

# RIOTS & DISTURBANCES - CAPE

July 1987  
MKI/resolut

1989

JANUARY — JUNE\*

Grant	Date of Visit	Department	Sponsor	Visiting Lecturer
R600	18.8.87 - 21.8.87	Criminal & Procedural Law	Prof I Leeman	Prof D Griesen
R200	September 1987	Percy Fitzpatrick Inst.	Mr N J Adams	Prof R Ricklefs
R800	22.10.87 - 24.10.87	Radiotherapy	Prof R Sealy	Prof Dr H S Reinhold

The following awards have been made within the budget set aside for the purpose of bringing to UCT from within Southern Africa the Visiting Lecturers named:

(a) Senate Visiting Lecturers Fund

The Visiting Scholars Fund Committee reports as follows:

## RESOLUTIONS FROM THE VISITING SCHOLARS FUND COMMITTEE

# SHARK SCARE

## Swimmers stone rescue choppers

APR 7 1989  
3/11/89  
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By PATRICK COLLINGS

**AS a large concentration of sharks gathered near Muizenberg beach this weekend, holidaymakers ignored lifesavers — and, in separate incidents, stoned two John Rolfe helicopters on rescue missions.**

Bathers at Muizenberg's main beach hurled abuse at lifesavers and refused to listen to instructions to leave the water after seven sharks — including two great whites — were spotted 120m from the beach on New Year's Day. One shark came within 20m of a bather, said spotters.

The scene was repeated yesterday when swimmers again ignored instructions to leave the water after a confirmed sighting of a two-metre shark. One lifesaver had shells thrown at her when she tried to get bathers to leave the water.

### Helicopters may be withdrawn

Helicopter rescuers had a rough time of it when: ● At Monwabisi beach, near Khayelitsha, a John Rolfe helicopter was stoned while trying to rescue three people — one of whom died.

● An unruly crowd in Durban threw bottles and other objects at a rescue helicopter trying to airlift an injured man from a beach.

● Thousands of Port Elizabeth beachgoers converged on a helicopter as it landed to drop off a lifesaving team. Throngs of people touched the side of the helicopter apparently oblivious to the swirling blades, forcing the pilot to take off.

Yesterday the national helicopter officer of the SA Surf Lifesaving Association (SILASA), Mr Johnny Liebenberg, said the provision of future rescue services would have to be carefully reconsidered. A spokesman for the Western Province Surf Lifesaving Association (WPSLA), Mr Eddy Cassar, last night warned that if people continued to ignore and hinder rescue personnel it would lead to a loss of life.

"Lifesavers never cry wolf — they are trained in the local conditions and know what to do if condi-

year, when sea temperatures were warmer and many young seals were to be found in the waters around Seal Island, he said.

"Perhaps we must start a massive winter education programme to tell people what the WPSLA does and that we are on their side," he said.

Shortly after 5pm on Saturday lifesavers at Muizenberg spotted two sharks near the main beach. A helicopter was called in to help clear the beaches. Four hammerheads, two great whites and another large shark were spotted swimming 120m off the beach.

A Johannesburg visitor, Mrs Edwina Smith, said she had been shocked at the attitude of swimmers.

"People were hurling abuse at the lifesavers and refusing to listen. Those boys risked their lives when they went into the water to get people out — they knew there were sharks there and the public just wouldn't listen."

Less than an hour later the helicopter responded to a call that three people had been swept past the tidal pool at Monwabisi beach, near Khayelitsha.

"By the time the helicopter reached the beach a municipal lifesaver had dragged the people — two women and a man — from the water," Mr Cassar said.

A rescue team tried for 20 minutes to resuscitate the man. Lifesavers were joined by Metro

personnel who said there was nothing more they could do for him.

"At this stage people at the back of the crowd of about 2000 to 3000 started throwing stones at the men and the helicopter. The lifesavers returned to the helicopter and flew back to their base."

Mr Cassar added that the whole time the helicopter had been on the ground people had come dangerously close to the rotating blades.

It is estimated that more than 150 000 people packed the False Bay beaches from Monwabisi to Muizenberg on New Year's Day.

The Cape Times correspondent in Durban reports that an unruly mob estimated at 1000 refused to allow a helicopter to land and airlift an injured man to hospital.

A helicopter officer pleaded with the crowd to move away so that the man could be resuscitated. Instead of responding to the plea, the crowd threw bottles and other objects at the helicopter which was forced to take off.

The man was later taken to hospital by ambulance.

From page 1  
tations change. Our lifesaving is preventative, not waiting until something goes wrong," Mr Cassar said.

He said the WPSLA would take steps to try to prevent a repetition.

The high concentration of sharks off beaches along the False Bay coastline, including Muizenberg, was not unusual for this time of the

# Attacks on rescue choppers: were bathers confused?

CAPE TOWN — Police yesterday appealed for information on the stoning of rescue helicopters on Cape and Natal beaches — amid suggestions that the incidents could have been triggered when bathers confused the rescue aircraft with police helicopters.

Leon Mellet, a spokesman for Law and Order Minister Adriaan Vlok, said yesterday the stoning incidents had not been officially reported.

Sapa reports he appealed for information on those who hurled objects at rescue helicopters, saying: "We need

Own Correspondent

information on these attacks because we want to stamp it out completely. Should any attacks occur in future, we also appeal to the public to contact us immediately."

The John Rolfe rescue helicopter was stoned by a crowd at Monwabisi Beach on New Year's Day, after attempts to resuscitate a drowning victim failed. A John Rolfe helicopter in Durban was also stoned on New Year's Day.

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Meanwhile, the public relations officer for the Western Province Surf Lifesaving Association, Eddy Cassar, said yesterday he had spoken to lifesavers who had been present at the stoning incident and had been unable to pinpoint anything which could have antagonised the crowd.

Cassar said the stoning had probably happened because of malice or ignorance and because the colour of the rescue helicopter was similar to that of a police helicopter.

"We need to make people aware of the helicopter and what it does."

The helicopter beach rescue service would not be discontinued as a result of the stoning incident, he said.

"However, throwing bottles, stones and shoes at the helicopter is a highly dangerous practice and if the aircraft crashes on a crowded beach, many people could be killed or injured."

Cassar also called for a preventive lifesaving campaign on the stretch of beach between Muizenberg and Monwabisi, where as many as 150 000 people could be gathered at one time.



# Stonings: Chopper taken for police?

Optic Times 4/1/88

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Staff Reporter

POLICE yesterday appealed for information on the stonings of rescue helicopters on Cape Town and Natal beaches — amid suggestions that the incidents could have been triggered when bathers confused the rescue aircraft with police helicopters.

Brigadier Leon Mellet, a spokesman for the minister of law and order, said yesterday that the stoning incidents had not been officially reported.

He appealed for information on the people who had hurled objects at the rescue helicopters. "We need information on these attacks because we want to stamp them out completely."

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sar, said yesterday that he had spoken to lifesavers who had been present at the stoning incident and had been unable to pinpoint anything which could have antagonised the crowd.

Mr Cassar said that the stoning had probably occurred because of malice or ignorance and because the colour of the rescue helicopter was similar to that of the police helicopter.

"We need to make people aware of the helicopter and what it does — perhaps by going to schools along the False Bay coast and showing the children the helicopter. This programme will take time to develop and it also needs money and support," he said.

The helicopter beach rescue service would not be discontinued as a result of the stoning incident.

"But throwing bottles, stones and shoes at the helicopter is a highly dangerous practice and if the aircraft crashes on a crowded beach many people could be killed or injured" he said.



**Guguletu 7: No  
court date set**

*4/1/89*  
THERE was no certainty yet as to whether the inquest magistrate, ordered to reconsider his decision on the controversial killing of seven alleged guerillas by police in Guguletu two years ago, would allow verbal evidence.

This was said yesterday by the assistant senior prosecutor at Wynberg Magistrate's Court, Mrs Sandra Swart, in reply to a query for a court date for the re-opening of the inquest into the deaths of the seven alleged ANC members.

She said the inquest magistrate, Mr G Hoffman, would begin studying additional evidence collected by the attorney general's office before deciding on a court date.

In November 1986 Mr Hoffman found, on sworn affidavits only, that all seven men died from bullet wounds sustained "in police activity for the combating of terrorism".

5/1/89

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# Strict security at Sawuka show

Cape Times, Thursday, J

**CONCERT KNIVES** ... Mr Kenny Uytendogaardt with some of the 59 knives confiscated at the Stimela concerts at the Good Hope Centre on Thursday and Friday last week. Mr Uytendogaardt, the managing director of the security firm which confiscated the knives, said there had been no incidents at the concerts. People had said they were carrying the knives for "protection".

**By CHRIS BATEMAN**  
**VIOLENT** and unruly crowd behaviour and two murders in full view of spectators last year have resulted in sophisticated security measures at the Good Hope Centre for tomorrow's Savuka concert.

A compilation of security companies will cost the sponsoring company, Pepsi, nearly R13 000 — more than double the cost only six months ago.

For this the sponsors get at least 50 security guards, mostly in plain-clothes, hand-held metal detectors, sniffer dogs at entrances and "a subtle low-profile approach".

With Savuka's 9pm concert already sold out (7 000 tickets) and 20% of the 6pm show tickets sold by late yesterday, the group is virtually assured of drawing this festive seasons' biggest crowd.

Picture: OEBD ZILWA



Mr Kenny Uytendogaardt, managing director of the security firm, said that at Stimela's concert at the Good Hope Centre last weekend, metal detectors had netted some 63 knives while dogs sniffed out dagga on several fans.

Stimela's request was that they confiscate the drug and not risk provocation by arresting people. However, his men had no power to prevent police arresting people, he added.

Stimela beefed up security after thugs disrupted their concert at the Good Hope Centre last December.

Subsequent incidents at Peninsula concerts were the stabbing to death of one man and wounding of two others at a Lucky Dube and Yvonne Chaka Chaka performance at the GHC on June 25 last year and the knifing to death of a security guard at a Brenda Fassie concert at Athlone stadium on December 12.

January 5, 1989 3



Johnny Clegg

## Man found burnt to death <sup>775</sup>

*Chk Tran 10/1/89*  
BISHO. — The charred body of a white man who police believe was burnt to death with the help of a flaming tyre was found near Balfour in Ciskei yesterday morning.

A Balfour police spokesman confirmed the incident but declined to reveal the man's identity.

He said the body was found by a herd boy as he drove his cattle to nearby grazing and the man's vehicle was also discovered nearby. The victim's upper body had been burnt with what seemed to be a tyre. — Sapa



# Killings: Papers handed to court

Cape Times 14/1/89

Staff Reporter

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DOCUMENTS relating to the controversial killing of seven alleged guerillas in Guguletu more than two years ago were yesterday handed to the magistrate who presided over the inquest into the killings and who has been ordered to re-open the inquest.

Mrs S Swart, assistant senior public prosecutor at the Wynberg Magistrate's Court, yesterday said she had handed all the documents relating to the case to the magistrate, Mr G Hoffman.

Mr Hoffmann is to read the case file prior to announcing a new date for the re-commencement of the inquiry.

The attorney-general, Mr Niel Rossouw, announced in December last year that the inquest had been re-opened "in the public interest".

In the original inquest in November 1986, Mr Hoffmann made his findings on sworn affidavits only and concluded that all seven men died from bullet wounds sustained "in police activity for the combating of terrorism".

The shootout between the police and the seven alleged guerillas outside a Guguletu men's hostel in March, 1986, and the subsequent publication of eyewitness reports by the Cape Times, caused controversy.

Former Cape Times deputy news editor Mr Tony Weaver was charged with making untrue statements about police in an interview to the BBC but was acquitted in September 1987.

His acquittal prompted an investigation into questions raised by his trial.

EMERGENCY UPDATES

Accus 16/1/89 (275)

Bus stoned.  
Woman injured

PRETORIA. — A woman was injured when a bus was stoned in Guguletu, according to the latest unrest report issued by police.

At Shongweni in Natal, a woman was shot and another wounded by a crowd.

At Kwamashu in Durban, a house was damaged during a petrol-bomb attack.

At Mxamalala, Natal, five black men were slightly injured when a bus was stoned.

— Sapa.

ARGUS 18/1/89

# 'Nothing done' in tense school situation

Staff Reporter

AT the start of the new school year the State, the Labour Party and the Department of Education and Culture have done nothing to defuse the tense situation in schools, says Mr Yusuf Gabru, an educationist and mathematics co-ordinator at Khanya College.

Actions by the authorities that had led to a "serious situation" in education included the victimisation of progressive teachers; the banning of the Western Cape Teachers' Union, the Democratic Teachers' Union (Detu) and the Western Cape Students' Congress (Weesco); and the demotion of scores of acting subject heads of department with loss of pay and consequent administration problems.

The large pupil-teacher ratio was another problem not addressed, said Mr Gabru.

## ACTING HEADS

Mr Gabru said the latest issue was the removal of acting-heads of departments.

"This is a move by the department (of Education and Culture in the House of Representatives) to control promotions in a more thorough fashion," he said.

"At one school applications by the acting-heads for the permanent head of department posts were approved by the principal but denied by the department.

"Now a teacher from outside may be getting the head-of-department post, whereas a teacher already on the staff may have done the job in an acting capacity for years."

## CUT DOWN

Mr Thinus Dempsey, a spokesman for the department, said acting-heads of department, who were paid more for holding the positions, had been removed as a budgetary measure.

"We needed to cut down on expenditure and we sent around a circular about this in October last year," he added.

"Now all teachers teaching a particular subject will have to share the duties of the head of their department.

"It wasn't a question of cutting back left and right."



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Senior councillors Mr Ian Farlam (left) and Anton Lubowski outside the Upington Magistrate's Court.

# 25 face gallows for mob killing

(275)  
Star 7/1/89

UPINGTON — A sentencing hearing began yesterday for 25 blacks who could face the death penalty for their alleged complicity in the mob killing of a policeman.

The so-called Upington 25 are believed to be the largest group ever convicted in a South African murder trial.

## BURNT

The Upington 25 were convicted of murder last year for the November 13 1985, killing of a black policeman, Mr Lucas Sethwala, who was assaulted and set alight by members of the mob after they chased him from his house.

Evidence presented at the trial identified four of the 25 as the men pri-

marily responsible for the assault that killed Mr Sethwala. Mr Justice J J Basson convicted the remaining 21 because he said they shared the same intent.

The group began attacking Mr Sethwala and his house after police broke up a rally protesting against a rent increase and other grievances. Black activists have attacked hundreds of black policemen in recent years, saying they are collaborators of the Government.

The Upington 25 have received scant publicity because the town is located in the isolated north-western part of South Africa, far from any major cities or media outlets.



A policeman stands guard at the Upington Magistrate's Court yesterday.

The Upington 25 range in age from 21 to 64 and include three women. All are from Paballelo, a black township on the edge of Upington. — Sapa-AP.

# Mob murder mitigation hearing

UPINGTON — A hearing in mitigation of sentence for 25 people who could face the death penalty for their complicity in the mob killing of a policeman began here yesterday. *S1 Day 7/2/89*

The so-called Upington 25 are believed to be the largest group ever convicted in an SA murder trial

Their case is similar to that of the "Sharpeville Six", who were reprieved from the gallows last year by President P W Botha after international protest.

In both instances, the prosecution was unable to show that most of the defendants physically contributed to the killing. However, the judges found the defendants guilty under the doctrine of common purpose, which holds them responsible because they were part of a

crowd that intended to kill the victim. The Upington 25, ranging in age from 21 to 64, were convicted of murder last year for the killing on November 13 1985 of a policeman, Lucas Sethwala, who was assaulted and set alight by members of the mob after police broke up a protest rally. *(275)*

Evidence presented at the trial identified four of the 25 as the men primarily responsible for the assault that killed Sethwala. Mr Justice Basson convicted the remaining 21 because he said they shared the same intent.

During the hearing, defence lawyers will call expert witnesses to argue that the judge should not impose the death sentence because of extenuating social and political factors. — Sapa-AP.

## Top ANC man's appeal is refused

*S1 Day 7/2/89*  
PRETORIA — Senior ANC member Ebrahim Ismail Ebrahim, who was convicted of treason last year, was yesterday refused leave to appeal against his 20-year sentence when he appeared in the Pretoria Supreme Court.

Mr Justice Daniels refused the application by the regional commander of the ANC in Swaziland and one of the first members of the ANC's military wing, Umkontho we Sizwe.

Leave to appeal was also refused to Swazi citizen Simon Dladla against his 12-year sentence for terrorism and Acton Maseko's 23-year sentence for treason. Both were involved in terror attacks in Volksrust and Breyten in 1986. — Sapa.

## Man charged with murdering child

SUSAN RUSSELL

A MAN has pleaded not guilty in the Rand Supreme Court to murdering his two-year-old son.

Isaac Mohammed, 24, of Western Coloured Township, is charged with murdering his son Marvin Louw at his mother Isabel Louw's home in Eldorado Park in August 1987.

His defence is that he accidentally stood on the child in the dark.

The State alleges on the night of the death, Marvin screamed once while alone with his father. Mohammed handed the child back to his mother and left, dressed only in his underclothes.

Two more

10 MINUTE V WORD 7000

# Man wounded in shoot-out with police

DURBAN. — A man was wounded in a shoot-out with police at Kwamakhutha, near Amanzimtoti, early yesterday and police seized two firearms.

A spokesman for the KwaZulu police said that a SADF patrol approached a house in the area and shots were fired at them. Reinforcements were called in and a suspect fled from the house. He was shot in the legs. Police searched the house and found two guns — one a homemade firearm.

The wounded man has been admitted to Prince Mshiyeni Hospital at Umlazi. In their overnight unrest report the SAP said yesterday that the bodies of five black men, who had all been stabbed to death, were found at Klaarwater, Durban. At Heideveld a group of people stoned a private vehicle. One of the passengers fired a shot at the group, fatally wounding a coloured man. Three men were arrested. At Marianridge, Durban, police used tearsmoke to disperse an illegal gathering. Two men were arrested. — Sapa



Area 8/2/81  
West keeps  
watch on

## 'Upington 25'

### Political Staff

WESTERN diplomats are closely watching the outcome of a trial in Upington where 25 black people have been convicted of murder.

"There are parallels with the Sharpeville Six," said one diplomat, who acknowledged intense interest in the proceedings. Defence lawyers were expected this week to lead evidence in mitigation.

The Upington 25 were convicted by Mr Justice J J Basson last year for the mob murder of a black policeman who was assaulted and set alight after being chased from his house on November 13 1985.

Like the Sharpeville Six, the Upington 25, thought to be the largest group convicted in a murder trial, were found guilty under the doctrine of "common purpose".

### OUTCRY

The prosecution was unable to show that most defendants actually dealt the blows or lit the matches. They were convicted, however, because they were part of a crowd intent on killing the victim.

A diplomatic source said there would be an international outcry if they were sent to the gallows.

Evidence identified four of the 25 as primarily responsible for the assault on the policeman, Mr Lucas Sethwala. The group attacked him after police broke up a rally protesting against rent rises.

ARCS 9/2/88 (275) (R) (S) (S)

# Cheers as two are sentenced to death

DURBAN. — There were cheers of "amandla" in the Durban Supreme Court after two Inkatha men from Lindelani were sentenced to death for the "slaughter" of seven KwaMashu youths.

Emmanuel Khanyile, 34, and Bhekani Wilfred Phewa, 31, were yesterday found guilty by Mr Justice Broome and two assessors of murdering the youths, aged between 15 and 17, on March 16, 1987.

The court found there were no extenuating circumstances and that it had been a "well-executed and well-organised slaughter".

The judge said the killings were deliberate.

He said the children were made to leave the kombi they had been forced into at the Ntuzuma cemetery and told to walk in twos, holding hands. They were surrounded and then brutally massacred.

Khanyile and Phewa, who were employed as community guards in Lindelani, were each sentenced to seven years jail for the attempted murder of Mr Duncan Tabo Mntambo.

They were also convicted on eight counts of kidnapping.

Lucky Mtshali, 30, Thami Ndlovu, 18, Sifiso Lawrence

Mavuso, 18, and Dennis Victor Mchunu, 40, were convicted on eight counts of kidnapping.

Khanyile and Phewa were found to be party to the indiscriminate capture of the eight boys and one girl, some of whom were seriously assaulted.

The judge said the tenor of the evidence had been that any child who could be captured was caught — regardless of whether or not he was a trouble-maker.

Defence counsel for the men, Mr K Kemp, said a state of virtual civil war, mainly due to clashes between Inkatha and

the United Democratic Front, had existed in Lindelani, KwaMashu and Ntuzuma at the time of the killings.

Mr Kemp said it was clear the actions of the men, who were members of Inkatha, were part of the general political struggle between the rival organisations.

Mrs M Steyn, for the State, said there were no extenuating circumstances.

Sentence on Mtshali, Ndlovu, Mavuso, Mchunu and Sipho Dube, 31, who was convicted of being an accessory to the murder, will be passed today. — Sapa

# Upington 25 back in court for sentencing

The Argus Correspondent

PRETORIA. — The case of 25 Upington residents convicted of murder and one of attempted murder has resumed after a six-month adjournment.

The defence team applied for an adjournment last June to prepare evidence in extenuation of sentence.

In terms of South African law, if somebody is found guilty of murder without extenuating circumstances it is mandatory to impose the death sentence.

Professor G A Tyson, head of the University of the Witwatersrand's division of experimental psychology, this week was the first witness to testify on crowd behaviour in extenuation of sentence.

Although their case has become known as that of the "Upington 25", 26 people were accused of murdering Constable Lucas Sethwale on November 13 1985 in Upington's Paballelo township.

Twenty-five accused — the largest group yet convicted of murder in a single South African trial — were convicted of murder, while another was convicted of attempted murder.

The Upington 25 case bears a similarity to the Sharpeville Six's trial as the 25 accused were also convicted on the basis of common purpose.

The Sharpeville Six — five men and a woman — are serving terms of 18 to 25 years' after President Botha showed clemency amid an international furore at their death sentences.

In the Upington 25 case the court found that most of the accused active-

ly shared the same intent to commit murder.

Most of the accused were found to have taken part in stoning Constable Sethwala's house and thereby associating themselves with the common purpose of the actual perpetrators of the murder.

The accused, who pleaded not guilty to charges of murder and, alternatively, of public violence, were convicted of murder last April following an 18-month trial.

The trial was held in camera until February 1988 because some accused were minors.

## Former mayor

The 26 accused are aged between 21 and 63 and include three women and three sets of brothers.

Paballelo's former mayor, Kenneth Khumalo, 33, is accused No 1 and was working as the town council's treasurer at the time of his arrest. He has been released on bail.

The others convicted are Tros Gubula, 29, Abel Kutu, 26, brothers David, 23, and Andrew Kekhanyane, 27, Gudlani Bovu, 28, Zuko Zabendlini, 31, Elijah Matshoba, 22, brothers Barry, 22 and Justice "Basie" Bekebeke, 26, Zonga Mokgathal, 30, and brothers Ronnie, 21 and Wellington Masiza, 26.

Also Boy Jafta, 23, Xoliswa Dube, 21, Elizabeth Bostaander, 20, Evelina de Bruin, 54, Gideon Madlongolwana, 59, Xolile Yona, 23, Albert Tywilli, 26, Jeffrey Sakeya, 23, Sarel Jacobs, 21, Roy Swartbooi, 21 Neville Witbooi, 20, and Ivan Kazi, 21.

Enoch Nonpondwana, 33, was convicted of attempted murder.



# 'Attacks' led to raid in New Crossroads

TUESDAY'S pre-dawn police raid in New Crossroads had been necessary because of the number of armed attacks on security force patrols in the township over the past year, the Ministry of Law and Order spokesman said today.

He was reacting to Archbishop Desmond Tutu's description of the raid as "absolutely disgraceful."

The spokesman said graffiti on the walls in New Crossroads had showed "certain radical el-

ements" were in the area. During the past year there had been a number of armed attacks on security force vehicles on the road between KTC and New Crossroads.

Fifteen people had been arrested during the raid, which lasted from 3am to 6.15am.

Arrests had been made for dealing in and possession of dagga, illegally dealing in liquor, and the possession of suspected stolen property, including a light delivery van.

Fifty kilograms of dagga and

suspected stolen property had been confiscated.

Police had tried to gain the cooperation of residents by distributing pamphlets detailing the reasons for the raid, and were well-received by residents. — Sapa

# 'Upington 25' draw media interest

By MARIUS BOSCH

UPINGTON. — Considerable international attention has been focused on the small courtroom in this sun-baked Northern Cape town where 25 residents of Upington's Paballelo township face the death penalty for the murder of a policeman in 1985.

Every day this past week about 130 relatives and friends of the "Upington 25" packed the court, some even sitting on the floor.

Evidence in mitigation of sentence is being led at present.

The trial is a daily topic of discussion in Paballelo but white Upington residents hardly know that the trial is on.

CAPE TIMES 11/2/89 (775)

Relatives are allowed to bring food to the accused and bags of food are left at the entrance of the court to be searched by police before being handed to the accused.

Relatives were hopeful that extenuating circumstances would be found, Mr Leslie Yona — whose brother is one of the accused — said yesterday.

"We can only hope for the best."

Ms Joyce Mokhesi, whose brother is one of the Sharpeville Six, yesterday told the families of the accused that there was very strong interest in the trial abroad.

The Sharpeville Six were sen-

tenced on the basis of inferred common purpose.

Ms Mokhesi, who lives in London, said she was monitoring the trial because of the similarities to the Sharpeville Six trial.

Defence attorney Ms Andrea Durbach said the trial had received considerable media attention in foreign newspapers this week.

"We expect the trial to continue for at least a further two months."

For the past week an expert on crowd behaviour, Prof Graham Tyson of the University of the Witwatersrand, has been giving evidence for the defence.

The state will continue with cross-examination on Monday.

# Detectives kick about peace plan for Cape Flats

Staff Reporter

DETECTIVES in Guguletu are trying to cement a shaky truce between rival gangs by organising a regular weekend soccer tournament between opposing teams.

The detective chief for the area, Major Johan Kleyn, said yesterday that he had spoken to members of the Adderley gang earlier this week. Individual members were "extremely positive" but he had yet to contact the leadership of allied gangs and their main opposition, the Ntsaras.

"The Ntsaras haven't got boots and jerseys, I'm told, so we'll have to see what we can rustle up," he said yesterday.

The newly-appointed Guguletu detective chief last month initiated two "peace pacts" between the groups, whose two-year war has claimed more than 20 lives.

The "gang watch" patrols have provoked a warning from police that they would not hesitate to charge all members of any group seen to be involved in any criminal activities. However, senior detectives stopped short of clamping down on all such patrols.

Major Kleyn said he was unaware of any civic patrols this week. He added that he had set up further meetings between both concerned parents and rival gangs.

"The soccer thing will hopefully provide them with something constructive to let their steam off."



# Trojan Horse? Cops charged

Vatican hints at SA visit

By JEREMY BROOKS  
London

TEAR signals that Pope John Paul II intends to visit South Africa either next year or early in 1991 were made this week at the Vatican. The pope's visit to South Africa is being seen as a document of reconciliation as well as a political statement. Cardinal Roger Etchegaray - a Frenchman - was asked in Rome on Friday whether the 44-page document was a possible prelude to a visit - officially denied by Vatican spokesmen after speculative reports appeared on Wednesday.

"Certainly," he said, "but I cannot tell you what the Pope is or is not thinking."

The document gives certain approval to sanctions.

By NORMAN WEST  
Political Reporter

## Plan to 'implode' Indian House

PRESIDENT P W BOTHA will have to decide soon whether to call a snap election for the troubled Indian House of Delegates at their own request.

If he does, it could damp this House into a second election within months when simultaneous elections are held for all three Houses of Parliament.

This follows a carefully orchestrated plan by the two-party opposition Alliance in the House to deliberately "implode" it and so force Mr Botha allegedly involved in improprieties to face the business as usual.

The motive is to force these MPs to give public account for their actions over the past four years, when they seek fresh mandates. It is hoped, say sources, that this would help to "clean up" the House and restore stability.

The London Ministers Council will ask Mr Botha (or Acting

Chairman) to dissolve the House after it votes tied 21-21 because it had no clear ruling majority.

In a most dramatic day two attempts to have the disgraced leader of the National People's Party, Mr Amichand Rajbanshi, permanently banned from Parliament failed when the House tied on the issue.

On the second occasion, the Chairman (Speaker) Mr Salem Abrum-Mariet, following parliamentary tradition, used his casting vote to negate the motion so that it could be reintroduced in a revamped form.

But on another occasion the House, with the help of two PFP MPs, Mr Pat Poovlingam and Mr Mamood Rajah, voted 22-20 in

favour of a motion by the leader of the official Opposition Solidarity Party, Dr J N Reddy, calling for early elections.

Dr Reddy's motion called on the Ministers Council "to consider holding fresh elections" for the House of Delegates.

This meant, in fact, that the Ministers Council will decide next Thursday whether to ask the President to dissolve the House and call for early elections. In addition to mandatory elections for all three Houses which the President must call before March next year.

Only the Minister of Local Government and Agriculture, Mr S V Naicker, a member of Mr Rajbanshi's NPP, voted against early elections.

The four other Ministers confirmed they would press for early elections, even if they were to face a second election within months.

THIRTEEN policemen involved in the notorious "Trojan Horse" shooting incident at the height of the unrest four years ago are to appear in the Supreme Court on murder charges.

This was confirmed yesterday by attorneys acting for the parents of two youths killed when police - hidden in crates on the back of a truck - fired on a crowd in Cape Town's riot-torn suburb of Athlone.

Said attorney Mr Gary Jansen: "The 13 policemen have been summoned to appear in the Cape Town Supreme Court on August 1 on murder charges."

The families of the victims believe justice is at last being done.

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By MANDLA TYALA

IT WAS the first anniversary, almost to a day, of the abortive coup in Bophuthatswana this week when a father of two stunned the Mmabatho Supreme Court with a plea of guilty to high treason.

Sergeant-Major Matilo Jimmy Phiri, 32, taking responsibility for the "commission of certain acts and activities by members of the Bophuthatswana Defence Force (BDF) which were calculated to overthrow the Government of Bophuthatswana," cited growing corruption, nepotism and the absence of democracy in President Lucas Mangope's regime as reasons for his action.

Listing the alleged State malpractices he said he had witnessed Sgt-Maj Phiri, who was commander of a regiment of the Bophuthatswana national security unit, said he was not hostile to Bophuthatswana as a republic but only towards Mr Mangope's government.

The 165 soldiers charged with Sgt-Maj Phiri have all pleaded not guilty on the basis that they followed instructions from their seniors.

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Charges against a further 21 were dropped this week and eight high-ranking officers of the BDF are to be tried separately on April 3 for their role in the attempt.

announcing the overthrow of government be broadcast.

"I considered that my action was necessary because, owing to the manipulation of the elections by the government and the consequent impossibility of voting the government out of power, there was no alternative but to depose the government by force."

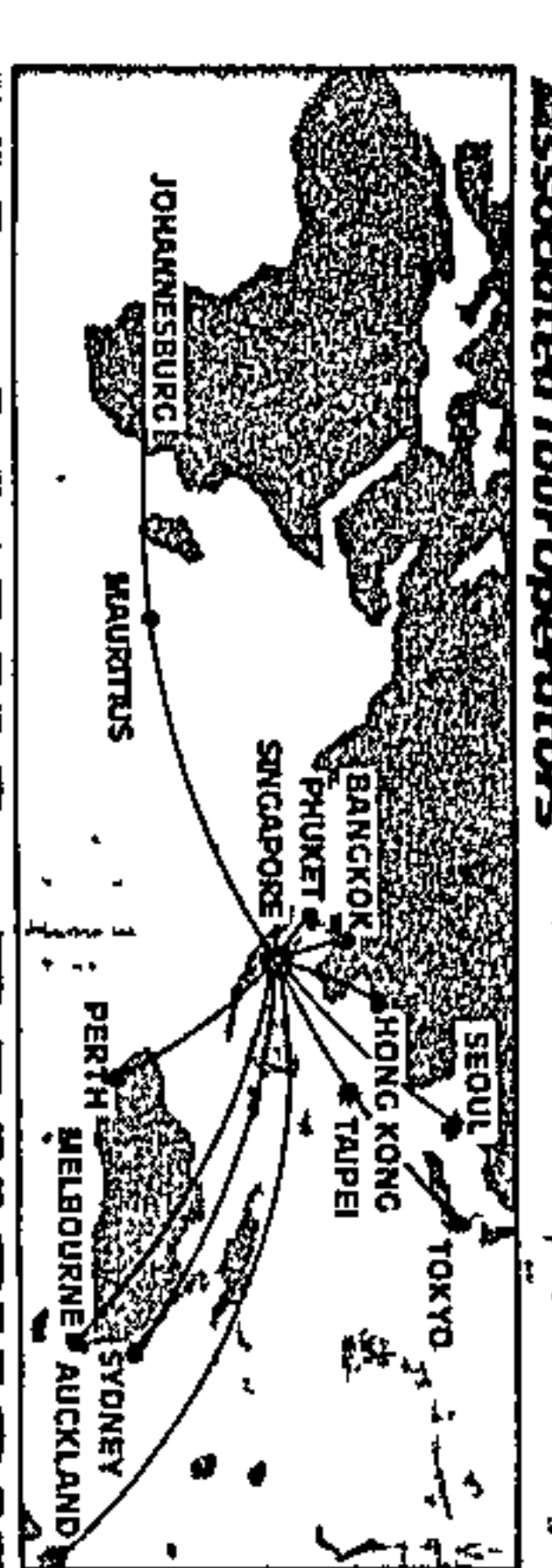
"I deny that in planning this operation I conspired with any of the other accused in this case."

He said he was particularly irked by the manipulation of the general elections of 1987, Unilateral confiscation of land by the government in certain instances from tribal authorities and other owners without any adequate compensation.

• Misappropriation of public funds.

• Corruption in the awarding of tenders, the granting of licences and generally in the commercial and business fields.

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## Sol fights back

From Page 1

real prepared to ride out the controversy.

Mr Kerzner is proud of his achievements. "I feel I have contributed to all my companies and to the countries of southern Africa.

"For years I have endured abuse and controversy in different parts of the world because of my SA roots. I have never denied my background. I still regard myself as South African. All my closest friends are in SA."

Work

Mr Kerzner said he would spend a few weeks, possibly a couple of months, completing work for Royale Resorts before handing over as chief executive.

That would end all his ties with the international gambling empire.

By HAMISH McINDOE

FAMILIES of dead youths in private prosecution

THIRTEEN policemen involved in the notorious "Trojan Horse" shooting incident at the height of the unrest four years ago are to appear in the Supreme Court on murder charges.

Bloodshed

As the events of February 9 and 10 1988 were reconstructed in a courtroom newly built and specially designed to accommodate the nearly 200 accused, it emerged that some of the participants had foreseen danger that would befall them.

Also coming out of one of the meetings was displeasure with the soldiers' pay of R340 a month - "It's only transport money. If you live in Thaba Nchu" - and the fact that whites got better treatment at the Bophuthatswana military bases.

In his statement Sgt-Maj Phiri admitted giving instructions to members of his security unit and other soldiers to detain President Mangope and various Ministers should rather kill him.

The Commissioner of Police and other officers were also detained.

Sgt-Maj Phiri said he had instructed that the Bophuthatswana broadcasting centre be occupied and a statement

Role

"Now facing the charge of high treason, am fully prepared to accept responsibility for my actions and the consequences of my conduct."

The State says in the indictment that another person who played a prominent role in the attempted coup has not yet been arrested.

He is Mr Rocky Malebane-Melising, leader of the Official Opposition, the People's Progressive Party.

The State alleges that the coup attempt came about as a result of "extensive planning" by Mr Melising and Sgt-Maj Phiri.

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WEATHER



275  
Families of  
dead youths  
in private  
prosecution

By HAMISH McINDOE  
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The magistrate said there had not been a shred of evidence to suggest the three had been involved in stonings

In November last year, the Attorney-General issued a non-prosecution certificate, which effectively cleared the way for the families of those who died to launch a private prosecution for murder

Debate

Last week, lawyers acting for the families summonsed the 13 to appear in the Cape Town Supreme Court on August 1 to answer to charges of murder

The decision not to prosecute the policemen caused an outcry in Parliament and prompted heated debate in legal circles

On October 15 1985 security and defence force commanders sent an unmarked SA Transport Services truck with armed policemen into Athlone, a coloured area

At the inquest, the police testified they were surrounded by a 150-strong mob of people, many of whom were throwing stones — a claim that contrasted with film footage of the incident shown in court

Thirty-nine rounds of shotgun ammunition were fired into the crowd from the truck, killing the three youths

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# Trojan Horse: Police up for murder

Wk ARGUS 275 1985  
by MICHAEL DOMAN  
Weekend Argus Reporter

THIRTEEN police and defence force personnel allegedly involved in the "Trojan Horse" incident in Thornton Road, Athlone, in October 1985, have been summonsed to appear in the Supreme Court on murder charges.

The parents of two of the three teenagers shot dead by security forces in the "Trojan Horse" incident have instituted a private prosecution against the men attached to a joint operational centre in Mānenberg during the 1985 unrest.

Family lawyers said the men would appear on August 1 on a charge of murdering Heatherdale Primary School pupil Michael Miranda, 11, and Shaun Magmoed, 16.

The families have deposited R10 000 with the chief magistrate of Wynberg for costs the accused might incur.

In March last year, Wynberg inquest magistrate Mr G Hoffman found policeman Lieutenant Douw Vermeulen and his task force negligent and responsible for the deaths of Miranda, Magmoed and Jonathan Claasen.

However, in November last year the Attorney-General of the Cape, Mr Daniel "Niel" Rossouw, declined to prosecute

them after examining the inquest file.

Last week, summonses were served on the men on behalf of Miranda's mother, Mrs Georgina Williams of Belgravia Estate, and Magmoed's father, Mr Martin Magmoed of Eastridge, Mitchell's Plain.

Michael Miranda died of brain damage as a result of shotgun wounds to the head and Shaun Magmoed from extensive shotgun wounds spread over his left side.

● After the inquest finding, the families of the two sued the Minister of Law and Order for funeral costs. The Minister settled the claims out of court.

● A private prosecution is identical to a normal one, except that the legal representatives of the aggrieved party take on the role of the State.

The Attorney-General retains the right to intervene at any stage and convert the proceedings into a public prosecution.

In this case, the families will have to pay their own costs, but if the prosecution succeeds the accused or the State may be ordered to pay these costs.

If it fails and the court feels the prosecution was vexatious and unfounded, the private prosecutor may be ordered to pay the costs of the accused.



# Upington 25 start battle for their lives

The hearing in which 25 Upington residents have been convicted of murder has resumed after a six-month adjournment but week on expert on crowd behaviour gave evidence in extenuation. By ESTHER WAUGH

The case of 25 Upington residents convicted of murder, and one of attempted murder, resumed last week after a six-month adjournment.

The defence applied for an adjournment last June to prepare extenuation evidence. Although the case has become known as the "Upington 25", 26 people were accused of murdering Constable Lucas Setshwale on November 13 1985 in Paballalo township.

The case has a similarity to the Sharpeville Six trial because the accused were also convicted on the basis of common purpose.

Most were found to have participated in setting Constable Setshwale's house, and thereby associating themselves with the common purpose of the actual perpetrators of the murder.

Twenty-five of the accused were convicted of murder last April after an 18-month trial. Paballelo's former mayor, Mr Kenneth Kinnalo, is one of the accused.

Professor G A Tyson, head of the University of the Witwatersrand's division of experimental psychology, last week testified on crowd behaviour.

The court found that Kinnalo (33) participated in the attack on Constable Setshwale's home in that he threw stones. And he was armed with a bottle containing a liquid resembling petrol.

