

# George Matanzima given jail sentence

**Daily News Correspondent**

UMTATA: Former Transkei Prime Minister George Matanzima was yesterday convicted on three counts of bribery, involving a total of R750 000, and sentenced to imprisonment for nine years.

Mr Sydney Qaba, who served as Chief Matanzima's Minister of Finance before he was overthrown in a bloodless coup in 1987, was convicted on three counts of bribery involving a total of R120 000.

He was sentenced to jail for four years.

The two men were described by counsel for the State, Mr L.J. Roberts, as the highest ranking men in public life to be convicted and sentenced to jail for bribery in Southern Africa.

Leave to appeal against sentence was granted and bail was extended pending appeal — meaning that neither man went to prison yesterday.

Their conviction related to

their acceptance of bribes from the now defunct construction company, Koen Executive Constructors (KEC) and, in the case of Chief George, acceptance of a 10 percent share in another company, Builders and Developers.

The R2 million bribe which Chief Matanzima was found by the Alexander and Harms commissions to have accepted from the casino mogul, Mr Sol Kezner, and the Cape Town-based businessman, Mr David Bloomberg, was not material to the case.

The trial was heard in the Transkei Supreme Court by Mr Chief Justice Beck.

He described the events leading to the indictment and conviction of the two men as a "very painful affair".

He suspended half of the jail

sentences for three years on condition that neither man committed the same offence.

Striving to temper justice with mercy, he took account that the two men were — in the words of defence counsel, Mr De Waal Lubbe — "in the afternoon of their lives" and that both had health problems.

Chief Matanzima is 71.

The defence led medical evidence that he had only one kidney, suffered from hypertension and had heart problems.

Mr Qaba is 68. Evidence was heard that he had a stroke in 1985, was plagued by hypertension and required constant medical care.

Mr Justice Beck granted leave to appeal against sentence, saying another court might decide not to impose jail sentences.

He refused leave to appeal against conviction.

Judgment was delivered before a packed court.

Neither the conviction, nor the sentence, or even the application for leave to appeal evoked quite the same tension as the application for bail to be extended pending appeal.

The men's immediate fate turned on that decision: whether they would leave the court room immediately for — as the Umtata district surgeon, Dr A.T. Mtimkhulu, described them in his evidence — Transkei's badly congested jails; or whether they could leave with a jail sentence hanging over their heads.

A deep hush descended over the court as the judge pondered arguments for and against extending bail by counsel for the defence and the State.

Mr Justice Beck decided in favour of granting bail pending the appeal but raised the amount to R10 000, from R5 000 for Chief Matanzima and R1 000 for Mr Qaba. Chief Matanzima was restricted, as before, to his home.



# UK report says top Nats oppose PW's Mandela stand

LONDON: Senior National Party members opposed to President P.W. Botha's stand on Nelson Mandela have been making strong efforts to let their frustration be felt in the United Kingdom, according to a report published here today.

The Times's diplomatic correspondent, Andrew McEwan, writes that some senior men in Government had been in favour of releasing Mandela last month, seizing the opportunity created by the disavowal of Mrs Winnie Mandela by much of the black community.

"It is thought that President Botha blocked the move, insisting that

## Foreign Service

the Government's long-standing demand that Mandela renounce the use of violence could not be abandoned," says McEwan.

He added that senior members of the party were anxious that Britons, and particularly Mrs Thatcher, might think President Botha's illness was being used as another excuse for delaying Mandela's release.

"That was one reason Mr R.F. 'Pik' Botha, the Foreign Minister, visited Mrs Thatcher last week. He convinced her that Mr Botha's successors would accelerate the

pace of reform as soon as they could.

"Following in his footsteps, Mr Con Botha, a National Party MP and its chief spokesman, spent three days in Britain this week explaining the dilemma of senior party members."

McEwan also quotes a "senior source" on the party's constitutional thinking: "He said that one idea under discussion was a constitutional system which would have parallels with the composition of the United Nations Security Council. Each of South Africa's 14 main ethnic groups would be represented, but the largest and most powerful would wield some form of veto.

"He identified the Zulus, the Xhosas, and the whites as those who would have power of veto. Other large groups, such as the mixed-race coloureds and the Indians would have voting powers but no veto."

Major newspapers today also focussed on the possibility of an October election which would mark the end of President Botha's reign.

16/11



# Nation Building move praised

SIR — I enclose the following item which, if you want to use, you may use as an article or a letter. Keep up the good work.

I applaud Sam Mabe's article (*Sowetan*, February 22, 1989) in which he clarifies his quest for Nation Building.

Perhaps he could, in the future, address an aspect of both Nation Building and the struggle for democracy that frustrates me. He says that the ultimate goal in the liberation struggle is the removal of white minority rule and replacing it with a democratically elected majority government.

Presumably he has in mind a system in which there are majority decisions regarding social and economic policies. In any meaningful sense of the word "democracy," the majority could vote for any of the three fundamental socio-economic alternatives: communism, fascism and individual freedom (free markets).

## Status quo

And yet, he implies that a part of Nation Building is destroying "the capitalist system." If "the capitalist system" to which he refers is the status quo, then, clearly, Nation Building and finding a solution requires its destruction.

But, does Sam Mabe include individual freedom (true free markets), which South Africa does not have, in his definition of capitalism? Or would he consider South Africa to have been liberated and democratised if the majority votes for free markets?

A growing number of people in the

world today would hold that the opportunities for Nation Building would be greater in direct proportion to the degree in which there is more of a free market.

Under conditions of pure socialism — total government ownership and control of all human and non-human resources — nation building would presumably be impossible.

Mr Mabe believes that trade unions should work themselves towards running their industries in which they are members. This is a laudable objective. It happens to be possible in any meaningful sense only in a free market with worker-ownership and control.

## Revolution

The move towards employee empowerment through numerous types of worker-ownership schemes, ranging from co-operatives to Soviet style "lease agreements," and from Employee Stock Option Plans (Esops) to management buy-outs, has been encouraged by, and is part of, a global free market revolution affecting all countries, including the "communist" countries.

LEON LOUW

Johannesburg



**LETTERS  
TO THE  
EDITOR**

PO Box 6663,  
Johannesburg  
2000



## Cases of permanent damage reported

# Anger over delay in skin cream ban

The STAR. 23/3/89.

By Toni Younghusband, Medical Reporter

Studies conducted in the PWV area have shown that between 30 and 40 percent of black women using skin lightening creams have permanent skin damage.

Dr Marius Barnard, the PFP spokesman on health, said in Cape Town yesterday there was growing bewilderment and anger in medical and pharmaceutical circles at the Minister of Health's apparent reluctance to immediately ban skin lightening agents. Dr Barnard said had the

creams been affecting white women, they would have been banned years ago.

Surveys conducted by doctors in Johannesburg and Pretoria estimate that up to 42 percent of women suffer permanent damage.

The creams contain a harmful substance called "hydroquinone" which, if used long enough, actually darkens the skin. The skin becomes coarse, with small raised bumps which eventually join together to form larger raised areas. These changes are permanent and irreversible.

In a recent newspaper interview, one manufacturer said all evidence of the dam-

aging effects of skin lighteners was from cases prior to 1983 when the amount of hydroquinone was cut from around five percent to two percent.

However, a Pretoria University dermatologist says in the latest edition of the *British Journal of Dermatology* that 46 percent of women using the low dosage creams show skin damage.

The skin-lightening industry is believed to be worth about R80 million a year.

### Dermatologist

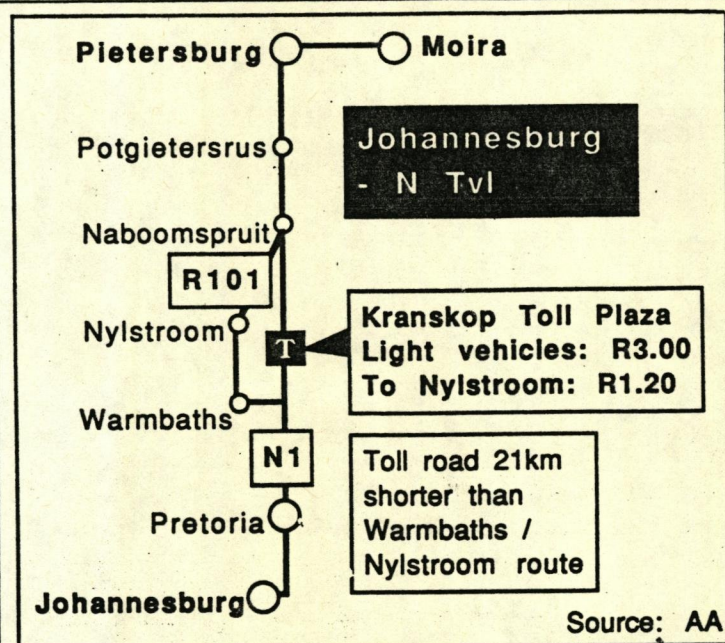
A Johannesburg dermatologist said a study she conducted at the Hillbrow Hospital in the gynaecological outpatients department showed that 28 of 100 women examined had skin damage as a result of these creams.

The doctor, who may not be named, pointed out that the study was done on a random sample of patients.

Dr Nick Hardwick, formerly of the University of Pretoria and now living in London, found in a recent survey that 35 percent of all black people examined at the outpatients department of a Pretoria hospital showed signs of hydroquinone damage.

Of 142 women examined, 60 had damaged skin. Of the men examined, 15 percent showed signs of permanent damage.

Consumer organisations and the medical and pharmaceutical professions have made repeated calls on Dr Willie van Niekerk to ban the creams. They were to have been banned on July 1 this year but Dr van Niekerk announced he would grant manufacturers a "three-year phasing-out period".



## TPA and Sabta co-operate to reduce Easter death toll

The Transvaal Provincial Administration and Southern African Black Taxi Association have agreed to co-operate to reduce the number of road accidents over the Easter weekend.

The member of the executive committee of the administration in charge of road traffic, Mr A E Arbee, said a meeting was held today with Sabta to try to promote road safety and co-ordinate efforts aimed at reducing road fatalities.

