

**PETITION TO THE PARLIAMENT OF SOUTH AFRICA**

**CAPE TOWN**

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**BUNDLE OF DOCUMENTS**

**PETITION STATEMENTS**

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This petition is brought on behalf of :

**People Against Race Classification (PARC)  
by Glen Snyman**

**PETITIONER**

To

**The National Assembly of South Africa in  
Parliament**

**RESPONDENT**

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Date: 14 / 10 / 2021

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**TO THE HONOURABLE SPEAKER AND MEMBERS OF PARLIAMENT  
OF THE REPUBLIC OF SOUTH AFRICA  
IN PARLIAMENT ASSEMBLED**

The petition of the undersigned,

**GLEN ARNOLD SNYMAN**



Physical Address: Oggendgloed 3, 16 High Street,  
Oudtshoorn, Western Cape, 6625.

Respectfully herewith:

- 1. That parliament order the removal of the use of the word “Coloured” from all official forms of government, private institutions and the Employment Equity Act. It is confusing, derogatory, racist, and conceals the true historical identity of the Khoi and San people.**

It is racist to think that adding two different races together creates a third race, namely that of “Coloured”, and that being Black or White construe as pure races.

- 2. That parliament review the race definitions of “African” and “Black” as defined by the Employment Equity Act. The EE Act defines “Black people” as a generic term which means Africans, Coloureds and Indians. This definition creates confusion.**

It is also commonly known amongst South African citizens that every South African citizen is an “African”, including White people and Chinese South Africans. “African” is a collective name. Only in the EE Act does “Black people” become a collective name. The race classification law, the Population Registration Act of 1950, was repealed on 27 June 1991. What legal basis is used to name a citizen’s race?

*(Signatures to follow)*

The petitioner has the locus standi to bring the petition as he is a South African citizen with the requisite Identity Document, number: 780622 5067 084.

The petitioner is Mr Glen Arnold Snyman, an adult male South African of address Oggendgloed 3, 16 High Street, Oudtshoorn, Western Cape, 6625. He brings the petition on behalf of a community-based organisation that is registered as Non-profit organisation (ref. number 264-849): People Against Race Classification (PARC). He is the founder and leader of PARC. Further information about the organisation can be found on their website: [www.parcса.co.za](http://www.parcса.co.za).



# PETITION

## PEOPLE AGAINST RACE CLASSIFICATION



[www.parc.co.za](http://www.parc.co.za)

A petition is a formal request, usually signed by many people, asking parliament for its assistance on matters or grievances.

1. That the use of the race definition, "Coloured / Kleurling / Bruinmens", be stopped. It is confusing, derogatory, racist and conceals the historical identity of the KhoiSan people. It should be removed from all official documentation.
2. That we deny our racial lineage. We are not Coloured, Black, Indian or White people. We are South Africans.
3. All the members of this organisation supports this petition anonymously as it is presented to parliament.

Nr	Name and Surname	Identity Number	Physical Address	Cellphone	Signature
1	<b>Glen Arnold Snyman</b> ( Leader and Chairperson )				
2	<b>Jolan Carelse</b> ( Secretary )				
3	<b>Abraham Hendriks</b> ( Treasurer )				
4	<b>Mzwandile Dibela</b> ( Blind members rep. )				
5	<b>George Wheeler</b> ( Additional member )				
6	<b>James Peter Cupido</b> ( Additional member )				
7	<b>Ange Hoffmeester</b> ( Supporter )				
8	<b>Albert May</b> ( Supporter )				

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## AFFIDAVIT EXPLAINING THE PETITION

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I the undersigned

**GLEN ARNOLD SNYMAN**

Do hereby make oath and state that:

1.

I am an adult male in the employ of the Western Cape Education Department (WCED) at Grootkraal UCC Primary School 28 km outside Oudtshoorn and also the petitioner in this matter. I am accordingly duly authorised to depose of this affidavit, the facts of which, falls within my own personal knowledge save where the context indicates otherwise, and are to the best of my knowledge and belief true and correct.

2.

Our petition is about the correction in the interpretation and application of the Employment Equity Act by the government in terms of its definition of “Black people” and “African people”, and the removal of the words Coloured, (Afrikaans: Kleurling of Bruinmens) from this Act.

3.

I have exhausted all avenues before I had to approach the South African parliament. I wrote to the SA Human Rights Commission starting with my first letter to the commission on 6 May 2011. See letters annexed and marked [ **GAS 1** ]. The SA Human Rights Commission upholds race classification, but failed to answer my question on “what criteria the government uses to determine a citizen’s race in the absence of the race classification law, the Population Registration Act of 1950?”

4.

I am a school teacher by profession. I approached my district curriculum head to explain to her that the filling out of the race classification blocks on the WCED’s attendance register form’s everytime you attend a workshop, as well as when you apply for a promotion post, is becoming overdue now. She agreed and asked me to put my complain in writing. I wrote several letters to the top people in the Western Cape Education Department, but with no response from anyone. The matter later ended up in the Labour Court. See document annexed and marked [ **GAS 2** ]. The Education Labour Relations Council (ELRC) wrote a report that they lack the jurisdiction to arbitrate race related matters; see annexure [ **GAS 3** ]. The matter was referred to the CCMA which also told us that they lack jurisdiction to arbitrate race related matters; see annexure [ **GAS 4** ].

5.

On the 24 October 2019 I took the matter to the Labour Court; see annexure [ **GAS 5** ]. The crux of my case was about the interpretation and correction of how the WCED should interpret the race definitions in the Employment Equity Act. Some pre-hearing documents have been exchanged between me and the Education Department's lawyers. The year 2019 came to an end, court went into recess. As soon as I wanted to continue the matter the following year, in 2020, the Coronavirus pandemic broke out. A national lockdown was declared and it closed down my access to many things. Everything was placed on hold. In the mean time, the WCED's lawyer's made a discovery while they went through my court documents and used that to build a case against me to be dismissed from my work. According to them I lied three years ago on a on-line job application form, for a promotion post which I wasn't even shortlisted for, that I am a "African". According to the WCED I am a "Coloured". On 23 September 2020 they summonsed me to a disciplinary hearing scheduled for 14 October 2020; see annexure [ **GAS 6** ]. Half an hour before the hearing, due to all the national and international attention on my case, the Minister of Education in the Western Cape withdrew the charges. On 14 June 2021 I met with the MEC of Education Western Cape, the HOD, district director and Head of HR. We all agreed that it was my own choice to choose whatever race I want to be and that they will later give me a letter to confirm it and write a directive / circular about it for all the employees. I told them that more teachers wanted to do what I did and don't want to be classified as "Coloured" and that I must make this information public.

6.

On the 1<sup>st</sup> May 2021 PARC had a march and picketing in Oudtshoorn. SABC was covering the event and I read a letter to the President of South Africa, Mr Ramaphosa. I emailed and posted several letters to him to inform him about our concern and to ask him that if it was possible that we could meet regarding this matter of us. See annexure [ **GAS 7** ]. Over the years we also wrote several letters to various institutions to ask them for their help and that some of them stop the collection of race-based data from the population of South Africa. We also strongly opposed the SA Institute of Race Relations' reports whereby they generalise about race and compare the South African population groups with each other. We pointed out to them that there was no need for them to do this and that it would only create anger amongst South African citizens. During the national census count of October 2011 we encouraged all South Africans to tick the "African" block. This civil disobedience incident was widely reported on SABC news. See annexures [ **GAS 8, 9, 10** ].

7.

PARC was founded on 1<sup>st</sup> October 2010. For the last 11 years we have been fighting the South African government's perception on the race classification criteria. We are encouraging them to use an alternative criteria as prosed in our later documents. On 1<sup>st</sup> January 2019 the PARC team also headed for Cape Town, Clifton's 4<sup>th</sup> beach, to cool down the race tension that was present at the moment. We were accepted

with open arms, because people saw that the PARC vision was the way to go. See annexure [ **GAS 13** ] for the different people that support PARC.

8.

The word “Coloured” is a very derogatory term to call someone by. Coloured is not a culture, nor is it a skin colour. Many of these people, including me, do not want to be referred to as a Coloured. In South Africa it is a criminal offence to call a black person a “kaffir”. No where in the South African law is a database of words kept that registers all the “hurtful terms” that must not be used by South Africans. How is it then that the use of the “k-word” enjoys the preference for having a person criminally charged, but it is ok for people to call others “Coloureds”? The South African government haven’t made the time and effort to usk us how we feel about being referred to as such. In Europe and the USA it is against the law to refer to people as “Coloured”. It is racist to say that putting two races together creates a third race, “Coloured”, and that being “Black” or “White” construe as true races. Many South Africans agree with PARC’s vision and completed our petition form. They rejected their racial lineage. See annexure [ **GAS 11 & 12** ].

9.

The South African Human Rights Commission’s Report of 14 March 2018, asked the South African presidency and the Minister of Sports, Arts and Culture to put measures in place to see to it that the forceful categorisation of the KhoiSan people as “Coloured”, be stopped by 31 March 2019. See annexures [ **GAS 14** ]. The constitution of South Africa doesn’t refer to race categories of people (Black, White, Coloured or Indian). It is only the Employment Equity Act that refers to such definitions. How can we live in a race free society when the South African government keeps on reminding us of the race blocks through its race classification criteria? The Apartheid government forcefully renamed the Khoikhoi and San people “Coloured” to strip them from their true historical identity and not to give them recognition that they are the true first indigeneous people of South Africa, and that the land actually belongs to them. Today the ANC controlled government continue that practice and keep on referring to these people as “Coloureds” to conceal their true historical identity. This needs to stop!

10.

On 18 June 2008 a High Court declared that South African Chinese people fall within the ambit of the definition of “black people” of the Employment Equity Act 55 of 1998. This is a court order that have been questioned by many South Africans. Still certain indigenous South African groups are been overseen to be first in line to benefit from government jobs, promotions, housing, tenants and other benefits. See annexure [ **GAS 15** ] and poster 2 for a better understanding on the matter.

11.

I added a self-identification chart to give a true break-up of the factors with which an individual could be identified with. What is in question is, what exactly it is that the EEA are trying to achieve through identifying the South African citizens in order to help them. Does the program want to help “poor and needy” individuals? Or does it only want to help citizens from a certain ethnic / skin colour group? We propose the state review its identification theories regarding its citizens. The government wants to redress the wrongs of the past Apartheid era. They first have to identify the people that needs to be the beneficiaries or that needs to be advantaged. They do this through the four race group criteria. This criteria is faulty, not accurate and it doesn't identify the target group in need. The option Indian for example, is not a race, it s a Nationality. Many of the current Indian people have never been in India and are South African citizens. So why refer to them as Indians? The constitution and the EEA refers to “categories of people”. I highlighted in this chart the different categories of people with the different criteria groupings in the first column. The purpose of this chart is to give a true and holistic view and definition of how category grouping in South Africa are supposed to happen and be defined. See annexure [ **GAS 16** ].

12.

I herewith refer to the Employment Equity Plan of the Western Cape Education Department. See annexure marked [ **GAS 17** ]. The WCED is at fault with the Interpretation and Application of the Employment Equity Act. I am aggrieved by the fact that a “Coloured” person should always get a lower or higher equity score than a “Black” person. Coloured people where also oppressed and disadvantage during the Apartheid times. Yes, the state wants redress to still take place through the guidance of the EE Act and we are not fighting redress. What we are questioning is, why a certain group(s) that was also subjected by Apartheid policies, should receive unequal treatment through EE scoring and various other situations as well. Everyone that was “previously disadvantaged” should all get the same scoring mark in all circumstances.

13.

I would like to bring the ELRC arbitration award of (Case No. PSES 229-08/09WC) Yvette Maas vs. WCED of 26 Feb. 2009 under your attention.

- (.1) There is no support for the "**degrees of disadvantage**"- test in the Employment Equity Act.
- (.2) It is very difficult to determine which group suffered more than the other. How is it for example possible to say whether Coloured women in rural areas suffered more or less than African men under Apartheid?
- (.3) A third problem with the application of this test, is that instead of integrating our society, it leads to more alienation amongst members of the various designated groups in that a particular designated group may feel that despite the discrimination suffered by members of that group in the past,

the members of that group are still being treated as second or third class citizens. See a copy of only three relevant pages of the award which is annexed and marked [ **GAS 18** ].

14.

The representation model of the government is at fault in their application and only benefit the “black African” group every time. I will use the WCED’s policies as an example. The WCED say the race blocks are used as a method to help them to establish representivity in the workplace. Then they must say, for example, there are 50 posts at the head office of the WCED in Cape Town. 30 must be black people, 20 Coloured people, 10 White, 5 Indian. This should be the set format and must be determined beforehand. Then, if the need arise and they are short of 1 black person, then the post must be advertised as such that only black people will be considered for the particular post. You cannot do it the current way the WCED are doing it. See a copy of which is annexed and marked [ **GAS 19** ] for further explanation.

15.

I herewith refer to the WCED’s workshop attendance register; see annexure [ **GAS 20** ]. On the register is no option for an individual to tick the “other” option. An individual that do not want to benefit from the BEE benefits have the option to tick the “other” option on the WCED’s online application form for jobs. But at other instances the individual is “forced” to classify him or herself. When an athlete wants to register with Athletics South Africa (ASA) in order to optian his/her annual running licence number, they have to indicate their race; see annexure [ **GAS 21** ]. They have no other option “not to be” race classified on these forms. There is not a “other” option available to tick. If they leave this section open their application will be regarded as incomplete. These methods render the classifications “forcefull” and compulsory.

16.

Annexure [ **GAS 22** ] gives a scientific explanation why race have no scientific nor cultural basis. It is an extract from the fiction book, The blind man’s race. If you continue to read the book you will get a bigger and whole picture of the dangers of race classification. Annexure [ **GAS 23** ] is an extract from the Employment Equity Act on the definition of “black people”. Annexure [ **GAS 24** ] is an extract of the Population Registration Repeal Act of 1991. The race classification law, the Population Registration Act of 1950, was repealed in 1991. Currently no law exist to determine a person’s race. What is the race of a person that is born from a mixed relationship? The EEA is also not clear on that.

17.

Patric Mellet explains the histroy of the different people identities in South Africa. He is a wellknown and respected heritage activist, storyteller and educator specialising in Cape slavery studies. He has also written many book on this topic. See annexure [ **GAS 25** ].

18.

One picture tells a thousand words. The topic of self-identity and race classification has not always been easy to explain to the ordinary person. For these reasons we created over 30 PARC posters ; see Annexure [ **GAS 26** ]. Some of the PARC posters that highlights the confusion and problems that are created with the race classification criteria.

19.

