



## THE CONSTITUTIONAL COURT RESTORES THE RIGHT TO REBEL

On Tuesday the Constitutional Court upheld the Western Cape High Court ruling, which declared the apartheid section 12(1) of the Gatherings Act 205 of 1993 as unconstitutional because it limits and criminalises peaceful protests. The High Court overturned the conviction of 10 activists found guilty of organising and holding what was said to be an “illegal protest” in Cape Town in 2013.



In terms of this counter-revolutionary Gatherings Act, it was a criminal offence to organise or attend a gathering or protest without an “official permission” and an “adequate notice” given with regards to such a gathering. The white settler colonial regime was forcing the Azanian Revolutionaries and activists who sought to overthrow it to approach it and request for the granting of a permission for a gathering to pursue the struggle. Any gathering or protest that was not applied for,

and that the regime of the white tribe had not given a green light was deemed to be illegal.

Azarians could never ask for permission to wage the liberation struggle. And so a number of gatherings and protests were held without any permission. AZAPO organised and led many of such rebellious protests in the 1980s against all those that sought to undermine the Cultural Boycott and Sanctions against the white racist regime. The tours to South Africa by the O’Jays, Champion Jack Dupree and others were opposed by AZAPO through rebellious protests.

The Liberation Movement as a whole detested the permission thing being made a precondition for waging the liberation struggle. Even with the ideological issues we had with the ANC, AZAPO never expected that this organisation could want to use the counter-revolutionary apartheid Gatherings Act against Black people and their struggles. Not even in our dreams we could imagine an organisation from the struggle tradition being so oppressive. It is worse that this draconian law was used against Black people fighting for their rights in 2013.

How on earth could the ANC-led government oppose in court the overturning of a racist Act of Parliament! More so, when the Bill of Rights makes it a fundamental right for every citizen to “peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions”.

You would have thought that the government would emerge enlightened by the Constitutional Court ruling in favour of upholding the High Court verdict on the matter. They are so oppression-prone that the State attorney Simangele Bedrow voiced the dissatisfaction and disappointment of the government:

“We’re actually disappointed but we commit to abide by the court’s decision regarding this matter. It was not what we were expecting based on the arguments that we advanced on our behalf”.

AZAPO uses this platform to tell all Azanians that you do not need a permission to embark on a protest, demonstration or a picket. Just get out there and do it.

## INTRODUCE QUALITY AND DECOLONISED EDUCATION IN BLACK COMMUNITIES

When it was clear that they were about to hand over political office, not power, to the ANC, the National Party rulers devised a clever strategy to maintain the control of education by introduction of the Model-C education system in 1991. The Model-C was the best of the various models, including Model-A and Model-B, which the then rulers opted for because they wanted to avoid giving power to the government. Until the adoption of the Model-C system, the Department of Education had the final say in what happens in schools.

The white community and their rulers realised that they could not allow a Black-dominated government to have authority and power over the education of their children. They then devised a well-thought out plan to retain control of their schools through what they called the Model-C education system.

In terms of this system, the School Governing Bodies (SGDs) would have control and authority on key issues such as admission policies, school language policy and even the appointment of staff. The SGBs were so empowered that they could even decide on the teacher-pupil ratio. If they so wished, the SGBs could

even appoint additional teachers who were not paid for by the government. They also decided on school fees, using this as a barrier to many Black working class families. In essence, public education was being privatised.



Because of this system, the new government that took office in April 1994 was disempowered to instruct the schools to admit Black pupils or to change the medium of instruction from Afrikaans to English. In fact, some government politicians who tried to enforce transformation of these schools, forcing them to admit Black pupils and instructing them to introduce English as the medium of instruction, were taken to court and forced to stop their transformation agenda.

The SGBs developed policies that prescribed that admission would be open to pupils who lived essentially within the walking distance to the school. Given that these schools were located in former whites-only suburbs, the effect was that these schools were opened to whites only.

With the gradual movement of the Black middle class into the former whites-only areas, more of these schools were forced to admit Black pupils, but they still had the final say on who could be admitted and who could be rejected. Because these schools were well funded, they generally had better infrastructure than schools built for Black children in the townships and villages. Furthermore, these resourced schools were in a position to offer quality of teaching. Also, there were no disruptions of learning through boycotts by learners or strikes by educators.

As a result of the good quality of teaching and learning in the Model-C schools, parents, even from those outside the feeding area of these schools, fought tooth and nail to ensure that their children were admitted to these schools. Some would go to the extent of faking addresses to secure admission because they wanted the best education for their children.



Last week, Gauteng Education MEC Panyaza Lesufi announced that parents would no longer have to fake addresses to get their children admitted to the former Model-C schools. He said his department had passed new regulations that force all schools to admit pupils regardless of where the pupils reside. “A school in Sandton cannot turn away a pupil from Alexandra. And if a learner from Sandton wants to study in Alexandra, he would be able to do so,” Lesufi said in a televised interview.

