

South Africa

by Khaba Mkhize

NATAL WITNESS, WED, JULY 5, 1995, PG 10

Unexpected funeral

LAST week this column commented on Foreign Affairs' response to the Organisation of African Unity's resolution to shoot down trouble in flash spots on the continent. Minister Alfred Nzo had committed South Africa to a creative approach: "preventative diplomacy".

And last Saturday at the funeral of ANC stalwart and South African Communist Party veteran Harry Gwala, thousands of mourners witnessed a transformed South African Police.

Thirty years ago when we were growing up the SAP was colloquially called "Satan After People". The new order brought about the added "S" for Services. Indeed I can be allowed to cite as an example that what we saw can warrant a new colloquial term: "South African Protective Services".

Community policing was seen at its best — not policing the community. The police were on the ground and in the air simultaneously — they were pedalling bicycles, vrooming scramblers and sending security signals to all types of military vehicles. Choppers and light planes were also surveying and monitoring the proceedings and processions.

Police and army members were seen strategically perched in bushes along the route from Jan Smuts to Swayimane. At stop streets it was the same sight — security services. Here was a valiant new culture oozing from our security services: "preventative security".

And to put the cherry on top of the preventative security cake I had an experience which confirmed my new discovery. A neighbour, Thembi Ngcobo, who was driving with a friend Nonceba Levine, had an accident a few furlongs from their destination, the Gwala funeral.

Thembi's spanking new Hyundai car hit the bumper of a Venture station wagon at a sharp turn-off. The radiator and grill were squashed and we came upon the two cars at the scene of the accident. I recognised my neighbour and the call of Ubuntu prompted us to stop and give moral support.

I do not know the number of policemen and concerned traffic control members who stopped and offered their help in trying to retrieve the keys locked inside Thembi's car. The two women had their bags locked in the boot.

The police even stripped their aerial to try and improvise a retrieving wire to fish the keys

out. The SAPS had phoned for a breakdown truck to rush to the rescue.

Nonceba's husband had a VIP tag on his shirt and Sergeant Max Hoffman offered to drive him to the funeral, seeing that he was stranded. Fortunately, Jonathan Levine was travelling with ANC official Mpume Sikhosane, who had also parked at the accident scene to offer help.

Ubuntu was displayed with flying colours. The new commissioner of the region, Lieutenant General Erik du Preez, had done his homework thoroughly and everyone who was at the proceedings agreed that the police offered a most competent service. Of particular note among the servicemen were Hoffman, Warrant Officer Mphikeni Phakathi and Constable Danisa. They stayed with us, assuring us against rumours that foretold of marauding armies of imps around Swayimane until the breakdown service arrived two hours later.

So instead of joining in the solemn occasion of the funeral, I found myself commiserating with Thembi as Thembi's car was mechanically hauled onto the flatbed of the truck. "Steel to steel, plastic to plastic and bumper to bumper," I said, intoning temporary rites for the car. That was the funeral I attended before we all drove back home in my car.

Now this concept of preventative measures must be extended to the presidential spectrum. At Jan Smuts Stadium there was both the State President Nelson Mandela and Deputy President Thabo Mbeki. This was very wrong.

If these two men continue to be at the same public spot at the same time, we are heading for serious trouble in this country. Let's suppose the walls and seating of the stadium pavilion collapsed and crushed the two leaders... imagine what would have happened.

The people of South Africa, who are still casualties of mistrust, might not buy a true story that the collapse had been the result of a genuine engineering fault and reflexively blame rightwingers for the tragedy.

Could the millions of black folks who voted for the ANC agree to wake up the next morning and accept a constitutionally-installed National Party leader in the form of F.W. de Klerk, since he is the next in line in the absence of the two other presidents of the Government of National Unity?

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ANC juggernaut rolls on

A REVIEW of the Government's policies in the most recent parliamentary term provides a sobering view of a country's descent into autocracy. I have been reminded of an image of Stalinist Russia in a British film, portraying the regime as a powerful locomotive, driving inexorably across the length and breadth of the country. Likewise in South Africa, the minority partners in the GNU appear silenced and ineffectual in deviating the ANC from its charted course.

