



THE BLACK SASH

5 LONG STREET · MOWBRAY · 7700 · TEL. 685-3513 · 9 a.m. - 1 p.m. MONDAY - FRIDAY

12 November 1991

Dear Regions

Here is the final draft of the National Conference minutes and a copy of the amended National Constitution - at last!!! I shall make sure that they go out much sooner next year.

Please note that as time is tight, the deadline for receipt of corrections to the minutes is December 6. After that they will be considered accepted.

Regards

Barbara Molteno



THE BLACK SASH

5 LONG STREET · MOWBRAY · 7700 · TEL. 685-3513 · 9 a.m. – 1 p.m. MONDAY – FRIDAY

MINUTES OF THE NATIONAL CONFERENCE 1991

CONTENTS:

1. Minutes
2. Appendix 1 - register of attendance
3. Appendix 2 - resolutions and recommendations
4. Appendix 3 - statements

Issued by the National Executive
5 Long Street Mowbray 7700

MINUTES OF THE BLACK SASH NATIONAL CONFERENCE 1991 CAPE TOWN

FRIDAY, 1 MARCH 1991

SESSION 1
09:00 - 10:45

(JENNY DE TOLLY in the chair)

- 1.1 The Conference was opened by the National President, Jenny de Tolly.
- 1.2 The Dedication was read by Frances Whitehead from Cape Western.
- 1.3 Jenny de Tolly welcomed everyone present and called upon the conference to observe a minute's silence in memory of all those who have died in police custody and in detention.

All members of conference were asked to introduce themselves and a roll call was held. (See Appendix A - Register for attendance list.)

- 1.4 A Press Committee was elected comprising Joyce Harris, Pat Tucker, Anne Hill, Priscilla Hall and Jenny Horn.

Rules of Procedure were adopted.

There was discussion around which sessions should be closed, and it was decided that only session 10, the business session, should remain closed.

Regions were asked to have representatives from employee managements and staff at each after-dinner meeting. Delegates were asked to indicate their preferences for these meetings on the list provided to ascertain the level of interest.

- 1.5 Apologies were received from Marj Brown who has recently had a baby girl. It was proposed that we send her a card.

Natal Coastal offered a video on the Small Claims Court to all regions.

Albany suggested that a message be sent to Gus MacDonald who is in hospital.

Sheena Duncan proposed that as Eulalie Stott has been a Cape Town City Councillor for thirty years today, we send her a message of congratulation.

- 1.6 Conference Steering Committee: Candy Malherbe and Sarah-Anne Raynham made themselves available to adjust the contents of the agenda.

- 1.7 Agenda: no major adjustments

- 1.8 The minutes of National Conference 1990 were adopted: proposed by Mary Burton, seconded by Sheena Duncan.

2 HEADQUARTERS REPORTS

- 2.1 Mary Burton introduced the GENERAL HEADQUARTERS REPORT for the year March 1990 to March 1991. She commented on the benefit that headquarters has derived from the structure of the extended National Executive and the meetings with regional representatives.

Retiring members of the Extended National Executive, viz. Candy Malherbe, Jane Prinsloo and Tish Haynes, were thanked. Rose Meny-Gibert was thanked for her past services and Barbara Molteno was welcomed in her place as National Secretary.

Mary paid tribute to Jenny de Tolly and congratulated her on her Presidential Address at the public meeting at the Claremont Civic Centre the previous evening.

Rosie van Wyk Smith suggested we re-think the idea of a public meeting to open National Conference as it had not been well attended by the general public or invited guests.

Jenny de Tolly felt that a public meeting was of benefit to members and friends of the Black Sash who did not otherwise have a part in National Conference. She also noted that the British and Canadian Embassies had been represented.

Natal Coastal expressed concern that the audience had been largely white.

- 2.2 The NATIONAL TREASURER'S REPORT for the financial year 1990, together with the Income and Expenditure Statement for 1990, was presented by Candy Malherbe.

- 2.2.1 Candy Malherbe read the resolution re an annual increase of the levy to Headquarters of 15 per cent (see *Appendix 1*).

Transvaal region felt that the Treasurer's Report should be circulated every year before Conference so that the regions could assess the financial status of headquarters and discuss any levy increase at Conference. Border proposed that the National Executive be authorised to impose a levy increase of up to 15 per cent if they think fit. C. Malherbe pointed out that had we raised the levy by 15 per cent in the past we would not have covered our needs.

The regions were asked to discuss the matter further and come to vote on the resolution on Sunday.

- 2.3 The MAGAZINE COMMITTEE REPORT was presented by Sarah-Anne Raynham. She asked all Magazine Committee members to stand and identify themselves. C. Malherbe is to be the editor of the Conference edition of *SASH*.

S-A. Raynham mentioned that our membership, and thus magazine distribution, has dropped by 276. Increased printing, paper and production costs resulted in the magazine budget being exceeded by 11 per cent. However, money from the Fund for Free Expression has been used to cover this increase and, as cheaper printers are now being used, it is expected that future editions will stay within budget.

Albany region volunteered to undertake a drive to sell SASH magazine overseas (e.g. to American universities). Conference approved this.

Sheena Duncan asked that a correction be made to the report: p. 2, 4. Magazine: The A.O.T. has offered to pay for magazines to *donors* of the Trust, not for *all* complimentary copies.

Jenny de Tolly paid tribute to the volunteer magazine committee for producing such a quality publication.

- 2.4 Sheena Duncan tabled the ADVICE OFFICE TRUST REPORT. She read an article about the Black Sash from the Sunday Times - 1958 - written by Stanley Uys. The Advice Office is still focusing on causes of poverty and is working on feeding information into debates on pensions, domestic/farm workers, civil rights, homelessness and violence and repression monitoring.

Sheena Duncan reported that the annual A.O. workshop allowed time for full discussion on campaigns and issues, something not possible at National Conference.

Members were urged to read reports and stay informed.

Beryl Stanton asked delegates to collect copies of the A.O.T. financial report to be dealt with later.

3 REGIONAL REPORTS

- 3.1 NORTHERN TRANSVAAL REGIONAL REPORT tabled and spoken to by Kerry Harris. She reported that becoming a separate region has been very positive for their growth.

Penny Geerdts, already the fieldworker, has become the A.O. coordinator.

- 3.2 TRANSVAAL REGIONAL REPORT was tabled. Judith Hawarden reported that Sheena Duncan had received an honorary doctorate from the University of the Witwatersrand. She drew attention to the Education Committee's work, as tabled.

- 3.3 ALBANY REGIONAL REPORT was tabled. Rosie van Wyk Smith reported that despite a small membership, the region was very active.

- 3.4 CAPE EASTERN REGIONAL REPORT was presented by Anne Knott. Despite a number of problems in the region, the Advice Office was running effectively and Judy Chalmers was a very capable fieldworker.

- 3.5 BORDER REGIONAL REPORT was tabled. Jenny Horn (Middleton) reported that members were being encouraged to become involved in the Advice Office but that members should also be prepared for Black Sash leadership roles.