He said the campaign would continue after Easter.

One of the TPA's safety measures this year would be the use of a fixed-wing plane to patrol the busiest and most dangerous sections of highways.

The N1 to the north, which will be used by thousands of Zionists travelling to their annual meeting at Moria, would be accorded first priority.

An emergency vehicle would be stationed at the Piensaarsrivier off-ramp to handle emergency cases. In the towns of Naboomspruit and Potgietersrus the road would be altered to accommodate three northward lanes at the start of the weekend and three southward lanes at the end of the weekend to ensure a faster traffic flow.

The TPA has also advised motorists travelling to the Kruger National Park to use the old route via Bambi. — Sapa.



Daily News - 23 March 1989

## Zulu royal family split is looming over 'sick' prince

## No talks within Parliamentary system: Buthelezi

Daily News Reporter

Daily News Reporter

ULUNDI: A split is looming in the Zulu royal family following a letter from the senior prince, Prince Isaac Mcwayizeni Zulu, to the KwaZulu Legislative Assembly that he wished to be replaced as the King's representative in the KLA because he was not well.

Prince Israel, a former King Regent, has even sought legal advice to establish whether the KLA could legally force him to attend House matters.

The split — between the King of the Zulus, King Goodwill, and his uncle, Prince Israel — appears to have reached breaking point as even the KwaZulu Chief Minister, Dr Mangosuthu Buthelezi, has washed his hands of trying to reconcile them.

It has heightened to such an extent that Prince Israel has vowed not to enter any of King Goodwill's residences.

At the centre of the split is Prince Israel's sympathies with the United Democratic Front and his secret liaison with the organisation's patron.

Announcing receipt of Prince Israel's letter to the Assembly yesterday, Dr Buthelezi described his illness as "diplomatic illness."

He told the House that apart from the letter to the KLA, he had previously received another letter from Prince Israel in which he complained of matters the king had raised with him.

Dr Buthelezi's advice to him was that the family resolve the matter.

ULUNDI: The KwaZulu Government would only negotiate with the South African Government outside the framework of the present Parliamentary system, Dr Mangosuthu Buthelezi said here yesterday.

The KwaZulu leader told the first session of the fifth KwaZulu Legislative Assembly that nothing could change his abhorrence of the present constitution.

He said this in reply to a letter from the Rev Allan Hendrickse, leader of the Labour Party, asking him to comment "on the Second Amendment Bill No. W16 — 88 which would provide for the appointment of a black Cabinet Minister.

"Do we," wrote Mr Hendrickse last month, "the Labour Party reject or support the Bill?"

Dr Buthelezi said he would have nothing to do with the Black Advisory Council the State President had attempted to set up before introducing the Tricameral Parliamentary system.

"We are interested only in negotiating outside its framework, and any negotiations we may enter into must be those in which there are clearly stated intentions to scrap the present Parliamentary system," he said.

The Population Registration and Group Areas Acts would continue to be divisive as long as they existed.

The Government must realise it was running out of time to prepare the electorate for the new mandate it would have to be looking for if there was to be any hope at all.



MANIFESTO COMMITS PARTY TO NON-RACIAL FRANCHISE

DAILY NEWS — 23 MARCH 1989

# Democrats will back civil rights

**Bruce Cameron**

Political Correspondent

CAPE TOWN: Agreement has been reached by the PFP, Independent Party and National Democratic Movement on basic principles and policy for the embryonic Democratic Party.

A final draft policy is being circulated among senior members of all three parties and will be submitted to the founding congress of the party in Johannesburg on April 8.

The policy, just released for the first time, is similar in most parts to current PFP policy based on a non-racial general franchise within a proportional representation system.

The draft commits the new moderate party to a free enterprise economic system, a major improvement of socio-economic conditions and the protection of civil liberties by a Bill of Rights protected by an independent judiciary.

The policy given in general terms is aimed at achieving maximum influence of minority groups to achieve consensus in government decisions.

For the first time in national politics a multiple vote system is mooted for the election of executives at all levels of government to give minorities a greater say.

The parties appear to have drawn on the Natal/KwaZulu Indaba proposals to propose constitutional recognition of cultural, religious and linguistic diversity.

A Bill of Rights upheld by an independent judiciary also forms a key part of the proposals to protect individual rights.

The parties have decided that the Democratic Party should work in both the Parliamentary and extra-parliamentary spheres and do everything to promote negotiations.

**INSIGHT: Page 9**

## State and KwaZulu discussion continues

Political  
Correspondent

CAPE TOWN: The top-level Government and KwaZulu committee appointed to investigate differences between the two started firm negotiations in Durban today.

The two delegations met for the first time on March 2 in Cape Town at which the parameters of discussions were agreed.

Today's meeting is the first of two scheduled meetings to resolve objections to real negotiations.

The formation of the committee was agreed to by Minister of Constitutional Development, Mr Chris Heunis, and KwaZulu Chief Minister, Dr

Mangosuthu Buthelezi, in January.

Today's meeting will be chaired by Natal National party leader, Mr Stoffel Botha and the next meeting on April 13 by Dr Oscar Dlomo, Secretary-General of Inkatha.

Other members of the South African delegation are Mr Roelf Meyer, deputy Minister of Constitutional Development, Dr Ich Rautenbach of the Rand Afrikaans University and Mr S. van der Merwe, a constitutional advisor.

Other members of the KwaZulu delegation are KwaZulu Minister, Dr Frank Mdalalose and Mr Roley Arenstein, legal advisor.



DAILY NEWS 23/2/87  
**Black-on-white violence**

SIR — Dr Mangosuthu Buthelezi's call for the end to black-on-black violence is praiseworthy (The Daily News March 9). However, he should also have addressed the current wave of black-on-white violence.

It is incumbent upon black leaders to teach their people that whites regard the right to life and property as inviolable. We resent having to turn our homes into fortresses to protect us against the people whose leaders are calling on us to "join hands".

The Loony Left will no doubt blame it all on apartheid, but the fact remains that, all over Africa "life is cheap" and theft of another's possessions part and parcel of the rules of the game.

Dr Buthelezi is in a prime position to lead his people out of this "African syndrome" to embrace First World values of life and property. Until this is seen to be done, whites will respond to Dr Buthelezi's "noble objectives" with a certain amount of scepticism.

FAIR IS FAIR, Durban



# Massacre commemorations meet mixed local reaction

by Lakela Kaunda

LOCAL leaders have reacted to the commemoration of the 29th anniversary of the Sharpeville killings and fourth anniversary of Uitenhage with mixed feelings.

Commemoration services were held throughout the country to mark the anniversary of the Sharpeville massacre where 69 people protesting the compas were killed on March 21, 1960. Twenty-nine people returning from a funeral in Langa and kwaNobuhle townships in Uitenhage were gunned down by police on March 21, 1985.

Local children went to school but left early. Not a single child arrived at Amakholwa High School. At Mehloka-zulu High School, children in Imbali were seen dancing the "toyi-toyi" on the streets on Tuesday morning. Some groups went to other schools to force others out of classes.

Buses and kombis were operating although some Ashdown kombis dropped passengers at Edendale hospital saying they feared their kombis would be stoned.

Imbali councillor and Inkatha member Mr Abdul Aweta said he was angry to see primary school children in the streets on Tuesday morning.

"Local children have nothing to do with Sharpeville. Since when has it been in our culture to say 'I am not going to work or school today because it is the anniversary of so-and-so's death.' It is bizarre."

Asked about the Shaka Day holiday, he said it was different because it was official. "If children want March 21 to be an official holiday they must ask."

"We parents pay for these children's education and we want to see them educated. We know that some parents are behind this action. We as councillors try to call their children to order, but they swear at us saying we are beating their children," he said.

Edendale Crisis Committee and Unit 18 Liaison Committee chairman Mr Gcina Mfeka said Mr Awetha's remarks showed he was not a politician.

"It is very insensitive for him to say locals have nothing to do with Sharpeville. Every South African is involved in this. If he says children should ask for March 21 to be a holiday, then as a leader who is worried about this, he should approach the government and ask for March 21 to be an official Heroes Day."

Mr Mfeka said he regarded both days as days of prayer. "I also do not like to see people in the streets fighting or drinking. They should be calm and treat days like

March 21 and June 16 as days for praying that such incidents do not happen again."

There was no official stayaway on Tuesday and the majority of workers went to work.

Sharpeville residents went to clean graves of those killed in 1960 and laid wreaths.



# Attacks on police: long jail terms for 4 ANC men

**By Ilse de Lange**  
FOUR members of the banned African National Congress were jailed by a Pretoria Regional Court yesterday. Two of the men received sentences of 16 years imprisonment, each, while the other two received terms of 18 years and 10 years respectively. A fifth accused, a Ma-

melodi shebeen owner who actively supported the organisation, was jailed for an effective five years.

Pretoria Regional Magistrate, Mr W F Fourie, sentenced Samuel Mokhubela (30) and Thekiso Aaron Mogoerane (31) — both ANC members who received military training in Angola — to an effective 15 years' imprisonment each on two charges of terrorism.

Conrad Lekhumbi (29), an ANC member who received his military training in Swaziland, was effectively sentenced to 16 years' imprisonment; and Sello Stevens Khota (34), who was recruited and trained by the ANC in Mamelodi, to an effective 10 years' imprisonment on two charges of terrorism.

Mamelodi shebeen owner, Mothsele Edwin Makwela (35), whose house was used as a base by ANC supporters and members, was sentenced to an effective five years' imprisonment. The court found that he had at all times actively supported the banned organisation.

Sentencing the accused, Mr Fourie said he could barely find words to describe the seriousness of attacks on the Mamelodi houses of two policemen in which Mokhubela, Mogoerane and Khota were directly involved.

Although Lekhumbi was not physically involved in the attacks — in which several people were injured, including children — it was clear that he had planned, initiated and supplied arms for both attacks.

