

CHAPTER 5

Public Gatherings

Public demonstrations, funerals and rallies are a staple in the political diet of South Africa and are of particular importance as a symbol of free political activity. Observing such events is one of the most regular tasks of the international observer missions. COMSA has attended many such events during the period covered by this Report.

In this chapter, we highlight some of the lessons and outstanding problems which surround the conduct of public political events. Addressing these problems will be all the more urgent in the coming months, as the number of such events can be expected to increase dramatically in the run-up to elections. We also describe a national programme for training marshals which the Commonwealth, working with Britain's Overseas Development Administration (ODA), has assisted the National Peace Secretariat to develop.

Prerequisites for Peaceful Public Gatherings

The essential elements of peaceful public gatherings are:

- joint planning between organisers, monitors and police on the route, timing, assembly and dispersal of those involved.
- effective communications at all times between these parties to address problems quickly.
- the willingness of each party to respect the spirit as well as the letter of the law.
- effective control of traffic.
- agreed procedures for control of the crowds at the event with a commitment from all parties to comply with the agreements.
- contingency plans to address sudden emergencies or criminal actions.

Display and Use of Dangerous Weapons

In its previous reports, COMSA has highlighted, and strongly objected to, the widespread practice at public gatherings in South Africa of carrying weapons. Unfortunately, this practice appears – if anything – to be getting worse: a fact that is extremely worrying, especially in the run-up to elections.

In June, we witnessed heavily armed right-wing elements break into the World Trade Centre, smashing glass doors and threatening those inside with their weapons. These demonstrators were apparently not disarmed because their weapons were licensed. Police also argued that if they attempted to disarm the demonstrators, more violence would have occurred.

At just about every public gathering we have been to, and especially at funerals, those participating have carried either traditional weapons or guns – licensed and unlicensed. The police generally do not attempt to disarm those carrying weapons at such occasions because – as in the case cited above – it is argued that such action would in itself lead to violence.

Funerals in South Africa are occasions with a higher than normal risk of violence. In cases where death was a result of violence, gun salutes at the graveside are normal, with weapons often smuggled to the graveside (wrapped in blankets) in vehicles carrying mourners.

In early October at an ANC funeral in Katlehong, rapid volleys were fired from dozens of AK-47s above a crowd of mourners and in front of South African Defence Force (SADF) vehicles. COMSA observers withdrew before the procession moved off for safety reasons, and to avoid the impression of condoning this behaviour.

Local peace monitors from the East Rand Joint Operations Centre (see Chapter 4) returning from the event reported it as quiet: a situation which we found disturbing as it suggests that this sort of behaviour is now regarded as normal. In a separate incident at a peace rally in Vosloorus in early September, although marshals searched those entering the stadium for weapons before the commencement of the rally, no action was subsequently taken to stop about twenty people who danced into the stadium carrying axes and firing into the air with automatic weapons.

These sorts of experiences prompted COMSA and the other international observer missions to write a joint letter to all political parties, through the Chairman of the NPS, protesting against the display and misuse of weapons at public gatherings. A copy of this letter is attached at *Annex II*.

Co-operative Planning and Communications

Rally to John Voster Square

On 30 October 1993 some 5,000 IFP demonstrators marched from Jeppe Railway Station to Police Headquarters at John Voster Square in Johannesburg to protest at the alleged improper alliance that had been established between the predominantly black Police and Prisons Civil Rights Union (POPCRU) and the ANC.

The route took the protesters across the full width of central Johannesburg. The following points illustrate that poor co-operative planning and communications can increase the risk of violence in public gatherings:

- The assembly point was in an open field near Jeppe Station. In such a location, and without prior planning, the senior SAP officer present had great difficulty tracing the Senior Marshal on duty. There appeared to be no central organisation for the event.
 - Marshals were not clearly identified.
 - Many of the demonstrators were drinking alcohol and some were drunk by the end of the day.
 - Every one of the over 4,000 male demonstrators carried traditional weapons, including axes and spears. Under the influence of alcohol, some mock battles developed into exchanges of blows using weapons.
 - The march started off without any signal or co-ordination.
 - A demonstrator carrying a firearm was arrested as the march moved off.
 - Neither the organisers nor the SAP had warned the numerous street vendors along the route of the march of the impending demonstration. These were terrified by the sudden onslaught. On the return march (along a different route) some demonstrators looted and robbed fruit and refreshment stalls. The SAP responded with gunshots and tear gas, and made several arrests.
 - The IFP march in identified groups, i.e. residents of particular towns/villages/hostels do not intermingle. As each group of 500 to 1,000 demonstrators completed dances and mock battles, huge gaps opened within the march, leaving distances of up to a quarter of a mile long between the different groups. This made it difficult to maintain any form of control over the march.
 - A known Chief Marshal set a poor example when he started to spray graffiti on walls along the route.
- All told, the demonstration lacked meaningful control and marshalling.

The Chris Hani Murder Trial

During the final court proceedings in early October of the Chris Hani murder trial, supporters gathered daily outside the Supreme Court in Johannesburg.

The lack of sensitivity shown by authorities on this highly emotive occasion illustrated how police tactics often add to, rather than reduce, tension at public gatherings.

There had evidently been no co-operative planning; for example:

- police parked their vehicles in front of the court in a way bound to be obstructive if people gathered.
- no area was set aside to allow the safe gathering of demonstrators while facilitating traffic flow.
- when a small group of demonstrators arrived they were immediately dispersed by police dogs.

- there was no effort to agree to a reasonable compromise between protecting the integrity of the court and ensuring the right to demonstrate. Police simply shouted '500', referring to the legal prohibition of demonstrations within 500 metres of the court.

At lunchtime, ISU personnel were preparing to tear-gas what they deemed to be an 'illegal' demonstration. Frantic negotiations between marshals – who maintained that the demonstration had been agreed to by the police officer in charge – and the ISU ensued in the absence of this officer.

In the end, the ISU did not resort to tear gas, but it is a matter of real concern that the ISU even considered using tear gas in the busy central business district to disperse approximately 50 demonstrators who posed no threat to public order.

On the next day, the area was cordoned off with barbed wire but demonstrators flowed into the open pavements. Police again cleared the area using dogs, infuriating the demonstrators.

Union Rally in Krugersdorp

In contrast to the first two examples, in October COMSA attended a union rally in Krugersdorp on safety issues which illustrated how, with co-operative planning and communications, marches can be conducted in an orderly manner.

March organisers and a community relations officer of the SAP met prior to the march to plan the day and there was a good working relationship between them. At the outset marshals and representatives of the SAP and ISU met to reconfirm arrangements.

During the rally, police escorted a number of AWB members away from the scene. With the exception of some overcrowding of the pavements, the march organisation was exemplary.

A notable feature of the march was the fact that SAP officers walked alongside the demonstrators. This helped create a less intimidating relationship between marchers and police, who were seen to be facilitating and protecting marchers, rather than representatives of a remote force.

Security forces have an unquestionable duty to maintain order, but a common theme of all COMSA reports has been that this can be achieved by co-operation rather than confrontation.

Role of International Observers

International observers can frequently apply their experience of crowd control constructively in particular events. Far more important, however, is the development of good working relationships among those involved in an event, starting well in advance of the day. Common sense and goodwill on both sides can avert confrontation. We have cited some examples of how bad planning

and inappropriate behaviour can increase tension. Part of the solution to this problem rests in the training and development of better practice on all sides.

Marshal Training Programme

Conscious both of the constructive role that marshals can play in averting violence at public gatherings, and the need for more systematic training, the Wits/Vaal Regional Peace Secretariat began early this year to develop a curriculum for such training.

The Goldstone Commission report on preventing violence during the elections, presented on 8 August, recommended that international organisations 'provide experts to assist in the training of the police and of marshals'.

Earlier in the year, a multi-national panel, which included COMSA's police/community relations expert, had met at the University of the Western Cape to consider taking forward the recommendations of the Commission. One of the initiatives which came out of this meeting was the writing of an outline training programme for marshals.