The government and the media choose to classify and refer to the “Coloureds” as black when they have achieved huge successes in life and when it comes to voting times for political gains. The “Coloureds” are the ONLY group who’s identity are been messed around with. When it comes to political agendas and privileges, the current ruling ANC government and the media deliberately regards coloureds as black, but with job and promotion appointments, we are regarded as “Coloureds”. I can’t proudly say, with the recognition of the media at large, that I am proud for the achievements of a certain Coloured person or people, so that they could be seen as our rolemodels and great achievers. No, this group’s names are changed under these circumstances to “black”. But when it comes to promotion posts or government hand-outs, you are classified as “Coloured” and even get charged by government for doing so.

20.

My first example is when Peter de Villiers was appointed as the first non-white coach of the Springboks in January 2008. He was applauded by the government as the first “black” coach to hold this position. Everyone can see that De Villiers is racially a “coloured” person. See annexure [ **GAS 27** ].

21.

The same thing happened in 2007 when the late Professor Russell Botman was appointed as the first non-white rector of the University of Stellenbosch. He was officially congratulated by an ANC MP in Parliament and referred to as a “Black” person. But Botman is also culturally a “Coloured” person. On the South African History Online website, they refer to prof. Russel Botman as “Coloured”. See annexure [ **GAS 28** ].

22.

When Wayde Van Niekerk broke the world record in the 400m race at the Olympic Games 2016 in Rio De Janeiro, a race debate broke loose regarding his race. Why would certain South Africans now be “confused” regarding his racial lineage? This never happens to a white or black person. The whole debate placed a negative damp on his victory. Suddenly Black people wanted to claim the victory for them and Wayde had to be called “Black”. Then certain black people got angry when a group of people called Wayde a Coloured and that it was a “Coloured” victory. All the other times he had to accept being called a “Coloured”, now suddenly when he is world famous and he must be referred to as a Black person. See annexure [ **GAS 29** ].

23.

The late late Springbok rugby player Chester Williams have been referred to by the media as a “Black” player in the rugby team. Chester would be regarded as a “Coloured” person. What is the race of his children? See annexure [ **GAS 30** ].

24.

It is not lawfully and morally possible to classify any South African. I refer to the story of Sandra Laing. She is still alive and well today. A South African citizen and victim of Apartheid race classification that had to endure the brutality of being re-classified three times in her life, with a forth failed attempt in order to safe her family from being torn apart and being without a mother. Her true life story is being depicted in the movie **SKIN**. It shows the merciles impact that race classification had on this woman’s life. I challenge parliament to once again attempt to race classificy Sandra Laing. It will be a gruesome human violation in the eyes of the world. The same apply to the rest of us that is in the same boat as Sandra Laing. What is the race of Sandra’s children? See annexure [ **GAS 31** ].

25.

Mr Mzwandile Dibela is a true and honourable PARC member and supporter. We are proud to have him as part of our team. He has been blind for more than 59 years of his life. He helps us to teach the South African people what it is like to live as a blind person and how to perceive people. Blind people’s approach is an example of how we should view people and not judge them by the colour of their skin. See annexure [ **GAS 32** ].

26.

I, Glen Arnold Snyman, regard myself ethnically as Khoikhoi person. We learned to speak our ancient indigenous language, Khoekhoegowab, through an on-line course offered by the University of Cape Town in September 2020. Although I am given the opportunity to select the “other” option on the WCED e-recruitment job application form, during an interview I will still be naturally implicated to be a “Coloured” person because of the existence of the Coloured race block option. If next to that block was an option written, Khoi-khoi or San, the selection panel would have made the extra effort to ask me about my ethnic heritage if they wanted to know it, and not just assume that I should be regarded as a “Coloured”. Sometimes I am also referred to as a “bruinmens” or brown person and I had to be fine with it. But if we can make a scientific observation, we will note that certain people with a deep dark skin tone could be regarded on a chromatic scale as being of the colour “navy”. If we would refer to such a person as being a navy person or blue person, it would infringe on his or her dignity. But it is fine for society to give me all these name, like being a “brown” person (Bruinmens). See [ **GAS 33** ] of my legal testimony, under oath, regading my identity.

**PROOF  
OF ALL  
AVENUES  
EXHAUSTED**

# **GAS 1**

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## **LIST OF LETTERS BETWEEN PARC and SAHRC 2011**

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This summary lists the letters between Glen Snyman (PARC) and the South African Human Rights Commission (SAHRC) regarding the complaint about South African race classification criteria used on miscellaneous forms.

- 1. Letter 1 - First letter to the HRC Western Cape Office – 6 May 2011.**
- 2. Letter 2 - First reply from the HRC WP – 15 July 2011.**
- 3. Letter 3 - Appeal to the HRC Head Office, Chairperson – 13 August 2011.**
- 4. Letter 4 - Reply on PARC appeal by the HRC Chairperson – 9 September 2011.**

# LETTER 1

**6 MAY 2011**

The Chairperson / Penny Carelse  
**South African Human Rights Commission Western Cape**

Dear Sir / Madam

**Re: UNCONSTITUTIONAL RACE CLASSIFICATION IN THE NEW DEMOCRATIC SOUTH AFRICA.**

The three cornerstones of Apartheid [(1) the Population Registration Act no.30 of 1950, (2) the Group Areas Act of 1950, and (3) the Immorality Act of 1957] were **RIGHTFULLY SCRAPPED** by the 17th June 1991, by the South African parliament. We believe, therefore, that it is unconstitutional to bring any of these dubious ACTS back as part of the Post Apartheid Era. The fact that the Population Registration Act no.30 of 1950 was **SCRAPPED**, gives job recruitment officers, or any government or private system, no legal right to classify any South African citizen by race (Black, Coloured, Indian, White)!

What criteria are being used by the present government to determine the race of a South African citizen? The blatant use of race classification by government, in the absence of the population registration act, is hereby challenged. At present government is using race classification [unconstitutionally] on **ALL** its forms, e.g. its Z83 forms in application for state jobs.

We believe it is the duty of the Human Rights Commission to oppose any action by any institution that is discriminating against human beings, e.g. on the bases of the percentage of pigment in their skins.

We therefore appeal to the Commission to give your verdict, as an institution for human rights on this very important issue.

We will appreciate it if we can receive, in writing, your response as soon as possible.

Thanking you in anticipation.

**Glen Snyman**  
Founder and leader of PARC.

## LETTER 2

**THE REPLY OF THE SAHRC  
WESTERN CAPE OFFICE – Ms. BIANCA VALENTINE**

**OUR REF: WP/2011/0164-BV**

**15 JULY 2011**

Dear Mr. G. Snyman



**RE: YOUR COMPLAINT**

We refer to your complaint as received by our office as on 11 May 2011.

The South African Human Rights Commission (herein referred to as the SAHRC) has completed its assessment of your matter in light of the information that you have furnished. From the assessment of your matter it would appear that your matter relates to allegations that the government is currently unconstitutionally classifying people in terms of their race in government Z83 forms. In terms of your complaint you explained that the Population Act, Act 30 of 1950, the Group Areas Act of 1950 as well as the Immorality Act of 1957 were the cornerstone of Apartheid in South Africa. You further explained that all these laws were repealed as they were found to be inconsistent with the current democratic dispensation.

You advise therefore that as a result having been repealed the government has no legal basis in terms of which to classify people in terms of race.

***(In re: Certification of the Constitution of the Republic of South Africa, 1996 (10) BCLR 1253 (CC) at paragraph 44).***

The Constitutional Court found that one of the basic pillars of the Constitution are to build a legal system which ensures equality of all persons before the law, which includes laws, programme or activities that have as their objective the amelioration of the conditions of the disadvantaged, including those disadvantaged on grounds of race, colour or creed.

The Constitution shows great commitment to the achievement of substantive equality or real equality. The drafters of the Constitution clearly intended affirmative action programmes as integral to the attainment of equality and therefore should not be view as an exception or a limitation to the right to equality.

Affirmative action measures are expressly sanctioned by the constitution, thus averting any argument as to whether preferential treatment of disadvantaged people is permissible or not. Affirmative action measures must however be rationally connected to a legitimate government purpose, such as the achievement of substantive equality and therefore must be designed to protect and promote peoples disadvantaged by past systematic unfair discrimination.

The Apartheid Government had a defined hierarchy of races, with White people at the top and Black people firmly rooted at the bottom and with Coloured and Indian people placed in between. It is therefore permissible and consistent with the mandate of the Constitution if we wish to achieve real equality to apply affirmative action measures that are proportionate to the measure of disadvantage suffered under apartheid.

We have now completed our review of your case and are of the opinion that the race classification per se in government Z83 forms is not unconstitutional as these forms assist the government in applying affirmative action measures.

In light of the above we reject your matter and have accordingly closed your file. You have the right to appeal against this decision to close your file. Should you wish to appeal, you must do so within 45 days of receiving this letter by writing to the Chairperson, Mr. M.L. Mushwana, at Head Office in Johannesburg.

Yours faithfully

**BIANCA VALENTINE (ACTING PROVINCIAL MANAGER SAHRC WESTERN CAPE)**

## LETTER 3

**13 August 2011**

Human Rights Commission  
Chairperson  
Houghton

Dear Sir / Madam

**Appeal: UNCONSTITUTIONAL RACE CLASSIFICATION IN THE NEW DEMOCRATIC SOUTH AFRICA.**

The reply of the Human Rights Commission to our complaint under the above heading lacked clarity, we think, on one issue particularly. **Specifically, the question of what legal criteria are currently being employed by government to determine a person's race.** Clarification by the HRC on this matter would be greatly appreciated.

Currently many "non-Black" South Africans are ticking the "**Black African**" block on Z83 application forms for state jobs, as well as on other forms that require such data. The reason for their doing this is (because these data are based on discriminatory race classification) to render government statistics inaccurate and worthless. In addition, to create an adversarial tension between employer and employee, where the choice for the "**Black African**" option has been exercised but **where freedom to make this choice has been denied.**

The constitution makes provision for "self-classification", through proclaiming, for every citizen, freedom of choice, and freedom of association. Thus, all those who tick the "Black African" block, despite not satisfying the chromatic (colour) requirements of this

block, are not doing anything “wrong”, not doing anything illegal. So, the governments’ plan on affirmative action will fail, and the need for another, more constructive, less divisive strategy, will be evidenced.

How can the HRC implicitly uphold race classification, falling down thus on their own professed commitment to uphold fundamental human rights? **It seems to us, however, that although everyone is in favour of a society free of racial categorisation, this ideal is speedily abandoned when (as often occurs) material interest (job opportunities, promotion, government handouts, etc.) becomes a major consideration.**

Race Classification is an issue because every human being has the right not to be discriminated against, or classified in such a way that discrimination inevitably results from such classification. **GENERALISATION is wrong!** A socio-economic barometer should rather be employed to correct past inequalities, whilst, at the same time, taking cognizance of the fact that many “Black”, “Coloured” and “Indian” people (so-called historically disadvantaged people) have “**sorted themselves out**” in these last 17 years. Affirmative action should have an expiry date and, quite obviously, cannot be an integral instrument within the SA economy forever! It is **unfair** to expect from people born in the post-apartheid era (especially non-Blacks) that they should take responsibility for what has happened in the past.

Odious race definitions do not accommodate kids born from “mixed marriages”, because, in their case, what race blocks should they tick? Chinese South Africans can, by constitutional court order, tick the “Black African” block to benefit from BEE. Foreign “**Black looking**” people, who have gained South African citizenship, jump the queue ahead of “Coloured”, “Indian” and “White” citizens, by legally ticking the “Black African” block. A “Black” or “Coloured” learner, from the same private school are offered entrance to the University of Cape Town on a lower academic mark than their “white” counterparts from the same school.

When it comes to the vision of a tolerant and racism - free South Africa, any reasonable person would agree with this vision (PARC), would uphold it as “quite obviously” the way to go.

We would, with great respect, point out that this is our second (importunate!) letter to yourselves! **What strange masochism drives the Commission, that it chooses so publicly to discomfort itself? Perched precariously; inelegantly; conspicuously, atop a torturous barbed wire fence!**

We would appreciate it if we could receive, in writing, your response as soon as possible.

Thanking you in anticipation.

**Glen Snyman**

Founder and leader of PARC.

## LETTER 4

**9 SEPTEMBER 2011**

**SOUTH AFRICAN HUMAN RIGHTS COMMISSION**

**OUR REF: A8/08/2011**



**RE: APPEAL TO THE CHAIRPERSON**

The above matter and your letter of appeal received by our offices on or about the 22<sup>nd</sup> day of August 2011 refers.

I kindly confirm receipt of the aforesaid letter and the contents thereof has been noted.

The South African Human Rights Commission (hereinafter referred to as the "Commission") was established to investigate *prima facie* violations of human rights as contained within the Bill of Rights, which is Chapter Two of the Constitution of the Republic of South Africa Act, 108 of 1996 (hereinafter referred to as the "Constitution").

On perusing your file in this matter I note that in your initial complaint you queried *inter alia* the basis for the use of race classification by the South African government, in the absence of the Population Registration Act. You alleged that the present government is using race classification unconstitutionally on all forms including those for application for state jobs.

You approached the Legal Services Programme of the Western Cape Provincial Office of the Commission with a request that it assist you in resolving your complaint.

on or about the 15<sup>th</sup> day of July 2011 the Provincial Office advised you that after reviewing your matter it was of the opinion that the race classification per se in government Z83 forms is not unconstitutional as these forms assist the government in applying affirmative action measures.

The Provincial Office was of the view that there was nothing further it could do in this matter and proceeded to close your file. The Commission is charged by the Constitution with the responsibility of upholding South Africa's constitutional democracy. The Commission has consistently received complaints that centre on the issue of unfair discrimination such as the one you have raised above.

South Africa's present still evidences the scars of the past, and the framers of the Constitution crafted a document designed to move the country away from the injustices and intolerances of the apartheid-era policy. The foundational goal of constitutional democracy in South Africa is the achievement of a country based on "human dignity", the achievement of equality and the advancement of human rights and freedoms." Given the history of systemic disenfranchisement that excluded non-whites from freely participating in the life of country, the government has adopted an approach to the achievement of equality that recognizes that both formal equality and substantive equality are necessary.

Substantive equality embodies a conception of the law as a tool to achieve equality of outcome. It also incorporates a willingness to tolerate disparity in treatment if it is needed to achieve the goal of equal enjoyment of the rights and privileges of citizenship in the New South Africa. Such an approach recognises the truth that "although a society which affords each human being equal treatment ... is our goal, we cannot achieve that goal by insisting upon identical treatment in all circumstances before that goal is achieved." This view of substantive equality is in harmony with the fundamental values of the Constitution.

The right to equality contained in Section 9 of the Constitution. Subsection (1) of this section establishes formal equality before the law, stating that: “**Everyone is equal before the law and has the right to equal protection and benefit of the law.**” Subsection (2) implies a substantive understanding of equality as it states that “Equality includes the full and equal enjoyment of all rights and freedoms,” and permits the institution of “legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination.” Subsection (3) and (4) prohibit the State and private persons from unfairly discriminating against anyone based on any of the listed grounds such as race, gender, sexual orientation or marital status. Subsection (5) creates a presumption of unfairness against discrimination based on one or more of the listed grounds.

