a statement yesterday.

Howard said indiscriminate acts of terrorism could not be avoided by insurers and now, more than ever, policy-holders would have to pay particular attention to this in their life assurance planning.

"When it comes to accident and disability benefits, the policy wording often excludes this type of cover," he warned.

KAY TURVEY

Terrorism and its consequences had become of increasing concern and statistics gave rise to hard thinking, Howard said.

- Since May 1985, more than 750 people had been injured and 105 killed in terrorism attacks on civilian targets;
- In the past three years, the incidence of indiscriminate bombings increased by nearly 400%; and
- Before the 1988 municipal elections, 51 bomb blasts occurred in September and 37 in October.

There's no ban on PJ, says SABC

Star 12/11/86

328

PAT DEVEREAUX

PROMOTERS heaved a sigh of relief after the SABC denied rumours that it had banned singer P J Powers from appearing on TV and radio.

"The SABC is our lifeblood," the public relations manager for Gallo-GRC, Ms Suzie Barrington, said yesterday.

"If our artists don't get played over the air, or appear on TV, the public forgets them."

She said she had heard the rumours of the banning of P J from several sources at the SABC.

"The last time the singer — one of South Africa's biggest record sellers — appeared on television was October 6, shortly before her trip to America, where she is hoping to make an international breakthrough."

An apparent snub by the SABC when a TV crew failed to meet P J on her return to South Africa a fortnight ago, and a later last-minute cancellation of an interview planned for the "Graffiti" programme, led to further speculation that she had been blacklisted because of political comments.

But this week the SABC replied to queries. It said the singer had not been banned.

Ms Barrington added: "On Thursday — as if to put an end to rumours — one of her songs was played over the radio."

Govt is likely to ban BBB

PRETORIA — The Blanke Bevrydigingsbeweging (BBB) is likely to become the first far right wing organisation to be effectively banned in SA.

The crackdown on the white extremist BBB will take place "very soon" — possibly today — according to well-placed sources.

And the outspoken leader of the organisation, Professor J C Schabort, will be silenced by a restriction order, it is reliably understood.

The crackdown is part of government's ongoing programme to politically emasculate what it considers radical forces on the left and righ.

Law and Order Minister Adriaan Vlok told the National Party's Transvaal congress this week: "Without adequate means and the will to maintain law and order, radical forces to the left and the

Political Staff

right will believe they have a free hand to terrorise and intimidate defenceless people."

Government has already effectively banned 23 organisations on the left this year.

Action against the BBB and its leadership will be the first concrete steps against the right.

It is understood other white ultra-right wing bodies like the AWB and the Wit Wolwe are currently being investigated — but that a decision to act has so far only been taken against the BBB.

The gunning down of blacks in Pretoria this week has helped prepare the psychological climate among white South Africans for a crackdown on white extremists.

328

DEMAND FOR BANNING OF AWB AFTER PRETORIA SLAYINGS

PRETORIA — A delegate at the Transvaal NP congress yesterday demanded the immdiate banning of the AWB because of Tuesday's slayings in Pretoria.

Roger Naude of Ogies, putting an urgent motion, said: "We are not being believed by the blacks when we say we will act against radicals both to the left and the right."

He referred to the Law and Order Minster's undertakings, repeated to the congress on Tuesday night, and said: "How many black organisations haven't we banned? They just don't believe us when we say we will act against right (-wing) radicals.

"These rightist activists with their divisive organisations must be banned. These blacks whose co-operation we are asking for do not believe we will curb the right wing. We must show them that we will.

"The AWB and its own Umkhonto we Sizwe and its Wit Wolwe must be banned before the sun sets today so we can show our good faith to all the country's people. We must show we can add the deed to our words.

"I have long suffered the insults slung at my State President, but a threat to his life is simply unacceptable," he said to applause.

Defence Minister Gen Magnus Malan, who as one of the party's deputy chairmen was in the chair, said the party could not act irrationally.

He suggested the motion call on the Law and Order Minister to act against both left- and right-wing radicals.

Transvaal party leader F W de Klerk said banning had to be preceded by thorough investigation and motivation, and the congress could not bind the minister to take specific action of this nature.

Naude said he would be content if action was taken next week. — Sapa.

Afrikaans weekly to discuss closure threat

Bday 23/11/88 BRONWYN ADAMS 329

REPRESENTATIVES of the progressive Afrikaans weekly, Vrye Weekblad, would meet Justice Minister Kobie Coetsee tomorrow to submit a written proposal and discuss the possible closure of the newspaper, a newspaper spokesman said yesterday.

Editor Max du Preez said the closure was threatened in terms of the Internal Security Act.

He said he believed the minister would register the paper and a fee of R40 000 could be scraped together. However, he was worried about what would happen after the paper had been registered.

JAYNE LA MONT reports from London the International Press Institute yesterday protested to President P W Botha and Coetsee over the threatened closure.

IPI director Peter Galliner said the message he had sent to the two men had called for Vrye Weekblad to be allowed to publish "without further harassment or intimidation".

The IPI — which represents journalists, editors and publishers of newspapers, radio and TV throughout the world — said it deplored the action against the weekly newspaper.

No travel, UDF man told

Staff Reporter ARGUS 24/11/88 328

RESTRICTED United Democratic Front leader Mr Willie Hofmeyr has been refused permission to go with his family to Pretoria to see an opera written by his brother, Mr Hendrik Hofmeyr.

Mr Hofmeyr was released and restricted last month after 166 days in detention.

His sister, Miss Beatie Hofmeyr, said yesterday he applied last week for permission to travel to Pretoria to see the production of *The fall Of The House Of Usher* at the State Theatre.

"We have been told his application was unsuccessful."

CENSORSHIP (A30) (328) FM MAIL 25/11/88

Registration blues

Vrye Weekblad, the new Afrikaans "alternative" weekly, has caused enough unease in government circles to be threatened by closure after three editions. But it may have six weeks' grace before the wrath of Justice Minister Kobie Coetsee falls upon it. That would be the time given for a committee appointed by Coetsee to scrutinise forthcoming editions of the paper — and if it is found "guilty" of contravening the Internal Security Act, another three weeks to *Vrye Weekblad* to appeal to the minister.

Coetsee, however, may in the interim decide to turn on the financial pressure. He has the discretion to demand a registration fee of between R10 and R40 000 from a newspaper.

Vrye Weekblad, already strapped for cash, would be in an extremely tight corner if even a lower fee than the maximum is demanded. So far its income has depended largely on well-wishers, one full-page ad, a few smaller ones, certain signed guarantees, and the sale of no more than 40 000 copies.

As the *FM* went to press, staff members were meeting legal representatives to discuss the crisis. Registration date for the paper was November 24.

Meanwhile, a contributor to last week's *Vrye Weekblad*, *Rapport*'s Martin Welz, has been warned off writing for the paper by his employers. At the same time, *Rapport*'s sister publication, *Die Volksblad*, scathingly attacked Welz's report on the transactions of a Bloemfontein businessman as a "smear."

Surprisingly, it would seem that Home Affairs Minister Stoffel Botha, the bane of the *Weekly Mail*, has so far stayed out of this particular fray. ■

Protest for 'Mail'

A MEETING to protest against the government's possible closure of the Weekly Mail will be held in Cape Town on Friday.

Organised by the Save the Press Campaign, the lunchtime meeting will be held in St George's Cathedral.

Speakers will include Fair Lady editor Dene Smuts, Argus deputy-editor Deon du Plessis and Weekly Mail staffer Gaye Davis.

Anton Harber, co-editor of the Johannesburg weekly, said they had sent representations to Home Affairs Minister Stoffel Botha on Wednesday after he had given them a final warning under the emergency media regulations two weeks ago.

"We are now holding our breath. We will have to see what happens," said Harber.

The paper will be published as normal on Friday. Staff were discussing contingency measures in case the paper was closed.

"It will not be easy for us to survive a three-month closure. We are young and small, and not very wealthy," said Harber, adding that the representations were contained in a 14-page document which "strongly argues our point".

"We have informed the Minister that we are considering legal action. We have also requested a meeting with him, even though he refused to meet when we received the warning.

"We believe his refusal to meet us shows how arbitrary he is acting."

They have received messages of support from most international and local anti-censorship groups, journalist organisations and trade unions.

"We have messages from almost all foreign governments represented in South Africa. Without exception they have expressed a great deal of concern about the situation.

"Locally, we have received support from a wide range of business and political leaders and organisations."

Old allies get talking in Lusaka

THE Lusaka talks this month between old allies, the African National Congress and the Transvaal and Natal Indian Congresses, were the first since the ANC was outlawed almost a generation ago.

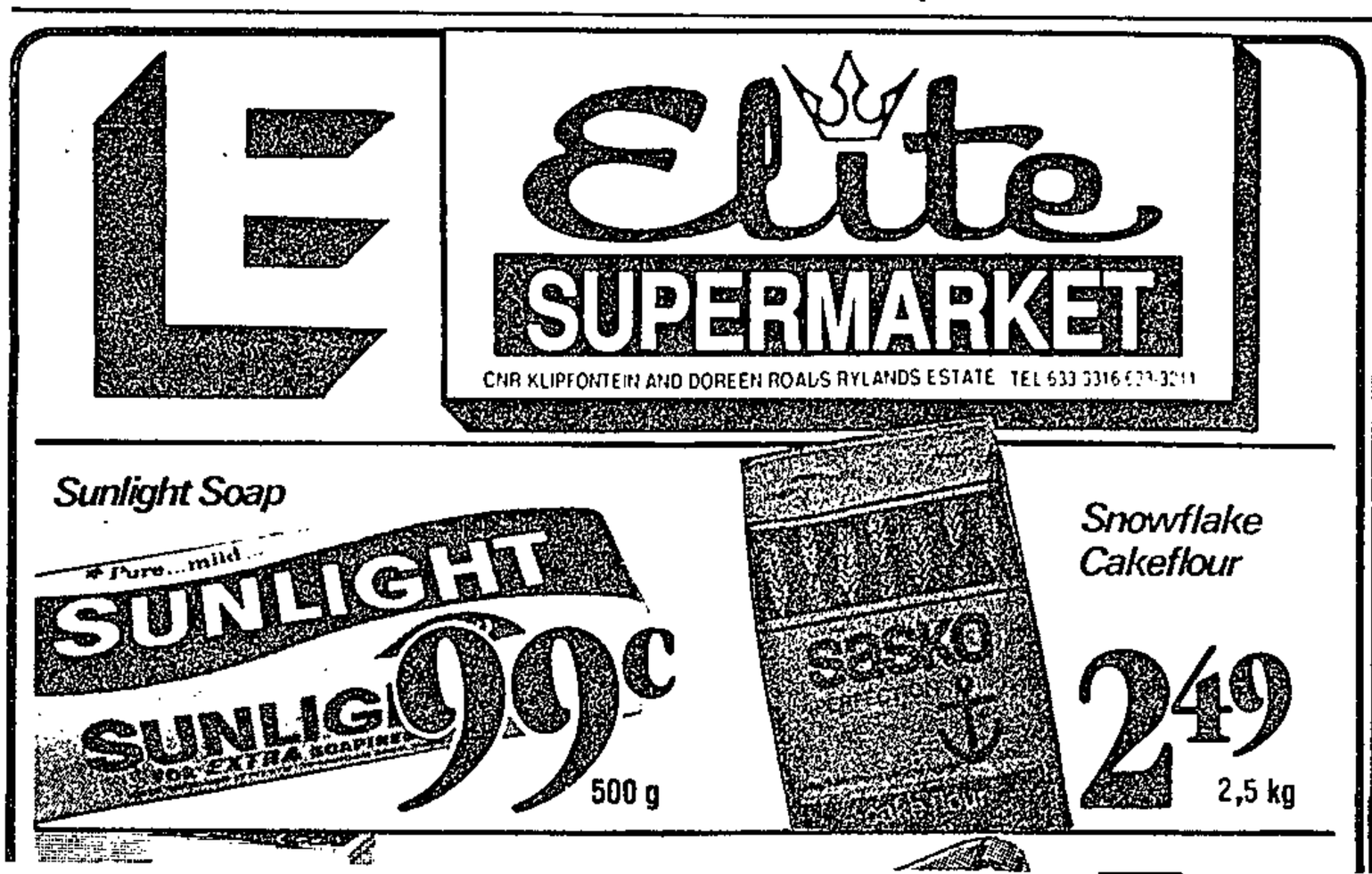
TIC president Mr Cassim Saloojee, co-leader of the group of SA "Indians" who went to Lusaka, said it had been necessary to hold bi-literal talks.

"We listened to what the ANC had to say, and at the same time, people in our delegation also expressed their views," he said.

"People in the constituencies in which we are involved are concerned about the conflict in the country, the future of our country, and like many individuals and organisations we are of the opinion that the ANC is probably the most significant element in South Africa."

Saloojee added: "We can't talk of the future without the ANC. They have an essential and perhaps most vital role in the process of a new order."

Responding to critics who were unhappy about the delegation being "all-Indian", Saloojee said the government was trying to co-opt into its system people of Indian origin as a group, and that it was essential that people so classified demonstrated their refusal to be co-opted.



2/12/88

AWB (3 3328) FM MIL

Day of reckoning?

Government's patience with Eugene Terre'Blanche and his neo-Nazi-style Afrikaner Weerstandsbeweging (AWB) has finally come to an end. The recent massacre in Pretoria and certain public statements by Terre'Blanche have convinced the security hierarchy that action against the organisation has to be taken in the interests of the safety of all — especially blacks.

The *FM* has learnt that security police chief Johann van der Merwe visited Law and Order Minister Adriaan Vlok on Monday morning to discuss the seriousness of the matter. "We are taking a penetrating look at the situation," the *FM* was told.

Vlok and Van der Merwe's personal intervention follows in the wake of Terre'Blanche's stormy performance in Cape Town last week. While Terre'Blanche did not openly preach violence, his words could influence people's way of thinking, a senior police officer told the *FM*.

It is understood that Terre'Blanche's statements have long been the subject of a police investigation — as was the case with the recently banned Blanke Bevrydingsbeweging (BBB). The action against the BBB was not a direct result of the Pretoria massacre; but the shooting, in which seven blacks died, was an important factor in the eventual banning of the organisation.

The increasingly militant air displayed by Terre'Blanche and his khaki-clad stormtroopers — muzzled Rottweilers on leashes form part of his personal guard — have compelled other groups to resort to their own protective measures. A branch of the New York-based Jewish Defence Organisation (JDO) was formed in SA about 18 months ago in response to what was perceived as a growing threat from the AWB, the latest annual *Survey* of the SA Institute of Race Relations reports.

