



State v. Johnstone: Crimen Injuria

Plaintiff: Hon. Patricia de Lille, MP, ID
Defendant: Lara Johnstone, HARTSSTARH

CT-CAS 1340/7/07 & 17/1384/07 & 14/1198/08
George-CAS 572/02 ::: HC-CPD Appeal A 696-04

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“Kaffir”

Prevailing Norms of Society: Community Values & Thinking

‘Don’t Call me a Kaffir’
Why Irvin K has a Point
Stop Thinking Like a Kaffir
‘F**k Off you bloody K****r’
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Let’s Not Get so Feckin’ Hung Up About
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Khoza’s K-word opens up a can of worms

In *Delange* the Court recognized the need for objective limits to be placed on the action for injury to dignity in order to keep it within manageable proportions. It accepted that an entirely subjective test of dignity had the potential for opening the floodgates to successful actions by hypersensitive persons who felt insulted by statements or conduct which would not insult a person of ordinary sensibilities. And so it fashioned what is in effect a hybrid test, one that is both subjective and objective in nature. To be considered a wrongful infringement of dignity, the objectionable behaviour must be insulting from both a subjective and objective point of view, that is, not only must the plaintiff feel subjectively insulted but the behaviour, seen objectively, must also be of an insulting nature. In the assessment of the latter, the legal convictions of the community (*boni mores*) or the notional understanding and reaction of a person of ordinary intelligence and sensibilities are of importance [*Neethling’s Law of Personality* at 194-5].

I do not understand the judgment of Jansen JA to suggest that all that is required for a successful action for damages for *injuria* are words uttered *animo injuriandi* towards another which offend such person’s subjective sensitivities, and in that sense impair his *dignitas*. It is this were so it could lead to the courts being inundated with a multiplicity of trivial actions by hypersensitive persons. (See *Burchell* 1977 SALJ at 7-8; *Neethling Persoonlikheidsreg* 2nd ed at 193.) According to *Melius de Villiers* op cit at 37,

‘(so) long as an act is outwardly lawful it cannot be an injury, with whatever intention or motive it may have been committed. Even when a person entertaining an injurious intention believes an act which he commits to be injurious when it really is not such, his intention will not affect the character of the act.’

Likewise the character of the act cannot alter because it is subjectively perceived to be injurious by the person affected thereby.

In determining whether or not the act complained of is wrongful the Court applies the criterion of reasonableness - the “*algemene redelikeheidsmaatstaf*” (*Marais v Richard en ‘n Ander* 1981 (1) SA 1157 (A) at 1168C). This is an objective test. It requires the conduct complained of to be tested against the prevailing norms of society (ie the current values and thinking of the community) in order to determine whether such conduct can be classified as wrongful. To address the words to another which might wound his self-esteem but which are not, objectively determined, insulting (and therefore wrongful) cannot give rise to an action for *injuria*. (*Walker v Van Wezel* (supra) at 68.)’

Being Black is a reflection of a Mental Attitude

Steve Biko, I Say What I Think

... 'being black is not a matter of pigmentation - being black is a reflection of a mental attitude' and that 'by describing yourself as black you have started on the road to emancipation, you have committed yourself to fight against all forces that seek to use your blackness as a stamp that marks you out as a subservient being'. Being non-white, for Biko, was not the same as being black. If your aspirations are white but the pigmentation of your skin makes this impossible, then you are non-white not black.

The paper continued by emphasising that black consciousness sought 'to infuse the black community with a new-found pride in themselves, their efforts, their value systems, their culture, their religion and their outlook to life ... Liberation, therefore, is of paramount importance in the concept of Black consciousness, for we cannot be conscious of ourselves and yet remain in bondage.

Kaffir (racial term)

The word kaffir, sometimes spelt kaffer or kafir, is an offensive term for a **black person**, most common in **South Africa** and other African countries. Generally considered a racial or ethnic slur in modern usage, it was previously a neutral term for black southern **African** people.

The original meaning of the word was 'heathen', 'unbeliever' or 'infidel', from the Arabic 'kafir'.^[1] Portuguese explorers used the term generally to describe tribes they encountered in southern Africa, probably having misunderstood its etymology from **Muslim** traders along the coast. European colonists subsequently continued its use.^[2] Although it was in wide use between the 16th and 19th centuries, and not generally seen as an offensive term, as racial tensions increased in 20th century **South Africa** and the surrounding countries, it became a term of abuse.

The word was used in **English**, **Dutch** and, later, **Afrikaans**, from the 16th century to the early 20th century as a general term for several different peoples of southern **Africa**. In **Portuguese** the equivalent *cafres* was used.

In **South Africa** today, the term is used both as an insult, and by some, as a common word for a black person. In any case, the term is regarded by most as highly offensive (in a similar way to "nigger" in other countries). Use of the word has

been actionable in **South African** courts since at least 1976 under the offence of *crimen injuria*: "the unlawful, intentional and serious violation of the dignity of another".

Kaffir is derived from the Arabic word (**Arabic**: كافر) that is usually translated into **English** as "infidel" or "unbeliever". The word was originally applied to non-Muslim people in the south and east of the continent by coastal Arab traders. It is likely that **Portuguese** explorers, encountering these traders, interpreted the word as the ethnicity of the native African people they had encountered.^[citation needed] Portuguese national poet **Camões** used the plural form of the term (*cafres*) in the fifth *canto* of his 1572 poem *Os Lusíadas*. This interpretation was probably passed on to other European settlers and explorers.

