

IN THE HIGH COURT OF SOUTH AFRICA

(DIVISION: KWA-ZULU NATAL)

In the matter between:-

Case #: M105/16

KATARÍNA KRIŽÁNIOVA

APPLICANT

And

Case #: M106/16

ANDRE MARTIN SLADE

APPLICANT

And

THE REPUBLIC OF SOUTH AFRICA PTY (Ltd) (Annexure 9),

DEPARTMENT OF HOME AFFAIRS, DEPARTMENT OF TOURISM,

SOUTH AFRICAN POLICE, UBOMBO MAGISTRATES COURT.

RESPONDENTS

FOUNDING AFFIDAVIT

Be pleased to take judicial cognizance that this Good Faith Public Notice is for all Jurisdictions and that this declaration of rights and all related communication is Executed Outside the Republic for Use Within the Republic in accordance with *rule 63 of the HIGH COURT OF SOUTH AFRICA* rules.

I, Yahshuah, on behalf of the undersigned,

ANDRE MARTIN SLADE

Do hereby state under Oath as follows:

Parties:

1.

My name is Yahshuah. I am acting agent on behalf of the Trust of ANDRE M. SLADE. I am a 54-year-old Hebrew Man who resides at Emoyeni, Sodwana Bay Main Road, Mbazwana, Kwa-Zulu Natal. Post: P. O. Box 1596, Mbazwana, 3974. Cell: 082 444 5841.

E-mail: author@wtfh.org

2.

I represent the applicants in this matter and all facts herein contained and stated are within My personal knowledge and are both true and correct unless otherwise indicated. I am competent to depose to this affidavit.

3.

I am a Laser Electronics Specialist by trade (Military). I have been awarded an SABS Design Award for Mechanical Design Excellence. I am also an Internationally Awarded wildlife photographer and the Author of the Book of *Revelation 10* by the name of *Where*

to from Here: Cognition. I have no Attorney as, according to *Rule 38 of the Constitution of South Africa*, I am allowed to defend Myself, My spouse and the Inhabitants of My country.

4.

Katarina Krizani, My Bride from Slovakia, is an EU certified Genius of Logic. She was internationally ranked number 33 in Her year of testing (Annexure 1). She has an IQ of 144. Logic is the gift of accurate reasoning and is a subject of Philosophy. Her value to Me as an author of the subject Humanity is irreplaceable. My published work needed objective verification and She was the only one who could do so due to Our similar way of thinking. People like her are very hard to find.

5.

Based on the ***Preamble of the Immigration act***, We thought that obtaining a residence permit for Her would be easy as Her credentials are superior to most. The DHA in Durban would not hear of Her application, they told Her to go to Richards Bay. In Richards Bay She was simply told to go home. They were not even willing to start a paper trail.

6.

Upon returning into South Africa on 28 March 2014 (Annexure 2) with Her parents, We got engaged, The official date being 31/03/2014. We started the process again with similar results. Having no official marriage documents, the DHA advised Us to advertise for the

position of co-author which We did. Our engagement is set for three years before We are allowed to seal our marriage by Hebrew tradition as We follow Torah law.

7.

We decided to carry on working on the the third and final publication of My book which was published on 10 October 2014 and take whatever comes Our way when it comes. SA detention law: “*section 34 of the immigration act* establishes the grounds and procedures related to the detention and deportation of “illegal foreigners.” it authorizes only immigration officers, who are part of the department of home affairs (DHA), to detain illegal foreigners for the purpose of deportation. It provides that such detention shall be at a place “under the control or administration” of DHA. Detainees must be notified in writing that they have been detained for the purposes of deportation, and upon request must be provided with confirmation that he or she has been issued a court warrant. If this is not provided within 48 hours, the detainee is to be immediately released. People detained for the purposes of deportation can be held for no longer than 30 days, a period that can be extended for 90 additional days upon issuance of a court warrant stating “**good and reasonable** grounds” for the extension. People detained for **immigration reasons other than deportation can not be held for more than 48 hours.**” According to *Rule 34 (d.) of the Immigration Act*, at the very worst it would have meant 3 months in jail for Her.

8.