The belief that the AWB is capable of violent acts against Jews was further strengthened when a group of the organisation's supporters attended a wreath-laying ceremony for former Nazi leader Rudolf Hess. The group, who carried flags displaying swastikas and gave Nazi salutes, made references to the Jewish community.

According to the *Survey*, a spokesman for the JDO said that "the Nazi AWB must realise that they are no longer dealing with the Jews of the period before the Second World War." The AWB should be prepared to face the consequences "if they continue to give the Hitler salute to the swastika flag and incite racial hatred in SA," said the JDO.

President P W Botha also took up the issue and warned Terre'Blanche that government would take action against any organisation which wanted to start an anti-Jewish campaign. Replying to this, Terre'Blanche said the racial hatred was fanned by the Zionists.

Prior to the Pretoria massacre and Terre'Blanche's recent speech, government looked reluctant to take action against the AWB. Vlok said it was difficult to "sniff out" policemen who belonged to the AWB.

The race relations *Survey* points out that Terre'Blanche had admitted that he had instructed AWB members — not allowed to join the police — to become involved in neighbourhood watches. This was followed by a warning from Neighbourhood Watch president Gaye Neille that her organisation would not allow the AWB to hijack the scheme for "its own devious, violent ends."

Barend Strydom, the alleged Pretoria killer, is the third AWB member to stand or face trial on charges of violence. Two former AWB members, Jacob Viljoen and Hendrik Jacobs, were recently released after having served five years of a 15-year sentence after being found guilty of terrorism. Both had resigned from the AWB before being sentenced. Their release was, however, welcomed by Terre'Blanche.

The NP government has for years embarked on a policy of banning organisations perceived to be a threat to the safety of the State and its people. The wisdom of such a policy (driving banned organisations underground) can be debated. However, while it is still Nat policy, it is difficult to understand how Terre'Blanche can be allowed to operate as freely as he does. ■

Sisulu 'free', but can't edit New Nation

JOHANNESBURG. — The editor of the weekly New Nation newspaper, Mr Zwelakhe Sisulu, was unexpectedly released yesterday after 720 days of emergency detention.

But he was served with strict restrictions which will prevent him from taking up his job again.

After his release, Mr Sisulu was able to face press cameras at his lawyer's offices but, because of the restrictions placed on him, he did not talk to journalists.

Another long-standing emergency detainee, Mr Eric Molobi, national coordinator of the National Education Crisis Committee (NECC), was also released yesterday and also served with restrictions.

Mr Sisulu's surprise release about 2pm yesterday followed an announcement earlier by a spokesman for the Minister of Law and Order, Mr Adriaan Vlok, that he would be freed.

His lawyer, Ms Priscilla Jana, said at the press conference that Mr Sisulu was not party to his sudden freedom and that "he had no say whatsoever in his release".

Former detainee Mr Mohammed Valli, who has been free since he and two others emerged from the US Consulate in Johannesburg where they sought refuge following their escape from hospital, told reporters Mr Sisulu's restrictions were the "harshest ever" imposed on an activist.

In terms of the restrictions, Mr Sisulu cannot return to his position on the New Nation. He may not participate in any process leading to the publication of any material or take part in interviews with journalists.

He is furthermore restricted to his home at night, may not be in the company of more than 10 people at any time, he may not leave the boundaries of Johannesburg without the permission of the police, and he has to report daily to the police in Soweto.

He has also been restricted from taking part in 10 anti-apartheid organisations. He may also not enter any educational institution and he may not attend gatherings convened "to attack, criticise or to protest" any acts or policies of the government or local authorities.

The release of Mr Molobi, who has been in detention for more than a year, was disclosed in a statement by his lawyer, Mr Azhar Cachalia.

Mr Cachalia said his release came after representation had been made for his release by, among others, the West German government.

He also been released subject to certain stringent conditions.

At yesterday's press conference, Mr Valli said people should not "be fooled" by the number of detainees released.

"It looks like a flood but while there have been a number of releases there have also been a number of new detentions." He said the releases were the result of European bankers applying pressure on the government when President P W Botha visited Europe recently to "rollover loans". — Sapa and Political Staff

3/12/88



RELEASED AND RESTRICTED . . . Mr Zwelakhe Sisulu leaves Johannesburg's Diepkloof Prison with his lawyer Ms Priscilla Jana yesterday after serving two years' detention without trial under the emergency laws. Mr Sisulu, editor of the New Nation, is forbidden from returning to journalism and may not leave Johannesburg.
Picture: REUTER

Cape Times 3/12/88 328

Sisulu's release: Britain regrets restrictions

Own Correspondent

LONDON. — The release from detention of New Nation editor Mr Zwelakhe Sisulu has received a widespread welcome here, tempered only by the fact that he has been restricted.

A Foreign Office spokesman said that if it had been a straightforward release the British government would have warmly welcomed it, but it would need more time to study the restrictions before issuing a full statement.

The British government believes that recent moves by Pretoria to release detainees is in part due to the behind-the-scenes pressure it has been exerting.

But it hoped also that the SA government itself was finally realising that it needs to press on with change.

Officials say the British government would like to respond more fully to the actions of the SA government, but because they have not been "cut and dried" it feels constrained to react more circumspectly.

"They are taking steps in the right direction but they don't meet with what the international community is expecting," said one official.

An Amnesty International spokesman welcomed Mr Sisulu's release but regretted that restrictions had been placed on him.

"Amnesty International regards people who have been placed under restrictions as prisoners of conscience and calls for the lifting of those placed on Zwelakhe Sisulu."

Sisulu 'harshly' restricted

W/t ARGUS 3/12/88 328

Weekend Argus Correspondent

JOHANNESBURG. — Restrictions slapped on New Nation editor Zwelakhe Sisulu, released after almost two years in detention, have been described by his attorney as the "harshest" she has seen.

Mr Sisulu, 38, was freed from Diepkloof Prison at 2pm yesterday but immediately restricted under emergency regulations.

Mr Sisulu, son of jailed Rivonia defendant Walter, may not:

● Return to his job at the weekly newspaper;

● Give interviews to journalists;

● Leave the Johannesburg magisterial district without police permission;

● Be outside his Dube, Soweto home between 6pm and 6am daily;

● Take part in the activities of 10 organisations and institutions, including the United Democratic Front and the National Education Crisis Committee;

● Be in the same room with more than 10 people;

● Enter the premises of a formal education institution; or

● Attend a gathering at which government or local-authority policy is criticised.

He also has to report to Orlando police station twice daily, between 6am and 9am and 2pm and 5pm.

Also freed yesterday were the co-ordinator for the National Education Crisis Committee, Eric Molobi, a close associate of Mr Sisulu, Food and Allied Workers' Union members Raymond Sibanda and Phillip Ziqubu and Jessie Duarte of the women's organisation, Fedtraw.

Mr Mothopeng, 75, who has cancer, was one of two activitists released unconditionally a week ago.

FREE, BUT CHAINED

NEW Nation Editor Zwelakhe Sisulu has been released after almost two years in detention, but restriction orders his attorney described as the "harshest" she has seen were immediately slapped on him.

Sisulu (38), was freed from Diepkloof Prison at 2pm on Friday, but immediately served with a series of restrictions under state of emergency regulations.

Sisulu, the son of jailed Rivonia defendant Walter Sisulu, may not:

- Return to his job at the weekly newspaper;
- Give interviews to journalists;
- Leave the Johannesburg magisterial district without police permission.

Home

- Be outside his Dube, Soweto home between 6pm and 6am daily;
- Take part in the activities of some 10 organisations;
- Be in the same room with more than 10 persons, including himself;
- Enter the premises of any formal education institution;
- Attend any gathering at which Government or local authority policy is criticised; and
- He also has to report to the Orlando Police Station twice daily between 6am and 9am and 2pm and 5pm.

Women's

Also freed was national co-ordinator for the National Education Crisis Committee, Mr Eric Molobi — a close associate of Sisulu — and Food and Allied Workers Union members, Mr Raymond Sibanda and Mr Phillip Ziqubu.

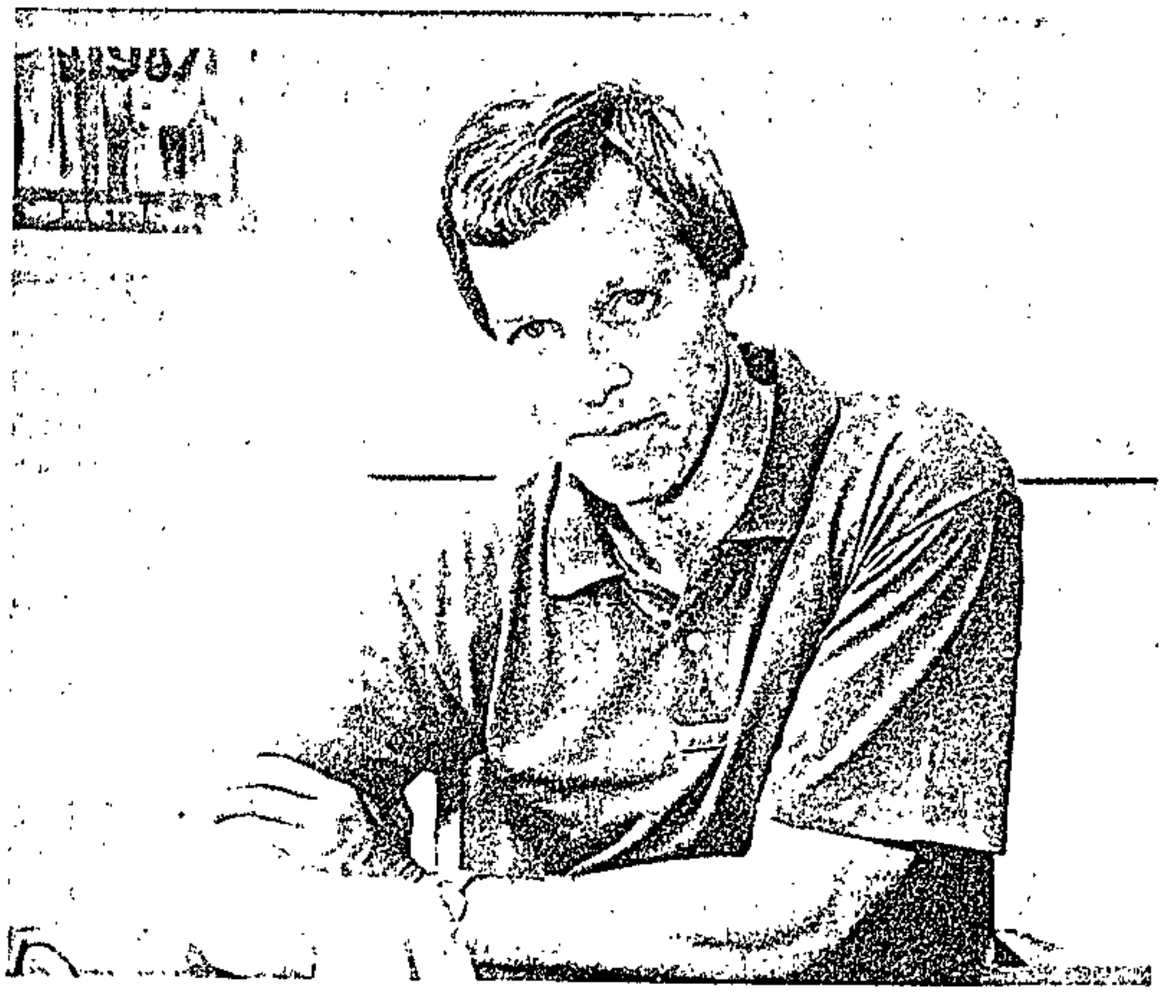
Also released was Ms Jessie Duarte of the women's organisation, Fedtraw.

328

LETTERS

Address all letters to The Editor, PO Box 13094, Sir Lowry Road 7900

Failed bid to avoid embarrassment



Andrew Nash

IN a recent issue of SOUTH, it was argued that "a potential rift, pitting supporters of the "democratic movement" against each other, had been averted following the decision to withdraw Salman Rushdie's invitation to speak at the Weekly Mail Book Week.

This is an extremely short-sighted view. If one is willing to look a bit further, it is clear that the decision to withdraw Rushdie's invitation is going to damage the democratic movement.

The decision will strengthen the position of reactionaries within South African intellectual life. It will divide and demobilise those intellectuals seeking to contribute to the struggle for democracy.

By subordinating intellectual and cultural work to the most arbitrary of prejudices, it will eventually make it impossible for the democratic movement to draw on the intellectual and cultural resources it needs.

From the outset, the decision to withdraw Rushdie's invitation has been shrouded by confusion. It is best to proceed by setting out the basic issues raised by the decision one at a time.

First, what is the purpose of inviting a novelist like Rushdie to South Africa? Rushdie's literary achievement is undisputed. But it is clear that the purpose of such an invitation is fundamentally political.

Yet there is some confusion about what that means. Rushdie would not be invited if he had not condemned apartheid. But this does not mean that his only role here is to condemn apartheid. Anyone can do that — including Mrs Margaret Thatcher, George Bush and the like. A chorus of visitors crying "me too" will not strengthen our struggle.

Rather, it is necessary to show that solidarity with the democratic movement provides the basis on which South Africans can enter into fruitful cultural exchanges with the outstanding intellectual and cultural figures of the contemporary world.

And such exchanges can strengthen the capacity of intellectual and cultural work to contribute to the struggle for a democratic South Africa.

Once that question is clarified, it becomes possible for us to ask the second question: were Muslim organisations justified in taking offence at Rushdie's invitation?

The question cannot be settled by the horror expressed by Muslims "as selected passages from Rushdie's novel were read." Such a selective and arbitrary procedure merely opens the door to a kind of irrationality which will always eventually benefit the oppressor.

Bertolt Brecht has satirised the Catholic Inquisition which banished Galileo and banned his writings to protect the faithful from his theory that the earth was not the centre of the universe, but revolved around the sun.

The men of the Inquisition argued that Galileo should have used his gifts as a physicist to prove the church's theory that the earth was the centre of the universe, and did not understand that the practice of physics required him to respect the evidence of his observations. Protectors against Rushdie's visit have similarly deplored his depiction of the prophet Mohammed without making any effort to understand the requirements and context of the novelist's craft.

But however strongly some Muslims might have felt about Rushdie's invitation to visit South Africa, it was not they who withdrew the invitation.

Rushdie was invited by the Weekly Mail and by the Congress of South African Writers (Cosaw), and it was Cosaw which took the decision to withdraw their invitation. This raises a third question: Why was the invitation withdrawn?

