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THE BLACK SASH

Telephones 836/0789
0800

56 Victory House,
34 Harrison Street,
JOHANNESBURG.
2001
4th June, 1979.

The Chairman,
Select Committee on the Advocate-General Bill,
House of Assembly,
P. O. Box 15,
CAPE TOWN
8000

Sir,

We ask the Select Committee to recommend that the Government scrap the Advocate-General Bill and the basic thinking that goes with it.

The Bill, in itself dangerous to democratic stability, is unfortunately part of an undemocratic process now well advanced in South African political life: the process which leads public representatives to consider themselves above public criticism. In a proper democracy public office-bearers do not forget that they are public servants and by the very nature of their office subject to public scrutiny. Public representatives should not seek to prevent "rumour-mongering": rather to protect the public's right to investigate whether or not this should result in rumour-mongering. It is for Cabinet Ministers to respect the public and its press: not vice versa.

The Advocate-General Bill would have a debilitating effect on public life on two levels:

1. The Advocate-General Bill seeks to protect officials from public scrutiny and criticism and seeks to restrict press freedom.

The Black Sash submits that the public have the right to be as sceptical of the Advocate General as of any other public official. History has taught that unless the press is free to investigate whatever aspect of public life it sees fit, abuses will not only occur but will proliferate.

The logical result of legislation such as the Advocate General Bill (read with the Police Bill) is the recent incident in Maputo when a Brazilian economist who uncovered corruption among top government officials was ordered by the authorities to blame minor officials and was imprisoned, interrogated and accused of spying when he refused to do so.

2. The Advocate-General Bill

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2. The Advocate-General Bill would further generate an atmosphere in which the public feels remote from the process of government and comes to accept this remoteness. In such an atmosphere it is easy for any type of totalitarian ideology to take root. Fearing the "communist onslaught" as it does, the Nationalist Government should beware of adopting the undemocratic attitudes of that ideology.

In this regard we urgently recommend that legislators avoid the use of phrases such as "the safety of the State," and "in the interests of State security:" for this was the language of fascism in Germany and Italy and is now the language of the Eastern bloc.

We therefore ask not only that the Advocate-General Bill be dropped but that the Government commit itself to a drastic rethink whereby it decides to promote and bolster the habits of democracy rather than destroy them.

Yours faithfully,

JILL WENTZEL
CHAIRMAN, TRANSVAAL REGION.