On 18/08/2016 She was arrested for being an “illegal immigrant” on the grounds of *Rule 49. 1 (a.)* (case #: 68/08/2016). On Her hearing She pleaded not guilty on the grounds of

Rule 15. 3. a. (i.) of the Constitution of South Africa. She was offered bail but She declined on the principal of *Rule 12. 1. (a.)(b.) of the Constitution of South Africa.* She admitted that She was in the wrong according to Maritime law and that She was willing to serve the time if need be, to achieve Our goal of getting a residency permit for her. But according to *section 34* bail was not needed as She had to be released without bond.

9.

As could very well be imagined, the plead of “not guilty” raised eyebrows in court. The judge ruled that She be sent for psychological evaluation. The first attempt on 17/10/2016 failed as an intern psychologist used was inadequate for such an evaluation (Annexure 3). Laura Taylor was not allowed to make any recommendation as she was not qualified at that stage. This was after 60 days of detention. As result of her recommendation, a second evaluation was arranged at Fort Napier which started on 25/01/2017 for 30 days (Annexure 4). What a waste of state funds or is it prejudice? The state attorney insisted on Her detention while She awaits Her appointment. Miss Zikalala, the Legal Aid lawyer, did nothing to oppose this, even after We brought it to her attention.

10.

Katarina has been held in a holding-cell/prison ever since. On 1/12/2016, during a procedural hearing, I stood up to be heard wrt our legal status and legal rights. We are common law citizens as noted by UZA, the High Court of KZN and the Ubombo Court (Annexure 5). By then She had been incarcerated for 105 days exceeding maximum penalty for Her offense by 15 days. I was not allowed to defend Us contrary to *Rule 39. 1.*

(a.)(b.) of the Constitution of South Africa. I was ignored and spoken over, then ushered out of court once again. Miss Zikalala, pays no heed to *Rule 34. (d.) of the Immigration Act* or any Constitutional violations. She is either very poor at her job or prejudice. On the hearing that was set for 19/01/2017 spanning a period of more that 49 days between hearings, She tried to make the Judge aware of that but She was ignored. He was visibly aware of his previous mistake.

11.

RULE 10 of the Bill of Rights states that Our dignity has to be respected and protected. As Hebrews, We are most civilised of all. Our Tribe is one of the original 12 tribes of Israel known as The Tribe of Judah. We respect and expect to be respected in return; Annexure 6 is Our proof of that. My Bride has been detained in this holding cell/prison in Emanguzi, Northern KZN for 160 days on 25/01/2017. She has shared a cell with many others. During this time She was being harassed, assaulted and humiliated constantly. At times She stays outside in the courtyard. Sometimes for up to 7 days there is no water. She is deprived of toilet paper by an inmate who practices shembe rituals and is unbearably loud till late, She wore ear plugs. There is mold/algae growing down very old leaks from the taps and the shower floor is putrid, She showered with shoes on. When the lights work they are on all night; it was hard to sleep. Inmates steal food from Her and don't flush the toilet. These conditions of incarceration are in contravention of *SECTION 35 OF ACT NO 108 OF 1996 (Annexure 7)*.

12.

RULE 12. 2. of the Bill of Rights, the right to psychological integrity, is there to protect Us from being judged by ignorance. Above and beyond the emotional damage caused by Our separation, the judge has never met a Genius of Logic ever before, he is not capable of judging Her sanity. She only speaks what She knows to be correct and if She was allowed to speak, he would have known that as She is able to prove everything She states. His cognitive dissonance towards contrasting information is blatantly obvious. Logic is the gift of correct reasoning. Sending Her for psychiatric evaluation is a protocol procedure within Maritime law. "Doctors" in the system all "practice" meaning that they are doing experiments and are not 100% sure of anything. They are not at liberty to judge My Bride's or My sanity on the basis of Our belief. We do not support the medical industry as God is Our Doctor and He decides Our fate. She also has not signed any consent meaning that the court is in violation of this rule.

13.