SESSION 2
11:15 - 13:00

(KARIN CHUBB in the chair)

REGIONAL REPORTS CONTINUED

- 3.6 CAPE WESTERN REGIONAL REPORT was presented by Denyse Smith. Repression monitoring in the region has increased under the leadership of Rosalind Bush. "Now we are Free", a handbook for ex-political prisoners and their families, has been published.
- 3.7 NATAL MIDLANDS REGIONAL REPORT was delivered by Fidela Fouche.
- 3.8 NATAL COASTAL REGIONAL REPORT was presented by Anne Colvin. She reported that the colonial mentality still prevailed among members of the public in this region. They have received visitors from overseas who were on fact-finding trips vis-à-vis the Natal violence.

The internal disarray in the region is due to diminished numbers of members able to take on Black Sash work, and a failure to take stock of the situation at the outset of 1990. This resulted in ad-hoc reaction to events during the year.

Discussion of Regional Reports followed:

Karin Chubb picked out some themes from the reports before opening the floor for questions. She noted the drop in membership, the need for restructuring and for creative solutions to management difficulties, and the remaining high level of needs which may lead to liaising with other organisations.

Lynn Hotz raised the question of the relationship between the advice offices and the regional membership in the early days of the Black Sash, when the region found its roots in the advice office.

Sheena Duncan noted the new problems posed by taxes under the Fundraising Act of 1978 and how that has changed the relationship of the advice office to regional membership. On the one hand this freed the Black Sash from managing the advice offices via discussions at meetings. The issues predominant in the Black Sash do still arise out of the advice office work, she said.

Sue Philcox called upon Noël Robb to relate an historical perspective on the advice office/membership relationship - if not at the conference then in a paper.

There was protracted discussion around the difficulties experienced by the different regions with regard to management/employee/volunteer situations.

TRAC is considering becoming an autonomous organisation. The TRAC report would be tabled with the advice office reports.

Denyse Smith noted that Southern Cape had been left out due to a misunderstanding, but that they would be dealt with in the advice office session. A correction in the Cape Western report: "Resolution" should read "Recommendation".

Jenny de Tolly emphasised the need to discuss current political issues such as a Bill of Rights and the death penalty and suggested a national committee for each specific issue.

Judy Hawarden called for the Black Sash to urgently address drawing in black members.

Beryl Stanton presented the Advice Office Trust Summary of Receipts and Payments (Paper 5 b). She noted that Sheena Duncan and Ethel Walt were largely responsible for raising the money mentioned in the A.O. report, and drew attention to the high cost of running the offices last year.

SESSION 3
14:00 - 15:45

(SUE PHILCOX in the chair)

Regional Advice Office Reports and Fieldworker Reports

- 4.1 NORTHERN TRANSVAAL report tabled. Penny Geerdts said that the advice offices need to empower people to take action on their own behalf. The issue of illegal immigrants and 'slavery' has not been broadly discussed and assessed. Now only two paid workers on the staff. There is regional representation on the management committee. They have links with other organisations, e.g. are represented on the Repatriation Committee. Need to assess position to define limits for voluntary workers.
- 4.1.1 FIELD WORK: The report on domestic workers, "Let us Work Together", has been compiled and regions were thanked for their comments. The price of fares on Putco buses is very high and this is affecting the attendance of teachers and pupils at farm schools.
- 4.2 TRANSVAAL REPORT written by Marj Brown, spoken to by Sheena Duncan. Numbers of cases dealt with are down - important to establish why. One reason is that many other advice offices have now been established nearby. However a number of them are being threatened with closure due to lack of funds. Volunteer workers Tanya Samuel and Michael Peverill from the Quaker Peace Service in London were introduced and thanked for their help.
- 4.3 ALBANY REPORT co-ordinated by Nancy Charlton, spoken to by Vivienne Botha. Recommendation that the Black Sash bring out a General Report along the lines of the Albany one (on Insurance policies sold to poorly paid workers), and that it be circulated to insurance companies, the Ombudsman, etc. There is a need to initiate a programme of consumer education re insurance policies for trade unions, high schools, social welfare agencies, legal aid clinics.
- 4.3.1 Glen Hollands ALBANY FIELDWORKER REPORT tabled. The Black Sash is not a mass-based organisation, and its credibility and accountability is sometimes called into question as a result when dealing with local issues.
- 4.4 CAPE EASTERN ADVICE OFFICE REPORT presented by June Crichton. They are dealing with approximately five-and-a-half-thousand cases a year and feeling pressurised. They are concentrating on streamlining the office and training voluntary workers.

4.4.1 Judy Chalmers presented the FIELDWORKER REPORT. Repression in Klipplaat is still intense: brutal station commander, arbitrary arrests, etc. Three Black Sash members involved in the regional civic body - not an easy exercise. Members involved with returning exiles.

4.5 BORDER ADVICE OFFICE AND FIELDWORKER REPORTS tabled. Rebecca Hess said that the region was small, active, hardworking but overcommitted - five full-time workers. Management committee is still learning and not really able to assist the fieldworker.

Judgement on eviction case not yet received but Rebecca will let branches know the outcome as this judgement may be useful.

Rebecca would like to coordinate a working group on employment conditions in the catering industry and called for people to contact her.

4.6 SOUTHERN CAPE: Tessa Edwards gave an overview of the region's work and said that the Black Sash's high profile in the area derives largely from the work of the advice office and fieldworker.

Members were invited by the Civic to become part of a working group to move into a single municipality. They held a workshop for civics on Local Government and Management.

4.6.1 SOUTHERN CAPE ADVICE OFFICE REPORT delivered by Stephne Henley.

4.6.2 FIELDWORKER REPORT given by Phumlani Bukashe. Knysna area still in pre-transition period. Lack of negotiating skills in Civic Association is hampering progress. Suggested that the Black Sash produce a booklet on Local Authorities to help empower civics.

4.7 CAPE WESTERN ADVICE OFFICE REPORT given by Sue van der Merwe. The Advice Office is involved in a pensions campaign, a maintenance campaign, a rural advice office training programme and internal training courses.

4.7.1 BOLAND FIELDWORKER REPORT presented by annemarie hendrikz. Note that the statistics represent the number of cases handled and not the number of times one case was worked on. It is easy to get discouraged by the slow rate of success of advice offices and there should be debate and assistance in this area. Villiersdorp should be commended on its efforts to work together towards a victory in its housing struggle.

4.8 NATAL MIDLANDS ADVICE OFFICE REPORT was presented by Jenny Clarence on behalf of Anne Strode.

4.9 NATAL COASTAL ADVICE OFFICE REPORT was tabled by Lynn Hotz. A new pension payout system in KwaZulu is being monitored. There is a new squatter community - Canaan.