When Buthelezi refused to participate in the elections, he was accused of evading democracy. Yet his fear that once enmeshed in the present Government he would be unable to achieve a federal democracy is proving all too accurate.

The ANC continues to dodge international mediation, providing umpteen reasons why it should not be held. If valid, only one would suffice. The terms for international mediation were agreed upon; mediation failed because of disagreement on the election date, in no way connected to the issues to be mediated. The province of KwaZulu-Natal was required to draft its own constitution in terms of the Agreement for Peace and Reconciliation, but since international mediation would affect the powers granted to provinces this should occur before the province's constitution is finalised. Notwithstanding, the

province is drafting its constitution within the limited scope of the Interim Constitution. It matters little that international mediation would affect only the Interim Constitution since, in the Final Constitution, the provinces may not have substantially less powers than in the interim one. The Constitutional Assembly is doing anything but supplanting international mediators, since the ANC in that body is proposing to even further diminish the powers of the provinces. These facts answer some of the more frequent arguments levelled by the ANC against the IFP in its rejection of mediation.

The ANC has become a Jekyll and Hyde, masterful at saying the right things while doing the wrong. President Mandela claimed in the Senate that he supports international mediation, but only when the terms of reference are defined. Yet these have remained virtually unchanged for more than two years and were even tabled in the Senate for debate. Yet actual mediation will not materialise.

The president insists that he will pay the chiefs to improve their lot, whether they like it or not. He also threatens to cut off funding to KZN and even amend the constitution to do so. This out of concern for the violence in the province. Yet

nothing could be more calculated to inflame tempers in KZN than reneging on mediation, buying the chiefs and threatening to cut off funds, not to mention the wooing of the king, a constitutional monarch accountable to his people, to ensure that he remains "beyond" politics.

For the sake of national unity and reconciliation, the Truth Commission is to be unleashed on an unsuspecting public. Building up to this, a well-timed investigation conducted by an internal task force set up by Minister Mufamadi has focused its investigation on IFP members. Hence in spite of 20 000 deaths in the province over the last 10 years and the assassination of 450 IFP leaders, the task force's findings focus only on IFP prosecutions. According to a question answered by Mufamadi in the Senate, ANC hit-squad activity in the Natal midlands is still under investigation and the information pertaining thereto has been too sensitive to release.

From the Truth Commission amnesty will most likely be sought only by those who fear prosecution, therefore mainly IFP members are likely to apply, while ANC hit-squad activities will remain buried from view. The Truth Commission will be a political tribunal. It will draft an official version of the truth about the past. That "truth" will emerge from individuals seeking amnesty and

others seeking reparation. It is not possible that it won't be biased.

Local government, the preserve of the provinces, is being taken over by the centre "to give power to the people". The door has been opened for extensive government influence over professional councils "for the sake of making them more democratic". Traditional structures are being rapidly eroded "for the sake of freeing the people from apartheid's dumping grounds". Whether the ANC and its supporters accept traditionalism or not, its enforced dismantling will result in thousands more people flocking to the cities to swell the already burgeoning squatter zones, crime rate and disillusionment.

It is ironic that in its support of a secular state the ANC argues that Christian actions are more important than words written in the constitution. People, they insist, must be given their freedom.

Those who petulantly wish away the IFP will probably realise too late that the only thing which minutely checks the ANC in its unstoppable path is the IFP and its visible style of politics. Unfortunately alongside this forceful locomotive nothing else is either seen or heard.

• Ruth Rabinowitz is a senator for the Inkatha Freedom Party.

