

THE RIGHT TO PROTEST?

An account of human rights violations during #FeesMustFall, #OccupyUJ and #EndOutsourcing protests at the University of Johannesburg



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We thank all those University of Johannesburg academics, students and workers, who provided information for this report. We also thank Tracey Lomax. We encourage those who have eyewitness accounts and/or video footage and photographic evidence to send them to us, as a contribution to this documentary effort.

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During the #FeesMustFall, #OccupyUJ and #EndOutsourcing protests at the University of Johannesburg, the university administration has claimed that there were several instances of violence on campus, and that they needed to act to create a climate conducive to the peaceful writing of exams. To this end, the university sought several interdicts and brought a private security firm, Fidelity, onto campus. The South African Police Service (SAPS) and the Johannesburg Metropolitan Police Department (JMPD) have also played a role in enforcing the interdicts, alongside the security personnel hired by the university.

A City Press [article](#) quoted university spokesperson, Mpho Letlape, as stating:

We have 42 000 undergraduate students and 3 500 honours students whose parents and guardians have entrusted into our care. There were arson attempts from Wednesday onwards that began to threaten the safety and security of those students. We needed to do all we could to safeguard their safety, including that of our staff and students, hence the need to physically remove the protesters who were no longer protesting peacefully.

The university's account of events was that these measures were necessary to protect the human rights of fellow students and workers, and that not to have acted to protect them would have violated their rights. The university has claimed that petrol bombs have been made and thrown on campus, or attempts have been made to do so. The university must explain what it has done to bring the culprits to justice.

The following is a preliminary account of human rights violations against protesting students and workers at the University of Johannesburg, during the above-mentioned protests. The accounts are drawn from eyewitness testimonies, video footage and photographs. Our intention is to place these incidents on record, and to make the case for an independent and public investigation into these incidents.

Some preliminary points

According to s. 17 of the Constitution of the Republic of South Africa, everyone has the right, peacefully and unarmed, to demonstrate, to picket and to present petitions. The law that gives effect to this right is the Regulation of Gatherings Act. According to the Act, gatherings should be dispersed forcefully only under the most extreme of conditions: where there is no other way of guaranteeing public safety, and when the protestors have been warned to disperse. No protest that is peaceful and unarmed should be dispersed.

Yet documentary evidence records cases of private security guards and the police using force to disperse persons assembled and gathered, peacefully and unarmed, for the purposes of demonstrating against the outsourcing of workers, the fees charged at South African higher education institutions and related matters. Their conduct included hitting, punching, slapping, kicking and throttling protestors; using pepper spray; beating protestors with batons; stripping their clothes off; threatening, intimidating, or harassing students that were involved in the protests; intimidating the protestors' legal representative and interfering with her work; and at least in one case, carrying a weapon loaded with live ammunition during a student protest.

Interdicts granted to the university have been misapplied to arrest students and workers engaged in peaceful protest, and to attack students and workers violently, in spite of the fact that they posed no clear and present danger to the police specifically and public safety generally. Interdicts do not authorise the prohibition of peaceful protests and gatherings, nor do they contemplate the use of disproportionate force to disperse such gatherings and protests. In any event, interdicts are not enforceable by the police in the way that SAPS did. The correct way to deal with violations of interdicts is not to arrest, but to serve a notice on the transgressor, and calling him or her to court to answer as to why he or she should not be charged with contempt of court proceedings.

Documentary evidence of the following human rights abuses follows below:

Mass arrests outside UJ main gate

This clip shows the mass arrest of students and workers outside the university's main entrance on 6 November 2015. It shows that the students and workers were protesting peacefully, and despite this, were arrested anyway. 163 people were arrested, reportedly on charges of violating a court interdict and public violence, but the charges were dropped pending further investigation:

https://www.youtube.com/watch?v=w6hn_q18Knw

<https://www.youtube.com/watch?v=ydwP99P3-DY>

Private security guards throwing stones at protesting students

The following footage shows private security throwing stones at protesting students on the first day of the protests (Thursday October 22):

<https://www.youtube.com/watch?v=MjI8j-5WWAo>

<https://twitter.com/duncanjane>

Worker being put in a headlock and punched in the ribs by private security guards

In this video from the protest on 5 November, a worker, Lebogang, is seen being restrained in a headlock by private security, punched in the ribs and then bundled out of the main entrance:

<https://www.youtube.com/watch?v=4Qs4sPZYsMI&feature=youtu.be>

In the same City Press article that quoted Mpho Letlape, one student was quoted as saying that the head of security on campus told security to 'kill those dogs' (students). According to the City Press article:

On Monday, the head of security on campus told private security to 'kill those dogs', a student told City Press.