SESSION 4
16:15 - 18:00

Chair: SUE PHILCOX
Co-ordinator: JANE PRINSLOO

LAND AND HOUSING

- 5 Jane Prinsloo coordinated this session and gave a general introduction. The issue is important as a major and potential source of conflict. We need to explore alternatives and come to an appropriate statement of the Black Sash's position.
- 5.1 GLENDA GLOVER spoke about the right to land and housing. This is a fundamental human right and South Africa has the resources to deal with the problem. However, the state should not be held responsible for providing houses for all, but it has a responsibility to make it possible. This right encompasses more than the owning of a house, it involves building a community [see (i) Scott Leakey article - Housing Rights Entitlements, (ii) Witwatersrand Network for the Homeless catalogue - Land; and Affordable Safe Homes for All].
- 5.2 JOSIE ADLER: Worldwide, one third of heads of homes are women. Property rights and prices must be altered so all can have access to homes. Subsidies for land are being increased, but the people still need to find the money to build and it is not possible to build in all settlements. Corruption, graft and undemocratic practices are rife in the struggle for access to land.
- 5.3 JANET SMALL: Scrapping the Land acts does not solve the problem - new legislation will have to be enacted or unjust access to land will continue. We need to consider: (i) entrenching rights to land for those who live on it, and (ii) proper land reform for those who have no access to land.
- 5.4 ANNINKA CLAESENS spoke on proposals for how to move towards a more just/equitable distribution of land. Some insist that the free market is the only way to achieve economic growth, but white title deeds have been gained through conquest, not free-market forces and white farming is based on subsidies - thus a political situation. The state could confer ownership of houses in the townships. Security of tenure is also important as it contributes to economic growth and political stability.
- In cases of conflicting claims of ownership the Land Claims Court could make decisions based on fair judgements. However, the problem of landlessness and redistribution still has to be addressed.
- 5.5 DAG (Development Action Group) - a representative spoke about possible steps which could be taken to move toward more equitable access to settlement opportunities in predominantly urban areas.

Four aspects of land and shelter:
- access to land and shelter
- quality; standards too high
- location
- control

We must strive for land and shelter as an absolute right and for integrated, desegregated cities.

- i) ACCESS:
 - Perhaps link land ownership to use
 - Consider co-operative purchasing
 - Stop speculative selling of state land
- ii) QUALITY of houses, services and amenities:
 - Look at national budget
 - Alternative housing policy with more rented accommodation
 - Alternative provision of housing - core houses, loans, co-ops.
- iii) LOCATION:
 - Take an inventory of all vacant land
 - Change existing regulations
 - Rezone
 - Increase densities
- iv) CONTROL:
 - Replacing apartheid planning with economic planning - another term for the same thing
 - A paper from D.A.G. will be available at a later stage.

Discussion followed:

- Communities usually know what land the state owns, and this can be checked through the deeds office. Land should be used for the best purpose through a regulated legal system.
- If the state gives over land for houses and ignores the squatters on the land, the site-holders get political gain and the squatters' position is weakened.
- Land transactions currently involve transfer of money; we need to consider a change of policy.
- Illegal Squatters Act is not going to be repealed. A White Paper on Group Areas and Coloured Reserves is coming out on 12 March. The repeal of the Group Areas Act has exacerbated the lot of squatters, both urban and rural.
- Developers; should we engage with the government or the Urban Foundation?
- The land ethic amongst Africans is similar to the Western concept. Much research is being done on this issue.

A subgroup was formed to draw up a statement on land issues.

SATURDAY, 2 MARCH 1991

SESSION 5
09:00 - 10:45

Chairperson and co-ordinator: SUE VAN DER MERWE

SOCIAL WELFARE

Toni Tickton, Director of Cape Mental Health, gave an overview of what is currently happening in social welfare with regard to:

- state/private sector
- racial divisions
- privatisation
- policy shifts
- what the Black Sash can do/help

The most pressing need is for a single welfare department with parity of payment and one which embodies a coherent welfare policy that takes into account the situation in this country - i.e. rich/poor, urban/rural, etc.

A "user-friendly" system and standard criteria for obtaining grants is urgently required. Advice office workers could provide valuable information in this field.

1 PROFESSOR PIETER LE ROUX

The main recommendation that Professor le Roux put forward was for parity in pensions. The main shortcomings of pensions as they stand in the country at present are that they are:

- racially discriminatory
- a strict means test applies
- delivery system is ineffective and needs to be overhauled
- too low for people to survive on them

The strict means test needs to be scrapped and an inflation-proof contributory scheme introduced.

Professor le Roux spoke on how much South Africa spends on social welfare in relation to other countries and the savings that would be made by doing away with apartheid structures. There are major budget constraints, but a big challenge is to get a good delivery system so that when the money does become available it makes its way effectively and efficiently into the right hands.

2 NICCOLI NATTRASS spoke on other existing social-welfare systems.

South Africa, when compared with other countries, spends a relatively high percentage of its GDP on health but there is very unequal income distribution. There is also a very strong racial and regional bias on spending.

It is estimated that it would cost R500 million (R12,50 per head), which is less than one-tenth of what we are paying already, to re-orient our health spending. Recommendations for this programme would be to implement oral rehydration therapy, simple pregnancy management programmes and essential drug programmes.

Questions from the floor around the AIDS issue highlighted the need again for effective delivery systems. The state needs to be seen to be addressing the issue.

It was felt that it was imperative that health care is put onto the political agenda and that progressive organisations are seen to be doing this.

A policy proposal put together by Sue van der Merwe and Sheena Duncan arising from the above session on social welfare would be brought to the resolution section.

SESSION 6

11:15 - 13:00

Co-facilitators: ANNE HOPE and ANNEMARIE HENDRIKZ

DEVELOPMENT AND TRAINING

The session was opened by Annemarie Hendrikz who gave an overview of the regional training programmes.

- Southern Transvaal Advice Office runs four-monthly programmes for community advice offices with proper management committees and funding.
- TRAC Advice Office runs rural workshop interaction.
- Western Cape has a development programme for their own workers, advice offices, and A. Hendrikz and P. Bukashe also run workshops in rural areas. In addition they have a one-year training programme for a rural worker who will go back to work in Colesberg.
- Eastern Cape works with volunteers. Have a training programme for rural communities - courses will run twice a year.
- Grahamstown has only one staff member, so training is ad hoc and mainly with St Paul's students who work in the Advice Office.
- East London field worker and volunteers work with a training programme and through campaigns which are used as knowledge-sharing exercises.
- Natal Midlands has informal training of volunteers in the Advice Office. Still concerned largely with crisis monitoring.
- Northern Transvaal holds joint workshops with other Advice Offices so is self-directed.

Regions were then called upon to comment briefly on their problems and successes.

- Natal Coastal spoke of the empowering of communities in the Canaan area. Unfortunately, however, there was increasing manipulation of this power to the detriment of the people.
- Natal Midlands has introduced the Street Law programme.
- Cape Western spoke very positively about R.A.T. (Rural Action Training) which focuses clearly on Advice Office training, but the workers are not always able to sustain the Advice Office work afterwards. The people involved in R.A.T. are becoming empowered through the acquisition of management skills.
- Cape Eastern expressed that they are aware of their inadequacies and feel the need to learn how to be relevant. The raised expectations of trainees is a problem. However, they have a training co-ordinator for volunteers and have had a great response from the public to the work of the Advice Office.