Though there was no evidence that he had participated in the physical attack on the constable, bottles resembling those in his possession were found near the place where the man was set alight.

Professor Tyson said, "There appears to be no logical reason for his participation in the murder."

"Certainly there is no evidence of any personal grudges, and the deceased was so surprised at seeing Kinnalo throwing stones that he drew it to the attention of all those in the house."

Another of the "25", Tros Gubula (30), was employed by an Upington firm at the time of his arrest. The court found that he had participated in the attack on the constable's home with the intention of driving him out of the place he was found to have actively associated himself with the common purpose of the group by throwing stones at the home. Gubula was found to have been an accomplice.

Professor Tyson said in evidence in extenuation, "It seems likely that Gubula would have been highly aroused at the morning of the incident."

"I get the impression that he is rather a meek fellow, and given that I would think that his response to the street would have been a very strong one."

"Another factor which I think would have played a major role in the behaviour of this accused is conformity."

Abel Kudu (28) at the time of his arrest was employed as a labourer.

The court found that Kudu participated in the attack on Constable Setshwale's house by actively associating himself with the group and their purpose.

It was found that he never gave heard people in the group calling or the deceased to be killed.

He was classified as an accomplice.

Of Kudu, Professor Tyson testified that he "has a poorly developed ego system, a low frustration tolerance, and a predisposition to react with aggression."

"Because of his low level of intellectual functioning, this accused is also very likely to conform."

The court found that Sam Japhtha (24) had participated in the attack on the policeman's house and had returned from the murder scene with the two Masiza brothers. He was classified as an accomplice.

Professor Tyson testified that it was likely that Japhtha would have conformed with the group.

## Out of character

Xoliswa Dube (23) at the time of her arrest was a pupil at high school.

Dube has a child who lives with his father in Kimberley, where he attends school.

The court found that she was part of the group which had gathered outside the policeman's house, and had admitted that he in the house, thereby inciting the crowd.

It was further found that she knew that the crowd wanted to see the policeman from his home, and she had actively associated herself with the crowd's common purpose by inciting them.

She was classified as an accomplice.

"Her childlike nature makes it highly probable that her attempt would become fixated outside herself and this, together with the arousal and the size of the group, is likely to have led to de-individualisation, and to her being swept along with the crowd," said Professor Tyson.

Elizabeth Bostander (23) was a pupil at high school at the time of her arrest.

The court found that she had associated herself with the actions of the crowd and had thrown stones at the policeman's home. She was classified as an accomplice. "In this accused, we see another case in



A relative enters the court as a policeman stands guard — 26 people were accused of the murder of Constable Lucas Setshwale on November 13, 1985.

which the behaviour for which she has been convicted is totally out of character," said Professor Tyson.

She is a quiet and reserved person with high moral values, a regular churchgoer, and an exemplary pupil.

"Once in that situation, she would be highly susceptible to conformity pressures, and in my opinion it is highly likely that she simply modelled her behaviour on that of others around her."

Evelina de Bruin (about 63) is the common-law wife of Gideon Madlongolwane. They have 10 children.

At the time of her arrest she worked as a domestic in Upington.

The court found that she had incited the crowd gathered outside the policeman's house to stone the place and kill him.

She was also found to have stoned the house, and to have walked past the place after the policeman had been killed shouting words to the effect "Why are his white brothers not helping him now?"

She was classified as an accomplice.

Describing De Bruin's crowd behaviour, Professor Tyson said, "Her very high level of arousal, together with being in the crowd, and the novelty of the situation, is likely to have caused her to be de-individualised."

## 13/2/89 215

Gideon Madlongolwane (about 60) at the time of his arrest had worked for the South African Railways for 36 years.

The court found that he had associated himself with the common purpose of the group and had stoned the policeman's home. He was classified as an accomplice.

Professor Tyson found that Madlongolwane's behaviour on the day of the incident was out of character and probably due to situational factors.

Xolile Yona (25) has been in custody since his arrest in November 1985.

The court found that he had actively associated himself with the common purpose of the group and had participated in the stoning of the policeman's home.

It was also found that he had participated in the physical attack on the policeman, and had returned from the scene of the murder chanting "Hey, hey, the dog is dead."

He was classified as a principal offender.

"The high arousal and the fact that he has a strong resentment to authority figures," said Professor Tyson.

"This high arousal, and the fact that he probably felt a close unity with the others, would probably have led to de-individualisation."

Albert Tywili (27) was a member of the South African Police some time before his arrest. The court found that he had actively associated himself with the common purpose of the group and had thrown stones at the policeman's home. He was classified as an accomplice.

"The fact that this accused took part in the murder of the deceased seems totally illogical, given that he was the deceased's best friend."

"The only reasonable explanation appears to be that he was responding to situational forces," said Professor Tyson.

Jeffrey Sekiya (25) was a casual labourer for a construction company.

He was convicted on the same basis as Tywili.

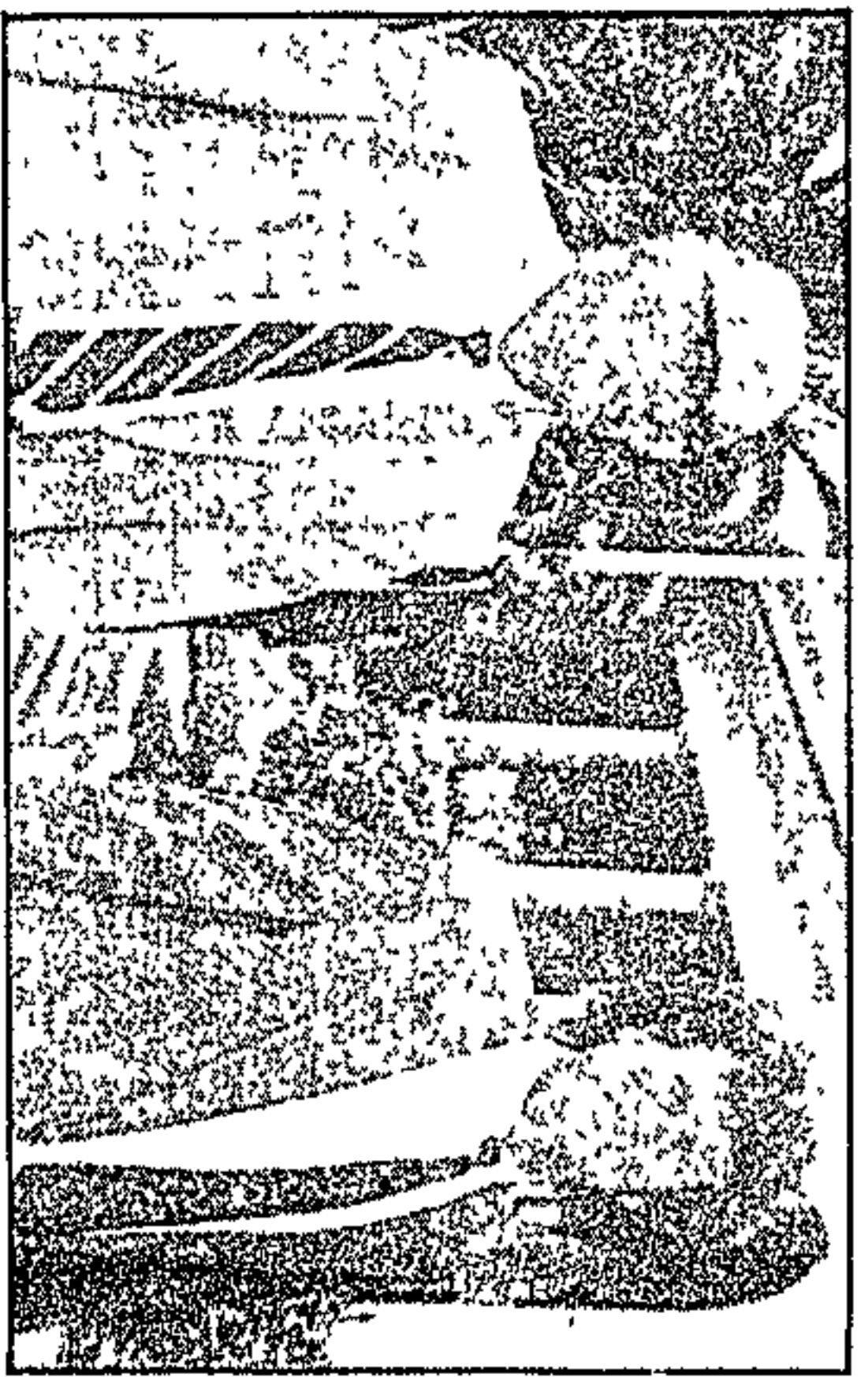
Professor Tyson said Sekiya probably conformed with the group and was de-individualised on the day of the murder.

Sarel Jacobs (23) Jacobs was a supervisor for a construction company before his arrest.

He was convicted on the same basis as Tywili and Sekiya.

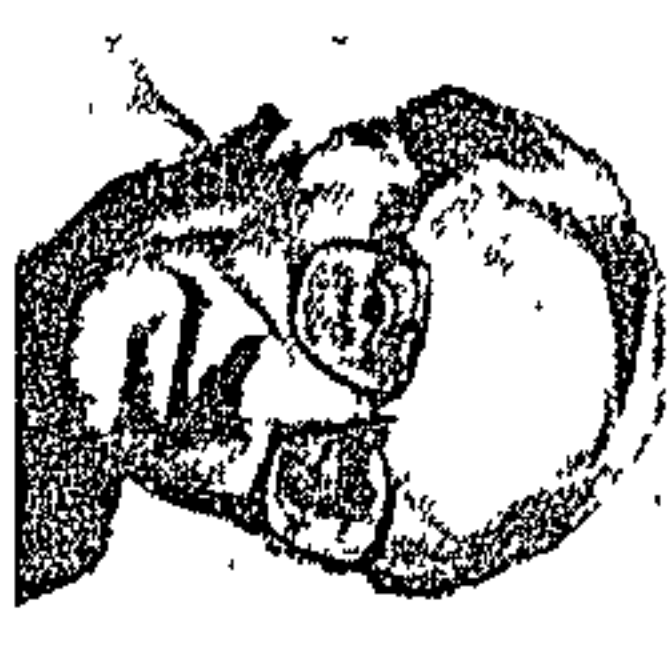
"However, with his limited intellectual ability, poorly developed sense of values, and labile emotions, it is probable that once he joined the crowd he quickly got caught up in all the excitement and became de-individualised," Professor Tyson told the court.

Roy Swartbooi (23) was a pupil at the time of his arrest.



Part of the defence team, senior counsels Mr Ian Farlam (left) and Mr Anton Lubowski outside the Upington Magistrate's Court.

## THE INDEPENDENT PARTY



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## Witdoeke plunderers, says major in unrest unit

By LINDA GALLOWAY  
Supreme Court Reporter

DURING three days of fighting between Comrades and Witdoeke in KTC and Crossroads squatter camps, a police major said, he saw the Witdoeke as "plunderers committing large-scale violence".

Major Charles Roger Brazelle, 36, of the unrest unit, began testifying in the mammoth damages case in the Cape Town Supreme Court yesterday in which the Methodist Church in Africa and 20 squatter families are claiming about R360 000 from the Minister of Police.

The claims arise out of three days of intense fighting in June 1986, in which thousands of squatter shacks were burnt and thousands of families left homeless.

### PROTECTING HOMES

The claimants have accused the police of failing to act to stop the Witdoeke from destroying their homes.

Major Brazelle said that during the fighting he had been more sympathetic towards the "Maqabane" (Comrades) because he saw them as the ones who were under attack and trying to protect their homes and families.

However, he was not well-disposed towards Maqabane in general, be-

cause they were "radical political activists" who used "methods like intimidation".

In fact, his feelings towards them were more hostile than towards "common criminals" because he had "seen the things they have done" and because they were responsible for attacks on police.

Major Brazelle said he did not believe all the people fighting as Comrades were "Maqabane in the technical sense".

Mr C Y Louw, for the Minister, said counsel for the applicants had made the suggestion that Old Crossroads, KTC and satellite camps were clearly defined as being either Comrade or Witdoeke territory before the fighting in 1986.

Major Brazelle denied this, saying that before the fighting he had seen the entire area as one zone, Old Crossroads.

● Major Dolf Odendaal, second-in-command of the riot police in Cape Town, yesterday completed 43 days of evidence, cross-examination and re-examination.

The trial record now exceeds 10 000 pages, of which Major Odendaal's evidence comprises about 4 000 pages.

The trial, which began in August 1987, is generating costs estimated at R300 000 a month in legal fees.

Did the trial briefcase...

## Unrest abates — Vlok

MIKE ROBERTSON

275

CAPE TOWN — Unrest in black townships had abated to such an extent that government could push ahead with reforms in a dramatic way, Law and Order Minister Adriaan Vlok said yesterday. *BDM 14/2/89*

He said in an interview the situation had improved dramatically since 1986.

However, the revolutionary climate had not abated to the extent that it was possible to lift the state of emergency.



# Upington 25 psychologist questioned

CHE TIMES 14/2/89  
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From MARIUS BOSCH

UPINGTON. — The participation in the mob killing of an Upington policeman by his best friend and a person who was "like a brother" to the dead man seemed to be totally illogical, a Supreme Court judge was told here yesterday.

Professor Graham Tyson, head of the division of experimental psychology at the University of the Witwatersrand, was being cross-examined on his evidence in mitigation in the trial of "the Upington 25", all residents of Upington's Paballelo township who have been found guilty of the murder.

They were convicted of the murder on the legal principle of common purpose which was applied in the case of "the Sharpeville 6".

Earlier, Professor Tyson said events in Paballelo leading up to the murder had aroused the crowd to the extent that they became "deindividuated" — a process which he said was similar to being hypnotised or being under the influence of alcohol.

## 'Out of character'

One of the accused, former policeman Albert Tywilli, had been the dead man's best friend.

His behaviour in participating in the attack on the dead man, Constable Lucas "Jetta" Sethwala, was totally out of character, Professor Tyson said.

He said events — like the breaking up of a meeting called to discuss grievances in Paballelo by police firing teargas, and the stoning of a police vehicle and the deceased's house — could have contributed to the arousal of the accused into a state where their recognition of the consequences of their actions was diminished.

Earlier in the hearing Mrs Beatrice Sethwala, mother of the murdered policeman, testified that she viewed one of the accused, Boy Japhta, as almost like a son.

She said she had been amazed to see him among the crowd stoning her house on the day of the killing as her son and Japhta were "like brothers".

Professor Tyson said that Japhta's behaviour suggested that he was "deindividuated" and simply conformed with the mob.

The state will continue the cross-examination of Professor Tyson today.

# Trojan Horse' case an SA first

275  
Star 15/12/87

The families of two people killed in the "Trojan Horse" shootings in Athlone in the Cape in 1985 want justice. **CLARE HARPER** reports.

South Africa's first private prosecution for murder is scheduled to begin in the Cape Town Supreme Court on August 1 when 13 police and Defence Force personnel allegedly involved in Athlone's "Trojan Horse" incident will appear.

During the incident, in October 1985, policemen hid in wooden crates on the back of a South African Transport Services truck and drove down Thornton Road firing on stone-throwers. Two teenagers and an 11-year-old boy were killed.

Police at the time defended the "ambush" as a necessary technique to protect people using public roads in the area.

Both the Attorney-General for the Witwatersrand, Mr Klaus von Lieres, and the chairman of the Bar Council, Mr Max Labe, said yesterday they did not know of any modern private prosecution for murder, although Mr von Lieres said it might have happened before the introduction of the Attorney-General's office in the Cape in 1829.

## Rare Situations

Private prosecutions only happen in rare situations and can only start once the Attorney-General has issued a certificate declining to prosecute.

Last year the Attorney-General of the Cape, Mr Daniel Rossouw, declined to prosecute anybody after an inquest court found that Lieutenant Douw Vermeulen and his task force were negligent and responsible for the deaths of Michael Miranda (11), Shaun Magmoed

(16) and Johanathan Claasen (18).

The attorney for the Magmoed and Miranda families said yesterday that the families felt the accused had to answer for their actions.

A private murder prosecution is identical to a normal criminal one, except the aggrieved party takes on the role of the State.

A major difference is that in a criminal trial the prosecution has the advantage of the Attorney-General's office and police investigators at its disposal.

In a private prosecution the plaintiff has to do all his own investigation.

## A-G can intervene

However, the accused have as much chance of being convicted of murder as they would in a normal criminal case, and the trial follows the normal criminal procedure.

The Attorney-General is empowered to intervene at any stage of the proceedings and continue the prosecution.

The families of the two dead children will have to pay their own costs, but if the prosecution succeeds, the accused or the State may be ordered to pay these costs. If it fails the private prosecutor may be ordered to pay the costs of the accused.

A further burden on the plaintiff is that in terms of the Criminal Procedure Act, he must deposit security for any costs the defence may incur, with a magistrate, before the prosecution can take place.

The families have deposited R10 000 with the chief magistrate of Wynberg for this purpose.

**Hundreds**  
*Appt to 15/2/89*  
**would have**  
*27*  
**been shot**

**Supreme Court Reporter**  
HUNDREDS of witdoek vigilantes would have had to be shot dead if police were to stop their advance on KTC, the Supreme Court heard yesterday.

This was said by Major Charles Roger Brazelle in the R200 000 damages action bought by the Methodist Church of Africa and 17 KTC residents against the Minister of Law and Order arising from the destruction of most of KTC by witdoeke between June 9 and 11, 1986.

Referring to incidents on June 9, he said he saw witdoeke massing in Dune Road and smoke starting to rise from KTC, which indicated that an attack on KTC was under way.

Soon after he arrived in Dune Road, rifle shots fired from a sand dune hit his Casspir. He returned the fire with his R1 rifle.

Hundreds of witdoeke then crossed Dune Road and entered KTC while elsewhere they advanced on the squatter camp down sidestreets.

Asked by Mr F D J Brand, for the minister, why he had not shot dead or at least wounded some witdoeke as a deterrent, Major Brazelle said he would have had to shoot dead hundreds of witdoeke.

The hearing continues today.



# Cops beat me, gave me electric shocks — accused

Cape Times 15/2/89

From MARIUS BOSCH

UPINGTON. — A Supreme Court judge presiding at the trial of the Upington 25 yesterday gave defence counsel an assurance that allegations of a police assault on one of the accused would be investigated.

One of the accused, Mr Xolile Yona, alleged that he was assaulted by police after undergoing medical examinations at Groote Schuur Hospital, defence counsel advocate Mr Ian Farlam, SC, told Mr Justice J Basson.

Mr Yona said that after he complained of hunger, police wearing plastic gloves entered the room carrying a plate of faeces and told him to eat it. When he refused, police handcuffed him and smeared it over his mouth.

Mr Farlam said that Mr Yona, a former professional boxer, alleged that after being transported to Cape Town on January 30 this year he spent the night in a police station and had to be taken to Groote Schuur the following day for an EEG and a brain scan. He had complained to staff that he had not been fed, Mr Farlam said.

After the medical examination, Upington police had taken him to an unidentified Cape Town police station. He was then transferred to another station where, he alleged, he was punched in the stomach several times, had electrodes attached to his head and was given electrical shocks.

CMC Times 16/2/87 (775)

# Accused were 'third-class citizens'

From MARIUS BOSCH

UPINGTON. — The Upington 25 on trial for the murder of a policeman were third-class citizens in the town and subjected "to all the controls and restrictions placed upon black people", a Supreme Court judge heard yesterday.

Prof Martin West of UCT's department of social anthropology was giving evidence on a report he compiled after interviewing the accused and their families.

He said socio-economic problems coupled with police action could have led to the killing of Constable Lucas Sethwala. Factors adding to the problems were high unemployment, overcrowding in the township, low wages and allegations of official harassment.

"It is this context of disadvantage, discrimination and absence of rights which set the scene for the events of November 1985."

Paballelo was a relatively quiet

and conservative area with a low crime rate and there was less "unrest" there than in some other areas during the riots of 1976 and 1985, Prof West said.

"I would expect the more conservative areas to keep things bottled up and to explode periodically."

Prof West compared the situation to the police teargassing of demonstrating UCT students which caused "normally sedate academics to hang out of buildings and heap abuse on police".

# Cop: TV crew were 'instigators'

## Supreme Court Reporter

A SENIOR police officer yesterday told the Supreme Court that he removed a television cameraman and his soundman from KTC because he feared they were instigating — "maybe not intentionally" — witdoeke vigilantes to burn down shacks.

This was said by Major Charles Brazelle in the R200 000 damages action brought against the minister of law and order by the Methodist Church of Africa and 21 residents who lost their homes when most of KTC was destroyed between June 9 and 11.

Major Brazelle said he had seen WTN cameraman Mr Craig Matthew and his soundman Mr Vernon Matzopoulos surrounded by witdoeke in Dune Road, near KTC, on June 9.

Some of the witdoeke moved towards KTC and he had the impression they were attempting to set shacks alight. When the witdoeke near Mr Matthew and Mr Matzopoulos started a "shuffle dance" for the

television camera he dispersed them.

His orders were to look out for journalists and take them to Manenberg police station where they could be briefed by police liaison officer Lieutenant Attie Laubscher.

When he later again encountered the television team and asked them to leave the area, Mr Matthew became rude and refused to leave.

He was anxious to remove the television crew because he feared Mr Matthew "maybe not intentionally" instigated the vigilantes to set fire to shacks.

Mr Matthew swore at police and refused to get into the Casspir and later during the trip to Manenberg police station Mr Matthew shouted abuse at police.

He held his camera on his lap all the time and from a red light on the camera he knew it had been switched on. When Mr Matthew refused to hand over the camera, he confiscated it and kept it with him, Major Brazelle said.

Asked by Mr F D J Brand, for the minister, why he had taken Mr Matthew's cam-

era away from him, Major Brazelle said: "I got the impression he had started the argument in the Casspir so that he could record it. I did not want to allow him to send a bad impression into the world."

Major Brazelle denied an allegation by Mr Matthew that he did not wear his rank insignia or a name plate.

When they arrived at the Manenberg police station, Mr Matthew, who had been seated near the door had jumped up, prevented him from getting out and demanded that he give him his name and rank in writing, Major Brazelle said.

"He grabbed me in front of my chest and hit me on the chest. I then hit him in the stomach and told him I was arresting him for assault," Major Brazelle said.

Asked by Mr Brand if it had been necessary to hit Mr Matthew, Major Brazelle replied it had probably not been necessary but he (Matthew) had "highly irritated" him (Brazelle) that day.

The hearing continues today.

Mr Justice M R de Kock presided. Mr H P Viljoen SC, with Mr P Pretorius and Mr A M Omar and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gressel SC, assisted by Mr C Y Louw and Mr Brand, appeared for the minister.



975

4 The Argus, Friday February 17 1989

## Second witness on Azapo 'collaboration'

From PAT CANDIDO  
Argus Bureau

PORT ELIZABETH. — Collaboration between police and members of the Azanian People's Organisation was described by a second witness at an inquest here on four United Democratic Front activists.

The inquest, in the New Brighton Magistrate's Court, is on Mr Matthew Goniwe, Mr Fort Calata, Mr Sparrow Mkonto and Mr Sicelo Mhlauli, all UDF activists from Cra-dock.

Mrs Sarah Helen Christie, a member of the Albany branch of the Black Sash, yesterday read a statement she took from Mr Mazwi Lancelot Bingo on July 14 1985.

He said he was a member of Azapo and there had been collaboration between the police and the organisation.

He had stayed at the home of the Rev E Maqina, leader of the organisation, and was paid R80 a month. He mentioned two incidents when houses were petrol-bombed with the help of police.

Earlier another witness, Mr

Christopher Ndawe, also spoke of collaboration between the police and Azapo.

Mr Ndawe had claimed in a statement to Mrs Christie that he was a member of Azapo and had moved into Mr Maqina's house.

While he was there the police arrived and talked to Mr Maqina, who then spoke to him in the presence of the police.

Mr Maqina said they could see that the UDF was killing its people and "we must go out and kill the UDF".

One of the policemen said Azapo should finish the UDF, who petrol-bombed houses.

Once he travelled to the house in a police hippo.

One night six policemen arrived at the house with four men. The men were assaulted.

Then two Azapo men he knew as Siphon Mazwi and Vusi Matyi left with the police and the four men.

Later the Azapo men returned and said they had finished the four off and burned their bodies in a forest.

The inquest continues.

# Attack on cop's home: 4 guilty

Cape Times 17/2/89 Court Reporter

FOUR MEN were yesterday convicted in Cape Town Regional Court of stoning the house of a policeman in Saldanha.

Three of their co-accused — a 16-year-old youth and two men, Mr Robert Kekana, 29, of Diazville, Saldanha, and Mr Maxwell Moss, 28, of White City, Saldanha — were acquitted.

Johannes Strauss, 18, Jacobus Diergaardt, 21, Godfrey Kekana, 29, and Jacobus Januarie, 18, all of Saldanha, were convicted of public violence.

The court heard that on September 12 they were part of a group of about 60 people who stoned the house of Constable A Mitchells.

The policeman said three windows were broken and furniture inside the house was damaged, but that he could not put a monetary value to the damage.

His neighbour, Ms K Van Wyk, told the court that between 6pm and 7pm, after the end of a rugby match nearby, she heard a noise outside. She saw a group of about 65 people, some of whom were stoning the Mitchells' house.

She identified all of the accused as being part of the group but said only three of them threw stones. The hearing continues today for sentence.



# Tutu in stand against riot cops

By CHRIS BATEMAN



ONLY hours after the landmark detainee-release agreement with Mr Adriaan Vlok, Archbishop Desmond Tutu found himself in a head-on confrontation with the head of the Peninsula's Reaction Unit, Colonel Frikkie Kellerman, on Greenmarket Square.

The incident came as hundreds of people attending a report-back service in the Methodist Metropolitan Church emerged peacefully on to Greenmarket Square to hear police announce that dispersal measures could include the use of firearms.

A police water cannon and several vans, with more than a dozen special constables armed with shotguns, took up positions.

An angry Archbishop Tutu was seen remonstrating with Colonel Kellerman who used a loud-hailer to read out emergency regulations and deliver a two-minute warning of impending police action.

"I'm going to see Mr Vlok and tell him that your attitude is very unreasonable", Archbishop Tutu said.

"I'm not going to argue with you Mr Tutu", Colonel Kellerman replied.

The police warning came while the church was still packed with people

*CPH Times 7/12/89*



who had been cautioned by Professor Charles Villa-Vicencio, UCT's head of Religious Studies, to leave quietly and disperse immediately.

Professor Villa-Vicencio divided people into those sitting in central and aisle pews and those in the aisles and the upper gallery and instructed them to leave in these groupings.

This process was still under way when the police warning came.

The tension was defused when Colonel Kellerman eventually ordered his men to pull out as a senior officer announced to the crowd "if you disperse, we will move out as well".

Bishop Geoffrey Quinlan, Archbishop Tutu and Mr Jan van Eck, Independent MP, all at stages attempted to dissuade Colonel Kellerman from his apparent course of action, to be told they were "drawing a crowd".

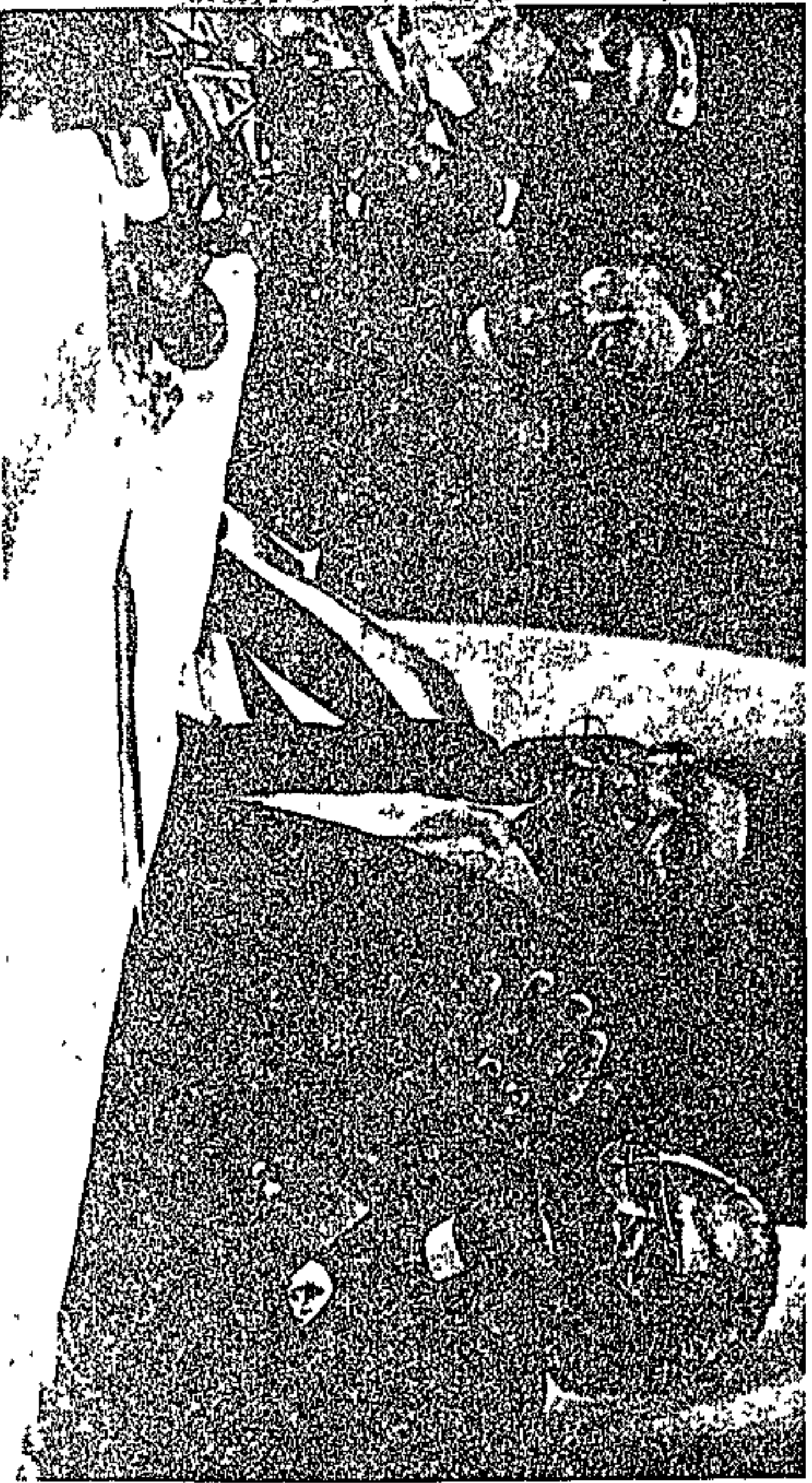
Among those on the square were the Australian Ambassador to South Africa, Mr Colin McDonald, and aides, Mr Wynand Malan, NDM MP for Randburg, and Mr Pierre Cronje, NDM MP for Greytown.

An all-night vigil and fast in solidarity with those in detention will be held at St Mary's Cathedral from 7 tonight beginning with a mass celebrated by Archbishop Stephen Naidoo, Roman Catholic Archbishop of Cape Town.



PLEAS FOR CALM . . . Archbishop Desmond Tutu and Dr Allan Boesak plead with Colonel Frikkie Kellerman, head of the Peninsula's Reaction Unit, not to take crowd-dispersal action on Greenmarket Square yesterday.

Picture: ERIC MILLER



COMPROMISES . . . Cape Town's Archbishop Desmond Tutu, Dr Allan Boesak, Moderator of the NG Sendingkerk, Bishop Geoffrey Quinlan, Anglican Bishop Suffragan of Cape Town, and Moulana Fared Esack, of the Call of Islam, report on the outcome of their meeting with Mr Vlok yesterday.

Picture: ANDRE LAMURE



CPM 7/15/89  
Police man  
denies arson  
allegation

**Supreme Court Reporter**

A POLICE officer yesterday denied in the Supreme Court that police had used an incendiary device to set fire to shacks and the Methodist Church in KTC during the second day of fighting there.

Major Charles Brazelle, of the riot squad, was giving evidence in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 families who lost their homes when most of KTC was attacked by vigilantes in June 1986.

He was responding to a question by Mr F D J Brand, for the minister, who asked if evidence that a house had started burning when an object was thrown at it from a Casspir was correct.

Mr MR de Kock presided. Mr HP Viljoen SC, with Mr P Pretorius and Mr AM Omar, and instructed by the Legal Resources Centre, appeared for the residents. Mr GD Griessel SC, assisted by Mr CY Louw and Mr Brand, appeared for the minister.

# Teargas 'could affect crowd'

CPM Times 17/2/87 375

From MARIUS BOSCH  
UPINGTON. — Teargas fired at residents of the Pabellelo township here after a protest meeting could have caused a reaction leading to the murder of a policeman, a Namibian clinical psychologist testified here yesterday.

Dr Herman Raath, who conducted clinical tests and interviews with 25 people convicted of murdering Constable Lucas

Sethwala in 1985, was giving evidence in extenuation of sentence in the Upington 25 trial.

He said a "pain reaction" caused by teargas, which many residents experienced for the first time that day, could have attributed to the arousal of the crowd.

Last week, Professor Graham Tyson testified that people could become "de-individuated" in a mob situation.

AKS 45  
17/12/89

# Four stoned policeman's home

By GILL TURNBULL, Court Reporter

FOUR Saldanha Bay men have been convicted in Cape Town Regional Court of stoning a policeman's home.

Johannes Strauss, 18, Jacobus Diergaardt, 21, Godfrey Kekana, 23, and Jacobus January, 18, all of Diazville, pleaded not guilty.

They were convicted of committing public violence by stoning Constable David Mitchells's house in Diazville in September 1987.

Mr Robert Kekana, 29, Mr Masewell Moss, 28, and a youth aged 16 were acquitted.

## FETCHED REVOLVER

Constable Mitchells said stones "rained" into his house, smashing the windows and a coffee table. Bedroom windows were also smashed and a stone landed on the bed.

He told his wife to hold his son in the passage and fetched a revolver.

When the stone-throwers ran away, Constable Mitchells spoke to the Van Wyk family across the road.

Miss Katrina van Wyk testified that between about 60 and 70 people stoned the house.

Among the stone-throwers she recognised Diergaardt, Kekana and January.

Miss Marianna van Wyk said she recognised Strauss, Diergaardt, Godfrey and Robert Kekana and January.

## STRONG SUSPICION

The magistrate, Mr J D Huggett, said there were two conflicting stories. He found the Van Wyk sisters' evidence more believable because there were slight discrepancies. Had their evidence matched perfectly he would have doubted their word.

Although there was a strong suspicion that Mr Strauss, Mr Moss and the youth were involved, the evidence was not strong enough to convict them.

Sentence will be passed today.

Mr D J Brand appeared for the State. The accused were represented by Mr D Potgieter, instructed by Mr Taswell Papier of C E MacDonald.



# Tutu clashes with policeman 275

ONLY hours after the landmark detainee-release agreement with Mr Adriaan Vlok, Archbishop Tutu found himself in a head-on confrontation with the head of the Peninsula's Reaction Unit, Colonel Frikkie Kellerman.

The incident came as hundreds of people attending a report-back service in the Methodist

By SOWETAN REPORTER

Metropolitan Church in Cape Town emerged peacefully to hear police announce that dispersal measures could include the use of firearms.

A police water cannon and several vans, including over a dozen special constables armed with shotguns took up

positions.

<sup>Sowetan 17/12/89</sup>  
An angry Archbishop Tutu was seen remonstrating with Col. Kellerman who used a loud-hailer to read out emergency regulations and deliver a two-minute warning of impending police action.

"I'm going to see Mr Vlok and tell him that your attitude is very unreasonable," Arch-

bishop Tutu said.

"I'm not going to argue with you, Mr Tutu," Col Kellerman replied.

The police warning came while the cathedral was still packed with people who had been cautioned by Professor Charles Villa-Vicencio, UCT's head of religious studies, to leave quietly and disperse immediately.

22/2/89  
Fire trap: Man dies

own correspondent

EAST LONDON. — A leader of the Adelaide Youth Congress died after the house in which he was staying was wired closed and then set alight.

Police said Mr Sawatini Booi, 40, and Ms Grace Faku, 34, were in the house when it was set alight on Saturday night.

"When Mr Booi and Ms Faku tried to get out of the house, they found the front door was tied up. They eventually managed to escape through the back door," police said.

The two were taken to Livingstone Hospital in Port Elizabeth where Mr Booi died on Monday, police said.

# Upington community service plea

From MARIUS BOSCH

UPINGTON. — An advocate acting for the "Upington 25" asked a court here yesterday to consider community service as an alternative to jailing the 25, convicted of murdering a policeman in 1985.

Mr Ian Farlam SC requested Mr Justice J Basson to ask the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) to hold an evaluation panel in terms of the Criminal Procedure Act to assess the suitability of the accused for community service.

The Act was amended last month to provide for community

service as an alternative to prison, he said.

Mr Justice Basson asked Mr Farlam whether facilities for the rendering of community service existed in Upington

Mr Farlam replied that part of Nicro's brief would be to investigate that

Prosecutor Mr T van Rensburg said he had not yet seen the amendment to the Act and asked for time to study both the request and amendment.

One of the accused, Xolile Yona, was not in court yesterday after a doctor certified on Monday that he was unfit to attend the

proceedings. Court was disrupted on Monday when Yona collapsed after receiving a letter from his girlfriend informing him she was pregnant by another man.

Earlier yesterday, clinical psychologist Dr Herman Raath said under cross-examination that a tense psychological atmosphere in Paballelo at the time of the murder could have influenced the actions of the 25.

The atmosphere would have had the same effect as hypnosis in that the accused would not have recognised the consequences of their actions.

The trial continues.

CAPL Tim B 22/2/89 (275)



Page 2882

# Shack-burning video wiped out

APC 24/2/89 (77)

By LINDA GALLOWAY  
Supreme Court Reporter

POLICE were aware that a television crew's film had been illegally tampered with and erased while in their possession during fighting between Witdoeke and Comrades in KTC, the Supreme Court, Cape Town, has been told.

Major Charles Roger Brazelle was under cross-examination in the civil hearing in which the Methodist Church in Africa and 20 squatter families are claiming more than R200 000 in damages from the Minister of Law and Order.

The claim arises out of three days of fighting in the squatter camp in which thousands of people lost their homes.

The applicants have charged that the police did not prevent the Witdoeke from burning down shacks in KTC.

Replying to questions by Mr Henry Viljoen, SC, for the applicants, Major Brazelle said he was aware that a videotape belonging to Worldwide Television News cameraman Mr Craig

Matthew had been tampered with and erased and that this was irregular and unlawful.

He was also aware the tape contained footage of Witdoeke burning shacks.

Major Brazelle said the tape had been wiped out by a Sergeant van Eck, a member of the police video unit at the time, on the instructions of another policeman at Manenberg police station.

They were concerned about footage documenting an argument between Mr Matthew and policemen in the Casspir, in which bad language was used.

## "TOO HASTY"

Mr Viljoen suggested to Major Brazelle that Mr Matthew had recorded the argument so he would have on record that he had asked the major repeatedly for his name and rank.

He admitted he had no right to remove Mr Matthew and Mr Matzopoulos from the scene as the area was not an unrest zone, nor had it been declared a restricted area.

# Minister to pay R190 000 to Belhar youth

Supreme Court Reporter

A BELHAR youth who lost the use of his legs after he was shot in the spine by a policeman in 1987, has won R190 000 in damages from the minister of Law and Order.

Melvin le Fleur, 17, was shot in the back in Adam Taslaan, Belhar, on May 31, 1987 when he allegedly tried to evade arrest in what police said was an incident of public violence.