Section 9 must be viewed in a holistic manner, and each subsection viewed as part of an integrated whole. The Constitutional Court has made it clear that for a comprehensive understanding of the provisions of section 9, “a harmonious reading” is required. The right to equality in Section 9 should be interpreted in light of the values of the constitution and the intention of the framers.

The Constitutional Court has created an analytic framework that is to be used in determining whether the equality clause has been violated. There needs to be a preliminary enquiry as to whether the challenged law or conduct actually does differentiate between people or groups. If there is no differentiation then there can be no violation of the section 9. If a law or conduct does differentiate then the next step in the analysis is determining if there is a rational basis for the differentiation, and then whether or not the differentiation, even if there is a rational connection, constitutes unfair discrimination.

This approach for analyzing alleged violations of the equality clause was first laid out by the court in ***Harksen vs. Lane No.1998 (1) SA 300 (CC) paragraph 53 which listed the following series of steps:***

- (a) Does the challenged law or conduct differentiate between people or categories of people? If so, and there is no rational connection to a legitimate government purpose then there is a violation of s 9(1). Even if such a rational connection exists it might nevertheless amount to discrimination.***
- (b) Does the differentiation amount to unfair discrimination? This requires a two-stage analysis:***
  - (i) Does the differentiation amount to “discrimination”? If it is on a specified ground, then discrimination will have been established. If it is not on a specified ground, then whether or not there is discrimination will depend on whether, objectively, the ground is based on attributes and characteristics that have the potential to impair the fundamental human dignity of persons ... or to affect them adversely in a comparably serious manner.***
  - (ii) If the differentiation amounts to discrimination, does it amount to “unfair discrimination”? If it [is based on a] specified ground then unfairness will have to be established by the complainant. The test of unfairness focuses primarily on the impact of the discrimination on the complainant and others in his or her situation.***
- (c) If the discrimination is found to be unfair, then a determination will have to be made as to whether it can be justified under the limitation clause.”***

Both Constitutional Court jurisprudence and the language of section 9 imply that there are three ways in which a law or conduct may discriminate between persons or categories of persons. A law or conduct could constitute:

- (i) “mere differentiation”*** because **although it treats some people differently than others**, the treatment does not amount to discrimination; ***(ii)*** the law or conduct could constitute ***fair discrimination*** if it discriminates, **but in a way that is not unfair**; or ***(iii)*** the law or conduct could be ***unfair discrimination***. Each of these three forms of differentiation will be examined in turn, utilising Constitutional Court jurisprudence for guidance.

Mere differentiation is used to describe the situation in which a law or conduct treats people differently than others but the treatment does not amount to unfair discrimination. This category arises because the government in the course of its dealings may legitimately and appropriately classify people and treat them in a way that is different from another class. In a very real sense,

the government's ability to rule effectively and administer justice rests on its ability to enact rules and regulations that may have a differential impact. One could reasonably say that "every statute or regulation employs classifications of one kind or another for the imposition of burdens or the grant of benefits. Laws never provide the same treatment for everyone."

The validity of mere differentiation is tested by rationality. In *Prinsloo vs. Van der Linde 1997 (3) SA 1012 (CC)* the court focused on the need for a rational connection between the conduct or law at issue, and a legitimate government purpose. The key question that should be addressed to satisfy section 9's rationality requirement is whether or not the law or conduct is arbitrary or capricious in nature. If differentiation occurs, but there is no rational connection with a legitimate government purpose, the conduct or law will be in contravention of section 9. Even if there is a rational connection, mere differentiation can still constitute discrimination, and will then have to be analysed for fairness.

It is important to note that section 1 of the Constitution imposes a general "rule of law rationality" that must be satisfied by any law or conduct. Under section 1, a general rationality requirement is therefore imposed, and if a law is determined to be rational under Section 1, there is no need for its rationality to be further tested under Section 9's more specific requirements.

**The Constitutional Court has affirmed the principle that not all discrimination is unfair.** To determine fairness one needs to examine the position of the complainants in society, the interests affected and whether or not the **law or conduct that is challenged is targeted at benefiting a previously disadvantaged group.**

In *President of the Republic of South Africa vs. Hugo 1997 (4) SA 1 (CC)* the court explained the concept of "fair" discrimination. When President Mandela granted a remission of sentence to all mothers in prison who had children under twelve, the court found that this did not unfairly discriminate against male prisoners with children. The court recognised the reality that in South Africa women bear the primary responsibility for child care, and also typically occupy an inferior position in society. The court reasoned that male prisoners had no legal entitlement to an early release and so a ruling that denied their early release did not impact on their dignity. The court also reasoned that President Mandela's ruling focused on an important societal goal, and was aimed at benefiting those who were particularly vulnerable and previously disadvantaged.

This case illustrates that if the discrimination that is being challenged bears a rational connection to a government purpose, and if the measure is designed to benefit a previously disadvantaged group, then it may be ruled to be fair, even if it benefits certain classes but not others.

Discrimination is differentiation based on illegitimate grounds. Such grounds can be the "listed grounds" found in Section 9 subsection 3, or can be "analogous grounds". Analogous grounds are those that are based on "attributes or characteristics which have the potential to impair the fundamental dignity of persons as human beings, or to affect them seriously in a comparably serious manner." **The Equality clause does not prohibit discrimination, just "unfair" discrimination and the key criteria in determining unfairness is the impact of the discrimination on the victim.** The value of dignity is an important consideration in the Court's treatment of unfair discrimination.

**Discrimination will be found to have an unfair impact if it "imposes burdens on people who have been victims of past patterns of discrimination, such as women or black people, or where it impairs to a significant extent, the fundamental dignity of the complainant."** In *Pretoria City Council vs. Walker 1998 (2) SA 363 (CC)* when the council utilised a flat rate in the township and used a metered system in "Old Pretoria", the Court found that this differential treatment was permissible since the complainant did not belong to a group that had been disadvantaged by the apartheid-era policies, and indeed had benefited from the discrimination of the past. The court also found the system instituted by the council to be the only practical solution to collecting payments during the period in which meters were being installed in the townships, and so the differentiation had a rational connection to a legitimate government purpose. In contrast, the same court found that the council's policy of pursuing the selective

recovery of arrears to be unfair discrimination because it was unrelated to a broader policy of regularising service delivery, bore no relationship to the actual ability of individual's to pay for services, and "affected them in a manner which is at least comparably serious to an invasion of their dignity."

Discrimination based on any of the grounds listed in Section 9(3) of the Constitution is presumed to be unfair, and the respondent bears the responsibility of proving that the discrimination, though based on an illegitimate ground, is fair. This is because the courts have assumed that differentiation on one of the listed grounds will impose burdens on individuals who have been previously victimised by apartheid, or the belief that such discrimination will undermine fundamental dignity.

However, if a measure is shown to be restitutionary in nature, then it will not be found to be unfairly discriminatory, even if the measure differentiates on a listed ground. This approach is justifiable given the Constitutional Court's emphasis on reading Section 9 harmoniously. Since the text of Section 9(2) clearly allows the legislature to enact laws that protect or advance previously disadvantaged persons, a reading of the text that created a presumption of unfairness against restitutionary measures would not be consonant with the purpose of Section 9 as a whole.

The Constitutional Court addressed the issue of the application of the presumption of unfairness to restitutionary measures in ***Minister of Finance and Another vs. Van Heerden 2004 (11) BCLR 1125 (CC)***. Van Heerden, a former parliamentarian, challenged the structure of a pension scheme that differentiated between "old" and "new" parliamentarians, and which sought to remedy the inequity in compensation that would result without such a structure. The Constitutional Court found that the important question is not whether the Minister has discharged the presumption of unfairness. Rather, the key inquiry when a measure is challenged as violating the equality provision of section 9 is whether or not the measure is "contemplated by section 9(2) in that it promotes the achievement of equality and is designed to protect and advance persons disadvantaged by unfair discrimination." If the measure "properly falls within the ambit of section 9(2) it does not constitute unfair discrimination."

This Constitutional Court ruling means that for a measure to be upheld as being permissible under section 9(2) it has to be shown to: (1) target persons or categories of persons who have been disadvantaged by unfair discrimination; (2) be designed to protect and advance such persons or categories of persons; and (3) promote the achievement of equality. It is important to note that a direct causal connection between the measures and the objectives is not required, only a "reasonable likelihood" that the measure should meet the desired goals.

The court's reasoning in this and other cases show that the appropriate way to view restitutionary measures or "affirmative action" in the South African context is an integral component of the right to equality. Rather than viewing such measures as a form of reverse discrimination (as was charged by the complainant in Van Heerden), such measures should instead be seen as necessary steps in achieving the long-term goal of reducing the current levels of inequity in South Africa.

The Constitution acts to address the issue of unfair discrimination, and supports a view of equality that encompasses substantive as well as formal equality. The South African context, with its past history of systematic disenfranchisement of non-whites, dictates the parameters within which the right to equality should be understood. Restitutionary measures, such as the use of race classification by the South African government, fall within the gambit of the Constitution, as well as comply with legislative requirements. South Africans will continue to struggle with the implementation of such measures, as the society seeks to diminish the historic injustices while upholding the aspirational goals and values of the Constitution.

**Accordingly, your appeal is dismissed and this decision is final.**

Yours faithfully,

**PER: M.L. MUSHWANA**

**CC: HEAD OF PROGRAMME: LEGAL SERVICES - SAHRC**

**CC: PROVINCIAL MANAGER, WESTERN CAPE PROVINCE – SAHRC**

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# GAS

## HISTORY OF RACE CLASSIFICATION DISPUTE WITH THE WESTERN CAPE EDUCATION DEPARTMENT

NR	PROCEDURE OF EVENTS	OUTCOMES
1	<b>17 MAY 2019</b> - Complaint with the Eden Karoo Curriculum Head regarding the compulsory completion of the race data on WCED forms at workshops.	Referred to senior.
2	<b>23 MAY 2019</b> - Matter referred to Chief of Districts of the Province.	No feedback.
3	<b>26 JUNE 2019</b> - Complaint referred to Head of Education	No feedback.
4	<b>1 JULY 2019</b> - Grievance registered with Department Employee Relations.	No feedback.
5	<b>12 SEPT. 2019</b> - Race classification dispute registered with Education Labour Relations Council.	ELRC give a report. It lacks jurisdiction to hear the matter.
6	<b>13 SEPT. 2019</b> - Race classification dispute registered with CCMA.	CCMA give a deadlock certificate. It lacks jurisdiction to hear the matter. Matter referred to Labour Court.
7	<b>24 OCT. 2019</b> - Case registered with Cape Town Labour Court.	Case pending. Exchange of documents between parties.
8	<b>23 SEPT. 2020</b> - WCED charge Snyman with fraud and dishonest for ticking "African" on a three year old job application in a post he wasn't even short-listed for.	Case withdrawn 30 min. before start of hearing on <b>14 Oct. 2020</b> , due to media and public shame.
9	<b>14 JUNE 2021</b> - Dispute meeting between WCED MEC, HOD, District Director, Head of Persal and G. SNYMAN.	Agreed that Snyman can tick African or "Black". Never Coloured again. WCED will give a letter.
10	<b>15 JUNE 2021</b> - Labour Court case STOPPED, because case was "technically" won.	No need to continue with court case.

# GAS

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## EDUCATION LABOUR RELATIONS COUNCIL REPORT

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12 September 2019

[REDACTED]

[REDACTED]

[REDACTED]



Dear Sir / Madam,

**RE: RULING**

**CASE NAME: SNYMAN G vs WESTERN CAPE DEPARTMENT OF EDUCATION**

**CASE NUMBER: PSES488-19/20GP OFFICE OF THE GENERAL**

**SECRETARY**

I transmit herewith a copy of the ruling for the above-mentioned matter for your attention and information.

The matter is now closed.

We thank you for your co-operation in this regard.

Kind Regards,

**General Secretary**

Education Labour Relations Council

*pp 12/09/19*

All correspondence should be addressed to:

The General Secretary

ELRC

Private Bag

Centurion 0046

Gauteng RSA

Enquiries:

Tel: 012 663 7446, Fax: 012 643 1601

## Introduction

After this matter was referred to the ELRC, the General Secretary was of the view that the ELRC lacks jurisdiction to conciliate the dispute and referred the matter to me to determine whether or not the ELRC has jurisdiction.

## Background

(2) In the referral form the applicant claims that an unfair labour practice was committed in that he applied for appointment to an educator's post, but that he was unsuccessful due to the fact that the race policy of the WCED in its EE plan was applied. **He states that the race policy is faulty, leading to unfair discrimination towards him. He asks for an order directing the WCED to change its EE policy based on race scores to designated groups.**

## Evaluation.

(3) Like the coma, the ELRC is a creature of statute and has no more powers than what has been granted to it in terms of the Labour Relations Act, read with the constitution of the ELRC. Disputes that the ELRC can determine include (1) unfair dismissal disputes, (2) unfair labour practice disputes, (3) disputes about the interpretation and application of collective agreements and (4) permanency disputes in terms of section 198B of the CRA.

(4) The only statutory provision, in terms of which this tribunal may conciliate and arbitrate unfair labour practice disputes, is section 186(2) of the LIRA, which reads as follows:

**'Unfair labour practice'** means any unfair act or omission that arises between an employer and an employee involving-

- (a) unfair conduct by the employer relating to the promotion, demotion, probation (excluding disputes about dismissals for a reason relating to probation) or training of an employee or relating to the provision of benefits to an employee;
- (b) the unfair suspension of an employee or any other unfair disciplinary action short of dismissal in respect of an employee;
- (c) a failure or refusal by an employer to re-instate or re-employ a former employee in terms of any agreement; and
- (d) an occupational detriment, other than dismissal, in contravention of the Protected Disclosures Act, 2000 (Act 26 of 2000), on account of the employee having made a protected disclosure defined in that Act.

There is no unfair labour practice jurisdiction in relation to appointment disputes. It is only in relation to promotion disputes that an unfair labour practice can exist in terms of the CRA. A promotion dispute would exist when an employee is already employed by an employer, and applies for a higher post with that same employer, which carries greater status and responsibility, and generally also a higher salary. Unless this is the case, the dispute is merely an appointment dispute. **It does not appear from the referral form that applicant's dispute is a promotion dispute**, because he does not make that allegation, and neither does he tick the block in the referral form which states "promotion". For these reasons alone, the ELRC appears to lack jurisdiction, alternatively if indeed applicant intended to refer a promotion dispute, the referral form is defective.