Here, again, there is some confusion. Cosaw announced that they were withdrawing the invitation "because they could not guarantee Rushdie's safety", but it is difficult to make much sense of this. Rushdie was not allowed to make up his own mind about his safety. Many — including SOUTH — have simply ignored the question of Rushdie's safety, and treated the withdrawal of the invitation as an attempt to preserve unity within the democratic movement. (It will be interesting to see whether Cosaw corrects this.)

Each of these reasons raises further issues that need to be examined: Did the withdrawal secure Rushdie's safety, or preserve the unity of the democratic movement?

The argument about Rushdie's safety is so weak that it is embarrassing. Is Rushdie to spend his life indoors until no more threats are made? And will his safety be guaranteed after that?

By withdrawing the invitation on the grounds of Rushdie's safety, Cosaw have done no more than to try to avoid political responsibility for their decision. Writers, more than anyone else, should know that you cannot evade responsibility by turning a blind eye.

We must ask, then: Did the withdrawal of Rushdie's invitation preserve the unity of the democratic movement? If it could be shown that it did, then this would have to be taken very seriously.

This, however, is the most damaging confusion of all. The decision to withdraw Rushdie's invitation might have preserved unity among certain leading individuals but it did so at the cost of depriving the democratic movement of a fundamental part of its capacity to unite as many as possible in the struggle against apartheid.

The democratic movement needs to demonstrate concretely to increasing layers of society that their problems cannot be solved within the framework of apartheid, but only by putting their weight into the struggle for democracy.

It cannot demonstrate this to the huge numbers of South Africans involved in intellectual and cultural work while at the same time brushing aside — as has been done in this case — the requirements and goals of such work whenever it is convenient to do so.

An opportunity has been lost to demonstrate that the democratic movement — unlike the apartheid regime — can provide a forum for resolving controversial questions in a rational way.

ANDREW NASH



Salman Rushdie

Unity at what cost

IN your edition of November 10 to 16 you claim that a "potential rift pitting supporters of the 'democratic movement' against each over has been averted following the decision to withdraw Salman Rushdie's invitation to speak at the Weekly Mail Book Week in Johannesburg and Cape Town this month".

Even if we suppose for a moment that this claim is correct, two questions remain: How, and at what cost, has "unity" been preserved (or restored), and what kind of "unity" is it that can be preserved in this way.

The answers to both questions are easy. "Unity", or a semblance of unity, was restored with threats of violence, and even murder, against Salman Rushdie and the organisers of the Book Week. Consequently, this "unity" is no more than the reluctant acquiescence of people cowed into submission by threats of bloody violence.

All supporters of the democratic movement should ask themselves whether this is the kind of unity we want, and whether future differences of opinion within the democratic movement should be "resolved" in a similar way. This "solution" simply means that the majority of democrats sheepishly submit to threats, and possible acts of violence against supporters of the democratic movement.

Richard Bertelsmann
UWC



The Black Sash shares deep concern for those detained without charge or trial and extends sympathy to their families at this Christmas season.

AL-JIHAAB

Imprisonment without trial is an affront to human dignity.

It is an act of violence against the victim and his family.

Those who condone this inhuman act today can become its victims tomorrow.

AL-JIHAAB
calls for the RELEASE OF ALL DETAINEES.

Censorship: Can it be absolute?

PROFEESOR Ampie Coetzee of the University of Western Cape boldly declares that "our protest against censorship is absolute. The bottom line was no censorship at all".

I believe in the value of "freedom of expression" but I think, like any other freedom, it has to submit to certain constraints to prevent its debasement from a freedom to unprincipled licence. In exercising one's right to one's freedom of expression, there is a stern obligation upon one not to transgress against the legitimate rights of others.

In the light of Coetzee 's absolutist position on censorship I wonder whether in his South Africa the Afrikaner Weerstand Beweging would have the right to be heard and what in retrospect his view would be on the Connor Cruise 'OBrien affair.

At the University of Western Cape Coetzee's protest was not registered when the SRC banned the Black Student Society Project and Azasm last year.

We suggest that Coetzee be consistent in his absolutist campaign against censorship and censure in his own backyard first "even if it means that certain alliances have to be sacrificed or certain people have to be estranged".

N. Manuel
Ocean View

Charges were never filed against pair

TWO years of anguish and prayer for the release of her detained husband ended for Soweto mother-of-three Mrs Zodwa Sisulu this week.

After years of uncertainty, New Nation editor Zwelakhe Sisulu was released from detention.

And as the Sisulu family celebrated his return home, scenes of joy and reunion were being acted out at the nearby Soweto home of banned National Education Crisis Committee executive Eric Molobi's wife, Martha.

By EZRA MANTINI

Severe

Her husband, a close friend of Zwelakhe, was freed from detention on the same day.

Molobi was in detention for almost a year while Sisulu, the focus of an international campaign for his release, was held for almost two years. Neither man was ever charged in court.

Both have been restricted to their homes from dusk to dawn; forbidden to give interviews, attend gatherings at which Government policy is being criticised or take part in the activities of a number or organisations, including the United Democratic Front, the South African Council of Churches and the Detainees' Parents Support Committee.

The men must report to Orlando police station twice daily, between 6am and 9am and between 2pm and 5pm.

Mr Sisulu is the son of jailed African National Congress leader Walter Sisulu who is serving a life sentence.

Mr Molobi is studying with the University of South Africa, doing an honours degree in sociology. He is to write exams in January.

Mrs Sisulu said: "Until Friday, I had thought we were again going to spend another Christmas without him. As a family you are just kept in the dark. No one knew that the release was on the cards.

"However, my husband is worried about the friends he left behind in detention.

"Our lawyers will also seek permission for us to visit my father-in-law in Cape Town sometime this week. We hope his release from prison will come soon."

Mrs Molobi said: "I do not know how my husband is going to continue his studies with these restriction orders in force."

● The Sisulu family or a representative will receive the $100 000 (R458 000) Carter-Menil Human Rights Award in the United States from former President Jimmy Carter on December 10.



Family reunion . . . Zwelakhe Sisulu, his wife Zodwa, and their three children, Nomonwaisis, 4, Zoya, 6, and Mookiva, 8, at home in Soweto

Catholic bishops slam restrictions on Sisulu

JOHANNESBURG. — The Southern African Catholic Bishops' Conference has welcomed Friday's release of New Nation editor Mr Zwelakhe Sisulu and several other detainees, but crtiticised the conditions of their release.

In a statement yesterday, the SACBC said the releases of Mr Sisulu and Mr Eric Molobi, national co-ordinator for the National Education Crisis Committee, in particular were welcomed.

"We are, however, disgusted at the restrictions placed on them. These limit to such an extreme degree the exercise of their regained liberty that they are tantamount to house arrest.

"This is a serious injustice. No convincing reasons have been given for this reprehensible action."

The statement added the denial of Mr Sisulu's right to take up again his editorship of the Catholic-sponsored New Nation can in no way be justified.

It said those detained "are the very leaders to whom the government should be speaking, and one day will have to speak to, so that the problems of our land may be resolved peacefully". — Sapa

Zwelakhe visits his father, Walter Sisulu, in Cape Town prison today



MR ZWELAKHE SISULU

RESTRICTED editor of the *New Nation*, Mr Zwelakhe Sisulu, has been given permission by the police to visit his father, Walter Sisulu, who is serving a life sentence for ANC activities at Pollsmoor Prison, Cape Town.

Mr Sisulu was released two weeks ago after spending 720 days in detention. He was held under the emergency regulations.

By MZIKAYISE EDOM

A spokesman for his lawyers yesterday said Mr Sisulu was given permission last Friday to visit his father.

Mr Sisulu left with his wife, Zodwa, and their three children yesterday for Cape Town. They will spend 40 minutes with Mr Sisulu senior today and they will return tomorrow.

After his release from prison Mr Sisulu was issued with harsh restrictions under the state of emergency.

In terms of his restrictions, Mr Sisulu may not:

- Return to his job at *New Nation;*
- Give interviews to journalists;
- Leave the Johannesburg magisterial district without police permission;
- Be outside his Dube, Soweto, home between 6pm and 6am daily;
- Enter any educational institution;
- Be in the same room with more than 10 people, including himself;
- Attend any meeting at which government and local authority policy is criticised; and
- Take part in the activities of the UDF, SACC, DPSC, NECC, Education Policy Unit of Wits University, People's Education Crisis Committee, Soweto Civic Association, Nusas or Soweto Parents' Crisis Committee.

Mr Sisulu must report to the Orlando police station twice a day, between 6am and 9am and between 2pm and 5pm.

Yet another victim in the s-l-o-w crackdown

THE slow-motion crackdown on extra-parliamentary organisations is set to claim more victims in coming months.

Following this week's effective banning of the UDF-linked Mitchell's Plain Students' Congress and Western Cape Students' Council, a representative of the law and order ministry said more bannings were on the cards — both on the left and the far-right of the political spectrum.

The government's strategy is to minimise local and international protest by phasing repression over a period.

Since the banning of 18 organisations in one fell swoop on February 12 this year — which sparked a massive outcry — 10 groups have been outlawed at intervals.

Last week, two black student bodies, the Black Students' Society at Wits University and the Black Students' Movement at Rhodes University, were crippled by restriction orders. Press coverage of both these and the latest bannings has been scant.

Said Lieutenant Peet Bothma, a spokesman for the Minister of Law and Order, Adriaan Vlok: "The minister (of law and order) assured me that if any organisation committed even the slightest contravention of the Emergency regulations, it would be our duty to act."

There's a clampdown on opposition groups this month almost as harsh as that in February — but it's so gradual it's passed all-but unnoticed. ADRIAN HADLAND reports

Among those groups being "closely monitored", he said, were several left-wing organisations and student groups, mostly affiliated to the UDF, and, on the right, the Afrikaner Weerstandsbeweging and the New National Front, which rose from the ashes of the banned BBB.

The shootings in Pretoria last month — when six people were killed by an ultra-rightwing fanatic — and Mr Justice K van Dijkhorst's strongly-worded judgement on the role of the UDF in the "Delmas" treason trial, had both contributed to a "climate" conducive to the bannings, Bothma said.

"(The judgement and the shootings) did not have an effect on police actions," said Bothma. "The police have been investigating and have known about these things for some time. But they did have an effect on behalf of the public."

As a result of the two incidents, Bothma said, members of the public were now coming forward with information. "We are getting a lot of information from black people," he said.

The hydra-headed nature of the organisations — their tendency to resurface after banning in a different guise — is clearly a problem for the government.

"Every week a new organisation is being formed," said Bothma. The New National Front, he said, was no more than a new version of the BBB. It was also being "monitored closely", he said.

In weighing up whether a group should be banned, certain things were taken into account, said Bothma. "If the organisation poses a threat to the security of the public, or to law and order, or prevents the termination of the State of Emergency", the state would act.

"We look at the people involved, see what they say in public and whether they are emotionally influencing people into violence. We also get information from the public."

Commenting on the latest bannings, Bothma said that the two Western Cape student groups had played "an active role in promoting people's education, which is an ANC-inspired alternative education system for South Africa.

"This they do through boycott actions, intimidation and the use of force."

He added that both student bodies were involved in mobilising scholars to participate in such actions as June 16 festivities.

"Both are busy politicising and organising scholars in the Western Cape, which would result in the escalation of school boycotts, terror, unrest and strikes."

Observers comment that the state appears to be acting selectively against those UDF affiliates which have survived the Emergency clampdown and continue to be active.

According to sources, the Western Cape Students' Council, an umbrella body for students — was trying to organise a national meeting with a view to boosting student organisation in the Western Cape.

The sources expressed surprise that the other banned organisation, the Mitchell's Plain Students' Congress, was singled out for banning, as other youth groupings in the region were just as active.

This suggests that the region could be a target for further bannings planned by the state.

Dogs chase crowds as ANC chief Forbes gets 15 years

15-22/2/88.

By GAYE DAVIS, Cape Town

POLICE unleashed dogs on crowds gathered outside the Cape Supreme Court yesterday at the conclusion of the eight-month trial of African National Congress commander Ashley Forbes and 13 co-accused.

Throngs of supporters, many dressed in the banned organisation's colours of black, yellow and green, crowded pavements outside the cordoned-off supreme court building. They gave a heroes' welcome to four trialists who walked free after receiving suspended sentences.

Forbes, 24, the former Wynberg schoolboy whose grandmother's forced removal from District Six sparked his political awakening and who admitted being an ANC commander, was sentenced to 15 years jail and a further 10 years suspended for five years.

The judge described him as a "dedicated terrorist".

Forbes and five of his fellow trialists were convicted of terrorism as defined by the Internal Security Act after admitting responsibility for limpet mine, hand-grenade and petrol bomb attacks in the Peninsula.

Peter Jacobs, 22, and Nicklo Pedro, 21, were sentenced to 14 years with a further 10 years suspended for five years; Anwa Dramat, 20, to 12



Shoulder-high: Supporters welcome Collin Cairncross, who got a suspended sentence
Picture: RASHID LOMBARD

If they wanted to leave the country, they could apply "to this court to amend the order".

Before a packed courtroom, Mr Justice DM Williamson said sentencing was never easy — and made more difficult because none of the accused had any previous convictions, nor had they acted for personal gain. It was clear they acted because of their political convictions.

The accused were all members of

proval of the "coloured" community.

He had sympathy with their grievances but could neither agree with nor condone the methods employed by the accused.

Referring to the "somewhat unusual" conditions attached to the suspended sentences, he said: "New challenges require new responses."

The suspended sentences were "deliberately heavy" to impress upon the trialists the need to comply.

of the police van returning some the trialists to prison, an elderly tramp was bitten in the leg by a police dog. People gathered: a policeman shouted an order and the crowd scattered as police with dogs ran at them. A woman who fell was bitten at least twice; an *Argus* reporter was bitten and there were reports of other attacks.

Later, friends, family and supporters crowded into the stone chapel of Anglican Archbishop Desmond

(328) South 20/12/— 18/1/18 '



About 66 organisations were represented at the launch of Save the Press

Year of the jackboot

By PAT SIDLEY

NOT since the 1960 State of Emergency has South Africans seen such an intense crackdown on the media and on all forms of expression, political and otherwise.

But this time around, it seems to have outdone itself. And it is all in the same name, brought about for the same reasons: Public Safety.

In 1960 the government temporarily banned New Age and Torch in terms of the Public Safety Act and convicted the liberal newspaper Contact of subversion and fined it heavily under the same regulations.

This year, in terms of the same law but another State of Emergency — we have seen the temporary closure of SOUTH, New Nation and Weekly Mail; the seizure of several publications and heaven knows how many pamphlets; the opening of what must be hundreds of dockets against newspapers accused of breaking one or other censorship measure and the seizure of books (the Trojan Horse).