The settlement was made an order of court by Mr Justice C T Howie on Wednesday.

The settlement was made without the minister admitting liability or that police had been deliberately negligent in shooting Melvin.

Melvin, a Std 7 pupil at the time, endured considerable shock, pain, suffering, disfigurement and discomfort when he was paralysed from the hip downward.

His mother, Mrs Katharina le Fleur, who brought the action, originally claimed R500 000 — R150 000 for damages and loss of amenities and R350 000 for loss of his earning capacity.

Melvin, one of five children, had been a keen soccer and tennis player and a swimmer.

Mr S A Majiedt, instructed by Wilkinson, Joshua, Gihwala and Abercrombie Inc, appeared for Mrs Le Fleur. The minister was represented by the state attorney's office.

day, February 24, 1988.

*Mr. Tinkles*

*2-25*

# Wiping out of KTC tape was 'illegal'

Supreme Court Reporter

A SENIOR police officer yesterday conceded in the Supreme Court that the wiping out of a news video tape by police was "illegal and very irregular" and that no action had been taken against the policemen responsible.

Major Charles Brazelle said this in a cross-examination in the R200 000 damages action residents brought against the Minister of Law and Order after most of KTC was destroyed by wildoek vigilantes between June 9 and 11, 1986. Evidence was that WTN cameraman Mr Craig Matthew and his

soundman, Mr Vernon Matzopoulos, had been ordered into Major Brazelle's Casspir and taken to the Manenberg police station.

The tape — containing footage of wildoek setting fire to shacks in KTC and a recording of an alleged argument between Mr Matthew and the police — was wiped clean when the police gave it back.

Asked by Mr H P Viljoen SC, for the residents, whether the wiping out of the tape did not destroy evidence and represent a commercial loss because it could have been sold, Major Brazelle agreed.

He identified the policeman responsible as a Sergeant Van Eck now stationed in the Boland but then a member of the police video unit. Sergeant Van Eck had been "very irresponsible" but no departmental action had been taken, Major Brazelle said.

While driving to Manenberg he saw the tape had been switched on and had asked Mr Matthew to put it off because he did not want him to record the exchange of swear words between Mr Matthew and the police.

Asked if he had the right to ask

Mr Matthew to switch off his tape, Major Brazelle said he now realised he may have over-reacted. However, he wanted to stop the recording of the exchange, he said.

Asked by Mr Viljoen what the feeling of the police was towards cameramen and press, Major Brazelle said the press were seen to side with the comrades and gave one-sided reports of events in KTC.

Mr Viljoen put it to Major Brazelle that he had no right to remove the television crew from KTC because a state of emergency did not exist and neither was KTC a re-

stricted area.

Major Brazelle replied that he had removed them for their safety.

Mr Viljoen said: "I want to put it to you that short of television crews obstructing police, short of a state of emergency you had no lawful right to remove these people. Do you agree?"

Major Brazelle said "it could be".

The hearing continues on Monday.

Mr Viljoen with Mr P Pretorius and Mr A M Omw, instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gressel SC, assisted by Mr C V Louw and Mr F D J Brand, instructed by the state attorney, appeared for the minister.

3 ENIN



# Day of the *widdoeke*

A CAPE Town police-man commanding a platoon during fighting in the KTC Squatter Camp in 1986, was the man who shot dead Patrick Leigh McCall, the fugitive accomplice of notorious bank

## SOWETAN REPORTER

robber, Andre Stander, the Supreme Court was told yesterday.

Major Charles Rober Brazelle was giving evidence in the civil hearing in which the Methodist Church in Africa and 20 squatter families are claiming more than R200 000 from the Minister of Police. The claims arise out of three days of fighting between *widdoeke* and *comrades* in June 1986, which left thousands homeless. The claimants allege the police did not prevent the *widdoeke*

from storming the KTC Squatter Camp and burning shacks.

Major Brazelle was responding to a question from Mr G D Griessel, SC, for the Minister, when he mentioned the shooting of McCall in Johannesburg in July 1984, when he was commanding a specialist police squad.

## Reports

Under cross-examination by Mr Henry Viljoen, SC, for the applicants, Major Brazelle conceded it was not until the third day of

the fighting in KTC that anybody watching the *widdoeke* was recorded in his platoon reports. He said this was because "things were more open" on the third day because most of KTC had been burnt in the preceding days and it was "easier to see" what was happening. He agreed that anybody watching the fighting would find it strange the platoon had not taken any action against the *widdoeke*, although he said this would be a "wrong impression."

Mr Justice M R de Kock is on the bench. Mr Griessel, with Mr F D J Brand, appear for the Minister. Mr Viljoen, Mr Paul Priorities and Mr Dullah Omar, instructed by the Legal Resources Centre, appear for the applicants.

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CA/G Times 28/2/89 575

# Police feared camera would be dropped — witness

Supreme Court Reporter

THE police officer who ordered the camera of TV cameraman Mr Craig Matthew confiscated after his arrest, yesterday told the Supreme Court he had done so because he feared Mr Matthew would deliberately drop it and blame police.

Major Charles Brazelle said this in cross-examination in the R200 000 damages action residents of KTC brought against the Minister of Law and Order after most of KTC was destroyed by vigilantes between June 9 and 11, 1986.

The major said he had gained the impression the witdoeke were setting shacks alight for the benefit of the camera and this belief was strengthened when he saw Mr Matthew film the witdoeke in action.

He had ordered the television crew placed inside his Casspir because he had feared for their safety and also because he had been ordered to remove journalists from KTC.

Asked by Mr H P Viljoen SC for his comment about Mr Matthew's evidence that policemen in the Casspir had wrestled the camera from him and flung it into the Casspir, Major Brazelle said he had ordered the camera confiscated because he feared Mr Matthew would deliberately throw the camera to the ground and hold the police responsible. He had not experienced this but had heard from fellow police officers about the practice, he said.

The hearing continues today.

Mr Justice M R de Kock presided. Mr Viljoen, with Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appeared for the residents. Mr G D Gnessel SC, assisted by Mr C Y Louw and Mr F D J Brand, instructed by the state attorney, appeared for the minister.

# Psychologists testify in Upington

*P/Daw 11/3/89*  
UPINGTON — The shooting of a child by a policeman could have caused one of the defendants in the Upington 25 trial to become emotionally disturbed and led to the eventual death of the policeman, a Supreme Court judge heard yesterday.

The court heard that on the day of the incident in 1985 about 200 people stoned the home of Constable Lucas Sethwala, who retaliated by firing his shotgun into the crowd, wounding a young child.

Clinical psychologist Dr Herman Raath said the shooting of the child

*(S) (275)*  
Own Correspondent

could have caused severe emotional upheaval in the case of trialist Justice Beke, a former male nurse.

The court found Beke had chased the policemen, taken his weapon and killed him using the butt of the shotgun.

Another psychologist testified earlier that the events leading to the incident were likely to have aroused Beke to such an extent he would not have recognised the consequences of his actions.



CMT-71275  
y, March 3, 1989

275  
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# Crowd 'angry' after funeral incident

Supreme Court Reporter

THE mood of mourners at a Salt River funeral soon after one of them was allegedly shot by a policeman changed from "controlled anger" to outrage, a city journalist told the Supreme Court yesterday.

"It was an extremely frightening experience," said Mr Chris Erasmus, Special Writer for the Cape Times.

Mr Erasmus was giving evidence in a damages action of nearly R311 000 against the Minister of Law and Order by Mr Yusuf Lakay, 53, who has a paralysed right leg after he was allegedly shot by the deceased Constable James Farmer on September 11, 1985.

Mr Erasmus said he had joined up with the funeral procession — for Mr Ebrahim Carelse who had been shot dead by police — in Salt River.

"My feeling was there was extensive anger and I had a sense that trouble could have brewed up, but there was excellent crowd control with marshals in front," said Mr Erasmus.

He heard "a loud report" which he thought was a gunshot. Looking around he saw a man — Farmer — trying to break free from several people clinging to him.

"I saw a revolver in his hand. The constable moved away from the crowd, appeared to stumble and then disappeared from view behind a parked car. I heard the clatter of metal on the cement and thought he had lost possession of his firearm."

"After the gunshot the mood of the crowd changed phenomenally. Scores of people poured into the area surrounding the scene."

About 10 people climbed on to the roof of the parked car and jumped down to where Constable Farmer was lying, Mr Erasmus said.

Mr Justice A.J. Laboan presided. Mr P B Hodes, assisted by Mr K A B Engers, instructed by Mallinck, Rees Richman and Closenberg Inc, appeared for Mr Lakay and W van Deventer SC, with Mr A H Veldhuizen, instructed by the state attorney, appeared for the minister.

EMERGENCY UPDATE

ARCUS 7/3/89

Unrest: five die  
in last 24 hours

PRETORIA — Five people, including a 12-year-old girl, died in incidents of unrest in the last 24 hours, according to the police unrest report today.

In Imbali, Maritzburg, an unknown gunman entered a house and fired a number of shots at the occupants with a pistol. A black woman, a 12-year-old girl and two black men were fatally wounded while three other men and a youth were wounded and admitted to hospital.

In Sinating, Edendale, a black man was stabbed to death by a group of men.

In the Strand residential area in the Boland, a house was damaged when a petrol bomb was thrown at it. — Sapa

# Police 'hoped talks would stop battles'

By LINDA GALLOWAY  
Supreme Court Reporter

A POLICE platoon did not take action in a day of bitter fighting between "Comrades" and "Witdoeke" in the KTC squatter camp because it was hoped police negotiations would succeed, a captain told the Supreme Court

Captain Johan Oosthuizen, the officer commanding Platoon 3, was giving evidence in the civil hearing in which the Methodist Church in Africa and 20 squatter families are claim-

ARCUS 8/3/88 (77)  
ing R200 000 in damages from the Minister of Law and Order

The claimants allege that during three days of fighting in June 1986 the police did not take action against the Witdoeke and allowed them to burn down the squatter camp

Captain Oosthuizen told the court that Major Dolf Odendal had begun negotiations with the warring factions, and for his platoon to have taken action would have been contrary to plans.

The court was shown video footage of the conflict and Captain Oosthuizen identified a scene at which a Methodist minister, the Rev Syd Lockett, was present with Comrades and policemen

Captain Oosthuizen said that his experience of Mr Lockett, at "funerals, strikes, illegal gatherings" and other such events, was that the minister would not co-operate with police in talking to the crowd.

"In his eyes everything we

(the police) did was wrong," he told the court

On the soundtrack of the video shown in court, an argument between Major Odendal and Mr Lockett was audible, with Mr Lockett telling Major Odendal to go and talk to the Witdoeke and he would speak to the Comrades.

Major Odendal accused Mr Lockett of interfering in the police's work.

The hearing continues.



# Murder by friends is 'not strange' — expert

CIVE TRAILS 9/3/89 275

From MARIUS BOSCH

UPINGTON. — The participation in the murder of a policeman by two of the dead man's best friends was "not strange", a state witness said yesterday in the Upington 25 trial.

Dr CP de Kock, a sociologist attached to the Human Sciences Research Council, said history proved that brothers often turned against each other in times of conflict.

During the South African War, the brother of one the most revered boer generals "joined the other side", he said.

Dr De Kock had lectured regularly at the Defence College and Police College on crowd dynamics and control, according to his credentials put before the court.

He said there were resemblances between unrest throughout South Africa and events in Upington's Paballelo township on the day of the murder.

On Monday Dr De Kock said the behaviour of the accused should be seen in a South African context. Riots which had originated in the Vaal Triangle in 1984 soon spread to the rest of the country and the result was a countrywide mobilisation of blacks.

During the unrest the aim was to make the country ungovernable, he said. The subsequent vacuum was filled by "alternative structures".

In Paballelo this was evident in disciplinary measures taken by the Upington Youth Congress.

The trial continues.

715

Cape Times, Friday, March 10, 1989 5

# Court hears of knives in apron

Supreme Court Reporter

A GROOTE SCHUUR Hospital security guard yesterday told the Supreme Court he had seen a man open an apron containing knives and hand them out soon after Constable James Farmer was dragged into a funeral crowd.

Mr Pieter Visagie was being cross-examined in a R200 000 damages action brought against the Minister of Law and Order by Mr Yusuf Lakay, 53, who has a paralysed right leg after he was allegedly shot by Constable Farmer at the funeral of Mr Ebrahim Carelse on September 11, 1985.

He had seen two men drag Constable Farmer into the crowd and disappear from view. Then a man in a crouching position opened an apron containing about 10 knives and handed them around. He had then moved away, Mr Visagie said.

Constable Farmer would not have been able to get away even if he had tried and it would further have been impossible for him to draw his firearm. He had not heard a shot, Mr Visagie said.

He had first seen the dead policeman's colleague, Constable Conrad Leggett, when he held his pistol in front of him with both hands and pointed it at the funeral procession. He had seen Constable Leggett run away but he did not see stones being thrown at him as alleged.

The hearing continues today.

Mr Justice A J Letegan presided. Mr P B Hodes, SC, assisted by Mr K A B Engers, instructed by Mallinck Ress Richman and Cloosenberg Inc, appeared for Mr Lakay. Mr W van Deventer, SC, assisted by Mr A H Veldhuizen, instructed by the state attorney, appeared for the minister.

11/3/87

## Comrade sent for observation

27  
Court Reporter

AN alleged "Bonteheuwel Comrade", charged with setting fire to three policemen's houses, a post office and six vehicles when he was 14, was yesterday sent for 30 days' mental observation.

The youth, now 17, is mentally handicapped and pleaded not guilty in Cape Town Regional Court to 10 counts of public violence, alternatively arson, and of malicious damage to property.

The hearing was adjourned to April 10.

Mr J M Lemmer was the magistrate. Mr D J Brand prosecuted. Mr D Potgieter was instructed by Mr E Mohammed of E Moosa and Associates.



CHL  
TIPS  
16/3/89

# HSRC 'analyst testifies in trial

215

From MARIUS BOSCH

UPINGTON. — A Human Sciences Research Council employee was granted leave to testify in the trial of the "Upington 25" because of the potential sensitivity of the case, evidence handed in to the court stated yesterday.

Dr C P de Kock — an HSRC conflict analyst — was last week requested by defence counsel to hand in, as evidence, a letter from his employers granting him permission to testify for the state.

The objectivity of Dr De Kock's testimony was questioned by advocate Mr Ian Farlam SC.

Dr De Kock had been involved in the training of police at the SA Police College and at the SAP's counter-insurgency training centre near Groblersdal since 1979.

## Uitenhage

Dr De Kock said he was testifying in his private capacity.

Under cross-examination by Mr Farlam last week, Dr De Kock conceded that he had visited "unrest areas" during 1985 accompanied by police.

He had also assisted the state in a damages suit brought against the Minister of Law and Order by victims of the 1985 police shooting of 21 mourners at Langa, Uitenhage, he said.

Dr De Kock said his work at the HSRC was to the benefit of all South Africans in gauging the reasons for conflict and how to control conflict.

Earlier last week, Dr De Kock expressed his doubts as to the effectiveness of the use of "minimum violence" in controlling crowds.

The trial continues.

Sowet.com 15/3/89

# Can't you wait until we finish?



A GROUP of people staged a placard demonstration in the St George's Street mall, Cape Town on Monday in support of hunger-striking detainees.

The 12 singing protesters, including Mrs Dorothy Boesak, wife of Dr Allan Boesak, were asked by police to leave.

Mrs Boesak told a policeman they had planned to demonstrate for an hour and there were still four minutes to go before the scheduled stop, according to a bystander who witnessed the exchange.

The policemen then waited for four minutes after which the demonstrators left.

A police spokesman said the matter was "unrest-related" and would be dealt with in the unrest report.

## Detainees

Meanwhile about 40 emergency detainees being held at the Westville Prison, Durban, resumed the protest hunger strike on Sunday — and entered their third day of the strike that was suspended in the light of assurances given by Mr Adriaan Vlok, Minister of Law and Order.

Mr Ebrahim Goga, the chairman of the Durban branch of the National Association of Democratic Lawyers, said yesterday the latest group of hunger strikers constituted about half the number of detainees being held in Westville.

"The detainee population at Westville Prison is about 90, according to our records," Mr Goga said.

He said lawyers are still trying to ascertain

whether those on the latest hunger strike are the same detainees who embarked on it last month.

Last month, most of the detainees being held in Westville went on a hunger strike on February 13. Several ended their fasts but others stayed on, until they all suspended the strike on February 19 in the light of assurances given by Mr Vlok.

## Rekindle

Brigadier Leon Mellet, a spokesman for Minister Vlok, said the ministry had received information that about 40 emergency detainees at Westville had embarked on a hunger strike

"We have information that there are people trying to rekindle the hunger strike for political and propaganda purposes," Brigadier Mellet said

"Mr Vlok has made it clear that they do not have the interests of the detainees at heart, and could not really care whether they cause themselves irreparable damage."

Two of the emergency detainees being held in Durban were still on hunger strike, while two others who had joined the strike had suspended their fast, Mr Goga said.

— Sapa

# Dorothy Boesak stalls cops as hun

**POLICE** monitoring the burning of KTC in 1986 did nothing to stop Witdoeke from burning the area because they were following a policy of "minimum force".

Riot squad platoon commander Captain Johan Oosthuizen said this in his evidence in the R200 000 damages action brought against the Minister of Law and Order by KTC residents who lost their homes when most of the area

# 'Police did nothing to stop arson'

was destroyed by police allowed the Witdoek vigilantes Witdoeke to burn the squatter camp by not taking any action against them.

The residents claim the

Captain Oosthuizen said his Casspir was monitoring a large group of Witdoeke in NY 5 on the first day of the fighting.

He said when the witdoeke were "whipped up", nothing could stop them and they left nothing alive in their path.

"When they fight they are very bloodthirsty and everything and everybody they meet will be plundered and killed."

*Sowetan*  
*15/3/89*  
*(275)*



CPT Toms 15/3/89

# Officer let witdoeke 'stream past' to KTC

Supreme Court Reporter

A POLICE officer in the Peninsula riot squad yesterday told the Supreme Court it would have been against his principles to "experiment" with human lives and test if teargas or buckshot would drive witdoeke out of KTC.

Captain Johan Oosthuizen said this during cross-examination in the R200 000 damages action brought against the Minister of Law and Order by residents of KTC who lost their homes when most of KTC was destroyed by witdoek vigilantes between June 9 and 11, 1986.

Asked by Mr H P Viljoen, SC, for the residents, if police had any reason to believe the witdoeke would attack innocent people, Captain Oosthuizen said the three days had been chaotic and it had been difficult to distinguish between witdoeke and comrades.

"If the witdoeke are roused they stop at nothing. They are bloodthirsty and they plunder and kill everything in their path," he said.

Asked by Mr Viljoen why the witdoeke, who had been massed near the Administration Board offices, had streamed past him when shots were fired by the comrades, Captain Oosthuizen said his first priority had been

to neutralise the person he suspected of having an AK-47 — because of a potential large loss of life

He had called in another Casspir and together they had gone to a house but did not find the man with the rifle. In that time, about 20 minutes, hundreds of witdoeke had streamed towards KTC.

Asked if he had decided not to act against the witdoeke or warn them of police action, Captain Oosthuizen said he had considered using teargas but that would have broken the witdoeke up into smaller groups and allowed them to disappear into the bushes.

He did not take drastic action because he would have had to shoot dead many witdoeke.

"I will admit there were occasions were I stood by and let large groups of witdoeke pass."

He said that he never personally saw anyone set shacks alight. If he had, he would either have shot him or arrested him.

The best he could do was to monitor large groups of witdoeke and prevent them fighting.

"I was not prepared to experiment by shooting people dead. How does one explain many dead?"

The hearing continues today.

# Apartheid reason for frustration — witness

From MARIUS BOSCH

UPINGTON. — The reason for black frustration was the apartheid system and not local issues, as was the case during the riots of 1985, a witness for the state said here yesterday in the trial of the "Upington 25".

Human Sciences Research Council conflict analyst Dr CP de Kock said in reply to cross-examination by advocate Mr Ian Farlam SC that a statement by former Minister of Information Mr Louis Nel that the ANC was responsible for the riots during 1984-1986 was an extreme viewpoint.

In 1985, local issues in Upington's Paballelo township, such as the halting of informal sector sales, could have caused frustration in the township, Dr De Kock said.

Dr De Kock agreed with an assertion from Mr Farlam that a major difference between Paballelo and much of the rest of SA during the 1985 unrest was that local structures in Paballelo continued to function while many local governments elsewhere were paralysed.

Earlier during cross-examination, Dr De Kock said the ANC was caught totally off-guard by the student riots of 1976. In the riots of 1984 to 1986 the ANC used the lessons learnt in 1976 to attempt to "make the country ungovernable".

The trial continues.

ge was unfair, the assessors were . . . well, crooked.

# Minimum force <sup>AK663</sup> in KTC, say police <sup>15/3/89</sup>

By REHANA ROSSOUW  
Staff Reporter <sup>775</sup>

POLICE monitoring the burning of KTC squatter camp in 1986 did nothing to stop witdoeke from burning the area, because they were following a policy of "minimum force".

Riot squad platoon commander Captain Johan Oosthuizen said this in his evidence in the R200 000 damages action brought against the Minister of Law and Order by KTC residents who lost their homes when most of the area was destroyed by witdoek vigilantes between June 9 and June 11 1986.

The residents claim police allowed the witdoeke to burn the camp by not taking any action against them.

Captain Oosthuizen said his Casspir was monitoring a large group of witdoeke in NY 5 on the first day of the fighting.

### "NOTHING ALIVE"

He said when the witdoeke were "whipped up", nothing could stop them and they left nothing alive in their path.

Captain Oosthuizen said he had not seen anybody set fire to the shacks in KTC.

"Had I seen anybody commit arson I would have taken drastic action. I would have arrested or shot the person

"I saw small groups of witdoeke move into KTC and I saw the houses burning soon afterwards."

Captain Oosthuizen said there were three options of action open to the police to use.

They could have fired tear-gas, buckshot or live ammunition.

He said teargas would have driven the witdoeke further into KTC and would have affected innocent women and children living in the area.

Buckshot could kill people at close range and if the police fired live ammunition they would have had to kill a few witdoeke.

### SMALLER GROUPS

The police monitored the larger group of witdoeke gathered on the outskirts of KTC but allowed smaller groups into the area, Captain Oosthuizen said.

The police policy was to use minimum force to control the situation in KTC.

"I wasn't prepared to take drastic action," Captain Oosthuizen said.

He agreed with a statement by Mr H P Viljoen SC, for the residents, that it was the police's duty to protect innocent citizens in KTC from the plundering witdoeke, and yet they did nothing to stop the destruction of the area.

"If I had to choose between a burnt hut and the life of a witdoek, I would let the hut burn instead," he said.

(Proceeding)

Mr Justice MR de Kock is on the Bench Mr Viljoen, with Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appears for the residents Mr G D Griessel SC, assisted by Mr C Y Louw and Mr F Brand, appears for the Minister.

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## Gold Rush gets going



# 'Criminal comrades forced way into KTC'

Staff Reporter  
MAGUS 17/3/89

A POLICE lieutenant told the Cape Town Supreme Court that comrades had forced KTC residents to let them move into the area.

Lieutenant Eugenius Bester, formerly of the Railways Police task force, was giving evidence in the R200 000 damages action brought against the Minister of Law and Order by KTC residents whose homes were destroyed by witdoek vigilantes between June 9 and 11 1986.

Residents allege the police did not take action against the witdoeke to prevent them burning down the squatter camp.

Lieutenant Bester said he had arrived in KTC on June 9 when the shacks were already burning.

He said he had previous experience of unrest in Crossroads, which was caused by black youths known as comrades.

"The comrades are political activ-

ists responsible for acts of terror and intimidation," Lieutenant Bester said.

"They do this to achieve their political aim which is the downfall of the Republic. Comrades are responsible for necklace murders and attacks on the police."

Lieutenant Bester said he had been shot in the stomach in February last year at New Crossroads by a man whose actions were politically motivated.

The man was later shot and killed.

He denied the incident had led to ill-feeling against the residents of Crossroads.

"The comrades are criminals. I feel animosity towards them because they commit necklace murders," he said.

"KTC residents didn't have a choice when the comrades moved into the area."

The hearing was postponed to Monday.

## Police stoned, 178 boy shot dead

Star 20/3/87  
Crime Reporter

A 13-year-old boy was shot dead and an 18-year-old wounded when police opened fire on a group in Upington's Blikkies township.

A spokesman for the police directorate of public relations in Pretoria said the shootings happened at about 9.30 pm on Friday, after three off-duty policemen were stoned.

"One of the policemen fired a number of shots and a coloured youth was fatally wounded and a coloured man wounded in the buttocks. He was admitted to Upington Hospital," said the spokesman.

The dead youth has been identified as Willem Gibons; the wounded youth as Johannes Faber.

# Boy shot dead when police open fire

CAP  
TIMS  
20/3/89  
JTS

From MARIUS BOSCH

UPINGTON. — A policeman has been suspended and charges of murder and attempted murder are being investigated following the death of a 12-year-old boy and the wounding of an 18-year-old when police opened fire on a crowd at the weekend.

Police yesterday confirmed the death of Willem Diebin and the wounding of 18-year-old Mr Johan Faber on Friday night after an off-duty policeman opened fire on youths in the coloured township of Blikkiesdorp.

Two youths have also been arrested on charges of public violence.

District CID chief Major J H Mostert said the incident occurred when three off-duty policemen were stoned "while walking in Blikkiesdorp on Friday night". One of the policemen had fired three shots at the youths who were stoning them and hit Willem, who was about 400m away.

Mrs J Faber, mother of the injured Mr Faber, claimed that the policemen were drunk and said the shooting started after one of the policemen had hit her son.

The parents of the dead child also alleged that the policemen were drunk.

Mrs Marie Diebin said: "They brought Willem in and I took him on my lap. He died in my arms and we could do nothing"



775

Cape Times, Tuesday,

**Supreme Court Reporter**  
COUNSEL for the KTC residents yesterday objected in the Supreme Court to an adjournment in the damages action because of heavy legal costs of about R3 000 an hour and arduous work at night and over weekends to prepare for cross-examination.

Mr H P Viljoen, SC, objected when Mr Charles Louw, for the Minister of Law and Order, asked that the hearing be postponed till today to enable him to finalise his preparation of a "key witness", Captain Johan Oosthuizen.

He had approached Mr Viljoen in chambers to ask for an adjournment but Mr Viljoen had been relentless in his refusal.

Mr Louw said he needed an ad-

# KTC counsel objects to one-day adjournment

ournment because he had to finalise his preparation of Captain Oosthuizen's evidence. In addition the captain had a cold and had a doctor's appointment for 12.30pm yesterday.

The method the minister's counsel used was to prepare two further witnesses while one of its witnesses was under cross-examination. Due to the extent of the case, 11 000 pages of evidence had to be gone through with

new witnesses.

Mr Viljoen said his team's cooperation with that of the minister rested on reasonable requests but the suggestion that the entire record had to be gone through with new witnesses was "completely without substance".

"According to my calculations costs of about R3 000 an hour is incurred for every hour we spend in court."

Mr Justice M R de Kock said Mr Viljoen's objection was not without substance and suggested that the minister's counsel give an indication of who the next witness would be.

The course of the case was "one of great concern" and it was clear that great costs had been incurred, which raised the question "is the game worth the candle".

The judge said he could not understand why the two parties could not show reasonableness and come to an agreement.

The hearing continues today. Mr Viljoen, assisted by Mr P Pretorius and Mr A M Omar, instructed by the Legal Resources Centre, appeared for the residents. Mr G D Griessel, SC, with Mr Louw and Mr F D J Brand, instructed by the state attorney, appeared for the minister.

CHG 714/5  
y. March 20, 1989 5

# Advocate pleads for humanity

From MARIUS BOSCH

UPINGTON. — Senior defence counsel for the "Upington 25", Mr Ian Farlam SC, asked the court during argument in mitigation to approach the case "with humanity and feeling".

Referring to the refusal of the defendants to testify in extenuation of sentence, Mr Farlam said extenuating circumstances could still be established through circumstantial evidence.

This had happened in the 1970 "Cohen case" although businessman Ronald Cohen, convicted of murdering his wife, had refused to testify in extenuation.

Mr Farlam said evidence given by Professor Graham Tyson of Wits University on the "deindividuation" — and consequent reduced responsibility — of the Upington 25 at the time of the murder had been opposed by the state.

However, the state's own witness, Dr C P de Kock, had conceded that deindividuation was a possible explanation for the behaviour of the 25. The trial continues.

# Trialist sent for observation

From MARIUS BOSCH

UPINGTON. — An Upington 25 trialist who last week stood up in court and shouted "give me the death sentence", was yesterday referred for 30 days' psychiatric observation.

Former professional boxer Xolile Yona, who was restrained by his fellow trialists during the outburst, was referred to Bloemfontein's Orange Hospital by Mr Justice Jan Basson.

Clinical psychologist Dr Herman Raath, who testified earlier in extenuation of sentence for the 25, was granted permission by Mr Justice Basson to accompany Yona to Bloemfontein.

Defence advocate Mr Ian Farlam, SC, said Yona feared he would be tortured similarly to allegations of police torture he had made in court after undergoing medical examinations in Cape Town in January this year.

Mr Justice Basson separated Yona's trial from the other defendants' and postponed the case to May 8.

At Mr Farlam's request, he appointed Cape Town psychiatrist Dr Michael Quayle to the panel of psychiatrists.

Replying to a question from the judge on the reason for the 25 not giving evidence in extenuation themselves, Mr Farlam said the "false evidence" given by the defendants previously had led to their conviction.

The judge last week granted the 25 a final chance to give evidence in extenuation of sentence. The defendants refused to take up this offer.

The trial continues.



The Western Cape competition will be shown on M-Net on April 8 and 7pm. The national finals take place in Johannesburg on April 30.

# Sharpeville Day violence rocks Natal townships

ARGUS 21/3/89

7.75

The Argus Correspondent

DURBAN. — Violence erupted in townships near here today with barricades being thrown up, buses stoned and passengers intimidated into staying away from work.

At least one bus was petrol-bombed.

Thousands of pamphlets have been distributed in Kwamashu, Umlazi, Newtown, Inanda and Kwadengeni urging people to stay away from work to mark the anniversary of the Sharpeville shootings in 1960.

Police had to break down barricades set up to prevent buses leaving the townships.

Hundreds of children are reported to have stayed away from school.

Four Putco buses were badly damaged when they were stoned at Ntunzuma East, north of the city. A petrol bomb was also hurled at one of the vehicles.

The regional manager of Putco, Mr Ricky Stevenson, said the situation in the townships was tense.

"We are operating our buses only under police escort. Early this morning four of our buses were extensively

damaged when they were stoned by mobs. A petrol bomb was hurled at one of them, but fortunately it did not ignite."

It is believed that at Kwadengeni, near Shongweni, barricades were set up and that a bus belonging to the Durban Transport Management Board was set on fire.

Kwazulu Commissioner of Police Brigadier Dries Laas confirmed that unrest had occurred in Kwamashu and Umlazi.

"We have the situation under control and no one was injured in the stonings," he said.

● The Argus Bureau in Port Elizabeth reports that there was widespread absenteeism from work today as black workers remembered those who died in the shootings at Langa, Uitenhage, in 1985.

Most employers were prepared for the Langa anniversary. Mr Brian Matthew, executive director of the Midlands Chamber of Industries, said many companies had reached agreement with their employees. In some instances paid holidays had been negotiated while others gave their workers unpaid leave for the day.

## Man dies, six arrested in unrest

ARGUS 21/3/89

PRETORIA. — A man was fatally wounded and four men and two youths were arrested at Mpophomeni near Howick after a group of people ignored a police order to disperse, the Police Directorate of Public Relations said in its daily unrest report.

Police said the group gathered and began fighting. Police ordered them to disperse.

They refused to listen and began stoning the police, causing damage to a police vehicle. Police used shotgun

fire, mainly birdshot, and tear smoke to disperse them.

At Botha's Hill near Durban a group gathered illegally and ignored police requests to disperse. Birdshot was used to disperse them and seven men were arrested.

At Haza near Howick two groups of people clashed. Police arrested 233 men, 40 of them under the age of 18.

A man in the group pointed a firearm at the police and two rounds of birdshot were fired. A man was slightly injured. — Sapa.

# Court hears of the 25's lack of fear

Cape Times 22/3/89  
From MARIUS BOSCH

UPINGTON. — Something happened on the day of the killing of a policeman that had overridden Paballelo residents' fear of being shot by live ammunition, the presiding judge in the Upington 25 trial heard yesterday.

Arguing in extenuation of sentence for the 25, Mr Ian Farlam SC said a threat by police to use live ammunition usually operated as a powerful deterrent and that the use of live ammunition a day before the killing had, in fact,

prevented further acts of vandalism.

The only explanation for the resurgence of violence — which led to the murder of Constable Lucas Sethwala — was that a state of deindividuation, brought about by situational factors operating on the day of the killing, had overridden the fear of being shot with live ammunition, Mr Farlam said.

The situational forces present were of such an intensity as to induce the dead policeman's best

friend and a person who regarded Const Sethwala as a brother to take part in his murder, he said.

Mr Farlam told the court that one of the extenuating circumstances present in the case was the youth and immaturity of some of the defendants. He referred to the 1974 "Scissors Murder" case in which a judge found a teenager guilty of the murder of her married lover's wife but the Appeal Court overturned her sentence on the grounds of her youth and immaturity.

The trial continues.

275  
275  
trial <sup>case. Toijs</sup> 24/3/89  
adjourned

From MARIUS BOSCH

UPINGTON. — The trial of the "Upington 25" was yesterday adjourned until April 10, when the defence will continue with argument for extenuation of sentence.

The 25 have been convicted of murdering a policeman in 1985.

For the friends and relatives of the accused it has been a long and agonizing trial since it started in October 1986. Judgment was passed by Mr Justice Jan Basson in April 1988, and the trial resumed on February 6 this year.

Although the trial has featured prominently in local and foreign newspapers, it appears most whites in Upington are unaware of it.

"All they moan about is that they can't park their cars in front of the court," said one shop owner.

Police have prohibited parking in the vicinity of the court for security reasons.

Evidence led by the defence states that events leading to the killing of the policeman so undermined the defendants that they could not recognise the consequences of their actions.



ORKel 25/3/89

# Vlok to pay shot newsman R10 000

by REHANA ROSSOUW  
Weekend Argus Reporter

AN Oudtshoorn journalist, shot by special constables while on an assignment for his newspaper, will be paid R10 000 damages by Mr Adriaan Vlok, Minister of Law and Order, in terms of an out-of-court settlement.

Mr Patrick Nyuka, 22, a reporter for the community newspaper Saamstaan, claimed R85 000 in damages after he was shot in the back and arm by a special constable in Bhongoletu township in September 1987.

## Confrontation

Mr Nyuka said in an affidavit that on September 19 1987 he had been instructed by Saamstaan to cover a party in Second Avenue, Bongoletu, to celebrate the release of two men who had served an 18-month public violence sentence.

He took notes and photographs at the gathering and left to fetch more film for his camera.

He saw three special constables in the street outside the hall and heard one shouting: "I am going to shoot through the window".

As he walked towards the special constables, one of them confronted him and asked what he was carrying. The constable attempted to grab his notebook and camera.

Mr Nyuka said he attempted to destroy his notes as he felt they were confidential and was hit with the butt of a shotgun by one of the special constables.

The special constables then fired shots at party-goers.

"One of the special constables came running into the backyard and told me to stand still," said Mr Nyuka.

"I instinctively felt that he was going to pull the trigger. I turned sideways to my right and ducked — a shot went off and I felt an excruciating burning sensation in my left arm and the middle of my back."

Mr Nyuka said he had been treated at the George Hospital where doctors told him he had fractured his left arm and had pellets lodged in his arm and back.

Two other Bhongoletu residents who were wounded in the same incident, Miss Lindiwe Phillips, 36, and Matthews Ngalo, 20, will also be paid damages by the Minister.

Miss Phillips claimed R119 000, but will be paid R20 000 in terms of the settlement.

Mr Ngalo, who was shot in his legs and thighs, claimed R18 000 and will be paid R1 500.

The settlement was made without an admission of liability by the Minister.

## Man dies in grenade explosion at shebeen

*275*  
*3/4/89*  
PRETORIA. — A man was killed in a shebeen at a private house in Soweto yesterday when a hand-grenade was detonated, according to the police daily unrest report.

At New Brighton, near Port Elizabeth, arsonists damaged a school and a church and at Lingelihle, near Cradock, a woman was arrested after an illegal gathering yesterday.

At 6pm on Saturday, soccer fans leaving Ellis Park Stadium after a match overturned and set fire to a car which had knocked down a pedestrian moments earlier.

Riot and traffic police kept the crowds at bay while the flames were extinguished. The seriously injured pedestrian was taken to hospital and the driver of the car was arrested for reckless driving.

— Sapa

Political Staff

VIOLENCE will erupt in Khayelitsha unless action is taken against the mayor of the area, Mr Mali Hoza, and his "bully boys" who are using violence and intimidation to gain control, the independent MP for Claremont, Mr Jan van Eck, warned yesterday

He also said that squatters in Khayelitsha are being dragged off to kangaroo courts presided over by Mr Hoza, who imposes fines on them, earning R400 to R500 a day, or sentences them to whipping.

The situation in Khayelitsha is potentially dangerous and tensions between Mr Hoza

# Township mayor *CAPE TIMES 5/4/89* 'using bully boys'

and a large cross-section of residents are "reaching such a point that massive, large-scale violence can erupt any day"

Mr Van Eck, who was speaking during the sitting of the extended public committee on Cape provincial affairs, said that the result of making Khayelitsha one ward for the whole of the area, instead of dividing it into different wards, had resulted in Mr Hoza and

his group winning all the seats, while at least nine other well-established leaders were excluded even though they were prepared to fight the elections

"Because residents residing in these areas are still supportive of these nine leaders, Mr Hoza has resorted to a vicious and violent campaign to force residents in those areas to support him.

"Marauding gangs of

Mr Hoza's bully boys, which comprise kitskonstables, councillors and others, armed with guns, swords and kerries, go door-to-door in the Khayelitsha squatter areas intimidating people who do not swear loyalty to Mr Hoza

"Squatters who did not approach Mr Hoza for permission to erect a shack, but had received permission from one of the other nine leaders before Mr Hoza was

elected, have to be forced to re-apply to Mr Hoza and pay R25

"When they refused, they were beaten with gun butts by kitskonstables and had their shacks demolished"

The provincial administration and the government had been fully informed about this crisis in Khayelitsha but so far nothing had been done, Mr Van Eck said

Vigilante-type war lords, like Mr Hoza, were openly using violence and intimidation against their opponents to take total control of the black townships

Moreover, the government and the provincial authorities are giving support to him





Terror scene . . . Mr Nelson Nkosingane inspects the damage to his house caused in the shootout. Picture by Stephen Davimes.

# Transkei chief killed in Soweto gun battle

Montshwa Moroke

A former Transkei chief and MP died in Soweto early yesterday in crossfire between police and an alleged insurgent, who also died in the shoot-out.

A Grenade was used by the police during a pitched battle between a large contingent of police and the alleged insurgent.

Mr Jackson Balisile Nkosingane (75) from Mganduli, near Umtata, who was apparently killed accidentally during the shooting, had been visiting his brother's home in Koma Street, Zondi 1. His brother is a Transkei urban representative.

Mr Nkosingane was a former member of the opposition Transkei Democratic Party and a former court interpreter.

The other man who was killed was known only as "Bantu" to tenants of the house where the shooting took place. He was apparently in his 20s.

A third man, Mr Warner Nkosingane (32), who was sleeping in a room adjoining the one peppered by bullets and shrapnel, is lucky to be alive.