Etymology

The word *kāfir* is the active participle of the Semitic root K-F-R "to cover". As a pre-Islamic term it described farmers burying seeds in the ground, covering them with soil while planting. Thus, the word *kāfir* implies the meaning "a person who hides or covers". In Islamic parlance, a *kāfir* is a person who rejects Islamic faith, i.e. "hides or covers [viz., the truth]".

[http://en.wikipedia.org/wiki/Kaffir_\(ethnic_slur\)](http://en.wikipedia.org/wiki/Kaffir_(ethnic_slur))

Stop Thinking Like a Kaffir

Stop thinking like a kaffir because you are misconstruing something that is not there.

<http://thesouthafricaninsult.iblog.co.za/2008/02/19/stop-thinking-like-a-kaffir/>

Unlike a rose, 'kaffir' does NOT smell the same to black and white

By Sandile Memela, Mail & Guardian

Township blacks will not say the precise moment when it hit them, but it was a good few days after township "klever" Irvin Khoza allegedly made a booboo by calling a black journalist a "kaffir".

Slow thinkers that they are, they have now started noticing that the wise guys who protest too much about Khoza's use of the words are neither called "kaffir" themselves nor black.

Maybe Jody Kollapen and Alex Boraine are correct to see this as a human rights issue. Or maybe they have no business to speak up on behalf of blacks without first consulting them. Or

it's that the use of the K-word is something that most whites still need to discuss with their psychiatrists. I am not sure.

But the more I follow this furore, the more I realise that blacks have no problem with calling each other "kaffir" – or "nigger", for that matter. They understand what the words mean in a black context.

And let the record show that I mean no disrespect to self-appointed spokespersons for black people. In between these "outsiders" to the black township cultural milieu deciding what is good for the people, blacks are concerned that they are not consulted for their opinion on the matter.

In fact, many that I have spoken to say whites and other non-blacks are exquisitely and monumentally delusional, of course, to think that even in a free democracy other people must speak for blacks. It is their fundamental belief that nobody has the right to speak on behalf of blacks, including some blacks.

I am doing the honourable thing as a mere messenger of what some blacks think and say. It is important to say, without hurting anybody, that many blacks in the townships do not mind if Irvin calls another black a kaffir.

In fact, kaffirs do exist! The biggest sin will always be: Who says it?

Anyway, let's politicise Khoza's use of the K-word. It is an interesting political crisis that is, unintentionally, poised to deprogramme black people from a deep-seated inferiority complex and self-hate inculcated by centuries of colonialism and apartheid.

The time may be right for a society that has been undergoing transition for the past 13 years to appreciate new methods of defining the meaning of words and understanding their use in blunt, intense and provocative public speech.

The K-word is now having its theatrical outplay after being kept out of our political-correctness-charged times ever since self-styled kwaito king Arthur Mafokate released his album Don't Call Me Kaffir in the early 1990s.

The use of the K-word has been taboo for whites. But, now, it seems that the ban has been extended to include blacks for whom its pejorative and derogatory meaning was intended.

Khoza's right to freedom of self-expression and speech has effectively been suppressed as a result of white guilt following the negative meaning and connotation that they have always attached to the word.

But now that he has brought it out of the closet, pseudo-liberal forces both within the white community and their black imitators have forced him to apologise and hush up any use of the word lest it raise the spectre of the apartheid past that haunts us.

Perhaps we should ask the Pan South African Language Board (Pansalb) to step into this matter to provide thought-leadership and clear the air about how blacks and whites understand and use certain words that are part of our apartheid cultural baggage.

It is important for us to understand that languages, especially words, are the primary carriers of culture, which is an ever-changing, dynamic and progressive development towards nation building and redefinition of identity and heritage.

Khoza has been subjected to psychological harassment that has an unintended consequence of bringing apartheid ghosts tumbling from the closet and denying blacks the right to appropriate word meaning. In fact, his use of the word has not necessarily harmed the image and integrity of black people. It is for this reason that he has no business to apologise.

Instead, the brouhaha that has been stirred does not come from black people themselves. Largely, the blacks have been indifferent with the whites doing the protestation on their behalf, as usual.

This is a disturbing and unfortunate development.

But the panic and hysteria that has been caused in the white social and cultural circles is a sad farce of good intentions.

The conclusion that should be drawn on this matter is that it is a combination of white guilt and political correctness.

Both positions grow out of white intentions to denigrate and dehumanise black humanity who now want to impose their holier-than-thou political position on their former victims.

It would be advisable for those who purport to speak on behalf of black people to consult. Perhaps they may learn that Khoza is not at fault. Yes, it would be insightful to hear the views of blacks themselves.

In fact, Khoza has been correct to assert that the word has a totally different meaning in a township cultural context.

As things stand now, things have gotten controversial simply because non-black interference stigmatises "kaffir" as something that is taboo and should never be used in public discourse.

But this is exactly what will prevent us from shedding our apartheid baggage and contribute to suppression of freedom of expression and speech.

The open secret about Khoza's use of the word, especially among blacks intuitively connected to township culture, is that despite its negative connotation in white minds, his serious intention was to question the integrity of a journalist who peddles prejudice and stereotypes about Africa's prospect of hosting a successful World Cup.

What got to him was a perception that the media are hell-bent on perpetuating the view that 2010 is destined to fail simply because it is managed by blacks (sic).

Now, anyone who holds such view in the 21st century characterised by the African renaissance deserves to be called a kaffir because he or she perpetuates outdated racist stereotypes and prejudice.

