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## South Africa Panel Reverses Its Ruling on 'Hate Speech'

By THE NEW YORK TIMES

JOHANNESBURG, July 17 — The South African Human Rights Commission ruled today that a slogan chanted at the funeral of an antiapartheid leader last year, "Kill the Boer, kill the farmer," is hate speech and is not constitutionally protected.

The ruling reversed a previous finding that the slogan, while reprehensible, was protected speech under the country's post-apartheid Constitution.

Commissioner Karthy Govender told reporters today the commission had concluded that "the calling for the killing of a group of people is an advocacy of hatred, which must amount to harm."

The Freedom Front, an Afrikaner separatist group, brought the complaint last year after marchers chanted the slogan at a meeting of the Youth League of the governing African National Congress and at the funeral of Peter Mokaba, a militant A.N.C. member of Parliament.

Television pictures of the funeral that showed marchers shouting, "Kill the Boer, kill the farmer," caused an uproar last June. A.N.C. officials at the event quickly put a stop to the chanting and party leaders have disavowed the slogan.

The ruling by the rights commission does not make uttering the words illegal, but it creates the basis for civil litigation against those who say them, which could result in monetary damages, an apology or both.

Pete Uys, a spokesman for the Freedom Front, said the slogan has no place in a democratic society. "We regard it as encouragement to commit murder," he said in a telephone interview.

But Justine White, an expert in communications law at the University of the Witwatersrand here, said the ruling would have a chilling effect. "Given our history," she said, "I think we need more speech, not less, even if it is of this kind."