The fact that no-one died during these attacks could not be attributed to the accused, Mr Fourie said. He added that it was quite clear from the attacks — in which hand-grenades and AK47 as-

sault rifles were used — that the intent had been to kill.

The court found that Mokhubela had left and re-entered South Africa after receiving military training with the order to form ANC units in the country.

Mogoerane, whose brother David was an ANC member executed on a charge of murder in 1983, was actively involved in the recruitment of new ANC members to be trained outside the country.

He recruited four persons in September, 1987 — two of whom were arrested near the Swaziland border. He was arrested with the two others on September 16, 1987 before they could leave the country.

Lekhumbi had formed ANC units in South Africa with the help of one Joe Sithole — who is still being sought by police. He brought terrorist arms into the country, and actively recruited new ANC members for training.

Makwela had supplied a "safe house" for ANC members, and terrorist arms were also stored at his house. New members were recruited for the banned organisation and trained at his house.

Mr J L Oberholzer appeared for the state and Mr B du Plessis and Mr M Traub for the defence.



# DP row breaks out over Malan's links with ANC

By Brian Stuart

CAPE TOWN. — A row has broken out within the proposed Democratic Party over contact between Mr Wynand Malan's National Democratic Movement and the African National Congress.

Some Progressive Federal Party MPs have indicated they may oppose the political merger when the party holds its winding-up congress in Johannesburg on April 7, the day before the founding congress of the new Democratic Party.

Dr Zach de Beer, PFP leader, said yesterday the row had been "blown out of all proportion" and if dealt with calmly and quietly the issues would be resolved. He did not expect "casualties" when the DP was formed.

The conflict concerns the continued opposition by the ANC and the United Democratic Front (UDF) to Coloured and Indian participation in the "system" and their calls for a boycott of the House of Representatives (Coloured) and the House of Delegates (Indian).

The PFP has already accepted in principle that it should play a role in all

three Houses. It has two members in the House of Delegates — Mr Pat Poovalingam, MP for Reservoir Hills, and Mr Mahmoud Rajab, MP for Springfield.

However, Mr Wynand Malan, NDM leader, wants the Democratic Party to stay out of the other two Houses, while allowing the two Indian PFP members to continue in the House of Delegates.

There are accusations within the PFP that Mr Malan's attitude is close to that of the ANC and UDF and is influenced by them.

Other NDM members of Parliament are Mr Peter Gastrow, MP for Durban Central, and Mr Pierre Cronje, MP for Greytown. Both were former members of the PFP who joined the NDM after the PFP caucus censured them for participating in the Dakar talks with the ANC in 1987.

Differences between the PFP and the NDM over contact with the ANC have been simmering since then, while the NDM has gone ahead with other meetings with ANC leaders both in Africa and Europe.

Mr Poovalingam said if Mr Malan and other NDM members believed it improper to participate

in Parliamentary politics, they should resign their seats.

In a letter dated March 15, to Mr Malan and Mr Gastrow, Mr Poovalingam said that any person who sat in the House of Assembly (White) but objected to others sitting in the House of Representatives or House of Delegates was "either a racist or a hypocrite".

"I would not be here (Parliament) if I thought it were improper. Nevertheless, if you intend to do that which is logical in the light of your attitude — or in obedience to the ANC/UDF attitude — and tender your resignations from Parliament, I would be prepared to join

you."

Mr Poovalingam said he had told the steering committee of the proposed Democratic Party that "unlike the NDM, I do not take instructions from the ANC, but make up my own mind".

In an interview yesterday, Dr De Beer told The Citizen that Mr Poovalingam and Mr Malan remained respected colleagues and the issue would be resolved.

Both men were correct "to some extent". Mr Malan was right in saying that for the Democratic Party to plunge into the affairs of the House of Delegates — particularly in view of its recent political turbulence — could

prove counter-productive.

"And Mr Pat Poovalingam has a case in saying that what is sauce for the goose is sauce for the gander," Dr De Beer added.

"My own view is there is no doubt at all we are committed in principle to participate in all three Houses, and there is no explicit or implicit limit to the scale of that participation."

"There is no question whatever of our doing what the ANC or anybody else wants. But that doesn't mean we cannot take note of everybody's point of view. Even the CP point of view might affect the seats we contest."



# ANC men get 7 to 18 years for terrorism

Sowetan

By MONK  
NKOMO

23/3/89  
FOUR members of the ANC and an active supporter of the organisation were jailed for terrorism charges for between seven and 18 years in Pretoria Regional Court yesterday.

Conrad Lekhumbi (28) of Mamelodi, Samuel Mokubela (29) of Soshanguve, Thekiso Mogoerane (31) of Vosloorus and Sello Khota of Mamelodi were each convicted on two counts of terrorism. Edwin Makwela (35) of Mamelodi, the ANC supporter, was convicted on one count of terrorism.

Lekhumbi was jailed for 18 years, Mogoerane and Mokubela for 17, Khota for 15 and Makwela for seven. Mokubela was jailed for a further 18 months for being in possession of a firearm and six rounds of ammunition without a licence.

Passing sentence, the magistrate, Mr W J Fourie, said the first four accused had intentions to murder although nobody was killed during the handgrenade attack on the houses of Detective

Sergeant Johannes Hlongwane and Warrant Officer W S Setole on February 17, 1986 and July 19, 1987 respectively.

Mr Fourie said none of the accused had shown remorse for the crimes. He also viewed terrorism as a very serious crime and said innocent people were being killed during the terrorist act.

The magistrate ruled that two years of the sentence of four of the accused should run concurrently. Two years of Makwela's sentences were conditionally suspended for five years. Mokubela, Mogoerane and Lekhumbi, who was described by Mr Fourie as the leader of the group, will each serve an effective 15 years in jail. Khota and Makwela will respectively serve ten years and five years.



# 'Rape is sometimes not taken seriously'

A HORRIFYING scene flashes onto the screen.

A helpless woman lies half-naked and screaming on a table in a bar while three men take turns raping her.

In the background several other men stand watching, cheering, and daring each other to join in the monstrous act.

When the case goes to court the three men are not charged with rape. They all escape with nine-month jail sentences for a lesser crime called "reckless endangerment."

The ones who encouraged them in the brutal act are later charged with "criminal solicitation."

This storyline is from *The Accused*, a film currently on circuit. It depicts the realities of everyday life and experiences that raped women go through. It also shows how rape cases are handled by some courts.

"In the sentencing of the rapists not for rape but for 'reckless endangerment,' the film shows that a rape in these circumstances is not taken seriously," a statement from People Opposing Women Abuse (POWA) said.

"The prosecutor made a deal with the rapists' lawyers because she felt the rape survivor would not make a good witness and would be judged according to her life-style."

POWA said that the film had successfully shown society's biased attitudes towards rape and rape survivors.

By SIZA KOOMA 23/3/89

SOWETANO

"The prosecutor pleaded bargained for a lesser charge until she became aware of the trauma experienced by the rape survivor.

"Our experiences with the South African legal system show that the attitude of legal practitioners is not nearly as sympathetic as those portrayed in the film. Often a rape in circumstances outlined in the film, does not make it to trial as the woman would be seen as having provoked and therefore consented to it."

They said that 18 145 rapes were reported in 1987. However, between July 1986 and June 1987, only 9 639 rapes were prosecuted and only 52 percent of the cases led to conviction.

## Myths

POWA did not believe that the handling of rape cases would have been any better if there were more women in the legal system.

"Judgments and attitudes towards women in rape cases would not necessarily be more sympathetic. Many false beliefs or myths about rape exist in society.

"These false beliefs are perpetuated by women as well as men.

"The situation would only be different if the women involved with the cases would not believe the myths and if they held positions not only as public prosecutors, but also as judges, magistrates and law-makers."

ant Colonel Fanyana Zwane, PRO of the South African Police in Soweto, 2 059 rape cases were reported in the township in 1988 against 1 476 of 1987.

"These figures do not mean that the incidence of rape is increasing," Col Zwane said.

"The population rate

goes up everyday and as the number of people living in an area goes up, the incidence of every crime goes up too."

He said that the common belief among women that rape victims were often treated as the accused and that many rape cases were thrown

● To Page 18



ended a wedding celebra-

Pic: LEN KUMALO

● From Page 17

out of the window by courts was not true.

"Rape victims should know what to expect in court during cross examination. They should give vivid explanations of what the accused did to them. They must be prepared for this and all the questions that could be put to them."

"After all it is their evidence that will be important in helping the court make a decision," he said.

He said that rape victims who did not report their cases chose to do so not because of the alleged hostile attitude of the police and the courts.

## Dispute

"Some of them feel embarrassed or they do not want to go through the rape again in explanations to the court."

Col Zwane said that although he respected the right for women to be anywhere they liked at any time women, "should learn to look after themselves."

"They should not roam the streets unnecessarily. In most cases women are raped in the streets."

POWA said that 70 percent of rapes occur between people who know each other. It said that women were also raped by their husbands. Although this was not recognised in South Africa law as rape, it was usually as traumatic as any other rape.

"We see the cause of rape as being rooted in unequal power relationships between people in society. We believe that no man has the right to force himself on a woman, no matter what the circumstances are."



# Simon's sounds of silence over misery in SA

BY NEIL LURSEN  
The Star Bureau

THE STAR 22/3/89  
Liberal senator

## sponsors tough sanctions Bill

WASHINGTON — One of the most earnest do-gooders in the United States Senate is Paul Simon of Illinois, a journalist by profession and a liberal by his own definition.

Under its current political meaning in the US, a liberal is a person who is compassionate about others and who would use the power of government to ease the pain of poverty.

Yet the liberal Senator Simon wants to strangle the South African economy — a course of action that would cause misery to millions in southern Africa.

Mr Simon is no stranger to mass poverty. He has recently returned to Washington from Africa where he was able to see it up close — especially in Zambia, which is confronted by a hopeless economy and a frightening Aids problem.

But in spite of his many domestic headaches — perhaps, in part, because of them — Zambian leader Dr Kenneth Kaunda plays an activist role in the region's affairs and he has urged the US government to impose tough economic sanctions on South Africa.