This is part of our self-redefinition and expanding the meaning of words to fit into a new socio-cultural vocabulary that will help ultimately to break with white guilt, political correctness and a deep-seated inferiority complex.

Well, Khoza's faux pas may not yet be appreciated, now. But we need to keep an open mind and listen to what he had in his own mind.

After all, the meaning of a word is not in the word itself, but in people's heads.

Unlike the rose, the K-word does not smell the same to black and white.

<http://www.thoughtleader.co.za/sandilememela/2008/02/26/unlike-a-rose-kaffir-does-not-smell-the-same-to-black-and-white/>

Rights commission tells Khoza to apologise, or else

JOHANNESBURG, SOUTH AFRICA Feb 22 2008 14:12

Chairperson of the 2010 Local Organising Committee Irvin Khoza has a week to apologise for using the word "kaffir" at a media conference or he will be taken to court.

While the South African Human Rights Commission said it would be happy to meet with Khoza to dispose of the matter as soon as possible, if he failed to respond to their correspondence by next week Friday it would have no option but to "consider instituting proceedings in the Equality Court".

The commission sent a letter to Khoza on Friday saying it had taken note of his remarks.

During the conference on Monday, Khoza told a journalist to: "Stop thinking like a kaffir because you are contriving and misleading about something that is not there."

The commission wrote that Khoza's statement conflicted with the values of equity and human dignity which were at the heart of the South African Constitution.

It also said that the statement was demeaning to black people in general.

"We understand from media reports that you are reported as saying that you did apologise before making the statement in question and therefore see no need to apologise again," the letter reads.

"With respect, we disagree as the apology could never be said to justify the use of the word and further, the apology was never intended in our view to cover the idea that was advanced in your statement -- namely that black people's thought processes and intellectual abilities are inferior."

In conclusion the commission said: "Your statement has caused hurt and indignity to many South Africans and we do believe that irrespective of your motive at the time you should, in order that we may move forward, apologise to the people of South Africa for the remarks that you made." - Sapa

<http://www.mg.co.za/article/2008-02-22-rights-commission-tells-khoza-to-apologise-or-else>

Why Irvin K has a point

FIKILE-NTSIKELELO MOYA: THE F-WORD - Feb 21 2008 23:59

Let us not beat about the bush here. The term kaffir is a word imposed on black people by racist whites. When Irvin Khoza accuses other blacks of "behaving like kaffirs", he is thus accusing them of acting in keeping with standards set by the white racists.

It is not the intention of this piece to argue whether Khoza was correct in accusing an unnamed journalist of "behaving like a kaffir" for questioning if there was infighting within the 2010 Local Organising Committee.

There are times when black people's behaviour is so egregiously in line with the worst stereotype that even Frantz Fanon would excuse racists for feeling that their racism is justified.

Though it will never be acceptable for whites to call blacks kaffirs, it remains black people's responsibility not to give racists the opportunity to feel vindicated when they do.

There is a difference when blacks say that someone is "behaving like a kaffir" and calling a person a "kaffir". The first instance implies that the person so described is behaving in a manner that the racists expect of them. The latter says that you associate yourself with the racist moniker. The two cannot be guilty of the same offence.

There are many examples of blacks behaving like kaffirs and being told as much. The Bantustan leaders and Urban Bantu Councillors (or Useless Boys' Clubs) of the apartheid years behaved like kaffirs because they happily went with the oppression of those who looked like them in return for being in the good books of their baas.

It is kaffir-like behaviour when blacks smile and grin foolishly when "stout baas so-and-so" physically and sexually abuses them.

There are those black folk who still harbour the dream of sex across the colour bar just so that they can feel they have "achieved" something worthwhile in their lives. This belief that one's sense of worth should be measured against their "access" to whites is behaving like a kaffir.

Sometimes being a kaffir is less innocuous, an example of which is when "black" playwrights write shows such as Umoja, the driving ethos of which is to reinforce the caricature of blacks who sing when they are happy and even when they are sad.

So when one is accused of "behaving like a kaffir" it would be best if one looked honestly at whether one is perpetuating the myth of black incompetence and impotence.

It is meant to say that such behaviour is nothing less than perpetuating the belief that blacks are sub-human.

Uttered by blacks on other blacks whose behaviour seems indifferent to how we are all impacted, it cannot have the same colonial connotations.

It is heartening that some white compatriots seem to have been hurt on our behalf.

If only they knew that up to today isiXhosa-speaking people accuse one another of being iqaba (an uncultured person) when a person's behaviour is at variance with what is acceptable Western standards.

Like kaffir, being an iqaba (as opposed to being iqoboka â€” a Christian convert) implies failure to embrace Christianity and with it, "civilisation",

reminiscent of the Arabic roots of kafara which means non-believer.

Maybe Khoza should have used the everyday phrase "onyela batho otshaba makgoa" ("you shit on blacks, but are afraid of whites"). Stripped of its colourful language, it accuses one of behaving like a kaffir.

Like the African-Americans who last year symbolically buried the N-word, I hope that we will one day soon bury the K-word. But first we have to stop behaving like kaffirs and tell our own people when they delay us killing the monster.

<http://www.mg.co.za/article/2008-02-21-why-irvin-k-has-a-point>

Khoza's K-word opens up a can of worms

Thabo Mabaso; **Cape Argus**

February 26 2008 at 01:38PM

It's only six letters long, yet its mere mention evokes Herculean emotions.