- Albany trains volunteers and has success working with St Paul's Theological College students who take their knowledge out into the parishes. However, they feel that most A.O. work is "band-aid" and would like the emphasis to be on backup, rather than duplicate work done in Port Elizabeth and East London training programmes.
- Southern Transvaal has experienced collapse of A.O.s after training because of corruption. A success has been the ripple effect created from their training programme in the mid-eighties and Black Sash's initiation of the idea of advice centres as points of community organisation.
- TRAC focuses on development rather than training and help in the development of structures in rural areas.
- Northern Transvaal training has been largely internal. They have not been approached by other organisations and tend to direct people to the Johannesburg Advice Office. They have not focused on management by objectives.
- Southern Cape trains only Advice Office workers so accountability is a problem.

Thandi Gaqa, a fieldworker trainee from Cape Western, spoke of her experiences in the training programme. She said that there was an enormous amount to learn but that it became easier with time. She feels she has been given a window to see beyond the oppressed community. Training needs to be carefully structured: maybe it should be broken up into smaller time units to be easier to assimilate. She spoke of how the Bantu education system has killed all her initiative, putting her at a disadvantage in the training programme.

The plenary then broke up into small groups of six people. Each group was given a resource package and asked to explore\define what is meant by "development".

Highlights from report back of each group:

- * impoverished communities need access to resources
- * important to be able to speak for themselves
- * liberating people's positive potential
- * establishing needs through consultation
- * protection of whole environment
- * improving the quality of life for communities not individuals
- * empowerment, particularly of women
- * must be visible/tangible and sustainable
- * educare for young children
- * state provision of basic needs
- * skills training - cooperatives
- * human and environmental development inextricably linked
- * recreating cultural traditions
- * women's control over their own bodies

Annemarie Hendrikz stressed that through training programmes people and communities can be set free to decide how they want to respond to the problems they are faced with. While there is still a great need for welfare, this can lead to dependency, hence the need for liberating, transforming development.

Annemarie went on to describe a project in Latin America where five countries pooled their ideas on problems of development in the face of economic crisis, political disillusionment and apathy. They identified nine essential human needs: subsistence, protection, affection,

understanding, participation, idleness, creation, identity and freedom.

She emphasised that development is essentially a community process and must:

- * identify needs
- * identify blocks
- * recognise false satisfiers
- * agree on true satisfiers
- * plan responses
- * negotiate resources
- * carry out plans
- * evaluate regularly

It is hoped that this discussion will be taken back to and developed in the regions.

SESSION 7 14:00 - 15:45

Chair: SHEENA DUNCAN
Coordinator: ROSALIND BUSH

VIOLENCE AND REPRESSION

This session focused on what is causing the violence and what the Black Sash can do about it. There was brief input from certain regions.

TRANSVAAL REGION: LAURA POLLECUTT (refer paper 26)

Laura highlighted six points from her paper:

- * many people still in detention despite reform process
- * violence has spread to Johannesburg
- * repercussions of violence
- * overall violence in society, especially in black communities
- * case study - Phola Park
- * reconciliation and reconstruction

The government is more inclined to informal repression, but torture, detention and deaths in detention still occur. The police still invade meetings and are not disciplined - see 'Sebokeng march.

There are doubts that the CCB has been disbanded.

The police have shown a clear bias for the right wing which is now divorced from the state.

It seems as if the violence has been imported from Natal as there is an Inkatha/vigilante presence. It is easy to intimidate hostel dwellers to comply.

There seems to be complicity between the police and the judicial system in the rural areas.

BETTY DAVENPORT:

Summary of SAIRR paper, December 1990, by Wayne Saffro - "Attacks on Policemen". One copy to go to each region.

The research in this area is on-going and it is not always possible to verify figures with absolute accuracy.

English language press/monitoring groups almost ignore violence against the local councillors.

EASTERN CAPE: GLEN HOLLAND/JUDY CHALMERS

(refer paper 26.1 - Albany Report on Repression and Violence)

Glen Holland was introduced as the new rural worker in the Eastern Cape. He said that the area was relatively calm, despite political consciousness being very high. There is much poverty and unemployment, but there are no Inkatha impis.

The paper focuses mostly on Barkley East which has a long tradition of violence. It has a small police force which is not properly controlled. Vigilantes are emerging and the likelihood of violence breaking out in the Eastern Cape is very possible.

JUDY CHALMERS (see paper 26.2 "People's Courts")

Govan Mbeki and Raymond Mhlaba help to keep the peace. Police are keeping away when they should be present - e.g. atrocities were committed in Willowvale people's courts but the police refused to intervene.

NATAL: Anne Truluck

(refer paper 26.3: "Natal Violence: Why the war continues")

Anne highlighted salient points from her paper. Inevitable that the MDM and Inkatha should clash. Buthelezi has become elevated to the status of a national leader and is supported by the state.

Police partiality - overwhelming number of affidavits to support these allegations. Natal courts have not prosecuted police and witnesses are scared.

Homeland system must be disbanded. Police and courts need to be reorganised.

DR SATHS COOPER (U.W.C.) then spoke on the culture of political intolerance

South Africa is a very violent society as a result of the violence of apartheid. Interpersonal violence outstrips the political violence - our society is violent towards the young, the old and to women.

We are socialised into intolerance and it becomes a modus vivendi - e.g. we get angry in traffic jams, angry with our children, etc. Violence needs to be exorcised from our collective unconscious and the fabric of society changed.

WILFRIED SCHÄRFF (U.C.T.) spoke on the subject of "Policing"

He challenged us with the assertion that we have the police force that we have allowed to happen. The police is one state institution that *could* be a liberating force in our society if properly organised and seen to be a fair mediator.

There are two kinds of policing in the country: "the bobby on the beat" to protect white interests, and a "fire-fighting" policy which marginalises black interests.

We do have a role to play in altering the *status quo*:

- * public pressure can challenge the police, their superiors and the courts
- * need to publicise critiques of police action - SASH could publish book reviews
- * Advice Offices could inform people of their rights with regard to the police
- * communities/civics can liaise with police to restructure community policing
- * we must call for an independent ombudsbody to monitor the police

Three respondents from the floor addressed the question of how the Black Sash can contribute to the debate on violence:

1 ROSALIND BUSH - Cape Western

The Black Sash needs to be involved in the debate on future policing - we have always worked in this sphere. We can:

- * lobby for repeal of Internal Security Act
- * lobby for abolition of legislation which gives the police protection from the law
- * keep up pressure on the death-squad issue
- * educate ourselves and the public

2 LYN HOTZ - Natal (R.M.G.)

- * publicity is crucial
- * critical need for court monitoring
- * Buthelezi *not* only a peace-loving person; the other side of him needs to be exposed.