The police public relations division in Pretoria said in a statement shots were fired with an AK-47 assault rifle at a police patrol when it went to a house in Zondi.

The statement said the police returned the fire and then threw a grenade into the house. The bodies of two men, one an alleged terrorist, were found inside the house, the statement said.

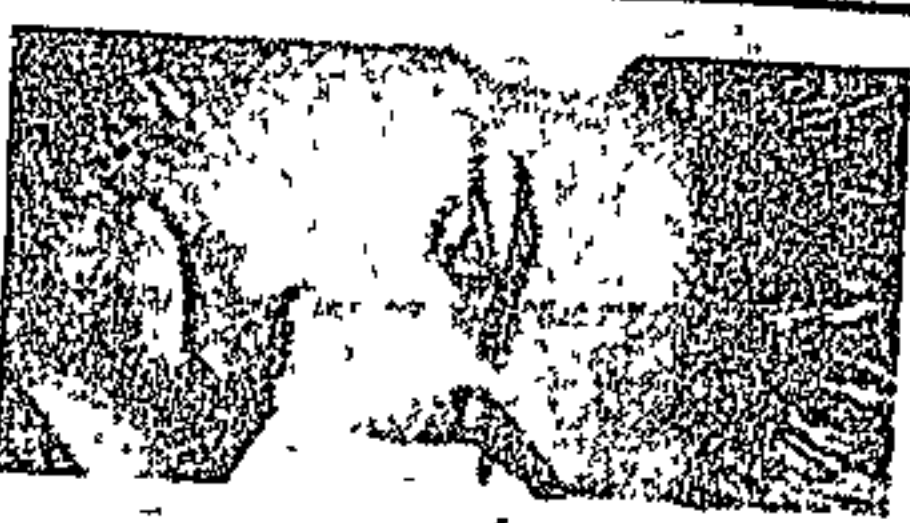
# Star's staggering performance

The Star Bureau

LONDON — George Michael gave a staggering performance yesterday when he was named Britain's songwriter of the year.

The 25-year-old star swayed extravagantly on the way to the stage where he was presented with an Ivor Novello statuette. After several hicups, he told the 1 000-strong audience: "I wish I had got this award early in the afternoon because I was sober then."

The man paid R4,3 million to advertise Coca-Cola had clearly decid-



George Michael

ed to celebrate with stronger stuff. Before leaving the stage, he said: "I'll go and have another drink."

Twenty minutes later, when he returned to collect the international hit of the year statuette for his album "Faith", he took along a bottle of red wine which he gulped on the way to the stage.

Said his father Jack: "George was having a few drinks to celebrate. He just had the most fantastic year and you can't begrudge him a celebratory tippie. It's not something you do all the time."

ARLUS 5/14/84  
MP warns on township violence

A REPEAT of the Crossroads destruction and killing of 1986 was imminent in Khayelitsha unless something was done to restrain the community's mayor, Mr Mali Hoza, and his "vigilante bully boys", Mr Jan van Eck (Indep Claremont) has claimed.

He told the Extended Public Committee on Cape provincial affairs that the Provincial Administration and the government had been fully informed about the crisis, but so far nothing had been done.

The government should not blame people for drawing the conclusion that it actively supported the creation of vigilante-type warlords such as

Crossroads Mayor, Mr Johnson Nxobongwana, and Mr Hoza and their open use of violence and intimidation against their opponents to take total control of the black townships which had been allocated to them.

"Marauding gangs of Mr Hoza's bully boys, which comprise kitskonstabels, councillors and others, armed with guns, swords and kieres, go door-to-door in the Khayelitsha squatter areas intimidating people who do not swear loyalty to Mr Hoza," said Mr van Eck.

Mr Van Eck said there had already been shootings and there would be more if the situation did not change.

— Sapa



Cape Times 7/4/89

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# Township mayor slates Van Eck

Staff Reporter

KHAYELITSHA mayor Mr Mali Hoza has lashed out at the independent MP for Claremont, Mr Jan van Eck, accusing him of abusing his privilege as a member of an all-white Parliament.

Mr Van Eck had used a forum for attack which did not offer Mr Hoza the opportunity to answer allegations against him, he said last night in response to an article in the Cape Times yesterday.

In the article, Mr Van Eck warned that violence would erupt in Khayelitsha unless action was taken against Mr Hoza.

Mr Hoza expressed concern at facts Mr Van Eck appeared to have at his disposal and said he "would very much like to share and test this information."

"As the responsible authority we are very concerned at the news in the light of our objective of establishing a peaceful community."

Mr Hoza emphatically denied claims that squatters in Khayelitsha were dragged off to kangaroo courts presided over by himself and which imposed fines earning R400 or R500 a day, or which sentenced them to whipping.

Further allegations that kitskonstabels were beating people up had nothing to do with the local authority.

He invited Mr Van Eck to debate the issue with him in Khayelitsha.



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By BARRY STREEK  
Political Staff

# Van Eck agrees to debate challenge

THE MP for Claremont, Mr Jan van Eck, yesterday accepted a challenge from the Mayor of Lingeletu West, Mr Mali Hoza, for a public debate about the conditions in Khayelitsha

Mr Hoza issued the challenge after Mr Van Eck warned in Parliament that violence could soon erupt in Khayelitsha if the government did not take action against Mr Hoza and his "bully boys". He also accused Mr Hoza

of using violence and intimidation to gain control.

Mr Hoza rejected his statements and accused Mr Van Eck of abusing his privilege as a member of an all-white Parliament. In a statement last night, Mr Van Eck said he accepted Mr Ho-

za's invitation to a debate with him, provided the debate took place at a public meeting

Mr Van Eck said it would have to be agreed that he be allowed his own interpreter and that he and Mr Hoza agree upon the choice of chairperson

13/4/89  
Man wounded  
PRETORIA — A man  
was wounded at Inanda,  
near Durban, yesterday  
after a security force pa-  
trol fired birdshot to dis-  
perse stone-throwers,  
according to the latest  
police unrest report.  
At Galeshewe, near  
Kimberley, a delivery  
vehicle was extensively  
damaged when a group  
of people stoned it and  
set it alight.  
At Edendale, a man  
was injured after a bus  
was stoned. — Sapa

18/09  
Man killed in  
Natal stabbing

PRETORIA. A man was stabbed to death in one of two unrest-related incidents which occurred during the past 24 hours, a police spokesman said here yesterday.

A group stoned the house of a special constable at Khayelitsha. He dispersed the mob with shotgun fire and arrested a man. No injuries were reported.

A 50-year-old man was stabbed to death at Taylor's Halt, Natal, and his car set alight. The vehicle was badly damaged. — Sapa



# Paralysed man's claim dismissed

CAPE Times 22/4/89 JTS

A R200 000 damages claim by a Salt River man paralysed in the left leg after being shot at a funeral in 1985, was dismissed with costs in the Supreme Court yesterday.

Mr Yusuf Lakay said in his claim against the Minister of Law and Order that he was unlawfully assaulted by Constable James Farmer near the Muslim graveyard in Observatory on September 11, 1985.

In his judgment, Mr Justice AJ Lategan said it was equally probable that Constable Farmer had "wilfully with his own hand fired the gun"; that his finger was accidentally or deliberately squeezed over the trigger during a struggle, or that one of the policeman's attackers had taken the gun away from him and either deliberately or accidentally fired.

Capl Times 22/4/89

# Mayor, official agree to prevent attacks

Supreme Court Reporter

MR Mali Hoza, the mayor of Khayelitsha, and one of his councillors yesterday undertook in the Supreme Court not to participate in, assist or permit an unlawful attack on two residents.

Mr Hoza and the councillor also undertook to prevent, as far as possible, any of their servants or agents from perpetrating any unlawful acts.

Mr Hoza said he would personally inform all people under his control of the undertaking within 48 hours. He denied, however, that people under his authority constituted a homeguard or court, as was alleged.

The undertaking to the court follows an urgent application brought by Mr Mgcini Hunderson Mkaza and Ms Lucia Cizwa Manyakanyana against Mr Hoza, Mr Jackson Nonjaca, Mr Pieter Thetani, Mr Dielo Mogoma, Mr Xexo Solixo, Mr David Olifant and Mr Richard Daladada.

However, an interim interdict was granted against Mr Thetani, Mr Olifant and Mr Daladada. The return date is June 1.

Mr Mkaza, a security guard who runs a discotheque, said he had been assaulted on April 10 and a number of his possessions destroyed or stolen. His attackers were subsequently released on bail.

He described his at-

to page 2

Crack of dawn

## Homeguard

Capl Times 22/4/89 Hoza

attackers as members of a group known as "Masolumzi" — a homeguard — formed by Mr Hoza after his arrival in Khayelitsha. He said its members were armed with firearms, pangas and other lethal weapons, acted as bodyguards and purported to enforce law and order.

Mr Hoza also controlled a system of "informal and unlawful" courts in Khayelitsha, run by a headman and homeguard in each section. At these courts people were often heavily fined or beaten, usually without the opportunity of a proper hearing, Mr Mkaza said.

On April 9 this year a group of men arrived at his house and told him he was wanted by the headman. When he refused to go he was assaulted, but fought back and reported the matter to a special constable who lived close

While speaking to the constable he heard gunshots and saw that about 30 members of the homeguard had surrounded the house and were beating up people inside and breaking windows.

CITIZEN TIMES  
22/4/89

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By ANDRE KOOPMAN

A WHITE principal of a Guguletu high school was injured when his car was stoned and torched by pupils who also stoned the cars of two other white principals in the area.

# School principal injured as pupils stone, torch car

Mr L Redelinghuys, principal of Crossroads Three High School, said from his home yesterday that he "was not well" and referred inquiries to the Department of Education and Training (DET).

The DET commented yesterday that "a few trouble-makers beclouded the goodwill that is undoubtedly present in education".

Black teachers said yesterday that the cars of two more principals — at I D Mkhize and Fezeka high schools — were also pelted

with stones by pupils during the incident on Thursday.

The principals were appointed at the beginning of the year amid warnings from the Defend the Democratic Teachers' Union Committee (DDC) that it would lead to resentment and an "escalation of tensions at the schools".

Mr Redelinghuys was visiting I D Mkhize principal Mr K Slabber in Guguletu when he was attacked by the stone-throwers.

While Mr Slabber helped the

injured Mr Redelinghuys into the school, pupils burnt Mr Redelinghuys's car and stoned Mr Slabber's vehicle.

Mr Redelinghuys was taken to hospital and discharged.

A police unrest report yesterday stated that "a group of scholars at a local school injured a headmaster when they threw stones at him. Whilst he was being taken to hospital for treatment, his vehicle was set alight and badly damaged".



# Court sentences 4 for stoning cop's house

## Court Reporter

A TEENAGER and two young men were yesterday sentenced in Cape Town Regional Court to an effective one-year jail term for stoning the house of a policeman in Saldanha

Johannes Strauss, 19, Jacobus Diergaardt, 23, and Godfrey Kekana, 25, all of Saldanha, were convicted of public violence and sentenced to three years' imprisonment of which two years were suspended for five years.

Their co-accused, Jacobus Januarie, 20, whom the court heard was "mildly mentally retarded", was sentenced to three years' imprisonment wholly suspended.

A 16-year-old youth and two men, Mr Robert Kekana, 29, of

Diazville, Saldanha, and Mr Maxwell Moss, 28, of White city, Saldanha, were acquitted.

The court heard that on September 12 they were part of a group of about 60 people who stoned the house of Constable A Mitchells after a rugby match.

Passing sentence, the magistrate, Mr J D Huggett, accepted that Januarie was mildly retarded and that none of the accused had previous convictions. The court heard that the "trouble" had started at a nearby sports field.

The three sentenced to effective jail terms were released on R500 bail each, pending an appeal against conviction and sentence.

Mr F Silbert prosecuted Mr D Potgieter, instructed by Mr T MacDonald, appeared for the accused.

# Principal hit by brick — pupil may face charges

AR645 7/5/89 275  
By DENNIS CRUYWAGEN  
Education Reporter

CRIMINAL charges are being investigated against a Guguletu pupil who seriously injured a white principal by throwing a brick at him.

Mr L Redelinghuys, principal of Crossroads Three High School, has a serious head injury and would require plastic surgery, said Mr Leon Nel, deputy-director of the Department of Education and Training in the Western Cape.

Mr Nel today said the department had written to Guguletu parents advising them that steps had been taken to safeguard teachers, buildings and pupils.

## POLICE PRESENCE

The department had arranged for a police presence at I D Mkize and Fezeka high schools and at Guguletu Comprehensive School because it "wants to prevent damage or injuries to pupils and schools", he said.

Yesterday's average attendance at each of the three schools was above 80 percent, he said.

In its letter to parents the department said it had become "very necessary" to safeguard all secondary schools in Guguletu and protect property, teachers and pupils who wanted to learn.

The decision to "safeguard" schools was prompted by the stoning of teachers' cars, the torching of a principal's vehicle

and the serious injury to a headmaster when a brick was flung at him.

Damage to the vehicle and medical costs totalled about R35 000, according to the letter.

The document, dated April 28 and signed by the assistant director of the Cape Town west region, was distributed in Guguletu at the weekend, parents said.

## DEFENCE FORCE

Mr Andile Jonas, a chairman of the restricted Democratic Teachers Union, said the crisis in black schools could not be solved in a high-handed manner.

Speaking in his personal capacity and as a member of the Defend Democratic Teachers Union Committee, he disagreed with the pamphlets distributed at the weekend and with the presence of the Defence Force in schools, he said.

"How can we expect pupils to learn when they are still in need of stationery and textbooks?"

"Five teachers who were suspended for alleged misconduct a year ago still do not know their fate. The teacher-pupil ratio is high. We have no electricity in our classes and troops are present in our schools."

The committee was planning a campaign, "Hands off I D Mkize; hands off our schools", to defend teachers, students, and schools.

Part of the campaign was a call on the authorities to get troops out of schools.

# 'Communication gap' behind school tension

By TOS WENTZEL  
Political Correspondent

CONCERN about rising tension in black schools in the Western Cape and the lack of trust and inadequate communication was expressed today by Mr Ken Andrew MP, the Democratic Party's spokesman on black education.

He said the fundamental problem was that a system of education which the black community did not want was being imposed on them.

The government had silenced movements such as the Democratic Teachers' Union and the National Education Crisis Committee and had made it impossible for the parent, teacher and student associations to function normally.

Mr Andrew called on the government to lift arbitrary restrictions on parent, student and teacher organisations, to withdraw the charges and lift the 14-month suspension of five teachers and to charge or release the detained I D Mkize teacher and students.

He said the parent-teachers-students associations should be allowed to function normally so that communications could be established. Communities should be allowed to play an integral part in the decisions affecting their schools.

These steps should be taken without delay. What was needed was one education system in a democratic and free South Africa.

Mr Andrew pointed out the cost of segregated education systems

was underlined once again by the disclosure that 203 white schools had closed in 10 years. Few of the buildings were now used for education.

Also, there were a 250 000 empty places at white schools and facilities worth about R2 000-million were not being used.

The Defend Democratic Teachers' Union Committee has called for the immediate resignation of Mr Leon Nel, deputy-regional director of the Department of Education and Training, writes The Argus Education Reporter.

The committee said Mr Nel had failed to identify the problems and had decided to use the iron fist.

Its warning to the DET of the folly of appointing "ignorant, verkrampte" white principals at black schools had been ignored.



# 'No purpose' in action on witdoeke

Capt. Truif  
19/5/89  
575

## Supreme Court Reporter

A POLICE captain took no action against a mob of armed witdoeke because it "would not have served any purpose", the Supreme Court heard yesterday. Minutes later, however, he fired teargas to disperse comrades.

This was the evidence of Captain Hendrik de Wet Oosthuizen in the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 21 KTC residents who lost their homes when most of KTC was destroyed by witdoeke vigilantes between June 9 and 11, 1986.

Capt Oosthuizen said that on June 9 he had been ordered to go to KTC to assist the riot police in keeping fighting factions apart. While he was at the Administration Board offices about 1 000 armed witdoeke walked out of Crossroads down NY5.

He suspected they were on their way to fight and drove his Casspir past them in the direction of NY5. He wanted to see with whom they were going to fight and where.

On the corner of NY5 and NY78 he found a large group of thousands of comrades and warned them to disperse within five minutes. The comrades did not react to his warning and some of them stoned the Casspir.

He then dispersed the comrades by firing teargas and turned back in the direction of the Administration Building where he found the witdoeke. When he asked them to turn back, they complied, Capt Oosthuizen said.

Capt Oosthuizen said he had seen witdoeke enter KTC in small groups but there was nothing he could have done to stop them and even shooting a few would not have served any purpose.

The hearing continues on Monday.

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# Teachers query DET cautionings

*Cape Times 19/5/89*  
Staff Reporter *(D) (M) (S)*

THREE Paarl teachers have been reprimanded and cautioned by the Department of Education and Training after being found guilty of misconduct, but the teachers claim they were never present at any disciplinary hearings, colleagues said.

The three — Mr N J Allah, Miss N Cacadu and Mr M Petros — are teachers at the strife-racked Simon Hebe High School in Mbekweni, Paarl.

A colleague said at a press conference this week that the three had initially been warned that the DET was investigating charges of misconduct against them and three other teachers.

Last week the three were informed by letter that they had been found guilty, he said.

"Guilty of what I don't know because they had not attended any disciplinary hearing," he said.

He showed a letter from the DET addressed to another Simon Hebe teacher, Mr N Dzuzo, which informed him he could face misconduct charges.

In a statement, a group of teachers at Simon Hebe said there had been problems at their school since the appointment of a new white principal.

The school had had a highly satisfactory matric pass rate of 84% in 1986 and 90% in 1987, they added.

The teachers "abhorred the uneducational stance assumed by the DET's Cape Town office", deplored the "continued harassment" of teachers and called for an end to "victimisation" of teachers.

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CAT-Trans 1/15/89 (275)

**ROUGH JUSTICE**  
... Taxi drivers in Nyanga beat a man who they claimed was involved in stripping and stoning a taxi. Witnesses said the drivers locked three men in a taxi, then removed them one by one and beat them with sjamboks and sticks. Police warned taxi drivers not to take the law into their own hands.  
Report — Page 2



Police Inspector Johnny Cawcutt



# Police warning after taxi drivers beat up trio

Staff Reporter

**POLICE** yesterday warned township taxi drivers not to take the law into their own hands after a mob of drivers savagely beat three men they accused of complicity in stoning and stripping one of their vehicles.

Residents near Terminus Square looked on yesterday as the drivers locked the victims in a taxi before removing them one by one for beatings with sjamboks and sticks.

*Chick Simps 19/5/89 275*

One witness, who declined to be named for fear of reprisals, said the beatings seemed to be an attempt to force confessions out of the trio or to establish the whereabouts of some people. One of the victims had pulled free and was allowed to run away while the other two, blood streaming from their wounds, were driven off in an apparent attempt to seek out the homes of the alleged offenders.

Police liaison officer Lieutenant Attie

Laubscher confirmed that Nyanga detectives were investigating charges of assault, malicious injury to property and theft.

He said the beatings were a sequel to a collision between two vehicles in Emms Drive, Nyanga, the previous night. Two taxis were stoned and one was stripped of parts.

Lt Laubscher said police would not tolerate any more violence from "taxi people".

# 'Trojan Horse' members subpoenaed

Staff Reporter

THIRTEEN police and Defence Force members who were involved in the "Trojan Horse" shooting incident in Athlone in 1985 have been subpoenaed to appear in the Supreme Court on August 1, on a charge of murder in a private prosecution.

The security force members — who were concealed in crates at the back of a Transport Services truck — opened fire on people who were allegedly stoning passing vehicles and two youths, Michael Miranda, 11, and Shaun Magmoed 16, and Mr Jonathan Claasens were killed.

Last year a Wynberg inquest magistrate, Mr G Hoffmann, found that Lieutenant Douw Vermeulen, who was in command of the nine-man task force on the truck, and his men were guilty of negligence and had caused the death of the three.

## Parents seek prosecution

The finding was forwarded to the Attorney-General of the Cape, Mr Niel Rossouw, who declined to prosecute. Mr Rossouw subsequently confirmed he had issued a "nolle prosequi" (non prosecution) certificate, which once issued, enables anyone who thinks the Attorney-General has made an incorrect decision to take the case to court.

As a result, a private prosecution will be brought by Mrs Georgina Williams, mother of Michael, and Mr Martin Magmoed, father of Shaun.

The men who have been subpoenaed are: Colonel P Janse van Rensburg, Major Christiaan Loedölf, Commandant S Pienaar, Lieutenant Douw Vermeulen, Sergeant F van Niekerk, Sergeant J J Burger, Constable W K F Puchert, Constable P M du Toit, Warrant-Officer A Swart, Sergeant J Sayer, Constable A J Smit, Constable A J Rossell and Sergeant A M Smit.

Mr Jeremy Gauntlett SC, assisted by Mr Les Rose-Innes, will lead the prosecution for the families.

Mr Flip Hattingh SC and Mr Jurie Wessels, both of Johannesburg, will appear for Lt Vermeulen and the men on the truck. Mr W Burger SC, assisted by Mr Piet de Jager of Pretoria, will appear for the SADF members. Mr P de Bruyn SC, of Port Elizabeth, assisted by Mr Anton Veldhuizen, will appear for the police officers who planned the operation.



# Now thugs join in booze joint raids

By ALI MPHAKI

**A** SUNDOWNER at your favourite joint may soon become a thing of the past in Soweto.

A series of attacks on shebeens lately by gun-toting thugs has forced the closure of some of these drinking places.

The scenario is such that shebeeners (unlicensed) have now to contend with police raids on the one hand and attacks by thugs on the other.

"These attacks are becoming all too common. It's just pointless running a shebeen today," lament-

ed popular shebeen king Mr Victor Banda of Zone 10 Meadowlands.

The method used by these gun-toting gangs is the same, fuelling suspicion that there may be a well orchestrated movement which has declared war on shebeens.

### Patrons

What is frightening is the fact that both the shebeen owner and patrons suffer when the thugs attack.

On March 18 an eight-man gang attacked the Meadowlands Zone 8 shebeen of Mr Morgan Kgoroba, robbed him of R7000, a video machine and sound system



SOWETAN staffer Rex Pule stands next to a "Place Closed" sign outside Banda's Shebeen in Meadowlands, Soweto.

"The gang first cornered one of my security men at the gate. They then entered the house and ordered all the patrons to lie on the floor at gun point.

"The patrons were searched and those with money were robbed and beer poured on their heads as they lay face down," Mr Kgoroba said.

### Death

He added "Everything came to a standstill and in the ensuing confusion I was also held up and had to give them money I had to choose between life and death."

Mr Isaac "Ma-Dice" Maushoane, owner of a shebeen in Dobsonville, also had his share on the same night when a four-man gang raided his place.

He was robbed of a video machine, had his

inside doors broken and his truck's window smashed.

"Fortunately they did not get the money as I had to put up a fight," Mr Maushoane said.

These attacks have affected business for the shebeeners. Many patrons have kept away.

A sign saying "Place closed" hangs sadly on the entrance of Banda's shebeen in Meadowlands, rated as one of the finest shebeens in Soweto.

Banda's Shebeen was raided by thugs three weeks ago and a security man at the gates was

wounded. This was one of several attacks made on the shebeen in two years.

"How can you operate when you are constantly raided by thugs. It does not pay," Mr Banda said.

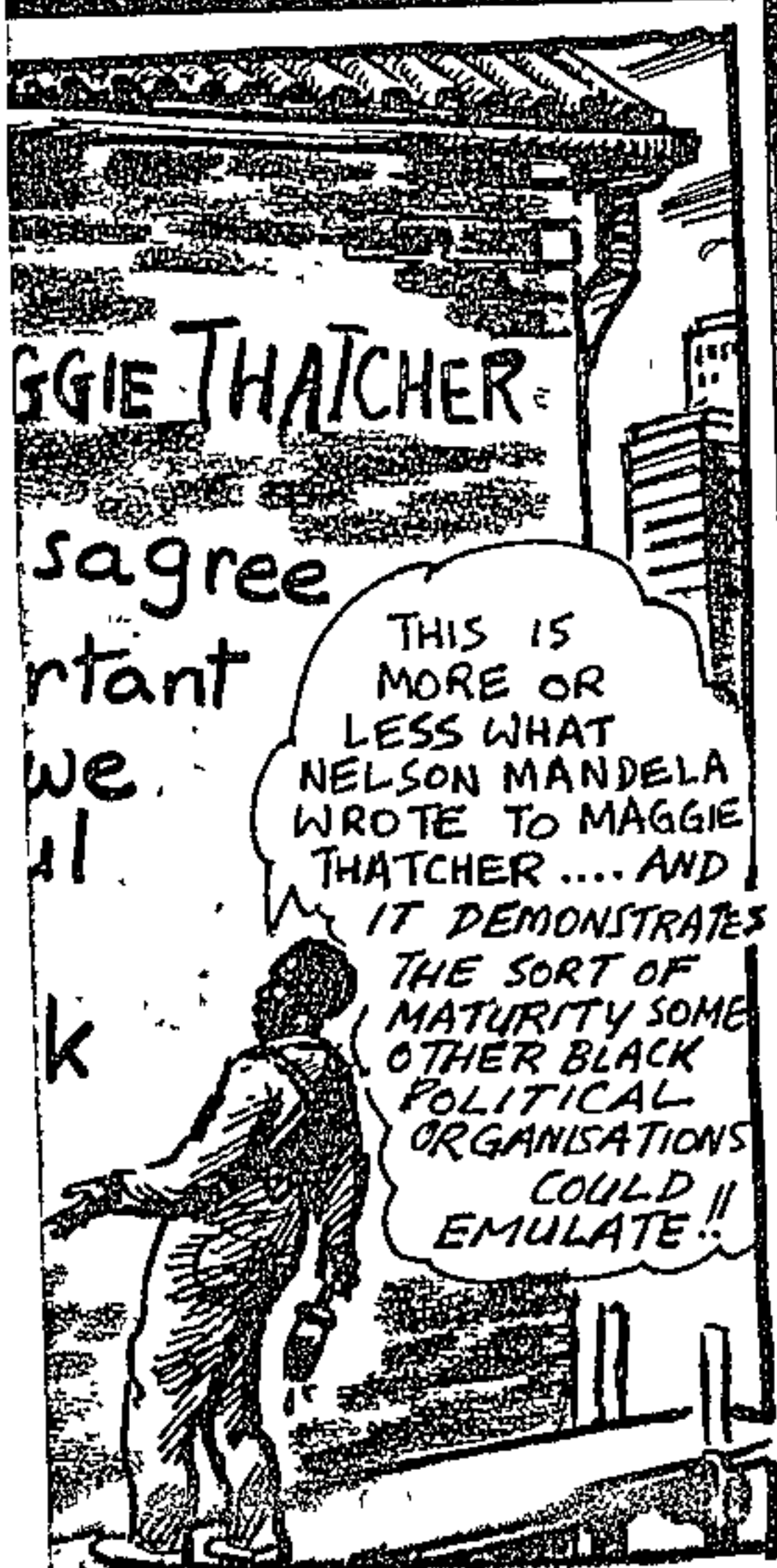
### Studies

Shebeens have always been a permanent feature of township life. They serve a need created by the absence of recreational facilities in the townships.

Although in some quarters shebeens are regarded as breeding grounds for crime and immorality, a number of professional people have been able to pursue their studies because their mothers ran shebeens.

Soweto police liaison officer, Major Noel Hartwell, appealed to shebeen owners who have been attacked by thugs to come forward.

He said police investigated all cases thoroughly and all information was treated confidentially.



Political comment in this issue by Aggrey Klaaste and Sam Mabe. Sub-editing, headlines and posters by Sydney Matlhaku. All of 61 Commando Road, Industria West, Johannesburg.

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Qnt Trts 26/5/89

# Upington 25: Sentence today

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By MARIUS BOSCH and Sapa  
UPINGTON. — Sentence will be passed today on 14 of the Upington 25 trialists convicted of the murder of a municipal policeman in 1985.

Mr Justice Jan Basson in a 200-page judgment this week found there were no extenuating circumstances for the 14 trialists, among whom is a 60-year-old mother of 10 children, her 63-year-old husband and a former mayor of Upington's Paballelo township.

The judge is bound by law to sentence the 14 to death.

The murder occurred on November 13, 1985, after a protest meeting against high rents was broken up by police. A mob stoned the house of Constable Lucas Sethwala who was kicked, stabbed and set alight. According to the judge, all the trialists had a common purpose.

In the case of Evelina de Bruin, 60, the judge said she had played an active and important role in the murder.

She returned from the scene of the murder with balled fists in the air and shouted: "Daar lê die hond en brand" (there lies the dog, burning), the judge said.

"Through lack of evidence on her part, it is difficult to ascertain whether these factors (emotional liability and the fact that some of her children were detained under the emergency regulations) played an important role."

The judge refused a defence request for the case to be postponed to allow family of the 14 to be present at the sentence. The case was a prolonged one dating back to 1986 and the court can find no justification in postponing the trial, he said.

# UPINGTON 14 GET DRAUGHTS IN 15

Ms 45 26/5/89 575

UPINGTON. — Fourteen of the "Upington 25" were today sentenced to death for murdering a municipal policeman, Lucas Selhwala.

The 13 men and one woman were sentenced in the circuit court after Mr Justice J Basson found no extenuating circumstances.

The case against the other 11 accused, where mitigation was found, was postponed until Monday and they are expected to be sentenced next week. The trial has lasted three years.

The 14 are among 25 convicted of killing Mr Selhwala at the height of anti-apartheid riots in November 1986.

Mr Selhwala was beaten, strangled and then set alight in Fabellelo near Upington on the edge of the forbidding Namib desert in the Northern Cape.

## "Fabricated lies"

Before sentence was passed, one of the condemned, Kenneth Khumalo, told the court "I know I am innocent. A lot that was said against me was fabricated lies."

"I wish the judge to live longer to see me walking free in the streets of South Africa."

As Mr Justice Basson passed sentence, the 14, apparently resigned to their fate, said "thank you" in turn while relatives in the packed public gallery wept.

Those sentenced to death today are, Kenneth Pinkie Kumalo, Eric Tros Gabula, David Lekhan-yane, Myner Gudhani Boyu, Zuko Zabandim, Andrew Lekanyane, Justice Bekebeke, Zonga Mok-halle, Wellington Masiza, Boy Jafja, Evelyn de Bruin, Gideon Madlongwane, Xolile Yona and Albert Jywell.

## "Sharpeville Six"

The case of the "Upington 25" bears similarities to the trial which condemned the "Sharpeville Six" to death and provoked a storm of protest around the world.

Like the Sharpeville Six, many of the Upington 25 were convicted not of actually killing the victim but of sharing a "common purpose" with a mob of about 120.

This is the largest single group condemned to the gallows for a politically motivated crime in modern South African history — Sapa-Reuter



# SEE 1000 IN GO... STOP ATTACKS ON PUPILS

27/5/89

by LINDA GALLOWAY, Supreme Court Reporter

MR Mali Hoza, Mayor of Khayelitsha, already the subject of an urgent application, has given an undertaking in the Supreme Court not to attack pupils at Malizo Senior School.

At the same time he denied allegations against him.

Mr Hoza, his Lingeletu West Town Council and three town councillors were the subject of an urgent application yesterday by Mr Ngwenya Fadana, Mr MacDonald Selana and Mr Nolutha Sigodi.

The applicants asked for an interdict restraining Mr Hoza, the Town Council, Mr Gaba, a Mr Minkina and a Mr Goniwe from "participating in, assisting, encouraging, permitting, authorising or allowing" any unlawful attack on the applicants or the pupils of Malizo Senior Secondary School in Khayelitsha, interfering with them, preventing any of the pupils from entering the premises to attend school or preventing access.

Mr Murray van Heerden, for Mr Hoza, the Town Council, Mr Gaba and Mr Goniwe, denied that his clients had acted in any way unlawfully, but gave an undertaking that they would not to do any of the things contained in the interdict.

The hearing was postponed to July 12.

In an affidavit supporting the application, Mr Fadana, a teacher at Malizo, said problems had begun with the "high-handed actions" of the principal, Constance January.

Students had many grievances which had not been resolved and the school had been "plunged into a serious crisis" which had spread to other schools in Khayelitsha.

The pupils allege

• The unlawful use of corporal punishment authorised and condoned by the principal,

• The assault and abuse of pupils by the principal,

• A refusal to allow pupils to use toilets during school,

• The unfair, unlawful dismissal of pupils earlier this year,

• The unfair way in which pupils have been compelled to raise money,

• Shortages of books and teachers,

• Overcrowding; and

• That pupils are compelled to take part in racial or multiracial sport.

Mr Fadana said he could not pass judgment on the grievances, but believed that the way in which they had been handled had led to the crisis. However, the respondents had entered the school and were manning the gates, preventing pupils from entering school grounds or classrooms. Those who did were chased out, allegedly by Mr Gaba, a Mr Minkina and Mr Goniwe.

### Heavily armed

Mr Fadana said these people had occupied the school under the orders of the Lingeletu West Town Council and, in particular, Mr Hoza for the past two weeks and had "at all times been heavily armed with sticks, iron and even firearms" and had beaten up pupils who tried to go to school.

As a result, all schooling at Malizo Senior Secondary had stopped and the crisis had spread to other schools.

Mr MacDonald said in an affidavit that he was one of the pupils at Malizo Senior Secondary who had been beaten up and chased by, among others, Mr Minkina and Mr Goniwe.



# Outrage

CAP 1 Tint 5

27/5/89

# over 14

# to hang

From MARIUS BOSCH

**UPINGTON.** — The "Upington 14" mass hanging judgment handed down yesterday has been met with outrage from opposition politicians and church leaders.

"It is an outrage that only the apartheid system can produce," a spokesman for the South African Council of Churches said.

Mrs Helen Suzman, the DP's spokesman on justice, said that "one's heart sinks when one thinks of the consequences of hanging 14 people."

"One remembers only too vividly the gasp of horror at home and the total shock abroad when the Sharpeville 6 were sentenced."

"One can only hope an appeal will bring less drastic consequences," she said.

The case was "unprecedented in South African legal history," said instructing attorney for the defence, Ms Andy Durbach.

"It is the largest and most unprecedented group to be sent to death (for a single murder)."

The defence will bring an application to appeal after the rest of the Upington 25 are sentenced.

The sentencing of the 14 township residents stems from an incident in November, 1985, when black policeman Mr Jetta Sethwala was killed.

A mob chased him from his home during a protest against rent increases in the township of Paballelo.

## 'Common purpose'

In sentencing the 14 to death, Mr Justice Jan Basson invoked a controversial "common purpose" doctrine despite finding that only four defendants actually assaulted the victim. The remaining 21 were convicted of murder for throwing stones at Mr Sethwala's house, forcing him to flee.

Shortly after those sentenced had been taken down to the cells, their distressed families gathered outside the court and started to sing hymns.

A crowd of about 250 people then moved towards the Upington CBD as the vehicle containing the 14 was diverted along back roads.

Astonished whites made way for the crowd. Two minutes later police warned the crowd to disperse.

The 14 Paballelo residents sentenced to death are: Kenneth Khumalo — former mayor of Paballelo; Tros Gubula, brothers Andrew and David Lekhanyane, Myner Bovu, Zuko Xabendlini, Justice "Bassie" Bekebeke, Zonga Mogatla, Wellington Masiza, Boy Japhta and Evelina de Bruin, 60 and common-law-husband Gideon Madlongolwane, 63.

Evelina de Bruin, 60, and Gideon Madlongolwane, 63, are the oldest among the group. De Bruin worked as a domestic servant for an Upington family for 16 years and Madlongolwane worked for SATS for 36 years.

Inside the court, families of the 14 were allowed to speak to them after they had been sentenced.

Ms Beaver Runciman, spokesperson for the Society for the Abolition of the Death Penalty in SA, said the idea to bring peace to SA was not through judicial killings.

# Rugby punch-up blamed on apartheid

Staff Reporter

DR Danie Craven says the government and apartheid are to blame for an attack by rugby spectators on a referee and a coach on Saturday.

Spectators at a Lion Cup match in Paarl, all supporters of the Western Province League team, attacked referee Mr Willie Vos and Western Transvaal coach Mr James Stofberg after the home team had been beaten. Mr Stofberg needed stitches to a wound on his head.

Dr Craven, president of the Rugby Board, said the assault was a typical example of underlying grievances coming to the fore in a crisis situation.

"This is apartheid taking its toll. This was the main cause of the dissatisfaction in the crowd."

Dr Craven was among the capacity crowd who witnessed North-Eastern Cape referee Mr Vos escorted off the field by police and members of the Western Province League and Western Transvaal teams two minutes before the end of Saturday's match.

Mr Vos had awarded a penalty to the visiting side. Seconds later, enraged spectators stormed on to the field and Mr Vos abandoned the game with Western Transvaal leading 30-16.

Western Province League coach Mr Dougie Dyers yesterday blamed Mr Vos for "consistently" penalising his team.

"Things took on a sour note when the League took the lead after scoring three tries. After that the League was penalised at every opportunity."

"The Western Transvaal side didn't concede one penalty."

Ar Boland, police spokesman said, no charges have been laid.



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## Private prosecution of Trojan Horse case men

*3/10/11* *275*  
OWN GOVERNMENT  
CAPE TOWN — Thirteen police and SADF members involved in the "Trojan Horse" shooting incident in Athlone in 1985 have been subpoenaed to appear in the Supreme Court on August 1 on charges of murder in a private prosecution brought by the victims' families.

The security force members opened fire on people who were allegedly stoning vehicles and Michael Miranda, 11, and Shaun Magmoed, 16, and an adult, Jonathan Claasens, were killed.



916-7043 30/5/89  
375

# Upington trialist says 'I must have been mad'

From MARIUS BOSCH

UPINGTON. — The only defendant in the Upington 25 trial to be found guilty of attempted murder yesterday said he "must have been mad" if he had taken part in the murder of a municipal policeman in 1985.

Enoch Nompondwana, 34, was testifying in mitigation of sentence after the imposition of death sentences on 14 of his co-accused by Mr Justice Jan Basson on Friday — sentences met with outrage by opposition politicians and church leaders.

Nompondwana, the first black manager of a local salt processing works, said teargas fired to disperse a meeting called to protest against high rents in Upington's Paballelo township had caused him to become "aroused on a low level" and had created an "unrest situation".

The gas burned his eyes, frightened him and made him flee. He said he feared the use of live ammunition by police.

Clinical psychologist Mr G E Meyer said the court's finding was not in accord with the results of personality tests conducted on Nompondwana.

"Enoch is not somebody that would have done something like that at the end," Mr Meyer said.

Nompondwana was a man who was "mad about his work, worked overtime regularly and was also a keen soccer fan".

Mr Meyer said the climate of aggression, agitation and violence at the time of the murder could be reasons why Nompondwana should not be held responsible for his action.

Defence lawyers said sentencing of the rest of the defendants is expected on Friday. The trial continues.

pre-tax profit

# DP slams ban on education crisis rally

By DENNIS CRUYWAGEN

Education Reporter

THE banning of a rally to discuss the crisis in black schools in the Peninsula would aggravate rather than improve the situation, said Mr Ken Andrew, the Democratic Party spokesman on black education.

The rally was to have been held at Athlone Civic Centre tomorrow.

It was prohibited in terms of the security emergency regulations by Brigadier Roy During, police chief in the Western Cape.

He banned the rally from being held in the magisterial districts of Cape Town, Wynberg, Simon's Town, Bellville, Goodwood and Kuils River, as well as any gathering at which the non-attendance or opposition to the attendance of any public school, as defined in the Education and Training Act of 1979, was advised, encouraged, propagated, advocated or promoted.