However, this is not the only problem that emanates from the referral form. There is also the issue of unfair discrimination. **The ELRC has no jurisdiction over unfair discrimination disputes.** It is so that bargaining councils, including the ELRC, have jurisdiction over promotion disputes, including promotion disputes where affirmative

action is raised as a peripheral issue. In other words, if an employee has applied for promotion, and he or she was the best of all the candidates, but was not appointed, and a weaker candidate was appointed in the name of affirmative action, then the EI-RC would have jurisdiction to determine the matter as a promotion dispute since the defence of affirmative action raised by the employer would only be a peripheral issue. However, where instead of merely claiming that he was unfairly treated as regards promotion, and then waiting for the employer to raise affirmative action as a defence, and allowing the arbitrator to decide whether that defence should succeed or not, the employee's cause of action is that there is unfair discrimination relating to race, and he even asks for the employment equity plan to be set aside as being discriminatory, then unfair discrimination is no longer a peripheral issue, but is the main cause of action, and then the ELRC has no jurisdiction. The manner in which the referral form has been drafted suggests that the claim is not merely a claim about unfair conduct in a promotion dispute, but a claim about unfair discrimination based on race. Therefore, even if applicant did apply for a promotion, the ELRC lacks jurisdiction over the dispute that he has referred in this referral form.

### **ORDER**

In the premises I make the following order:

**The ELRC lacks jurisdiction over the dispute**, as formulated in the referral form.

2. Should applicant have applied for promotion (and not merely for appointment), and should he wish to pursue a promotion dispute before the ELRC, and not an unfair discrimination dispute, and should his intention merely be to claim that the employer applied affirmative action incorrectly and unfairly (should the employer raise affirmative action as a defence in such dispute), applicant may re-refer a new dispute making it clear in the referral form that he is referring a promotion dispute, and making it clear that he is not referring an unfair discrimination dispute. He should also not ask for the EI-RC to set aside any plans or policies of the employer based on unfair discrimination in his referral, because such requests would elevate the dispute to an unfair discrimination dispute and deprive the EI-RC of jurisdiction. Applicant must also bear in mind, that should he re-refer a new dispute (a promotion dispute) about this same post, condonation will have to be applied for in respect of any period that lapsed after 30 days have expired after the employer has made a final appointment of another candidate in that post.



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**D P Van Tonder**  
**Senior ELRC Arbitrator**

# GAS

## DEADLOCK CERTIFICATE CCMA

135(5)(a)  
136(1)(a)

**CERTIFICATE OF OUTCOME OF  
DISPUTE REFERRED TO CONCILIATION**

I certify that the dispute between:

CASE NUMBER: WEGE 3316-19

Glen Snyman and Western Cape Education  
(referring party) Department  
(other party/parties)

Referred to conciliation on:  
18 September 2019  
(give date)

Concerning  
S6 (EEA) - Race  
(Above threshold)

Was resolved on the \_\_\_\_\_ or  Remains unresolved as at 7/10/2019  
(give date) (give date)

Condonation:  Granted  Not applicable

If this dispute remains unresolved, the following steps may be taken

Referto Arbitration	Referto interest/ Advisory Arbitration	Strike/ Lockout	<del>Referto Labour Court</del>
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**CCMA**

Anete MGUBASI  
Name of Commissioner

A. Mgubasi  
Signature of Commissioner

Andthoorn  
Place

7 Oct. 2019  
Date

# GAS

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## DEADLOCK WITH LABOUR COURT

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Labour Courts  
P.O Box X 15502  
Vlaeberg  
Twinell House  
113 Loop Street  
Cape Town, 8001  
Tel: (021) 424-9035/6/7  
Fax: (021) 424-9059

### NOTIFICATION OF A CASE NUMBER

TO:.....

ATT:.....

FAX: 086 662 1356

BY HAND:.....



IN THE MATTER BETWEEN:

..... Glen Arnold Snyman .....  
(Applicant/s)

AND

..... Minister of Western Cape Education Dept .....  
..... & Minister of Basic Education ..... (Respondent/s)

THE FOLLOWING CASE NUMBER HAS BEEN ALLOCATED IN THIS  
MATTER: C..... 662/2019 .....

Yours Faithfully

.....  
Registrar

# GAS

## CHARGES BY WESTERN CAPE EDUCATION DEPARTMENT – G. SNYMAN

ANNEXURE A

### CHARGE SHEET

In the matter of

The Western Cape Education Department  
(The employer)

and

Mr GA Snyman  
(The employee)  
REF: 53513673

Dear Mr Snyman

### SABC News 14 Oct 2020



### NOTICE OF DISCIPLINARY HEARING

1. You, Mr Snyman are hereby given notice to attend a disciplinary hearing in terms of item 5, Schedule 2 of the Employment of Educator Act 76 of 1998, (hereinafter referred to as the Act). The alleged misconduct and the available evidence is based on the following:
4. The hearing will be held virtually via Microsoft Teams on Wednesday, 14 October 2020 at 09H30.

#### CHARGE 1

It is alleged that you are guilty of misconduct in terms of section 18(1)(dd) of the Employment of Educators Act, 76 of 1998 (hereinafter referred to as the Act) in that on or about 21 October 2017, you committed a common law offence, to wit fraud by stating on your Curriculum Vitae, when applying for the principal post at Fezekile Secondary School, post 1668 of 2/2017 that you are **African male** whereas in truth your records indicates that you are a **Coloured male**, and by doing so gain an advantage for purposes of being shortlisted.

#### ALTERNATIVE TO CHARGE 1

It is alleged that you are guilty of misconduct in terms of section 18(1)(ee) of the Act in that on or about 21 October 2017, you committed an act of dishonesty by stating on your Curriculum Vitae, when applying for the principal post at Fezekile Secondary School, post 1668 of 2/2017 that you are an African Male whereas in truth your records indicates that you are a coloured male, and by doing so gain an advantage for purposes of being shortlisted.

# GAS

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## LETTERS TO THE PRESIDENT OF SOUTH AFRICA AND VARIOUS MINISTERS

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**First letter**

**1 MAY 2021**

To: The President of the Republic of South Africa, Mr Cyril Ramaphosa  
The Minister of Labour, Mr Thulas Nxesi  
The Minister of Justice, Mr Ronald Lamola  
The Minister of Sport, Mr Nathi Mthethwa  
The Statistician-General StatsSA , Mr Risenga Maluleke

### OUR DEMANDS

**Dear Mr Ramaphosa**

We, the supporters of People Against Race Classification (PARC), hereby ask you to remove the race classification criteria from all government forms, as well as the Z83 form for state jobs. We additionally request that you motivate such a motion in parliament in order to amend the relevant legislation to have all race criteria totally removed from all official documentation.

**To the Minister of Justice:** We ask that the judiciary interprets race classification as racism, and that all forms of race classification be removed, wherever present, in our government and private systems.

**To the Minister of Labour:** Please end the Black Economic Empowerment Act now. The sun set a long time ago over this Act. We demand equal rights and opportunities for all South African citizens.

**To the Minister of Sport:** Please remove the race criteria, and the quota system, from our sport. A player should be elected for a sports team based solely on merit. Athletics South Africa should remove the race options on their licensing forms as race should play no part whatsoever in athletics.

**To the Statistician-General of Statistics South Africa:** Remove the race criteria options from the upcoming Census 2021 Population Count forms.

Mr President, we will not stop our protests until these wicked race classification options have been totally removed from all official documents, wherever they occur.

We are not Coloured, Black, Indian or White people. We are South Africans!

Kind regards

Glen Snyman Leader of PARC



## Second letter

To: The President of the Republic of South Africa

21 May 2021

Dear Mr C. Ramaphosa

### **REQUEST TO MEET WITH YOU IN PERSON**

I hereby ask to meet with you in person, at your earliest convenience, accompanied by two team members of PARC. We would prefer to meet with you in Cape Town, if possible, as it is easier for us to travel to Cape Town from our home town of Oudtshoorn.

#### **Reasons to meet with you:**

1. **We would like to clarify** the reasons why we wish to have race classification criteria removed from all government and private sector forms, as requested in our first letter to you on 01 May 2021.
2. **That you explain to us how government continues to classify citizens by race** in the absence of the Population Registration Act of 1950, that was repealed on 27 June 1991.
3. **That you explain to us why Chinese citizens are classified as 'BEE Black'**, according to a court order of 18 June 2008.
4. **To remind you of a woman. Sandra Laing (age: 65 years)**, who was race classified into three race groups (Black, White and Coloured) no less than three times during her lifetime by the Apartheid system. The trauma, hurt and destructive effect on her life is depicted in the movie *Skin*. In a new democratic South Africa, she and her family are still being classified by race.  
Wouldn't you want to ease this woman's, and her family's, burden by not subjecting them to race classification ever again?
5. **To hand to you a document**, and other media material, that corroborates our demands, and will help to explain our views to you regarding the dangers of race classification.
6. **We want to show you the petition forms** completed by members of the public to confirm their support of PARC's vision, and for you to see first-hand how many citizens from all walks of life want to see these changes effected.
7. **To present to you an alternative to this problem**, which is that race grouping should rather be replaced by ethnic groupings. We also suggest the implementation of a poverty barometer to address past imbalances. We could clarify this more clearly in a face-to-face meeting.
8. **Your administration may not convey our electronic message/s to you effectively.**  
Perhaps you did not receive our first letter, thus preventing you from learning the seriousness with which we are driving this issue.

**We would rather die on our feet than live on our knees.**

Kind regards

**Glen Snyman**  
Leader of PARC



# GAS 8

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## LETTERS TO VARIOUS INSTITUTIONS SA COUNCIL OF CHURCHES

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2 August 2011

The SOUTH AFRICAN COUNCIL OF CHURCHES (SACC)

To: Bishop. Joe Seoka (President)  
Rev. Mautji Pataki (General Secretary)  
Rev. Joy Kroenenberg (Vice-President)

Dear Council Members.

### UNETHICAL RACE CLASSIFICATION USED BY SOUTH AFRICAN EDUCATION DEPARTMENT.



LEARNER IDENTITY	
RACE	<input type="text"/>
a. Street/ Plot / Farm / Flat NUMBER	1=BLACK/AFRICAN 2=COLOURED 3=INDIAN/ASIAN 4=WHITE 5=OTHER
c. Suburb/ADD	

The Education Department registers learners on their CEMIS (Central Education Management and Information Systems) database according to race.

(1) Parents are required, on all schools' enrolment forms for learners, to provide details as to their child's racial lineage (e.g. "Black"; "Coloured"; "Indian"; and "White"). Parents in "mixed marriages", especially, find these classifications disturbing! What option, specifically, should they select in respect of their children? The Population Registration Act of 1950 was repealed by Parliament in 1991, no law currently exists as to how a determination should be made regarding the race of any particular individual. The Education Department encourages innocent children to apply racial stereotypes, through registering them according to race on their school databases (CEMIS). In a New South Africa race labelling is unnecessary, unconstitutional and immoral!

**We, PARC, would value the assistance of the SACC to have race classification on the Education Departments' CEMIS discontinued.**

(2) Our mission is to promote, wherever we can, a fully reconciled, cohesive South African Society! Our prime target, in the pursuit of our mission, is the divisive racial labelling presently practised by the South African Education Department (a throwback to the apartheid era!).

**It seems to us, however, that although everyone is in favour of a society free of racial categorisation, this ideal is speedily abandoned when (as often occurs) material interest (job opportunities, promotion, government handouts, etc.) becomes a major consideration.**

The church, as a united, creative influence, can be of tremendous assistance in bringing about the termination of race classification, a divisive system, which makes a mockery of the enlightened tenets espoused by the church. **Your organisation professes, through its mission statement, to be a voice for the poor and discriminated against.** The system of race classification, we believe, should thus constitute something which the SACC, as a whole, unreservedly abominates!

**(3) We request your assistance, specifically, in the appeal we intend to address to the National Education Department.** We appreciate the great influence the churches in general have had upon the moral climate within the country. In many respects, however, this climate is now lamentable indeed. Without the mitigating influence of the church, the moral climate within South Africa could, quite conceivably (by now), have descended to the level of catastrophic moral anarchy!

Having said this we think that what is now required is the **ADDITION** of more focused initiatives, specifically, legal (constitutional) initiatives. **The whole society must, in all sorts of ways, now be called to order!** An optimal climate must be created and nurtured, within which moral initiatives such as your own, and what we ourselves propose, can be pursued within a more supportive environment, albeit a legally constrained “supportive” environment.

According to the Bible, (*Galatians 4:28*) “*There is neither Jew nor Greek; slave or free; male or female; for you are ALL one in Christ Jesus.*” This means that referring to our fellow citizens as “Black”, “Coloured”, or “White”, does not accord with God’s will!

We are sure we can count on your very valuable, and indispensable, support and assistance, and look forward greatly to your timeous response.

\* Please fax your response regarding this matter to the above fax number.

Sincerely

**Glen Snyman**

[REDACTED]

# GAS 9

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## LETTERS TO VARIOUS INSTITUTIONS SA INSTITUTE OF RACE RELATIONS

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LETTER 1
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22 APRIL 2013

To: The Chief Executive  
South African Institute of Race Relations (SAIRR)  
Fax: 011 482 7917

**Dear Mr. John Kane-Berman**  
(copy to Frans Cronje)

In my capacity as founder, and national co-ordinator, of PARC (People Against Race Classification) I am writing this letter as a constructive attempt to point out what I consider to be **negative consequences of your race-based statistical analyses** of the South African society.

In principle PARC does not believe in the ideology of grouping people according to race. If you believe in “race” it means that you agree with the fact that a person can be defined by his skin colour and physical looks. This is wrong and racist! The SAIRR conducts race-based surveys and, through these, unconsciously reinforces and exacerbates, inherited racist attitudes. Some of the surveys and the reports you produces based on these, are nothing better than the article that was published in UCT’s campus newspaper, *Varsity* on 2 April 2013. In this newspaper they published a survey around **what race is the most beautiful**. We all know the criticism this provoked. In the same light, the findings of the SAIRR, in a survey in which they found that “white” people are still the highest-paid people in South Africa, is also disturbing. (*Press release by the SAIRR on 2 April 2013; White men still top of the pay scale.*) Is your organisation encouraging people to hate, or love, “white” people for having this status? Are you bragging about “white” people’s economic status? Also, this survey doesn’t differentiate between “white” people with talent, having honestly worked, and deserving of their wealth, and those who obtained their wealth through apartheid benefits. This survey also doesn’t differentiate between “black” or “coloured” people who became poor because of the apartheid legacy, and those lazy, unmotivated ones who are poor, were given opportunities to improve their life quality but didn’t do so. When you refer to race you GENERALISE! Generalisation is wrong! This is where confusion is being created and statements like these are used as a political play ball.

Why should South Africans know to what degree “white” people are richer than other groups? Or how poor “blacks” still are? Or that “Coloureds” outnumber the “white” people in the Western Cape. What is the sense of comparing one race with an other?

The only thing that this produces is hatred because of the past (Apartheid), jealousy, and division. You are nurturing a culture of entitlement which will inevitably culminate in a Zimbabwe-type situation, where almost the whole of productive agriculture was destroyed, through the seizure of most white-owned farms.

The people in my examples are the types of people who would fill in their respective racial lineage on your race-based forms. Then, when you sum up the statistics, **the only derivation you make** is based on their economic status. This would constitute only half the picture.