3 JUDITH HAWARDEN - Southern Transvaal

We recognise that the police are not all bad and the liberation organisations are not all good. But as a human-rights group it is important that we continue our work around the issue of policing.

- * get publicity - e.g. Black Sash members on M-net!
- * education - e.g. booklets on rights/letters to the press
- * monitor courts: bail conditions
- * call on community leaders to take leading role
- * intervention (affidavits) and calls to Vlok, etc.

.SESSION 8
16:15 - 18:00

(MARY BURTON in the chair)

CONSTITUTION AND A BILL OF RIGHTS

General announcements (b. thomas)

Draft statement in connection with the Mandela Trial was available and needed discussing before being made public on Sunday morning.

Mary Burton explained that this session on *Constitution and a Bill of Rights*, would be held in groups, that each group would have a facilitator and a resource person, and set questions would be supplied for all groups. It was hoped that all groups would come back with positive plans, relevant to Black Sash.

M. Burton gave some input to lead debate in the groups. She wished to dispel a few myths:

- 1 that the present situation where the government was "voting itself out of power" was unique. There were several other examples of this happening, e.g. South American countries. She then read extracts from Robert Burley's *Shaking off of Burdens*.
- 2 that socio-economic problems must be put right first. Unless the issues of power-sharing and political participation were addressed now, together with the development of a legitimate judicial system to uphold this power-sharing, socio-economic upliftment would be a waste of time.

The fundamental cleavage between those who want to hold onto what they have, and those who want what they have never had, needs to be addressed and a Bill of Rights would have to take note of these two conflicting interests. M. Burton recommended that Black Sash take a careful look at the ANC's draft Bill of Rights and the South African Law Commission's Bill of Rights and that Black Sash should be in a position to comment on both.

Eight groups then reported back on discussion.

Group 1

Facilitator: Val West; resource person: Noël Robb

The group had open discussion and did not have the opportunity to come to any decisions. It felt that a unitary structure was needed for the constitution and that two chambers were necessary. A bill of rights should be drawn up, but there was no consensus about which generation rights should be included or excluded. A multi-party conference was seen as useful as an interim process leading to a constituent assembly. A constituent assembly could possibly lead to more violence, but the group thought it was useful and that everyone should be involved.

A constitutional court should exist and be separate from the judicial system.

Group 2

Facilitator: Kerry Harris; resource person: Candy Malherbe

The constitution should define the type of structure for legislature, executive, judiciary and the checks and balances between the various power relations. Needed more knowledge on this rather specialised area. The bill of rights should be in the constitution.

Group 3

Facilitator: Sue Philcox; resource person: Judith Hawarden

Fidela Fouche reported back:

The group started with discussion around a multi-party conference and agreed that it was the most facilitative way to moving towards an interim government, which the group felt was important to have in place. This interim government would then lead to a constituent assembly. Agreed that a bill of rights should be in the constitution. The Black Sash should align itself with other human-rights bodies and be represented at the multi-party conference. Black Sash should be active in promoting debate

around the constitution and the group agreed that there should be an independent constitutional court. Important that the constitution be accepted by the people.

The group did not have time to address the question of Black Sash stance with regard to a multi-party conference, but felt that "it" should happen and that it should include a broad spectrum of people. They supported a constituent assembly, but felt that it should not exclude other steps.

The role of a constitutional court should be separate, made up of legal and community people and subject to a bill of rights.

Group 4

Facilitator: Barbara Klugman; resource person: Karin Chubb

The group felt that whatever structures were set up, they must be representative of the people and that whatever the Black Sash does, it must be gender-sensitive. Agreed that they wanted a bill of rights to include first-, second- and third-generation rights, but need to discuss how to avoid these different tiers clashing with each other.

They felt that an interim government (or some neutral body) was necessary to set up a constituent assembly. Agreed that a constitutional court was necessary, but must be representative, particularly of women and lay people, and people should be educated in the use of the court.

Process for Black Sash: need to educate ourselves around the various options, e.g. ANC and Law Commission, and then write up material for Advice Offices, also educate around "secret ballot". They want each region to choose one person to coordinate this process and national office to get feedback from all regions after their internal education process and draw up Black Sash positions from this (noted that resource material had been circulated by National, but not read by regions).

Group 5

Facilitator: Jill de Vlieg; resource person: Sarah-Anne Raynham

Pat Tucker reported back:

The group felt that a bill of rights should contain first-generation rights only and that second- and 3rd-generation rights should be contained in a separate document and that these rights should be enforceable by law. There should be an independent court accountable to the people, which would uphold a bill of rights in a constitution. The Black Sash should put forward a critique about the ANC and Law Commission's bill of rights - Sash should be playing a monitoring role. They agreed that there should be a constituent assembly, but the issue would need examining.

Group 6

Facilitator: Margaret Nash; resource person: Sheena Duncan

Rosemary van Wyk Smith reporting back:

The group focused on the Black Sash and a constituent assembly. They first defined what was meant by the term. Once the constituent assembly had drawn up a constitution, it must go back to the people for voting. They felt that funding, policing and

education were important issues that needed attention. The whole process would need to be monitored and that it need not be an international body, but could be a local one.

Group 7

Facilitator: Nancy Charlton; resource person: Joyce Harris

This group held discussions, but did not come to any agreement. Discussed what was meant by a constitution and the idea of federalism. Agreed that there should be a bill of rights in the constitution, but did not agree as to which generation rights should be included. Agreed that the Black Sash should look at ANC and Law Commission bills of right. Felt the need for more education and debate around all the issues raised by the questions.

Group 8

Facilitator: Wendy Annecke; resource person Prof. L. Ackermann

Carla Sutherland reported back for her group:

The group found it impossible to discuss all the questions in the short time available. Discussion was needed on what was meant by a constituent assembly, as well as a multi-party conference and Black Sash's involvement in it. The group focused instead on ways of getting people out of power.

Mary Burton mentioned the importance of a constitutional court, but very little is known about the issue and we need to be informing ourselves and others. She recommended the article in the *Weekly Mail* of 8 February which dealt with some of the questions that would have to be addressed by the formation of a constitutional court. ILRIG had also compiled a useful dossier of information around the constitution. M. Burton also emphasised the importance of creating a climate of understanding of what rights meant, so that people would know to claim their rights. Black Sash could play a part in this task. Rights must also be enforceable, otherwise they were of no use.

M. Nash recommended that a position paper could be prepared, in connection with a Black Sash viewpoint on all these issues, that it be sent to all the regions for comment by a certain date, responses collated and a final version developed for acceptance by all the regions.

Smaller regions asked for resources to be sent to them, and generally, regions were asked to exchange information and resources.

General announcements were made about meetings and a video due to take place after supper that evening, and the session closed at 18:05.

SUNDAY, 3 MARCH 1991

SESSION 9
09:15 - 10:45

Chair: DENISE ACKERMANN
Co-ordinator: KARIN CHUBB

WOMEN

Denise introduced the session by asking us to consider how the work of the Black Sash affects the role of women. We were also asked to consider whether the Black Sash is an organisation of women or a women's organisation.