Also the summonsing of journalists as well as their detention for varying periods from a few hours to more than two years, the deaths of two journalists and several other measures which have let us know loud and clear that the government perceives the written and spoken word as one of its most severe threats.

In steps considered by many to be far more outrageous than those taken in 1960, we have had the unseemly and gross spectacle of police marching into churches, archbishop's sermons being monitored by police and presumably, Public Safety would have been compromised if the Lord heard the "unsavoury" words of the clergy speaking about justice and peace.

But by far, in my opinion, the most severe censorship attack has been from, and in the courts, with the Delmas trial leading the field.

Without going into the notion that a spell in jail is a censorship measure in itself, the effect of the trial makes it treasonous, apparently, to call for a non-racial democratic South Africa, and work towards bringing this about in a peaceful way.

During the trial the judge convicted Weekly Mail of contempt of court for a report which the judge felt was contemptuous. This drastically narrowed the scope of reporting in court.

The Delmas trial, like almost all other political trials, was marked by a succession of secret witnesses whose testimony can hardly be adequately challenged owing to the secrecy surrounding their evidence.

The courts have become an instrument of censorship — perhaps most severe than any other — for each time a measure or a move has been challenged, the courts have upheld the system.


Stoffel Botha

Perhaps the cruellest blow coming from the New Nation court application where Mr Justice Curlewis likened censorship to a guillotine and pronounced it useless "to grow honeysuckle up against it"..

This deftly paving the way for the closure of New Nation to be followed unchallenged by SOUTH and Weekly Mail — there was no room any longer to challenge such arbitrary measures.

Not only are the courts themselves an instrument of censorship (the death penalty is the ultimate silence), but the judges have the legal power to channnel their pique and punish if they feel they have been unfairly criticised.

In our system of justice, it is often the judge who is criticised who judges the criticism of himself.

And now, to crown a year in which one censorship arm "freed" Cry Freedom and the jackboot division seized it from cinemas in a most theatrical manner, we have that sensitive soul, Stoffel Botha, who is responsible for the better part of the censorship we suffer, threatening to sue for defamation those of his political foes who have stepped on his sensibilities.


Cry Freedom — jackboot censorship

:SPONSIBILITY

R

lion groups requires a full-
bruary 1989.

ple with:

ues in South Africa
frikaans or English/Xhosa.

ne: 24-0983.
1989.

IA

our Dutch
thern suburbs.
of the
nd where God
pressed in the

WORK
KER

ies
s in the churches
Mission Church
dation, but not

or Angela

th Jan '89.

Third NECC member back with his family

328

Star 28/12/88

By Montshiwa Moroke

The publicity secretary of the National Education Crisis Committee, the Rev Molefe Tsele (32), was released in time to be with his family for Christmas but immediately issued with restriction orders.

Mr Tsele spent more than two years in detention in terms of the state of emergency. The first seven months was spent in solitary confinement at John Vorster Square in Johannesburg.

Mr Tsele was released from Krugersdorp Prison on Saturday.

He is prohibited from making press statements. He is required to report to the Dobsonville police twice daily, is confined to his parish house daily between 6 pm and 6 am and is not to leave the magisterial areas of Johannesburg and Roodepoort.

Mr Tsele, who is a Lutheran minister, is also treasurer of the NECC. He is the third executive member of the NECC to be released this month. Still in detention are Ms Joyce Mabudhafasi, northern Transvaal region representative and Mr Irohn Rensburg, national secretary.

328 B/day 30/12/88

Vlok restricts four more organisations

PRETORIA — Four more organisations were restricted yesterday in terms of the security emergency regulations by Law and Order Minister Adriaan Vlok.

The Democratic Teachers' Union, the National Detainees' Forum, the Western Cape Students' Congress and the Western Cape Teachers' Union were prohibited from carrying on or performing any activities or acts whatsoever, in terms of regulation 7 of the regulations.

This brings to more than two dozen the number of organisations which have been restricted in this way.

A spokesman for Vlok, Peet Bothma, said the forum had been founded in order to perpetuate the aims of the Detainees Parents' Support Committee, which had been among the 17 organisations which were first restricted in terms of regulation 7 on February 24.

The Western Cape Teachers' Union (for coloured teachers) and the Democratic Teachers Union (for black teachers) were founded in 1985 and were politicising education and discrediting the education system, he said.

The congress was a UDF-affiliated regional organisation which also played an active role in the people's education struggle, Bothma said. It was politicising education in the western Cape, which could escalate into strikes, boycotts, terror and unrest incidents.

☐ Government banned 24 organisations from 1950 to 1987. However, in 1988 alone, government had effectively banned 32 organisations, 12 of which had been student and youth organisations, the Human Rights Commission said yesterday.

TOTALITARIANISM- BANNING

1987

JANUARY ___ DECEMBER

UK, US 'making a mistake'

NEW DELHI. — Dr Allan Boesak said yesterday that Britain and the United States were making a major mistake by supporting South Africa's government.

"The struggle will be fiercer and much more blood will flow . . . The South African government's time is up," Dr Boesak, a leader of the United Democratic Front (UDF), told a press conference.

"The Western governments, especially Britain and the United States, are making a fundamental mistake in supporting the Botha regime," he said.

Dr Boesak, who is attending an international seminar on apartheid, said the Indian Prime Minister, Mr Rajiv Gandhi, had assured him of full support for the UDF.

Dr Boesak said the UDF would have to change its strategy to cope with repression unleashed by the Botha government. He did not elaborate. — Sapa-Reuter

Held UWC lecturer in court

Court Reporter

A LECTURER at the University of the Western Cape, Dr Jack Lewis, appeared in the Magistrate's Court yesterday after eight days in detention.

Dr Lewis, 31, of Long Street, Cape Town, lectures in Economic History. He was held last Wednesday.

He was not formally charged and was not asked to plead.

However, the charge sheet indicates he may be charged in connection with possessing literature of a banned organization.

Dr Lewis was released on R100 bail and the case was postponed to February 2 for the Attorney-General's decision.

Mr M J C Tolken was the magistrate. Mr C Gavin prosecuted. Mr R Vassen represented Dr Lewis.

Curbs 'invade judges' role

Pietermaritzburg Bureau

AN 'INTOLERABLE invasion' into the judiciary's rights was constituted within the emergency regulations, the Supreme Court heard here yesterday.

A clause in the December regulations, banning publication of evidence given at judicial proceedings relating to the arrest and detention of anyone in terms of the state of emergency until a final judgment was handed down, was an 'intolerable invasion into the right of the judiciary to control its own proceedings', it was submitted.

The submission, before Mr Justice Page and Mr Justice Galgut, was made during an application by the United Democratic Front and the Release Mandela Campaign.

The application challenges key sections of the emergency regulations.

Mr Ismail Mahomed SC, for the UDF and Release Mandela Campaign, said the clause showed a failure to understand that it was part of the judicial process that justice should operate in the public glare.

'Where justice is not administered openly it has the potential for abuse.'

The clause should be struck down, Mr Mahomed said.

The Courts already had the machinery, skill and experience to limit publication of evidence if that were considered essential in the interests of justice.

He said the Government tried to justify the clause by saying newspapers distorted proceedings and reported only one side of the story.

There were statutory provisions which made it a criminal offence for anyone to publish an untrue statement about the police or prisons.

The Government acted on the premise that whatever the police said was the truth and if newspapers said otherwise it had to be false.

'The Courts are engaged in finding out who is telling the truth,' he said.

Mr Mahomed also attacked prohibitions on the taking of photographs, or making drawings, films of unrest or security action.

He submitted that that regulation offered protection to the security forces even if they acted unlawfully and said it could never have been contemplated by Parliament.

The hearing was adjourned until February 9.

SA ban forces showdown over the Bard

LONDON — A ban on South African diplomats has forced a showdown over celebrations to mark Shakespeare's birthday.

One of the event's main sponsors is threatening to withdraw its financial support unless organisers lift their ban on South African diplomats attending the event.

The celebrations, which attract many extra thousands of tourists to the Bard's birthplace at Stratford-upon-Avon, now also faces a civic boycott by councillors.

The town's birthday celebrations committee took the decision "to avoid a cultural occasion becoming an instrument of political demonstration".

Last year, police had to move in and arrest anti-apartheid demonstrators when the South African flag was unfurled during the opening ceremony.

Seventeen other countries — mostly African — also boycotted the event.

The ban is being supported by the Royal Shakespeare Theatre they fear that demonstrations will threaten the safety of theatregoers and staff.

Especially when the theatre becomes a focal point for a special performance for its birthday guests at the celebrations in April.

The decision has angered members of Stratford District Council.

They say they will vote to withdraw their R21 000 donation to the birthday celebration committee unless the decision is reversed.

Councillor William McFarland, chairman of the Conservative-controlled district council, said yesterday:

"We cannot as a public body spending public money differentiate between one country and another." — DDC

Cape Times 25/2/87 328

Dean Farisani restricted to Venda

JOHANNESBURG. — The leader of the Evangelical Lutheran Church, Dean Tshenuwani Farisani, has been declared a prohibited immigrant in South Africa — effectively restricting him to Venda.

A letter from the Department of Home Affairs in Pretoria, dated January 28, was sent to Dean Farisani by registered mail. It said he would be refused entry into SA if he arrived at a "South African port of entry without a visa".

The letter was dated two days before Dean Farisani was released last month after 70 days in detention.

Dean Farisani's circuit stretches from Botlokwa near Pietersburg in the south to Messina in the north. His office is in "independent" Venda.

The Department of Home Affairs in Pretoria confirmed yesterday that it had barred Dean Farisani from entering SA without a visa.

As a result of the ban, Dean Farisani was unable to attend a council meeting of the Evangelical Lutheran Church in Southern Africa, which started in Johannesburg on Monday.

He will also not be able to consult specialist doctors in Johannesburg, who were treating him for an ailment resulting from his recent detention.

It was also disclosed on Monday that the American church worker who has been working in Dean Farisani's circuit, Ms Beth-Ann Burris, has been ordered to leave Venda by today.

Ms Burris made headlines early last year when she was allegedly assaulted by Lebowa police in Seshego, Pietersburg.

Her application for the renewal of her visa, made early last year, has not been granted. — Sapa.



DD 26/11/87

Musicians on banned list

Dispatch Correspondent

JOHANNESBURG — A number of artists who took part in the Bureau for Information's controversial peace song have been placed on a banned list by the South African Musicians' Alliance (Sama), and their careers could be severely hampered.

Sama, which sees itself as a groupof "progressive" musicians, will be officially launched in February. It has strong ties with most show promoters in this country, says a spokesman for the group, Johnny Clegg.

Clegg said Sama had been approached by black musicians who were being harassed because of their involvement in the Info song. Sama met with various political groupings and interceded on the musicians' behalf.

Six musicians who took part in the peace song have been "pardoned" — at a price — by Sama.

The musicians agreed to put every cent they were paid into a trust fund set up by the organisation. The money is expected to total at least R150 000. Clegg said the money would go to various charitable organisations.

A meeting will be held today to obtain legal advice to check if Sama's demands go against the musicians' Bureau for Information contracts.

The six who were pardoned at a meeting in Johannesburg on Friday are Babsie Mlangeni, Steve Kekana, Blondie Makhene, Sidwell Banjo Nhleko, Vusi Shange and Abigail Khubeka.

328 Sowetan 27/2/87

BAN ON DEAN UNDER FIRE

ARCHBISHOP Desmond Tutu has condemned as "utterly farcical" the restriction on Evangelical Lutheran Church leader Dean Tshenuwani Farisani which prevents him from entering South Africa.

SOWETAN Correspondent

Dean Farisani has been declared a prohibited immigrant, a step which effectively restricts him to Venda.

Archbishop Tutu said: "The prohibition on Dean Farisani is so utterly farcical that if it was not such a serious matter it would be utterly laughable.

"Here is a South African being stopped from coming into South Africa because some crazy politician has decided that our country should be balkanised into totally unviable 'homeland republics'.

"Clearly South Africa is using these spawns of apartheid for her convenience.

"I condemn with all the vehemence that I can command this unjust and repressive act."

• A letter from the Department of Home Affairs in Pretoria, dated January 28 — two days before Dean Farisani was released last month after 70 days in detention — was sent to him by registered mail. It said he would be refused entry into South Africa if he arrived at a "South African port of entry without a visa."

Fric

ital crisis

suits in encephalitis. The excessive use of aspirin also caused liver damage, she said.

Umtata lawyer banished

UMTATA. — A prominent civil-rights lawyer here, Mr Dumisa Ntsebeza, was yesterday served with an order banishing him from Umtata and ordering him to go to the Mhlahlane administrative area in Tsomo. According to his colleague, Mr Xola Petse, the order was signed by both President Tutor Ndamase and Prime Minister Mr George Matanzima. Similar orders have been served on Mr Meluxolo Solinga, a schoolteacher of Cala, and Mr Victor Ngaleka, a former University of Transkei student.

News in Brief

Cape Times 16/3/87 328

Banishment order slated

PORT ELIZABETH. — The SA Association of Democratic Lawyers has demanded the immediate and unconditional lifting of the banishment order imposed on a Transkeian Attorney, Mr Dumisa Buhle Ntsebeza. A statement issued at the weekend by the association said Mr Ntsebeza had been "summarily arrested" and removed from his office at a firm of attorneys in Umtata on March 3. Mr Ntsebeza, chairman of the association's steering committee, was taken to Mhlahlane, in the rural area of Tsomo.

Transkei lawyer banished to 'mud hut' in Tsomo

Cape Times 25/3/87 328

By CHRIS STEYN

A PROMINENT civil-rights lawyer has been banished by Transkeian security police to the isolated rural district of Tsomo where he lives in a mud hut with a damp floor and no drinking water.

Mr Dumisa Buhle Ntsebeza, chairman of the National Democratic Laywers Organization (NDLO), was arrested by security police at his offices — a firm of attorneys, the Sangoni Partnership — in Umtata on March 3 and taken to Mhlahlane, Tsomo.

Married with two small children, he was not given an opportunity to make any personal or profesional arrangements, or even to make a telephone call after the order was served on him.

The Deputy Commissioner of the Transkei Police, General F Damoyi, yesterday confirmed that a banishment order had been served on Mr Ntsebeza and that he had been moved to Tsomo where he lives in the hut, which is not furnished and is without toilet facilities.

He declined to give reasons for the banishment and said: "He will stay there until the State President decides to withdraw the order."