Mr Simon apparently agrees with

President Kaunda. He is the principal sponsor of this year's sanctions Bill before the US Senate — legislation that would all but cut South Africa out of the US economy, allowing only for the importation of items like critical minerals that Americans cannot buy elsewhere.

Since Senator Simon is a liberal, his Bill allows some humanitarian aid to be sent to South Africa to help the poor and suffering.

A physically short man who sports bow ties and enjoys a deep, booming voice, Mr Simon tried out for US president last year. The Democratic voters preferred Mr Michael Dukakis and Mr Simon bowed out.

Even if he failed in his attempt to be a national leader, he does speak for many Americans on the issue of South Africa — he is the chairman of the Africa subcommittee of the Senate's Foreign Relations Committee, a panel that holds hearings on



US senator Mr Paul Simon when he visited Cape squatters last year.

proposed legislation dealing with South Africa.

Thus, South Africans can expect to hear a great deal from him this year about their country and their problems. And much of it will be highly critical and threatening.

Few would accuse the articulate Senator Simon of lacking political

sophistication.

So why does he advocate economic misery for South Africans when he is fresh back in the comforts of Washington from the searing sights of sub-Saharan Africa? He surely does not want to witness — or help to cause — similar sights in South Africa.

People who know Paul Simon say

he does not really expect that his sanctions Bill will get through the Congress this year. It is a warning shot, they say, fired across the bows of the South African Government and the Bush administration to make it plain that the Congress wants serious action on apartheid.

Everyone, except hardliners in South Africa and a fringe of the loony right in America, wants to see the end of apartheid. But Mr Simon is playing a spoiling and damaging game.

By constantly threatening sanctions and giving this threat the high visibility of a Bill introduced in the Senate, he is helping to foster a climate in which the SA economy does suffer. And South Africa's blacks suffer with it.

One of his aides told me that the senator agreed that sanctions were an "imperfect tool" but that no other effective means of American action had yet emerged. This comment reflects the lack of understanding among liberal Democrats of the situation in South Africa.

If Mr Simon were true to his liberal principles, he would recognize sanctions are a recipe for disaster and for more of the suffering that disturbed him in Africa this year.



# Massacre commemorations meet mixed local reaction

WITNESS ECHO 23-3-85

by Lakela Kaunda

LOCAL leaders have reacted to the commemoration of the 29th anniversary of the Sharpeville killings and fourth anniversary of Uitenhage with mixed feelings.

Commemoration services were held throughout the country to mark the anniversary of the Sharpeville massacre where 69 people protesting the dompas were killed on March 21, 1960. Twenty-nine people returning from a funeral in Langa and kwaNobuhle townships in Uitenhage were gunned down by police on March 21, 1985.

Local children went to school but left early. Not a single child arrived at Amakholwa High School. At Mehloka-zulu High School, children in Imbali were seen dancing the "toyi-toyi" on the streets on Tuesday morning. Some groups went to other schools to force others out of classes.

Buses and kombis were operating although some Ashdown kombis dropped passengers at Edendale hospital saying they feared their kombis would be stoned.

Imbali councillor and Inkatha member Mr Abdul Aweta said he was angry to see primary school children in the streets on Tuesday morning.

"Local children have nothing to do with Sharpeville. Since when has it been in our culture to say 'I am not going to work or school today because it is the anniversary of so-and-so's death.' It is bizarre."

Asked about the Shaka Day holiday, he said it was different because it was official. "If children want March 21 to be an official holiday they must ask."

"We parents pay for these children's education and we want to see them educated. We know that some parents

are behind this action. We as councillors try to call their children to order, but they swear at us saying we are beating their children," he said.

Edendale Crisis Committee and Unit 18 Liaison Committee chairman Mr Gcina Mfeka said Mr Aweta's remarks showed he was not a politician.

"It is very insensitive for him to say locals have nothing to do with Sharpeville. Every South African is involved in this. If he says children should ask for March 21 to be a holiday, then as a leader who is worried about this, he should approach the government and ask for March 21 to be an official Heroes Day."

Mr Mfeka said he regarded both days as days of prayer. "I also do not like to see people in the streets fighting or drinking. They should be calm and treat days like March 21 and June 16 as days for praying that such incidents do not happen again."

There was no official stayaway on Tuesday and the majority of workers went to work.

Sharpeville residents went to clean graves of those killed in 1960 and laid wreaths.



## FEATURE

THE WITNESS ECHO 23-389

# Ideological differences hamper the debate on trade union unity

by Strini Moodley

WHILE South Africa — and the world — focuses its attention on the political ructions taking place in this country, there is a major debate taking place within trade union organisations which is going by unnoticed in the public eye.

Ever since the South African government introduced amendments to the Labour Relations Act, trade unions have recognised the urgent need for them to set aside their political and strategic differences and think seriously about acting in concert.

Two of the country's major trade union federations, the Congress of South African Trade Unions (Cosatu) and the National Council of Trade Unions (Nactu) came together last year to talk about united action against the Act and the growing obstinacy of employers.

Those discussions resulted in the largest stayaway the country has ever experienced in terms of numbers and duration on June 6, 7 and 8.

But even before this massive show of power, a conference which included Cosatu, Nactu, the South African Congress of Trade Unions (Sactu) and the Azanian Trade Union Co-ordinating Committee (Azatucc) took place in Harare to thrash out differences and search for ways and means to forge unity.

Sactu and Azatucc both act as trade union representatives in exile for the ANC and the Pan Africanist Congress (PAC) respectively.

The success of that action led to further discussions. Nactu embarked on an international trip to talk to exiled political organisations including the ANC, PAC, the Black Consciousness Movement of Azania (BCMA) and the African Peoples Democratic Union of South Africa (Apdusa).

All these discussions fired the imagination of workers throughout the country. For them something was beginning to happen that, if successful, would signal a new and powerful weapon in their hands — a united workforce.

The aftermath of the June stayaway saw Nactu and Cosatu continue their discussions based on mandates both federations had received from their affiliates.

A workers' summit was planned for March 4 and 5. Then something happened. Nactu, which up until then had bandied the slogan "unity" throughout the world, retreated and decided to indefinitely postpone the summit.

Cosatu insisted on going ahead. Deadlock! Within Nactu circles, workers were being told that Cosatu wished to swallow them up. Much of the united action of the past had suddenly become meaningless.

As the summit drew nearer, forces within Nactu felt that a strategic error was being committed and attempted to urge a change. But Nactu remained adamant.

Eleven of Nactu's affiliates — acting on the Nactu principle of independent trade union action

— decided that they would attend the summit.

In a position statement outlining their reasons for attending the summit, the 11 unions said: "Our quest for the maximum unity of the black working class and, therefore, our decision to attend the Worker Summit is based squarely on the founding principles of Nactu... anti-capitalism, anti-imperialism, anti-sexism and anti-racism. "Further this is in keeping with Nactu's principles of worker control, non-affiliation to political organisations and independent action of unions within Nactu."



While in most quarters this move was seen as a possible split within Nactu, the 11 unions made it clear that they were committed to Nactu but believed that because the "State and capital have gone into their historical laager . . . we see this epoch as demanding the same from us".

"Therefore, our failure to rise to the expectations of our struggle will inevitably render us irrelevant to the historical struggles of our people and may even be interpreted as a deliberate counter-revolutionary effort," the statement said.

The outcome of the summit was a strongly worded statement from more than 700 delegates — with equal representation from Cosatu, the 11 unions of Nactu and the independent trade unions.

Yet the summit remains as only a fragile symbol of growing unity amongst black workers. The remaining unions within Nactu appear to resist any involvement with Cosatu.

Why is this the case? "Nactu it must be remembered is the result of a merger between the black consciousness-oriented Azanian Confederation of Trade Unions (Azactu) and the Council of Unions of South Africa (Cusa)," said a unionist involved in the move by the 11 to attend the summit.

"We are still hoping to convince our other Nactu unions to reconsider their stance as far as the summit goes," he said, asking not to be quoted by name.

Many of the Azactu workers, he said, were committed to black consciousness and saw black working class unity as primary.

"We cannot ignore the fact that Cosatu contains the vast majority of organised black workers. The principles of the summit are noble ones. They are designed to unite workers. Black Consciousness is committed to the solidarity of the black working class. That is why we believe it is our historic duty to attend," the unionist said.

He warned, however, that "people must not think that because we went to the summit that we will allow ourselves to be swallowed up by any far-fetched political notions.

"We have always refused to become lackeys to any political grouping. Our priority is to conscientise workers so that they recognise the value of solidarity and



WITNESS ECHO 23-3-89

## Pressure is changing attitudes

MR Editor, allow me to discuss what I see as successes of South Africa's emergency regulations and the economic and cultural isolation against the country.

I am also discussing what I think are the possible solutions for South Africa as she is being destroyed by her apartheid policies which are designed to secure a better life for whites only.

The state of emergency which was introduced in June, '86 was successful. The UDF and Cosatu had been very powerful during the early '80s. They won the minds of the youths and the workers.

Labour and political meetings and rallies were held all over South Africa. Workers were mobilised. The youth was politicised. Stayaways were staged in protest against South Africa's notorious practises like the whites only elections. Boycotts were familiar occurrences. They threatened the economic security of the employers who were being forced to pay a living wage.

The UDF and Cosatu were dynamic forces. They were gradually empowering themselves with the means to bring the government to its knees or senses. Hence they were labelled cash-and-carry boys of the ANC. The government realised this and acted accordingly. Mass detentions began. Organisations were banned. Vigilante activity against the people's movements was intensified.

I feel that the impressions of the UDF/Cosatu era of free activity will remain in the minds and hearts of the people for some time to come. They will remain in the form of township street writings on walls, dusty public transport, newspapers, literature, history books and slogans or toi-toi dance.

I think the strength of any unjust government is determined by the might of its military and intelligence operations, coupled with the vastness of its prisons and cells.