Mr Andrew said education in black and so-called coloured schools had lurched from crisis to crisis in recent years, resulting in serious disruption.

## "Repeated interference"

The communications channels between the authorities and the parents, pupils and teachers had been shown to be totally inadequate, he said.

"However, repeated interference by the security authorities in educational matters has continually bedevilled the whole situation.

"Brigadier During's latest ban on a meeting to discuss the current schools crisis will aggravate rather than improve the situation. The government should realise that education is not a forced-feeding process in which the State pushes down the throats of the recipient community whatever it thinks is good for them."

Real participation, real communication and fully representative educational decision-making structures were required if these crises were to abate and the quality of education was to improve, he said.

The crisis at black high schools in the Peninsula began when pupils started boycotting classes, demanding that I D Mkize High School teacher Mr Andile Jonas and four pupils from the Guguletu school be freed from detention.

Mr Jonas has been released but the stayaway has continued.

## Attacked principals

Meanwhile, one of two white principals attacked at I D Mkize High School a month ago has gone on leave "to think about his position", leaving his deputy in charge.



# Ban on schools

## crisis meeting

Cape Town 30/5/89  
By CHARL DE VILLIERS

A MASS meeting scheduled to address the simmering education crisis in black township schools in the Peninsula was banned yesterday by the divisional commissioner of police in the Western Cape, Brigadier Roy During.

The ban came hours pupils were ordered to leave the grounds of at least one Khayelitsha school, Malizo High.

Brigadier During's decree prohibited a meeting, convened by the University of the Western Cape Association for Democratic Educators, planned for the Athlone civic centre tonight.

Gatherings "advising, encouraging, propagating, advocating or promoting" school boycotts in the Cape Town, Wynberg, Simon's Town, Bellville, Goodwood and Kuils River magisterial districts were also banned by the police order.

Western Cape president of the National Association of Democratic Lawyers, Mr Dullah Omar, a scheduled speaker at the Athlone meeting, said parents "very clearly" wanted to get their children back to school.

"Closing our eyes to the crisis is not going to contribute towards solving it."

Democratic Party MP for Claremont Mr Jan van Eck said: "The ban is not going to solve the problem. It is not going to get rid of the grievances, we are heading for a major crisis."

About 400 pupils and some 20 parents converged on Malizo High yesterday after a decision at the weekend that pupils would return to their schools, eyewitnesses said. They said some of Malizo High Schools' classrooms had been locked.



# No more taxi wars, Sabta launch told

CAPT TINKS 1/6/89 (275)

Staff Reporter

AN estimated 4 500 people who yesterday attended the launch of the Western Cape region of the South African Black Taxi Association (Sabta) applauded when told there would never be another taxi war and that the industry had grown up.

Mr Clement Ramatlakane, Western Cape regional chairman, was addressing a packed 3 Arts theatre in Plumstead.

"We are not anticipating any more fights in the taxi industry. There will never ever be any taxi war in the Western Cape. We have grown up.

## Problems

"There will never be another driver who drives recklessly in the Western Cape. There will never be another driver who assaults or insults any passengers," he said.

Mr Jabu Mabuza, Sabta's deputy director, said he was proud that the taxi industry was a leader in black economic empowerment but regretted the problems experienced in the industry.

There were more than 100 000 taxis on the roads which was cause for concern



**BIG LAUNCH** . . . Mr Jabu Mabuza, Sabta's deputy-director, at the launch of the Western Cape region of Sabta with Cape Town's traffic manager, Mr Wouter Smit, next to him.

because of a lack of training.

There was a state of deregulation in the taxi industry and Sabta had been quoted as saying it was against deregulation.

"Before we deregulate, let's level the playing field. We have fought for it at great cost"

Some people had a historical advantage and now wanted to "flood this island of black economic empowerment"

Mr Mabuza said the taxi industry needed funding from the private sector, skills and genuine involvement. Sabta, which had African, Indian and coloured members, was not anti-white but was pro-black and believed in negotiation.

"When we get to a post-apartheid era we will have to have our people ready to take their rightful places

## Wasteland

"In some places they say change comes through evolution while in others they say revolution.

"If a post-apartheid society is earned through revolution then we will have a wasteland. If it is through evolution we will need people to walk into negotiation to persuade those in power," Mr Mabuza said.

Mr Wouter Smit, Cape Town's traffic manager, and a police brigadier spoke on law enforcement

# Police called in after Langa High exams disrupted

By DENNIS CRUYWAGEN  
Education Reporter

POLICE were called in to "restore order" at Langa High School and prevent the "further intimidation" of pupils after mid-year exams were disrupted, the principal's car was stoned and four windows in an examination room were broken.

More than 300 pupils continued with their exams yesterday after police had stepped in, said Mr Leon Nel, deputy regional director of the Department of Education and Training.

The high absenteeism at Peninsula high schools continued yesterday.

Mr Nel said the general feeling among pupils at all black high schools in the Peninsula was that they wanted to write exams because obtaining a good mark was important to them.

## WILLING TO WRITE

"However, we are saddled with a situation where members of illegal students representative councils at schools are trying to prevent pupils from writing exams."

Langa High School pupils were willing to write exams, Mr Nel said.

"Then members of the illegal SRC arrived and started intimidating pupils ... members of the SRC stoned the headmaster's car and broke four windows of an examination room."

## Man dies in Inanda shooting

*AP 7/15 2/6/89* (278) 278  
PRETORIA — A gunman opened fire from a crowd and killed an unidentified man at Inanda township, Durban, police reported yesterday.

Police used birdshot to disperse the group, according to the unrest report.

At Slangspruit, Maritzburg, police used teargas "to quell a clash between two groups"

Police said shots were fired during the fighting but no injuries were reported. A youth was arrested.

At KwaMashu, Durban, a police vehicle was petrol-bombed and stoned.

Arsonists damaged a school in Soweto.

At Tokoza, Germiston, arsonists caused serious damage to a house. — Sapa



# Dramatic turn in Upington trial

Cape Times 3/6/87 (775)

From MARIUS BOSCH

UPINGTON. — In a dramatic turn, six of the Upington 25 trialists were yesterday given suspended sentences for their part in the November 1985 murder of a municipal policeman.

One of those freed, Barry Bekebeke, is the brother of fellow-trialist Justice Bekebeke who was sentenced to death last week.

There were jubilant scenes outside the court as family and friends welcomed back Bekebeke, 23, Xoliswa Dube, 23, Elizabeth Bostaander, 22, Roy Swartbooi, 22, Neville Witbooi, 20, and Ivan Kazi, 21.

Last week Mr Justice Jan Basson sentenced 14 co-accused to death for the "common purpose" murder of the policeman.

Yesterday he sentenced the six to six years' imprisonment, suspended for five years, on condition they render 1 200 hours of community service for a period of 40 months.

Two other trialists, Elisha Matshoba, 22, and Enoch Nompondwane, 34, received eight-year jail terms. Mat-

shoba was convicted of murder and Nompondwane of attempted murder.

Four other trialists — Abel Kutu, 28, Ronnie Masiza, 22, Jeffrey Sekiya, 24, and Sarel Jacobs, 22 — were sentenced to six years in jail.

In passing sentence on the 12, the judge said the sentence should have a measure of mercy. "Mercy is an ingredient of justice itself," he said, but added that "one cannot allow that people murder an innocent person if they have grievances against the state authority".

Mr Justice Basson ordered that two of the six render their community service at a Roman Catholic Church here and the other four at a coloured old-age home.

An application for leave to appeal by the defence has been postponed until June 26 when Mr Justice Basson will hear the application in Kimberley.

Mr Justice Basson sat with an assessor Mr R Kurland. The 25 were represented by Mr Ian Farlam, SC, assisted by Mr Anton Lubowski and Mr Andre Landman. The defence was instructed by Ms Andy Durbach and Mr Colin Kahanovitz of Bernadt, Vukic and Potash. Nompondwane was represented by pro-Deo counsel Mr Eben Boshof. The state was represented by Mr T van Rensburg and Mr J Schreuder.

Reporting, comment and pictures in the Cape Times

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# Three escape from fifth N2 stonings

Staff Reporters

IN a fifth stoning on the N2 on Saturday, two Camps Bay men and their overseas guest escaped harm when the car in which they were travelling was bombarded with stones, one of which shattered the windscreen.

Mr Fritz Lutz, 54, his son and their West German visitor were travelling along the N2 near Crossroads about 5.30pm on Saturday when their car was stoned.

The stoning is the fifth to be reported on the N2, where at least four other cars were stoned between 10pm and 11.30pm on Friday.

A Caledon cafe owner, Mr Cornelius Swart, was stabbed 14 times after his bakkie was hit by a stone and he lost control of it. When he attempted to get out of the bakkie, he was stabbed repeatedly. He is in a satisfactory condition in Groote Schuur Hospital.

Police are investigating a charge of attempted murder.

A police spokesman said they regard the incidents, which took place near a township, as isolated and believe one group is responsible for all the stonings. The size of the group is not known.

The spokesman said that police had placed "extra patrols" on both sides of the highway on Friday and Saturday night.

Yesterday Mr Lutz said: "We were travelling near Crossroads, just where you can see the end of the runway from the bridge.

"We were reading the newspaper and saw the headline about the stonings. I was just saying that the stonings must have taken place about here, and my words were hardly cold, when bang, a stone hit the windscreen.

"There must have been a group of them, because about six stones hit the car. The first stone hit the windscreen and some others hit the body of the car. The bonnet



HIGHWAY STONING ... Mr Fritz Lutz and the windscreen which was hit by a stone the N2.

and two doors were also damaged.

"I just carried on driving and did not lose control of the car. The windscreen only shattered, so we were not cut. None of us were harmed," Mr Lutz said.

A Sea Point motorist travelling from Somerset West to Cape Town had the windscreen of his car shattered by a stone on the N2 on Friday night.

A week ago the car in which Cape Times sports writer Ms Mardeen Muller was travelling was stoned and the windscreen of the car was smashed. Ms Muller was not hurt.

Yesterday Brigadier Roy Durring warned motorists not to travel at high speeds when passing through that section on the N2. If a person is travelling at high speed it is more likely that they will lose control of the car and crash if stones are thrown at them.

He advised motorists not to stop and to go immediately to the nearest police station.

# State of emergency likely to be re-imposed

## Political Staff

THE state of emergency, which expires on Saturday, is likely to be re-imposed for the fourth time by President Botha.

Reliable government sources indicated today that the decision was made last week to re-impose the state of emergency despite widespread appeals.

There are indications, however, that the government may rewrite the tough media restrictions.

The revision is expected to be done over the next month or so and the restrictions are likely to be re-imposed in their existing form this week.

The other restrictions giving the security forces extraordinary powers are not expected to be revised.

In a television interview last night the Deputy Minister of Law and Order, Mr Leon Wesels said although unrest in townships had declined substantially since the state of emergency was imposed nationwide in 1986 the threat of violence remained.

One source said the restrictions would also be required if the government released ANC leader Mr Nelson Mandela after the elections.

● See page 9.

## EMERGENCY UPDATE

Peninsula <sup>11/6/87</sup>  
unrest: Vehicle, <sup>6/6/87</sup>  
houses burnt <sup>775 06</sup>

PRETORIA. — Youths set fire to a vehicle in Guguletu and arsonists in Nyanga damaged three houses, according to the police unrest report.

A man was arrested after shots were fired at a security force patrol in Edendale, Natal. And birdshot was used to disperse a group after a police vehicle was stoned. A wounded man was arrested.

At Mpumalanga in Natal a man died and two were wounded after shots were fired at a house. — Sapa.



# Launch of clemency campaign for Upington 14

By DALE KNEEN  
Staff Reporter

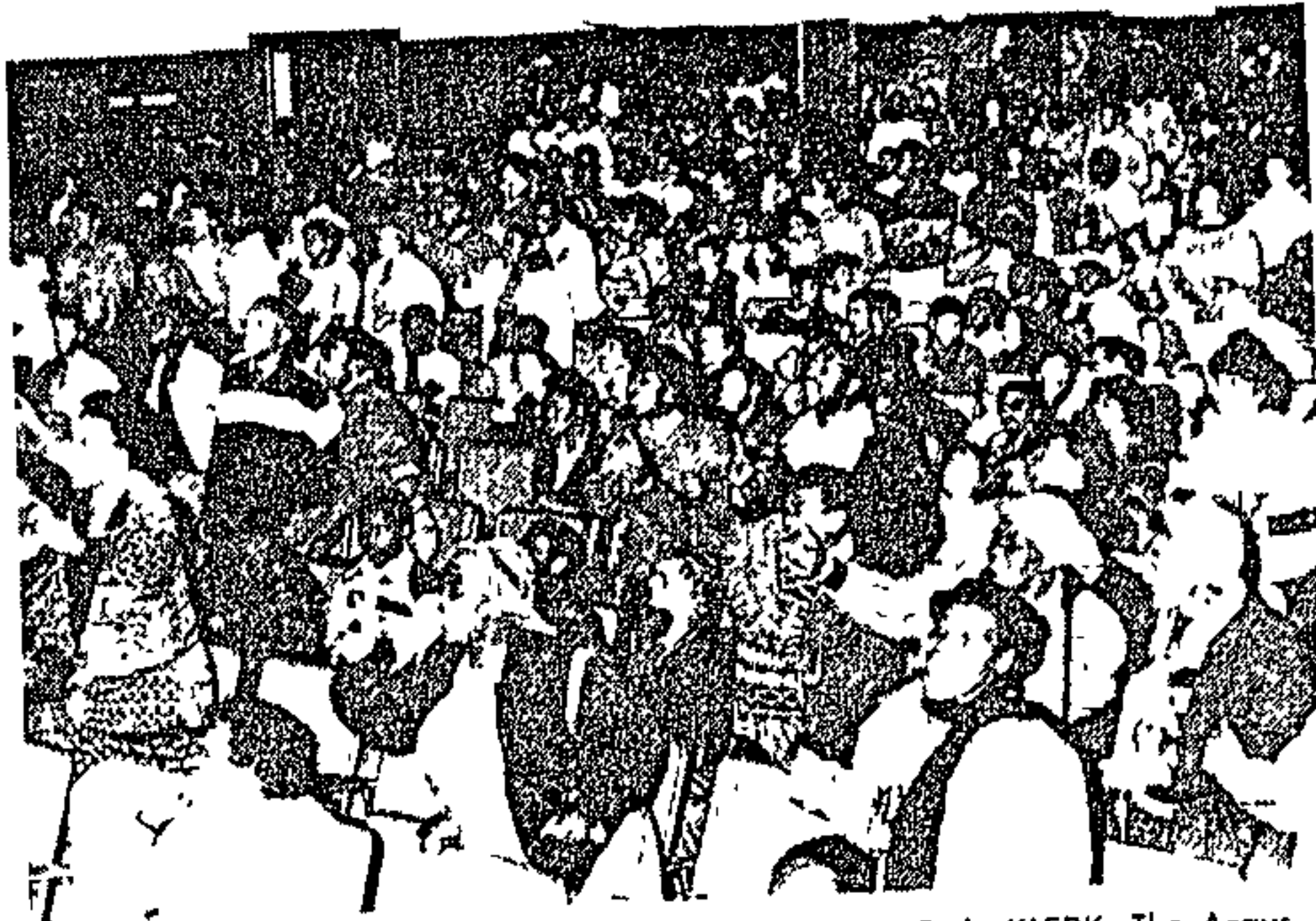
A CAMPAIGN to save the Upington 14, who face the gallows after being found guilty of the murder of a Paballelo municipal policeman, has been launched in Cape Town.

More than 3 000 chanting, singing people packed the City Hall last night to hear speakers, including Cosatu leader Mr Moses Mayekiso, the National Association of Democratic Lawyers (Nadel) president, advocate Mr P Langa, and a Paballelo priest, the Rev Aubrey Beukes, call for the abolition of the death penalty and for clemency for the 14.

### "Common purpose"

The 14 were sentenced to death last month after a court found that although only four of the accused actually assaulted Mr Lucas Sethwala, the other 10 had shared in a "common purpose".

Seven relatives of the 14 were also present at the meet-



Picture: WILLIE de KLERK, The Argus

**MASS SUPPORT:** Some of the 3 000 people who attended the launch at the City Hall of a campaign to save the Upington 14.

ing They were Mr Jack Bovu, father of Myner Bovu, Mrs Masiza, mother of Wellington Masiza, Mrs Mary Matoli, a relative of Boy Japhta, Mrs Frances Gubula, sister of Tros Gubula, Mrs Susan Bekebeke, mother of Justice Bekebeke,

Mr Alfred Gubula, adoptive father of Zonga Mogatla, and the Rev J de Bruin, brother of Evelina de Bruin.

The government was urged to implement a judicial inquiry into the death penalty and to

stop "the senseless murder of its citizens by hanging".

Several organisations, including Cosatu, the United Women's Congress and the Black Sash, voiced their support for the campaign at the meeting. Other organisations have also shown support.

The Upington trialists had been represented by a single attorney for much of the duration of the trial, said a speaker from the Society for the Abolition of the Death Penalty.

Mr Langa said crime should be punished, but "judicial hangings" debased the society that sanctioned them.

"On Death Row, the killing is chillingly cold-blooded, calculated and premeditated."

Mr Mayekiso said the death penalty was no solution to the "social and economic crimes of apartheid and capitalism".

"How can a country say it has a civilised legal system when it is used to kill the people it is meant to protect?" he asked.

# Save the Upington 14 campaign gains support

By DALE KNEEN, Staff Reporter

A CAMPAIGN to save 14 Paballelo residents sentenced to death in Upington for the murder of municipal policeman Lucas Sethwala is being backed by at least 11 organisations.

When the 13 men and one woman, known as the Upington 14, were sentenced to death last month, the court invoked the controversial "common purpose" doctrine in spite of finding that only four of the accused actually assaulted the victim.

It was also found that each of the 14 was acting with the specific aim of murdering the policeman and not as a "deindividuated" mob.

## DEATH SENTENCE

At a National Association of Democratic Lawyers (Nadel) Press conference in Cape Town last night, the organisations voiced their opposition to the death sentence in general and particularly to the sentence of the Upington 14.

They included The Black Sash, Cosatu, the National Education Crisis Committee (NECC), The Call of Islam, the United Women's Congress, the Cape Democrats, the Western Cape Committee against Repression, the Western Cape Teachers Union (Wectu) and the Mowbray Youth Congress.

The organisations also indicated support for the "Save the Upington 14" campaign, which is being launched at a meeting in the City Hall tomorrow night.

The 14 Paballelo residents sentenced to death are: Kenneth Khu-

malo, Tros Gubula, brothers Andrew and David Lekhanyane, Myner Bovu, Zuko Xabendlini, Justice Bekebeke, Zonga Mogatla, Wellington Masiza, Boy Japhta, Gideon Madlongolwane, Evelina de Bruin, Xolile Yona and Albert Tywilli.

## UCT SURVEY

● Most residents of Paballelo felt the Upington 14 should not be punished at all, because the community was not convinced of their guilt, a survey conducted by UCT's Institute of Criminology has found.

The defence attorneys requested the Institute of Criminology to conduct a survey to ascertain what the community felt would be appropriate punishment.

The survey, however, was not considered in court as the judge said Paballelo's residents were "a bunch of faceless and uninformed people".

"As criminologists, we find the judge's decision to rule this kind of evidence inadmissible yet another disappointing precedent in South African legal history," the institute said in a statement.

The survey also found there was an overwhelming opposition to the death penalty and clear majority support for release.

Altogether 87 percent of the residents interviewed were against the death penalty, and only three percent supported hanging any of the trialists. Furthermore, 69 percent favoured release, while only 11 percent opposed the release of the trialists.



# Guards 'attacked' police

From PAT CANDIDO, Argus Bureau

AK643 7/6/84 225  
PORT ELIZABETH. — More than 60 people were arrested after guards at the home of one of the three missing Port Elizabeth Black Civic Organisation (Pebco) men attacked police, the Supreme Court has heard here.

Colonel Eric Strydom, former head of the Murder and Robbery Squad in the Eastern Cape, said yesterday that guards at the home of Mr Sipho Hashe had attacked members of the police and their vehicles on the night of May 9 1985.

He was testifying at the hearing of an application brought by Mrs B Godolozzi, calling on the Minister of Law and Order and the officer-commanding, Alexandria police station, to produce her son, Ququwuli.

Pebco president Mr Godolozzi, secretary-general Mr Hashe, and organising secretary Mr Champion Galela disappeared under mysterious circumstances on May 8 1985. They were supposed to meet a member of the British embassy at the H F

Verwoerd Airport that night.

Colonel Strydom said the violent clash at the home of Mr Hashe took place the night after the three members of Pebco went missing.

He conceded, under cross-examination by Mr M Baslian, that he had issued instructions for Mr Hashe to be arrested on May 12.

However, Mr Hashe's name did not appear on the list of wanted persons.

He denied that the three men had been seen at the offices of the Murder and Robbery Squad on June 10 1985.

He said he had even asked Mr Edgar Ngoyi, regional vice-president of the United Democratic Front, who had been held for questioning at the office on that day, whether he had seen them.

Mr Ngoyi had said he had not seen any of the three men there that day.

(Proceeding)



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# Andrew appeals for meeting on schools crisis

By DENNIS CRUYWAGEN, Education Reporter

AN appeal was made to security forces and the Minister of Education and Training today to allow parents, teachers and pupils to meet and discuss ways of resolving the crisis at black high schools.

The call was made by Mr Ken Andrew, the Democratic Party spokesman on black education, as the boycott of classes at Western Cape high schools — now in its third week — showed no signs of abating

Last week Brigadier Ron During, police commissioner in the Western Cape, banned a meeting at which the boycott was due to be discussed, in terms of the emergency regulations

Until now "unwarranted bans" by Brigadier During and "provocative statements" by Mr Leon Nel, regional director of education and training, in which he had referred to "illegal" students' representative councils, had been the major contributions by the authorities, Mr Andrew said

"Far from helping matters, these statements have ignored the realities and simply made things worse."

## MOUNTING TENSION

The suspension of teachers, detention without trial of pupils, banning of parent meetings and the unwillingness to sanction SRCs at schools were some of the major issues that needed to be addressed urgently, Mr Andrew said

The crisis, which had affected Guguletu schools in particular, had not come as a surprise to people who were in touch with black education, and neither had the "almost complete breakdown in township schools".

He had repeatedly warned the Deputy-Minister of Education and Training, Mr Sam de Beer, and his department of mounting tension "but they appear unwilling or incapable of resolving major issues", Mr Andrew said.

Instead of of constructive and urgent action "we have an endless dithering and harmful police intervention which aggravates the situation", he said.

Mr Andrew called on Dr Gerrit Viljoen, Minister of Education and Training, and the police to allow parents, pupils and teachers to meet to discuss ways of ending the stayaway.

● Yesterday all secondary schools in Guguletu were deserted, but attendance was reported to be normal at Boland schools.

A spokesman for the Department of Education and Training said about 300 pupils at Langa High School, who had been writing exams yesterday, had discontinued them for fear of intimidation.

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IC. ... Nationalist ...

# Guguletu in drive to halt N2 stonings

*Call Times 7/6/89* *275*

Staff Reporter

THE stoning of vehicles on the N2 is to be discussed tonight by at least 10 committees representing tens of thousands of Guguletu residents.

The issue is to be raised by the KTC squatter camp's Masincedane Committee, supported by Miller's Camp leader Mr Alfred Sipika, at the Nyanga Area Committee meeting of 10 different township "suburbs".

A spokesman for the Masincedane Committee, Mr Gladstone Ntamo, said the stonings could contribute towards creating "another Strydom".

He was referring to Wit Wolf killer Barend Strydom, recently sentenced to death eight times for the murder of eight blacks.

"We would hate anything to contribute to further racial tensions," Mr Ntamo said.

He and Mr Sipika promised to do all they could to ensure no stonings came from township residents.

Both believed the stonings were the work of "tsotsis".

On Saturday, in the fifth stoning in three days near the DF Malan Airport turnoff, two Camps Bay men and their West German guest narrowly escaped injury when their car windscreen was smashed.

On Friday night, Caledon cafe owner Mr Cornelius Swart was stabbed 14 times when he lost control of his bakkie after it was hit by a stone. Mr Swart is recovering in Groote Schuur Hospital.

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# Policeman denies knowledge of missing men

From PAT CANDIDO  
Argus Bureau

ARGUS  
8/6/89

PORT ELIZABETH. — A policeman told the Supreme Court here that when two women had asked about three missing men, allegedly being held at the Alexandria police station, he told them he had never heard of them.

Constable David Ngqoyiya was giving evidence yesterday at an inquiry into the disappearance of Mr Qaqawuli Godolozzi, president of the Port Elizabeth Black Civic Organisation (Pebco), Mr Siphon Hashe, secretary-general, and Mr Champion Galala, organising secretary.

Mrs B Godolozzi is calling on the Minister of Law and Order and the officer commanding, Alexandria police station, to produce her son.

The three men disappeared mysteriously on May 8 1985 when they were supposed to be on their way to H F Verwoerd Airport to meet a member of the British embassy.

Constable Ngqoyiya said two women had come to see him at his home in Alexandria early in January 1986.

He had been standing outside with Constable David Mthana when the women arrived and told him that they had received information that the missing men were being held in custody at Alexandria police station.

He had told them he had not seen the men, nor had he come across their names at the police station, he said.

Cross-examined by Mr M Baslian, for Mrs Godolozzi, he denied he had heard Constable Mthana telling the women that the men had been held at the Alexandria police station in 1985.



# Stayaway: Black schools still deserted

By ANDRE KOOPMAN

THE Department of Education and Training (DET) has confirmed that most black high schools in the Peninsula were yesterday deserted, with pupils entering the third week of a stayaway.

The regional director, Mr Leon Nel, said that pupils had not been attending school in all the Peninsula's black schools, with the exception of Isilimela Comprehensive in Langa, where attendance was 87%, and Sebenza High in Crossroads, where attendance was 82%.

He also confirmed that "exams had to be terminated" at black high schools with the exception of the two schools.

Mr Nel ascribed the stayaway and exam boycott to "groups of

self-appointed Student Representative Councils (SRCs) who have made it their business to go from school to school to prevent pupils writing mid-year exams".

He said that pupils were being "intimidated" into staying away from schools.

About 300 pupils at Langa High had started writing exams this week but were forced to stop because of intimidation, he said.

The crisis, which had been simmering in black schools since the beginning of the year, came to a head about three weeks ago when pupils in Khayelitsha were tear-gassed by police after a series of meetings on their demand for SRCs.

Mr Nel said that the DET had not banned SRCs and were quite prepared to allow them at schools as long as they complied with certain requirements.

"We would like to have SRCs in the way that we see SRCs. They must be democratically elected by secret ballot so that pupils may not be intimidated.

"If the SRC is democratically elected we would like it to draw up a constitution with the assistance of the schools' guidance teacher and principal."

Mr Nel said that pupils should not make management demands relating to the hiring and firing of teachers.

Trouble began in the schools at the beginning of the year after the DET appointed three white principals to high schools in Guguletu.

Teacher organisations and students have also cited as reasons for discontent, the presence of the security forces at schools and the suspension of some teachers.

Then when they are not allowed to make

Handwritten: *Cpt. Trunks 9/16/87*  
*275*

# KTC razed 3 years ago

Supreme Court Reporter

TODAY is the third anniversary of the day on which most of the KTC squatter camp was destroyed by witdoek vigilantes, leaving an estimated 60 000 people homeless.

A R200 000 damages action brought against the Minister of Law and Order by the Methodist Church and 21 KTC residents started in the Supreme Court on September 15, 1987, and is still proceeding.

The suit is regarded as a test case because of an outstanding 3 000 similar claims by KTC residents totalling more than R5 million.

The minister is being sued because it is alleged that police helped witdoek vigilantes by planning the attacks, protecting and escorting witdoeke, transporting them, preventing KTC residents from protecting their

property by firing teargas and ammunition at them, setting fire to dwellings and permitting looting and burning of property.

Legal costs in the marathon suit are said to be nearing R3 million at a rate of about R3 000 per hour in court.

The plaintiffs have called 34 witnesses, including journalists, press photographers, a member of parliament, doctors, clergymen, residents and community workers.

The police have called 59 witnesses, including three generals — former Commissioner of Police General Johan Coetzee, former Divisional Commissioner of Police General Ronnie van der Westhuizen and General Bert Wandrag.

On three occasions police have used section 66 of the Internal Security Act to block access to documents.

Handwritten: *... soldier was shot dead*

**Immigrant soldier shot dead**

**In Brief**

# Two Guguletu pupils detained by police

*2nd Topic  
10/6/89*

*375*

~~208~~ Staff Reporter

SECURITY police yesterday detained two Guguletu high school pupils under the emergency regulations, a city attorney confirmed yesterday.

The scholars, Temba Gxanase of Guguletu Comprehensive and Vincent Daweti of Fezeka High School, are both student representative council (SRC) members, Democratic Party MP for Claremont Mr Jan van Eck said.

They were both detained shortly before noon, the attorney — who may not be named — added.

Black township schools in the Peninsula have been struck by widespread absenteeism since Khayelitsha pupils, demanding elected SRCs, were teargassed by police three weeks ago.

● A stoning incident in Guguletu disclosed in yesterday's unrest report was "possibly related" to the school boycott or gangsterism — and not to a spate of recent stonings on the N2 near Crossroads, police said.



CAT 7m/13/6/89

# Squatters acquitted

Staff Reporter

A SPRINGBOK magistrate yesterday acquitted two Port Nolloth squatters on charges of intimidation relating to a consumer boycott in the West Coast town last year.

Sisters Ms Beauty and Ms Elizabeth Popi, both of the Tentedorp squatter settlement, were both discharged when magistrate Mr MJ Langenhoven found that the state had failed to prove their guilt beyond reasonable doubt.

The charges followed an incident on October 3 last year when the sisters allegedly "threatened to assault, injure, harm or kill" two Port Nolloth women for patronising a local cafe.

Mr I J Muller, instructed by Mr Henk Smith of Mallinick, Ress, Richman and Cloenberg, appeared for the Popi sisters.

# Police falsified notes — KTC case

Supreme Court Reporter

A POLICEMAN and two of his colleagues falsified entries in their pocket books over the three days in which KTC was destroyed because an officer was "finicky" and they wanted to make their work look good.

This was said yesterday by Warrant Officer J de Jongh in the R200 000 damages action brought against the Minister of Law and Order by 21 KTC residents and the Methodist Church in Africa after they lost their homes when most of KTC was destroyed by witdoeke vigilantes between June 9 and 11, 1986.

Asked by Mr H P Viljoen, SC, for the residents, why he had made the false entries in his pocket book, WO De Jongh said that the platoon officer, Captain De Bruyn, was very "finicky" about entries in their pocket books.

The entries were "somewhat fabricated" to make his work look good, WO De Jongh said.

Asked by Mr Viljoen if he did that because he and his colleagues were malingering or neglecting their duty in order to get Capt De Bruyn "off his back", WO De Jongh said that he had fulfilled his duties but did so to avoid criticism by the captain.

WO De Jongh said that two other members of his platoon — who served on the same Cas-

To page 2

From page 1

Order 15/6/84  
KTC case  
also fabricated  
entries in their pocket books while a sergeant and a constable did not because they did not live in the same quarters

In reply to a question by Mr Viljoen, WO De Jongh said he had made the entries after he went off duty the following morning. He admitted he had made the entries during the three days in which KTC was destroyed.

The entries conflicted with official platoon reports.

The hearing continues today.

Mr Justice MR de Kock presided. Mr Viljoen, assisted by Mr P Pretorius and instructed by the Legal Resources Centre, appeared for the residents. Mr G D Griesell, SC, assisted by Mr CY Louw and Mr F D J Brand, instructed by the state attorney, appeared for the minister.

# KTC: Judge calls for settlement

*CWC files 16/6/89*

*(775)*

## Supreme Court Reporter

THE presiding judge in the KTC damages action yesterday made a plea that counsel for both the residents and the Minister of Law and Order attempt to settle the matter.

Mr Justice M R de Kock made the plea during the R200 000 damages action brought against the Minister of Law and Order by the Methodist Church of Africa and 20 residents who lost their homes when witdoek

vigilantes attacked KTC between June 9 and 11, 1986

Addressing counsel for both parties — Mr H P Viljoen SC, for the residents and Mr G D Griessel SC, for the minister — Mr Justice De Kock said that he had indicated he was going on furlough when the new court term starts on August 1.

The case has been "dragging" for almost two years and indications are that finality would not be reached

for at least two or three years

It was self-evident that great costs are being incurred and would still be incurred. The question had been raised if it was not possible for the parties to consult. He believed it would be in the interest of both parties, the judge said.

Mr Justice De Kock said that the outcome of a court case could not be guaranteed and he was aware that problems for a settlement existed

but these were not unbridgeable.

It appeared self-evident that both parties would benefit — in the light of the uncertainty of litigation, the time involved and the costs involved — if a serious attempt was made to "find each other" on a mutually accepted basis.

Mr Justice De Kock requested Mr Viljoen and Mr Griessel to convey his remarks to their clients and to do everything possible to try and settle the matter.



# June 16: Man killed in city

CAP-TRANS 17/6/89

275

A MOTORIST was stabbed to death by a group of people in Guguletu after his car was forced to stop at a burning barricade on Thursday night, the eve of the anniversary of the bloody Soweto uprising.

The murder was recorded in yesterday's unrest report, which also said a bus in Khayelitsha was badly damaged in a stoning incident. Police would disclose no details on the murder.

It was the only unrest death reported in South Africa as hundreds of thousands of people countrywide stayed away from work in observance of the 13th anniversary of the uprising on June 16, 1976, when police shot and killed two Soweto students in a crowd of some 15 000 protesting the introduction of Afrikaans as a compulsory language of instruction.

Many businesses yesterday shut down voluntarily despite the government's refusal to declare an official holiday.

Johannesburg as well as East and West Rand towns came to a virtual standstill while in Dur-

ban, Maritzburg and East London, bus ranks, railway stations and mini-bus loading points were deserted. In Cape Town industry experienced a 10 to 15% absenteeism rate, while the effect on the commercial sector was "negligible", according to a Cape Town Chamber of Commerce spokesman.

## More reports on June 16 — Page 3

Businesses in Pretoria found that 60% of black employees had stayed at home, according to the Pretoria Chamber of Commerce.

In the Durban townships, youths stood on main roads, apparently urging people not to go to work.

A spokesman for KwaZulu Transport, Maritzburg, said there had been a total stayaway of bus drivers in the capital.

About 700 people died during the student-led '76 riots, according to the South African Institute of Race Relations. — Own Correspondents, Sapa and UPI

# Hearing date set for Guguletu 7 inquest

Staff Reporter

THE inquest into the controversial killing of seven alleged guerillas by police in Guguletu is to be heard formally — more than three years after the shooting.

Vocal evidence will be heard from September 11 to 22, the inquest magistrate, Mr G Hoffmann, said in the Wynberg Magistrate's Court yesterday.

In December last year the attorney-general requested that Mr Hoffmann re-open the inquest "to take additional evidence".

Mr Hoffmann had earlier made a finding on sworn affidavits that the seven men had died from bullet wounds sustained "in police activity for the combating of terrorism".

The shootout between police and the seven alleged guerillas took place near a Guguletu hostel on March 3, 1986.

Mr Hoffmann indicated that he wished the matter to be finalised as soon as possible.

Mr P Mostart appeared for the state Mr P Riedemann appeared for the Minister of Law and Order Mr G Jansen represented the families of the seven men

# Charge or release six pupils, Andrew urges

ALCS 23/6/89



By DENNIS CRUYWAGEN  
Education Reporter

SIX Cape Town pupils should be charged or released because their continued detention was making it impossible for anyone to resolve the crisis at Peninsula black schools, said Mr Ken Andrew.

In a statement yesterday, the Democratic Party spokesman on black education said it was not a matter of who was right or wrong on disputed issues.

"It is the recognition of the need to create the conditions under which serious negotiations can take place that is critical. Releasing the detained students would be a first, but important step," Mr Andrew said.

Most of Cape Town's high schools had experienced an indefinite stayaway because of a number of grievances including detentions, suspended teachers, acceptable parental representations and recognition of Students Representative Councils.

A number of people were trying to get constructive negotiations under way to resolve these problems and bring about a peaceful return to school.

## "Police harassment"

"However, these efforts are being made extremely difficult as a result of the detention without trial of pupils, police harassment of pupils and teachers and interference with parent, teacher and student meetings," he said.

He and others had been in contact with the Deputy Minister of Education and Training, Mr Sam de Beer, and officials of the department to try to resolve these issues.

The pupils in detention, all pupils at I D Mkize High School, are Basil Mtugana, who was detained on May 1, Anthony Madini, Tutu Majozi, Pelhe Thanduxolo Bomvana (all detained on May 9), Mxolisi Sogomi (May 18) and Siyabulela Daweti (June 9).



# Mother, 60, on death row

By MARIUS BOSCH

THE only woman on South Africa's death row at present is a 60-year-old mother of 10 children who was sentenced to death for her part in the 1985 murder of a municipal policeman in Upington's Paballelo township.

Evelina de Bruin was sentenced to death because the judge in the "Upington 25" trial found that she had actively associated herself with the common purpose of a mob in chasing the policeman out of his house to kill him.

She was sentenced to death along with 13 other Paballelo residents — including her 63-

year-old husband, Gideon Madlongolwane — on May 26.

De Bruin's attorney, Ms Andy Durbach, said that when she had visited her on death row recently, De Bruin had burst out crying.

"She could not believe what had happened to her," Ms Durbach said.

De Bruin — who is illiterate — was given a picture Bible to read and Ms Durbach said wardens had promised to help her with the writing and reading of letters.

De Bruin worked for an Upington family as a domestic servant for 16 years before her arrest.

Before she was sentenced, she protested her innocence.

Ms Durbach said De Bruin had requested a meeting with her husband — who is being held in the maximum security part of Pretoria Central prison.

"She also asked when her children could see her," she said.

The two youngest children of De Bruin and Madlongolwane would not be able to visit their parents on death row, because they are both under 16 years.

● A spokesman for the SA Prison Services yesterday said it was the policy of the service not to comment on individual prisoners.

CASE TRACK 24/6/89 (275) 180

Apr 7m 12 28/6/87

# Four charged with intimidating workers

70 Court Reporter

FOUR men appeared in separate hearings at the Cape Town Regional Court yesterday in connection with charges of intimidating Nampak workers to strike in January.

Mr Isaac Adams, 35, of Bishops Lavis, Mr Andries Pinkoko, 39, of Khayelitsha, Mr Neil Thomas, 23, of Beacon Valley, and Mr Dumies Abels, 22, of Belhar were not asked to plead.

Mr Adams allegedly threatened Mr Pieter Marais with a knife; Mr Pinkoko allegedly hit and threatened Mr Karel Goliath with a kierie; Mr Thomas allegedly hit Mr Steven Zeelie in the face, while Mr Abels allegedly hit Mr Yunus September with a stick.

The hearings were postponed to dates in August.

# Judge refuses appeal

CAPL. Taints  
28/6/89

(275)

**AN application for leave to appeal against the imposition of the death sentence on the "Upington 14" was yesterday refused in the Supreme Court, Kimberley.**

The defence had also applied for leave to appeal against the conviction of the other 12 accused and the sentences of three of the appellants.

The case arose from the 1985 murder of a municipal constable in Upington's Paballelo township. Fourteen people were sentenced to death by Mr Justice Basson a month ago.

He had convicted the 26 on the controversial doctrine of common purpose — also applied in the case of the Sharpeville Six.

Six of the defendants received suspended sentences and the others were sentenced to between six and eight years' imprisonment.

Mr Justice Basson said in refusing the application: "Due to the death penalty imposed on the 14 appellants and the wide publicity the case enjoyed, including internationally, one would wish the Appeal Court could make a final decision on the matter."