The Black Sash is in the business of fighting discrimination and oppression, and women's rights are of importance.

Karin Chubb (Cape Western)

(paper 27: "Post-Apartheid South Africa: Changing the guard at Tuynhuys or liberation for all?")

Karin Chubb's focus was to examine Black Sash work from a gender perspective. She suggested we:

- * form close links with mass-based and other women's organisations,
- * link and network internationally,
- * rigorously analyse women's rights and needs: engage in feminism,
- * take action to become a political organisation in relation to women.

Julia Segar (Albany)

(paper 27.1: "The Hidden Burden: The impact of detention on the women left behind")

Julia started her research for this paper before the 1990 National Conference. It has involved in-depth interviews with women whose kin-folk have been detained. She found that a great deal of the burden/added responsibility fell on very ordinary women who may not have been politicised.

Main findings of 24 interviews with detainees' wives:

- * detention hit them hard financially,
- * stressed by emotional burdens,
- * majority found the distressing experience a strengthening one and became better able to cope,
- * counselling was also needed for those left behind (families of detainees).

Janet Small (TRAC)

(paper 27.2: "Demanding a Place under the Kgotla Tree: Rural women's access to land and power")

Janet's paper dealt with women in relation to land.

The Black Sash can assist with the linking of rural women's groups. We need to look closely at women's position on the land and draw attention to issues of land ownership.

There is a relationship between women's access to land, to political and domestic power, and women's self-esteem.

We can help construct channels so that women's voices can be heard.

Sandra Burman (Cape Western)

spoke on problems with regard to maintenance. She asserted that the husband/father should pay maintenance. State maintenance should only be granted e.g. if the father has disappeared.

Sandra suggested the Black Sash can involve itself by:

- * educating women about the system and their rights,
- * forming pressure groups
 - for creating a child allowance paid by the state to the custodian,
 - hiring the services of "grannies" to be paid by the community.

Dot Cleminshaw (Cape Western)

(paper 27.3: "Women's Human Rights to Informed Choice on Gender Issues")

Men and women have equal rights to found a family. International human-rights law is legally binding on all United Nations member states including South Africa.

Dot emphasised that women have the right to:

- * freedom of expression,
- * control their own bodies, fertility and abortion,
- * enter into marriage,
- * equality in the labour market - equal pay for equal work,
- * use of term "gender equal".

We need to seriously consider how to empower women who are suffering through gender oppression.

Appeal to churches to look at abortion and birth control. We need also to think about women's human rights and AIDS.

Discussion followed:

Joyce Seroke loved the idea of paying grannies - a forgotten group - for their care. She urged the Black Sash to pursue the idea as it would benefit the whole community.

There was much interest around the idea put forward by Karin Chubb that we become a reporting non-government organisation (NGO) on women's issues to the U.N. It was suggested that we draw on case documentation of gender issues from advice offices and analyse this research for presentation. It was suggested that the western concept of feminism may well be very different from African women's concept - develop a unified concept of feminism.

Beva Runciman made three points:

- 1 She supported Black Sash becoming a reporting NGO but we need to take into account the size of the chore and decide on parameters,
- 2 we should consider how we can make input into policy,
- 3 the area in which Janet Small worked - empowering rural women to speak for themselves - should be worked on very actively and the research documented to raise public awareness.

Sheena Duncan brought up the subject of building communication channels and asked that these be directed at women with power. She also, although excited at Karin Chubb's suggestion, expressed anxiety that we concentrate our focus on welfare as there are other very important issues in South Africa now.

There was some controversy about whether abortion laws should become an issue for the Black Sash. ANC and other groups are moving towards making policy decisions for abortion on demand. Dot Cleminshaw emphasised that women have the right to come to an informed and counselled decision on choosing an abortion.

Denise Ackermann proposed that National Executive investigate the feasibility of Black Sash becoming a reporting NGO. This received majority support from conference.

SESSION 10

11:15 - 13:00

Business Session

(BIRGA THOMAS in the chair)

Chairperson explained "closed session" and voting procedures.

1.1 New headquarters: Cape Western nominated unopposed. Jenny de Tolly noted that it had been in Cape Western for six years and encouraged other regions to think of taking it on.

1.2 President

Jenny de Tolly: unanimous (no other nominees)

Vice-President(s)

Chair clarified constitutional possibilities (three).

Candy Malherbe: financial implication regarding regional representatives attending extended national executive meetings (airfares x number of meetings which was 2 in 1990).

Transvaal in favour of regional representation, very helpful contact; very important for welfare of Black Sash; Vice-president for "outside" region stops the representatives from region coming to meetings. Their nomination for a vice president is only in case they "lose" this recognition.

Cape Eastern: Are member delegates who are also paid workers allowed to vote? Yes.

Albany in favour of regional representatives but favour continuity.

Do Transvaal and Border withdraw their nominations for vice-presidents? Decided that necessary to vote for which "model" first.

Clarity needed on whether proposal was for only one (continuous) representative or whether, as Natal Coastal does, the task could be shared.

Although regional representation was only funded by National Headquarters in three broad geographic areas, there was nothing to prevent regions or sub-regions from sending every chairperson or her representative to each National Executive meeting.

Clarity: vice-president does not have to be only representative from region. Regional chairs *are* entitled to attend National Executive meetings, but it is unlikely that smaller regions can afford to send representatives.

Chair summarised three models:

- 1 1, 2 or 3 vice-presidents with one who *could* be from outside headquarter's region
- 2 No "outside" vice-president, but regional representatives (regional participation negotiable, depending on funds)
- 3 Vice-president from outside *plus* regional representatives

Vote: Model 1 = 0
 Model 2 = 35
 Model 3 = 3
 Abstention = 1

"Outside" vice-president nominations withdrawn.

Mary Burton: nominated as vice-president by Cape Western.

Karin Chubb: nominated as vice-president by Noël Robb.

Unanimously accepted.

Advice Office co-ordinator: Sheena Duncan (unopposed)

Other executive members: Ros Bush (Cape Western)
 Sue Philcox (Cape Western)
 Sarah-Anne Raynam (C. W./Magazine)

Advice Office Trust

One other to be elected by trustees later this year. Conference nominated Mary Kleinenberg (Natal) and Tony Tickton (nominated by Beva Runciman). Mary Burton noted that as Cape Western already had three trustees, other regions should be given preference for now. Beva withdrew her nomination and it was noted that this nomination was important in future. Would National Executive be assisting smaller regions?

Jenny de Tolly noted that at present three broad regions were defined and would be paid for on present budgeting. Other additional costs would be either paid by the region or through different fundraising by National Executive.

(JENNY DE TOLLY in the chair)

(See Appendix 2 for resolutions)

1.3 Resolution 1 - Associate membership: proposed changes to the National Constitution.

Cape Western and Natal Coastal vote needs ratification by a special regional meeting.