Shortly before clashing with security, the group on campus decided to fetch their 'comrades' from outside the campus, but were followed by security guards.

The situation quickly turned chaotic after a minor altercation with the guards escalated into open violence. A student was hit over the head with a baton and started to bleed. A female worker, seeing that he was about to fall over, lurched forward to grab him.

Campus security grabbed her so forcefully, the buttons of her blouse came flying off and she was dragged off in a chokehold, her bra exposed.

The security guards chased down others in the group, beating them with their fists, batons and other objects.

A woman pleaded with the men, but they ignored her and started pepper-spraying protesters. A student within close range of one pepper spray can was badly burnt by the spray, he tripped and pleaded for help.

Protesting students assaulted by private security guards

This City Press footage shows private security guards assaulting protesting students, one clearly with a baton, on Thursday 5 November. According to the City Press, ‘Security guards slapped, kicked and pepper sprayed students who were protesting on the Kingsway campus of the University of Johannesburg on Thursday’:

<https://www.youtube.com/watch?v=Le4LdLp2Z-s>

In this Daily Sun footage provided by a student, UJ students are beaten by private security guards as they were removed from the university’s premises:

<https://www.youtube.com/watch?v=eJwZ2TNmoKo>

This footage shows private security pepper spraying students. In the footage, a student alleges that a security guard was chasing students and pepper spraying them as they were running away. The student who took the video claims that he was knocked over from behind by private security while trying to take the video:

<https://www.youtube.com/watch?v=ire4dcwQBk4>

This footage shows a security guard member telling a student that he will pepper spray him if he doesn’t stop taking footage. Towards the end, a man can be heard telling the student who is taking the video in isiZulu that he has been telling him to stop recording for a long time, and he will take this device of his and crush it. Apparently the student was trying to run and record, and couldn’t get the security guard’s face in the video:

<https://www.youtube.com/watch?v=Tc8O6Q5tH-4>

This photo shows a student, Xhamla Chief Songwevu, after he was hit on the head by private security:



Police violence after the night vigil of November 13

On November 13, students, workers and supporters held a peaceful night vigil to protest against police and private security violence. Students attempted to access the campus after the vigil, and were prevented from doing so violently by the police. In these videos, police can be seen shooting at people who are running away from them, and who consequently could have posed no threat to them:

<http://www.mediaforjustice.net/police-open-fire-on-students-at-university-of-johannesburg/>

The police used pepper spray and rubber bullets to disperse the crowd; chased down students who were fleeing the scene; and physically beat a number of protesters. The police justified their use of force on the ground that the officers were enforcing an interdict that had been granted to the University on 23 October 2015 and amended on 6 November 2015. However, the interdict (as amended) does not apply to the protesters in question. It has been misapplied and used for the unlawful purpose of stamping out all protests, however peaceful and legitimate. To the extent that the interdict is found to apply to any of the applicants, it was erroneously granted in the absence of interested and affected parties; while it is capable of rescission, it is still being used unlawfully to intimidate and abuse students and workers.

Private security pepper spray worker

In these photographs, a worker with epilepsy (Nthabiseng Moloi) is sprayed in the face by private security and left where she fell:



The worker, Nthabiseng Moloi, gave this following eyewitness account:

On 5 November 2015, a number of students and workers (myself included) were protesting inside Gate 1. The protest was peaceful, with all of the workers and students singing and dancing.

At some point, the Fidelity and campus security guards surrounded the protesters and began to beat people. I witnessed people being

beaten in front of me. The guards and police started coming towards me. I pleaded with them not to pepper spray me because I have epilepsy and was already feeling dizzy. I repeated this to the guards. They ignored my pleas and three guards (from Fidelity and campus security guards) pepper-sprayed me, hit me and struck me on the head with a baton. When I fell to the ground they kicked me and stamped on my legs.

A few students pulled me away and took me to an area outside of the gate. There, they poured water and milk over my eyes to relieve the pain of the pepper spray. I was then taken to the hospital.