For decades the word has been despised, pilloried and eventually declared unlawful by the South African government.

Calling a black person by the word is not only considered ill-advised, but it could land the culprit in jail.

Yet last week, South African soccer supremo Irvin Khoza did what some may consider to be not only unthinkable, but even insensitive.

A proud black man who has probably suffered his fair share of discrimination and ridicule under apartheid, Khoza, is reported to have labelled a Johannesburg journalist a "k*****".

Khoza, who is chairperson of the 2010 Soccer World Cup organising committee, was apparently angered by the black journalist's apparently pessimistic view of the country's ability to successfully stage the tournament.

He apparently told the journalist this was the perpetuation of a mindset that saw black people as "k*****s".

It was unbelievable. Here was a man who surely must have been called by that insulting k-word one too many times in his own lifetime, using the same hated term to describe another black person.

In the week since the incident, a debate of sorts about the acceptability of the term has kicked off.

Is it racist if a black person uses the term against another? What about other race groups, can they

use it? If it is supposedly an insulting epithet, then why use it at all in casual conversation?

The Cape Argus SMS Feedback line has been inundated with responses that asked these and many other questions about the incident and the k-word.

Khoza has also been solidly criticised by personalities such as Alex Boraine, the former vice chairperson of the Truth and Reconciliation Commission. The Human Rights Commission (HRC) has promised an investigation into the incident.

The rights body has also asked Khoza to apologise for using the word.

Rhoda Kadalie, the robust social commentator, stoked further controversy around the matter when she said there was hypocrisy involved.

"When the tables are turned, when a white person is 'racist', we cry foul, we go berserk. This whole Khoza saga has lifted the lid on the hypocrisy of 'racism'," she told the Cape Argus.

But was she right? Is it hypocrisy if blacks use the term? And shouldn't other blacks be championing at the bit to roundly condemn the person?

Surely for black people to walk around labelling others with the k-word is to erode the sense of self pride and worth that people like Robert Sobukwe, Steve Biko, Nelson Mandela and many others worked tirelessly to instill among black people. Or is it?

Khoza's comment has not only elicited a stony silence from political parties and social movements that draw their support from the black community, but it is as if it did not happen. Instead black intellectuals have sprung to his defence.

Two of Cape Town's most fervent proponents of black pride and empowerment, Mxolisi Mgxashe and Bennie Bunsee, said last week nothing sinister should be inferred from Khoza's usage of the k-word.

"Depending on what the situation is, a negative term that is generally considered to be offensive can be used in a positive way, among those who are familiar with one another.

African-Americans often say n****; and the person to whom it is directed knows that it is not used to denigrate, but to say wake up from where you were put down.

However, a member coming from an oppressor class cannot use it because it is obviously offensive," Bunsee said.

Khoza himself apologised for using the word when he confirmed and repeated his comment to a press gathering, but he has insisted since that

the context of his comment showed that did not carry ill-will to the person to whom it was directed.

He said the word was commonly used by black township residents.

"I know the word also has another meaning, but in the context in which I used it, it refers to dubious character and unreliability," Khoza has said.

Sandile Memela, a government spokesperson and former journalist, has also defended Khoza.

He wrote in an article published at the weekend that Khoza was using the k-word in a positive context.

"The open secret about Khoza's use of the word, especially among blacks intuitively connected to township culture, is that despite its negative connotation in white minds, his serious intention was to question the integrity of a black journalist who entertains prejudice and stereotypes about Africa and her people," he said.

"What got to him was a perception that the media is hell-bent on perpetuating the view that 2010 is destined to fail simply because it is happening in an African country," Memela added.

The questions that, therefore, need to be asked are: whether it was racist of Khoza to use the k-word? Who is supposed to use the word and under what circumstances? Can whites use it?

There is no doubt that the k-word is offensive and degrading to the dignity of black people. Over decades it was used to denigrate and insult black people.

The word comes from the Arabic language and means an "unbeliever".

In the colonial era, it was used as a pejorative that described Africans as a backward people, with no belief systems or values.

However, while the k-word may be described as insulting and its usage should be discouraged, it must be noted that in their continued quest for self-empowerment, black people have in the recent past adopted the word with a more positive intention.

In townships and villages, black people will often be heard uttering the word. Its usage is meant to convey a message to the other black person that goes along these lines: Free your mind from the colonial, apartheid, racist baggage that seeks to hold you down.

It seeks to say: Let your mind roam free and do not believe all the racist nonsense that because you are black you will never rise above the status of a garden boy or maid.

Therefore, among black people it is not considered to be racist for a "brother" or "sister" to say the word to another. Usage of the word is an exercise in empowerment among black people.

Of course, the word is still considered insulting and under no circumstances can non-blacks use it to describe a black person.

The context in which Khoza was using the word was clearly one in which he was chastising the journalist for harbouring negative thoughts about our country's ability to successfully organise the Soccer World Cup.

There was nothing wrong in what he was saying. His was an attempt to bring about mind decolonisation.

While racism is an exercise in denigration, Khoza's use of the k-word was an attempt at freeing the youngster's mind from imperfect thoughts about our ability to excel.

As for the HRC, they must leave Khoza alone. If they are to fulfil their mandate, then they should focus their attention on more pressing matters.

There is nothing wrong with black people embarking on the delicate task of emancipating their minds from decades of subjugation and brainwashing.