The strategic importance of apartheid can never be left unnoticed. People were placed in tribal structures long ago. These structures had always remained unpopular with the mass anti-apartheid movement inside and outside South Africa. When the UDF and Cosatu intensified their activities, government structures were threatened. Participants in those structures resorted to defending their positions.

Apparently areas that do not have chiefs, indunas and councillors do not experience constant in-fighting. This is because these areas sympathised or supported the activities of the UDF/Cosatu. I think it's a fact that Edendale, Caluza, Esigodini, Smero, Ashdown, Sobantu and other areas where tribal or pro-government structures do not exist have often been faced with the problem of getting rid of those who force people to join their organisation.

Township defence units, police and the army (although the police and defence force activities were subject to criticism) played a major role in trying to resolve the violence which was worsened by enforced recruitment.

Meantime, sanctions and cultural boycotts preached by the ANC and the likes inside and outside the country in protest against apartheid are gradually changing the attitude of the government irrespective of the powers it has accorded itself in the form of the emergency regulations and restrictions. Academics, professionals and businessmen are also taking their stand. Pretoria is being pressurised internally and externally due to the sanction threat to change its racist policies.

Nevertheless the minority government is more than likely to remain in power. I wonder how many people think it is still possible to overthrow this government by the use of weapons when the people's mass democratic movement can be silenced so much.

Is a revolutionary takeover still possible when the ANC is being pressurised to abandon the armed struggle and support political changes?

The government must prepare a situation where the banned internal and external movements will reach a stage where they can deem it fit to participate in South Africa's politics in the form of a major opposition party that shall represent us. The representation can be in limited numbers since we have not won the war militarily. It can operate within a federation kind of framework. To that effect, I wish the state of emergency could be lifted, ALL detainees and political prisoners freed.

**ARTHUR E.S. MKHIZE**  
Edendale

Letter shortened — Ed.



## SA sews itself out of Eden with those S of E fig leaves

from the screen & transferred to another position where he would not be seen by us who watch **Good Morning South Africa** & thereafter feel offended when we see him getting on with his job.

Does this state of emergency follow its regulations to the letter, or it is made to censure the truths that the newspapers wish to publish?

Page 14 of Government Gazette No. 11342 amended on June 10, 1988 states under the heading *Seizure of certain publications or recordings*:

9. (1) If a publication or a television, film or sound recording is produced, published ... in contravention of a provision of regulation 3 (1) or (2), ... the Minister or the Commissioner may, without prior notice to any person, issue an order under his hand ordering the seizure of that publication or television, film or sound recording.

(2) If the Minister or the Commissioner is of the opinion —

(a) that the publishing of a publication (excluding a registered periodical) or a television, film or sound recording has or is calculated to have the effect

(iv) of stirring up or fomenting feelings of hatred or hostility in members of the public towards a local authority or a security force, or towards members or

employees of a local authority or members of the security force, or towards members of any population group or section of the public."

It's all simple. The Minister or the Commissioner should have, without "prior notice" & without hearing any person, issued an order under his hand ORDERING the SEIZURE of the South African Broadcasting Corporation's television recording.

State of Emergency, State of Emergency, where are U?

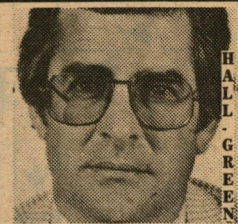
### FACE VALUE by Khabadian



HARRIS



MAQABE



HALL-GREEN



**MAHATMA** Ghandi once pointed out that "TRUTH does not harm a good cause." Voteless sees truth the way he sees a **TREATED POLE**. A lie is like an untreated pole. Termites (*umuhlwa*) eat the pole & it falls for good. Truth stands the test of termites. For the violence to come to an end we need to urgently speak the truth. Our utterances must be "treated", in spite of the fact that the emergency regulations discourage us from speaking the truth publicly. If one can't speak the truth publicly then one can opt for speaking it in private.

In the beginning there was naked truth in the Garden of Eden. The naked truth was fiddled with. God called: Adam, Eve, where are you?

Genesis Chapter 3, Verse 7: "And the eyes of them both were opened, and they knew that they were naked; and they sewed fig leaves together, and made themselves aprons".

On June 16, 1976 the picture of the first victim of the uprising, Hector Petersen, was published thus shocking the world & drawing the eyes of the international community. The world asked: South Africa, South Africa where are you? The world responded by calling for sanctions & disinvestment.

On June 12, 1986 — exactly ten years later

— South Africa's eyes were opened, & they knew that they were naked; & they sewed fig leaves together, & made themselves aprons.

The fig leaves were in the form of the state of emergency.

After Adam & Eve had broken God's instruction to enjoy the fruits of Eden they couldn't look God in the eye; so they decided to impose a state of emergency on their bodies.

When South Africa's rulers broke God's instruction to enjoy the gold of Afrika by sharing it lovingly with the Voteless crowd — Love thy neighbour as thy love thyself — so they decided to impose the state of emergency.

So we now appeal to the government to realise that the continuity of ruling the Cryntry under emergency regulations is a public admission that something that one cannot be proud of is happening. The government has from today 78 days to review the state of emergency before it can be renewed for the third time.

The solution is simple. New National Party leader F.W. de Klerk has pronounced the solution: "*Die tyd vir die groot indaba is NOW*" — The time for the big indaba is NOW. Provided the big indaba bubbles with truth. Truth would mean that it involves

all South Africans without preconditions.

★ ★ ★ ★  
SHE made Voteless's day two Mondays ago. He had walked in to buy something. Inside was a queue of customers. What struck Voteless was the number of extraordinary "thank yous" and "please" for 80c or 95c uttered by her to customers. Voteless, after finishing buying, asked: "Can I say something?". "Oh yes", with a dazzling smile. "U are delightful, keep it up," Voteless encouraged Madame Voter. "Thank you. I hope nobody ruins me". What a joy to be served at Brooks Master Cake in Shepstone Arcade. This Monday Voteless went there again & a repeat performance was effortless. Where we spend our money we appreciate it if we are treated like kings. Madame Voter U made me a week. Last Monday too after it had nearly been ruined.

★ ★ ★ ★  
EARLIER when Voteless was watching **Good Morning South Africa** his day looked as if it would be ruined. Now every morning when I watch this programme ma concentration gets diluted when I see the face of David Hall-Green. His face to me & many other Voteless viewers stir or foment feelings of hostility. He is viewed by countless people who today know that he insulted them; he insulted their mothers, insulted their wives, insulted their grandmothers, insulted their sisters and insulted their daughters.

What the hell is David doing on the screen? Why are the SABC authorities allowing him to remind us every morning of the insult he hurled at us?

The reason he offered when apologising about the slur he flushed on our women was adding insult on injury. David Hall-Green must be told in no uncertain terms that he insulted our "stupidity". If his remark was really "sympathetic", then why did he not ask Mrs Mabel Maqabe the number of children she had & whether they had different fathers or not since she was his co-worker at the SABC?

I don't for a minute suggest that Mr Hall-Green must be fired — although Kevin Harris was fired just for screening parts of Soweto when he presented a documentary on Baragwanath hospital some years ago. Mr Hall-Green has a family — I presume — which he has to fend for.

What I am suggesting is that he be removed

WITNESS ECHO

23-3-89



## National Party still scared of Big Crocodile



PW: The Big Crocodile

I THOUGHT it might be a good idea to compare the Afrikaans weekly newspapers today to get an idea of how they report on the same story.

On *Rapport's* leader page, under the heading "Shhht: the caucus wants to stay something" Anne-Marie Mischke examined the problem around PW's decision to separate the posts of State President and head of the National Party.

"When is a party a mere leader's party and when is it a strong, vital members party?"

"One day, when the National Party has solved its leadership problems, its members might ask one another: But how on earth did all this happen? They might realise that everything did not happen in the high summer of 1989 with an illness and an unexpected letter to the caucus. And then they can look with new eyes at the

relationship between the party and its leaders during the last few years."

The report goes on to point out that maybe the current crisis happened just in time to remind the caucus that the role of the NP back bencher is not that of passive follower. Leaders are there to lead but it cannot be expected from the other members to follow blindly — not out of trust, respect or even fear.

"To return to that letter of February 2 in which President Botha requested the caucus to choose a new leader for the party.

"Nothing in the letter — more of a request than a command — prevented the caucus from saying to Botha that they would rather make the decision after his return and a discussion with him. But the caucus, used to reacting in a positive way to their leader's requests, did make the decision and elected a new party leader.

"Maybe a bit surprised at the suddenness of it all, maybe because they were eager to grab at the chance of some sort of reform, but most of all because they were not used to saying no to the man who was at that stage still their leader.

"Not more than a month later, after a lot of trouble and a meeting of the Federal Council, the caucus decided that they, after all, did not want the two posts separated.

Vrye Weekblad takes a different angle — the front page story, under

the heading PW's Iron Grip, points out that the expected fireworks on PW's return to office did not happen.

"State President Botha still rules the National Party with an iron hand. FW de Klerk and the entire caucus of the National Party are still scared of the Big Crocodile.

"The fear and intimidation which has played such a big role throughout Botha's career manifested itself again when he chaired his first cabinet meeting after his illness. The fireworks which should have taken place this week between PW and FW fizzled out. It is clear: the Party is not prepared to revolt against Botha.

"Political observers, including Dr Andries Treurnicht, leader of the Conservative Party, and Jan van Eck, independent member for Claremont, believe that Botha and De Klerk reached a compromise last week.

"The caucus and the party will now have to ac-



**CHAKA CHAKA**

Self-confessed Afrikafer on the Afrikaans Press

by  
**Yvonne Grimbeek**

cept that the president will stay in office until early next year when a general election is called, after which he will not make himself available for office.

"South Africa — for the first time in its history — now has a government leader who does not enjoy the support of his party."

The report points out that outside parliament, with the exception of one or two homeland leaders, Botha also does not have any support.

"Of jovialness in parliament last week there was no sign. A few parliamentarians shook Bo-

tha's hand — most of them just greeted him with a formal nod. FW de Klerk sat there, cold and formal, and looked to the front."