Wednesday, July 5, 1995

our readers write

The 'right to life'

THE Constitution is a humanly devised instrument which is still under discussion, and if it is to be upheld by the people it must reflect the will of the people. The heated debate over the death penalty shows that the Constitutional Court's decision to abolish it may be anomalous, if the "right to life" clause is to remain unconditional. In this event the court, to be consistent, will also have to rule it unconstitutional for the army, the police, or any individual to kill, for any reason whatsoever. Plainly the constitution cannot say that, and this clause should either be amended or deleted from the document. Its essence could nevertheless be protected by other relevant clauses in the Constitution. In any event it is not in the power of humans to give or guarantee the "right to life".

The question of whether or not the death penalty deters criminals is not settled; but there is evidence that where punishment fits the crime it does have a deterrent effect. To argue otherwise would impugn the criminal justice system, virtually saying it should be abolished because crime continues to escalate regardless. Minister Dullah Omar rightly says that murderers, rapists and robbers should be made to serve out their full sentences, a sentiment that is widely

endorsed. However, there is little doubt that the commonly misplaced sympathy for criminals would eventually result in reinstating the totally unacceptable situation we now have, where criminals are loosed to terrorise society virtually unpunished.

This is not to suggest that there are some criminals who are quite beyond redemption, for everyone is endowed with a spiritual element that can be awakened. The answer to these problems, however, is long term, and lies in moral and spiritual education. This is sadly lacking in today's society, while actively being subverted by the distorted media emphasis on crime, violence, immorality, and all manner of antisocial behaviour. To suggest that these have no effect on peoples' values and behaviour is ludicrous. In the final analysis redemption is a spiritual process; but religious traditions do teach that punishment follows transgressions — through karmic law which says we reap what we sow, sometime, somehow. Incidentally, the original text of the biblical Commandment "Thou shalt not kill" says "Thou shalt do no murder", which puts a different complexion on the religious dimension regarding the death penalty debate.

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Mandela in Japan

PRESIDENT Mandela's arrival in Japan comes shortly after the news that Tokyo is now confirmed as the largest supplier of foreign aid in the world, eclipsing even the United States. This fact also indicates the way power is shifting ever more inexorably towards the Pacific Rim countries and away from the Trans-Atlantic axis where it has been located for so long. The 21st century, it is claimed, will be the century of the Asian superpowers, and this is a reality with which South Africa is well positioned to take advantage.

During the era of sanctions, both Taiwan and Japan were able to operate pragmatic economic policies with South Africa while keeping relatively aloof, in the case of Japan in particular, from involvement in the domestic political morass. These economic ties need to be further strengthened if South Africa is to benefit from the vast sums of Asian capital seeking investment destinations.

However, President Mandela should be under no illusions. He needs Japan much more than Japan needs him, and it is an honour that he is being received by the Japanese at all. Visiting Third World leaders armed with begging bowls are generally not welcome in Tokyo, but the red carpet has been rolled out for the one politician from Africa who comes with a truly international reputation.

He will also have to compete for attention with the much larger problems currently besetting Japan, both the internal tension generated by the Supreme Truth cult and the external conflict of a stand-off with the United States over import tariffs in the motor trade. If, in this distracted atmosphere, South Africa is able to secure further aid and investment by Japan it will be greatly to the credit of the country's president.

of porn' won't
down anymore

05.7.95

Using pornography for really obscene objectives



Pornography is a sign of a free and healthy society; to ban it would mark a return to the bad old days, writes Jeff Zerbst

In a recent article in The Star, Horace van Rensburg argues that pornography has damaging effects on society.

Van Rensburg states: "The direct link between the consumption of pornography and the heinous crimes of serial killers has been clearly and repeatedly established." Such a link may exist in Van Rensburg's mind; it certainly does not in the more qualified minds of international experts who have spent years studying the topic.

The Task Group which formulated our draft publications legislation, for example, surveyed all the available research and concluded: "The allegations that explicit sexuality and nudity causes crime are not legally convincing."

The countries which allow porn, of course, are numbered among the world's greatest. Countries which do not allow porn usually have very poor human rights records. I need only give you a single example: the Old South Africa.