The choices you make dictate your life! **Your wealth status is not the result of your racial lineage (being black or white), but because of your ATTITUDE!**

I have no objections to statistical comparisons, except that they not be racially-based. Alternative categories such as income groupings, social circumstances, educational qualifications, how many people needing jobs, etc. could be used instead.

### **Our protest:**

- (a) We will urge South Africans taking part in any kind of race-based surveys, to tick the “**Black African**” block. It is the right of individuals to choose the identity he/she wishes to assume! The race classification law, the Population Registration Act, was scrapped in 1991. We are in the process of mobilizing public support for the phasing out of all resuscitated remnants of the odious Race Classification Act.
- (b) Our stance via-a-vis your organisation will be made public to the South African community, where YOUR institution is in breach of what we would like to think should be considered enlightened principles. We will be unreservedly adversarial in the pursuit of our goals.
- (c) We will attempt to make the collection of race-based information inaccurate and worthless!
- (d) Accordingly: please **CEASE FORTHWITH TO PUBLISH STATISTICS BASED ON, AND LINKED TO RACE!!!**

\* Right is always right even if nobody does it. Wrong is always wrong even if everybody does it.

Yours truly  
**Glen Snyman**



## LETTER 2

25 January 2019

To: The management of the SAIRR  
The Chief Executive  
South African Institute of Race Relations (SAIRR)  
Fax: 011 482 7917

**Dear Mr Frans Cronje and Prof Jonathan Jansen**

### **NOTICE: CAMPAIGN AGAINST YOUR ORGANISATION**

In my capacity as founder and leader of our civil rights group, PARC (People Against Race Classification), I am writing this letter as a constructive attempt to point out what I consider to be **negative consequences of your race-based statistical analyses** of the South African society.

In principle PARC does not believe in the ideology of grouping people according to race. If you believe in “race” it means that you agree with the fact that a person can be defined by his skin colour and physical looks. This is wrong and racist! The SAIRR conducts race-based surveys and, through these, unconsciously reinforces and exacerbates, inherited racist attitudes. Race classification is the start of racism. Our organisation and management committee consist of people from different backgrounds, in your definition – races.

In our last letter to you, on 22nd April 2013, we expressed our deepest concern and unhappiness regarding the workings and findings of you and your organisation. We have ever since increased our campaign against your organisation in an attempt that you should stop your race-based statistical creations and inaccurate, false opinions and reports based on it. We created a special page on our website ([www.parcса.co.za/Campaign against SAIRR](http://www.parcса.co.za/Campaign%20against%20SAIRR)), about our stance regarding your organisation. This is so that the broader South African public could be informed and made aware of statistical race-based data, interpret the problem and judge the truth for themselves.

Our next step will be to report you to the South African Human Rights Commission with a lot of media attention that will be following it.

You are welcome to arrange a meeting with us if you are under the impression that we misunderstand the purposes of your organisation and its reports.

Regards

Glen Snyman  
The leader of PARC.

# GAS 10

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## LETTERS TO VARIOUS INSTITUTIONS STATISTICS SOUTH AFRICA

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10 December 2019

To: The Head of Statistics South Africa  
The Statistician-General: Mr Risenga Maluleke  
and The Chairperson of the Statistics council



### \* SECOND LETTER

Dear Mr R. Maluleke

1. REMOVAL OF THE **POPULATION GROUP**, RACE BLOCK, “**COLOURED**” ON THE CENSUS 2021 QUESTIONNAIRE FORMS.

#### **Personal background/reasons**

Dear Mr Maluleke, I am writing my second letter to you to ask you to remove the population group “Coloured” from the next census 2021 forms. I am not a Coloured person, but rather, in ethnic identity, a Khoikhoi person because our family also descent from the Khoi-San people.

As leader of PARC, a lot of South African’s has denied their racial lineage and signed the PARC petitions in support of this fact and the vision of PARC. Please see our self-identification chart that have been widely spread amongst all South Africans as an educational tool and an attempt to combat racism.

According to the *South African Human Rights Commission’s* National Hearing Report of the Human Rights of the Khoi-San on 14 March 2018, it states in it’s recommendations that:

**7.1.1 The State, through the Presidency and DAC, must take steps on or before 31 March 2019 towards the removal of the forceful categorisation of Khoi and San peoples as “Coloured”.**

#### **My request:**

- (1) The immediate removal of the word “**Coloured**” from the census 2021 questionnaire forms.
- (2) That you please write back to me on the action you are willing to take regarding the above matters.
- (3) If your answer doesn’t find me favourable, we will attempt to escalate this matter further and settle it in a High court of South Africa.

Yours truly

**Glen Snyman,**

**SUPPORTING  
DOCUMENTS  
FOR THE  
PETITION**

# GAS 39

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## PARC PROFILE

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### Who is People Against Race Classification?

We are people who oppose the official referencing and classification of the South African population in terms of: “**Black**”, “**Coloured**”, “**Indian**”, and “**White**.” These classifications were a cornerstone of the system of apartheid. We are a civil rights activist group, politically non-aligned. Our aim is to fight and terminate any form of race classification and to encourage non-racism amongst all people. This will be done through litigation and demonstrations, education and reconciliation. Ultimately the solution to racism is that we should love and tolerate each other.

The founder and leader of this organisation is Glen Snyman.

**PARC was founded on 1 October 2010. PARC is a registered NPO.**

Official website address: [www.parsa.co.za](http://www.parsa.co.za).



# PETITION



**People Against Race Classification** [www.parsa.co.za](http://www.parsa.co.za)

“A petition is a formal written request, typically one signed by many people, appealing to authority in respect of a particular cause.”

**REQUEST:**

(1) That the South African Government remove, from the Z83 job application form, as well as all other forms that require one’s racial lineage, all race classification criteria. I don’t want to be classified under traditional race classification criteria.

(2) I don’t regard myself as a “Coloured”, “Black”, “Indian”, or “White” person. I regard myself, first and foremost, as a SOUTH AFRICAN. I support the vision of People Against Race Classification.

**PERSONAL DETAILS:** Name and Surname \_\_\_\_\_

Birth Date: \_\_\_\_\_ [18+]  Male  Female Contact No. \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Fax to: 086 263 1243 or Email to: [info@parsa.co.za](mailto:info@parsa.co.za)

**THANK YOU FOR YOUR SUPPORT.**

The petition below have been signed by a lot of people. It can become more. But what is the point? The point is that Glen Snyman is **not the only person that believe in the abolishment of race classification**. That the South African community should be identified by new definitions and not that of the old Apartheid race definitions.

# GAS 40

## SUPPORTER'S SIGNED PETITIONS



# GAS 41

## SUPPORTERS IN FULL COLOUR

1



2



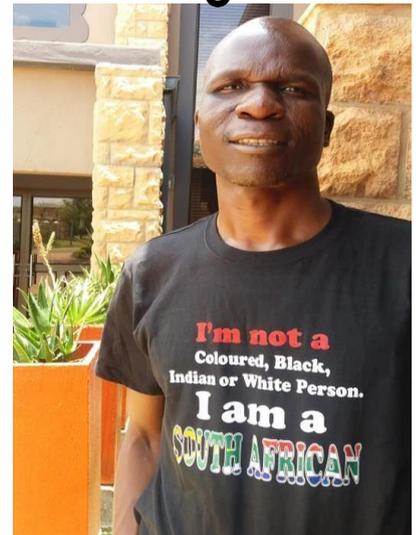
3



4



5



6



7





Team PARC  
on Clifton  
4th beach  
1 Jan.2019

## PARC march & picketing in Oudtshoorn on 1st May 2021



# GAS 43

## SAHRC's REPORT ON THE KHOISAN PEOPLE 14 MARCH 2018

*National Hearing Relating to the Human Rights Situation of the Khoi-San in South Africa*  
25-26 November 2015; 9-10 December 2015; 18 January 2016; 11-12 & 14-15 April 2016.



[ EXTRACT FROM PAGE 81 ]

By **31 March 2019** the state had to remove the category “Coloured” from all forms because it conceals the true identity of the Khoikhoi and San people South Africa.

### 7.1 Identity and recognition

- 7.1.1 The State, through the Presidency and DAC, must take steps on or before 31 March 2019 towards removal of the forceful categorisation of Khoi and San peoples as “Coloured”.
- 7.1.2 CoGTA, through the Minister, must ensure before 18 months of issuing of this report that official recognition of indigenous communities, through legislative and administrative processes, are equitable to the recognition of other traditional communities, and must not place an undue burden on Khoi and San communities desiring to receive official recognition from the State. In this regard, it is noted that “equitable” does not require the same treatment, but in noting the distinct context of the Khoi-San from other traditional communities, the department is required to meaningfully engage with the Khoi-San with a view of developing reasonable and practical procedures.
- 7.1.3 With regard to the above, and in line with Article 33 of the United Nations Declaration on the Rights of Indigenous Peoples, CoGTA must ensure that the membership criteria for the Khoi-San are determined in line with their customs and traditions, provided that such

<sup>158</sup> Section 13(1)(a).

# GAS 44

## CHINESE BLACK COURT RULING



CASE NO: 59251/2007

**IN THE HIGH COURT OF SOUTH AFRICA  
(TRANSVAAL PROVINCIAL DIVISION)**

PRETORIA 18 JUNE 2008

BEFORE THE HONOURABLE MR JUSTICE PRETORIUS

In the matter between:

CHINESE ASSOCIATION OF SOUTH AFRICA  
VICTOR CHONG  
ALBERT PETER FUNG

1<sup>ST</sup> APPLICANT  
2<sup>ND</sup> APPLICANT  
3<sup>RD</sup> APPLICANT

AND

THE MINISTER OF LABOUR  
THE MINISTER OF TRADE AND INDUSTRY  
THE MINISTER OF JUSTICE AND  
CONSTITUTIONAL DEVELOPMENT

1<sup>ST</sup> RESPONDENT  
2<sup>ND</sup> RESPONDENT  
3<sup>RD</sup> RESPONDENT

HAVING HEARD counsel(s) for the party(ies) and having read the documents filed of record

**IT IS ORDERED**

1. THAT it is declared that South African Chinese people:
  - (a) fall within the ambit of the definition of "black people" in section 1 of the Employment Equity Act 55 of 1998;
  - (b) fall within the ambit of the definition of "black people" in section 1 of the Broad-Based Black Economic Empowerment Act 53 of 2003;
2. THAT the first and second respondents are directed to pay the applicant's costs including the costs of occasioned by two counsel on a joint and several basis, the one paying the other to be absolved.

**BY THE COURT**

**REGISTRAR**

At: WEAVIND  
HIGH COURT TYPIST: V.V. SKOSANA

# GAS 45

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## SELF-IDENTIFICATION CHART / BEE BREAK-UP

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### SELF-IDENTIFICATION CHART

#### Who are you?

Underline the definitions that most accurately represent you:

CRITERIA GROUPS	CATEGORIES OF PEOPLE / PEOPLE GROUPING
1. Nationality	South African, Chinese, Japanese, Indian, Britain, German, French, Dutch, Portuguese, Greek, Zimbabwean, Pakistani, Bangladeshi, Nigerian, Malaysia, other.
2. Race / skin colour	Black, White, Brown, Pink, Yellow, Navy, Red, other.
3. Ethnicity / culture	Khoikhoi, San, Griqua, Nama, Korana, Xhosa, Zulu, Sotho, Baphedi, Batswana, Tsonga, Swati, Venda, Malay, Ndebele, Hindu, Christian, Afrikaner, English, Jew, other.
4. Language	English, Afrikaans, Ndebele, Xhosa, Zulu, Sesotho, Tswana <i>Northern Sotho</i> , Swati, Venda, Tsonga, Khoekhoegowab, other.
5. Religion	Christianity, Islam, Judaism, African religion, Hinduism, other.
6. Economic status	Total household income <b>under</b> R5 000 per month, Total household income <b>above</b> R5 000 per month, other.
7. BEE / EEP status	Historically Disadvantaged Individual (HDI), Historically Advantaged Individual (HAI), Foreigner (F), Not applicable (N/A).

# GAS 46

## WCED EMPLOYMENT EQUITY PLAN

Table 7- Over and Under-representation per Race and Gender

EMPLOYEES	OFFICE BASED EMPLOYEES	INSTITUTION BASED EMPLOYEES
1. African Male	Under-representation at all levels	Under-representation at all levels
2. African Female	Under- representation on all levels	Under- represented on post levels 1&2
3. Coloured Male	Under- represented on post levels 2&3	Under- represented on post levels 1&2
4. Coloured Female	Under- represented on post levels 2,5&6	Under- represented on post levels 3&4
5. Indian Male	Under- represented on post levels 2&3	Under-representation at all levels
6. Indian Female	Under- represented on post level 3	Under- represented on post levels 2&4
7. White Female	Under- represented on post levels 2&5	Under- represented on post level 3
8. Disabled persons	Under-representation at all levels	Under-representation at all levels
9. White Male	Under- represented on post levels 2&3	Under- represented on post levels 1&2

A3.4.8. All appointments will be based on the inherent requirements of the position.

School Governing Body recommendations must take into account EE by applying EE once during the shortlisting process to assist in the advancement of designated groups in line with meeting the EE targets. EE scores will be provided on a quarterly basis for each post level to advantage candidates from designated groups. The EE scores should be added after the total shortlisting scores have been calculated for each candidate. The EE scores to be added only for designated groups will be as follows:

Designated Group	EE Score
*People with disabilities	15
Highest under-representation	8
Second highest under-representation	7
Third highest under representation	6
Fourth highest under representation	5
Fifth highest under representation	4
Sixth highest under representation	3
Seventh highest under representation	2

\* Employees with a declared disability will only receive a maximum of 15 points

# GAS 47

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## ELRC AWARD BY ADV. D.P. VAN TONDER

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### PAGE 1

#### **ARBITRATION AWARD - PSES 229-08/09WC**

**Case Number:** PSES 229-08/09WC

**Province:** Eastern Cape

**Applicant:** YVETTE MAANS

**Respondent:** DOE WC

**Issue:** Unfair Labour Practice - Promotion/Demotion

**Venue:** WORCESTER

**Award Date:** 26 February 2009

**Arbitrator:** Adv D P Van Tonder

IN THE EDUCATION LABOUR RELATIONS COUNCIL HELD AT WORCESTER

Case No PSES 229-08/09WC

In the matter between YVETTE MAANS

Applicant

and

DEPARTMENT OF EDUCATION WESTERN CAPE

First Respondent

RONEL KEUNECKE

Second Respondent

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**ARBITRATOR:** Adv D P Van Tonder

**HEARD:** 16 February 2009

**DELIVERED:** **26 February 2009**

**SUMMARY:** Labour Relations Act 66 of 1995 – Section 186(2)(a) - Alleged Unfair Labour Practice relating to Promotion –Unfair conduct consisting of alleged unfair discrimination;

Employment Equity Act 55 of 1998 – Section 6 – Alleged unfair discrimination based on race – Test to be applied in order to determine whether there was unfair discrimination; Affirmative action measures – Such measures a defence to a claim of unfair discrimination provided that they meet the requirements of fairness, rationality and proportionality and are consistent with the purpose of the Employment Equity Act

**Is it permissible and fair to prefer a white female over a coloured female?**

[46] The textbook example of affirmative action, is where a black person or white woman is preferred over a white male. Provided that the candidate being preferred on the basis of race or gender, is suitably qualified, reasonable people would not generally have a problem with employment equity under such circumstances. Where however, a member of one designated group is preferred over a member of another designated group, this however becomes a very sensitive issue.