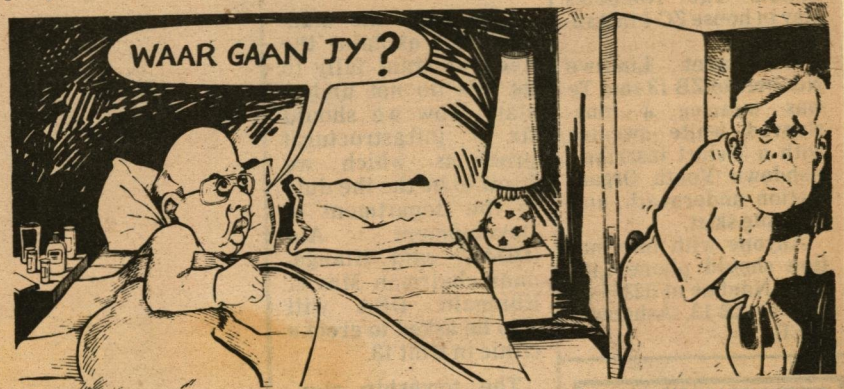
• PW QUOTES:

"I have one more wish — I hope that the administrator could make it possible for me to one day become mayor of the Wildernis." 18/5/1987.

"I have reached that stage in my life where I do not care anymore what people are saying about me." 1/2/1989.

"I am not clinging to one post." 12/3/1989.

"I have sometimes felt that I am a lonely voice in the desert." 1/5/1987.



"Where are you going?" PW asks in the *Vrye Weekblad* as Mr Chris Heunis is caught sneaking out after the National Party caucus decision to throw their support behind Mr FW de Klerk.



# Unit 13 to take their grievances to the top

— by Lakela Kaunda

WOMEN residents of the Unit 13 section of Imbali township are planning to meet government officials with a list of grievances next month.

The grievances were aired at a weekend meeting convened by the Hlanganani Kuphi Nakuphi women's club. A delegation comprising Hlanganani and Thuthukani women's clubs members will meet with officials of the department of Education and Training (DET), department of Development Aid and KwaZulu Transport on April 9.

Grievances to be aired are:

- Some Unit 13 children are afraid to attend some schools in Stage 1 and 2 of Imbali because they are called "amaqabane" and could be hurt. Women said it was expensive to change the routes and have their children travel by kombis to schools. They will ask DET to consider building a primary school in Unit 13.
- There is a major complaint about constant water cuts without warning and with no provision of a tanker for relief. Women said when they went to report infrastructural problems to the township manager's office, they were told they had bought their houses and should attempt to solve the problems themselves.

"We want the manager to explain the deed of grant fully to us. We do not understand how we should fix infrastructural problems which we know to be the duty of the department of Development — Aid (DDA)," said Hlanganani chairman Mrs L. Khumalo. DDA will also be asked to erect a clinic in Unit 13.

The township manager will be asked to investigate meter readers and discrepancies in electricity accounts.

They said some houses get flooded when it rains and the DDA was not doing anything about it. They were going to ask for action, they said.

A spokeswoman said buses were very scarce in Unit 13 and were hardly ever on time. They were going to ask for more buses.

THE WITNESS ECHO

23-3-89





An individual finger fails to draw the attention of the baas — but when fingers unite they produce one strong fist. That's what unionism is all about.

From page 6  
creative action," he said. Those unions opposed to the summit all appear to come under the influence of the Pan Africanist Congress (PAC) which recently issued a pamphlet in which it condemned the Nactu/ANC meeting, referred to

the Nactu president as "lack-lustre" and hinted that before Nactu and Cosatu talk, the ANC should agree to meet the PAC.

The PAC has subsequently rejected any knowledge of the pamphlet and it is now believed that the pamphlet was part of a scheme by the South African government to sow divisions within the labour movement and ensure that Nactu didn't attend the summit.

This reasoning is based on the belief that Nactu is the internal

labour wing of the PAC, as Cosatu is the internal wing of the ANC. This simplistic reasoning has been propagated for a long time by the mainstream media (and some of the alternative media), the government and many political and labour "experts" who neatly package organisations into slots and expect them to respond to issues on the basis of the PAC stance.

Thus, labour and political observers see the sudden turn-around by Nactu in pulling out of the Worker Summit as a knee-jerk response to the PAC criticism.

Nactu's official position regarding the summit is that, while it accepts the principles surrounding the holding of such a summit, it believes the item on the agenda which dealt with building unity had to be discussed thoroughly by Nactu affiliates before any discussions with Cosatu.

Most of the leadership in both Nactu and Cosatu — as well as other political organisations in this country — are victims of this relentless drive to package thought processes, strategies and principles into neat, little boxes.

In the process they



begin to actually live out the nebulous image created and thus become victims of someone else's uncritical and unscientific impressions.

As a result the intrusion of ideological differences has again coloured debate on the question of unity within the trade union movement and, depending on how the leadership of both Cosatu and Nactu deal with the fragile symbolism of the summit, it would appear as though working class unity in this country is becoming more and more of a pipe dream.

**'As the summit  
drew nearer,  
forces within  
Nactu felt  
that a  
strategic error  
was being  
committed . . .'**



S.A.P. siding with Inkatha in city townships, Cosatu alleges

# Police to probe collusion claims

by  
BRYAN PEARSON

POLICE said yesterday they would thoroughly investigate allegations by Cosatu that members of the S.A.P. are actively supporting Inkatha vigilantes in Pietermaritzburg's townships.

At a press conference in Johannesburg, Cosatu lawyers presented a comprehensive dossier detailing alleged collusion between police and Inkatha members.

Inkatha Secretary-General Dr Oscar Dhlomo has denied the allegations.

General Hennie de Witt, Commissioner of SA Police, has ordered an investigation into the possibility that the press conference and so-called memorandum released by Cosatu could be a breach of the restriction orders placed on Cosatu by the Minister of Law and Order last year.

General de Witt said people who had made claims and allegations of police involvement in acts of violence and injustice in the Pietermaritzburg area would be invited to assist the police.

Should they refuse to disclose factual details to substantiate their claims they would be subpoenaed to produce the so-called evidence.

General de Witt said that the police could not be accused of untested allegations and claims which it could not defend other than by having such allegations thoroughly investigated and publicly examined in an open court.

The Cosatu lawyers listed 29 incidents in Imbali Stage 1 between

November 20 last year and January 16 this year which resulted in 15 deaths, 14 woundings, 26 detentions and 28 arrests — of which 26 were comrades and two were Inkatha members.

They claimed 16 of the incidents were initiated by Inkatha members, three by comrades, three by members of the S.A.P. and seven by persons unknown. The report listed seven alleged incidents of collusion between Inkatha members and policemen including:

- police acting in tandem with known Inkatha warlords to attack comrades;
- police watching as known warlords interrogated and insulted comrades;
- Inkatha members acting with quasi-police powers in respect of search and seizure of property;
- police threatening detained youths that they would be dropped off at the homes of Inkatha warlords where they would be killed;
- police using Inkatha members to point out known comrades who are then detained and assaulted.

The report named several Inkatha members who had been repeatedly implicated by residents for taking part in attacks but have not been charged.

"Residents could only conclude that the police were acting in concert with the wrongdoers, or that there were two separate systems of justice operating, one for Inkatha members and a completely separate system for residents not belonging to Inkatha," the report said.

Other incidents of alleged partiality on the part of the police included:

- comrades continually detained while warlords ran rampant with impunity;
- police failing to investigate crimes allegedly perpetrated by warlords;
- meetings of the UDF and Cosatu fre-

quently prohibited while Inkatha meetings were allowed to proceed;

- Inkatha members who are known not to possess firearm licences openly carrying guns.

The report said that the names of known warlords frequently arose in accounts of the 29 incidents.

The dossier also alleges that acts of omission and negligence by the police have encouraged violent acts by Inkatha and have contributed to a general perception in the townships that police protection and justice is not available to the general populace.

The allegation was made that the alleged collusion was the result of policy

Turn to page 2

NATAL WITNESS

23 MARCH 1989

2



# INKATHA DENIES IT COLLABORATES WITH POLICE IN VIOLENCE

From page 1

formulated "at the highest echelons of the South African Police".

Attorney Nicholas Haysom said at the press conference that "five or six vigorous prosecutions in 1987 could have prevented 1 000 deaths".

According to Cosatu general secretary Jay Naidoo, only about 10 successful prosecutions of persons responsible for the violence over

the last two years had taken place. During this time more than 1 000 people had been killed.

Mr Haysom said Cosatu's lawyers had earlier this month written to Law and Order Minister Adriaan Vlok requesting a public inquiry but had so far not received a reply.

Dr Dhlomo has denied that Inkatha officials have collaborated with the police.

Dr Dhlomo said Inkatha was in possession of reports alleging collaboration between Co-

satu and policemen.

"But... we have not called any press conference to reveal these allegations because we do not see how that will contribute towards ending the violence in the area," Dr Dhlomo said.

Referring to the arrests and convictions of two police officers in 1987 — Nkosinathi Hlengwa and Robert Ndaba — who were in a group of Cosatu/UDF supporters who attacked and killed 13 Inkatha members in kwaShange,

Dr Dhlomo said as far he was concerned it was Cosatu and the UDF that "openly collaborated with police".

No court of law had ever tried, let alone convicted, S.A.P. members for a crime that entailed collaboration between the police and Inkatha, Dr Dhlomo said. He said Inkatha did not exclude the possibility that a "third party" was deliberately playing the "the two warring factions against each other".



## MP Cronje 'detained' for 2 hours

Witness Reporter

A NATIONAL Democratic Movement (NDM) MP was detained for at least two hours in the back of a police van on Sunday after he had been called into the township of Mpophomeni by residents who were concerned about escalating violence, The Natal Witness learnt yesterday.

Mr Pierre Cronje, MP for Greytown, declined to comment on the incident at this stage and said he was in discussion with the Minister of Law and Order on this particular matter as well as

the handling of the security situation in the wider Pietermaritzburg area.