Prof. Pier Paolo Frassinelli threatened by security guard

On 16th November, Prof Pier Paolo Frassinelli went to the main gate to monitor security guards' responses to the protests. He saw unidentified armed men with guns. He stopped to take pictures and was chased away by the man who seemed to be in charge. He followed him pointing a big pepper spray can. Frassinelli said, 'I am a professor at this University, you cannot do that'. He said, 'I can do what I want, if you take pictures I am going to spray you.' He repeated this several times, and was very aggressive. A picture of this incident, and the security guard involved, is below:



Eyewitness account of attorney Tracey Lomax

Tracey Lomax is a private attorney representing students and workers engaged in the #FeesMustFall and #EndOutsourcing protests. She claims that she was intimidated by private security and prevented from consulting with her clients on campus. Her account is below:

On 10 November 2015, Mmangaliso was asked by the VC to meet with him in order to discuss the possibility of resolving the conflict between the University, students and workers. Prior to arriving at campus with the students, I contacted Lucia Du Plessis, of Hogan Lovells, the university's attorneys, and advised her of the invitation from the VC. I informed her that I was going back to campus with the students, and she voiced no objection thereto. I also suggested to her, in the interests of resolving the dispute, that a representative of her office also attend, so that matters could be dealt with speedily. Mr Helani of the VC's office – who had told Mmangaliso that they would not allow legal representations in the meetings – came down and tried to talk to us through the security gate. I asked him to let us in, and he then let in Mmangaliso, Neo and me. He tried to draw Mmangaliso into private conversation and wanted only him to attend meetings. Both Mmangaliso and I said that it was necessary for me to attend, and that it was a precondition to any meeting. We said that we were prepared to approach a court if needs be, but that suspended students should be heard as well.

Mr Helani left and I began to discuss the way forward with some of the students. I then noticed that one of the Fidelity Guards was filming my consultation with my clients and I asked him to switch off the camera. He refused, and I then closed the camera and told him that the filming was unlawful and that I would take action against him if he continued to interfere with the

attorney and client relationship. In a heated exchange, he said that he had been ordered to film us but would not say by whom, and that he would continue to do so.

I then began walking back to the SRC offices, to fetch my car and leave campus, to return to chambers when I was approached by a group of about six Fidelity Guards who barred my way, insisting I go with them. I refused, and demanded to know why I was being prevented from leaving, and they refused to answer me. They started to manhandle the students with me and said that, if I did not go with them, they would take the students away. As the students were upset by the presence of Fidelity Guards, and I had seen footage of how violent they could be, I refused to allow them to take the students away, and again demanded an explanation.

The guards became increasingly aggressive, forming a barrier between us and the way we needed to go. I asked what we had done wrong and was told that they were not answerable to me, and that they were entitled to stop anyone on campus at any time, even if they were doing no wrong.

By this time, I was extremely agitated and afraid, and I contacted Lucia du Plessis of Hogan Lovell to ask her to intervene with her client. During the course of the conversation, I told her: I had not heard from her, and we were at UJ for the meeting with the VC; That I was surrounded by six Fidelity Guards who were insisting that I speak to their 'station commander' but would not tell me why; That they would not allow three of my clients, who were not suspended students, to accompany me to my vehicle;

I asked her to phone her client and tell her client to stop breaching the Constitution and to stop interfering me from doing my duty to my client; That I was being unlawfully prevented from leaving, and that my clients were being manhandled by Fidelity Guards; That the situation was getting worse and that, from now on, I would not engage with her while her client continued to behave unlawfully and that her behaviour, in failing to revert to me timeously during a fraught situation made it impossible for the matter to engage properly; That every time she undertook to revert to me with instructions, her client exacerbated the situation by behaving unlawfully. I asked her to advise her client to desist from unlawful act, and to desist from taking video footage of me or my clients. The response from the attorney was to say that she objected to my tone.

During the course of this conversation, one of the Fidelity Guards told me that I was no longer allowed on campus and I had to leave immediately. I then returned with the Fidelity Guards and three of my clients to Gate 1, where two members of Campus Security demanded to know who I was, and why I was there. When I told him, he said I could leave, but my clients could not, because of 'policy'. When I demanded to see the policy, he then said that they could go with me, but I would be accompanied to the gate by the Fidelity Guards. I was then followed to the gate by six large, baton-wielding and gun-toting Fidelity Guards, who photographed me, my vehicle, and my clients, and gave me 'two minutes' to leave campus.