[47] The reality however is that even amongst the designated groups, there is a need to promote representivity. Our Courts and arbitrators have in fact recognized that the achievement of a broadly representative workforce at all levels will not be possible if employers are not permitted to differentiate between candidates who fall within designated groups and that it is indeed permissible and fair to discriminate between members of designated groups in order to promote representivity in the workplace.[54]

[48] In order to determine whether it is fair to prefer a member of one designated group over a member of another designated group in order to achieve representivity, some Courts and arbitrators have resorted to the "degrees of disadvantage" test.

[49] In terms of this test, a hierarchy is created in terms of which it is then said that members of the designated group who suffered most under apartheid, should be preferred to those who suffered less under apartheid. In one case for example it was suggested that while both African and Coloured men are designated groups, suffered under apartheid, and are entitled to benefit from affirmative action measures, African men suffered more than Coloured men and that for this reason an employer may prefer an African man over a Coloured man who is better qualified.[55]

[50] There are however several problems with the "degrees of disadvantage" test. Firstly, there is no support for this test in the Employment Equity Act. Secondly, it may be very difficult to determine which group suffered more than the other. How is it for example possible to say whether Coloured women in rural areas suffered more or less than African men under apartheid? A third problem with application of this test, is that instead of integrating our society, it leads to more alienation amongst members of the various designated groups in that a particular designated group may feel that despite the discrimination suffered by members of that group in the past, the members of that group are still being treated as second or third class citizens.

**[51] I am accordingly not in favour of applying the “degrees of disadvantage”-test in promoting employment equity. In my view the “representivity”-test, which I will now discuss is a much more rational and fair test to apply.**

[52] Professor Du Toit argues that instead of using the concept of ‘degrees of disadvantage’ as a test in determining whether and to what extent members of certain designated groups should be preferred over members of other designated groups, the test of representivity (namely the equal representation of all designated groups) in all occupational categories and levels in the workforce should rather be used.

[56] Dupper & Garbers also support this test and explain this test as follows: “Equitable representation of persons from designated groups is integral to the concept of affirmative action (see section 15(1) of the EEA), and the degree to which persons of particular racial or gender groups are underrepresented in a particular occupational category or level within a workplace should determine the appropriateness of affirmative action in respect of applicants from particular groups. For example, if the facts show that African women are most severely underrepresented in a job category of an employer operating in the Western Cape, the employer will be justified in giving preference to female African applicants who are suitably qualified. Similarly if Coloured men are underrepresented in certain job categories of an employer in the Northern Province, suitably qualified candidates from this group may receive preferential treatment over African men who may already be sufficiently represented in that job category. This approach is more closely compatible with the purpose of the EEA and more sensitive to regional and industry peculiarities”.

# GAS 50

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## REPRESENTIVITY PROPOSAL

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Total of posts in the Western Cape Education Department, Head Office = **200**

4 races needs to be represented: Black, Coloured, Indian and White.

**\* You don't achieve representivity of groups by giving the one group more marks than the other person.**

\* You achieve this objective by dividing the whole amount of post available through the 4 groups that needs to be represented.

For example:

60%	needs to be Coloured people	=	<b>120 people</b>
30%	needs to be Black people	=	<b>60 people</b>
15%	needs to be White people	=	<b>30 people</b>
4%	needs to be Indian people	=	<b>8 people</b>
1%	needs to be "Other" people	=	<b>2 people</b>

### **Analysis of above method:**

If 120 Coloured people already filled the quota posts and a vacancy arise, it means that the next vacant post(s) that becomes available must be explicitly advertised for the group that is short of it's quota. If only 59 Black people works in this department, it then means that the next post must be advertised for a Black applicant. All the other applicant's who are not Black, CV's must not be considered.

Another question that also needs to be asked is what legal policy the WCED will use to determine the breakdown of the posts that will be allocated for the particular race groups.

Also, the person that choose to tick the "other" block, although he might be a South African citizen, will have a very slim to NO chance of ever been elected for a post.

### **The problem with the current method of the WCED:**

If the WCED continues it's current practice of scoring a Black person always more marks than the other race groups, we will eventually find ourselves in a situation in the future when **NONE** of the other race groups would ever be considered for a post.

**\* You cannot effect representivity of groups of people with a scoring method. You must use a proportionate allocation method.**

### **EQUAL REPRESENTATION OF DESIGNATED GROUPS - Section 15(1) of the EEA**

**MEANS:** 30% Black, 30% Coloured, 30% Indian and 10% white people = 100%

# GAS 51

## WCED WORKSHOP ATTENDANCE REGISTER



**Western Cape  
Government**  
Education

**WCED ATTENDANCE REGISTER**  
Eden & Central Karoo

GET: Curriculum – Technology Toolkit

Facilitator / Aanbieder: James E vd Vyver  
Date / Datum : 13 Oktober 2018

For Equity Purposes it is vital that you complete the Disabled, Gender and Race Fields.  
Disabled - Y – Yes; N – No. Gender – M – Male, F – Female.  
Race – W – White, B – Black, C – Coloured, A – Asian  
Post level – 1, 2, or 3

Venue : ECKED Office – 1<sup>st</sup> Floor

No	Surname and Name	School/Institution	Persal nr.	Signature	PL eg. 1, 2, 3	BLACK		WHITE		COLOURED		ASIAN		DISABLED	
						M	F	M	F	M	F	M	F	YES	NO
1					1						✓				✓
2					1					✓					✓
3					1						✓				✓
4					1					✓					✓
5					1						✓				✓
6					1							✓			✓
7					1								✓		✓
8					4					✓					✓
9					1					✓					✓
10															
11															
12															
13															
14															
15															
16															
17															
18															
19															

# GAS 52

## ATHLETICS SOUTH AFRICA ATHLETE LICENCE APPLICATION FORM

		<b>2021 ASA PERMANENT LICENCE APPLICATION FORM</b>											
A licence number will only be issued to the club, by the province, when this form is fully, and correctly completed by the applicant, verified by the club, and accompanied by payment in full. The club/province may use an electronic registration system, with the form electronically signed, and EFT payments made, provided the electronic system is aligned with the ASA license registration application system.													
<b>I am a:</b> Mark all activities relevant			Athlete		Coach		Technical Official			Office Bearer			
<b>Discipline:</b> Mark all activities relevant			Track & Field			Off-Road Running			Road Running		Race Walk		
<b>Demographics – SRSA Requirement</b>			Black		Coloured		Indian		White				
<b>Age category – SRSA Requirement</b>			Senior+		Junior		High School		Primary School				
<b>Gender</b>	Male		Female		<b>Date of Birth - Year/month/day</b>								
<b>Title (Mr/Ms/Dr/etc.)</b>			<b>Initials</b>										
<b>Surname</b>													
<b>First Name:</b>													
<b>Identification Document:</b>			ID book/card			Birth Certificate			Passport		Refugee Permit		
			<b>Number:</b>										
<b>ASA Province:</b>													
<b>2020 Licence number:</b>						<b>2021 Licence number:</b>							
<b>Club name:</b>													
<b>Residential Address: – Domicilium Rule</b>													
<b>Code</b>													
<b>Postal Address: – Domicilium Rule</b>													
<b>Code</b>													
<b>Tel/Cell phone numb 1<sup>st</sup></b>						<b>2<sup>nd</sup></b>							
<b>Email address</b>													
<b>Occupation</b>													
<b>Next of Kin</b>													
<b>Tel/Cell phone numb</b>													

# GAS 53

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## SCIENTIFIC INVALIDITY OF RACE: BOOK EXTRACT – THE BLIND MAN’S RACE

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[ Extract from pages 11 to 15 ]

The fine-looking, slender and intelligent Dr. Ling took her seat on the witness stand.

**Judge Gerber:** “Please state your name for the record.”

“My name is Dr. Leilong Ling, Your Honour.”

“Please state your profession and work experience.”

“I am a medical doctor, and researcher, at the University of Pretoria. I am a MBChB graduate of Harvard University. I specialise in human genetics and anthropology, Your Honour.”

“You may proceed, Advocate Johnson.”

“Dr. Leilong Ling, please state your race for the court.”

**Dr. Ling:** “I am a human being, so I belong to the human race, and I am a South African.”

**Adv. Johnson:** “Can you tell us if it is scientifically possible to prove that there is a difference between one human being and another?”

**Dr. Ling:** “All human beings share the same physiology. If microscopically examined, we could trace chromosomal differences, the different blood types that exist and, of course, personally differing physical features. But these differences cannot affect behaviour or influence the thinking patterns of a person.”

**Adv. Johnson:** “Dr. Ling, are you saying that it is impossible to classify human beings by race categories?”

**Dr. Ling:** “Yes, sir. That is what I am saying. You cannot racially classify any person in a scientific manner. Rather, race is a social construct brought about by a certain community, but it is not a scientific proxy. In-depth studies of human DNA have proven that too many biological variations occur in human genetics, which makes it impossible to group people according to type. The skin is just another organ of the body. One of the reasons race classification was created was because certain people wanted to prove that they are better than others. They use the biology of others to justify their own superiority; it’s an evil construct. Scientists say we only use ten percent of our brains, and we can add to this that we probably only use ten percent of our hearts. Society needs to be re-educated regarding racial matters. We must not just tolerate, but love each other more.

Why then, when someone's life is in danger and they need an emergency operation, do people never request a doctor of a certain race to save them? They don't ask for a Black doctor, or a White or a Coloured doctor. No! They always expect the best doctor to save their life at that moment. Also, when people fall in love with someone of another race, or they make money, they don't care about race. Then why does race matter to them at other times? What matters depends on what you want. To certain politicians, race matters because they want to win an election."

**Adv. Johnson:** "Let us not move off the point, doctor. How did certain scientists come up with the idea of different human races?"

**Dr. Ling:** "It was politically motivated. It derived from the historical roots of the pseudoscience of race, founded in the so-called Age of Enlightenment by various writers and thinkers. They wanted to justify the concept of human race through scientific evidence, but science proved them all wrong. Ethnic groupings are cultural, not scientific."

**Adv. Johnson:** "Dr. Ling, how is the colour formed in a person's skin?"

**Dr. Ling:** "The purpose of our skin is to protect the body against physical impact, pressure, micro-organisms, chemicals, the sun's radiation, and to regulate body temperature. The skin consists of two layers: the epidermis, the outer, thin layer, and the dermis, which is the inner, thicker layer. In the dermis we find specialised skin cells called melanocytes. I want to emphasise, Your Honour, that it is a scientific fact that all human beings, regardless of the colour of their skin, contain the same amount of melanocytes in their skin. When the skin is exposed to sunlight, these cells produce a pigment called melanin, to protect the body from the sun's radiation. The more melanin in your skin, the darker your skin colour becomes. Skin optimally adapts its colour according to where we live on earth. All humans would have the same skin colour today if they all lived on the same spot on the earth and had not moved around."

**Adv. Johnson:** "If that is the truth, Dr. Ling, why are certain people in sunny Africa still white-skinned and haven't mutated to a darker tone of skin colour? And why haven't those people with dark skins in Europe and colder places not turned white again?"

**Dr. Ling:** "It all has to do with the genes of the individual and human skin mutations that evolved over many thousands of years. It could still happen today that a person's body may go through these changes if the right conditions were created. An example would be people that tan on the beach in the sun. Notice how their skin tone turns darker after a few hours, and stays that way for a few days? Can you think of any White person in Africa that doesn't live in a house these days? The majority of them, and all of us in today's modern society, live in houses and spend most of our day indoors. Our skins are thus not exposed to direct sunlight for that many hours. And if we do go out in the sun, we usually wear protective clothing."

The first human's skin colour started off as a darker tone. People back then didn't have the luxury that we have today of not being exposed to extreme sunlight for most of the day, and for many years of their lives. For these, and many other reasons, the skin mutation process has slowed down. People with a light skin may possess more Vitamin D in their skin that makes it appear pale and healthy. Reversing the process of moving from a lighter to a darker skin is a matter of genetics, and as new generations of children are born, they inherit the physical features of their parents. The genetic identity of one generation then gets transferred to the next. Many studies have been conducted on skin colour and there are also many theories and answers to this question.”

**Adv. Johnson:** “Most of us know what people with albinism disorder look like: the people with a very white skin tone. Please explain to us why you will find people with this kind of disorder in all community groups.”

**Dr. Ling:** “Albinism is an inherited genetic disorder that reduces the amount of melanin pigment formed in the skin, hair and eyes. Albinism occurs in all racial and ethnic groups in the world and it can happen to anyone. I remember the years of the coronavirus crisis that began in 2020. The coronavirus didn't discriminate against people. It infected and killed anyone and everyone, regardless of how one looked, who one was, or how rich they were. It is the same with albinism.”  
“Thank you, Dr. Ling. Your scientific explanations were sufficient. I have finished, Your Honour.”

**Judge Gerber:** “The state representative can proceed with the cross-examination.”

The state was represented by Advocate Bubele Ndebele.

**Adv. Ndebele:** “Your Honour, may it please the court. Your Honour, I have no questions for Dr. Ling. We cannot argue against scientific facts. We will stand by her testimony.”

“Dr. Ling, you may step down from the witness stand.”

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# GAS 56

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## EMPLOYMENT EQUITY ACT'S DEFINITION ON "BLACK PEOPLE"

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Department of Labour

### CHAPTER 1

#### Definitions, purpose, interpretation and application

##### 1. Definitions

In this Act, unless the context otherwise indicates-

"**Basic Conditions of Employment Act**" means the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);

"**black people**" is a generic term which means Africans, Coloureds and Indians;

"**CCMA**" means the Commission for Conciliation, Mediation and Arbitration, established by section 112 of the Labour Relations Act;

"**code of good practice**" means a document issued by the Minister in terms of section 54;

# **GAS 57**

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## **POPULATION REGISTRATION REPEAL ACT OF 1991**

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### **[ EXTRACT ]**

To repeal the Population Registration Act of 1950; to amend or repeal certain laws so as to abolish the distinction made therein between persons belonging to different races or population groups; and to provide for matters connected therewith.

### **ACT**

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment and repeal of Acts, and savings ...

(1) The Acts mentioned in Schedule I are hereby repealed to the extent set out in the third column thereof.