However the crucial test was whether reasonable prospects existed for success on appeal.

If such grounds did not exist the application should be rejected "to prevent saddling the Appeal Court with appeals which had no grounds for success", he said.

"All considered, it is my opinion that no such grounds and reasonable prospects for success in the applica-

tion exist, and all the applications are therefore rejected."

Instructing attorney for the defence Ms Andy Durbach said yesterday the defence had argued on about 30 grounds, but the judge had found no merit in the application and had rejected it in totality.

In his argument, Mr Ian Farlam SC, for the defence, submitted that the court had erred in holding that every person who threw a stone at the deceased's house was a party to a common purpose to kill.

The court had also erred in finding that each accused had the intention to kill the policeman.

It had also erred in relying on the "unsatisfactory evidence" of two state witnesses, Mr Douglas Khambule and his son Desmond, Mr Farlam said.



# 'Black wolf' runs amok

*Sowetan 29/6/89*

*275*

A CHARITY fund-raising drive at a Uitenhage shopping centre turned to horror when a young man who allegedly called himself the "black wolf", ran amok with a knife and stabbed five people.

The incident occurred at the Binnehof Centre at noon on Saturday when the Ladies' club of the Lions was selling boerewors rolls from a stall.

An eye-witness said everything was quiet until

"all hell broke loose" as a young man suddenly dashed into the square stabbing people as he ran past.

The man who, according to the eye-witness, seemed to be more than "a little liquored up" and in a rage was later overpowered by a young man in military uniform who kicked the knife from his hand.

A 25-year-old man is expected to appear in court.

RIOTS & DISTURBANCES - CAPE

1989

OCTOBER - DEC.

Carters 2/10/89

# 1 000 hold <sup>275</sup> incident-free protest picnic on PE beach

PORT ELIZABETH. — About 1 000 people held an incident-free non-racial picnic on Pollok Beach here on Saturday, in protest at the fact that the beach has been reserved for whites only.

Loud cheers greeted the unveiling of a signboard declaring the beach open at 12.30pm by former city councillor and long-time proponent of open beaches Mr Graham Richards.

Mr Richards said the people of the city were opening Pollok Beach as a symbol of what was happening in the rest of the country — the people were making South Africa free.

Earlier this year, the then Administrator of the Cape, Mr Gene Louw, declared all Port Elizabeth beaches, except Pollok, open to all races.

Police kept a low profile during the ceremony and there was a carnival atmosphere as the crowds danced, waved banners and sang "freedom" songs.

As buses began arriving from Port Elizabeth and Uitenhage townships, a crowd gathered in front of the Summerstrand Lifesaving Club where the organisers, the Port Elizabeth Action Committee (Peac), had erected a temporary platform.

The ceremony started with a prayer by Bishop George Irvine of St John's Methodist Church. This was followed by a speech by the Rev David Vika of the Interdenominational African Ministers' Association of South Africa (Idamasa).

Mr Vika said it was a historical fact that whites had a date of arrival in South Africa, yet the black community did not expect them to leave, rather to share the country's future.

Messages of support were read from the National Education Crisis Committee in the Eastern Cape, the East London Action Forum, the Grahamstown Democratic Action Committee and the South African Youth Congress.

The event was also attended by personalities such as Bishop Bruce Evans and city councillors Mr Flippie Potgieter and Mr Rick McKiever. — Sapa



## MDM's W Cape goods boycott to go ahead

A LIMITED consumer boycott in the Western Cape has been decided on by the MDM in line with resolutions at the second workers' summit, calling for action against the controversial Labour Relations Amendment Act (LRAA).

The MDM has admonished workers and their communities to conduct the upcoming two-week boycott with "total discipline".

Action against the LRAA has included overtime bans at many

factories — indirectly sanctioned following a landmark Appeal Court judgment which stated that overtime work was not obligatory, unless contractually agreed to.

According to the pamphlet, only those companies that used the LRAA to dismiss, re-trench or lock out workers will be targeted by the boycott, as will those that "victimised" workers after the September 5 and 6 stayaway.

The pamphlet states that "no violence must be used".





**BEACH PROTEST** ... An estimated one thousand people took part in a beach protest at the whites-only Strand beach on Saturday, ignoring verbal attacks from local residents and a police warning to disperse. Picture OBED ZILWA

# Beach protest 'a success'

*Cape Times 2/10/89 (975)*

**Staff Reporter**  
AN estimated 1 000 people marched, picnicked and milled around on the whites-only Strand beach on Saturday, ignoring a police warning to disperse and verbal attacks from many local residents

About three hours after the beach protest started, a jovial and casually dressed Archbishop Desmond Tutu hailed the day's activities as a success, saying that Strand beach had been opened for "all God's people"

Despite a prior government assurance that police would

"keep a low profile", there was a highly visible police presence as members of the riot unit patrolled the area in vans and armoured vehicles.

Numerous policemen also dressed in beachwear and carried towels in an attempt to mingle with the crowd

Shortly after 10 30am a group of about 400 people, many wearing yellow sun visors with the words "Free the Beaches", started marching down the beach in cold and overcast weather. Two police vans sped on to the beach and confronted the crowd, warning them they had 10 minutes to disperse under the Internal Security Act, otherwise

## 1 000 ignore police as locals hurl abuse

the police might use force — including firearms — to disperse the crowd.

Although police trucks waited on the beach road, police did not carry out their threat, but did briefly detain about 16 journalists — much to the approval of local residents

"It's you people with the cameras that cause all this trouble," an elderly woman said as police escorted cameramen to waiting trucks.

Police said the journalists — including Cape Times photographer Mr Obed Zilwa — were removed once police believed there would be police action.

The journalists later walked out of the police station after ignoring attempts by female staff members to stop them.

Residents standing on the pavement criticised the protesters for "coming on to our beach". Another resident was reported to have com-

plained that the demonstrators "were not even speaking Afrikaans".

Archbishop Tutu, dressed in white tracksuit pants and a T-shirt with the words "Just call me Arch", arrived on the beach about 11am. At one stage he intervened when plainclothes policemen tried to arrest a photographer.

At 1pm Archbishop Tutu and Dr Allan Boesak held a "service of thanksgiving" near the pier at the main parking lot.

At 1.15pm Dr Boesak ended the demonstration, asking people to go home quickly.



**BEACH SERVICE** ... Saturday's Strand beach protest culminated in a "service of thanksgiving" near the pier at the main parking lot. An estimated 1 000 people attended the service, which was held by Archbishop Desmond Tutu and Dr Allan Boesak.

Picture OBED ZILWA





# Charge is political, court told in riot officers' trial

By LINDA GALLOWAY and DON HOLLIDAY

Staff Reporters

TWO riot policemen believe political bias has motivated the assault charge brought against them by Lieutenant Gregory Rockman following pre-election incidents in Mitchell's Plain.

Mr J Els, SC, told the Wynberg Regional Court this would be his contention in defending Major Charles Roger Brazzelle and Lieutenant David Johan Roos.

Major Brazzelle and Lieutenant Roos have pleaded not guilty before Mr A S McCarthy.

## Unlawful

The State alleges that on September 5 they gave orders to members of their riot unit to use batons and quirts in an unlawful manner to disperse an illegal gathering in the Mitchell's Plain Town Centre.

Mr Els told the Wynberg Regional Court the use of the quirts and batons was not in dispute, but the allegation that their use was unlawful was denied.

Cross-examined by Mr Els, Lieutenant Rockman said he was not involved in politics.

After an objection by the State, Mr Els was prevented by

the court from asking questions about a statement Lieutenant Rockman had made about the release of African National Congress leader Mr Nelson Mandela or about a visit he had made to Dr Allan Boesak.

Mr Els told the court he would argue that Lieutenant Rockman's evidence should be dismissed in its entirety because he had not told the truth and his motive had been "political".

Several times during the cross-examination the ex-Lieutenant Rockman became heated. At one point Mr Els told the policeman he did not like his attitude.

Earlier, he had suggested to Lieutenant Rockman that his responses under cross-examination were like the "twisting and turning of a snake".

## Hefty

Lieutenant Rockman told the court earlier that he had seen four "hefty policemen" lashing a young woman at a bus stop.

He believed she must have thought she had no reason to run because she was standing innocently at the bus stop.

"When she couldn't take the beating any more she started running and they followed her — the stouter one even fell

They ran at her, lashing all the time."

The woman disappeared into the crowd, he said.

He later found a man lying unconscious on the pavement. He told the crowd to disperse because the riot police would not leave until they had done so.

He was called to see Major Brazzelle in his police vehicle. The major said to him "You, I, off away from the people or I will arrest you under the emergency regulations."

Lieutenant Rockman replied "I won't f off and you can lock me up if you want to."

## Lives nearby

Mr Gareth Paul Mars, 38, a South African Transport Services worker who lives "seven minutes' walk away", said he had gone to the Town Centre for groceries.

He had seen about 20 school children with placards on the platform in what he said had since become known as "Rockman Square".

He moved nearer to see what was going on and was standing next to Lieutenant Rockman when, at 9.40am, the policeman told the children their gathering was illegal and they should disperse by 10am.



Mr Gareth Paul Mars

When Lieutenant Rockman was out of sight policemen who earlier had been standing nearby stormed the youths.

Mr Mars said there was "definitely no warning given" before the storming, which took place inside the 20 minutes Lieutenant Rockman had given the children to disperse.

He stood nearby and watched several charges by the police on the crowd, which had been swelled by onlookers. He saw Lieutenant Roos, a

megaphone in his hand, "toughing and smiling" but did not hear any warning. He saw at least three people who did not appear to be part of the demonstration being beaten.

Mr Mars said he had followed Lieutenant Rockman when he went to see Major Brazzelle because he "respected Lieutenant Rockman as a coloured lieutenant" and believed the policeman had handed the situation well before the "white policemen arrived and the trouble started".

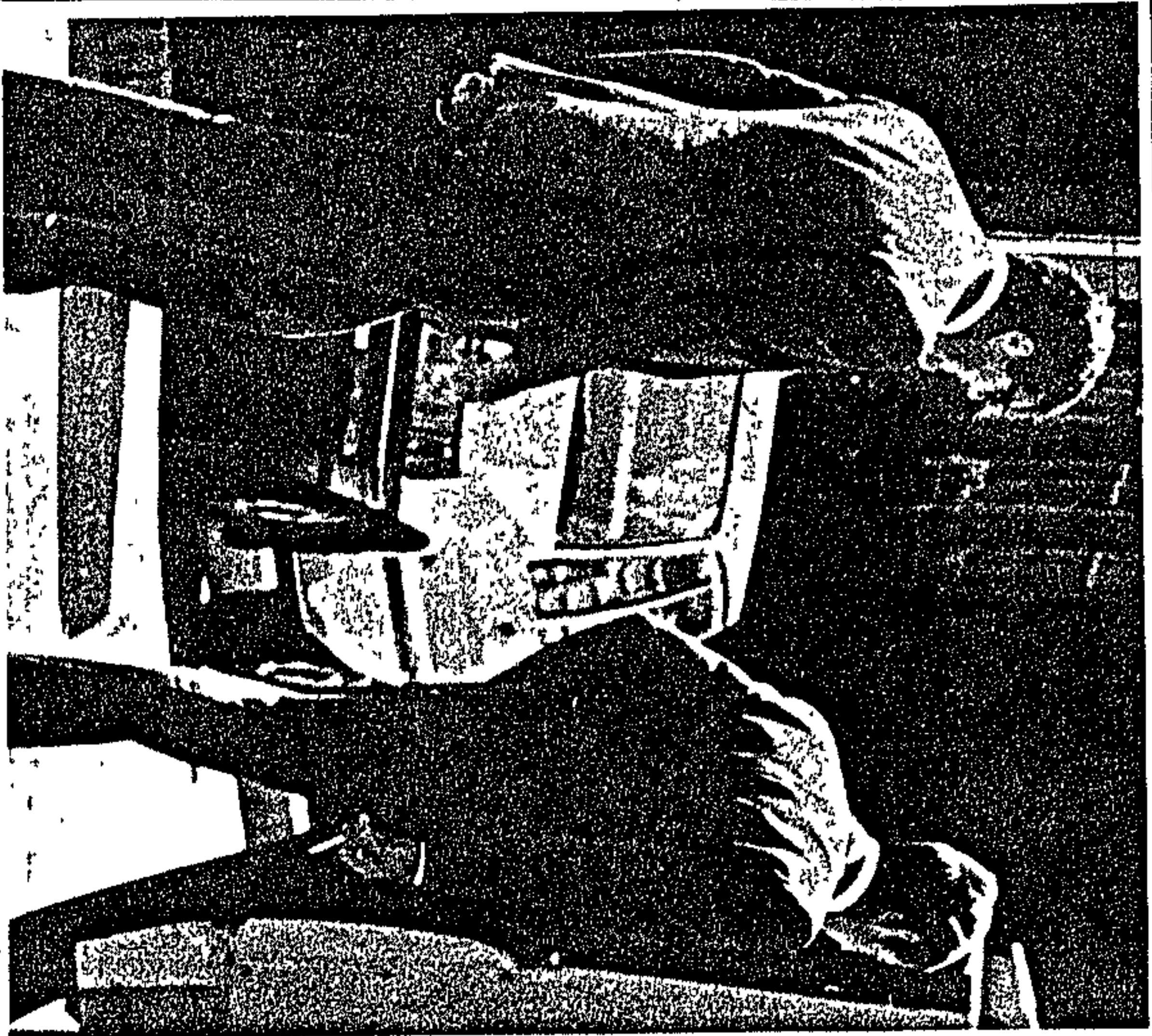
The hearing continues today.

## Golf history as women holes in one twice

LONDON — Golfing history was made when for the first time a woman holed in one twice during a round of a major competition.

Mother-of-four Wendy Russell, 51, a five-handicapper from Broadstone, Dorset, recorded aces at the 116m fourth and 107m eighth in the opening round of the British women's senior championship at Brexham.

However, she finished in 78 — seven over par and four strokes off the lead — The Argus Foreign Service.



LEAVING COURT: Lieutenant David Roos, left, and Major Charles Brazzelle outside the Wynberg Regional Court where they have pleaded not guilty to assault.

Picture ANDREW INGRAM, The Argus.



# Protesters held after pupils march to court in Ceres

275  
S.M.K. 4/10/89

Own Correspondent

CAPE TOWN — Several protesters were arrested yesterday following a march by about 600 pupils to the Ceres Magistrate's Court where 10 residents of the town were to appear on charges of public violence.

The confrontation between the police and pupils from Fred Gaum High School began after the pupils embarked on a march, led by the school principal and two teachers, at about 8 am.

The march was held to show "solidarity" with the 10, according to a local minister, the Rev Terry Lester, who was present at the court.

The 10 are Mr Boy Tromp (18), Mr Jean Paul September (20), Mr Johannes van Rooyen (18), Mr Sean Onrus (19) and a 17-year-old youth, all of whom

allegedly committed acts of public violence on September 6, and Mr Brenton Baron (20), Mr Richard Fryer (19), Mr Herschell Grootboom (19), Mr Charlton Boer (18) and Mr George Mabula (18), appearing on a charge relating to incidents on August 28.

They were not asked to plead and the case was postponed to November 4.

Mr Lester said the pupils participating in the march sat in Lyle Street outside a church for several minutes after they had been stopped.

After negotiating with the policemen, the teachers persuaded the pupils to return to the school.

As the pupils started walking back to the school, stones were thrown and teargas was fired.

The police public relations division in Pretoria confirmed the incident.

# Police beat innocent bystanders, court told

Own Correspondent

CAPE TOWN — Lieutenant Gregory Rockman saw riot policemen beating innocent people in Mitchell's Plain town centre the day before the general election, the Wynberg Regional Court heard yesterday.

Lieutenant Rockman was giving evidence in the trial of riot policemen, Major Charles Roger Brazelle and Lieutenant David Johan Roos, who have pleaded not guilty to a charge of assault.

In evidence, Lieutenant Rockman said he had responded to a radio message about a demonstration in the town centre and had found 20 to 30 pupils with placards on a podium in Harmony Square. They had been singing but he could not say if the words were of freedom songs.

He gave the crowd 20 minutes to disperse.

The protesters had only placards in their hands and no damage had been reported.

After telling the protesters to disperse he walked to where two colleagues and four or five riot policemen were standing and told them they should move out of sight so as not to incite the crowd.

They had moved away. Minutes later someone ran around the corner shouting: "Lieutenant, lieutenant, come and look, the police are beating us. You gave us 20 minutes to disperse."

Lieutenant Rockman said he

went back on to the square and saw "a pack of men" charging the crowd. "I saw them. They were brutally attacking the people, beating them. They couldn't care how they were hitting the kids."

He had not heard any warning from the riot police.

He said he had intervened and told the men to stop. They did, but he could see "they were quite angry about it".

Lieutenant Rockman said he saw Lieutenant Roos arrive on the scene, still within the 20 minutes which he had given the protesters to disperse.

Later he saw Lieutenant Roos and about 20 to 30 men advancing on the square.

They attacked the people with no warning. "Some even fell over their colleagues' feet in their eagerness to attack, like a pack of wild dogs."

Lieutenant Rockman confronted Lieutenant Roos and asked what he was trying to prove.

He replied Major Brazelle was in charge and when Lieutenant Rockman asked him where Major Brazelle was, he pointed at a police van.

Lieutenant Rockman approached Major Brazelle and asked him what Lieutenant Roos was doing.

Major Brazelle told him Lieutenant Roos had taken charge of the situation.

# Protest action in Boland township

By Craig Kotze, Crime Reporter

Unrest and protest action broke out this week in a Boland coloured township, police said.

Five people, including two women, were arrested in connection with the violence, which saw crowds and police clashing.

Police reported several stone-throwing incidents, in which a bus, post office building and police vehicles were damaged.

A man was arrested after an illegal gathering, according to police, and a woman was detained after an office building was set alight.

Police on several occasions used teargas and rubber bullets to disperse crowds but no injuries were reported.

Natal township violence also continued. Police said a man was stabbed to death by a mob in Sweetwaters and a police patrol was fired on in Mpumalanga on Monday.



... week's attempt to put down the riot

SPUR

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Woman beaten, court told

# Police 'did not warn protesters'

CAPE TOWN — Riot police sjamboked a woman who was a "committed Christian" across the breasts and ankles shortly after she had discussed the principles of non-violent protest with a riot squad officer, the Wynberg Regional Court heard yesterday.

University of Cape Town law student Ms Patricia Terry said this in the trial of Major Charles Brazelle and Lieutenant David Roos who have pleaded not guilty to a charge of assault arising from riot squad action in the Mitchell's Plain town centre on September 5.

The policemen hit the woman across her breasts. "She struggled free and she started to run towards a shop," Ms Terry said.

## Children

Ms Terry said she was one of a group of UCT law students who had gone to the town centre on that day to monitor a protest by schoolchildren.

When she arrived at 9 am there were about 30 to 40 children in Harmony Square holding placards.

She said that after a policeman with a loudhailer had told the group to disperse, several youngsters and shoppers gathered around a policeman.

"I went to try and overhear what was being said. Parents, some of the shoppers, elderly people and some of the children were talking to the police-

man. It was a very pleasant exchange. I saw his name badge ... 'Rockman'."

Ms Terry said riot police armed with qurtis arrived about 9.45 am and formed up in a line near the square.

When the last member of these policemen joined the group, one yelled "Kom, ons vat hulle" (Come, let's get them). No warning was given.

"The police charged straight into the crowd with their qurtis. Several people were hit. Some stumbled and fell, got up and continued running."

Shortly afterwards, she and six of her colleagues were arrested by riot police and put in the back of a police van. From the window, she saw a young girl and "committed Christian" in a black dress who had earlier been speaking to a riot squad officer about non-violent protest.

"She was remonstrating with the policemen. Two riot policemen and at least one riot policeman ran up to her. The policemen grabbed hold of her and held her."

She was then hit across the breasts. "The policeman and the man pursued her, hitting at her ankles with qurtis as she was running."

She ran into a shop but was brought out a few minutes later by police and put in a police van, Ms Terry said.

The prosecutor in the trial, Mr T J Prins, said yesterday he would call his final four witnesses today.



Leaving court ... Lieutenant David Roos (left) and Major Charles Brazelle outside the Wynberg Regional Court in Cape Town, where they pleaded not guilty to assault.

MONITOR FIRST KING SIZE



The monitoring group of six law students went to a nearby store and bought green ribbon to tie around their upper arms "so we could be easily identified".

Ms Terry went back upstairs to the Advice Centre from where she saw a policeman talking to 20 to 30 people.

"I went downstairs because I thought I should attempt to hear what was being said. It was a pleasant exchange and I went nearer to read the policeman's name badge. It was Rockman."

Ms Terry said she walked towards the bus terminus and saw riot police arrive about 9.40am. Twelve to 14 of them, carrying quirts, formed a line.

"A small dark man ran to the back of the line and shouted: 'Let's charge them', and the line just charged into the people. Several people were hit, some stumbled and fell but scampered up and continued running."

Ms Terry said she went back to the crisis centre where people who had been beaten with batons and had minor back wounds were coming in. She said a boy was carried in on the arms of two others and he was crying "quite hysterically".

She said she and five other "monitors" had returned to the square about 10.10am. "A policeman approached us and asked what we were doing. He did not tell us to leave. We told him we were there to monitor."

She said her group was under the bus shelter when policemen approached them and "took us away". They were verbally abusive and would not disclose their names or the reasons for the arrest.

"We were put in a van facing Harmony Square."

"The young girl, a committed Christian, who had been speaking to the policeman earlier, was standing in the bus shelter with a shopping bag. She was wearing a long black skirt."

"Two riot policewomen and a policeman ran up

to her. She shouted: 'What are you doing? I'm not doing anything wrong.' The policeman beat her over her breasts. She struggled and managed to turn around and run towards the Muslim meat market.

"The policewomen and policeman pursued her. They were lashing at her ankles with quirts. She disappeared inside the market and a few minutes later she came out with the police on either side of her."

"They brought her to the back of the mellow yellow (police van) we were sitting in and put her inside. There were eight of us arrested. We were in the van for about 15 minutes before we were taken to the police station."

Cross-examined by Mr J Els, SC, for the accused, she said she heard Lt Rockman warn the crowd. "He gave them 20 minutes to disperse. He said the riot police were coming." This was after another policeman with a loudhailer warned the crowd that it was an illegal gathering.

"When the police charged, there was not a clearly defined group. There were shoppers, elderly people and children. There was no demonstration at that stage. I saw no placards."

She said the riot police arrived four to five minutes after Lt Rockman addressed the group. After the initial "charge" by the riot police, the only assaults she saw were from the back of the police van.

There were only women in the back of the van. Earlier Lt Rockman said he saw a "lady in black with a green bag" being beaten by four hefty policemen.

Ms Terry denied seeing people spitting at the police from a balcony or hearing anyone shouting at the police.

Earlier Mr Suleiman Elmie, a delivery guard, said he was sick on September 5 and arrived at the Town Centre between 10am and 11am.

He stood under a shop veranda about 10 metres from the police. He saw Lt Rockman talk to the

demonstrators. The police were at the bus terminus.

"They acted against the children and hit them. About four times they ran into them, hit them, regrouped at the terminus, ran again and hit the children again."

Mr Elmie said he heard a warning when the police charged for the third time. The policeman who issued the warning used a megaphone, but he could not hear what he said.

Mr Elmie said he and his companion moved away to a corner of the Town Centre. He had his back to the terminus. "Suddenly a boy came between me and the man I was talking to, followed by a policeman. The policeman was beating the boy."

He pushed his companion away instinctively to make room for the policeman and the fleeing youth. "I found myself holding the policeman's quirt. It all happened so fast."

Mr Elmie told the court he said: "Are you mad?" and returned the quirt to the policeman, who proceeded to beat him with it. Three other policemen arrived and hit him on his arms, back and hands.

Cross-examined by Mr Els, he said he could not

say whether the accused was there. He said he heard a warning about the fourth time the police charged the children.

Mr Clive White, a 21-year-old hawker, said he was in the Town Centre from about 7am and saw Lt Rockman arriving. He did not see demonstrators, but heard the children making a noise at the square. "I did not leave the stall to see what was happening in the square."

Later he saw the riot police arrive. He heard people screaming and saw the police running into the crowd with quirts and beating the people.

As he was serving a woman at his fruit and vegetable stall, "police at the bus terminus chased people towards my stall. The next thing they were on top of me and beating the people and me. I was beaten on the arm and I ran."

Cross-examined by Mr Els, Mr White said the police could see he was a hawker as he was wearing a white coat.

He said the police beat him and the woman he was serving as they ran by.

The prosecutor, Mr T Prins, told the court he intended calling four more witnesses today. Five people, including Lt Rockman, have given evidence so far.

Mr AS McCarthy was the magistrate. Mr Prins was instructed by the attorney-general's office. Mr Els and Mr H De Vos, instructed by the Minister of Law and Order, appeared for the two policemen.





UNITY IS STRENGTH: Youths link arms at the historic Oudtshoorn march

CHURCH LEAD: Religious leaders at the head of the march

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# Rural power

## Oudtshoorn's tie with 16th century German revolt

MARCHES in several cities in South Africa have become a regular occurrence since public protest was reasserted as a fundamental right in the huge "Peace March" in Cape Town on September 13.

The Oudtshoorn march, however, stands out as the first major rural event of its kind.

Repression in the Oudtshoorn community is almost legendary.

Activists have been restricted and shot. The offices of community projects have been vandalised and attempts made to burn down the building that houses the independent newspaper, Saamstaan

Its staff are the constant focus of police action

Three residents of Bhongulethu (the African township outside the town), Patrick Manginda, Desmond Majola and Dickson Madikane, are presently on Death Row, found guilty on the grounds of common purpose of the death of a community councillor in 1985

### Unending feuds

Reggie Olifant, Derrick Jackson and Mbulelo Grootboom are locked in unending feuds with the police for resolutely refusing to obey their restriction orders

The events of Friday, September 22, began with a visit to the graves of three young boys, Simon Andile Majola, Thozamile Patrick Madikane and Thomas Fezile Hansa, aged 13, 15 and 16 respectively, who were shot dead by the police in 1985 for allegedly intending to burn down the house of a black local authority.

Their graves stand on a forlorn, barren and sun-baked lot at the edge of town with three small tombstones, each bearing the words "Freedom or death, victory is certain".

On election night last month heavy rocks were dropped onto the graves, shattering the tombstones.

At a church service before the march the father of one of the dead boys reported sadly but with a tone of defiance, "Having killed my son, now pursue him in his grave".

There was a sense of history being made as the crowd took to the streets amid a heavy (but restrained) police presence.

The march, under the flag of the African National Congress, was exemplary in discipline from beginning to end.

The community leaders handed over a petition to the town clerk and then proceeded to the police headquarters.

**Protest actions in rural areas by severely repressed communities have become a major feature of the defiance campaign in recent weeks. The march by between 8 000 and 10 000 people in the Karoo town of Oudtshoorn two weeks ago has parallels with a peasant revolt in Germany almost five centuries ago, writes CHARLES VILLA-VICENCIO:**

This time, as they stepped forward to hand another petition to the station commander, the bearers of the ANC flag accompanied them

The hushed silence exploded into a roar of approval

"We had to come to Oudtshoorn to witness the unbanning of the ANC," said a Cape Town lawyer.

The march (which included no more than a handful of whites), was proportionately speaking the largest of the present campaign

The 1986 census figures show the entire Oudtshoorn district to have a total population of 59 440, which includes 13 164 whites

Like so many other acts of defiance in different parts of the country, the march had an overt Christian character.

It was, however, probably the rural character of the Oudtshoorn demands that account for its obvious similarity with the famous German Peasants' Revolts of 1524-5, which occurred at the height of the Protestant reformation.

Both the Protestant and Catholic reformations of sixteenth-century Europe were an inherent part (some would say a consequence) of a major economic and industrial awakening

Scholars tell us that "everyone in Europe was crying out for reform"

Amid this era of anticipation, Martin Luther proclaimed his gospel of total freedom in Christ.

Trouble came when the peasants interpreted this message differently to both Luther and the feudal lords — and made their demands known in a manifesto, entitled, The Twelve Articles.

Their demands were basic and reasonable.

The demands of the Oudtshoorn community are also basic and reasonable

They are remarkably similar to those of the German peasants, despite the 465 years that have elapsed

They include the redress of high rents, bad housing, unemployment, poor sanitation, and the demand that the town's refuse dump adjacent to the "coloured" townships of Colridge and Toekomsrus be moved

The community further calls for the upgrading of the community hall and sportsfield in the African township Bhongulethu, an end to the harassment of the Kairos School for handi-



TOMBSTONE DESTROYED: The mother of Patrick Madikane, one of the youths shot dead in 1985, at his tombstone which was destroyed on election night

capped children and that those responsible for the desecration of graves be brought to justice.

The petition to the police demands that a Sergeant Olivier be removed from the Bhongulethu police station, that police obey traffic regulations and that community property be protected.

The community further demands that the state of emergency be lifted, apartheid laws be scrapped, capital punishment abolished and a climate be created within which negotiations can take place with the legitimate leaders of the people.

Martin Luther initially appealed to both the authorities and the peasants to show restraint, but ultimately

concluded that the peasants were "making Christian freedom a completely physical matter".

He sided with the princes and counselled them to kill the peasants. A notoriously low point in church submission to the state had been reached.

Today few Christians would even dare to explain, let alone justify, Luther's behaviour.

The parallel between the German Peasants' revolt and the Oudtshoorn march ends precisely here.

Allan Boesak and other church leaders in the Oudtshoorn march have sided unequivocally with the people against the authorities.

"You need to know," Boesak told the police, "that any action against the people of this town will be regarded as an action against the church of Christ and we will take to the streets again."

"Indeed," he said, "we will return later this year to rededicate the graves that were desecrated on the night of the election"

The massive support he received from the people of Oudtshoorn speaks a church firmly grounded among a resisting and defying community.

The recalcitrant peasants who defied Luther would have smiled happily in Oudtshoorn last week!

Rural revolts have throughout the history of struggle — and this is certainly true in South Africa — emerged in relation to local issues.

Major political issues, such as apartheid, the state of emergency and unemployment are responded to via immediate communal concerns.

There is no substitute for local political organising in relation to the basic and immediate needs of the people.

### Popular resistance

The work of community organisations and the courageous and tireless work of people like Reggie Oliphant and others are an essential ingredient to making rural revolts a part of a broad-based coalition of resistance in South Africa.

Religion is an inherent ingredient of popular resistance in South Africa. To neglect this part of the culture of the oppressed in the struggle for a just and democratic South Africa would be a fundamental mistake of analysis and strategy.

When a government fails to meet the most basic needs of the people, denying them firewood and housing or affordable rents and the right to bury their dead, the ideologies that underpin such systems (whether these be sixteenth century feudalism or twentieth century apartheid) can only collapse from a lack of popular legitimacy.

Oppressed people do not need to be told by intellectuals and preachers that the South African government is illegitimate, they know it.

(Professor Charles Villa-Vicencio is Head of the Department of Religious Studies at the University of Cape Town.)



# Witnesses: Women cops hit shopper

BY VLETTE VAN BREDA

A CITY court, hearing evidence in the case brought about by Lieutenant Gregory Rockman's allegations of police brutality, yesterday heard how two women police officers beat a woman shopper.

A witness, law student Ms Patricia Terry, told the Wynberg Regional Court that the two policewomen and a policeman had beaten the young woman as she stood at a bus shelter. The woman, who was holding a shopping bag, was chased into a butchery. The woman was then detained for three hours, Ms Terry said. She was testifying at the trial of two policemen Major Charles Roger Brazzelle, regional officer commanding Western Province Number 10 riot control unit, and Lieutenant David Johan Roos, commander of Platoon 3 of the unit at the time of the alleged assault. Both have pleaded not guilty to assault.

## Unnecessary force

The state alleged that on September 5, Major Brazzelle and Lt Roos gave orders to their men to use quills and batons to unlawfully beat people in the Town Centre in Mitchell's Plain.

The hearing arises from allegations by Lt Rockman that riot police used unnecessary force to disperse people at the Town Centre.

Ms Terry, a UCT student, said yesterday she and about 10 of her classmates arrived at the Town Centre about 9am and saw a group of between 30 to 40 young people on Harmony Square holding placards.

"Our purpose was to monitor the children, the police action, to obtain the names of people who were arrested and to get legal representation for them," she said.

Ms Terry said the law students formed two groups. One went to monitor the placard demonstration and the other went to the Mitchell's Plain Advice Centre, which overlooks Harmony Square, to take statements.



LEFT: A soldier with the flower presented to him by a conscientious objector yesterday. ABOVE: Conscientious objectors and supporters pass the City Hall on the way to the Castle yesterday. Page 3.

## Crippled tanker threatens east coast

Staff Reporter

A POTENTIAL disaster is facing the Cape east coast if a crippled and fully-laden Cypriot tanker, which is trailing a 22km-long oil slick 60km off East London, is damaged further, a pollution research officer said last night.

The 288 000-ton Pacificos has been leaking oil since yesterday afternoon from a 15-metre long gash in its hull and has lost an oil slick six kilometres

if the tanker breaks up any further, but with the slick outside the Agulhas current there is no immediate danger," Dr Lyn Jackson, a pollution research officer with the Department of Environmental Affairs, said last night. Last night a 45km/h wind was blowing the oil away from land.

Maritime sources in Cape Town last night expressed concern that the tanker could be in danger of breaking in two because of its age and the position

## Cop charged with ex-lover's murder

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# Police 'hit pupil after she asked about cruelty'

BY DON HOLLIDAY and MICHAEL DOMAN Staff Reporters

A 17-year-old Mondale High School pupil was hit with quirts in the Mitchell's Plain Town Centre bus terminus minutes after asking a policeman why, if people beating animals could be charged with cruelty, riot police could hit people, the Wynberg Magistrate's Court has heard.

The Standard 9 pupil, who may not be identified because she is under 18, was the penultimate State witness in the trial of Major Charles Roger Brazelle and Lieutenant David Johan Roos, who have pleaded not guilty to a charge of assault relating to alleged riot police "brutality" in breaking up a demonstration in the Town Centre on September 5.

The pupil said although there was "no school" on September 5, she and a friend had planned to meet their science teacher at school at 10am for extra lessons

### Arrived at 9.55am

Harmony Square and the Town Centre were on her daily route to school. She reached the shopping complex at 9.55am to find police hitting and chasing students.

The girl said: "When the children went back to the podium, I was with them, where we just sang".

"About five minutes later Lieutenant (Gregory) Rockman told us we had 20 minutes to leave the (Town) Centre.

"I went to join a group of people having a discussion with policemen.

"There had been some questions I had been wanting to ask of a policeman if I knew one. The one I spoke to wore a jacket and a cap, but had no quirt.

"I asked him 'If people who hit animals could get charged with cruelty to animals, what did they call it when they (the police) hit us?'  
"I observed the police gath-



Rev Wilma Jacobsen

ering and then they just burst loose and began hitting (the people). People ran in all directions.

"I didn't run. I was under the roof of the (bus) terminus. Two policewomen stormed at me and began hitting me.

"Later two policemen also (came). I was hit twice on the left breast and several blows over the rest of my body, including my right arm, and both legs and feet."

The girl said she had been taken to Khayelitsha police station and later released.

In cross-examination, Mr Els SC, for the defence, asked why Lieutenant Rockman said in evidence that he spoke to the group on the podium at 9.40 am, while the girl said he spoke to them between 10 am and seven minutes past

The girl "It could be he repeated what he said earlier. I left home at 9 45 am, so I would not have heard it (the first warning)"

A labourer, Mr Douglas Nicholson, 40, said he had been at the Town Centre on September 5 about 10.30 am with a friend who wanted to sign unemployment benefit documents.

He said he was standing near the bus terminus. There were a lot of people there.

Police were on the other side of the road.

Mr Nicholson said he heard someone say "Pasop, hier kom hulle" (watch out, here they come).

He turned to run, felt a blow on his back and fell.

"The police had those black things in their hands ... quirts or whatever you call them.

"All I know is there was this big burly guy standing over me. All I remember is falling and seeing stars".

Under cross-examination, he said he had been standing at the spot for about two minutes when he was attacked.

Earlier the Rev Wilma Jacobsen, a deacon in the Anglican Church in Westridge, said she had been hit twice by riot policemen on September 5, near Harmony Square.

She said she had gone to the Town Centre to do some shopping, but had stood at the edge of the square when she saw groups of people gathered there, some of whom had been singing.

After about 15 minutes, police, who had been facing the square, chased the students and adults

Two riot policemen had headed straight for Ms Jacobsen and she had turned and run because she was "a bit frightened".

She said: "I ran about 15 or 20m. I felt something hit me across my chest.

"I ducked because I was scared and thought the police may have had batons. I was then hit on the right side."

(Proceeding.)

# Paarl townships simmer

By CLIVE SAWYER  
Tygerberg Bureau

**A** CHRONIC housing shortage, drastic tariff increases — which have led to a rents boycott — and problems at schools, are some of the causes of the simmering discontent in the townships of Paarl East and Mbekweni.

## DISCONTENT

More than 50 people have appeared in the Paarl magistrate's court in the past fortnight in connection with charges of public violence or arson in these twin "hot spots" of protest in South Africa. All cases have been postponed.

A chronicle of some recent

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incidents, taken mainly from the official unrest reports, is: September 21: Police vehicle damaged in stoning incident. Youth arrested. Man arrested in another stoning incident involving a police vehicle. September 25: Man arrested when police disperse and illegal gathering. September 27: Four youths arrested when police use teargas to disperse a group stoning a police vehicle. One policeman slightly injured. Liquor delivery van damaged and its contents stolen in another incident. October 2: Bus, post office building, and police vehicles damaged. Three men and a woman arrested. Man arrested after an illegal group had formed. Young woman arrested after a group had stoned vehicles and an office

building and set fire to it. Tearsmoke and rubber bullets used. No injuries reported. October 3: Three men arrested in Klein Drakenstein Road, at a meeting protesting about police action and detentions. Permission was not sought to hold meeting. The meeting, a candlelight protest, took place in the same street where police arrested an undisclosed number of people after dispersing a crowd with teargas the previous night. Some of the trouble at the black schools in Paarl, started with the appointment of a white principal earlier this year, according to the Rev Andrew Hunter of the Mbekweni Anglican Church.

According to a statement from the Mbekweni Teachers Union executive committee, there are several other prob-

lems, principally at the Langabuya Lower Primary School and Mbekweni Higher Primary School. These include no electricity at Langabuya and cement floors, which are allegedly worsening tuberculosis problems in the township.

At Mbekweni Higher Primary, windows are broken, corrugated cement floors are said to be hazardous, there is no electricity in several classrooms, and the teacher to pupil ratio is one to 60.

These conditions have encouraged truancy and gangsterism, the statement added.

On July 1 this year tariffs in Mbekweni were drastically increased. Basic electricity tariffs went up from R9,15 to R18,09 and unit tariffs from 4,35 cents to 8,93 cents.



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## Rockman the star attraction at trial

By DON HOLLIDAY  
Weekend Argus Reporter

ALTHOUGH Lieutenant Gregory Rockman's active role in this week's trial of Major Charles Brazelle and Lieutenant David Roos lasted less than a day, he continued to be the star attraction out of court.

The Mitchell's Plain crime prevention officer has attended each of the four days of the trial so far, impeccably dressed and relaxed.

Foreign television cameramen and local journalists held several interviews with him outside the Wynberg Regional Court.

People in the street were seen pointing him out to friends, saying things like "There goes Rockman" and "Is that really Rockman?" Miss Suleila Desani, 18, of Grassy Park, even approached him for his autograph.

"He is my hero because of what he did," she said.

