

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

CASE NO: CCT 36/00

In the matter between:

GARRETH ANVER PRINCE

Appellant

versus

**THE PRESIDENT OF THE LAW SOCIETY
OF THE CAPE OF GOOD HOPE**

First Respondent

**THE LAW SOCIETY OF THE CAPE OF
GOOD HOPE**

Second Respondent

**THE SECRETARY OF THE LAW SOCIETY
OF THE CAPE OF GOOD HOPE**

Third Respondent

THE MINISTER OF JUSTICE

Fourth Respondent

**THE ATTORNEY-GENERAL OF THE
CAPE OF GOOD HOPE**

Fifth Respondent

AFFIDAVIT

I, the undersigned **GODFREY PORTHEN** do hereby solemnly affirm and say:

1. The facts herein contained are within my personal knowledge and belief, unless it appears otherwise from the context, and are both true and correct.
2. I am an adult male residing at 1B Rastafari St, Freedom Farm Airport, Belhair, Western Cape. I am known as Ras Afa Negus.

3. I have been a practising Rastafari for over 20 years and a practising a member of the Nyahbinghi House of Rastafari for the past 10 years. I was appointed, annointed and ordained as a Priest of the Nyahbinghi House of Rastafari in 1997 by the High Priest of Jamaica, Bongo Thyme.
4. I have read the affidavit of the Appellant, Garreth Anver Prince, dated 22 January 2001 and confirm the contents therein insofar as they refer to me. I also confirm in particular, the contents of paragraph 3.9 relating to the Nyahbinghi House and confirm that we Nyahbinghi follow (or do our best to follow) all the practices, observances and rituals as followed by our Rastafari brethren in Jamaica and other countries.
5. I furthermore confirm the contents of paragraphs 4.1 to 4.12 inclusive, 5.1-5.5 inclusive, and 6.1-6.2 inclusive of the aforsaid affidavit relating to the usage of the holy herb by in particular, Nyahbinghi Rastafari, and by members of other Houses and genuine Rastafari who are not presently members of any House or other formal Rastafari organisation in South Africa.
6. I further confirm that members from the Universal Movement of Rastafari, the Twelve Tribes of Israel, the Emmanualites, the Burning Spear Movement and

other Rastafari who do not belong to established Houses or Rastafari formal organisations, often attend Nyahbinghi ceremonies and meetings at which I or other brethren officiate.

7. I pray for the day when our religion and its practices will be accepted in South Africa, and when I can consider myself a proud and loyal South African.

GODFREY PORTHEN

I certify that:

1. the deponent acknowledges to me that:
 - 1.1 he knows and understands the contents of this affidavit;
 - 1.2 he has an objection to taking the prescribed oath;
 - 1.3 he solemnly affirms that the contents of this affidavit are true and correct.
2. the deponent signs this declaration in my presence at CAPE TOWN on this 22 day of January 2001.

COMMISSIONER OF OATHS