This act was repealed on 27 June 1991

Published in the Government Gazette: 28 June 1991

# GAS 58

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## PATRIC MELLET ON IDENTITY

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**Mail and Guardian**  
2018

2 August

By **Patric Tariqu Mellet,**

*a heritage activist, storyteller and educator specialising in Cape slavery studies.*

### **STOP CALLING US “COLOURED” AND DENYING US OUR DIVERSE AFRICAN IDENTITIES**

The United Nations Special Rapporteur on Indigenous Peoples of South Africa recognises that the San, the Nama, the Korana, the Griqua and the revivalist Cape Khoi are those indigenous Africans, among others in South Africa, who face discrimination and marginalisation.

This goes all the way back to 1911, when 86000 people previously registered as Nama, Griqua, Korana, Damara and Cape Khoi were, **without any consultation, de-Africanised and called “coloured” in the census of that year.**

Then about 300000 integrated descendants of African (68%) and Asian slaves (32%), plus indentured African labourers and a range of other migrants of colour from about 30 tributaries, together with a small element of Peninsula Khoi and nonconformist Europeans who assimilated with these people, were also called “coloured” without any consultation or agreement by the British-South African authorities, as per an agreement on forming the Union of South Africa.

Eight years later, when it changing its name from the South African Native National Congress to the African National Congress and adopted its first constitution, the ANC defined an African as any person who had at least one forebear who was indigenous to Africa.

In the 1960s it reneged on this and started to refer to “coloured” people as a non-African minority. After liberation, although it abolished apartheid legislation, the ANC government again betrayed the trust of “coloured” people by keeping the apartheid practice of defining them according to the now abolished apartheid legislation, thus continuing their de-Africanisation.

This is regardless of the fact that they are crying out to be fully recognised as an African people with dignified heritage and subidentities of diversity such as Zulu, Xhosa and Pedi. A significant part of the population carrying the apartheid label want to be known as Africans of Cape Khoi, Nama, Korana, Griqua, Damara and San heritage.

These make up about one million South Africans today, if we go back to the 1904 census figures. They are not calling to become “nations” as Verwoerdian-style ethnonationalists; they simply want their African heritage and rights to be respected.

The other four million categorised as coloured and non-African also want their African and cultural heritage as a people who rose above the adversity of slavery and the brutality of colonialism and apartheid to be recognised. Many of us call this our Camissa heritage. And we want to say we are proudly African, proud to be part of the South African family of peoples and proud to be Camissa.

We have a rich cultural heritage and legacy that is marginalised and this is why such bizarre behaviour and frightening levels of racism are raising their ugly heads. Camissa is not an ethnic, racial or colour term; it simply addresses the cultural heritage of an unrecognised African people.

Revived memory in terms of the UN recommendations and declarations thus has a legitimate place in South Africa. There are genuine entities of Cape Khoi who strive for authenticity. They are aware that they are not the actual groups destroyed by colonists but rather are revived entities, and thus have a respect for history and heritage and do not rely on fabrications of history or dynasty.

There are, however, lunatic fringe groups, often imbued with racism and hatred, which are not authentic — nor do they attempt to be. Genuine Khoi revivalists are now beginning to say very clearly to these groups: “not in our name”.

Cape Khoi revivalists do not subscribe to racism and the othering of any of South Africa’s African people.

There are usages of the term Khoisan that people have become accustomed to and they mean no harm.

But there is a shadow side to this term that has been hidden for too long. There are San people and there are Khoi people, and even though we use these academic terms, they are not the actual names of groups. The use of these has come to be broadly acceptable. But the term “Khoisan” is different because of its history and because it is erroneous.

Many San and Khoi people in South Africa and Namibia do not accept the term Khoisan for good reason. This is because the academic origin of the term has a negative history and carries insult and injury for indigenous peoples.

There never was a people called Khoisan, which is a term created, together with erroneous meaning, by zoologist Leonard Schultz in 1928. He and anthropologist Wilhelm Waldeyer received Herero and Nama body parts from concentration camps and the genocide slaughter fields in Namibia for their racist studies in Berlin.

Schultze had complained of the difficulty of collecting animal specimens in the wild because of the fighting in Namibia. But he did note that the fighting presented opportunities for “physical anthropology”. He said: “I could make use of the victims of the war and take parts from fresh native corpses, which made a welcome addition to the study of the living body. Imprisoned Hottentots were often available to me.”

This was the academic school of thought headed by Eugen Fischer, who became the senior geneticist of the Nazi regime. He used the heads of 778 dead Herero and Nama prisoners of war to “prove” that the race is inferior to the Germanic-Aryan race. It therefore follows that if there were no Khoisan people there can be no Khoisan kingdom.

There is much confusion in the Cape Khoi revivalist arena about the issue of “self-determination” being integral to their struggle, and few understand the connection to apartheid of this misinterpreted concept. The extreme view of white nationalists finds common ground with Khoi ethnonationalism. There is also a softer element that still also pushes for a fully federal state, which ultimately paves the way for legal secession.

On the fringe of the Khoi revivalists, and with fringe political organisations such as Gatvol Capetonians and the Cape Party, there is huge racist sentiment and belief in Hendrik Verwoerd’s ideology of those called “blacks” being aliens to South Africa. The buy-in to the old apartheid ideological indoctrination is frequently denied but immediately contradicted in statements. Verwoerd’s ideology of apartheid was essentially based on his concept that South Africa was made up of many nations, each entitled to separate development and self-determination.

These so-called nations, according to Verwoerd, co-related to races. Linked to this is now the call for secession. The UN and the Rome Statutes of the International Criminal Court have ruled that this ideology of apartheid and its practices are a “crime against humanity”.

The right-wing Afrikaner groups are forming soft alliances, as advisers and financiers, with sections in the Cape Khoi revivalist movement, who have adopted the Verwoerdian notion that the San and Khoi and others calling themselves Khoisan are nations that should develop separately in terms of “self-determination”.

They erroneously project that they are the only indigenous Africans of South Africa and again erroneously argue that the Khoi or Khoisan are the First People of South Africa.

Fundamental to these ideas is the erroneous notion that South Africa had a relatively recent mass invasion from the north by so-called Bantu or Nguni aliens and that, prior to this, South Africa was an empty land with just a few Khoi and San groups.

This is a false history. Social historians, archaeologists, geneticists, anthropologists, palaeontologists, sociologists and oral historians, who increasingly work together today, concur that the “peopling of South Africa” is far more complex and nuanced and can be traced back to events that occurred between 200BCE and 350CE, when hunters, hunter herders, herders, herder farmers and farmers were in southern Zimbabwe, northern Botswana and the Limpopo region of South Africa.

Apartheid and colonial history ignored 1700 years of South African social history. In this context the Khoi, who spread all over South Africa, had migrated to the western part of the Cape by 1050CE and co-operated with the /Xam (Cape San), who were the first inhabitants of the area.

Slowly the Cape Khoi revivalists are coming to appreciate that apartheid brainwashing has affected everyone, and they are also beginning to appreciate the complexities of the past.

In the Southern African context the San alone are the direct descendants of Homo sapiens, who evolved at various sites in Africa. The Khoi and Kalanga (who are mainly in Zimbabwe and Botswana) can be called the “Foundation People” in the “Peopling of South Africa”.

Not all revivalist Cape Khoi believe the nonsense of “black invaders” and refuse to embrace notions that constitute a “crime against humanity”. But the revivalist arena is splintered in many ways and no common formulation of distancing itself from apartheid “separate development” ideology and racism has been forthcoming. Of late there are signs that they are now being challenged to clarify their positions — and they are taking up the challenge.

There is a place for Cape Khoi revivalism, but it has to stand with all in South Africa in condemning charlatans and racists. Cape Khoi and Camissa should stand together and make one simple call on government to stop de-Africanising “coloured” people and give us our rightful place in our African family of peoples.

In so doing, stop calling people “coloured” and recognise our diverse subcultural heritage along with all other Africans of diverse heritage. Just as we talk of Sotho, Zulu, Xhosa, Pedi et al, so too should we talk of Cape Khoi, Camissa, Nama, Korana, Griqua, Damara and San. This would go a long way towards restoring confidence that there is a dignified place in South Africa for all. Os is nie “coloured” ... Os is African ... Os is Khoi ... Os is Camissa ... is ja! Os is!

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**A university book extract on the Apartheid government’s definition of a “Coloured / Kleurling” and why they were renamed as such:**



# GAS 26

## PARC POSTERS

### POSTER 1 – HITLER'S LIE POSTER

# YOU ARE RACIST

WHEN YOU CLASSIFY PEOPLE BY RACE.

**Lie: YOU ARE A COLOURED**



“If you tell a big enough lie and tell it frequently enough, it will be believed.”

The group name “Coloured” is derogatory and wasn’t used before 1950 in South Africa. Colouredism is racism.



People Against Race Classification  
[www.parcса.co.za](http://www.parcса.co.za)



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## PARC POSTERS

### POSTER 2 – QUEUE JUMPING POSTER

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# QUEUE JUMPING

**GOVERNMENT JOBS**

**“Black” foreigner with a legal SOUTH AFRICAN ID**

1 2 3 4 5 6

**Employment Equity (EE) order of preferment:**

1. SA Blacks
2. Chinese
3. **Black Foreigners**
4. Coloureds
5. Indians
6. Whites

**Loop-hole in the LAW**

**People Against Race Classification**  
[www.parcса.co.za](http://www.parcса.co.za)

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## PARC POSTERS

### POSTER 3 – STATS POSTER

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Tick "Black African" to show YOUR rejection of **BEE** and all other race-related policies.

**People Against Race Classification. [www.parsa.co.za](http://www.parsa.co.za)**

The race classification law, the Population Registration Act, was scrapped in 1991.

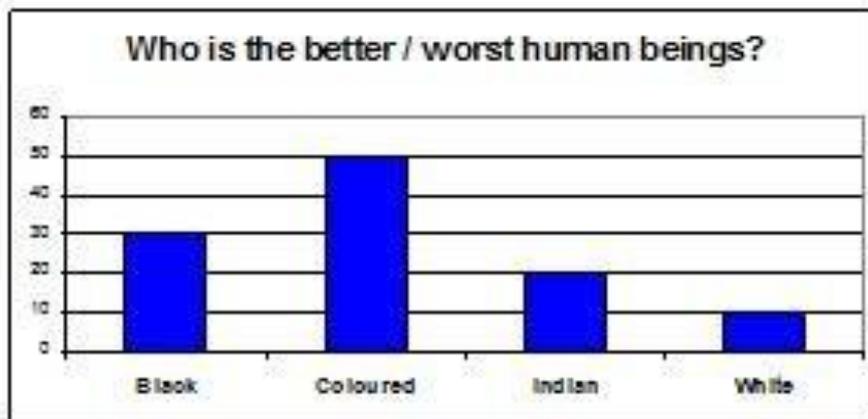
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# PARC POSTERS

## POSTER 4 – COMPARISON POSTER

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**STOP** COMPARING US WITH EACH OTHER!



(Negative comparison statistics)

This is hurting us.  
People, through racial  
based statistics  
perceived as  
**underdogs.**



Don't blame the individual for the transgressions of the group.

Who is comparing us with each other?

1. Government Departments
2. Statistics Departments
3. Private organisations
4. Ordinary people

PEOPLE AGAINST RACE CLASSIFICATION  
[www.parcса.co.za](http://www.parcса.co.za)



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**PARC POSTERS**  
**POSTER 5 – FREE SANDRA LAING**

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**FREE**  
**SANDRA LAING**  
and YOURSELF



**from RACE CLASSIFICATION**

1 WOMAN - 3 TIMES CLASSIFIED

**People Against Race Classification**  
[www.parcса.co.za](http://www.parcса.co.za)



**CONFUSION  
REGARDING  
CERTAIN PEOPLE'S  
RACE**

# GAS 68

## COACH PIETER DE VILLIERS

On 8 January 2008, Pieter De Villiers was appointed as the first non-white coach of the Springbok rugby team. He was widely applauded in the news as the **first “Black” coach of the Springboks**. Although he would be regarded as a Coloured person.

Source: <https://www.news24.com/MyNews24/Letters/De-Villiers-named-Bok-coach-20080109?cpid=3>

**news24** archives  
Breaking News. First.

### De Villiers named Bok coach

2008-01-09 13:55

Cape Town - Peter de Villiers has been named on Wednesday as the first black coach of the Springboks, succeeding Jake White at the helm of the Rugby World Cup champions.

De Villiers, currently the coach of the Springboks' Under-21 side, was "a strong leader, a coach with proven track record," the South African Rugby Union (Saru) chief executive Johan Prinsloo told a press conference.

"Peter has created history today by becoming the first black person to coach the Springboks."

His appointment is a surprise with most commentators predicting that the job would go to Heyneke Meyer, a former coach of the Pretoria-based Bulls Super 14 franchise.

### [ EXTRACT ]

Uittreksel: "Toe Pieter De Villiers in Januarie 2008 as Springbokafrigter oorgeneem het by Jake White, het hy die **eerste swart afrigter** in Springbokgeskiedenis geword."

Boek: Agter die doellyn  
Uitgewer: Christelike Uitgewers  
Skrwyer: Riana Lombard

### Peter de Villiers

**"Ek sien myself as die coach agter die Kruis."**



Toe Peter de Villiers in Januarie 2008 as Springbokafrigter oorgeneem het by Jake White, het hy die eerste swart afrigter in Springbokgeskiedenis geword. Alhoewel hy gedurende die apartheid-era nooit self die kans gehad het om vir Suid-Afrika te speel nie, het Peter as skrumskakel gespeel vir die Griekwas en Boland voordat sy afrigtingsloopbaan begin het by die amateurklub Tygerberg in 1996. Tygerberg was twee keer WP-kampioen onder sy leiding.

In 1998 is Peter as hulpafrigter aangestel vir die Westelike Provinsie se Curriebeker-span. Terselfdertyd het hy ook die o.19 Springbokspan afgerig wat derde geëindig het in die 1998-Wêreldkampioenskap. Peter het in 2002 en 2003 die Valke se Curriebeker-span afgerig voordat hy oorgeneem het as afrigter van die Springbokke se o.21-span. Hierdie span het 'n redelike mate van sukses gesmaak: in 2004 was hulle derde in die Wêreldkampioenskap, in 2005 eerste en in 2006 tweede.

2008, Peter se eerste jaar as Springbokafrigter, was 'n jaar van gemengde sukses. Die Springbokke het dit reggekry om vir die eerste keer in tien jaar in Nieu-Seeland te wen, net om later weer op eie bodem teen dieselfde span te verloor. In 2009 het die Bokke hulle eerste Drienasies-reeks sedert 2004 gewen.

# GAS 69

## PROF. RUSSEL BOTMAN

Source: <https://www.news24.com/SouthAfrica/News/Botman-a-leading-light-says-Zuma-2014-06-29>

News 24 – 29 June 2014

Johannesburg - **President Jacob Zuma** expressed sadness on Sunday over the death of Professor Russel Botman, rector and vice-chancellor of Stellenbosch University. "On behalf of government and all our people, we wish to convey our deepest condolences to his family and the whole of the academic community," Zuma said.