In terms of the order — issued in terms of the Public Security Act 30 of 1977 — Mr Ntsebeza is not allowed to leave Tsomo at any time or for any purpose, except with the special written permission of the commissioner of the Transkei police.

In a statement, the NDLO steering committee yesterday called for the immediate lifting of the banishment order.

"The effect of the banishment is to impose severe hardship on Mr Ntsebeza and his family," the committee said.

"He is a respected attorney well known for his fearless and courageous handling of political and civil-rights cases. His banishment prevents him from attending to his practice.

"A large number of men, women and children who are dependent upon his services have now been effectively denied legal representation of their choice," the statement said.

The order was the second to be served on Mr Ntsebeza in the past two years. In October 1985, a banishment order was served on him, but was withdrawn when it was challenged in the Transkei Supreme Court.

The present order came just four months after the withdrawal of the first.

The NDLO demanded "on behalf of all democratic lawyers in South Africa" the immediate and unconditional lifting of the order. "We say that Mr Ntsebeza must have the right to freedom of movement to enable him to conduct his practice and live with his family wherever he pleases.

"His banishment is intimidatory and poses a serious threat to the right of victims of the system to be properly represented in court."

at Perth's St George's Cathedral.

CAPE Times 28/2/87 328

Clergyman released

PRETORIA. — The general secretary of the Presbyterian Church of South Africa, the Rev Jean Francois Bill, has been released from detention subject to certain conditions, the Minister of Law and Order, Mr Adriaan Vlok, announced here yesterday. The conditions for the release of Mr Bill, who has been in detention since since last June, were not made public by the minister.

Theatre's new play is banned

Pretoria Bureau

A new play by a Cape Town theatre group has been banned by the Directorate of Publications a week before it was due to open at the Baxter Theatre in Cape Town.

"Kwanele" (Zulu for "Enough!"), written by the Nyanga Theatre Group and Cape Town University student Mr Warren Nebe, was declared undesirable in terms of Section 47 (2) (d) and (e) of the Publications Act of 1974, according to a notice in the *Government Gazette* yesterday.

Public entertainment may be banned in terms of this section if it, or part of it, "is harmful to the relations between any sections of the inhabitants" of South Africa, and "is prejudicial to the safety of the State, the general welfare or the peace and good order".



Baxter Theatre public relations manager Mrs Yvonne Williams-Short said yesterday the Baxter was appealing against the decision of the Directorate to prohibit "Kwanele", which was scheduled for an April 14 preview.

"The script was not submitted to the Publications Board by the Baxter, but came to the board's attention as a result of the detention of a member of the cast, David Tshambula," Mrs Williams-Short said.

Mr Tshambula was released last week.

The play has a cast of nine and has been described as reflecting the situation in which township people found themselves.

Meetings prohibited

CAPE TOWN — The Divisional Commissioner of the South African Police for the Western Province, Brigadier Ronnie van der Westhuizen, yesterday prohibited a United Democratic Front (UDF) meeting due to have been held in the Cape Town City Hall tonight.

Dr Allan Boesak, UDF patron, and civil rights leader Mrs Helen Joseph were to have spoken.

Brigadier van der Westhuizen said that under the powers vested in him in terms of the Public Safety Act 1953 he had also prohibited UDF meetings in Wynberg, Simon's Town, Goodwood, Bellville and Kuils River. — Sapa.

Ban on meeting reversed

CAPE TOWN — A Full Bench of the Cape Town Supreme Court last night overturned a ban on a United Democratic Front meeting imposed by the Divisional Commissioner of Police, Brigadier Ronald van der Westhuizen.

Dr Allan Boesak and Mrs Helen Joseph were among the speakers advertised for last night's 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 security police whose sources included informers "whose identity must remain secret".

Appearing for the UDF, Mr J J Gauntlett said the brigadier had failed to show lawful cause for banning the meeting — an unlawful inroad into a basic right.

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. — Sapa.

328
20/4/87

Bid for new hearing for anti-apartheid film

'Ban' should be lifted totally

By Alan Dunn,
The Star Bureau

WASHINGTON — The US journalist who produced the Oscar-nominated documentary, "Witness to Apartheid", is seeking another hearing at the Publications Appeal Board after it recently relaxed a ban on the film.

Ms Sharon Sopher wants the previous hearing set aside and a new one started, aimed at totally unbanning the 60-minute catalogue of brutality and torture of youth in South African townships.

Trying to stop screening

Ms Sopher is also trying to stop a screening of "Witness to Apartheid" at a film festival staged by *The Weekly Mail* at the Market Theatre.

She said in an interview from New York that a letter was being sent to Professor Kobus van Rooyen, chairman of the Appeal Board in Pretoria, asking for a new hearing "on the grounds that the first appeal simply did not represent my views". Ms Sopher is the producer, director and owner of the film.

She was angered by reports in US and South African newspapers, before the Academy Awards ceremony last month, that her film had been unbanned. The board had imposed a 2-18 age restriction on it, and limited to 200 the size of audiences.

"I do not recognise that the Publications Appeal Board has lifted the ban ... I don't believe in censorship. I don't believe there is such a thing as a bit of censorship. There is either a ban or there isn't."

She said she had been approached recently by *The Weekly Mail* for a copy of the film for a screening at a film festival. She had refused, she said, because it would have meant taking part in unjustified victory celebrations for the film's "unbanning", and because of *The Weekly Mail*'s report on the "unbanning".

Ms Sopher said the restrictions amounted to "apartheid distribution" of the film, creating a situation where it would be seen mainly by white audiences. She wanted it seen by everybody.

Another step she intends shortly is offering it to foreign diplomats in South Africa, and to SATV since it claimed to be free of State control and since the film had allegedly been "unbanned".

Ms Sopher arrived in South Africa in September 1985 for a month-long visit in which she started filming "Witness". It first showed in the US and Britain a year ago, focusing on alleged security force brutality in interviews with alleged victims and their relatives in South Africa.

Article riles RAU students

By Gary van Staden

Heraut, the Rand Afrikaans University campus newspaper, has angered and upset some students by carrying a front-page article urging support for the National Party's candidate in Johannesburg West, Mr Roelf Meyer.

A student, who did not want to be named and who said she was speaking on behalf of a group of students at RAU, said the campus newspaper should reflect the views of all students.

"The Progressive Federal Party and the Herstigte Nasionale Party's candidates should have been afforded the same opportunity," she said.

She added that it was "very hard" to tell whether the article concerned was editorial or an advertisment because there was no indication either way.

The editor of *Heraut*, Mr Danie Schutte, was on study leave this week and could not be contacted for comment. But a copy of the newspaper was sent to The Star.

(Report by G van Staden, 47 Sauer Street, Johannesburg.)

Idasa to sue G'town based publication

PORT ELIZABETH — The Institute for a Democratic Alternative for South Africa (Idasa) is to take legal action against the publishers of a pamphlet entitled Insight Publications, published in Grahamstown.

The national co-ordinator of Idasa, Mr Wayne Mitchell said the publication attempted to link Idasa with revolutionary movements in the Eastern Cape.

Mr Mitchell said that no name appeared on the pamphlet and he wished to challenge the author to state who he was and who he represented and "not hide behind the cloak of anonymity".

He said Idasa had decided to pursue inquiries with regard to the identity of the author with a view to instituting both civil and criminal actions. — DDC

(News by Patrick Cull, 19 Baakens Street, Port Elizabeth).

Unions angry at May Day rally ban

By Mike Siluma

With widespread anger mounting in black trade union circles over the banning of today's May Day rallies, the Congress of SA Trade Unions (Cosatu) described the bannings as a mockery of the Government's declaration of Workers' Day.

Cosatu said permission to hold rallies had been refused by magistrates throughout the country, except in the Western Cape where it had been granted on condition the meeting did not discuss the federation's "living wage" campaign.

Cosatu general secretary Mr Jay Naidoo, warning of workers' anger at the bannings, yesterday told a Johannesburg Press conference that permission to hold outdoor rallies had been refused in 21 centres in the Transvaal, Free State, Natal and the Cape.

Johannesburg rallies would have been held at Soweto's Jabulani amphitheatre and Ellis Park Rugby stadium.

"The mockery and the meaninglessness of (P W) Botha's Workers' Day announcement is abundantly clear. It is an official rejection of workers' aspirations and a total clampdown on our right to speak as organised workers about the society we are striving for."

Saying Cosatu would continue to demand May 1 as May Day, Mr Naidoo added: "The refusal is a clear demonstration of the systematic campaign to harass and suppress our legitimate trade union activity."

Reasons given for the banning included that:

- The living wage campaign was subversive.
- The peace would be disturbed.
- The rallies were intended to as a show of force.
- Youth were likely to attend.

"Workers reject these reasons and see the effective banning as repression of democratic activity," Mr Naidoo said.

- Earlier this week a spokesman for the Federated Chamber of Industries, Mrs Freda Dowie, said: "A living wage is a very legitimate thing for trade unions to talk about."

328 STAR 6/5/87.

Wits student is found guilty of possessing banned publication

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.

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.

actually seen anyone set it alight.

A spokesman for the Central Fire Brigade said the fireman in charge of

I don't know if any of them helped themselves, but we retrieved a lot, two carloads of goods," he said.

police, who put this you
full of hardened crimina

Kaiser banished to his home territory

UMTATA. — The former State President of Transkei, Paramount Chief Kaiser Matanzima, was yesterday banished to his home in western Tembuland.

He was served with an order confining him to the three districts of Cofimvaba, Cala and Lady Frere.

He may leave western Tembuland only with the written permission of the Transkei Commissioner of Police, General R S Mantanga.

The paramount chief, who retired as president early last year, vowed to take power this week after breaking away from his younger brother, Prime Minister Mr George Matanzima, and the ruling Transkei National Independence Party last week.

Last Friday, a bill restraining all former state presidents from active politics was hurried through all stages, passed, signed by State President Tutor Ndamase and gazetted.

After the order was served on him, Paramount Chief Matanzima said he had committed no crime and was not guilty of subversion.

The paramount chief said the whole affair would be contested in the Supreme Court and in all probability, the act would be declared ultra vires.

Paramount Chief Matanzima said he would address meetings all over the country and expose the government.

On leaving Umtata yesterday morning, he said he was leaving the leader of his new opposition Transkei National Party, Mr De Villiers Qunta, MP for Nqamakwe, and Mr Simon Burhali, MP for Herschel, to attack the government.

The two were subsequently detained by commercial branch members and security police respectively.

Mr Qunta, a former mayor of Butterworth, was arrested by commercial branch police in front of the parliament buildings, security chief General Leonard Kawe confirmed.

Our correspondent in Umtata reports that the paramount chief told newsmen his brother — acting in collusion with the former Transkei Defence advisor General Ron Reid-Daly — had declared war on Ciskei. As a result a man died and Transkei Defence Force property was confiscated.

This exercise, the chief said, was perpetrated in the interests of Ciskeian refugees in Transkei, from whom Prime Minister George Matanzima was taking instructions. — Sapa and Own Correspondent

Mayor's son freed

By CLARE HARPER

MR Steven Markovitz, son of the Mayor of Cape Town, Mr Leon Markovitz, was released from emergency detention yesterday — but he has been served with a restriction order prohibiting him from contributing to activities relating to June 16 commemorations.

This was confirmed by Mr Leon Markovitz, who visited his 21-year-old son in Port Elizabeth yesterday.

Mr Steven Markovitz's attorney, Mr David de la Harpe, said last night that Mr Markovitz "could not participate or contribute in any way in respect of the commemorations on June 16, the anniversary of the Soweto unrest".

City council orders removal of posters

Municipal Reporter

Johannesburg City Council has ordered the removal of the "Stop terror — repatriate all non-whites" posters, the relevant by-laws are to be streamlined and the procedure for approving placards is to be tightened up.

The city council gave permission for the posters to be displayed by the Blanke Bevrydingsbeweging (BBB), but the latest *Government Gazette* has banned them.

Mr Danie van Zyl, leader of the National Party on the city council, said: "We do not want a repeat of this type of insulting incident.

"It is impossible to create a council censor board, but we hope this type of incident will not be repeated."

Unionist loses action against govt

Supreme Court Reporter

VETERAN trade unionist Mrs Elizabeth Nanna Abrahams has been refused a Supreme Court order declaring invalid restrictions imposed on her when she was released from detention last year.

Mrs Abrahams, 61-year-old Paarl branch secretary of the Food and Allied Workers' Union, is forbidden to leave the Paarl magisterial district.

She is also forbidden to communicate with the press except on union matters an from attending gatherings at which the government is, or might be, attacked.

Mrs Abrahams, banned for five years in 1963, argued that the conditions were unlawful, prevented her from carrying out her trade union duties and contravened the Labour Relations Act.

Mr Justice H C Nel dismissed her application with costs.

Mr J J Gauntlett, instructed by Bernadt Vukic and Potash, appeared for Mrs Abrahams. Mr P Hodes SC, with Mr S A Jordaan and instructed by the State Attorney, appeared for the respondents.

Promoting the ANC and PAC says Minister

GOVT THREAT

TO SOWETAN

Union's rally



SOME of the more than 5 000 Ccawusa members who attended the Soweto rally yesterday. See page 2.

SOWETAN Reporter

THE Minister of Home Affairs and Communications, Mr Stoffel Botha, gave notice to the *Sowetan* on Friday that a gazetted warning was being considered against the newspaper for promoting "inter alia the African National Congress and the Pan Africanist Congress".

Mr Botha said he had examined a series of six issues of the *Sowetan* and that he was considering action "under regulation 7A (1), to wit the issuing of a warning by notice in the Government Gazette in respect of your periodical".

His department had prepared a "prima facie evaluation of the matter published in the (abovementioned) issues and particulars of which are set forth in the annexure attached hereto. Representations must be submitted to me within a period of two weeks from the date of receipt hereof."