COMSA drew this work to the attention of the RPS and participated in a series of consultations on the RPS curriculum. It became apparent during these consultations that some political parties objected strongly to relying on the SAP delivering the training. They would only participate if foreign police experts, whom they perceived as neutral, conducted the courses.

Following an approach from the Wits/Vaal RPS, COMSA helped to source expertise for this project from the CFTC fund for South Africa mentioned in Chapter 1. Course costs were met by the ODA. A British police Chief Inspector with experience in public order assisted in the pilot phase of the project under the guidance of COMSA's police/community relations expert.

The pilot phase, which commenced in October, consisted of 20 ANC chief marshals. Subsequent courses in the pilot phase included an additional 71 marshals from the ANC, 80 from IFP, and 65 from the National Party. A newspaper report on the project is attached at *Annex III*.

The course, which lasts for five days, addresses planning and liaison with security forces and the police, techniques for maintaining discipline, crowd control, use of radios and communications, as well as knowledge of the National Peace Accord.

Central to the course is the development of co-operative skills between the community and the police to avert violence. The courses include presentations by, and discussion with, representatives of the ISU, SAP and SADF as well as simulation exercises/case studies and briefings on the National Peace Accord and the role of monitors.

Assessment of the Marshal Training Programme

There have been two opportunities to assess the practical value of the Marshal

Training Programme and to observe at first hand trained Chief Marshals in action.

IFP Youth Brigade March, 6th November 1993

On this occasion, 1,200 IFP members marched from Germiston Railway Station to Germiston Police Station to protest against alleged SAP and SADF involvement in the violence on the East Rand. In contrast to the IFP march on John Voster Square mentioned earlier, we observed the following:

- Although all men again carried their traditional weapons, 30 identified marshals, most of whom had received training, controlled the event.
- Marshals were briefed at the start of the day.
- The Senior Marshal (one of the trainees) met the ISU Commander and discussed the days events.
- Vulnerable premises were protected by marshals staying ahead of the march and remaining in front of such premises until the march had passed.
- Marshals protected the police station targeted by the demonstrators.

These measures ensured a well ordered, peaceful demonstration.

COSATU March, 28th October 1993

Senior ANC marshals on the training programme faced their first major test at a massive rally of the Congress of South African Trade Unions (COSATU), to which the ANC is allied, on 28th October 1993. COSATU called the march from Isando Railway Station to the Kempton Park Conference Centre to protest against certain labour provisions in the draft Interim Constitution.

On the day, some 10,000 persons assembled in an open field near the railway station. Marshals succeeded admirably in keeping access roads and footbridges open to the assembly point. No persons or groups were permitted to loiter in such a way as to obstruct the flow of pedestrians.

At the assembly point, a group of about 1,000 youths began to run the one kilometre to the entrance to the Conference Centre which was heavily guarded by armed SADF personnel and ISU police officers. The ISU had placed a water cannon at the entrance of the Conference Centre and openly displayed tear gas guns and canisters, as well as sub-machine guns.

The line of marshals across the entrance held, preventing contact between the Security Forces and assembled youth. After about three hours the crowd dispersed peacefully without a single arrest. Marshals received high praise from all observers for their exemplary conduct.

Apart from the technical training that the marshals have received, one of the most useful outcomes of these courses has been in promoting, often for the very first time, direct dialogue between the marshals and police.

The SAP has fully supported this training and the community relations officers have provided enthusiastic help. The importance of this is reflected in the following evaluation at the end of one course by a Chief Marshal:

I most liked to talk with people which I told myself are enemies e.g. the ISU, police and SADF but now I will try my level best to communicate with them, change the views of each other.

The first course proposed a new set of guidelines on planning procedures for use between Chief Marshals and the ISU. These proposals are now being taken forward by the Police/Community Relations Subcommittee of the Wits/Vaal RPC.

Future Plans

Based on the success of the pilot phase, the Commonwealth, NPS and ODA co-operated in a national training programme launched in late November with the aim of training an additional 2,000 marshals in the first quarter of 1994.

The programme will also include a special seminar for senior negotiators involved in planning major events. Two Zimbabwean police officers will shortly augment the Commonwealth team.