It is truly sad when a society says to itself: "We do not trust ourselves with certain forms of knowledge, and certain expressions, images, philosophies." Societies which do this are essentially saying that its citizens, to a large extent, are incapable of evaluating, discriminating, choosing for themselves.

These societies have no faith in freedom, education, intelligence, or the idea of progress. They legislate for all on the basis of the failings of its weakest, least discriminating, least distinguished citizens.

Van Rensburg wants to live in that sort of South Africa. Some of us, however, realise that we have lived in that South Africa before.

People of Van Rensburg's ilk are obsessed with porn, and often fail to realise that things like alcohol abuse, poverty, racism, crime, pollution, unemployment, as well as religious and political fanaticism, have a far more harmful impact on people's lives than glossy magazines ever will.

Van Rensburg's tirade becomes ludicrous when he claims that 85% of the porn industry is controlled by organised crime. We at Hustler would love to know which thumb Van Rensburg sucked this figure from.

Van Rensburg says we have all been "duped by a blatant lie, namely that publication of pornography is a form of freedom of expression". This statement is nonsensical. What else could freedom of expression mean except that people are free to express themselves?

What Van Rensburg is trying to say is that the "great principle" of

freedom is wonderful only if we are able to violate it at the point where we feel threatened by it. He is essentially saying that people with the same conservative tastes as his, have the right to dictate to people with other tastes. This is morally unacceptable and unconstitutional.

Of course, no freedom is ever absolute, as Van Rensburg points out, but the guiding principle in the West is that one must have very strong grounds for curtailing freedoms.

Hustler therefore argued before the Task Group that pornography should be constitutionally protected, and that only the obviously extreme forms should be prohibited.

The Task Group drafted a Bill which reflected our views to a large extent. It was not irresponsible in its formulations. Other Western democracies have happily accommodated similar — nay rougher — material. Indeed, even in the face of a protracted attack from the unholy Christo-feminist alliance — pornography's right to exist has been upheld time after time in the courts.

Also noteworthy is the research of Berl Kutchinsky, who studied the correlation between the incidences of rape and increases in the availability of pornography between 1964-1984 in the USA, Sweden, Denmark and West Germany.

His finding: "In none of the countries did rape increase more than non-sexual crimes." His conclusion: "This finding in itself would seem sufficient to discard the hypothesis that pornography causes rape."

Van Rensburg adopts a conveniently superficial view of serial killer Ted Bundy's Death Row testimony to a psychologist, Dr James Dobson, that porn warped his brain.

Dobson's interview has been severely criticised by the US media, which point out that Dobson asked leading questions, put words into Bundy's mouth, and refused to concede that he might have been misled by a supreme con-artist.

Van Rensburg does not point out that the entire Bundy interview revolves around violent pornography — material involving torture, rape and mutilation. In terms of the draft Bill such fringe material may not be published or distributed in South Africa. Hustler supports this ban.

Crucial to the Bundy interview are Dobson's subsequent admission that Bundy was probably a psychopath, and the confession that he was almost always drunk when he committed the crimes.

Serious researchers, along with experts in psycho-neural studies, know that cause is not established through personal testimony. Deborah

Cameron and Elizabeth Frazer tell us that we cannot "treat what sex murderers say about themselves as unproblematically true, even when it seems to coincide with analysis".

So even a rapist's or murderer's confession that he did something "because of porn" is not necessarily proof of anything at all.

It may well be that a fair proportion of sex offenders read pornography. Even if this were to be established, it would not necessarily prove anything. Correlation does not imply causation. One might, for example, establish that many criminals in the West watch crime thrillers on TV. One could not go on to draw the conclusion that TV causes crime.

Of course, no pornographer can prevent lunatics from using porn to arouse themselves, just as no minister of religion can prevent disturbed people from using scripture as a catalyst for fanatical behaviour. One is not just thinking of religious crazies who join apocalyptic cults, and enter suicide pacts. Our history is saturated with more serious accounts of violent, frenzied acts committed in the name of religion. If we must ban porn because some of its readers act monstrously, then we must certainly ban the Bible, too.

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