

# The Internal Security Act

*From a handout drawn up by the Cape Western Region of the Black Sash.*

## WHOM DOES IT AFFECT?

Organisations, persons and publications.

## WHAT DOES IT DO?

It vastly increases the ambit of existing security legislation:

- by making synonymous with Communism any activity which in the sole discretion of the State President or Minister of Justice "may endanger the security of the State or the maintenance of public order";
- by extending the right to detain witnesses which formerly existed under the Terrorism Act only, to cover a range of offences under a number of statutes;
- by enabling the Attorney General to circumvent the courts' authority to grant bail to accused persons;
- by providing for the indefinite detention of persons who in the Minister's opinion "engage in activities which endanger the security of the state or the maintenance of public order";
- by excluding the authority of the courts to pronounce upon the grounds or procedures involved.

## HOW IS THIS ACT DIFFERENT?

No longer need the Minister of Justice claim that groups or persons are furthering the objects of communism as such, or connected with terrorism as such in any way, in order to act against them under the Suppression of Communism or Terrorism Act. He need only say that their activities "endanger the security of the State and the maintenance of public order".

## WHAT ACTIVITIES ARE THESE?

The Bill does not say. It is left to the State President's or the Minister's discretion.

*The Black Sash, August 1976*

## WHAT PROTECTION IS THERE AGAINST WRONGFUL ACUSATION?

There is none:

- no right to be told what the charges are;
- no right to legal representation;
- no right to seek protection of the courts;
- no right to bail;
- no right to appeal.

## WHAT WILL HAPPEN TO PERSONS WHO ARE AFFECTED?

They may be banned or restricted, or they may be detained for up to 12 months at a time. Any member of the SA Police of whatever rank, may without warrant arrest and hold in detention a person for up to seven days, if he believes that a restriction order has been issued but not yet served. Moreover, "any person likely to give material evidence for the State" may be arrested and detained for up to six months. Nobody may have access to him, except for a weekly visit by a magistrate.

## WHAT WILL HAPPEN TO ORGANISATIONS THAT ARE AFFECTED?

They may be declared illegal, dissolved and their assets sold.

*Die Swart Serp, Augustus 1976*

**Collection Number: AK2117**

**DELMAS TREASON TRIAL 1985 - 1989**

***PUBLISHER:***

*Publisher:* **Historical Papers, University of the Witwatersrand**

*Location:* **Johannesburg**

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