RULE 14 of the Bill of Rights states that We have right to privacy. We were the Owners of Sodwana Bay Guest House and Our beliefs were very private to Us. The MEC for Economic Development and Tourism Sihle Zikalala laid complaints of hate speech, discrimination, possible tax evasion, and illegal trading at the Mbazwane Police Station before verifying them. Our statement based on Our Constitutional right of association of whom We do not accommodate (*Rule 18*) has brought about a branding of being "racists" by him and the media. In his public statement he falsely blamed Us of discrimination and racism. Annexure 6 will prove the contrary. He is therefore guilty of deformation of Our characters. Our intent was very far from that. Since then, We have been deprived of Our privacy, humiliated by the media and shunned by the people of South Africa.

14.

RULE 15. (1.) of the Bill of Rights says that We are allowed to believe what WE want. We believe that God put Us together for the purpose of being His two witnesses (*Revelation 11, Deuter 19: 15*) and Her being My Bride (*Revelation 19: 9*). We have proven with Our book, beyond any shadow of doubt, and thus fully believe, that I am the Anointed One/Christ, The Prince of Peace, and that She is My Queen (Matthew 12: 42, Luke 11: 31). We believe that My name is YAHSHUAH and Hers IMMAYAH and that We are The Sanctified Couple that completes Holy Trinity with YAHWEH God as in Father, Son and Holy Spirit, where IMMAYAH is the latter. We published the book to validate Our claim/belief. It is up to humanity to either accept or reject. However, according to *Rule 15 of the constitution* it is Our right to believe fully in what We have written by God's command in accordance to the TORAH and We do so without prejudice as We know it to be ABSOLUTE TRUTH. Our conscience makes Us speak only The TRUTH as The TORAH dictates to worship God only in TRUTH.

15.

RULE 15. (3.) (a.) of the Bill of Rights says that State law has to allow for and accommodate Our traditional marriage. We are following Biblical traditional law and the State system is connected directly to The Bible and God. That is why YOU use the phrase "So Help Me God" in YOUR courts because church and state are married. If Our family law is already part of YOUR laws, surely YOU have to allow for them. If YOU do not, it is perjury; not only from State but also from Church. State uses the Roman Catholic Jesuit

Maritime legal system governed by the Pope; confirmed by the Apostolic letter issued Moto Proprio of 11/7/2013 (annexure 8). As the Pope claims to be instead of The Son of God, his legal system must promote the Word of God, The Bible, which is founded on The Son of God and the basis of all juristic and natural law

16.

RULE 18 of the Bill of Rights grants Us the right of association. As the owners of Sodwana Bay Guest House, a sole proprietary not registered with tourism, We were free to choose with whom We associate. We stated that We no longer accommodate Blacks or Government agents. As Hebrews We have certain rules We adhere to with regard to what level and kind of association We have with other kinds. Myself and Katarina have Pure Spirits; We cannot be “racist” and We do not hate what God made. We only oppose those who defy Him irrespective of race, colour or creed. The word “racist” is described in Black’s Law (Maritime) dictionary as follows: “ RACISM? A set of policies that is exhibited by a person or persons toward a group of people of a different race...” which We do not have. It is described in Dictionary.com in its etymology as: “1932 as a noun, 1938 as an adjective, from race (n.2); racism is first attested 1936 (from French racism, 1935), originally in the context of Nazi theories” and We are not Nazi. Racism was invented to create “moral” dilemma and the word does not exist. Our morals are based on God’s instruction and We believe that We have been given more talents than others. One must be blind not to see that. It is Our right to choose to associate with creatures of equal spiritual elevation. We believe and The Bible confirms that We are servants of YAHWEH and Blacks are servant to Man. Annexure 6 will prove that We do not discriminate, We are rather symbiotic as We follow the law of God’s hierarchy. Besides, God is Creator of all which means He also

made the Black kind. As Elohim, We can only love what God created if they stick to His rules. The Heavenly Kingdom has strict hierarchy rules We follow. Birds of a feather, flock together; it does not mean they hate other birds.

17.

RULE 31 of the Bill of Rights grants the right to enjoy one's culture freely. It is Our culture to live pure lives. We do not consume GMO, chemical preservatives, beef, pork, lamb/goat or processed foods. We prefer pure garments of non GMO cotton or hemp. We do not handshake nor do We eat anything that God did not make that We are aware of. We are pure bred Hebrews with Family root history starting from Adam. We have withdrawn from YOUR system to follow Our root system as that is originally Our culture. YOU are therefore denying Us of Our constitutional right to practice Our culture (*UNHR Art 1,6,7,8*). If there is any "racism and discrimination" here, it is on the side of the State only.

