

ST. GEORGESSTRAAT 148 ST. GEORGE'S STREET
KAAPSTAD CAPE TOWN
2-7831 NATUSAS

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At the end of May, the so-called Terrorism Bill was tabled in the South African Houses of Parliament. The Bill is further evidence, if the evidence be needed that South Africa is a police state.

The National Union of South African Students states its unequivocal opposition to this further inroad on freedom in this country and this extended negation of the sanctity of the courts. Regardless of the acts involved, the National Union cannot accept that the state has the right to withhold from any person certain fundamental individual rights.

In particular the National Union expresses its strongest opposition to the following aspects of the Bill -

- * that a police officer may order the detention without trial for an indefinite period of anybody holding information relative to an offence under the Bill
- * that the number of people under indefinite arrest and the conditions under which they are being held need not be released, not even to Parliament
- * that the Minister was not prepared to give an assurance in Parliament that even the next of kin will be informed of the arrests
- * that any person found guilty of an offence under the Bill must be given a minimum sentence of five years imprisonment where the death penalty is not given. Such a removal of judicial discretion again demonstrates the lack of faith in the courts
- * In a number of instances the onus of proof is shifted from the prosecution to the accused, and in addition it is not necessary to show that the acts were wilful
- * that people can be held in detention without their being informed of what their offence is

The National Union reaffirms its belief that detention without trial in all circumstances is inherently inhuman and that the principle of 'innocent until proved guilty' should be a sacred part of any system of law.

The use of the word "terrorism" in the Bill is a deliberate attempt to place the government's repressive intentions behind a mask of respectability. The Bill does not legislate against terrorism. It provides a minimum sentence of five years for any person who commits an act, the likely result of which was to hamper any person from assisting in the maintenance of law and order, unless the person committing the act can beyond reasonable doubt prove that he did not intend to do so.



It is the firm belief of the National Union that repressive measures of this nature are not the way to deal with terrorism. If it is true that a full scale terrorist campaign is under way in South Africa (a finding we do not accept on the Minister's mere say so) then the blame for that must rest on the shoulders of the government.

It is the fault of the government bent on the destruction of the dignity of man, and of immoral politicians who use three quarters of the country's people as pawns in their political game. Only the establishment of a just society in South Africa will eliminate the danger of terrorism. The responsibility for any victims of violence will be on the hands of those who prevent the achievement of such a society.

MARGARET MARSHALL
PRESIDENT

JOHN SPRACK
VICE PRESIDENT