

IN THE EQUALITY COURT OF JOHANNESBURG HELD AT THE
JOHANNESBURG MAGISTRATE'S COURT

CASE NUMBER: 44/EQ JHB

IN THE MATTER BETWEEN:

SOUTH AFRICAN HUMAN RIGHTS COMMISSION COMPLAINTANT

AND

JON QWULANE RESPONDENT

JUDGMENT

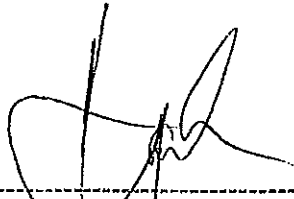
1. This is an application for judgment by default in terms of Rule 32 of Act 32 of 1944. The court finds that there has been proper service on the respondent. The respondent was not in attendance at court. The complainant relied on the founding affidavit and argued the matter.
2. The complaint is undefended. The respondent has filed no papers. In the circumstances there is only one version before court. It is that of the complainant. The court is not going to repeat the argument presented as it already forms part of the record. This argument is accepted.
3. In the totality of the submissions tendered by the complainant the court finds the following:
 - 3.1 The complainant has the necessary *locus standi* to institute these proceedings.

- 3.2 This court has the necessary jurisdiction to adjudicate this matter.
- 3.3 The contents of the article and cartoon amount to hate speech.
- 3.4 The article and cartoon propagates hatred and harm against homosexuals.
Homosexuals as represented by the complainant have suffered emotional pain and suffering as a result of the action of the respondent.

4. The court therefore grants judgment in favour of the complainant as follows:

- 4.1 The respondent is ordered to make an unconditional apology to the gay and lesbian community. Such apology is to be published in the Sunday Sun as well as one other national newspaper.
- 4.2 Damages in an amount of R100 000-00 is granted. Such amount is to be paid to the complainant and to be used to promote and raise awareness regarding the rights of gays and lesbians.
- 4.3 No costs are ordered.

DATED AT JOHANNESBURG THIS THE 31ST DAY OF MAY 2011.



N.M. KARIKAN
ADDITIONAL MAGISTRATE (EQUALITY COURT)
JOHANNESBURG

Oh dear, here we go yet again. The Anglican Church is heading for a split in its ranks, and homosexuals are the reason.

The church faces the first real schism since the day Henry VIII walked angrily out of the Catholic community to lead his own faction, because Rome would not sanction his marriage to Anne Boleyn, his brother's widow.

This time some leftists among the Anglican Communion want not only more homosexuals ordained as bishops, but women as well.

The real problem, as I see it, is the rapid degradation of values and traditions by the so-called liberal influences of nowadays: you regularly see men kissing other men in public, walking holding hands and shamelessly flaunting what are misleadingly termed their "lifestyle" and "sexual preferences".

There could be a few things I could take issue with Zimbabwean President Robert Mugabe, but his unflinching and unapologetic stance over homosexuals is definitely not among those.

Why, only this very month – you'd better believe this – a man, in a homosexual relationship with another man, gave birth to a child!

At least the so-called husband in that relationship hit the jackpot, making me wonder what it is these people have against the natural order of things.

And by the way, please tell the Human Rights Commission that I totally refuse to withdraw or apologise for my views.

I will write no letters to the commission either, explaining my thoughts.

Trouble in the Anglican Communion began when the Episcopalian fraternity in America (where else?) decided to ordain a homosexual as bishop of the flock.

Here in South Africa we had a senior officer of the church in Cape Town parading his "gay lifestyle" openly.

The 10-yearly Lambeth Conference in England – the gathering is the world "synod" of the church – will deliberate the delicate matter of women and homosexual bishops, among other things.

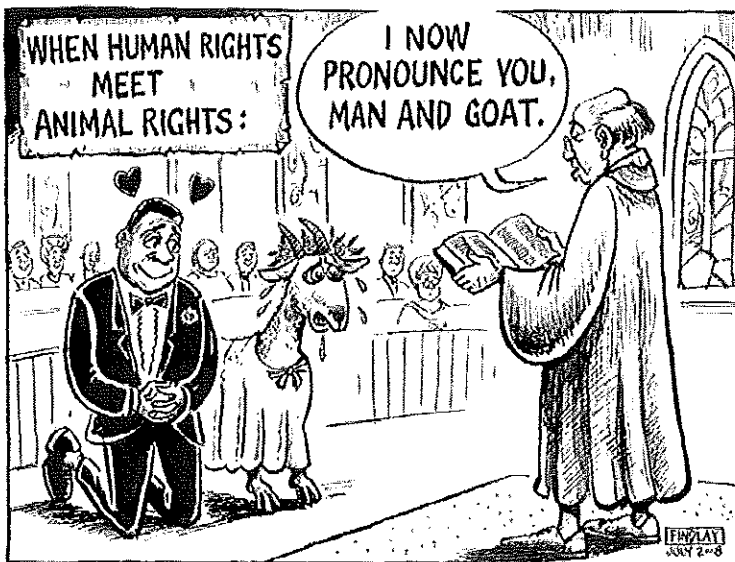
Homosexuals and their backers will call me names,



Jonwelane

WHAT'S JON GOT TO SAY THIS WEEK?

Call me names, but gay is NOT okay...



printable and not, for stating as I have always done my serious reservations about their "lifestyle and sexual preferences", but quite frankly I don't give a damn: wrong is wrong!

I do pray that some day a bunch of politicians with their heads affixed firmly to their necks will muster the balls to rewrite the constitution of this country, to exorcise those sections which give li-

cence to men "marrying" other men, and ditto women.

Otherwise, at this rate, how soon before some idiot demands to "marry" an animal, and argues that this constitution "allows" it?



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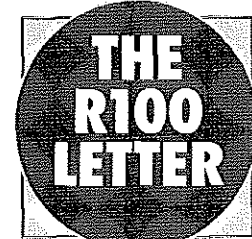
Now hear THIS! BRICKZ, YOU MUST FIRST SAVE YOURSELF

I want to utter a word or two about this Brickz boy.

In my language we say, "Kgomogoo go tsoswa yoo e itsoo-ago". So Brickz must first help himself, then seek further help.

He is doing nothing to help himself. People like DJ Cleo tried, but still he is doing nothing. He's digging his own grave.

Drugs do kill, Brickz. You can't tell people you don't have money to attend rehab when you have been making money and eating it like pea-



nuts.

You will forget you were once a celebrity if you are not careful. Don't get carried away – as long as you know that you need help, and fast, then you know that you have a problem.

The earlier you live like a real human being, the better. Young boys and girls look up to you as a role model. So if you do drugs, what are you teaching them?

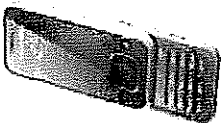
■ Nchilo Maditung, Cape Town

■ Let's hear your views on anything and everything – the cheekier the better! Your letter could win you R100! Write or email to TOP LETTER PO Box 8422 Joburg 2000 or letters@sundaysun.co.za



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