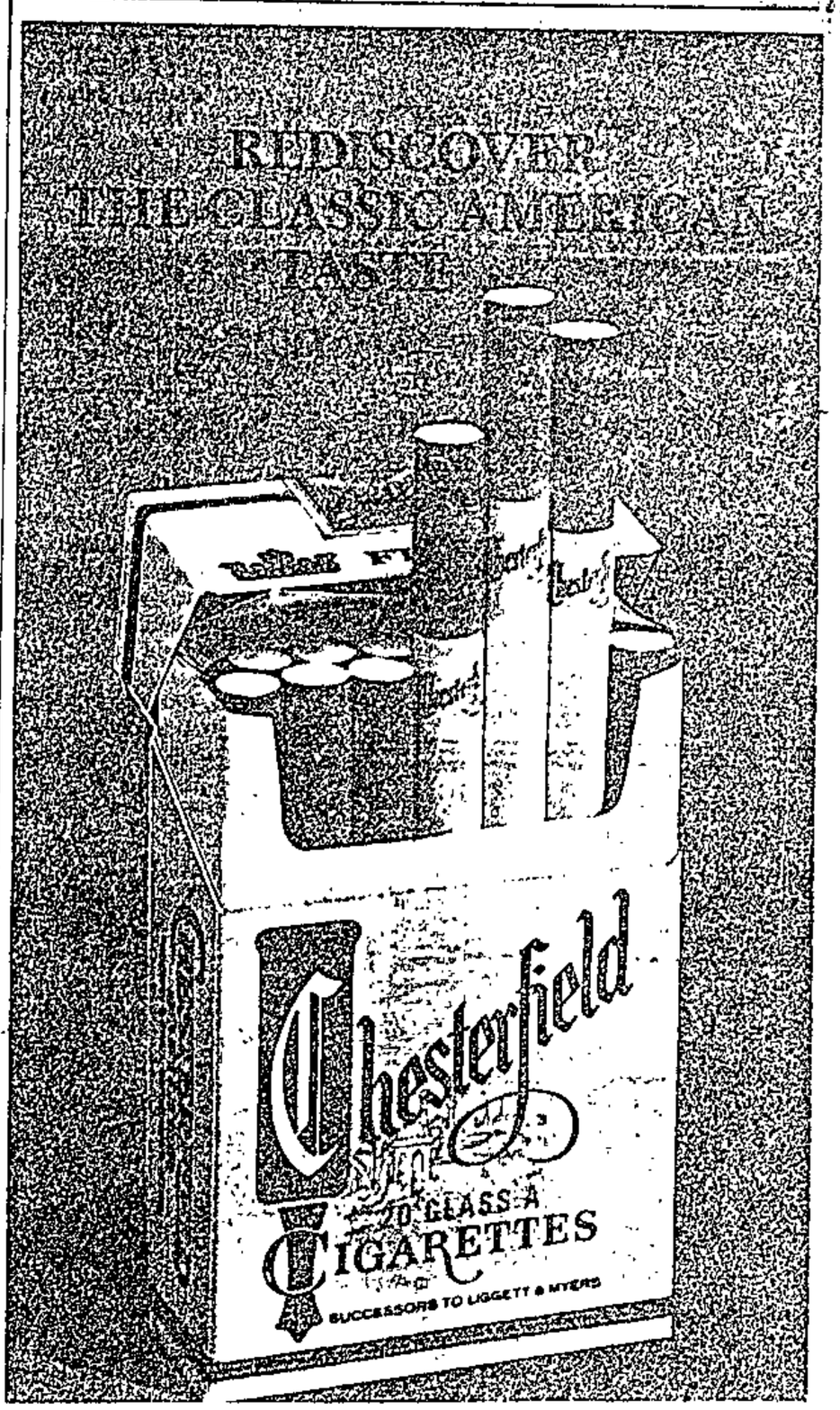
Revolutionary

The issues which apparently contained subversive propaganda and which led to the warning tended to promote "the public image or esteem of inter alia the ANC and the PAC which are unlawful organisations within the meaning of the emergency regulations".

According to Mr Botha:

- An article on September 4, 1987 under the heading "*The Week I Went On A Roller Coaster*" refers in a legitimising way to the symbols (leaders) of the two above-mentioned unlawful revolutionary organisations;
- In the issue of September 16, 1987 under the heading "*Tambo In Talks With Runcie*" by referring in a legitimising way to a meeting held

• To Page 2



P.T.O

November 24 1987

Publications Board hears appeal argument

Three New Nation bannings contested

By Jo-Anne Collinge

If the Publications Appeal Board were to do no more than stick to the precedents set in its own rulings and in Supreme Court judgments, it would be compelled to reverse the ban on three editions of the weekly paper *New Nation*.

This was the central argument submitted by Mr Gilbert Marcus, counsel for *New Nation*, during an appeal against three separate bans imposed on the paper. The appeals were heard by PAB chairman Professor Kobus van Rooyen and six board members in Pretoria yesterday.

Volumes six, seven and 34 of *New Nation* were declared undesirable by a Committee of Publications in terms of the Publications Act on the grounds that they were likely to threaten State security. The two earlier volumes were also banned because the committee considered that they promoted racial hatred.

"The basic proposition (of the committee) is that *New Nation* leads directly to revolution, unrest and sabotage," Mr Marcus said. "For this extremely serious proposition the committee is unable to find any support in the text. Instead, it chooses to rely upon the 'mighty written word of Lenin' who, apparently through his writings, created grievances and encouraged strikes."

SPECIFIC WORKS

Mr Marcus objected to the committee's reliance on Lenin without reference to specific works. The fact that the committee had not referred to a single finding of the PAB in giving reasons for the bans was "indicative of a contemptuous disregard" of the guidelines set by the board.

Mr SW Burger, appearing for the State Attorney, submitted that the PAB was not bound by precedent. However valuable previous decisions were, he understood the system of precedents did not bind one and that previous decisions were merely guidelines.

He said the committee was not relying on any specific work of Lenin but on the "general trend" in his writings.

Judgment is expected next week.

30/11/87 Sunday Star 3 28

'New Nation a threat' says Botha

HOME Affairs Minister, Mr Stoffel Botha, invoked the tough new media regulations to gazette a notice in Pretoria on Friday that the *New Nation* newspaper threatened public safety.

This paved the way for the Minister to ban publication of all future issues unless they had been approved by government - appointed censors, or to ban publication altogether, for three-month periods.

According to the regulations issued on August 28, this year, he may do this if he deems it necessary from examining issues of the newspaper.

Notice

However, the regulations state that he should first give the publishers notice that he contemplated such action.

But the *New Nation* dismissed this provision and said in a statement that it had responded to such a warning from Mr Botha before the notice was gazetted.

It said Mr Botha's response was "vague and unsubstantiated."

"This reflects the Government's utter contempt for the Press freedom it claims to uphold."

The newspaper, whose editor, Mr Zwelakhe Sisulu, is in detention, said it wished to express "its disgust at this latest outrage by the Government."

The Government had already seized an issue and banned three others.

"We were not surprised by the latest action in view of the Minister's recent statements to National Party supporters that the Government would 'deal with the alternative Press.'

"The warning must be seen in the context of the Government's continuing assault on democratic values in South Africa."— Sapa.

328

B/day 1/12/87

BU

Sowetan items in other papers

MANDY JEAN WOODS

ONE of the seven reports cited in government's warning to the Sowetan newspaper was a wire service story that appeared in almost exactly the same form in at least three other newspapers — including the government-supporting Cape daily, Die Burger.

The Sowetan was given a written warning by Home Affairs and Communications Minister Stoffel Botha, the first step towards closing a publication under the new media regulations.

Botha cited seven reports which he said tended to promote the image or esteem of the ANC/PAC and contained subversive propaganda.

Most major daily newspapers covered five of the seven issues contained in these reports. None of them has reported receiving similar warnings.

One of the reports Botha cited, headed "Tambo Talks with Runcie" in the Sowetan, was a Sapa-AP story from London, carried by Die Burger (September 16), The Star (September 15) and Business Day (September 15).

All the articles, including the one in the Sowetan, refer to Oliver Tambo, leader of the ANC, and to the post-meeting statement which said both Tambo and Archbishop of Canterbury Robert Runcie agreed "there is an urgent need to end the apartheid system in SA".

A report in Die Burger (October 17) on the Commonwealth sanctions issue carried extensive comments by ANC international director Johnstone Makatini. The Argus (October 19) report almost duplicates that in the Sowetan. Beeld, The Citizen, Business Day and the Cape Times all carried reports on the issue.

Two other reports — on the international conference on "Plight of Children under Apartheid" held in Harare (which quoted Tambo) and on the memorial service held for former Mozambican leader Samora Machel — were cited in the warning. The two events were also widely reported by other newspapers.

328 B/day 4/12/87

GOVT WARNS RIGHT-WING PAPER

PATRICK BULGER

DIE STEM — a far-right-wing newspaper pressing for a "boerestaat" — has been issued notice that Home Affairs and Communications Minister Stoffel Botha is considering issuing a warning in terms of the media regulations.

It is the sixth publication to be so notified, and the first to the right of the National Party. The others are the New Nation, South, Work in Progress, Cosatu News and the Sowetan.

Die Stem editor Robert van Tonder said he had received a letter from the Home Affairs Department informing him that certain articles and letters in the latest edition contravened the regulations gazetted in August.

Letters quoting sections of the Bible had been found objectionable, Van Tonder said. He believed they might have been construed as anti-Semitic.

Van Tonder said he did not intend appealing against the warning. He said the Boerestaat movement — which he says has a following of 1,5-million people — would find other ways of propagating its message if the newspaper was closed down.

A spokesman for the Department of Home Affairs said yesterday: "We do not comment on confidential correspondence."

10/12/87 (328) Sowetan

SOWETAN, Thursday

MAGISTRATE FIRM ON BAN

THE Chief Magistrate of Wynberg in Cape Town, Mr W P Theron, declined to give reasons yesterday for his decision to ban the Govan Mbeki rally which was due to be held in Athlone on Sunday.

"We do not usually give reasons for the decision," he said.

Mr Theron confirmed he had given members of the Mbeki reception committee a chance to reply to police affidavits before he took his decision.

His decision was conveyed to the committee on Tuesday afternoon.

Mr Theron said he was not prepared to disclose the contents of the police affidavits filed in opposition to the request for permission to hold the rally as they were "not for public consumption".

He was also not prepared to confirm or deny a report that Brigadier Eben Coetzee of the police security branch had said in an affidavit that the police would find it difficult to do their duty at the rally.

According to the report, Brigadier Coetzee, said police expected 100 000 to attend the rally at the Athlone Stadium but that the stadium could only hold 20 000 people.

Brigadier Coetzee is also reported to have said the presence of a large number of police would be required and this very presence could lead to "serious threats to public peace".



MR GOVAN Mbeki.

Restriction order on Mbeki

MR6a5
11/12/82
528



Mr Govan Mbeki

By STEPHEN WROTTESLEY and PAT CANDIDO
Staff Reporters

FREED former African National Congress leader Mr Govan Mbeki, 77, was today served with an order restricting him to the Port Elizabeth magisterial district and prohibiting him from giving interviews to the Press.

The restrictions, in terms of section 7 (1) of the emergency regulations were ordered by the Commissioner of Police, General Hennie de Witt.

The South African Press has not been permitted to quote Mr Mbeki because he is a listed person but the new curbs also prevent foreign journalists from quoting him.

The order was served on Mr Mbeki in Salsoneville, Port Elizabeth, at 8am today by Lieutenant-Colonel Hermanus du Plessis of the security police.

Mr Mbeki, former national chairman of the ANC, was released from Robben Island prison on November 5 after serving 23 years of a life sentence for sabotage.

Unconditional

The Government said at the time his release was unconditional.

Mr Mbeki was preparing to travel to Cape Town tomorrow to attend a private meeting at the University of the Western Cape and to have medical tests at Groote Schuur Hospital.

The order stipulates that as long as the regulations under the Public Safety Act are in force, Mr Mbeki may not go beyond the boundaries of the magisterial district of Port Elizabeth without the consent of the Commissioner of Police.

He may not conduct interviews with any "journalist, news reporter, news commentator or news correspondent within the said magisterial district".

His attorney, Mrs Priscilla Jana, today condemned the restriction order, saying it had completely negated his release.

A police spokesman said General de Witt's decision was in the light of the fact that Mr Mbeki had stated he was a member of the ANC and the South African Communist Party and that he supported Marxism.

Disappointed

Mr Mbeki had said he would be led by the ANC and it was clear that his presence at meetings would be used to give the ANC a platform, the spokesman said.

Mr Mbeki was to meet representatives of more than 100 organisations in Cape Town tomorrow.

The meeting was arranged after the chief magistrate of Wynberg, Mr W P Theron, refused permission for him to speak at an outdoor rally at the Athlone Stadium on Sunday.

Mrs Jana said Mr Mbeki was "extremely disappointed and distressed particularly because he was expressly informed that his release was unconditional".

He had, however, "accepted the order in his stride with a totally rational and controlled state of mind".

Since his release Mr Mbeki has been in Port Elizabeth keeping a low profile. Neither he nor his wife have granted interviews.

Sources close to Mr Mbeki said he was relaxing and re-establishing contact with close friends and family.

w/l Argus 12/12/87

NEWS

Mbeki

The thunderous silence . . .

by FRANS ESTERHUYSE
Political Staff

GOVAN MBEKI is a rare phenomenon in South African politics. His enforced silence has become more thunderous than the most impassioned speeches of political leaders.

Five weeks have gone by since the 77-year-old former chairman of the African National Congress was released from prison.

Apart from his brief appearance at a news conference, he has not been allowed to speak in public. Two public meetings at which he was to have spoken have been banned. As a listed communist he may not be quoted.

For 23 years he has been silent.

And yet indications are that had he been allowed to appear at public meetings he would have drawn audiences ranging from 50 000 to 100 000 people.

His public appeal would have been the envy of many a politician from President P W Botha down the line. Even at the height of white election campaigns, star political performers such as President Botha and Foreign Minister Pik Botha rarely draw more than 5000 people at their biggest meetings — and that after considerable publicity over SABC-TV and other media.

An application for permission to hold a Govan Mbeki rally at Athlone Stadium, Cape Town, tomorrow (Sunday) was refused this week by the Chief Magistrate of Wynberg, Mr W P Theron.

Police had expected a crowd of 100 000 to attend the rally, according to a security police affidavit submitted to the magistrate.

The Mbeki Reception Committee, which organised the rally, had expected a crowd of 50 000 to attend. A similar crowd was expected at a rally banned by police last week in Port Elizabeth after a local magistrate had given approval.

Since his release from Robben Island on November 5 Mr Mbeki was in the public limelight for only a few days.

At Port Elizabeth, where he appeared at a news conference, he was welcomed by a singing, dancing mass of people. His subsequent arrival at Jan Smuts Airport was marked by chaotic scenes, with hundreds of chanting supporters baton-charged by police and chased by police dogs.

After that Mr Mbeki seemed to disappear from the public scene and little became known of his movements.

Yet, in spite of his enforced silence and his retreat from the public gaze, he remained in the news in South Africa and abroad. His presence in South Africa — outside prison walls — has been a subject of constant speculation and controversy.

There were reports that he had left the Government in no doubt that he was back in political business — and that his views remained as determinedly communist as they were when he was jailed for plotting the downfall of the Government 23 years ago.

There was speculation that his release might be a "trial run" for the release of ANC leader Mr Nelson Mandela.