Each day the courtroom has been packed with senior policemen, journalists, riot policemen who had apparently attended in support of their superiors in the dock, and a few members of the public who managed to get seats.

Major Brazelle and Lieutenant Roos have pleaded not guilty to a charge of assault.

The proceedings ended on a surprise note yesterday when the defence closed their case after calling only one witness — Major Brazelle.

In his evidence, Major Brazelle dismissed as a "flight of fancy" Lieutenant Rockman's allegations that riot policemen attacked demonstrators in Mitchell's Plain town centre on September 5 "like a pack of wild dogs".

He said he considered the action taken by the police to disperse the crowd — baton and quirt charges — to have been a normal police action under the circumstances, and claimed they had taken place in an orderly manner.

Referring to Lieutenant Roos's taking command at the scene, he said he believed Lieutenant Rockman was not in a position to enforce a warning he had given to the crowd to disperse within, or after, 20 minutes, as he only had "one or two" men with him.

It was his experience that so-called "peaceful" demonstrations often developed into violence. Such demonstrations had to be dispersed as soon as possible.

On Tuesday, Lieutenant Rockman said he had considered the demonstration to be peaceful and not a threat to the maintenance of law and order or public safety.

He described how, after riot police arrived on the scene, he saw "a pack of men" charging the crowd.

"I saw them. They were brutally attacking the people, beating at them.

"They couldn't care how they were hitting the kids," he told the court.

At that stage, which was within the 20 minutes he had given for the crowd to disperse, no further warning had been given.

The State called seven other witnesses. They were:

● Mr Gareth Mars, a Sats' employee who said he had happened to watch the demonstration and subsequent police action when he had gone to the town centre to do grocery shopping. He said he had not been hit "because I keep my tackies on in Mitchell's Plain so I can run away from them (the police)";

● Mr Suleiman Elmie, a vehicle delivery guard. He said he had been beaten by a policeman after he had wrested his quirt from him;

● Miss Patricia Terry, a University of Cape Town law student who said she had gone to monitor the actions of the demonstrators and the police. She said she had been arrested and while waiting to be taken away in a police van had seen two policewomen hold a woman as she was hit across the breast by a policeman;

● Mr Clive White, a fruit and vegetable vendor in the town centre who said he had been attacked and beaten by police as he served a customer;

● Anglican Rev Wilma Jakobsen, of the Anglican Church; a 17-year-old schoolgirl; and a Mr Douglas Nicholson, all of whom alleged they had been beaten as they went about their business in the town centre.

The hearing was postponed to Tuesday.

● In yesterday's coverage of the "Rockman trial", Major Charles Brazelle was quoted as saying he regretted using words to the effect that Lieutenant Rockman should "F-off uit daardie Hotnotte uit".

The quote was incorrect. Major Brazelle used the word "mense" (people) and not "Hotnotte".

The Argus regrets any inconvenience caused by the error.

## **Court for 200 city unionists**

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Labour Reporter

TWO city trade union officials arrested yesterday while protesting against the Labour Relations Act were warned to appear in Cape Town Magistrate's Court to face charges under the Gatherings and Demonstrations Act.

Cosatu regional vice-chairperson Ms Grace Bosman and Chemical Workers' Industrial Union regional chairman Mr Abraham Aghulas were released on R100 police bail each, an attorney said.

Police ordered about 300 workers to disperse outside Kanhym Meats in Montague Gardens.

# Brazzelle admits he 'swore' at Rockman

By YVETTE VAN BREDA

MAJOR Charles Brazzelle, one of two policemen accused of assault, yesterday admitted that he swore at Lieutenant Gregory Rockman when he told him to move away from a crowd at Mitchell's Plain Town Centre.

Major Brazzelle was testifying at the Wynberg Regional Court trial in which he and his co-accused, Lt David Roos, have pleaded not guilty to assault.

The state alleged that on September 5, Major Brazzelle and Lt Roos gave orders to their men to use quirts and batons to unlawfully beat people in the Town Centre. The hearing arises from allegations by Lt Rockman that riot police used unnecessary force to disperse people. Major Brazzelle's evidence preceded a

surprise move by the defence team to close its case after hearing only his evidence. He told the court he was the operations officer commanding Western Province Number 10 riot control unit and had about 150 members under his command. Lt Roos was commander of Platoon 3 of the unit at the time.

Referring to evidence that he (Major Brazzelle) had summoned Lt Rockman to his police vehicle and had told Lt Rockman "F... off away from those people", Major Brazzelle said: "Regrettably, I must admit that I used words to that effect."

Asked by his counsel, Mr J Els, what happened when demonstrations were allowed to continue, he said "It differed from situation to situation, but in my experience it normally ends in violence". On September 5, he went at 10 15am to

the Town Centre where he saw about 200 people, some of whom were dancing, singing and displaying placards on a podium on Harmony Square. He heard Lt Roos warning the crowd to disperse.

Major Brazzelle said he did not leave his vehicle, but from where it was parked he could see the podium. Asked why he had not left his car, he said he had to "man the radio" in case there was trouble elsewhere.

Lt Roos and his men stood on a pavement near the bus terminus as Lt Roos warned people to disperse. Major Brazzelle said that "action has to take place after a warning".

The police was that the minimum force was to be used and there were four phases which could be implemented: The use of

teargas, quirts and batons, birdshot, and then live ammunition.

In an enclosed area, it was impossible to use teargas as there were many innocent people who may have been hurt. "Quirts and batons were the only means of dispersing them."

As Lt Roos warned the crowd, they moved back but did not disperse, and jeered and taunted the police. About 40 seconds later Lt Roos ordered his men to move forward with batons and quirts. Most of the crowd ran and the police moved back to the pavement. "I thought that his action was 100% correct."

Lt Rockman approached him and said he was unhappy about the police action. "I told him I saw nothing wrong with it and thought it was necessary. It was a relatively small crowd which could have

been easily dispersed and one which could not be allowed to get uncontrollable."

Lt Rockman made "general statements" about riot police and said they were often responsible for unrest. Major Brazzelle told him not to interfere with the riot police's actions.

When Lt Rockman moved away, Major Brazzelle said he noticed that the crowd gathered around Lt Rockman, who he thought was the cause of an illegal gathering. Major Brazzelle sent for Lt Rockman and noticed that the crowd followed him.

Lt Roos again issued a warning on the megaphone and when the crowd did not listen, he ordered another "quirt charge". Major Brazzelle said Lt Rockman refused to leave and he warned him that he would report his behaviour and have him re-

moved in terms of the emergency regulations.

Commenting on Lt Rockman's evidence that the riot police had behaved like "wild dogs" when dispersing the crowd, he said "It was a flight of fancy".

Major Brazzelle said Lt Roos did not have any choice when he ordered the second charge. He said he did see "a blow or two" fall. He said that when he arrived at the Town Centre he saw no violence.

He denied seeing a woman being beaten by two policemen. Mr T J Prins questioned whether the demonstrators were threatening to the police. Major Brazzelle replied that there was no threat to police at that time. "However there was a threat of potential conflict." The hearing continues on Wednesday.



# Brazelle admits he 'swore' at Rockman

YVETTE VAN BREDA

Brazelle, one of two  
rles Brazelle, one of two  
accused of assault, yesterday  
at he swore at Lieutenant  
kman when he told him to  
om a crowd at Mitchell's Plain

Brazelle was testifying at the  
azelle was testifying at the  
gltonal Court trial in which he  
accused, Lt David Roos, have  
guilty to assault.  
alleged that on September 5,  
He and Lt Roos gave orders to  
o use quirts and batons to un-  
at people in the Town Centre.  
arises from allegations by Lt  
hat riot police used unneces-  
o disperse people.  
azelle's evidence preceded a

surprise move by the defence team to  
close its case after hearing only his evi-  
dence. He told the court he was the oper-  
ations officer commanding Western Pro-  
vince Number 10 riot control unit and had  
about 150 members under his command. Lt  
Roos was commander of Platoon 3 of the  
unit at the time.

Referring to evidence that he (Major  
Brazelle) had summoned Lt Rockman to  
his police vehicle and had told Lt Rock-  
man "F... off away from those people", Maj-  
or Brazelle said: "Regretfully, I must admit  
that I used words to that effect."  
Asked by his counsel, Mr J Els, what  
happened when demonstrations were al-  
lowed to continue, he said "It differed  
from situation to situation, but in my ex-  
perience it normally ends in violence".  
On September 5, he went at 10.15am to

the Town Centre where he saw about 200  
people, some of whom were dancing, sing-  
ing and displaying placards on a podium  
on Harmony Square. He heard Lt Roos  
warning the crowd to disperse.

Major Brazelle said he did not leave his  
vehicle, but from where it was parked he  
could see the podium. Asked why he had  
not left his car, he said he had to "man the  
radio" in case there was trouble else-  
where.

Lt Roos and his men stood on a pavement  
near the bus terminus as Lt Roos warned  
people to disperse.

Major Brazelle said that "action has to  
take place after a warning".

The policy was that the minimum force  
was to be used and there were four phases  
which could be implemented: The use of

teargas; quirts and batons; birdshot, and  
then live ammunition.

In an enclosed area, it was impossible to  
use teargas as there were many innocent  
people who may have been hurt. "Quirts  
and batons were the only means of dispers-  
ing them."

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of potential conflict."

The hearing continues on Wednesday.

PRETORIA. — A man was killed and his body burnt on Friday at strife-torn Mpumalanga near Hammarsdale — an area in which more than 2 000 people have lost their lives in political faction fighting over the past three years.

Police said on Saturday in their overnight unrest report that the man was killed and his body set alight by a group of people.

There was no police action at the scene of the killing, but a murder case is being investigated. No further details were provided.

# Natal man killed, body burnt

*CMT.*  
*7/15*  
*9/10/89*  
*JTS*

At Paarl East, police used tearsmoke and birdshot to disperse groups which damaged a "number of vehicles" in stone-throwing inci-

dents, the report said. No injuries were reported and police arrested five people. No further details were provided.

A group which set a truck alight at Howick in Natal was also dispersed with tearsmoke. No injuries were reported and the report made no mention of arrests. No further details were provided.

Two people were arrested after a group hurled a petrol bomb at a school at Bulwer in Natal, setting it alight. No further details were provided. — Sapa

# Thousands join Boesak in march

*CMB Trip 9/10/89*  
275

WORCESTER. — Dr Allan Boesak led a march of several thousand people through Worcester on Saturday and afterwards he declared that peaceful marches were the way to "bring down the government".

The procession started at a Dutch Reformed church just outside Worcester and wound its way along a 3km route to the police station, where protesters presented a list of written demands, including the release of political prisoners and the lifting of the emergency.

Dr Boesak said he would make the same demands when he meets President F W de Klerk on Wednesday.

"We are not going to have a tea party," said Dr Boesak, who will meet the President with Anglican Archbishop Desmond Tutu and SACC head the Rev Frank Chikane. "We are going there to tell him (the President) that he must create a climate for negotiations."

"This is our non-violent, disciplined, determined way to bring this government down," Dr Boesak told the cheering crowd at Esselen Park Stadium. — Sapa-AP





**STONING ...** Constable M C Wessels with the half-brick thrown a Hout Bay woman who was driving near Crossroads yesterday.

*Cape Times 10/10/89*

## Woman badly hurt in Crossroads stoning

Staff Reporters *275*

**A 41-YEAR-OLD** Hout Bay woman is in a serious condition in Tygerberg Hospital after her car was stoned along the Old Klipfontein Road near Crossroads yesterday afternoon.

Police said Mrs B Bigara, of Alexander Road, Hout Bay, was travelling along the road about 3.20pm when she was attacked by a mob who stoned her car, which was extensively damaged.

Mrs Bigara was struck against the side of the head by a half-brick and lost control of the car, which left the road and overturned.

Police said that about two minutes after the accident the police paramedic unit arrived and tended to Mrs Bigara.

A police helicopter airlifted Mrs Bigara to Tygerberg Hospital, arriving 12 minutes after she was attacked.

# Pupils march to celebrate for freed 'comrades'

Staff Reporter

MORE than 200 pupils in uniform marched through the streets of Khayelitsha today chanting "Viva Sisulu" in apparent response to the announced release of eight ANC leaders.

The pupils alighted from a train at Khayelitsha station about 8am and headed towards A section. Their spokesman, who refused to give his name, said they were celebrating the release of what he called their "comrades in the struggle."

Pamphlets distributed in Khayelitsha under the MDM and UDF banner said: "Today we celebrate the release of Sisulu, Kathrada, Mhlaba, Mkwazi, Mlangeni, Motsaedi, Masemola and Mpetha. We salute your courage and commitment over these long years. Welcome home."

## STRUGGLES FREED THEM

The pamphlet went on to say the release was a victory made in the streets, townships and factories. "It was not made in Tuynhuys or the apartheid parliament. It was not made by Margaret Thatcher or Bush. It is our struggles and defiance that have freed our leaders. We must not let them rob us of this victory. We must demonstrate to the world our strength and our power."

However, the pamphlet said: "While we celebrate let us remember that apartheid remains, LRA and gutter education remains. There are many hundreds more in apartheid jails. We must release them."

● There was no indication this morning of the impending release of the seven senior political prisoners, including former ANC secretary Mr. Walter Sisulu.

Local and foreign media were at the prison gates from 8am but only the presence of the large Press contingent gave any indication that today could see the historic release of the Rivonia trialists.

Two smartly dressed young men outside the prison were asked to comment on the release.

One was looking for work and said he had never heard of Sisulu. The other came to visit his brother serving a nine-year sentence for assault. "I've never heard about these guys," he said.

# City's schools return to 'calm'

Cont.  
Tent.  
11/10/87

775

## Staff Reporter

MOST schools in the city's protest-racked coloured and African townships have returned to "normal" and are geared to preparing pupils for year-end exams, official sources said this week.

The swing back to calm after widespread demonstrations and violence over the election period follows a call last week by the Western Cape Education Front that boycotting pupils return to school immediately.

The Front represents organisations including the restricted Western Cape Student Congress, Cape Teachers' Professional Association and joint parent, teacher and pupil associations.

Commenting on the Front's call, Department of Education and Culture (DEC) spokesman Mr Thinus Dempsey said he did not want to discuss the umbrella body's influence on schooling.

He added, however: "The department hopes that pupils will take the call by the Western Cape Teachers' Union (Wectu) seriously."

Certain schools, which he declined to identify, were still experiencing problems relating to "national political factors and intervention by third parties"

Attendance at schools controlled by the Department of Education and Training (DET) had risen to about 80% over the past two weeks. While classrooms at some of the 10 high schools in Gugulethu, Langa, Nyanga and Crossroads ran empty during the election turmoil, attendance now stood at 70% to 80%.

About 1 680 of the region's 9 739 high school pupils were in Std 10 and were set to write their matric exams, starting on October 20. Teachers at the eight DET schools in Khayelitsha had taken steps to help pupils catch up.



# State: Police used excessive force

Cape Times 12/10/89 275

By YVETTE VAN BREDA

VERDICT is expected today in the "Rockman" police trial.

Yesterday prosecutor Mr Tommy Prins asked that two policemen be convicted on the grounds that "excessive force" was used to disperse a crowd in Mitchells Plain.

He was addressing Wynberg Regional Court at the end of evidence in the trial of riot squad officers Major Charles Brazelle and Lieutenant David Roos.

Both have pleaded not guilty to a charge of assault.

The hearing arises from allegations by Lt Gregory Rockman that riot police used unnecessary force to disperse people after a placard demonstration in Harmony Square.

The state alleges that Major Brazelle and Lt Roos gave orders to their men to use quirts and batons to beat people in the Town Centre.

Mr Prins submitted that the riot police were not entitled to act in

## Verdict expected today

terms of the emergency regulations as it was clear from evidence that the demonstration had been peaceful, that there was no danger to public safety and the maintenance of law and order, and that no property had been damaged.

Police were also under no threat.

Mr Prins said the protesting group was not very large and had consisted mainly of office workers, parents and curious bystanders, not schoolchildren.

Major Brazelle had himself testified that it was wrong to hit a person who was in a position of

"powerlessness", and that he did not agree with such action.

While Major Brazelle was in overall command, Lt Roos's exercise of his judgment had been so unreasonable that it was tantamount to not exercising his judgment at all. Mr Prins asked that the two accused be convicted of assault.

Defence counsel Mr J Els asked the court to reject Lt Rockman's evidence as he was a lying witness, who "distorted the truth with the express purpose of harming the reputation of the riot unit".

Mr Els submitted that Lt Rockman had participated in the demonstration, which he conceded was illegal, and was an accessory to it "particularly when considering that he allowed the demonstration to continue for 20 minutes".

Mr A S McCarthy was the magistrate. Mr T J Prins was instructed by the attorney-general's office. Mr Els and Mr H de Vos, instructed by the office of the Minister of Law and Order, appeared for the two policemen.

# Thousands march

Own Correspondent

PORT ELIZABETH. — What could be one of the biggest protest marches in South African history took place in the small industrial town of Uitenhage yesterday.

The march, which went off peacefully, was organised by the Mass Democratic Movement (MDM), the Congress of South African Trade Unions (Cosatu), church groups and various other community-based organisations to protest at the amendment to the Labour Relations Act (LRA).

A list of marchers' demands was handed to the divisional inspector of the South African Police in Uitenhage, Brigadier J A Botha, to pass on to the Minister of Law and Order, Mr Adriaan Vlok.

A separate list of demands was handed to the town's chief magistrate, Mr P R Rothman.

The size of the crowd was difficult to estimate, but judgments ranged from 30 000 earlier in the day to as many as 85 000 people.

## Uitenhage protests at LRA changes

Cape Times  
12/10/89  
275

March organisers agreed that about 70 000 people attended

A police spokesman said the police estimate on the size of the crowd was between 40 000 and 45 000. He stressed, however, that it was difficult to judge accurately.

"I think this is our biggest march ever," said the Rev Alexander Diko of the Methodist Church of South Africa, one of the many churchmen who attended the protest. Many other march officials agreed.

No blacks reported for work at the Volkswagen and Goodyear factories, and there was a high absentee rate at other businesses.

All shops along the route and most other shops in town were closed. They started reopening after the march had passed by.

After reading out the list of demands, Cosatu national vice-president Mr John Gomomo told the crowd it did not matter that Uitenhage was represented in Parliament by the Conservative Party.

"It could be the HNP, the NP or the DP, it still does not matter, as they all operate under apartheid structures." He repeated this to the chief magistrate when he handed over the list.

● A planned march on Parliament this Saturday by trade unionists to demand the scrapping of the LRA was yesterday tacitly approved by leading city business groups and the Mayor of Cape Town.

By late yesterday the conveners of the march were still waiting for the protest to be authorised by the chief magistrate and city council.

An estimated 15 000 people — most belonging to unions affiliated to Cosatu and the National Council of Trade Unions — are expected to join the procession at 10am on Saturday, a Cosatu spokesman said.





LOOKING BACK ... Oscar Mpetha with a legal representative at Crossroads in 1981

*CMT THIS 12/10/89*

# March to Mpetha's house abandoned

Staff Reporter

A MARCH involving about 5 000 pupils to the Nyanga home of Mr Oscar Mpetha was abandoned yesterday.

The march organisers decided on the move to avoid a possible clash between pupils and police at the Vygieskraal Stadium. Police fired tear-gas at people trying to join the rally.

Earlier several hundred Langa pupils briefly disrupted traffic as they crossed the N2 on their way to the Athlone rally.

In Nyanga hundreds of township residents gathered on Mpetha Square near Mr Mpetha's modest family home.

In Khayelitsha a march by several hundred pupils to celebrate the impending eight releases went off without reported incident.

At the Athlone rally, confrontation was avoided after clerics, including

the Rev Syd Lockett of the Anglican Board of Social Responsibility, Dean Colin Jones of St George's Cathedral and the Rev Chris Ahrends, chaplain to Archbishop Desmond Tutu, negotiated with riot police officers.

Mr Lockett said police promised not to take any further action as long as the stadium crowd dispersed without marching, dancing or carrying flags.

● According to Mr Mpetha's lawyer, Mr Hymie Bernadt, his 80-year-old client wanted to "come home" rather than be transferred on release to Gatesville Medical Centre in Athlone. Mr Mpetha has spent most of his six-year jail term in Groote Schuur Hospital and needs continuous medical attention for an acute diabetic condition. He has also had one leg amputated during his jail term. He is expected to be admitted to Gatesville Medical Centre.



# Flats killings: Police 'over-reacted'

By MONICA GRAAFF  
Court Reporter

THE police riot squad had "committed a serious offence" by "grossly over-reacting" and behaving in a "disturbingly tense and negligent manner" when they shot dead seven alleged ANC guerillas in Guguletu, a Wynberg court was told yesterday.

This was according to attorney Mr Joe Ebrahim, acting for the families of the dead. He was presenting his final argument before the re-opened inquest into the killings.

The men died of multiple bullet wounds during a shootout near the intersection of NY 1 and

NY 111 on March 3, 1986. The police claimed the alleged guerillas had planned to ambush one of their vehicles. Eyewitnesses claimed they saw some of the men shot at point-blank range while they were lying on the ground.

Summing up the evidence, Mr Ebrahim said he was not suggesting that the police had "planned to murder" but their behaviour should be seen to constitute an offence.

"There is no indication that the police tried to warn, apprehend or immobilise the men. They simply fired precipitously," he said.

Mr Ebrahim also listed

"numerous problem areas" where the opinions of forensic and ballistics experts clashed with the versions given by the police officers involved.

Furthermore the officers' evidence gave the distinct impression of being *ex post facto* reconstructions of events which they fabricated when they realised they would have to answer for their actions.

This was particularly borne out by the fact that in many cases their evidence during the inquest did not tally with the evidence they gave during the trial of former Cape Times deputy news editor Mr Tony

Weaver, who was charged and acquitted of publishing "untrue statements" about police action that day.

"If the accounts of the eyewitnesses are to be taken seriously — and they must be — then it is quite clear that something untoward happened that day," Mr Ebrahim said. "There is absolutely no evidence to suggest that any of them had any reason to cast the police in a bad light, even if the quality

of some of their evidence is at fault. If they said they saw police shooting the men lying on the ground in the head, then that is probably what they saw."

Mr Ebrahim further lashed out at former Murder and Robbery chief Colonel Stephanus Brits, whose "biased" investigations into the incident "left much to be desired".

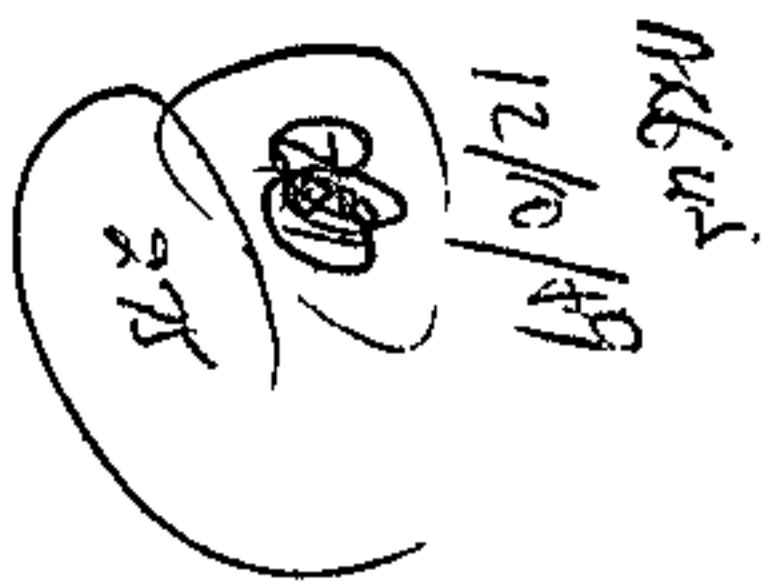
Findings will be given on October 25.

Cape Times 12/10/87

(1004) (200) 275



# Rockman: Riot squad duo not guilty

*McCarthy  
12/10/49*  


By LINDA GALLOWAY, Staff Reporter

TWO riot unit policemen in the "Rockman" trial have been acquitted of assault.

Wynberg Regional Magistrate Mr. A. S. McCarthy found that Major Charles Roger Brazelle and Lieutenant David Johan Roos had not acted in bad faith by their actions against protesters at Mitchell's Plain Town Centre on September 5.

Acquitting the two officers, Mr. McCarthy said the State had not proved beyond a reasonable doubt that they had acted in bad faith by authorising the use of violence, and that in fact their action had been authorised in terms of the emergency regulations.

The State had also not proved conclusively that the men were not protected by Regulation 15 of the emergency regulations which exempts security force officers from prosecution while acting in terms of the regulations.

## Rate increase good news — for savers

By TOM HOOD,  
Business Editor  
and JACQUELYN SWARTZ,  
Staff Reporter

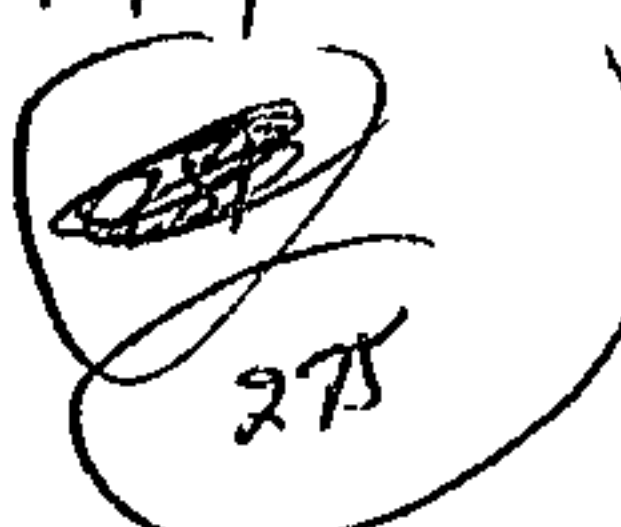
in the (South African) trade balance, it is incomprehensible that all shortages should be passed on to the consumer. Many have already had to for-





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12/10/89  
  
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By LINDA GALLOWAY, Staff Reporter

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The State had also not proved conclusively that the men were not protected by Regulation 15 of the emergency regulations which exempts security force officers from prosecution while acting in term of the regulations.

Mr McCarthy said it was obvious from the evidence of State witnesses that people had been assaulted by police on September 5 and he could not believe that "such action could be condoned by anyone."

Mr McCarthy found that while Lieutenant Gregory Rockman's evidence had been contradictory in many respects, he had been a good witness.

Lieutenant Rockman, whose statements after the events of September 5 led to the prosecution of the two policemen, had impressed the court as an intelligent person, Mr McCarthy said

It could not be denied that he was well known in his community and that his statements to the press had led to certain judgments being made about him. This meant that his evidence had to be treated with some caution.

Mr McCarthy said that the Criminal Procedure Act specified very stringently the conditions under which someone could be sjambokked. This precluded men over the age of 30 and all women.

### **"Exaggerated"**

Mr McCarthy said the assault on a woman standing at the bus terminus, described by Lieutenant Rockman, had been exaggerated if the person was the woman who had given evidence in court.

The State's evidence had not proved conclusively that either or both of the accused had seen any of the assaults specifically detailed by the State thus it could not be said that they were accomplices.

Thus, in spite of the fact that people had been assaulted by police on the day in question, the two officers could not be found guilty of assault, the magistrate said.

● 'Reject Rockman evidence'

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## Ian Smith's rescuer in W wins R4-million

**The Argus Foreign Service**  
LONDON. — The man who dragged from his blazing fighter aircraft in has become a millionaire 50 years 1

Former RAF sergeant Mr Bob Wyer, 73, has won more than £1 million (R4,3 million) on the football pools ... and one of the first to congratulate him was the former Rhodesian premier himself.

The call from Mr Smith, now living in retirement in Zimbabwe, came shortly after the former scrap dealer heard that he had scooped a rare pools double, winning top prize from Littlewoods and R700 000 with identical coupons.

Mr Wyer, who has remained in the man whose life he saved half lives in a R200-a-week council house south Wales.







# Reject Rockman evidence — counsel

By DON HOLLIDAY and MICHAEL DOMAN Staff Reporters

LIEUTENANT Gregory Rockman's evidence should be rejected, said counsel for two Riot Squad policemen, Major Charles Brazelle and Lieutenant David Johan Roos, who are charged with assault. Both have pleaded not guilty.

In his summing up yesterday Mr H Els, SC, for the two officers, said that Lieutenant Gregory Rockman was a lying witness and racism partly motivated his actions.

Mr Els asked Magistrate Mr A S McCarthy to reject Lieutenant Rockman's evidence.

He asked the court to find that Lieutenant Rockman lied and twisted the truth to damage the reputation of the riot unit.

He argued that Lieutenant Rockman was part of the demonstration at the Mitchell's Plain Town Centre on September 5.

He asked for an acquittal on the merits of the case and not on a legal technicality in which the emergency regulations made provision for the indemnifying of policemen who took action in good faith.

Mr Els said it was clear that after Lieutenant Rockman had warned the people gathered at the Town Centre that they had

20 minutes to disperse, the demonstration continued and the crowd grew.

Mr Els referred to several excerpts from Lieutenant Rockman's evidence where he said the policeman contradicted himself.

## Stormed

These were: Lieutenant Rockman's evidence that the riot police stormed people with quirts and batons on several occasions, that the police hit out without discretion; that no warning whatsoever was given before any charge and that these charges were unnecessary.

This evidence had to be rejected, Mr Els said.

Lieutenant Rockman exaggerated the facts, particularly in reference to the number of quart or baton charges when he said "well there were a few. I cannot say exactly if it was 10, 15 or 100."

Mr Els said it was clear that this was an untruth and it appeared that these were simply figures and there was no foundation for using them. Evidence supported the suggestion that there were only two baton charges.

Lieutenant Rockman's evidence concerning the warnings was that it was possible that

while he was talking to Major Brazelle there might have been a warning given.

When it was put to him that Lieutenant Roos's evidence would be that he gave a warning, Lieutenant Rockman's answer was: "That is lies".

Lieutenant Rockman was also contradicted by the video cassette which was shown to the court.

Warnings were clearly heard on the video cassette although Lieutenant Rockman had said no warnings at all were given in his presence.

It was clear that contradictions and unlikelihoods existed in most evidence given on behalf of the State.

In his argument Mr Tommy Prins, for the State, said the protest was not a threat to public safety and it could not be said that action in terms of the emergency regulations was suitable to disperse people.

The emergency regulations stipulated public safety had to be threatened or in danger for police to act in terms of the regulations to stop any protests.

"All the people who gave evidence for the State said the safety of the public was not in danger at all and that there was no damage to property."

"Evidence was that the ille-

gal gathering taking place was peaceful with the direct implication that it did not have a threat to the maintenance of public order.

Mr Prins said the State evidence had been greeted by "a deafening silence" from accused Lieutenant Roos.

"He was the person who gave direct orders (for police charges).

## Actions

"I submit that when the court looks at the size of the group, their actions and the evidence we have from the State witnesses, it cannot be said that action in terms of the emergency regulations was suitable (toepaslik).

"The person who was able to see on what the decision (to charge) rested, didn't see fit to inform the court on that important point."

Mr Prins said it was clear from Major Brazelle's evidence that there was no threat to police during the protest.

CAP-Trans  
12/10/89

# Stoning: Woman's condition 'stable' 275

## Crime Reporter

A TEAM of Peninsula Murder and Robbery detectives have been assigned to track down the mob responsible for stoning a Hout Bay woman near Crossroads this week.

Mrs Cecile Bigara, 41, underwent an emergency operation on Tuesday morning after she was struck by half-a-brick while driving on the Old Klipfontein Road on Monday.

Mrs Bigara's condition was yesterday described as "stable".

A 17-year-old Scotts-dene youth has been arrested in connection with the death of Mr Peter Boyd, 64, who died on September 10, 10 days after being struck by a stone while travelling in Kraaifontein.

Police have offered a R5 000 reward for information leading to the arrest and conviction of the person responsible for the death of Mr Wouter Theron Pienaar.

Mr Pienaar died after being hit by a stone while travelling to Brackenfell.

Anyone with information is asked to contact Captain Campher at 951 6665/6/7/8.

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# Rockman: squad duo not guilty

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12/10/89  
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The State had also not proved conclusively that the men were not protected by Regulation 15 of the emergency regulations which exempts security force officers from prosecution while acting in term of the regulations.

Mr McCarthy said it was obvious from the evidence of State witnesses that people had been assaulted by police on September 5 and he could not believe that "such action could be condoned by anyone."

Mr McCarthy found that while Lieutenant Gregory Rockman's evidence had been contradictory in many respects, he had been a good witness.

Lieutenant Rockman, whose statements after the events of September 5 led to the prosecution of the two policemen, had impressed the court as an intelligent person, Mr McCarthy said.

It could not be denied that he was well known in his community and that his statements to the press had led to certain judgments being made about him. This meant that his evidence had to be treated with some caution.

Mr McCarthy said that the Criminal Procedure Act specified very stringently the conditions under which someone could be slobokked. This precluded men over the age of 30 and all women.

## "Exaggerated"

Mr McCarthy said the assault on a woman standing at the bus terminus, described by Lieutenant Rockman, had been exaggerated if the person was the woman who had given evidence in court.

The State's evidence had not proved conclusively that either or both of the accused had seen any of the assaults specifically detailed by the State thus it could not be said that they were accomplices.

Thus, in spite of the fact that people had been assaulted by police on the day in question, the two officers could not be found guilty of assault, the magistrate said.

● 'Reject Rockman evidence'  
page 5.



## Unions' march in city gets go-ahead

*Cape Times 13/10/89*  
THE Cape Town City Council yesterday gave the go-ahead for a march tomorrow to Parliament by members of unions affiliated to Cosatu and the National Council of Trade Unions, council spokesman Mr Ted Doman said yesterday.

Thousands of workers and their supporters are set to join protest marches against the Labour Relations Amendment Act (LRA) in most major centres. The city march is due to start at 10am and will proceed along Darling, Adderley, Bureau, Spin and Plain streets to the Tuynhuys entrance to Parliament, where demands on the LRA will be handed over.

# 117 Peninsula car stonings

CAM- Truys 13/10/89  
275

## Staff Reporter

THERE have been at least 117 attacks by stone-throwers on cars in the Peninsula, according to insurance figures.

Most of the attacks have taken place in Elsie's River and Lansdowne, the figures show.

A spokeswoman for the South African Special Risks Insurance Association (SASRIA), which handles all insurance claims of political violence, said the association had received about 117 claims this month in the Peninsula.

She said most of the claims were from damage suffered

after the September 6 election violence.

The most common claims were for the replacement of windscreens and the average amount of the claims were about R700, she said.

Mr Rene Otto, regional manager of one city insurance company, said his company had received only three claims for damage to cars during unrest in the past month.

● The condition of Mrs Cecile Bigara, the Hout Bay woman who was seriously injured in a stoning attack earlier this week, was "stable", a Tygerberg Hospital spokeswoman said yesterday.

rest of the prisoners, 80-year-  
old had been released and said he  
in Service jurisdiction.

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holiday in France  
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In China they will visit  
Guangzhon (Canton),  
Beijing and Shangai.

## MP: Emergency 'corruptive'

Political Correspondent

THE judgment in the "Rockman" case illustrated "what a corruptive effect emergency regulations have on civilised standards in South Africa", the Democratic Party's law and order spokesman, Mr Tian van der Merwe, said last night.

The case also showed that Law and Order Minister Mr Adriaan Vlok "has a long way to go in cleaning up his act".

Mr Van der Merwe, MP for Green Point, noted that presiding magistrate

Mr A S McCarthy had "condemned in no uncertain terms the violence that was used by riot policemen".

"He found it to be unlawful and he added that the policemen concerned endangered the very people they were to protect.

Mr Van der Merwe said the question of whether someone was punished or not was not relevant — "but the lessons that should be learned from these events is highly relevant".

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*MP 71475 13/10/89*



Apr 7th 13/10/89

# Riot GOONS acquitted

By VETIE VAN BREDA

THE beating of people, specially women, was "utterly reprehensible", Wynberg Regional magistrate Mr A S. McCarthy said yesterday in his judgment acquitting two riot squad officers of assault.

Mr McCarthy was delivering judgment, which lasted 40 minutes, at the end of the six-day trial of riot policemen Major Charles Roger Brazelle and Lieutenant David Johan Roos.

The charges arose from allegations by Lieutenant Gregory Rockman that riot police had used unnecessary force when dispersing people at Mitchell's Plain Town Centre on September 5.

Speaking softly to a packed courtroom, Mr McCarthy expressed surprise that the riot squad members who beat people after a demonstration at the complex could not be identified by police.

He said he regarded the beating of people at the scene as not only unlawful, but "utterly reprehensible" — specially women who were beaten on the breasts with quirts. He said he could not believe that such action was right. Mr McCarthy said it was common cause

## Rockman on agenda

Political Staff

THE Minister of Law and Order, Mr Adriaan Vlok, is due to meet all police generals next week at which the "Rockman affair" and riot control action will be discussed.

A spokesman for Mr Vlok said the department was still investigating riot unit action and also the conduct of Lieutenant Gregory Rockman.

He said the minister might make a statement after the meeting.

that there was an illegal gathering of schoolchildren on a podium in Harmony Square in the Town Centre and that there were a number of adult bystanders.

Lt Roos was in command of platoon 3 of the riot squad which broke up the demonstration and Major Brazelle, a senior riot squad commanding officer, arrived on the scene later.

Mr McCarthy accepted that police stormed the crowd at least twice and certain people were beaten by police with batons and quirts.

He accepted that five state witnesses who were beaten were honest about events on that day. The defence had not challenged the bulk of their evidence and had only led one witness, Major Brazelle.

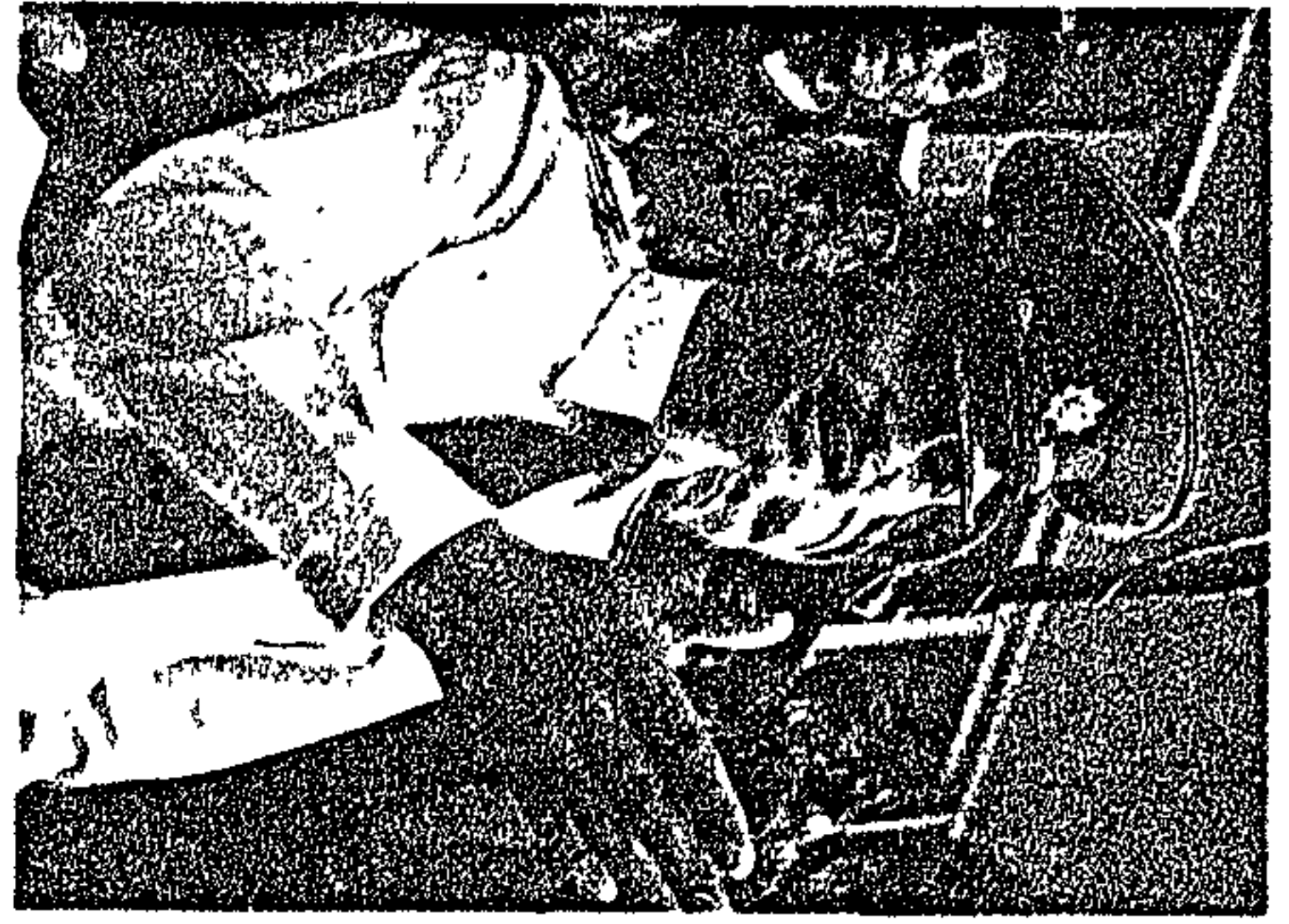
It was clear from video footage shown to the court that the gathering had not posed a threat to the public and action under the Internal Security Act would have been sufficient to control the situation.