Eyewitness account of Anele Madonsela

On the night of 2 November 2015, into the early morning of 3 November 2015, I was involved in a peaceful sit-in at Madibeng building, outside the office area of the Vice Chancellor and his staff. This was a peaceful sit-in, involving about fifteen students and a large number of workers. When the workers arrived, Campus Security called Fidelity Guards, who told everyone to leave. The head of UJ Campus Security, known only to me as Mkantsi (or Mkansi), said loudly

to students and workers that we were going to 'die tonight'. As we were packing up our books, Fidelity Guards began assaulting students. I was trying to defend one of the students (Sandile) when I was slapped by Fidelity Guards. I was pushed down the stairs and punched in the face.

Since that day, Fidelity Guards have followed me around campus, waited for me outside my residence room, recorded me on video and taken photographs of me, which I regard as an attempt to intimidate me and as an affront to my right to privacy and dignity. I have seen Fidelity Guards beat, punch, kick, push, throttle, and pepper spray people. On 5 November 2015, I witnessed Fidelity Guards use a baton to assault Xamla Songwevu, Sandile Mdlongwa and Lindokuhle Xulu.

I have seen Fidelity Guards walk up to students gathered in groups of more than three people and tell them to disperse, as they said that we weren't allowed to congregate or walk in groups of more than three. If students are talking on their phones, the Fidelity Guards will tell you to put it away, and put their hands on their guns. On 12 November 2015, I was gathered peacefully outside APK Gate 1, when a white police officer, Colonel Dekker, told students to disperse, or they would be arrested. On 13 November, I confronted one of the Fidelity Guards, known to me as Hannes, who was videotaping me. He said that the reason he records me is because "*you black women don't have manners, unlike white women.*"

Eyewitness account of Claire Ceruti

On Thursday 5 November during the day, I was having a sandwich at the logistics place when two students came running in looking urgently for milk because someone had been badly pepper sprayed in the eyes. There was no milk so we ran to the Student Centre and bought milk, Rennies and water. We stopped outside the SRC to help a person who was completely blinded by pepper spray. We heard that more people were injured. When we reached the area around the library/main gate/pedestrian bridge we found the area saturated with pepper spray.

The main gate was locked and Fidelity bouncers directed by UJ in-house security were attacking individuals bodily and with pepper spray, and forming a line which was pushing a crowd of people, mainly women workers, violently onto the pedestrian bridge. This was in itself an intensely dangerous maneuver. The danger of causing a fatal accident had already been clearly suggested by the incidents two Thursdays ago when this same crew blocked students from entering the campus.

I saw one woman being manhandled by two bouncers. She sat down on the ground to evade this. Another bouncer walked up and casually sprayed her for several passes at very close range in the eyes, under her hat. This was much more than was needed to disable her. When I reached her she was holding her face and hunched over in pain. It was difficult to get her to tilt her head back so I could pour the Rennies solution in her eyes. Just as she managed to do that, a bouncer grabbed me and pulled me roughly away, and another bouncer pulled the bottle from my hand and emptied it out while other bouncers dragged the affected woman onto the bridge behind their main line. They also tried to push me over the bridge, which I evaded. I managed to grab back the bottle with the last bit of Rennies solution but another bouncer began to pepper spray the whole area. I covered my eyes and moved away quickly. The bouncers were merely being vindictive and punitive by preventing me from helping, as the woman was already disabled by the pepper spray.

While we were helping another woman, I saw three bouncers restraining a male student with his arms bent over his head and behind his back, and while they were holding him down like this they sprayed him in the eyes for several more seconds than was necessary to disable a person. By then the people had been herded across the bridge, and I crossed to see where people were, but on the way found a young woman, a student from her card around her neck, completely disoriented and choking from pepper spray. She was not one of us as far as I can tell. She was limp, unresponsive and having severe trouble breathing. I got her in the recovery position and asked some passing students to call an ambulance. Fortunately one of the regular fidelity guards came and he took her to the glass guardroom at the bottom of the stairs. Later when I checked the paramedics had put her on oxygen.

On Friday 6 October, after workers had been violently forced out of the university and thirteen workers were arrested without explanation in the morning, we took part in a silent protest moving towards the main gate around lunchtime. When we saw the police we knelt on the ground with our hands in the air. One of our number was told by police that we were breaking an interdict and would be arrested if we did not move to 500m away from the gate. When he came back to report I asked to see this interdict, because I knew that the student interdict did not extend beyond the campus and the interdict against Elite/Servest workers had no clause about distance from the gate in the final order granted by the court (a clause about 700 meters had been in the application from Servest which was taped to all the gates on the Wednesday morning, but it was missing from the final order granted by the court. I had checked this interdict carefully that morning after the thirteen workers were arrested). Before our discussion was finished, the police began arresting us.