18.

RULE 33 of the Bill of Rights says that everyone has a right to be treated within their law. If Our law is common law/God' Law, We are being denied the benefit of this. Our judgment is not fair or procedural. We therefore demand written reasons for these violations against Our rights (*Rule 33. 2*) and that National legislation be enacted to give effect to these rights (*Rule 33. 3*).

19.

a) RULE 35. 2. (d.) of the Bill of Rights. Everyone has the right to challenge the lawfulness of their detention and if unlawful be released. The detention of My Bride is based on a decision of someone who has never been in the company of superior intellect such as Hers. The decision to send Her for psychiatric evaluation does not automatically constitute detention (annexure 4) and has no grounds. In court, She has not been given an opportunity to state Her side of the case. I am also not allowed to represent Her contrary to **Rule 38. b of the BOR.** If We are not allowed to state Our facts to court, then how are We to defend Our rights. Ignorance breeds prejudice. If court is ignorant to common law and the legal system it employs, then it is also ignorant to the *BOR*. Prejudice to the *BOR* is a violation of the democracy of every South African. Her detention is in contravention of *section 34 of the Immigration act.*

20.

b) RULE 35. 2. (e.) of the Bill of Rights states that detention conditions have to be consistent with human dignity, including among others adequate nutrition and reading material. On the day of Her arrest (annexure 7), We told the arresting officer, Col P. T. Mbele, that We have special dietary needs as We are Hebrew. To date My Bride has not eaten one single meal that has been on offer in prison as it does not fall within Our dietary specifications. I was forced to take food to Her 3 times a week, a distance of almost 100km from Me. I had no choice but to hike as Our business is closed down and there has been no income other than small donations. The neighbors even help Us with vegetables and fruit. She was also denied the request for reading matter in the form of Bibles for inmates. I found a donor and managed to get 5 Zulu and 4 English Bibles to them. We had to write

letters to each other as the visits were only 10 minutes at a time. She handed me a letter and the police took it and read it, another constitutional violation.

21.

I contacted Fort Napier to find out what their rules and regulations are. We are more than 500 km away from there and I have no means of feeding Her. The food served in the hospital is not to our standard either, leaving Me with a huge problem. I have had to supply dry food to the kitchen at Fort Napier and they are cooking it for Her. Not only is Our diet driven by our belief but also physical intolerances on Her side.

22.

RULE 38 of the Bill of Rights gives Us the right to approach any competent court if a right has been infringed or threatened. We have submitted four complaints to the Constitutional court, two to HRC, two to Public Protector and now to UNHRC but have had no response other than notary. Mr Nditsheni Raedani from the Public Protector telephonically said that he sees the violations but still did nothing. SAHRC said they would investigate then went quiet. We therefore seek appropriate relief from Your court as follows:

(a.) That legislation be amended and adopted to accommodate Hebrew Laws and traditions with Our own Declaration of Rights.

(b.) That Katarina Krizaniova be granted a residence permit.

(c.) We seek public media apology.

(d.) That all charges against Us be dropped and Her evaluation canceled.

(e.) That We are compensated for Our suffering and loss of income.

If any of this is not achievable, We seek your reference to higher court or tribunal.

23.

RULE 39 of the Bill of Rights is a command to courts to promote the values of an open and democratic society. As the Maritime legal system is private corporation law, democracy does not exist within it. It is therefore imperative that courts take this and international law into account when addressing juristic public who are not part of that corporation. Courts are therefore compelled to accommodate every common law situation that may arise. This is not the case with Our engagement/marriage. This Bill also does not deny the existence of Our tradition and Family Law as it is based on Human Dignity and Biblical values and state has to be loyal to that as they are one with Church.

DEPONENT

I certify that the deponent has acknowledged that He understands the contents of this affidavit which was sworn to before me at Mbazwana on this the ___th day of January 2017. That the same are true and correct to the best of His knowledge. That He has no objection to taking this oath which He also considers binding on His conscience and uttering the words “So help me God”

(Signed) _____

COMMISSIONER OF OATHS

Full names: _____

Capacity: _____

Address: _____

The New Kingdom