In black newspapers there was general jubilation over his release and that of some of his co-prisoners. The Sowetan hailed it as evidence of "a vast sea of goodwill in this country."

The Leader proclaimed it as an act of statesmanship on the part of President Botha.

At the time of Mr Mbeki's release the Minister of Justice, Mr Kobie Coetsee, gave an assurance that he would have freedom of movement and freedom of speech and that this would make it possible for him to take part in politics, subject to the laws of the country and the emergency regulations.

Subsequently, however, misgivings about events surrounding his release were expressed by the Minister of Law and Order, Mr Adriaan Vlok, and the chief of the security police, General J V van der Merwe.

General Van der Merwe said Mr Mbeki was being manipulated by the banned ANC and that the planned Port Elizabeth rally had been banned because it would add to the "revolutionary climate".

In Cape Town this week, Anglican Archbishop Desmond Tutu and members of the Mbeki Reception Committee condemned the moves to ban public rallies for welcoming Mr Mbeki.

Speaking at a news conference, Archbishop Tutu said: "Our people are hurt — deeply hurt — that they are unable to welcome a leader who has made so many sacrifices for them."

Archbishop Tutu said organisers of the proposed Cape Town rally had gone to "extraordinary lengths" in attempts to meet the objections of the authorities.

He was to have flown to Pretoria for an interview with Minister Vlok on the matter, but Archbishop Tutu cancelled the appointment when it became known that the rally had been banned.

Statements expressing shock and dismay at the banning were issued at the news conference by the United Democratic Front (UDF), the National Education Crisis Committee, the Congress of South African Trade Unions (Cosatu), and others.

The Chief Minister of KwaZulu, Chief Mangosuthu Buthelezi, has described Mr Mbeki's release as an event that could have "vast implications for South African politics."

Outrage, despondency at Mbeki banning

Cape Times 12/12/87 328

By ANTHONY JOHNSON
Political Correspondent

WIDESPREAD outrage and despondency greeted the effective banning of Mr Govan Mbeki under the emergency regulations, just one month since his "unconditional" release from Robben Island.

The 77-year-old ANC leader, who was released on November 5 after 23 years in jail, had a restriction order slapped on him yesterday silencing him and confining him to the Port Elizabeth magisterial district.

The Archbishop of Cape Town, the Most Reverend Desmond Tutu, said that by imposing "these outrageous restrictions" on Mr Mbeki the government was in effect choosing a path of violent confrontation.

Describing the restrictions as a "total sham", he said they "simply turn him into a prisoner who is his own jailer".

"His release was the most hopeful sign since the disastrous white elections in May this year that we just might have a chance of resolving the South African crisis peacefully," Archbishop Tutu said. "But now with the stroke of a police commissioner's pen, the government smashes our hope and makes our people more and more desperate," he said.

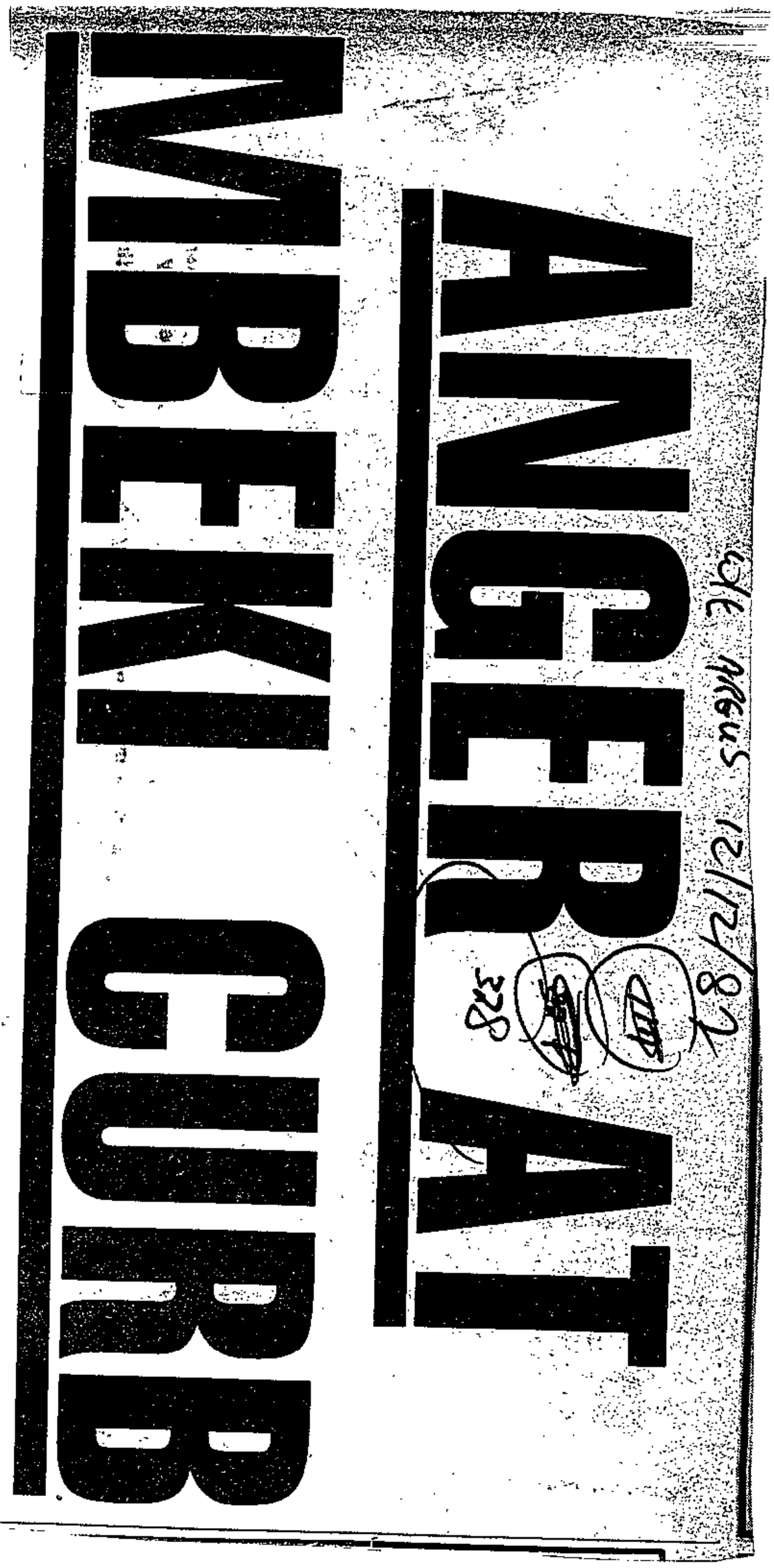
Mr Mbeki's lawyer, Ms Priscilla Jana, told a press conference in Johannesburg yesterday that the latest restrictions indicated that the government was "obviously embarrassed" that it could not continue its "usual stance" that Mr Mbeki and Mr Nelson Mandela do not have mass support.

She said he "is greatly disappointed and distressed, particularly because he was expressly informed that his release was unconditional."

Cosatu said imposing restrictions was like putting him "back in prison — it negates any good that may have been acheived by his release".

Issuing the order yesterday the Commissioner of Police, General Hennie de Witt, said Mr Mbeki had been restricted to Port Elizabeth without prior permission, and could not take part in any interview with a journalist or other representative of the media.

"This step became necessary to prevent promotion of the revolutionary climate," he said.



Weekend Argus Reporters and Sapa

A wave of anger and disappointment has followed Government restrictions on Mr Govan Mbeki, with accusations that they would intensify tension and frustration.

Mr Mbeki, former national chairman of the African National Congress, has been restricted to Port Elizabeth and prohibited from giving interviews to the Press. He was to have met leaders of more than 100 organisations in Cape Town tonight.

Mr Dullah Omar, president of the Democratic Lawyers' Organisation and Western Cape chairman of the United Democratic Front, said today Mr Mbeki had been given permission to travel to Cape Town for routine check-up with his doctor and optician. He will arrive tomorrow evening and return to Port Elizabeth on Monday or Tuesday.

"Naive"

His visit is conditional that he does not attend gatherings of more than 10 people.

Mr Omar said the Government was naive if it believed it could release Mr Mbeki from jail and then expect him to renounce everything he stood for.

Mr Mbeki's attorney, Mrs Priscilla Jana, condemned the restriction order as a "culmination of the outrageous and unfounded allegations" against Mr Mbeki and said it had negated his release.

She said she was preparing an application to have the restriction set aside.

The Archbishop of Cape Town, the Most Rev Desmond Tutu, said the Government had to be condemned.

"We were under no illusion that Mr Mbeki's release signified any intention by the Government to enter into true negotiations with black leaders, but his release did, nevertheless, offer us hope.

"Now the Government stops Mr Mbeki from being seen and heard. It is choosing a path of violent confrontation by acting in this way," he said.

"Undo the good"

The leader of the Progressive Federal Party, Mr Colin Eglin, called on the Government to lift the restriction as it "would undo the good that has been achieved by the decision to release Mr Mbeki after 23 years in jail and will undoubtedly add to tension and frustration," he said.

A mass rally to protest against the restriction order is planned for the Good Hope Centre on Monday.

The ANC's external mission in Lusaka condemned the restrictions.

"The action illustrates that Govan Mbeki has merely changed his address from Robben Island to the vast prison of South Africa. The Government is not prepared to allow the chosen leaders of the people to speak, giving the lie to claims that it was prepared for dialogue or negotiations," the statement said.

● Cabinet Ministers have so far been silent. Law and Order Minister Mr Adriaan Vlok said he had nothing to add to yesterday's statement by the Commissioner of Police, General Hennie de Witt, outlining the restrictions.

● Mbeki turned into his own jailer

● New Nation feels heat of Govt wrath

● Detainees: disturbing new trend emerges

CRACKDOWN!

SMA 5/12/87

388

A little horseplay that's sheer delight



MARK GLEESON, PAULA FRAY AND COLLEEN RYAN

In a show of muscle, the Government yesterday clamped down on anti-apartheid forces, placing a severe restriction order on African National Congress veteran Mr Govan Mbeki and banning an edition of the weekly newspaper *New Nation*.

The latest actions come a day after International Human Rights Day, marked worldwide by meetings and marches, and ends speculation about a pre-Christmas release of Nelson Mandela.

Restrictions were placed yesterday on today's funeral of activist Mr Bongani Dlamini (35), an executive member of the Kagiso Residents' Organisation. He was on bail after being charged with sedition and subversion, and died last week after being stabbed in a fight.

In other developments, political, human rights, church and trade union organisations renewed calls for a lifting of the state of emergency and the freeing of all detainees.

The government restrictions on Mr Mbeki (77) come just over a month after his release on November 5 and follow bannings of planned rallies at which he was to have spoken.

The order prohibits him from leaving Port Elizabeth or speaking to journalists. He may also not write anything for publication. The South African Police Commissioner, General Hennie de Witt, said the order was necessary "to prevent promotion of the

SATYR



Oh for the days of the British Umpire.

Thousands in stores strike

Workers in at least 143 Ellerine stores were out yesterday, joining the Commercial Catering and Allied Workers' Union of South Africa's wage strike.

A firm's spokesman said that of a workforce of 6 567, 2 444 were involved. The CCAWUSA said at least 5 000 in 180 stores were on strike. — Sapa.

Stakes hit all-time high at the Big T

Wo
CRA



Idy Joey Sanches enjoy in a
The all-day event, at the
aid of the twilight children.
Picture by Rebecca Hearfield.

executive member of the
ganisation. He was on bai
with sedition and subversic
after being stabbed in a figl

In other developments, p
church and trade union organi
a lifting of the state of emerge
detainees.

The government restrictions
just over a month after his re
and follow bannings of pl
was to have spoken.

The order prohibits him from leaving Port Elizabeth or speaking to journalists. He may also not write anything for publication. The South African Police Commissioner, General Hennie de Witt, said the order was necessary "to prevent promotion of the revolutionary climate".

Mr Mbeki had indicated that the ANC was leading him in his conduct and it was clear his presence at gatherings was being used to provide the ANC with a platform. This could not be allowed, he said.

General de Witt cited the Public Safety of 1953 in issuing the order.

Disappointed

Mr Mbeki's lawyer, Ms Priscilla Jana, said: "This is another deliberate attempt to suppress and stifle the true leadership of the majority of the people."

She said Mr Mbeki accepted the order quietly, but he was "greatly disappointed since he believed his release was totally unconditional".

The restrictions are:

- He may not leave the magisterial district of Port Elizabeth without the consent of the commissioner.
- He is prohibited from taking part in any interview with any person from the news media. The new order also prevents foreign journalists from quoting him.
- He may not help in compiling material to be used for publication.

Mr Colin Eglin, leader of the Progressive Federal Party, said: "The placing of such a restrictive order on Mr Mbeki will not only undo all the good that has been achieved by the Gov-

TO PAGE 2.

'Copter escape — then hijack

LONDON — Police found a 63-year-old man tied up in his car yesterday and said he had been hijacked at gunpoint by one of two prisoners who made a daring escape by helicopter from a maximum security jail on Thursday.

The escaping prisoner, who was with an accomplice, had left the man tied up with seat belts in the back seat of his car.

They escaped after jumping aboard the helicopter after its pilot had been forced at gunpoint to land in an area inside the prison walls where prisoners were exercising. — Reuter.

CAPE TIMES 14/12/87



SMILING ON ARRIVAL: Restricted ANC leader Mr Govan Mbeki is met at the airport by the Western Cape chairman of the United Democratic Front, Mr Dullah Omar. On the right is Mr Mbeki's attorney, Ms Priscilla Jana. Picture: GLENN SHERRATT

From Page 1

Mr Mbeki, who is 77 years old, looked healthy on his arrival last night, although he has come for a medical check-up at Groote Schuur Hospital, Mr Omar said.

Mr Mbeki was casually dressed in a loose-fitting beige lumber-jacket, and he wore a tweed hat. He was accompanied by his attorney, Mrs Priscilla Jana, and two other travelling companions.

It is understood that Mr Mbeki's eyes have been giving him trouble.

He may not be quoted, and is not allowed to speak to the press.

Nonetheless, a large press contingent and a hundred or more supporters were at the airport to greet him.

Security at the airport seemed exceptionally tight.

Excitement rose and cries rang out as the crowd caught sight of Mr Mbeki, and people behind the barrier rushed hither and thither as he fetched his luggage and then accompanied Mrs Jana to the car hire counter.

Mr Mbeki had been due to address an open-air rally in Athlone Stadium yesterday, but magisterial permission for it was refused after security police said they expected 100 000 people.