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080226113852580C457012

I wasn't calling him a K*****

Thabo Mabaso, Cape Argus | February 25 2008 at 12:46PM

Irvin Khoza, the chairman of South Africa's 2010 soccer world cup organising committee who has been asked by the Human Rights Commission to apologise for using the k-word, says he will "respond accordingly" once he has seen the HRC's letter.

On Sunday Khoza again defended his use of the k-word in a conversation with a journalist.

He told the Cape Argus that he had not called the journalist a "k*****", but had merely warned that his state of mind was such that during the apartheid era, he would have been labelled with the k-word.

"I wanted to remove him from his state of mind of self-hate. He asked me a question that was not only demeaning to me and Danny (Jordaan), but the entire black race," he said.

"In the context of our discussion, I had to use the word. There is no racist element in my use of the word, considering the fact that the journalist and I are of the same race."

Khoza revealed during a media conference last

week that he had told the journalist not to think like a "k*****".

"I was relating a story to the media about my conversation with the journalist. I even apologised before using the word.

"I have no doubt in my mind that I was able to get my message through to the journalist concerned," Khoza said.

The unnamed journalist has not formally filed a complaint with the HRC, but the commission has criticised Khoza and sent him a letter last week demanding that he issue a public apology or face the possibility of being charged at the Equality Court.

The soccer supremo has also been criticised by Alex Boraine, the former deputy chairman of the Truth and Reconciliation Commission, and social commentator Rhoda Kadalie.

Khoza said he had not seen the HRC letter.

"I cannot comment on the HRC. I have not yet seen the letter. I will study it and then respond accordingly," he said.

Khoza has, however, been defended by black intellectuals, who said there was no malicious intent in the soccer boss's use of the word.

Author Mxolisi Mgxashe said Khoza was being unfairly criticised by individuals who didn't understand the context of his discussion with the journalist.

"Khoza is using the word to dispel the notion that blacks are a failure.

"Anyone who thinks in this manner (that blacks are failures) is what black Americans refer to as a 'house n*****'.

"No African has ever... been discriminated against by any black person," said Mgxashe.

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080225121208807C620408

So, who is allowed to use the K-word?

Thabo Mabaso, Cape Argus | February 21 2008 at 12:05PM

Black intellectuals canvassed by the Cape Argus have defended Irvin Khoza's use of the derogatory "k*****" word to describe a black journalist earlier this week, while also observing that the term is offensive and should not be encouraged.

The intellectuals said the term had painful historical connotations, infringed on people's right to dignity, but insisted that critics should first examine the context of Khoza's comments before damning him.

They added that, as a black person, Khoza intended no malice when he used the term.

They said it was acceptable for the chairperson of the 2010 World Cup local organising committee to dispel notions of inferiority harboured by blacks by positively using the term.

"Depending on what the situation is, a negative term that is generally considered to be offensive can be used in a positive way, among those who are familiar with one another.

African-Americans often say nigger, and the person to whom it is directed knows that it is not used to denigrate, but to say wake up from where you were put down," Bennie Bunsee, social commentator and journalist, said.

"However a member coming from an oppressor class cannot use it because it is obviously offensive," he said.

Author and social activist Mxolisi Mgxashe said Khoza was trying to emphasise a point about blacks freeing their minds from afro-pessimistic stereotypes.

"He (Khoza) is using it to dispel the notion that blacks are a failure.

"Any black person who thinks in this manner, that Africans are incapable, is what African-Americans refer to as a house nigger.

"Of course if a white person uses the term, it would naturally evoke a negative response," Mgxashe said.

An irate Khoza told a journalist during a media conference to "stop thinking like a k*****".

The 2010 local organising committee has been under intense media scrutiny following reports of bitter in-fighting among senior managers.

Khoza was apparently incensed that journalists were asking questions that cast doubt on the LOC's ability to organise a successful 2010 tournament.

Khoza has apologised for the outburst, but also insisted that no malice was intended.

He said the term was used by many black township residents to describe questionable characters.

"I know the word also has another meaning, but in the context in which I used it, it refers to dubious character and unreliability," he was quoted as saying.

The Human Rights Commission has promised to investigate the matter.

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080221114451189C215555

'Don't call me a kaffir'

by Conrad Steenkamp, ThoughtLeader

Recently, about five-thirty in the afternoon when everybody was stuck in traffic, 5FM exposed its listeners to the following lyrics:

Kom hier, kaffir, kom hier! Hoekom het jy nie my kar skoongemaak nie...Bliksem! (white male).
Baas, don't call me a kaffir (black male).
Don't call me a kaffir (choir).

Thereafter the word "kaffir" is repeated "too many times to be counted" as one of the people that complained to the Broadcasting Complaints Commission (BCC) stated.

We are talking here about Arthur Mafokate's kwaito hit from the middle 80s, which was subsequently used to relaunch the SABC, and more recently, to offend white 5FM listeners, several of whom vowed never to tune in to the station again.

Several complaints later the BCC found in favour of the complainants and fined the SABC R10 000. The BCC Appeals Tribunal later confirmed that the song "amounted to the advocacy of hatred", but that "it did not constitute incitement to cause harm and that therefore there was no contravention of the 'hate speech' clause of the Code".

Yet, the BCC argued, "kaffir" is "a derogatory term with racial undertones that amounts to stereotyping". "When negative stereotypes are perpetuated, it has the potential to further divide the South African society and songs such as this one, unnecessarily evoke deep-lying emotions reminiscent of apartheid".