Vote: 39 in favour of acceptance

1.3.2 Section 7 (iii) b: to clarify status of non-delegate members and associate members at National Conference

**Vote: 32 in favour
5 abstentions**

1.3.3 Section 8 (iii): - membership status of National Treasurer and National Secretary

Vote: unanimous in favour

1.3.4 Section 11 (ii): - rights of associate members at branch or group level.

Noël Robb notes this is not a national matter.

Transvaal's position is that it is unconstitutional to allow this in a regional constitution but not in a national constitution.

Which constitution overrules another? National Constitution allows for application for regional changes/amendments.

All members at branch and group level

**6 in favour
22 against
8 abstentions**

**Request that an amended National Constitution
be circulated to all regions
as soon as possible.**

1.3.5 Resolution 2

**Resolution 2.1: National Conference Resolution proposed by
National Headquarters (national levy)**

Resolution 2.2: Resolution from Border withdrawn.

Resolution 2.3: Transvaal strongly opposes both National's proposal and amendments. Want a national budget each year well before conference, to be considered by regions, and then the levy to be decided at National Conference.

**a) National Proposal
11 in favour
24 against**

- b) Transvaal Proposal
 - 30 in favour
 - 4 against
 - 5 abstentions

- 1.3.6 Resolution 3 - Resolution from Albany Black Sash for conference
Transvaal opposed to late introduction of this proposal; needs to be discussed.
Glenda Glover to take up writing out and motivation, for circulation and regional discussion. To be considered at 1992 National Conference.
- 1.3.7 Recommendation from Natal Midlands on the use of non-sexist language by the Black Sash: accepted unanimously.
- 1.4. Insurance cases (Paper 16.1) - Albany will coordinate a campaign on the issue.
- 1.5 Statements (See Appendix 3)
- 1.5.1 Statement on death of Bheki Mlangeni: small group to rewrite. [Later read to conference and accepted.] - statement 3: CCB
- 1.6.3 Transvaal statement 6 on Winnie Mandela trial.
National is asked to put in form of statement with both points included. To avoid misquoting try to include state and ANC in single sentences.
- 1.6.4 Natal Midlands statement 4. Accepted as is.
- 1.6.5 Death Penalty statement 2
8 for (longer) statement
23 against
27 for shortened statement
- 1.6.6 Armscor statement 5 (from Transvaal regional council) accepted unopposed with amendments.
- 1.6.7 Land and Shelter statement 1. Accepted with amendments and National Executive to consider change of order of paragraphs.
- 1.6.8 Social Welfare
a) Recommendation to regions, starting with parity campaign, or welfare rights campaign. Sue van der Merwe to write up and circulate.
b) Role of para-social workers; Rosie van Wyk Smith to coordinate.
- 1.6.9 Evening discussions
Query about notes from these meetings. These to be given to National Executive for circulation.
- 1.6.10 All statements to be circulated by National Executive as soon as possible.
Proposal that this session not be left to end of conference.

- 1.7 Transvaal to host national conference in 1992.
Should it be residential? Regions will be asked opinion through circular from National Executive.
Big thank you to National Executive for wonderful conference.

The words of a "tribute song" to Cassandra Parker and her caterers, composed by Carla Sutherland, were distributed and conference sang their heartfelt praises.

Conference closed with the singing of Nkosi Sikelel'iAfrika at 13:00.

Signed: _____ Date _____

APPENDIX 2

RESOLUTION 1

ASSOCIATE MEMBERSHIP: PROPOSED CHANGES TO THE CONSTITUTION

- 1 AIMS AND OBJECTIVES (Section 3)
Move 3 (iv) to 3 (v) and include a new 3 (iv) as follows:

(iv) "To address in all its work how each area of such work affects women."

This was voted on and passed unanimously with 39 votes in favour.

- 2 SECTION 7 (iii) b:

At present this section implies that only ordinary members are entitled with the permission of the chairperson to attend and to speak at national conferences. In practice, associate members have attended and have spoken. For the sake of clarity, this should be changed to:

"Any associate member of the Organisation and any ordinary member of the Organisation who is not a delegate shall be entitled to attend at any National Conference but shall have no vote."

This was voted on and passed. 32 in favour, 5 abstentions.

- 3 SECTION 8 (iii):

The constitution is silent on the membership status required for National Secretary and National Treasurer. Section 8 (iii) should therefore be revised to read as follows:

"There shall be a National President, one or two or three Vice-Presidents, a National Advice Office Co-ordinator, a National Treasurer, a National Secretary and a Magazine Editor, all of whom shall be ordinary members of the Organisation."

This was voted on and passed unanimously.

- 4 SECTION 11 (iii)

There is no mention of the rights of associate members at branch or group level. This can be taken to imply that full participation (voting, serving on committees etc.) is permissible at this level. If so, it should be spelt out that these rights apply to ordinary as well as to associate members: "All members (ordinary as well as associate) may vote at branch level and serve on branch or group committees." If not, it should be made clear that "office bearers are to be ordinary members, elected by ordinary members."

This was rejected. 22 votes against, 6 in favour and 8 abstentions.

RESOLUTION 2

2.1 National Conference Resolution proposed by National Headquarters

Motivation: In terms of the resolution adopted by 1990 National Conference to increase the levy payable to National headquarters out of (ordinary) membership subscriptions, the amount of the levy is to be reviewed by Conference annually. For several reasons it appears advisable to accept the principle that the levy be increased each year and to fix the rate of escalation:

- a) A study of the annual balance sheets makes clear that Headquarters' expenditures (travel costs, secretary's salary, office hire, fax and telephone, etc.) increase each year.
- b) Postponement of necessary increases only means that the blow is more severe when it comes, e.g. in 1990 the levy had to be raised from R2,40 to R13,60 because there had been no increase for 11 years. If the levy is to be increased by 15 per cent in 1991, the levy will be R15,64.
- c) Time and energy at National Conference can be saved if the matter of the levy does not have to be debated every year.

RESOLUTION: It is resolved that the levy payable to National

Headquarters out of membership subscriptions be increased annually at the rate of 15 per cent per annum.

This was voted on as follows: 11 in favour, 24 against.

2.2 National Conference resolution proposed by BORDER REGION in response to National Headquarters resolution that the levy payable to National Headquarters be increased annually at the rate of 15 per cent per annum.

RESOLUTION:

It is resolved that the National Executive be authorised to increase the levy payable to National Headquarters out of membership subscription at a rate of up to 15 per cent per annum if they consider this necessary.

This resolution was withdrawn without being voted upon.

2.3 Resolution re National levy from S. TRANSVAAL REGION:
While recognising the need for Headquarters to raise levies to meet growing expenses, we nevertheless do not believe that this should be automatic.

RESOLUTION:

We therefore resolve that the Headquarters budget for the forthcoming year be circulated prior to conference to enable regions to study it and to make informed decisions regarding the levy every year at National Conference.