Finally on Tuesday we were able to obtain a copy of the 'third interdict' from the police. It turned out that this interdict does specify 500 meters, *but applies only to workers from Impact*, the contractor that cleans the residence. However the police nevertheless threatened to arrest everyone outside the main gate on Tuesday, even though most of us were not from Impact.

Eyewitness account by Valencia Mabalane of verbal abuse by private security guards

Staff member Valencia Mabalane provided an eyewitness account of verbal abuse from private security guards, which is contained in an email to her Head of Department, below:

Dear Prof Kajee

This email serves to notify you of the dehumanizing treatment my husband, daughter and I received from the Fidelity security who insulted our dignity as an academic and stakeholder of this institution.

Yesterday morning without any notification from the university, we were stopped at the gate and requested to be searched which we acceded to without any problem. What followed after is a violation of my human rights portrayed by aggressive disrespectful guards in full view of students and my disabled child who was traumatized by the whole incident. Though, I understand that the institution has to be secured, I believe that it should not be done at the expense of staff. I believe that no one's human's right should be violated and no one should be subjected under the trauma I experienced at gate B (Optometry gate). I believe that the institution should not be concerned only about its buildings, but that should also include the human resources and other stakeholders. The following took place:

- My husband was badly spoken to in a dehumanizing and unacceptable manner by the guards who told him to ‘get out of the car’, insulted, provoked him into a fight. Words like ‘you have nothing to say because you are a coward who depends on his wife for protection’, ‘step away from the island and let me show you what I do to men like you’ – all these words were uttered in full view of my daughter staff and students.
- Disregard of my disabled child and the disabled sticker on my car after I showed them as a reason why I had to be dropped off – who was left traumatized, hiding under the seats and in tears.
- Demand to know details about my daughter’s disability – I believe that no guard has a right to bullying me into telling me my personal life including my daughter’s disability.
- I was asked to leave my disabled child at the drop off zone even though I explained to the guards her condition and why they should be allowed – which I did in fear of being pushed around as they stood in front of my car and blocked it that I should not pass.
- Unacceptable, demeaning and abusive language of the guard who referred to my child as a ‘cripple’ child and my husband as ‘this man’.
- Threatened that I will experience the same treatment as long as they are at UJ.

Lastly, the incident that took place left me in humiliated, in tears and tainted my integrity. I want to mention that my wellbeing as an academic was compromised by my employer and the Fidelity guards at gate B. It my right to work in a conducive place where there is no intimidation by guards who treat everybody as criminals. Restrain[...] and respect should be exercised by these guards who bullied not only me but other staff members. I believe that if these have the interest of the institution at heart they will act like wise and stop bullying female staff.

Kind regards,

Valencia Mabalane

Lawfulness and constitutionality of student regulations

If a climate is to be created on campus for respectful engagement, then the university needs to ensure that its own policies and regulations are not found wanting, and uphold basic constitutional rights and freedoms. The university’s student regulations cover assemblies and meetings on campus.

There are strong arguments to be made that on these issues, the regulations are neither lawful nor constitutional. They are not constitutional because they do not recognise assembly as a right. They are not lawful because they provide for a much lower standard for regulating gatherings than the Regulation of Gatherings Act. They are also problematic on freedom of expression grounds.

Some of the most problematic aspects of the regulations are listed below:

- The regulations require students to apply for permission from the Director: Student Life and Governance to assemble and meet. This makes the exercise of a constitutional right subject to the permission of the Director, which turns this right into a privilege, to be granted or denied at the Director’s discretion. Rather, the Regulation of Gatherings Act envisages a process of notification, rather than a permission-seeking process: that is, once the relevant authority has been notified of the gathering, it is automatically lawful. The requirement of permission is open to abuse by the university, because it can, as it

has done in this case, declare any protesting students to be behaving unlawfully, and seek an interdict against them.