The word "kaffir" therefore had no place in the modern South Africa "where political correctness (you read correctly) and sensitivity needs to be practised". Such "grossly offensive language" could particularly not be used in "watershed periods when children are likely to be part of the audience". Certain words remained "taboo" regardless of the context in which they are used.

The fact that the negative response to the song came mostly from a "certain group" was picked up by "DJ Fresh", the offending talkshow host, who argued that: "The only people who complained were white people, which suggest to me that it was more white guilt than anything else." (Sunday Times 19/4)

In my opinion the concept of "white guilt" has become a convenient little label with which to dismiss "white" opinions without engaging with the substance thereof. Nonetheless, in this instance the case of "Don't call me a kaffir" I think the BCC has completely lost the plot.

Koos Kombuis, well-known Afrikaans writer and singer, makes blatant use of the word “Hotnot” in one of his songs. Should this well-known critic of apartheid now also be censured? Imagine trying to force African-Americans to stop calling one another “nigger”.

Contrary to the BCC tribunal’s assertion, the context is not only important – it is definitive. “Don’t call me kaffir” could, among others, be viewed in context as a resistance song and a reaction to racism – a song that resonated with the actual experience of large sections of our society.

I myself have seen white Afrikaans-speaking males (WAMs) treat people in the manner described, along with a cuff against the back of the head or worse. Now, in a democratic society, we want to go and censor that experience?

One cannot make words such as “kaffir” or “Hotnot”, which is still in daily use in some quarters and still appears in a range of older books, “taboo” – not even for children. Much rather, such words and the implications of using them should be discussed openly.

Could “Don’t call me kaffir” not have been of “educational value” as one of the four members of the BCC tribunal suggested? And while one is at it, why not add words like “Boer, uMlungu, meid, coolie, amaKula, charra, moffie” and the host of others to the discussion list – all these names that we call one another.

This reasoning was echoed by the SABC’s defence which argued that the: “Intention behind playing the song was to unlock debate and determine whether there had been a change in attitudes 14 years down the line after the song was first aired. This educational nature of the broadcast was evidenced (...) also by all the callers following the broadcast of the song.”

However, the great irony here is that the song was blacklisted for stereotyping blacks, when in fact it was doing so to WAMs. I remember cringing the first time that I heard “Don’t call me kaffir” and instinctively found myself wondering about the cumulative emotional impact of such a negative portrayal of WAMs on young black people.

I therefore think that the BCC tribunal was right when it found that the song “promoted hatred” (not towards blacks, but towards whites). Yet, as prejudiced as the song might be – it still falls perfectly within the ambit of freedom of speech and in my mind blacklisting it is an infringement of that right.

What is the problem then?

What should have been censured was the SABC’s handling of the song – and that is the crux of the

matter. The SABC’s argument about wanting to “unlock debate” was contradicted by complainants who felt that there had in fact not been any open discussion; that the white woman that called in was simply jeered off the air.

If one wanted to air songs like this, particularly on the public broadcaster, then one has to contextualise it in a way that makes even-handed discussion thereof possible. Otherwise it is not “open debate” – but simply the propagation of hatred.

But then, we know that the SABC of Thabo Mbeki, Christine Qunta and Snuki Zikalala, is as eager to promote free and open debate about race and politics as was die SAUK of Die Groot Krokodil (former president PW Botha). Sympathetic portrayals of WAMs on the SABC are about as scarce as were critiques of apartheid by Cliff Saunders on die SAUK.

Not that “free” channels like Soweto TV fare much better, it seems. Some time ago there was a talk show about the “role of whites” in South Africa, or something along those lines. The only white on the panel of four was a certain “Udo”, a German-Namibian ANC enthusiast whom I have met on occasion.

Talking about “white” critique of the ANC, this worthy explained (something along the following lines) that “we whites always want to undermine black leaders like uMama Winnie Madikizela-Mandela” and “destroy their credibility”.

“The reason we do this is so that we can...” and I forget the rest, but it made Cecil John Rhodes look like a naughty school boy.

These were general statements pertaining to all “we whites”, as if one were dealing with a kind of racial conspiracy, or some or other gene that inevitably makes all “we whites” behave in this despicable manner.

“Hey! Hang on!” I thought, but worse was to come.

Continued Udo: “We whites will never belong here. We’ll always be guests in this country. That’s what I tell my children.”

A woman called in to congratulate him: “This is the first time I’ve ever come across such an honest white person,” she said, Udo’s beaming face in the background.

Come on folks! Where are we going with this!

<http://www.thoughtleader.co.za/conradsteenkamp/2009/04/22/dont-call-me-a-kaffir/>

Let's not get so feckin' hung up about swearing

Never has our great nation been more bitterly divided. A question of desperate import hangs over us which we're barely beginning to address.

Religious, political and economic differences are all just shades of grey, mere matters of emphasis, small print on society's contract, compared to this. There can be no compromise, no consensus. The battle lines are drawn and the final conflict will only end in the utter defiance and refutation of the values of one side or the other.

Is saying "fuck" offensive?

That's not the same as asking: "Is 'fuck' a rude word?" Everyone accepts it's a rude word -- it would hardly be used if it weren't. The disagreement is about whether using it (and other swearing, but "fuck" is the Gaza Strip here) is an offensive act.

I don't think it is. I don't think it matters a shit, damn or piss if someone says "fuck" or how many times they say it. My friends and colleagues unthinkingly use it all the time and, as far as I can tell, it hasn't resulted in the poisoning of their souls or their becoming unable to express themselves because of the effect of linguistic inflation.