He went further to say that his government was trying to build a non-racial society and that schools should be opened to all learners without regard to race. Fair argument, indeed. Lesufi and his government should be encouraged to dismantle the apartheid power structure in education. They should be encouraged that they are undoing the grand apartheid plan of keeping our society as separate and unequal.

But that is not really where most of his energies should be directed. He should be worried that Black people are forcing their children to be educated in a hostile environment. Many of these Model-C schools

are refuge to unrepentant racists who tell and mis-educate our children to equate white with excellence and associate Black with crime and corruption. Little wonder that some of the Model-C products are aspirant whites who generally hate everything African. As we force the doors of these traditional racist institutions to open to Black people, we should also step up campaign to decolonise education in these schools.



But the ultimate victory for a Black-led government would be to ensure that the quality of education and learning in the townships and villages is the same as that which is offered in the former Model-C schools. And once that is achieved, Black parents will not be forced to seek education in these hostile environments. Children would not have to wake up at 4am only to return home with workers just after 6pm.

## THE NEW DOWN OF THE “NEW DAWN”

Everyone was disappointed that President Cyril Ramaphosa inexplicably misled Parliament in his answering a question by the DA leader Mmusi Maimane. AZAPO was not disappointed at all, for AZAPO to be disappointed would mean that we did not expect Ramaphosa to be tainted in a number of dubious deals that amount to corruption in the country.

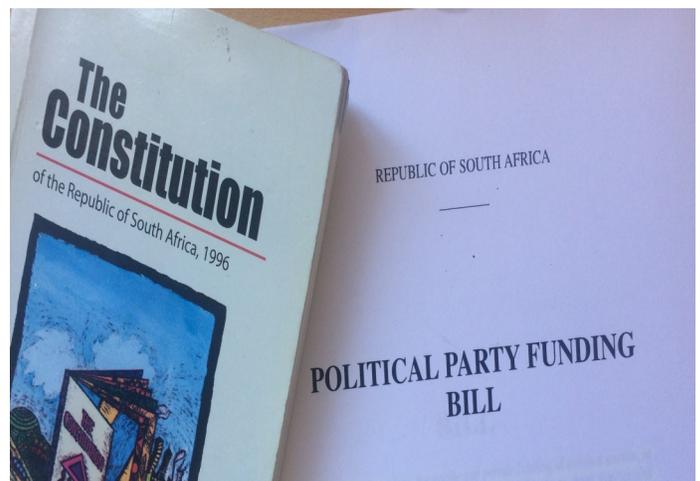
Lest we forget, Ramaphosa is part of the ruling party's many instant millionaires that benefited through party-biased BEE government policies. He is the same person who was the Deputy President to Jacob Zuma. He was in that position of authority when the VBS looting was taking place, and the ANC-run municipalities broke the law and invested the taxpayers' money into the VBS Mutual Bank. And during that time, Ramaphosa was one of those that blindly defended Zuma's corrupt practices. He was there when Zuma strangely received a so-called loan of R8.5 million from the VBS. He only dumped Zuma when it was clear Zuma was a liability to the ANC as was evinced by the 2016 Local Government elections results; and when it was clear that he needed to keep a distance from Zuma for him to stand any chance of realising his power ambitions.



On 6 November 2018 Ramaphosa answered with convincing confidence that the R500 000 payment by Bosasa CEO Gavin Watson had nothing to do with him as it was for the benefit of his son Andile for consultancy services to that company. Appearing to enjoy himself, he went on how he made sure he got the correct answer by interrogating his son on this payment. He went further and boasted to Parliament and the nation about how he taught his children never to make business with government. He assured Parliament and the nation that he would be the first to take his children to the police if they were on the wrong side of the law. ANC MPs must have slept with swollen hands as a result of non-stop clapping and laughing in admiration of their leader.

There was Ramaphosa assuring the nation that his well-considered answer was a result of him sitting his son down and double checking the consultancy fee payment. As satisfied as he was that his son was correct, it took only an hour for his son to contradict his father and say the Bosasa R500 000 had nothing to do with him. That put the nation in a difficult position as it had to decide who was the liar between the father and the son. It took about 10 days before the father wrote to Parliament admitting that he was "mistaken" when he accused his son about the half-a-million-rand payment. What kind of a mistake could that be? No ways.

Ramaphosa's "new deal" story changed to admitting that the money was paid by the controversial Bosasa into his trust account towards campaigning for the position of the ANC President in 2017. He claims he did not know about that "donation". It has now surfaced that there could be more than "200 persons" than contributed into that account.



This strengthens AZAPO's position that political parties should disclose their funders because the voters and the nation deserve to know in order to make an informed choice. If such amounts of monies from the private sector could fill a personal trust account only for a presidential position of a political party, how much more money is going to that party, and what for in return? It also explains why Ramaphosa is still sitting on the passed Political Party Funding Bill, which he is still not signing into an Act of Parliament. How can he do that when he is conflicted in this manner?