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# Tobias slates Terror Act

STAFF REPORTER

**THE SECURITY POLICE** presumed the guilt of detainees interrogated under the Terrorism Act — and they believed in their own infallibility, Professor Phillip Tobias of the University of the Witwatersrand said yesterday.

Addressing about 250 people in Johannesburg's Darragh Hall, in protest against police powers under the Act, he said:

"Clearly and unequivocally the Act creates an assumption that a detainee is guilty.

"His guilt is assumed, it seems, when he is detained, not before he is brought to trial, but all too often without his being brought to trial," he said.

"The Security Police are satisfied with carrying out Parliament's intentions — or what they think were Parliament's intentions. It is they who decide a man's guilt during their inquiries, during detention and during interrogation."

This was "the only reasonable inference a logically-minded man can place on the actions and statements of the police," said the professor.

Analysing a reported statement by Colonel Theuns Swanepeel, chief interrogator of the Security Police, Prof. Tobias said there was a "clear assumption" that a detainee was guilty or held treasonable views — even though nothing has been proved in court.

From recent statements it seemed the Security Police were answerable to nobody when they operated under Section Six of the Terrorism Act — "not to a judge, not to a Minister, and it seems, they may not be even answerable to God."

## SCRAP IT

Though a commission of inquiry into the operations of the Security Police was essential this would only be treating the symptoms.

Prof. Tobias called for the total scrapping of the Terrorist Act.

If there was a "critical situation" on part of South Africa's borders, the short-term answer was to declare a state of emergency in the areas affected.

"There are enough laws to make that possible without the tyranny of a Terrorism Act which can be applied without

such infringements of human rights, all under the cloak of this religious, Christian state."

This was a country in which a man could be "beaten, battered and broken because of his love for liberty."

"It is because of the laws of this country that my brothers on Robben Island beat against the battered breast of liberty," he said.

"We must show we cannot be overcome by this vile and iniquitous Act," he said.

"For 323 years we have suffered long. We will suffer another 323 years — but not in silence any longer."

Laws like the Terrorism Act had to be overcome by peaceful means.

Mr. Miley Richards, Transvaal Labour Party leader, said a time had come "for all men to stand up and be counted. The death of Ahmed Timol has made us more aware."

There was a reawakening of protest in South Africa. Not until there was a proper democracy would those responsible for the Terrorism Act be free from their fears of infiltration of foreign dogma and communism.



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If there was a "critical situation" on part of South Africa's borders, the short-term answer was to declare a state of emergency in the areas affected.

"There are enough laws to make that possible without the tyranny of a Terrorism Act which can be applied without answerability to the whole country and to any citizen," he said.

And the long-term solution was to create "such conditions of life in South Africa that all men, Black, Brown and White, would be proud to live here in freedom."

The death of Mr. Ahmed Timol was "the latest sacrifice to an evil system — and his death is an unanswerable indictment of the so-called South African way of life."

"Whoever way one looks at it, Ahmed Timol should not have died. Every day is a day of mourning in a land where such things can happen — not once but 10 times and 17 times."

## SILENCE

Prof. Tobias went on: "In these sacred precincts, let us indicate our feelings of shock, revulsion, devastation, at what happened, and at the same time, our sympathy, our overflowing compassion, for the family of Ahmed Timol and for all the other families, denied and bereaved, by standing and observing a few moments of silence."

Mr. Don Mattera, public relations officer of the (Coloured) Labour Party, told the meeting: "Never before in the history of our country has there been such debasement of human dignity, such inequalities,

such infringements of human rights, all under the cloak of this religious, Christian state."

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