

2. Justice and the Police

In this issue we carry the full text of the statement from the dock, made at the start of their trial for terrorism, of the thirteen accused in what has come to be known as Cape Town's "rainbow trial". We do this not because we agree with everything the statement says (in fact, for one, we disagree with its justification of violence) but because we think it reflects a view of the system of administration of justice here which is becoming widespread and which has serious implications for our future.

In the eyes of more and more South Africans the Courts are seen not as impartial arbiters of justice but as agents of the apartheid state. Without any reflection on the impartiality of individual judges it is clear that their credibility has been systematically undermined by the laws they have to apply, by the removal of their discretionary powers, by the passing of retroactive legislation.

To these handicaps must be added the way in which the police often go about their business. Mr Ken Owen, the editor of *Business Day*, has recently been in a brush with the police for publishing an article in which he claimed

that a murder carried out before two thousand witnesses on a mine had still not led to a prosecution two years later. In the conflict in Natal the number of people brought to Court, compared to the number of cases of murder, arson and assault reported, is negligible. The response of the police to criticism of this state of affairs is to say that they cannot bring cases to Court because witnesses are too afraid to testify. This surely is the most telling indictment of all. If the police cannot provide people with protection, what point is there in having them?

It goes further than that. In Natal a number of people have sought the intervention of the Courts against threats of murder and assault and Judges have handed down orders restraining individuals or organisations from carrying out those threats – with no effect at all. Murders and assaults have followed and we do not know whether the people who carried them out were those originally cited because no arrests are made.

Is it surprising that, when even the Courts are no longer able to protect them, more and more people should come to look at them in the same light as the rainbow trialists do? □

3. The Election

The anti-apartheid forces in Parliament took a severe beating in the last general Election, the extra-parliamentary forces have taken one since then.

Logic dictates that the two should be working in tandem to bring to an end the system they both abhor. There seems to be a much wider acceptance of this view on both sides

today, than there was two years ago.

We hope that in this election the extra-parliamentary opposition will do nothing to make the Democratic Party's task of winning white seats more difficult than it already is, and that the DP's candidates will not say things which will make future cooperation with them more difficult. □