This resolution was voted on and passed. 30 in favour, 4 against, 5 abstentions.

RESOLUTION 3

RESOLUTION FROM ALBANY REGION:

Each region shall have an equal number of voting delegates but any number of official observers at National Conference irrespective of the paid-up membership of that Region.

This resolution was not submitted on time and could only be accepted as a recommendation.

RECOMMENDATION FROM NATAL MIDLANDS REGION

It is generally agreed that language plays a major role in shaping thoughts and actions. The use of inclusive or gender-free language, defined as language which includes everyone, and eliminates sexist terminology, is more accurate and also less prejudiced.

We therefore recommend:

The Black Sash, as a women's organisation, should avoid any use of sexist language in all its communications, e.g. publications, letters to the press, circulars and newsletters.



THE BLACK SASH

5 LONG STREET · MOWBRAY · 7700 · TEL. 685-3513 · 9 a.m. - 1 p.m. MONDAY - FRIDAY

APPENDIX 3

STATEMENTS FROM THE 1991 BLACK SASH NATIONAL CONFERENCE.

3 March, 1991

STATEMENT 1:

LAND AND SHELTER

The issue of fair and equitable access to land and shelter must be addressed in the process of creating a new, just and stable South Africa.

This is a matter of considerable legal and emotional complexity. It is a major point of conflict now, and will continue to be so until a broadly accepted national policy can be established which effectively acknowledges - and fairly addresses - contending claims for the right to land and shelter including those which are not necessarily based on the western concept of private property and title deeds.

The Black Sash believes that:

- all people are entitled to a safe, secure and affordable shelter in an environment that provides opportunities for work and fulfilment of other basic needs;
- the process of developing an appropriate national policy on land and settlement must be based on the participation of all affected parties; and
- actions must not be taken now which preclude implementation of fair policy in the future.

With the above in mind, the Black Sash:

- Calls for a moratorium on the sale or lease of state, public and para-statal land, if that transaction effectively removes land from a process of equitable distribution.
- Calls for a moratorium on the arrests for "squatting", evictions and demolitions of existing dwellings, and removals in the absence of a suitable alternative.
- Calls for the amendment of the Prevention of Illegal Squatting Act so as to afford the homeless assistance rather than persecution.
- Commits itself to a long term campaign to inform itself and the wider community on the range of contending perspectives on land and the right to shelter.

STATEMENT 2:

DEATH PENALTY

The Black reaffirms its commitment to the abolition of the death penalty. The Black Sash notes, inter alia that

- the moratorium on hangings has been lifted and executions are to resume within a few days
- the death penalty is a violation of fundamental human rights
- it has been proven that the death penalty does not have a deterrent effect
- there are over 300 people on death row in South Africa
- that South Africa has one of the highest execution rates in the world.

The Black Sash resolves to campaign against the resumption of hangings in South Africa including the homelands.

STATEMENT 3:

CCB

The recent horrifying murder of Bheki Mlangeni and other unexplained deaths raise the suspicion that despite all assurance to the contrary the hit squads are still operating.

The Auditor-General's special report and the subsequent allocation of funds confirms the belief that the CCB has not been disbanded.

The terms of reference and hence the findings of the Harms Commission failed to satisfy us that the question of state sanctioned hit squads had been adequately investigated and exposed. The findings of the judge in the Neethling case serves to justify this disquiet.

The Black Sash therefore demands of the State President that a new independent inquiry be opened with an independent person leading the evidence, all-inclusive terms of reference, open hearings and adequate provision made for the protection of witnesses, so that we might at last be told the truth.

We further call for the dismissal of Magnus Malan.

STATEMENT 4

NATAL

The Black Sash is concerned about the increasing lack of credibility of the South African Police and the judicial process in Natal. For this reason we call for a full investigation into the murder of Chief Maphumulo and the immediate prosecution of those implicated.

We are increasingly aware that reconstruction in Natal remains impossible whilst violence in the region continues. Until the process of law and order is seen to work, this violence is certain to continue.

STATEMENT 5

ARMSCOR MUST BE MADE ACCOUNTABLE

The Black Sash notes that South Africa is the fifth largest arms exporter in the world, and thus contributes to the process of global militarisation.

The Black Sash condemns the secrecy surrounding arms sales and the dealings of ARMSCOR. The Black Sash calls for the abolition of the Armaments Development and Production Act as it prohibits the disclosure of "any information in relation to the acquisition, supply, marketing, importation, export, development, manufacture, maintenance or repair of, or research in connection with armaments."

There are also some 150 companies which are exempt, by ministerial decree, from disclosing information of their operations in arms sales and purchases.

STATEMENT 6:

The Black Sash National Conference expresses its profound disquiet over events surrounding the case of State vs Sithole (the "Winnie Mandela" Trial) and seeks a response

(a) from the State, which has failed to ensure the fastest possible appearance in court of the people charged with the related offences, and has failed to provide protection for the witnesses; and

(b) from the ANC, which should express itself unequivocally against intimidation of witnesses and all other attempts to frustrate the administration of justice.

Along with other South Africans who believe ^{that} a truly just legal system, independent of any outside pressure or influence is an absolute prerequisite for any state which purports to call itself democratic, the Black Sash

Statement 6 continued....

has been extremely perturbed at the events surrounding the State vs Sithole case.

Our disquiet stems from two sources. One of these has been the delay on the part of the State in bringing charges against those believed to have been responsible for the death of James Sepei (Stompie) and its subsequent inability to protect its own witnesses and even to produce all the accused.

"Stompie" was found dead in February 1989. Only some 15 months later did the trial of Jerry Richardson begin. It finished in August 1990. The State chose not to prosecute Winnie Mandela at the time despite the fact that her name featured prominently right through the Richardson trial. The "explanation" of the Attorney General for not charging her at the time is neither satisfactory nor convincing. These circumstances give rise to considerable media speculation and comment while Mrs Mandela was not provided with a forum to challenge or defend herself against implied accusations.

Our second source of concern is the apparent indifference on the part of the African National Conference to the kidnapping and disappearance of a key witness, and to the intimidation of other potential witnesses. We are also perturbed by their evident support for the activities of demonstrators outside the Supreme Court who, in the name of the organisation, have acted in a manner which is not conducive to optimism about freedom of expression or opposition in the future.

The people of South Africa have no confidence in a judicial system which for more than forty years has enforced unjust laws. Nevertheless until such time as this is changed, the courts are the only means of trying people charged with criminal offences.

As we look toward the future and involve ourselves in the process of reconstruction, the Black Sash would like to believe that the government of tomorrow, in which the ANC is certain to play a leading role, will establish and stand by a judicial system that is independent and incorruptible, a system in which all are free to seek the protection of the courts and of State authorities and in which none are exempt from the processes of justice.

We would therefore expect of and ask the ANC, which has long opposed injustice under the National Party Government, to condemn acts of intimidation of witnesses, attempts to frustrate the administration of justice and untoward acts of support for any accused which may give the impression that any member of the organisation is considered to be above the law,