That's the argument often deployed against swearwords: "If you overuse them, they'll lose their effect." Well, so what, if you hate them so much? Or is the prospect of a rude word losing its offensive power too unsettling for the offendees, as it would reveal that it was only ever a word and the power was an illusion of their own making? It would emasculate their attempts to censor with their censure.

They needn't worry. People will always find new words to offend with or be offended by -- it's a limitless resource, so why don't we enjoy it? Let's say "fuck" as often and conversationally as we can and we'll be on to "cunt" before you know it.

Bookmakers could take bets on what the word after that will be. As surely as we move on from MySpace to Facebook to Twitter, so shall we pass seamlessly from the f-word to the c-word to, let's say, the d-word. "Drung" -- meaning a combination of Jesus's snot and a paedophile's desire.

Obviously its sense would soon be lost, but it would be a satisfying thing to yell if you'd just hit your thumb with a hammer.

The noises people choose to take offence from become arbitrary. "Fuck" is beyond the pale but "frick", "frak" or "feck", used in Scrubs, Battlestar Galactica and Father Ted respectively to mean exactly the same thing, invoke no complaints.

When, in Scrubs, Elliot screams: "Just put the motherfricking ring on the motherfricking finger! Frick, frick, frick!", the programme is satirising the fact that one sound can randomly be deemed disgusting and another harmless, regardless of the sense in which they are meant.

Now that none of them will still be reading, it may be time for me to acknowledge the point of view of people who find swearing unacceptable. I concede that they are numerous and sincere; that what to me is a conversational grace note to many is disrespectful or even aggressive; that it seems perverse to them that anyone would choose to use a word that may upset people.

Many of the 2 700 viewers and listeners who were interviewed for a BBC report published last week hold opinions like that and feel that their side of the great national fuck-divide has been under-represented. Meanwhile, the British Board of Film Classification noted in its annual report that few things are more guaranteed to elicit complaints than Judi Dench cursing. People don't like that at all. They treat it like vandalism to a heritage building, apparently forgetting that, unlike a cathedral graffitied with "Millwall are crap", Dench has chosen to say "bastard".

I'm not saying it's irrational to mind any swearing at all. I wouldn't bring up a child of mine to swear, but I wouldn't really mind when they inevitably did. But it's daft to say a particular sound, regardless of context, must never be uttered, and ironically only guarantees it will be, by giving it rebellious cachet.

Trying to suppress it puts "fuck" on a pedestal. Before television turned prudish, presenters were sometimes encouraged to swear to make shows more outrageous or youthful. The millions who hate swearing handed lazy broadcasters a short cut to giving programmes an edgy feel. And even if it could be suppressed, that would never stop people being disrespectful or trading insults. Swearing may be a lazy way of doing it, but we live in the era of the labour-saving device.

Surely the only way out of this conflict is for everyone to accept that all swearing is fine -- that no word is offensive, only sentiments are. With "fuck you" reduced to the level of "whoopsy-daisy", people who want to hurt each other's feelings will have to say what they mean: "You're old and I feel you're judging me!" or: "I have banged my head and feel that it's a poor reward from fate for all my under-the-stairs-cupboard cleaning efforts!" or: "I have made an enormous emotional investment in football matches that I cannot control. Consequently your team's victory has laid me bare and I well up with hate for all that you stand for!"

Any new TV rules against swearing will only make life easier for people who want to cause offence on a tight effort budget. At the same time, they'll make it harder for comedy and drama writers to script television dialogue which is remotely similar to how a lot of us actually talk.

In my imagined utopian future where foul language has lost its sting, people will have to be more creative if they wish to offend. David Tredinnick, the Tory MP for Bosworth, recently showed us how it's done when it emerged that he'd spent £510 of public money on astrology software and attendant tuition -- a purchase so foolish it makes a duck island seem like a vital heart operation for the child of a constituent.

He claims he needed them for a debate on alternative medicine (perhaps to see whether Capricorns like him believed in homeopathy) but I think he was looking for a way, without swearing, of telling the entire country to go fuck itself. No scream of scorn could have been more eloquent. No word he used could have caused me more offence. -

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<http://www.mg.co.za/article/2009-06-28-lets-not-get-so-feckin-hung-up-about-swearing>

Kaffir Boy Banned in California School

Mark Mathabane's [Kaffir Boy](#) - the memoir that arguably did the most to personalize the struggle against apartheid for US readers - has been banned by a [Burlingame, California](#) middle school because of a two-paragraph account of boy prostitution in Alexandra township.

Burlingame is a town of 30,000 a few miles south of San Francisco. The superintendent of schools in the region, Sonny Da Marto - who instituted the ban - was quoted as saying, "I'm very concerned about the morals of our society and that children who don't have support are not prepared emotionally to read [the book]."

Kaffir Boy had been assigned to second-semester eighth-graders, who might soon be allowed to read a censored version, with the offending passage removed.

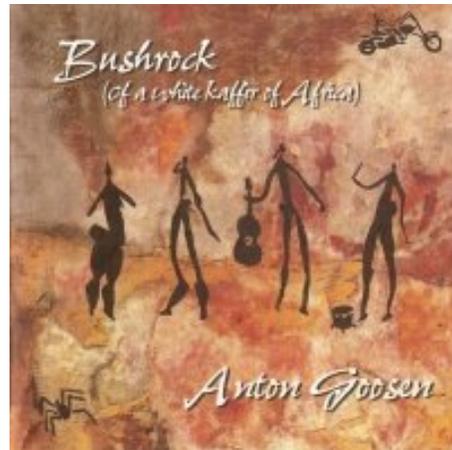
In his account of growing up in Alexandra during the eighties, which established the author as a major literary voice in America, Mathabane tells of how young boys were enticed with food and treats into "men's clubs" in the township, and then made to undress and "grab their ankles". Mathabane - an athlete when young who was once taken under the wing of tennis great Arthur

Ashe - was able to flee the scene before he came to harm.