Major Pieter Kitching, the S.A.P. liaison officer for Pietermaritzburg said: "Mr Cronje was not arrested. The position is that he was in the township of Mpophomeni on Sunday and the atmosphere was tense.

"Mr Cronje was taken from the township to his motor vehicle where he was left."

Several allegations have been made regarding a meeting held in Nxamalala (near Mpophomeni) at the weekend which was regarded as the main cause of the outbreak of violence.

The Natal Witness has requested the South African Police to comment on some of the allegations and a response is still being awaited.



## Treasury irregularities exposed

# NATAL WITNESS — 23 March 1989 X Venda 'riddled with corruption'

THOHOYANDOU — Rampant thefts and general irregularities in almost all state departments of Venda have been uncovered by a sessional committee of the Venda National Assembly.

In a report tabled yesterday in the assembly, the committee recommended that the Minister of Public Works, Post and Telecommunication and Transport, Mr George Ramabulana, and the rector of the University of Venda, Prof P.W. du Plessis, be made to repay within six months the R400 000 which was taken from the Mphephu local council to buy a farm near Louis Trichardt.

The report also called for strict adherence to treasury instructions on expenditure and "deplored" the assembly's payment of R865 514 in bank overdraft charges for the year under review.

It also criticised the acquisition of a R149 000 house in Louis Trichardt for the use of Professor du Plessis as rector of the university. It called for the immediate sale of the house and the provision of a rector's residence within the boundaries of Venda.

The committee also reported that staff members at the university were being overpaid because of the allowances they were granted.

It called for an investigation and said if the outcome revealed that the salary structure of the university was higher than other similar universities, future salary increases should be withheld until salary scales fell in line.

The committee said it found that "expatriate" staff members of the university were being given a housing allowance which was "a housing sub-

sidy in disguise".

It said these expatriates owned houses outside Venda and called either for the subsidy to be stopped or for it to "be applied without discrimination among all employees".

The committee was "perturbed by the fact that contracts entered into between the government and foreign representatives are expressed in American dollars instead of South African rands although concluded in Thohoyandou".

The committee decided that any future contract with foreign representatives should set out all payments in South African currency.

The report was not discussed as the current session of the assembly ended yesterday. It is expected to be discussed when the assembly reassembles later this year. — Sapa.



THE NATAL MERCURY  
23-3-89

## Townships back to normal, say police

Mercury Reporter

POLICE said yesterday that the townships around Durban had returned to normal after widespread unrest on Sharpeville day on Tuesday.

The latest police unrest report shows that further incidents took place later in the day on Tuesday, involving the exchange of shots between police and a crowd, the burning of a delivery vehicle and the stoning of a bus.

At Dassenhoek a group of people gathered illegally and threw stones at the police, the report said.

'When shots were fired at the police, they returned fire and a man was wounded and arrested.'

A black man was slightly injured when a bus was stoned by a crowd in Clermont, while at Kwa Mashu a delivery vehicle was extensively damaged when a petrol-bomb was thrown at it by a group of blacks.

## Police to probe Cosatu

### conference

Mercury Correspondent

JOHANNESBURG—A police spokesman said last night that Commissioner of Police Gen Hennie de Witt had ordered an investigation into whether a document and the press conference given by Cosatu yesterday could be a breach of Cosatu's emergency restrictions imposed last year.

Gen de Witt said each allegation by Cosatu would be thoroughly investigated. Persons who had alleged police involvement in acts of violence or injustice in the area would be invited to assist police in their investigations. If they refused they would be subpoenaed.

'The police could not be accused of untested allegations other than by having such allegations publicly examined in an open court if necessary,' Gen de Witt said.

The allegations related to violence in the Pietermaritzburg townships.



THE NATAL MERCURY

23-3-89

# DP policy statement studied by leaders

## Mercury Correspondent

JOHANNESBURG—The Democratic Party envisages separate elections for the legislative and executive authorities with a proportional representation system for the law-making body to ensure diversity and the representation of minority parties.

This is one of the points contained in a broad statement of principles and policy currently being studied by leaders of the PFP, IP and NDM.

Our Johannesburg correspondent has obtained a copy of part of the document which sets out broad policy and principles.

## Strategy

A multiple voting system 'which provides for the most broadly acceptable executive authority' is proposed for the election of the executive.

There should be a universal

franchise and freedom of expression.

The document rejects the 'racist basis inherent in the present SA Constitution' along with institutions built on the Constitution, such as the tricameral Parliament, separate bureaucracies, separate local authorities and 'racist' legislation including the Population Registration and Group Areas Acts.

It proposes an economic system and strategy 'which will be market-orientated and which will be based as far as humanly possible on the principles of private ownership and free enterprise'.

The involvement of the State in the economy should be kept to a minimum, with the proviso that the State undertake necessary administrative, infrastructural and limited welfare functions;

The creation of necessary security and administrative infrastructure so that the country can be administered

by a streamlined bureaucracy and the provision of a limited welfare service;

Such services should be provided on an equitable basis always bearing in mind the taxation capacity of the economy and the great necessity for upliftment of deprived communities;

## Private

The performance of a development role, and the provision of the necessary physical and institutional infrastructure to support private initiative and to train manpower, 'thereby to promote the participation of all citizens in the mainstream of economic activity'; and

The playing of a role in the creation and development of mechanisms and institutions to facilitate an orderly system of negotiation between workers and employers and between workers themselves.

'High priority should be given to the creation of condi-

tions which will promote a long-term, high growth rate whereby the maximum number of job opportunities are created,' the statement adds.

The DP's 'Main Principle' is its commitment to 'the establishment of a genuine SA democracy which would reject race as its basis and protect the human dignity and liberty of all its citizens, which would promote the public interest and which would be built on the principles which form the basis of a democratic society'.

'Derived' principles include the protection of fundamental human rights and liberties, representative government for one South African nation in which the different cultural groups can live in harmony; an independent judiciary, the rule of law and the maintenance of law, order and security.

The document also rejects violence as a political instrument and backs 'sound indus-

trial relations based on free collective bargaining'.

The cultural, religious and linguistic diversity of South African society must be recognised, it says, and such rights reflected and protected by the constitution.

Aspects detailed in a policy programme are a Bill of Rights to be upheld by the courts, and 'a federal system in which the powers of authorities on the various levels of government are entrenched'.

While 'extraordinary circumstances may demand that the State assume emergency powers to guarantee security', these should be limited, used only for an appointed time and be subject to the authority of the courts and legal directives and codes to prevent abuse.

In its Programme of Action, the DP reaffirms its belief that parliamentary and extra-parliamentary politics should not be divorced.



23-3-89

# Plan for black in Cabinet slammed

African Affairs Correspondent

ULUNDI—The Chief Minister of KwaZulu, Dr Mangosuthu Buthelezi, says he will not agree in any circumstances to serve as a Minister or Deputy Minister under the present tricameral Parliamentary system.

He has also revealed that the leader of the Labour Party, the Rev Allan Henrickse, wrote to him last month asking what the attitude of the LP should be towards the Second Constitution Amendment Bill which provides for the appointment of a black Cabinet minister.

Delivering his policy speech in the KwaZulu Legislative Assembly yesterday, Dr Buthelezi said it was totally deplorable that the South African Government had announced its intention to create a post for a black Cabinet minister or a deputy minister.

## Opportunity

This showed a blindness to the extent to which the present Constitution was rejected by blacks.

He said there was now more reason to oppose this amendment to the Constitution than ever before.

'The State President must, I believe, be seen as a man on his way out of public life,' the KwaZulu Chief Minister said.

'This gives the country the opportunity to demand the progress that Mr P W Botha had promised, and which was never forthcoming.'

Dr Buthelezi said nothing could act to alienate him more from the present Cabinet as much as the appointment of a black person to it.

'This new amendment will not be pouring new wine in old wine skins. It will be pouring concrete in them,' he added.

## Buthelezi on ANC document

African Affairs  
Correspondent

ULUNDI—The Chief Minister of KwaZulu, Dr Mangosuthu Buthelezi, has welcomed the issuing of a document entitled 'Constitutional Guidelines for a Democratic South Africa' by the African National Congress.

He says the move represents a softening of political attitude on the ANC's part.

The document was based on the provisions of the Freedom Charter drawn up in Kliptown in 1955, said Dr Buthelezi.

However, the people who drew up the Charter in that year did not intend it to be a document for constitutional discussion, he claimed.

Dr Buthelezi criticised two points under the heading of

'economy'.

The first sentence states that 'the State shall have the right to determine the general context in which economic life takes place, and define and limit the rights and obligations attaching to the ownership and the use of productive capacity'.

The second reads: 'The private sector shall be obliged to co-operate with the State in realising the objectives of the Freedom Charter in promoting social well-being'.

The KwaZulu Chief Minister said these two clauses were a 'dangerous minefield of considerations'.

They were so vague, but at the same time so pointed, they would raise deep suspicion.

Dr Buthelezi was also concerned at the statement that 'property for personal use and consumption shall be constitutionally protected'.

'What kind of free enterprise component will an economy have if it is only personal property and consumption rights which are constitutionally protected?'

'This document amounts to a licence to kill economies and should be treated with grave concern,' he said.



THE NATAL MERCURY

23-3-89

## Prince wooed by UDF, claim

ULUNDI—Allegations that Prince Israel, the senior prince of the Zulu royal family, was being 'wooed' by the United Democratic Front, were made in the KwaZulu Legislative Assembly by Dr Mangosuthu Buthelezi here last night.

The KwaZulu Chief Minister said Prince Israel, who represents King Goodwill Zwelithini in the Assembly, had written to the secretary of the Assembly, Mr Robert Mzimela, asking that he be replaced because he 'was not well'.

Dr Buthelezi said this was a 'diplomatic illness'.

'I can only hope it has nothing to do with the fact that the Senior Prince stated before the caucus that he was being wooed by the UDF to join them,' Dr Buthelezi said.

'At one time he threatened that he might succumb to their overtures'.