The Mbeki Reception Committee then planned an alternative indoor rally, but on Friday Mr Mbeki was served with the restricting order.

He may not address any rally.

The United Democratic Front's Western Cape Region said on Friday that the Good Hope Centre event would go ahead as a "protest rally" against the restrictions.

Speakers at the rally will include Archbishop Desmond Tutu, Mrs Albertina Sisulu, Mr Aubrey Mokoena, who is national co-ordinator of the Release Mandela Campaign and Mr Jay Naidoo, the general secretary of the Congress of South African Trade Unions.

The Mbeki Reception Committee said it was not surprised at Mr Mbeki's restriction, which "emphasises Mr Mbeki's position in the broader community".

The UDF said that in the interests of public order and peace, "the police should stay away from our functions".

"We are quite capable of looking after the interests of our constituents in a disciplined fashion," the UDF said.

Archbishop Desmond Tutu said yesterday that the restrictions on Mr Mbeki reflected the government's desire to suppress the truth.

"When the government goes to such lengths to manipulate white public opinion with the aim of keeping itself in power, then the Church must say that evil is rampant in our land," he said.

Mbeki arrives in city

BY PETER DENNEHY

RELEASED African National Congress leader Mr Govan Mbeki, who was restricted to Port Elizabeth on Friday, flew into Cape Town at 9.45pm last night.

A massive rally in his honour and in protest against his restrictions is being planned from 7pm at the Good Hope Centre tonight.

Mr Mbeki has been prevented by police order from attending the rally, according to Mr Dullah Omar, Western Cape chairman of the United Democratic Front.

Mr Mbeki is not breaking his restriction order by coming to Cape Town as permission for the trip was granted on Saturday by the Commissioner of Police, General H G de Wet — who issued the order on Friday restricting Mr Mbeki to the Port Elizabeth magisterial district.

Picture — Page 4

From Page 1

Mbeki lawyer to challenge restriction

Staff Reporter

THE attorney of freed African National Congress leader Mr Govan Mbeki is preparing papers to challenge the restriction order slapped on Mr Mbeki five days ago.

At a press conference yesterday Ms Priscilla Jana said Mr Mbeki would challenge in court the restriction order, which confined him to the Port Elizabeth magisterial district.

Ms Jana said she was preparing papers which she planned to file next week.

She said that should Mr Mbeki have been allowed to address a rally in Cape Town he would have objected to the restrictions.

"If Comrade Mbeki had attended the rally and the rally had continued, he would have, in all probability, made the following speech," Ms Jana said.

Seated between the vice-president of the United Democratic Front for the Western Cape, Mr Joe Marks, and Mr Mbeki's lawyer in the Eastern Cape, Mr T Majodina, Ms Jana then read from a typed text.

The Cape Times is not publishing the words because Mr Mbeki is not allowed to speak to the press and may not be quoted.

He was granted permission on Saturday, by the Commissioner of Police, General H G de Witt, to travel to Cape Town for a routine medical check-up at Groote Schuur Hospital.

Mr Mbeki was however, not allowed to attend any rallies.

A rally, planned in Mr Mbeki's honour and in protest against his restriction, was to have taken place at the Good Hope Centre on Monday night at 7pm but was banned hours before it was due to start.

Other receptions organized by the Mbeki Reception Committee were also banned on Monday night in six Western Cape magisterial districts until December 31.

UDF spokesman Mr Dullah Omar criticized police for declaring a later gathering at Community House, Salt River, illegal, and ordering people to board buses or trains and return home.

Mr Omar said several buses and combis containing people from up country, who had been on their way to the rally, had been diverted to Community House where they were to be fed before returning home.

CAPE TIMES

ecember 17, 1987

Mbeki: SA 'has blown it'

LAGOS. — South Africa had "blown it" by clamping restrictions on Mr Govan Mbeki, the United States Assistant Secretary of State, Dr Chester Crocker, said yesterday.

"If the South African government was seeking to create a political opening, they seem to have blown it," Mr Crocker said.

He said Mr Mbeki's release could have improved the dialogue between the government and its opponents and led to the release of Mr Nelson Mandela. — Sapa-Reuter

Govt interference in the media angers journalists

The Star Bureau

BONN — Two cases of political interference in West German television news programmes over the East-West missiles accord have sparked controversy in Bonn and underlined the subtle influence over the media exerted by the West German government.

A government declaration by Chancellor Helmut Kohl on the arms deal during peak-time television news last week was branded by the opposition Social Democratic Party (SPD) as an East German-style example of political harnessing of the media.

The affair followed the last-minute substitution on Monday night of a top television journalist due to interview Mr Franz Josef Strauss, leader of the conservative Bavarian Christian Social Union, on ZDF, the second German national television channel.

The interviewer was to have been Mr Klaus Bresser, who is due to take over next April as editor-in-chief of ZDF. He was replaced after Mr Strauss took issue with comments made by Mr Bresser over journalistic passivity towards politicians and the CSU in particular.

The two examples highlight how news editors on both the national channels, the ARD and ZDF, have become progressively less ready to stand up to political pressure.

There is general agreement that interference has increased since Mr Kohl came to power in 1982.

Journalists interviewing leading politicians on television are often embarrassingly obsequious and reporting of political events often consists of little more than camera shots of Mercedes limousines carrying coalition chiefs to the Chancellor's office.

Mr Bresser took aim at these deficiencies in a long magazine article this month. His criticism of two right-wing journalists at the Bavarian Broadcasting Service, whom he accused of helping to "destroy television", has drawn particular fire from the CSU.

Mr Bresser hit out above all at the frequent practice of filling broadcasting time with empty statements from politicians. Of journalists' uncriticial interviews with people like Mr Strauss he said: "The deeper one bends, the better one can be kicked."

This sparked an angry reaction from Mr Friedrich Zimmermann, the CSU Interior Minister, preventing Mr Bresser taking part in Monday's programme.

Friday, December 18 1987

Weekly Mail faces govt action

PATRICK BULGER

GOVERNMENT has notified a seventh publication — the Weekly Mail (WM) — that it is considering issuing it a warning under the media regulations.

WM co-editor Anton Harber said yesterday the newspaper had received a letter from Home Affairs Minister Stoffel Botha.

The WM is the seventh publication to be so notified. The others are the New Nation, South, Work in Progress, Die Stem, the Sowetan and Cosatu News.

Harber said Botha had perused six editions of the newspaper and found 15 articles, pictures and advertisements undesirable. They fell into two categories: promoting the aims of banned organisations and fomenting hatred towards the security forces.

The offending pieces included two Release Mandela Campaign advertisements, a photograph of people celebrating ANC leader Oliver Tambo's birthday, several reports on Govan Mbeki, a report on a speech about the war in Angola and a report on security force action against the Soweto rent boycott.

Mbeki 'abused' his freedom

18/12/87 358

Recent restrictions imposed on former African National Congress chairman Mr Govan Mbeki were a consequence of certain people using him for their own political purposes, Deputy Minister of Information and of Constitutional planning Dr Stoffel van der Merwe said on the television programme, Network, last night.

Dr van der Merwe said Mr Mbeki was released unconditionally to give him as much freedom as possible, but Mr Mbeki and his friends had abused this freedom. He added that the state of emergency was inextricably linked to the reform process. — Sapa.

328 B/day 21/12/8

A year of opressive pressure on the Press

LINDA ENSOR

WHEN 1987 dawned it appeared that the dark clouds threatening the Press in SA had already burst, with only officially-sanctioned news being allowed to break into the grey light of day.

Few realised that worse was to come and that by the end of 1987 the fragile independence of the Press would have been torn to shreds by a ferocious State which gnawed at it like a relentless dog.

But although recourse to the courts ultimately proved fruitless in most cases, and although the Press had to comply with the intricate web of emergency regulations imposed upon it, it was not cowed into final submission and resisted State attempts to have it exercise self-censorship.

In February, newspaper editors rejected State President P W Botha's offer to lift curbs on the Press if it agreed to adopt government guidelines for reporting. This rejection led to Botha cancelling his meeting with the Newspaper Press Union (NPU) scheduled for February 13.

It was understood that Botha had proposed that the Media Council take an active part in disciplining the media in terms of the emergency regulations and had asked the NPU to come up with proposals. Proposals to change the scope and operations of the Media Council were defeated on May 29.

Harassment

In Parliament on July 17, Botha lashed the Press and the alternative media for negative reporting and for telling "deliberate miserable lies" about SA and warned of action if the media did not put its house in order.

Aware of the fact that only "acceptable" news could be published, some newspapers carried notices in each issue alerting readers that the newspaper had been produced under conditions of censorship.

But it was not only the freedom of the Press which was beleagured. Individual journalists, too, faced harassment and detention, and the year closed as it opened with Zwelakhe Sisulu, Editor of New Nation, still behind bars.

It also closed with the Sword of Damocles about to drop on seven newspapers which had received warnings in terms of regulations published on August 28.

South, Sowetan, Cosatu News, the left-wing journal Work in Progress, the left-wing Weekly Mail and the right-wing Die Stem had been notified that Minister of Home Affairs Stoffel Botha was considering publishing a warning in the Goverment Gazette. In the case of New Nation, this warning was Gazetted on November 27.

These warnings were the first steps towards the closure of newspapers for three months. The regulations of August 28 also provided for the appointment of censors.

The day before they were published, Stoffel Botha said in Parliament that certain elements of the media were "assisting the enemy" and government would not allow the furthering of revolution to go unchecked. He laid stress on the need to control the "alternative media".

In terms of the regulations, Stoffel Botha was given sweeping new powers to decide on what promoted revolution. On September 2 he set up a new Directorate of Media Relations, consisting of an anonymous panel of media watchdogs to implement the regulations. The same day he met newspaper editors to explain the operation of the new system.

The August regulations gave the State added muscle, though this was already strengthened by regulations promulgated on June 11 with the intention of nullifying battles won in the courts during the year. The June regulations refined definitions and prohibited debates on campaigns involving stayaways, consumer boycotts and rent boycotts.

In particular, the June regulations included the curbs on Press and television coverage of unrest and security actions which were promulgated in the State President's emergency proclamation of December 11, 1986.

In doing so they overturned an historic ruling by the Natal Supreme Court on April 24, which declared null and void the prohibition on news coverage of security actions, deployment of security forces and news of restricted gatherings.

A more audacious example of rule by decree rather than by law was the promulgation on January 29 of new censorship provisions, a mere few hours after the Rand Supreme Court had declared them invalid.

New category

South African Associated Newspapers (now Times Media) and Argus had applied to the court to have the regulations published on January 8 declared invalid.

The regulations prohibited debate on unlawful organisations such as the African National Congress (ANC) and were delivered by the police to a number of newspapers at midnight on January 8, after publication that day of advertisements calling for the unbanning of the ANC.

The court application was successful, but on the night of January 29 the Commissioner of Police was given the power to prohibit — in the interests of public safety, the maintenance of public order or the termination of the state of emergency — the publication of "any matter".

A new category of "subversive" statements was introduced and the publication of advertisements in connection with any unlawful organisation prohibited.

If in most cases the courts were overruled, there was one spectacular case where they did successfully act as a bulwark against arbitary action by the State.

On March 10, in the Rand Supreme Court, Mr Justice O'Donovan granted an interim interdict restraining the police from seizing any editions of The Star in an attempt to prevent it from publishing an advertisement placed by the Detainees' Parents Support Committee (DPSC). The judge also declared that the advertisement did not contravene emergency regulations.

Apart from the emergency regulations, the Publications Control Act was used to ban issues of the New Nation and South, but in six cases these bans were lifted on appeal to the Publications Appeal Board.

The passports of several journalists were withdrawn or applications refused and two foreign correspondents were refused visas.

Several journalists were also subpoenaed in terms of Section 205 of the Criminal Procedures Act to appear in court to reveal the sources of their information while the Police Act was at the disposal of the State.

Fifteen journalists, photographers and television crewmen were arrested on July 21 at Jan Smuts Airport when participants in the Dakar meeting with the ANC were due to return home. The charges were subsequently withdrawn.

In a year in which the Press experienced an unprecedented onslaught by the State, the values of Press freedom were reaffirmed at The Star's centennial conference on "Conflict and the Press," which began on October 7.

Leading newspapermen and women from around the world spoke at the conference held in Johannesburg.

Nevertheless, an air of gloom and trepidation greets the coming of the New Year and the new attacks it might bring against the Press in SA.

'Wide network' monitors media

A "wide network" of government departments and officials were involved in the task of monitoring publications under the new media regulations, Media Relations director Andries Engelbrecht said yesterday.

His directorate, set up in terms of the regulations, was responsible for the gazetted notices of warning to four publications so far which threatened them with censorship or suspension if they did not change their editorial line. The four publications are New Nation, South, Work in Progress and Die Stem.

Engelbrecht said his directorate was simply the final point in the sifting process, which covered the vast majority of serious publications in the country "in one way or another".

ROGER SMITH

He would not disclose how many officials were engaged in the task, saying the number changed from day-to-day and from week-to-week.

Officials were pulled in from different departments depending on the amount of "subversive" literature to be dealt with.

Engelbrecht replied to criticism of the justifications stated in letters of warning to certain publications by referring to

B/day 23/12/87

To Page 2

328

'Wide network' monitors media

From Page 1

the regulations.

B/day 23/12/87

328

He did not reply directly to criticisms voiced by threatened publications such as New Nation and The Weekly Mail that material referred to in justification for the warnings had appeared elsewhere in the national Press, had been authorised or highlighted by government itself, or that pro-government publications had carried reports on banned organisations such as the ANC without being warned.

Englebrecht said: "If you read the regulations it will become clear to you — particularly if you read Section 7A."

The regulations did not concern single items published — "a series must be considered".

Section 7A of the regulations states the Minister may issue a warning if he is of the opinion, "solely on examination of any series of issues of a periodical — (a) that there is in that periodical a systematic or repeated publishing of matter, or a systematic and repeated publishing of matter in a way, which, in his opinion, has or is calculated to have (certain effects)".

Threatened papers get wide support

Political Reporter

Messages of support appear today in the *Weekly Mail* and the *New Nation* in the face of threats by the Government to close them down or impose pre-publication censorship.

In today's edition of the *Weekly Mail* 27 messages are featured from prominent editors and media associations.

Four "alternative" publications — the *New Nation*, *South*, *Work in Progress* and *Die Stem* — have been warned in the Government Gazette that they have fallen foul of the emergency regulations. The *Sowetan* and *Weekly Mail* have had written warnings.

Offering support are overseas organisations such as the American Society of Newspaper Editors, and local figures including the Editor of The Star, Mr Harvey Tyson, and the Editor of the Sunday Times, Mr Tertius Myburgh.