"For me, [the passage] was not age appropriate," said Da Marto. "Maybe if you're a high school senior, but not [...] this age."

<http://news.book.co.za/2007/04/13/kaffir-boy-banned-in-california-school/>

Bushrock (Of A White Kaffir Of Africa) by Anton Goosen



[http://www.rhythmrecords.co.za/music/314/Anton-Goosen/Bushrock-\(Of-A-White-Kaffir-Of-Africa\)](http://www.rhythmrecords.co.za/music/314/Anton-Goosen/Bushrock-(Of-A-White-Kaffir-Of-Africa))

Kaffir, Texas

KAFFIR, TEXAS (Schleicher County). Kaffir was sixteen miles west of Eldorado in western Schleicher County. In 1906 local residents opened the Elder School, so called because of its location on the Elder ranch; its name was changed to Kaffir School in 1910, when a new building was constructed at a different site. A local post office operated from 1915 to 1921; William M. Smith was the first postmaster. The school and several scattered houses marked the community on county highway maps in the 1940s. The Kaffir school was grouped with several other districts in 1947 to form the Schleicher County Rural High School District. No evidence of Kaffir was shown on the 1985 county highway map.

The N-word

"The N-word is not in the African-American community a bad word. It's a term of endearment. And I don't see it as derogatory or defensive, offensive."

James Meeks, Illinois state senator and pastor

Why Kneegrows and Niggers are Angry

Uncle Tom Rants

Kneegrows teach Niggers that every time there's a problem with Niggers, the federal government need to bring out a program just for them! Black and White folks are fed up with this bullshit Kneegrows are always hollering about. For this attitude, Blacks will get called, "sellouts, Uncle Toms, and selfhatred". Whites will get called racists for not buying into the Niggerwhine.

From listening to the young Kneegrows comments, it is very apparent that they have been systematically brainwashed by the FAILURES in the black community. They are angry when they see a stupid Nigger savage being arrested for a crime. They are angry when they see homeless Niggers begging. They are angry, when a Black Man like Powell, or woman like Rice is appointed to a high office. They are angry with Bill Cosby when he stands up and tells the truth about Kneegrows and Niggers attitudes in the ghetto. They are angry with Clarence Thomas getting appointed to the Supreme Court, saying he got there because of Affirmative Action. They are angry because California got rid of Affirmative Action. They are angry because many Blacks are losing their homes due to foreclosure, after they overbought, and settled for an ARM because their credit was shakey as hell to begin with. They are angry with Bush because of the war, and in their tiny little minds, they actually think that if there was no war, the government would start giving away money again. They are angry that there will be NO reparations.

What they should be angry about is:

- All of these "black brood sows" pumping out baby after baby WITHOUT a father.
- How Niggers "trash" up a neighborhood by throwing trash anywhere.
- How elected Niggers officials fuck up once they get into office!
- How young ,savage, Buck Wild Niggers are running wild, killing policemen, robbing stores, banks, and people, stealing cars, and killing other innocent blacks!
- The dropout rate of young Niggers in schools.
- Helping young Blacks to get educated and procure jobs.
- Getting MARRIED!
- Locking up the Niggers who don't take of the bastard children they're brought into the world!

Funny thing, the educated Kneegrows, won't mention the above, they had much rather teach the dumb assed Niggers to hate the "system", and

"keeping it real". Like Chris Rock said, "Real dumb".

I too, are one of the hated ones, because the truth for some, is hard to deal with.

http://uncle_tom_rants.blogspot.com/2008/03/why-kneegrows-and-niggers-are-angry.html

Consequences of Suppression of 'Nigger'

The Essential Lenny Bruce

"The reason I don't get hung up with, well, say, integration, is that by the time Bob Newhart is integrated, I'm bigoted. By the way, are there any niggers here tonight?

[Outraged whisper] {{What did he say? Are there any niggers here tonight. Jesus Christ! Is that cruel. Does he have to get that low for laughs? Wow! }}

Are there any niggers here tonight? Oh, there's two niggers, customers, and, ah, aha! Between two niggers sits one kike, -- man Thank God for the kike! Uh, two kikes. That's two kikes, and three niggers, and one spic, and one mick. Two guineas plus three greaseballs and four boogies makes usually three spicks. Minus two Yid spic Polack funky spunky Polacks.

AUCTIONEER: Five more niggers! Five More Niggers!

GAMBLER: I pass with six niggers and eight micks and four spics.

THE POINT? That the words SUPPRESSION ('CENSORSHIP' 'EDITTING' BLAH, BLAH...) GIVES IT THE POWER, THE VIOLENCE, THE VICIOUSNESS. If President Kennedy got on television and said, "Tonight I'd like to introduce the niggers in my cabinet," and he yelled "nigger nigger nigger nigger nigger nigger nigger nigger" at every nigger he saw, till nigger didn't mean anything anymore, till nigger lost it's meaning - you'd never make any four year old nigger cry when he came home from school, cause he's nanny had been protecting him from developing his psychic nigger muscles...