## George Matanzima jailed for taking bribes

UMTATA—The former Transkei prime minister, George Matanzima, 71, and his former finance minister, Sydney Mvuyo Qaba, 69, were sentenced to prison terms yesterday for accepting bribes.

Transkei's Chief Justice, Mr Justice C E L Beck, found Matanzima guilty on three counts of accepting a bribe and sentenced him to a total of nine years in jail. Half the sentence was conditionally

suspended, giving Matanzima an effective four-and-a-half-year jail term.

It is alleged that he received a bribe of R500 000 from Koen's Executive Contractors of Port Elizabeth after he played an influential role in awarding a R10 million building contract to the firm.

The Court also found that Qaba, who had not observed Government regulations and

eventually organised a 'guarantee' for Koen's, subsequently received R123 000 as a bribe.

Qaba was convicted on two counts of bribery and sentenced to four years. Half the sentence was conditionally suspended. He will serve an effective two years.

Bail of R500 for each accused was raised to R10 000 pending outcome of appeals granted by the Judge. — (Sapa)



## The shop-floor a proxy battleground

# The role of politics in S A trade unions

By Nicola Cunningham-Brown

**T**HE question of whether trade unions in South Africa had a right to be involved in politics was hotly debated at the Malimela and Associates Industrial Relations Seminar in Durban this week.

While the majority of the guest speakers appeared to feel that trade unions had a definite right to be politically involved, taking into account the current political situation, many members of the audience expressed concern at the fact that political activities such as boycotts, stay-aways and strikes effected their productivity levels, and that the political policies expressed by many of the unions were a threat to a capitalist free-enterprise system.

Mr Bert Wessels, vice-chairman and chief executive of Toyota in South Africa, said while he could understand blacks becoming frustrated with their limited political platforms, what Cosatu and other unions did not appreciate was that overseas economic pressure in the form of disinvestment and sanctions could very easily get out of control.

He warned the Cosatu representative at the seminar, Mr Thami Mohlomi, that both encouraging overseas economic sanctions, and organising stay-aways and the observance of days other than official public holidays, cost industry millions in terms of lost productivity and manpower.

'Industry can't afford it, and if we're forced to put up with it, you'll just lose jobs,' he said.

Mr Wessels said unions had to be cautious in their appeal to the outside world to bring about social change in South Africa, which could rather be done internally.

He asked Mr Mohlomi why trade unions and industry could not work together in exerting

pressure on the government.

Mr Mohlomi replied that so far trade unions had not seen any serious attempts from the business sector to pressurise the Government to change apartheid.

Answering questions from the audience, he said the South African situation was characterised by apartheid, and thus unions had developed in a highly charged political environment.

He said that as community issues such as living conditions and high bus fares effected the worker as soon as he or she left the factory floor, they were considered to be as important as negotiating for wages and better working conditions.

## ANC

**H**E denied accusations that Cosatu was merely a front for the African National Congress (ANC), and said Cosatu was not prepared to affiliate itself to any political organisation.

The national director of the Black Management Forum, Mr Reuel Khoza, said the rift between the management group (virtually all white) and the managed (largely black) was partly due to the huge differences in background which white and black South Africans experienced, and partly to the socio-political situation 'which encourages divergence and adversarial relations between managers and the managed, and clearly impedes productivity'.

'The shop-floor will continue to be a proxy battleground until other structures are put in place to accommodate the lawful and legitimate expression of political sentiments and agenda,' he said.

'The failure to address this will continue to lead to loss of productivity as reflected by stay-aways, strikes, go-slows and a general conflictual and antagonistic relationship between labour and management.'

Professor Duncan Innes, head of the Department of Sociology at Wits, agreed that the denial of political rights to black South Africans inevitably pushed politics to the forefront for the activities of most black organisations in the country, including trade unions, and said the struggle to secure political rights became an issue of major concern for them.

He believed the sphere of industrial relations had produced the most successful and meaningful reforms in South Africa's history, and had made a major contribution to building a peaceful future for the country.

'In spite of the fact that unions often employ anti-capitalist rhetoric in their public statements, they have negotiated constructively with employers around a range of issues without seeking the destruction of the free enterprise system.

'They do, however, seek modifications to that system, but there can be few in South Africa who believe that the present system is an acceptable basis with which to approach the future.

'Perhaps one of the things which needs to be done now as a matter of urgency is to take the hard lessons which have been learned in the field of industrial relations — such as learning to negotiate as equals in an atmosphere of tolerance and compromise — and to apply them to our political problems. Perhaps then we might at last find peace in our unhappy land,' he said.



# Charter 'should be part of any new constitution'

THE N. MERCURY

23-3-89

BLOEMFONTEIN—The charter contained in the South African Law Commission's Working Paper on Group and Human Rights did not protect group rights as such, the Commission's chairman, Mr Justice H J O van Heerden, said at a media conference in Bloemfontein yesterday.

The Commission was, however, of the opinion that whatever new constitutional dispensation there might be, the Charter on Human Rights should form part of the constitution.

The attitude of the Commission was that, apart from group values such as language and religion, such rights could adequately be protected by protection of the rights of the individual members of each group.

Mr Justice van Heerden said that the Commission foresaw, nevertheless, that in a future constitution provision for political rights of groups could be made.

It was not, however, the function of the Commission to express itself on that matter, as it was not its task to speculate on a new political and constitutional dispensation in South Africa, said Mr Justice van Heerden.

A decision might be made to have a federation, confederation, system of cantons, or possibly that a number of seats in a central legislative

body would be reserved for members of specific population groups.

One of the most important stipulations of the charter was undoubtedly to be found in Clause 2, said the Judge. According to the clause there could be no discrimination from government level against a person on the basis of, among other things, race, colour, religion or sex.

But this right to equality was not an absolute right.

In overseas systems a stipulation such as in Clause 2 was given an interpretation whereby any differentiation that brought about discrimination must be on a 'just and rational basis', said the Judge.

## Review

The doctrine of 'separate but equal' had applied in America for a long time, but had been rejected by the US Supreme Court in the 60s. If South African courts should share that view a large number of laws that presently applied would be in conflict with the charter, said Mr Justice van Heerden.

Another important prescription was to be found in Clause 31. A charter of human rights would have no meaning if a court did not have a right of review.

Clause 31 states that the Supreme Court is competent to declare legislation — insofar as it violates the

charter — invalid.

Mr Justice van Heerden said that if the charter did in fact form part of a future constitution, it would be necessary to move away from the concept of parliamentary sovereignty that had been honoured since Union in pursuance of English law.

Mr Justice van Heerden said that it would be wrong to assume that only legislation that discriminated between groups of persons, or which was designed to deal with emergency situations, was in conflict with fundamental human rights enshrined in the Bill.

An important provision was to be found in Clause 25 (b), which makes provision for a presumption of innocence in criminal matters.

It had often been said that such a presumption runs like a 'golden thread' through the law of criminal procedure. There was a distinction between factual and legal presumptions, said the Judge.

He did not think anyone had ever undertaken the task to go through the statute books to establish how many legal presumptions had been created. He suspected, however, that if Acts of Parliament, proclamations, regulations and legislative measures such as ordinances and by-laws were examined, it might well be that hundreds of legal presumptions would come to light. — (Sapa)

## Overseas reaction said to be positive

BLOEMFONTEIN—The South African Law Commission's Working Paper on Group and Human Rights had received widespread publication in South Africa and overseas and the reaction had been overwhelmingly positive, Mr Justice H J O van Heerden, chairman of the Commission, said at a media conference here yesterday.

The South African Mission in Rome reported that it had received requests for the English summary of the working paper.

From Tokyo came the report that the release of the Working Paper received substantial coverage in the Japanese Press.

The tenor of the reports was that a Government-appointed commission had called for the abolition of racial segregation laws, the right to vote for the black majority and that South Africa should draw up a new constitution that guaranteed individual rights but that expressly prohibited race-based group rights.

It was unlikely that the Japanese Government would comment as they usually only react to official Government policy.

The release of the report was widely reported in Argentine newspapers.

'The positive tone of the reports was to our benefit. Unfortunately it was partly overshadowed by the negative impression created by reports concerning the State President's position,' said the report-back.

The Mission in Canberra reported that up to March 14 The Australian (Jack Reed) and the Sydney Morning Herald (New York Times) reported on the Working Paper.

The reports indicated that the S A Law Commission was created by a Parliamentary Act to advise the Government on legal questions and that the Minister of Justice had given it an instruction in 1986 to investigate the question of a declaration of human rights. — (Sapa)

# 'Revolutionary' change proposed

BLOEMFONTEIN—The Working Paper on Group and Human Rights prepared by the South African Law Commission proposed nothing other than that the foundation of the South African Constitution should be swept from the table.

It was a ground movement, even a revolutionary change, that was postulated, Prof Dirk C du Toit, of the Department of Constitutional Law and Legal Philosophy of the University of the Orange Free State, said at the academic conference of the Commission in Bloemfontein yesterday.

Putting forward a pessimistic view of a negotiated Human Rights Act for South Africa, Prof du Toit said, however, that the report was the first constitu-

tional development that was really meaningful since the tricameral development. Historically the report entered a new era.

Constitutionally the document implied simply a South Africa which the PFP (and the ANC) had long proposed: an integrated, undivided, equal unitary state in which the white would play no automatic constitutional-politically anchored leading role.

It was the termination of the development of the National Party's present evolution.

Prof du Toit said the report was a brilliant document, but there was a large question mark over it — the question of the legal personality of groups. If churches and tennis associations could have legal

personalities, why not also national groups?

The non-recognition of national groups could lead to conflicts. He posed the argument as to whether the proposed human rights charter was a peace document or one that could cause resistance.

On the Commission's viewpoint that acceptance of the human rights charter principle would improve the climate for negotiation, Prof du Toit suggested that, after acceptance of the principle, further negotiation would not be necessary or relevant as solutions of franchise, equal rights and abolition of apartheid legislation in a specific direction was irrevocably implied. — (Sapa)