- The regulations seek to regulate the contents of gatherings, which is constitutionally impermissible, except in the cases of propaganda for war, hate speech and incitement to imminent violence (these forms of speech do not receive constitutional protection). Generally, time, manner and place restrictions on gatherings are much more justifiable than content restrictions, as while it is acceptable for the authorities to regulate gatherings to ensure public safety, it is not acceptable to tell people what to say in these gatherings. According to s. 6.1.3 of the student regulations, ‘no protest in any form against an individual will be permitted’. This restriction is over-broad and cannot be defended on freedom of expression grounds.
- S. 6.1.1 and s. 6.1.2 state the grounds for prohibitions of assemblies. These grounds are much broader than those set out in the Regulation of Gatherings Act, and are therefore unlikely to withstand a legal challenge.
- The regulations require an application to be submitted at least five working days before the assembly takes place. While the Regulation of Gatherings Act has a seven day notification period, it also makes provision for urgent notifications on good cause shown, and providing these are received within 48 hours of the gathering. Furthermore, the Act recognises a defence of spontaneous assembly. These provisions are meant to give the authorities sufficient time to plan, while recognising that the right requires provisions to be made for urgent assemblies. The regulations fall short on these issues.

The above comments also apply to the section on meetings. These regulations create a poor basis on which to approach the regulation of assemblies on campus, and have no doubt contributed to the escalation of conflict on campus. Many students are very clear about the fact that the regulations are unjust. While it could be argued that universities are a ‘special case’ relative to the rest of society, as they need to create environments that are conducive to learning, these arguments are unlikely to withstand legal scrutiny. Neither is an argument that a university is a ‘private’ space, and can therefore regulate gatherings as it sees fit. Even if it is considered a private space (which is very debatable), it serves a public function, which makes the duty of the university to facilitate basic rights and freedoms even stronger.

The student regulations need to be reviewed to bring them into line with both the Constitution and the Regulation of Gatherings Act. Students have also reported heavy-handed tactics from bouncers, who have broken up groups of more than three students, and told students that they are not allowed to ‘gather’ in groups, even when the purpose of such a gathering is for study purposes. Indeed, these restrictions are reminiscent of draconian apartheid-era regulations.

Conclusion

It is important to note that the protest that started on Thursday 22 October was peaceful, but the university pre-emptively shut down the Auckland Park Kingsway (APK) campus. In fact, the university shut down the APK campus almost every time there was a protest: this created a situation where no dialogue was possible and sent the message to students and workers that there is no space for the exercise of the right to peacefully protest on campus. This has been one of the key factors in escalating the confrontation.

Video and photographic evidence and eyewitness accounts point to the following:

- Intimidation, dehumanisation and violence perpetrated by private security and police on peaceful protesting students. This includes hitting, pouncing, pepper spraying, and insulting students with racially and sexually offensive abuse;
- Death threats by security guards: this is disturbingly repeated in many of the students' eyewitness accounts, yet there is no evidence of security guards being charged with incitement to violence in the way that students have been;
- Interference in the constitutionally protected work of an attorney;
- Systematic criminalisation, undermining and delegitimisation of protesting students and staff who are fighting for those very objectives, such as insourcing, which UJ administration is now claiming as its own achievements;
- The creation of a climate of fear and intimidation on campus which is antithetical to what an institution of higher education should be like;
- Abuse perpetrated not only on protesting students and cleaning staff but also on academics and other stakeholders both acting as monitors or simply being targeted by bouncers for no apparent reason.
- Continual harassment of students as they go about their business on campus, filming and photographing of students, staff and visitors, which is an affront to their privacy and dignity.

The effect of these actions is to create an atmosphere of fear amongst students and workers. Their purpose and effect in fact is to:

- Prevent legitimate political activity (protected in section 19 of the Constitution);
- Silence legitimate expression (protected in section 16 of the Constitution);
- Prevent the exercise of the right to assemble, peacefully and unarmed, to demonstrate, to picket and to present petitions (protected in section 17 of the Constitution);
- Limit freedom to associate (protected in section 18 of the Constitution);
- Infringe the human dignity of those affected (protected in section 10 of the Constitution);
- Infringe the freedom and security of the person of those affected (protected in section 12 of the Constitution);
- Invade the privacy of those affected (protected in section 14 of the Constitution); and
- Inhibit the freedom of conscience and belief of those affected (protected in section 15 of the Constitution).

It should be noted that the university has not condemned the use of force by the police, Fidelity security guards and campus security. In fact, the university has not condemned or apologised for any acts of violence that have been perpetrated against students and workers. The university's statements have made it clear that its management will continue to focus on security. This indicates that management intends maintaining this approach, and still believes that its use of disproportionate force to silence protests is a legitimate response to protests. According to attorney Tracey Lomax, a police officer told her that they had been mandated to enforce the interdicts against the students by any means necessary. Such conduct cannot be tolerated in an academic institution devoted to learning and teaching.