The university said Botman died in his sleep at his home in Stellenbosch on Friday.

**Zuma said Botman, who became the first black South African rector** and vice-chancellor of the university in 2002, was one of the pioneers of transformation in higher education in the country. "South Africa has lost one of the leading lights of our higher education transformation," said Zuma.

Source: SOUTH AFRICAN HISTORY WEBSITE

Date: 8 December 2006

"Prof. Russel Botman is appointed as rector of the University of Stellenbosch. He is the first theologian and also the first member of the **Coloured** community to occupy this position."

The screenshot shows the website <https://www.sahistory.org.za/dated-event/prof-russel-botman-appointed-rector-university-stellenbosch-he-first-theologian-and-also-the-first-mem>. The page features a navigation menu with items like Home, Politics & Society, Biographies, Arts & Culture, Timelines, Places, Africa, Classroom, Archive, and Publications. A search bar is visible. The main content area displays the title "Prof. Russel Botman is appointed as rector of the University of Stellenbosch. He is the first theologian and also the first mem" and the date "Friday, 8 December 2006". A paragraph describes the event: "Prof. Russel Botman is appointed as rector of the University of Stellenbosch. He is the first theologian and also the first member of the Coloured community to occupy this position." A black arrow points to this paragraph. Below the text is a "References" section with a link to <https://www.news24.com> and a note "Last updated : 05-Dec-2011". A footer note states "This article was produced by South African History Online on 05-Dec-2011". On the right side, there is a "This Day In History dates for" section with a photograph of Prof. Russel Botman, a woman in an orange dress, and another woman in a white jacket.

# GAS 70

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## WAYDE VAN NIEKERK

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When Wayde Van Niekerk broke the world record in the 400m race at the Olympic Games in Rio De Janeiro 2016, a race debate broke loose regarding his race. Why would certain South Africans now be “confused” regarding his racial lineage? This never happens to a white or black person. The whole debate placed a negative damp on his victory. Suddenly Black people wanted to claim the victory for them and Wayde had to be called “Black”. Then certain black people got angry when a group of people called Wayde a Coloured and that it was a “Coloured” victory. All the other times ordinary athletes had to accept being called and classified as “Coloured”.



## WAYDE VAN NIEKERK RACE DEBAKEL

**SOURCE :** On [Wikipedia.org/South Africa](https://www.wikipedia.org/South Africa)

**Date:** Current

**Wayde Van Niekerk – 400m Olympic Record Holder**

### **Personal Life**

He is a Christian, tweeting "Jesus Did It" and "GOD IS POWER" after setting the world record for the 400 m. Van Niekerk's Olympic wins set off a racial debate after a tweet storm when **Coloured** South Africans celebrated his win by creating a hashtag #ColouredExcellence.

**SOURCE: Mail & Guardian**

**Date: 15 Aug. 2016**

## **#ColouredExcellence: How Wayde van Niekerk's victory challenges stereotypes**

When Wayde van Niekerk stopped the clock in 43.03 seconds, South Africans who had watched the race unfold at 3am this morning leapt up in celebration. The South African sprinter's victory had a particular resonance with coloured people, sparking a debate about identity politics in the country.

Read more: Brilliant Wayde van Niekerk smashes 400m world record to claim gold in Rio Earlier this year, Odessa Swarts, van Niekerk's mom and once an incredible runner in her own right, told the Mail & Guardian that being coloured had very little to do with the conversation around her son's success.

"Most of the public post incorrect information on social media saying that Wayde is not being acknowledged because he's coloured," she said.

"I don't like that. Within half an hour of me tweeting that he ran sub-10, so many tweets starting coming in to me congratulating him.

"If the public knew how many media people contacted us they wouldn't make things up and post them randomly. "People are making it a race thing.

**This puts a damper on his achievements," she added.**

But after van Niekerk's victory at the Rio Olympic Games this morning, coloured people began celebrating what is called #colouredexcellence on Twitter.

The athlete was born in Cape Town in the Western Cape, which unlike other provinces in South Africa, has a population of coloured people higher than black people. The so-called Cape Flats in Cape Town – where drugs, gangsterism and crime are the order of most days – have become synonymous with coloured identity, fuelling prejudice against coloured people as being lazy and criminal.

Wayde is evident that we are not just aweh mase kinnes missing 4 front teeth, but that we can do as much if not more as the next.

Van Niekerk's world record breaking win challenged stereotypes, with coloured communities proudly standing behind the sprinter's victory. As people streamed on to social media, some identity-splaining popped up when coloured people were told to leave race out of it and celebrate as South Africans.

**A more complex sort of explaining to coloured people then started coming through, as black South Africans began telling coloured South Africans that they should be identifying as black.**

It wasn't a debate. Coloured people were celebrating something important for them then the rest of us got involved. Something is wrong here. Why are we turning #WaydevanNiekerk 's win into a racial debate?

When Steve Biko wrote that "being black is not a matter of pigmentation - being black is a reflection of a mental attitude", he helped expand black identity politics to include all people of colour who have experienced oppression.

It was also a call to unity for persecuted South Africans to stand together against their common enemy: apartheid, racism and the people – namely white people – who perpetuated and benefited from it.

# GAS 72

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## CHESTER WILLIAMS

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Williams, who was the **only black player** in the immortalised Springbok Rugby World Cup squad of 1995, died just under a year short of his 50th birthday on Friday, having reported feeling unwell after returning from the gym.

**Source:** <https://city-press.news24.com/Sport/chester-williams-sudden-death-rugby-world-mourns-the-black-pearl-20190908>

**City Press: 8 August 2019**

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Chester's wife, Maria, and twins Chloe and Matthew



**What race would Chester's children be regarded as?**

# GAS 73

## SANDRA LAING

“It has been proven by DNA testing that Sandra Laing is indeed the child of two “white” parents, Abraham and Sanny Laing.”

The Gaurdian – 17 March 2003

Source: <https://www.theguardian.com/theguardian/2003/mar/17/features11.g2>



## The Guardian

### The black woman - with white parents

Sandra Laing was born black, but to white parents. It would have been strange anywhere - but in apartheid South Africa it was disastrous. Rory Carroll reports from Johannesburg

The YOU MAGAZINE – 21 January 2010

Source: <https://www.news24.com/You/Archive/movie-on-apartheid-victim-sandra-laing>

B. Sandra are being referred to as a “Coloured” women.



# YOU

## Movie on apartheid victim Sandra Laing

By admin | 21 January 2010 |   

The day 11-year-old SANDRA LAING mixed detergents and bleach in a small bucket she was consumed by one thought: it would probably be easier if I were white.

She covered her face, arms and legs with the toxic mixture. The searing pain was almost unbearable but at least it was different to the pain she experienced as a coloured kid living among whites.

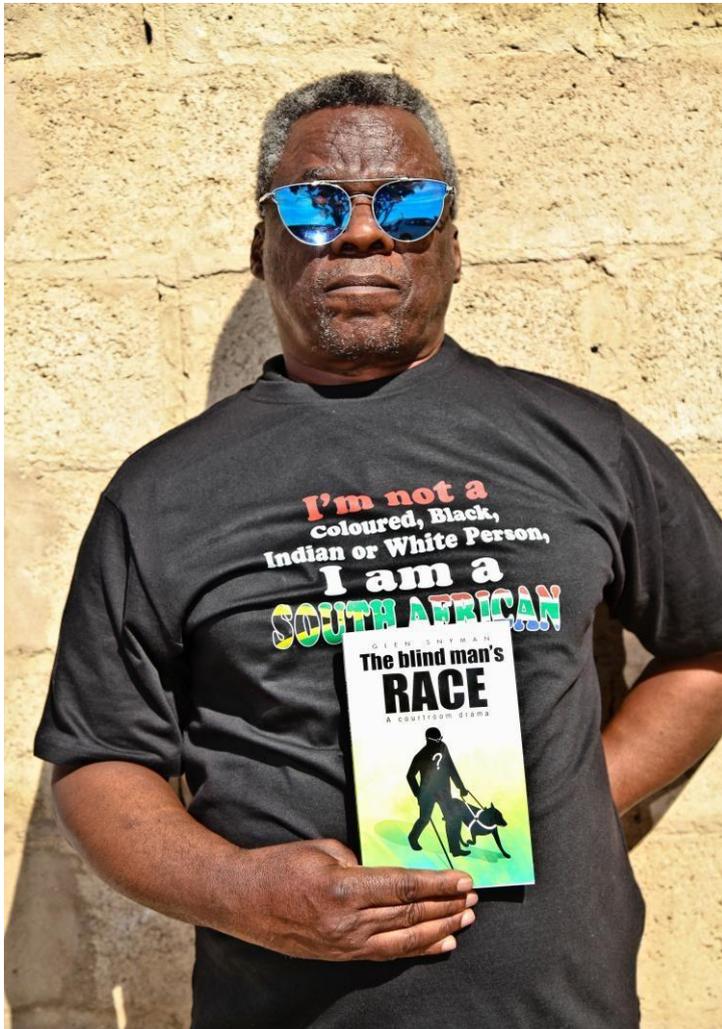
Sandra, now 54, has relived many other heartbreaking incidents since a film has been made about her life as a coloured child born to white parents and her struggle in the '60s to find a place between white and coloured under the glare of the apartheid spotlight.

# GAS 74

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## MZWANDILE DIBELA

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**"RACE IS A SIN.  
All blind people have  
the same race."**

On the photo he has the book, *The blind man's race*, written by Glen Snyman. The book asks government what race they would classify a person that has never seen a ray of sunlight ever in his or her life.

Mr Mwandile Dibela is the representative for Blind people on the PARC Management Committee. He became blind due to an accident at the age of 5 years and is 66 years of age. He has been blind for more than 59 years of his life. He believes that race is a sin and that all blind people are one race. He is a living example of how each and every South African should view race. He gives statute and meaning to the definition of racelessness.

Mr Dibela is the school principal of *iLitha School for the Blind* in George. He teaches and helps blind people to live as a blind.

# GAS 75

## GLEN SNYMAN KHOEKHOEGOWAB



### First certified foundational Khoekhoegowab course for SA

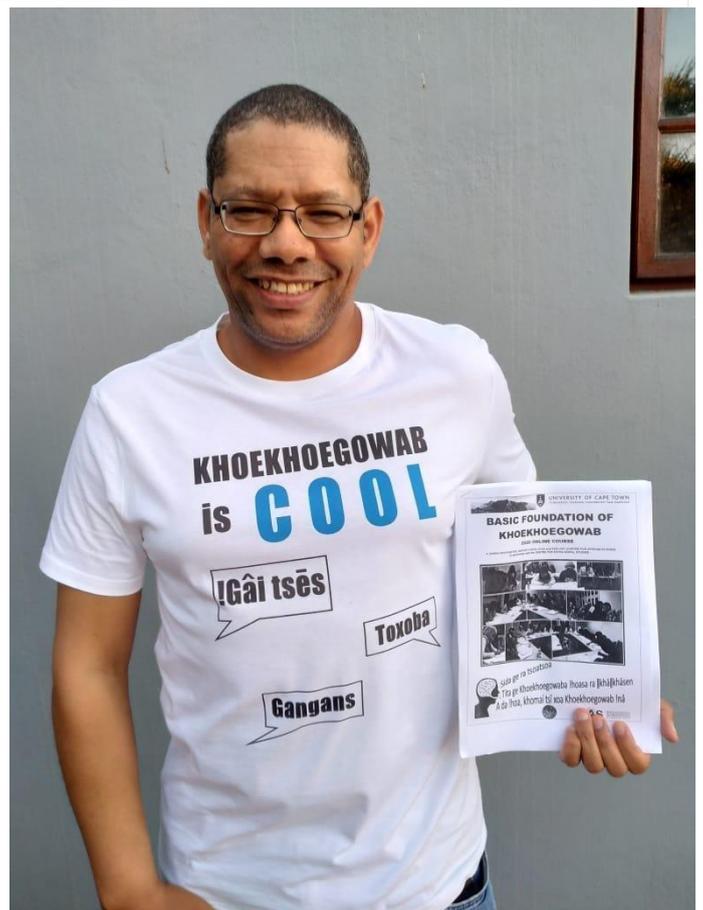
21 DECEMBER 2020 | STORY HELEN SWINGLER. PHOTO BRADLEY VAN SITTERS. Read time 8 min.

[ EXTRACT UCT WEBSITE ]

“The UCT development is noteworthy as it’s the first certified foundational course in Khoekhoegowab to be offered by a South African higher education institution, explained Dr June Bam-Hutchison. Dr Bam-Hutchison is the interim director of the new Khoi and San Research Unit in UCT’s Centre for African Studies (CAS).

Van Sitters, who is the course convenor, has taught Khoekhoegowab at community level for many years. UCT’s new offering has been well received, he said, with an initial enrolment of **52** participants; the youngest 18 years old and the oldest aged 60. Thirty-seven enrollees completed the programme at the end of November 2020.

**Glen Snyman, on photo, was on of the first participants in this historical online language course.”**



The South African constitution recognises the Khoi languages. The language are spoken by that people. If the constitution recognises the language, it means it must recognise **the people speaking it and their identity. Khoekhoegowab is an indigenous South African language. The Khoikhoi and San people’s identity is thus hereby recognised.**

# LETTER OF TESTIMONY

TO WHOM IT MAY CONCERN:

I, **GLEN ARNOLD SNYMAN** [REDACTED] hereby give testimony on my identity that I am **not** a Coloured person, Kleurling or Bruinmens. I am also not a Black, Indian or White person.

The race classification law, the Population Registration Act of 1950, was repealed in 1991 by the South African parliament. No law currently exist to determine a person's race.

Every South African citizen has the constitutional right and freedom to self-define himself or herself.

I regard myself first and foremost as a **South African**.

I acknowledge the fact that I am a descendent of the Khoikhoi community.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

9/07/2019

EK SERTIFISEER DAT HIERDIE DOKUMENT 'N WARE AFDRUK (AFSKRIF) IS VAN DIE OORSPRONKLIKE DOKUMENT WAT AAN MY VIR WAARNEMING VOORGELÉ IS. EK SERTIFISEER VERDER DAT, VOLGENS MY WAARNEMINGS, DAAR NIE 'N WYSGING OF VERANDERING OP DIE OORSPRONKLIKE DOKUMENT AANGEKOM IS NIE.	
I CERTIFY THAT THIS DOCUMENT IS A TRUE REPRODUCTION (COPY) OF THE ORIGINAL DOCUMENT WHICH WAS HANDED TO ME FOR AUTHENTICATION. I FURTHER CERTIFY THAT, FROM MY OBSERVATIONS, AN AMENDMENT OR A CHANGE WAS NOT MADE TO THE ORIGINAL DOCUMENT.	
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