Lt Rockman had warned the group and given them 20 minutes to disperse, which the court felt was too much time for the dispersal of 30 to 40 people.

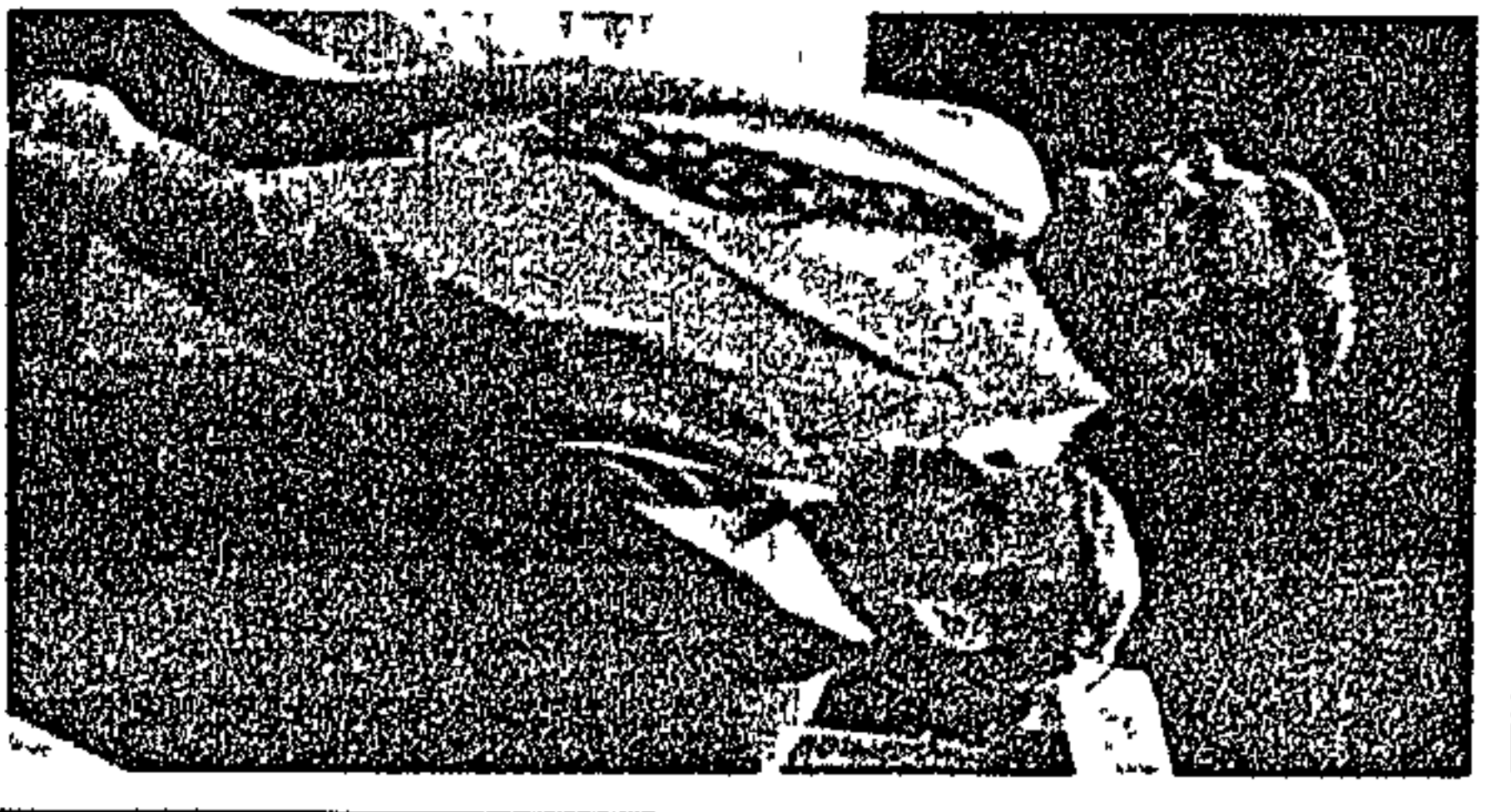
"But this was what he, in his judgment as a police officer, regarded as reasonable. He had the right to exercise his discretion, he did exercise it and what he did was within the bounds of article 48 of the Internal Security Act."

Mr McCarthy said Lt Rockman's evidence had been sharply criticised by the defence, who called him a liar. But Lt Rockman had impressed the court as an intelligent person with good powers of observation. It was obvious that he was popular in his

To page 2



ROCKMAN ... Lieutenant Gregory Rockman, whose allegations brought about the charges against the policemen, outside court yesterday.



NOT GUILTY ... Riot unit officers Lieutenant Roos (left) and Major Brazelle

REPORT BY VETIE VAN BREDA



From page 1

community. Given the background of press statements he had made which put the police in an unfavourable light, it was to be expected that he would be prejudiced and for this reason his evidence had to be approached with caution.

The court was aware of contradictions in Lt Rockman's evidence. His evidence regarding

times was unreliable. The court questioned why he had not looked at his watch constantly after ordering the gathering to disperse, to note the time of events which followed and to see when the 20 minutes had elapsed. His evidence also contradicted the evidence of witnesses in respect of Lt Roos carrying a megaphone and pupils dancing on the podium. However, it does not

follow that his evidence is incorrect just because it differs from other witnesses. The court cannot find any reason why he should have lied about carrying his officer's staff. When he said he did not have it, he was making a mistake."

Mr McCarthy said he could not accept that Lt Rockman's evidence regarding the assault of a woman dressed in black referred to the assault of

a teenager who testified that she was beaten by two policewomen and two policemen. Lt Rockman said he saw four "burly policemen" assaulting a woman and Mr McCarthy said that if he had seen the same assault, he had exaggerated it.

These contradictions did not affect the court's impression that "Lt Rockman was basically an honest witness" and he had been on the scene. *McCarty 13/10/89*

Mr McCarthy said the assault on the teenager had not been justified in terms of the emergency regulations, though she had been part of the demonstration, as she had obeyed an order to disperse. In coming to this conclusion the court had been mindful of the restrictions on corporal punishment laid down in the Criminal Procedure Act and in prison regulations, where it was stipulated that a district surgeon should first examine a person to see if he was physically able to take corporal punishment. Men over the age of 30 were not to be given corporal punishment and under no circumstances should any women be given corporal punishment. Witnesses were unlawfully assaulted by members of the platoon under Lt Roos' command. "The court is surprised that these members cannot be identified by the police," Mr McCarthy said. He said that in ordering police to disperse the demonstrators, Lt Roos had judged that the maintenance of public order or public safety was either threatened or that a potential threat existed. It could not be said that he acted unreasonably. The irony of the matter was that it was aimed at securing the safety of the public, that

*McCarty 13/10/89*

people were assaulted. The hearings were clearly aimed at the demonstrators.

It was probable that Lt Roos had seen unlawful use of violence and could also identify the likely perpetrators. However, there was no evidence that he or Maj Brazelle were directly involved in assaults on members of the public. Despite the fact that members of the public were assaulted by members of Lt Roos' platoon, neither he nor Maj Brazelle could be held responsible for those assaults.

The emergency regulations gave members of the security forces immunity from criminal prosecution for actions performed in the course of their duty unless it could be proved that they had not acted in good faith.

The order to use violence against the demonstrators had not been illegal. On the contrary, it was authorised by regulation 15 of the emergency regulations. The state had failed to prove beyond a reasonable doubt that the officers had acted in bad faith and they were acquitted.

Mr T. J. Prima, instructed by the attorney-general's office, appeared for the state. Mr J. Es and Mr H. de Vos, instructed by the Minister of Law and Order, appeared for the two policemen.

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a teenager who testified that she was beaten by two policewomen and two policemen. If Rockman said he saw four "burly policemen" assaulting a woman and Mr McCarthy said that if he had seen the same assault, he had exaggerated it.

These contradictions did not affect the court's impression that "Lt Rockman was basically an honest witness" and he had been on the scene. Mr McCarthy said the teenager was assaulted by two policemen and had not been justified in terms of the emergency regulations, though she had been part of the demonstration, as she had obeyed an order to disperse.

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It could not be said that he acted unreasonably. The irony of the matter was that it was as a result of this decision, aimed at securing the safety of the public, that

people were assaulted. The beatings were clearly aimed at the demonstrators. It was probable that Lt Roos had seen unlawful use of violence and could also identify the likely perpetrators.

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Mr Justice Byrne, supported by the attorney-general, Mr Egan and the Minister of Law and Order, appeared for the two policemen.





Chanting and *toyi toyi-ing*, 80 000 Uitenhage marchers set out this week to show they could transform the Conservative Party-controlled town

275 W. Mail 13-19/10/89

## Tens of thousands march to free Uitenhage

ON a sweltering day Uitenhage marched "to freedom" this week in what is regarded as the biggest march ever in South Africa.

The Conservative Party-held town that was witness to the 1985 Langa massacre on March 21, locked and bolted its doors this week when a crowd of up to 80 000 marched through the streets to protest against the massacre and the Labour Relations Act.

Singing and *toyi toyi-ing*, the marchers set out to prove they had the power to transform the status quo in the "CP-controlled" town.

And if the residents tried to ignore the chants of the crowds, the message was on the poster, saying: "*Die tyd vir baasskap is verby, Afrikaners*". (The time of *baasskap* is over, Afrikaners.)

The crowd, which stretched 5km long, was estimated at 100 000 by local Congress of South African Trade Unions officials, while police said it was 60 000.

Strict discipline was maintained by

### Weekly Mail Reporters

the marchers, who had earlier bused in from Port Elizabeth, Despatch and surrounding areas and gathered near the Volkswagen motor plant at a spot prescribed by Uitenhage's chief magistrate RM Rothman.

Security forces sealed off all side streets to prevent the peaceful march from spilling over into the white residential areas and it was closely monitored, from behind razor wire lining the route. A South African Air Force helicopter hovered overhead.

"Come and join us," marchers urged the police, who did not respond.

And at the head of the jocular crowd, in a wheel chair, was Lawrence Gqubule — a victim of the Langa massacre.

Led by clergy of different denominations, the marchers wound through a main street of the town chanting protest songs and slogans — and clapping their hands for the police.

They carried placards protesting the

Langa shootings of 1985 and the LRA, a big issue for workers in the town's motor industry, while others called for the release of Nelson Mandela and the unbanning of the African National Congress.

The marchers rendezvoused at a stadium where they were addressed by John Gomomo, national vice-president of Cosatu.

Though the possible unconditional release of Walter Sisulu and seven others was welcomed, "De Klerk should understand that we demand them (political prisoners) all now, including Nelson Mandela".

A petition, addressed to the town clerk, was delivered by Gomomo, Reverend Malusi Mpumlwana and other clerics to the divisional inspector of the SAP, Brigadier JM Botha.

The crowd then retraced its steps back to the starting point. Another petition, addressed to the minister of law and order, was later handed to the chief magistrate.

● A march is to be held in Port Elizabeth tomorrow.



CAPE TIMES 13/10/89 (275)

## Uitenhage to see 2nd march

PORT ELIZABETH. — The Eastern Cape town of Uitenhage, which witnessed a protest march of more than 50 000 people on Wednesday, is expected to see another march in three weeks time — and marchers may include ANC political prisoners Mr Raymond Mhlaba, Mr Walter Sisulu and Mr Wilton Mkwayi.

The Wednesday march was a protest against the Labour Relations Amendment Act, and a procession of honour for those killed by police in the Langa shootings four years ago. — Sapa

# 1 500 teachers march to DET offices

CNA Times  
14/10/87

Staff Reporters

ABOUT 1 500 teachers at black schools in the Peninsula marched to the Foreshore offices of the Department of Education and Training yesterday to deliver a petition on conditions in black schools.

Peninsula African Teachers' Association (Penata) president Mr Cristopher Gqaji said the marchers were blocked off by police who warned them that the march was illegal.

Police warned them to disperse but took no action.

This was confirmed last night by police spokesman Captain Hendrik Opperman, who said six teachers had subsequently requested permission to enter the building housing the offices of the DET to hand a petition to inspectors.

Permission was granted, Captain Opperman said.

The teachers handed the petition to four DET inspectors after they were told the DET regional director was not available.

The teachers were from schools in all the city's black townships as well as from schools in Mfuleni near Kuils River.

In the petition, they demanded that issues such as the unavailability of stationery, insufficient textbooks, retrenchments and transfers of teachers and a high teacher-pupil ratio be redressed.

Mr Gqaji said the teachers dispersed peacefully after the petition was handed over.



# Armed men prevent meeting in school

CPA 1/14/89 8/10/89

Staff Reporter

MEN with guns yesterday prevented Old Crossroads residents from holding a meeting in a local school — despite residents having the written permission for a gathering from a Wynberg magistrate.

According to chief headman Mr Jeffrey Nongwe, residents had arranged to meet near the Noxolo Primary School to discuss housing problems in the sprawling shantytown.

In a letter dated October 13, a Wynberg magistrate had authorised Mr Nongwe to hold an open-air meeting near Noxolo School, Old Crossroads, to discuss the building of houses.

"It looked as though it was going to rain, so we decided to hold the meeting in the school, which the caretaker agreed to," Mr Nongwe said. However, about 13 men armed with

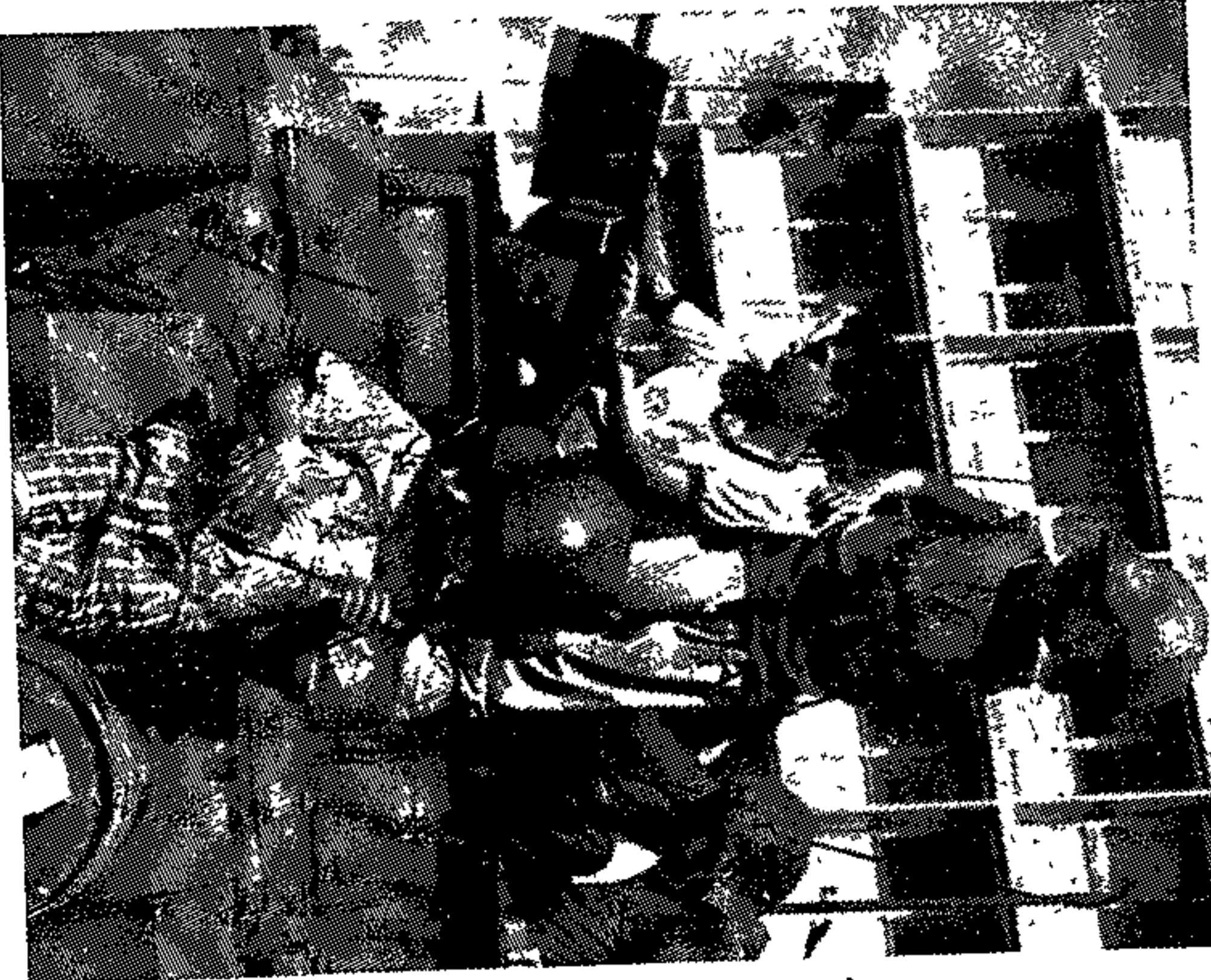
pistols arrived soon after 9am and told the residents and Mr Nongwe that they could not hold the meeting in the school, Mr Nongwe said.

The group of armed men was led by Cape Provincial Administration local government official Mr Ricky Schelhasse, who carried a holstered pistol, Mr Nongwe said.

Despite his protests that the meeting had been authorised and the school belonged to the community, Mr Schelhasse locked the school gate, Mr Nongwe said.

The meeting was eventually held outside the school while monitored by some of the armed men — identified by Mr Nongwe as supporters of Crossroads' mayor Mr Johnson Nxobongwana.

Neither Mr Schelhasse nor Mr Nxobongwana was available for comment last night.



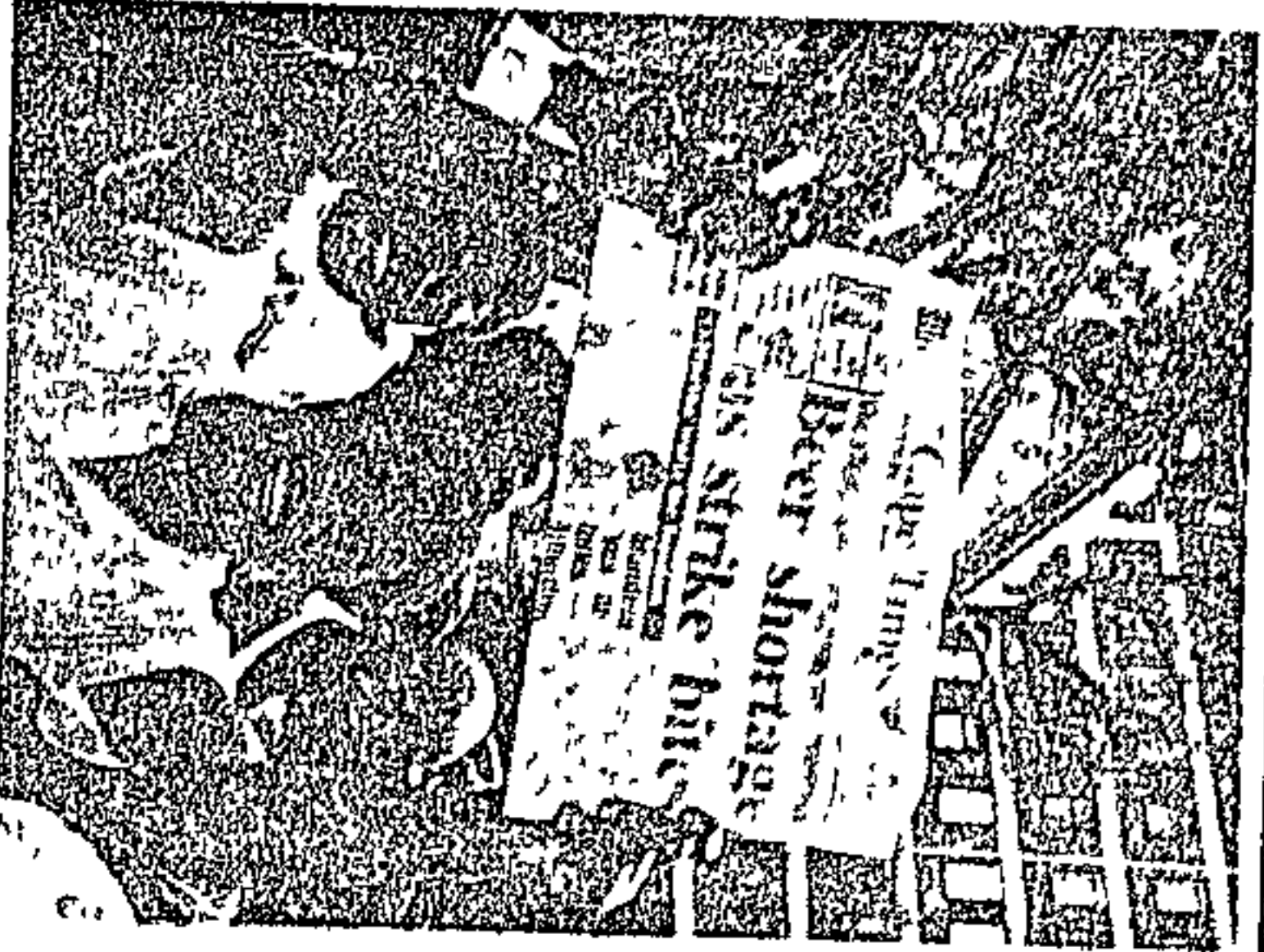
**WAR GAMES . . .**  
Two young Israeli boys wear tank commander helmets yesterday as they play atop an Israeli army tank at a military exhibition in Tel Aviv.  
Picture: REUTER



# Workers on the march

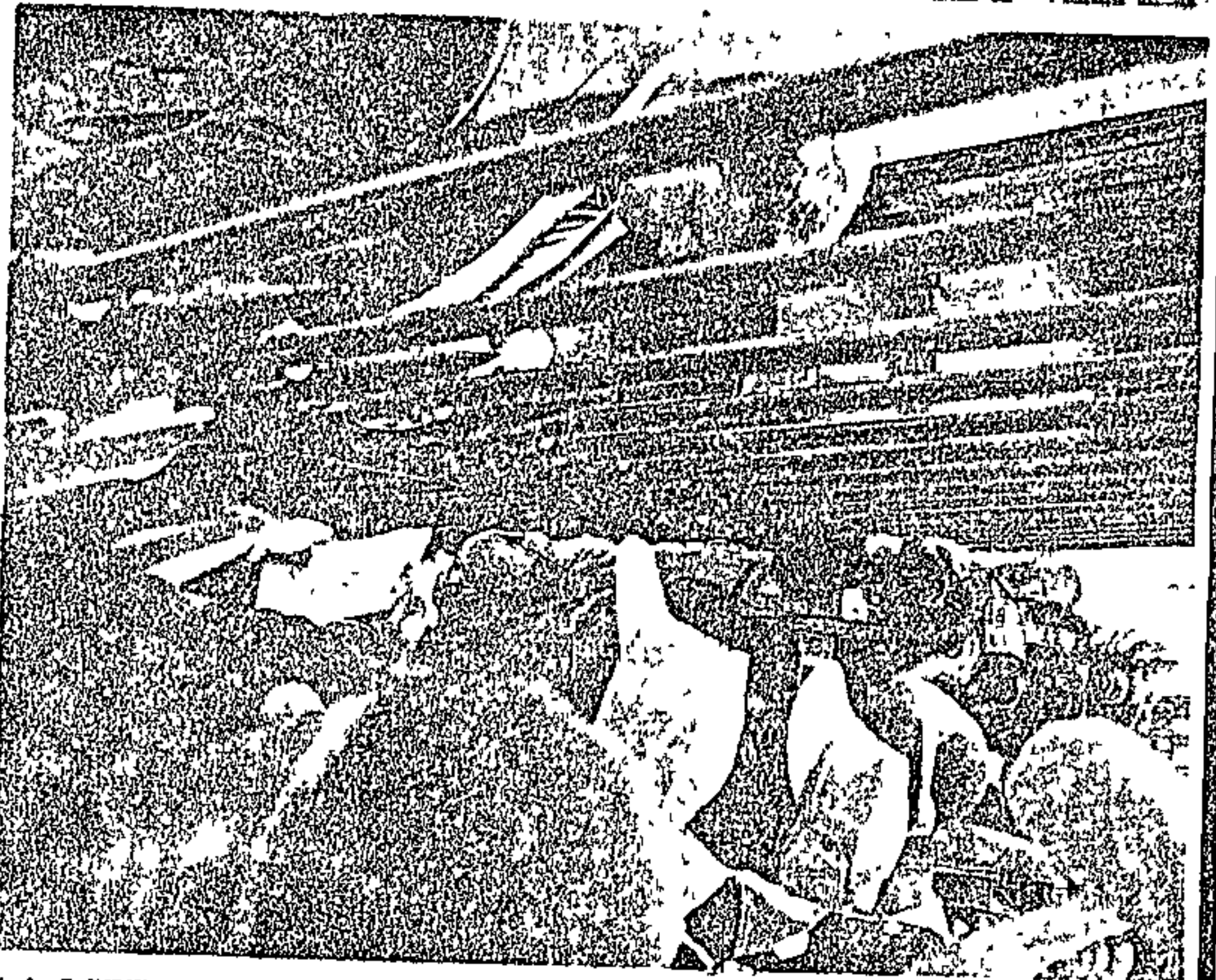
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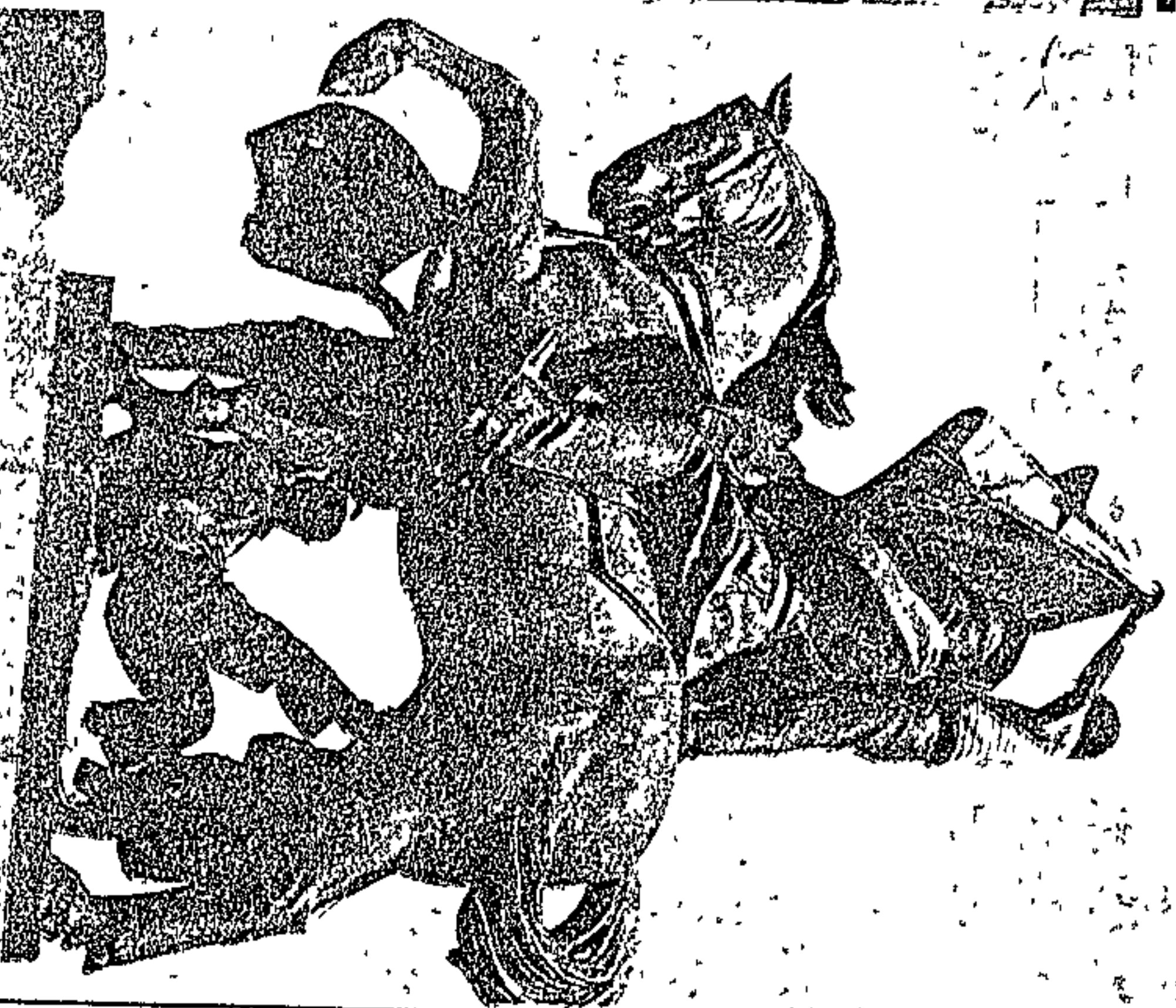
**BEERMAN PROTESTS** ... A worker holds up a copy of Saturday's Cape Times during Saturday's march

PHOTO: EDITH WISSEMAN

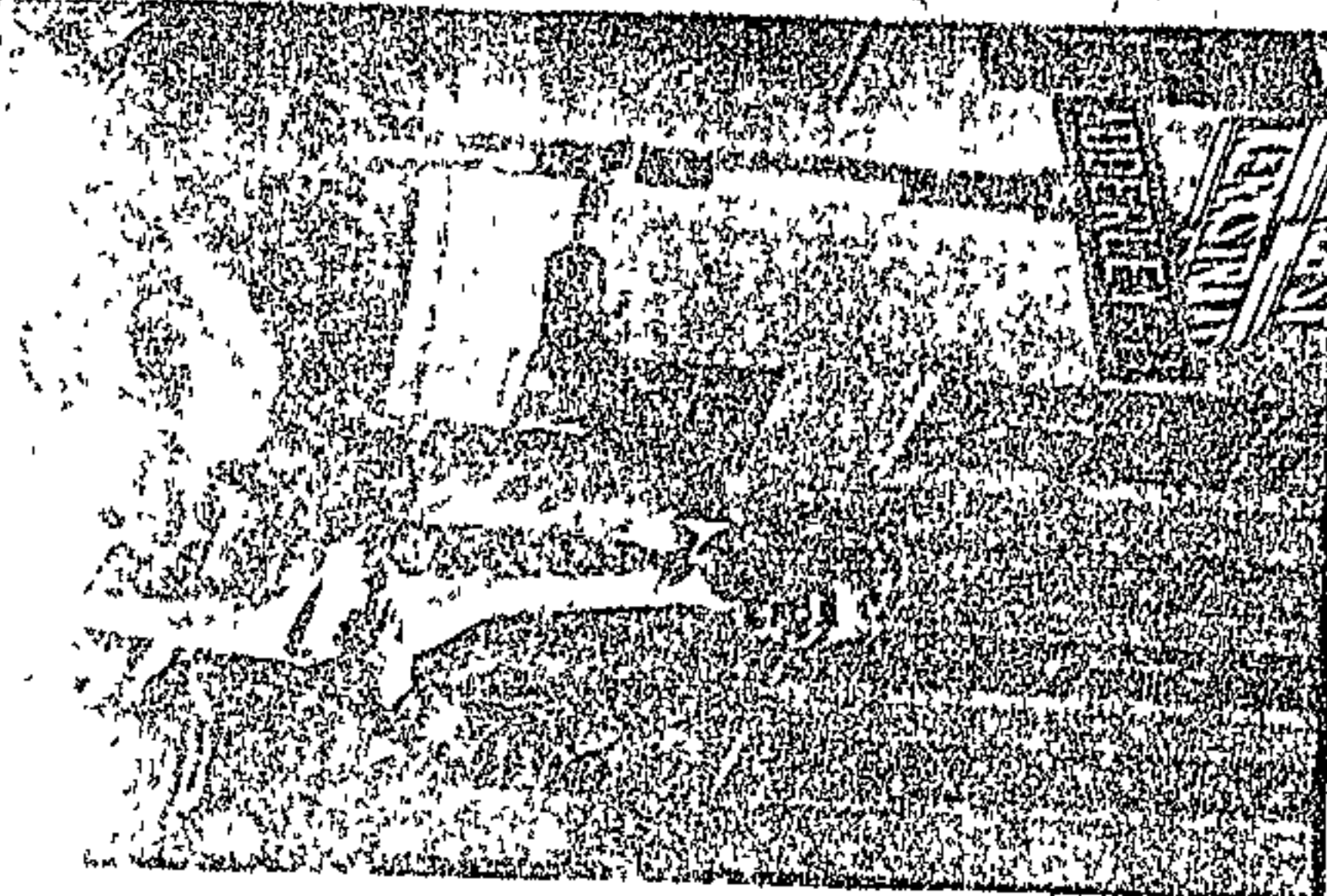


**DEMANDS RECEIVED** ... Department of Manpower official Mr Gert James receives trade union demands for the scrapping of the Labour Relations Amendment Act from a five-man union delegation at the Stalplein gates to Parliament

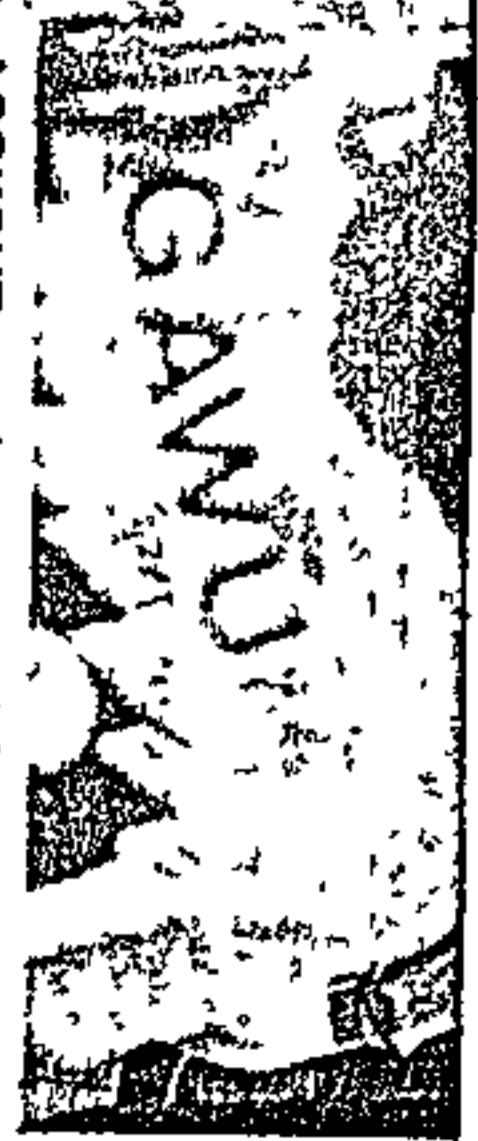
PHOTO: EDITH WISSEMAN



**ABOVE:** The statue of "Farmer, Warrior, Statesman" General Louis Botha outside the Tuynhuys became an impromptu flagstaff for the African National Congress and SA Communist Party during Saturday's protest march against the Labour Relations Act







**LOOKOUT** ... Lawyer and former hunger-striker Mr. Willie Hofmeyr, who was a legal adviser at Saturday's march, keeps an eye on the 10 000-strong procession.



**LEFT:** An estimated 10 000 workers and their supporters protesting against the Labour Relations Amendment Act jam Darling Street while marching to Parliament.

# Marchers hit out at LRA

**MORE THAN 150 000** people joined countrywide marches at the weekend in a huge display of solidarity for the call to scrap the Labour Relations Amendment Act (LRA).

Galvanised by the country's two largest trade union federations — the Congress of SA Trade Unions (Cosatu) and National Council of Trade Unions (Nactu) — workers and their sympathisers took to the streets of 17 major centres to submit demands to manpower officials and police.

Port Elizabeth, where several marchers had to be treated for heat exhaustion, witnessed the largest march with an estimated 80 000 people converging on the city's new law courts and Louis le Grange Square police headquarters.

**Windows smashed** — Two city councillors, Mr Bobby Stevenson and Mr Flippe Potgieter, and former city councillor Mr Graham Richards were among those who joined the march.

Apart from Maritzburg's march, where R45 000 damage was caused when shop and bus windows were smashed and people were arrested for looting, no other incidents of violence were reported. Observers in most centres praised Cosatu marchmarshals for their efforts in controlling crowds.

Several petitions listing demands for the scrapping of the LRA, the lifting of the state of emergency, the release of all political prisoners and detainees, the unbanning of political organisations, and others were presented to police for delivery to the Minister of Law and Order, Mr Adriaan Vlok.

In Cape Town, a colourful crowd of 10 000 holding banners and

placards waited outside the Stalplein gates to Parliament where five trade unionists handed a list of demands to a manpower official, Mr Gert James.

While the exchange was taking place, three men climbed on to the bronze statue of Anglo-Boer war leader and statesman General Louis Botha to triumphantly wave the black, green and gold flag of the ANC. A red banner marked with a small hammer and sickle completed the brief political conquest.

Youths who lowered and ran off with one of four South African flags outside the State President's Tuynhuys residence were quickly relieved of their booty by policemen, who rebuffed the flag.

Police Liaison Officer Captain Hendrick Opperman said police were "looking into" the incident and would decide today whether to take any action.

Mr James undertook to submit the demands to Manpower minister Mr Eli Louw after the union delegation insisted that he sign a chit in acceptance of the letter.

The Cape Town march was marked by the participation of hundreds of workers from strike-hit companies including SA Breweries, Premier Foods, National Panasonic, City Tramways and Atlantis Diesel Engines.

The 3 1/2-hour march was rounded off with an impromptu rally outside the City Hall, where an

## Louw sees improved labour relations

**JOHANNESBURG** — The attainment of labour peace, training and deregulation, and through this job creation through small business development, were his most important tasks, newly appointed Manpower Minister Mr Eli Louw said at the weekend.

In an interview, Mr Louw said he believed political progress in South Africa would make it easier to achieve labour peace. "This will

make it easier to stick to workplace issues. "That does not mean I think we can avoid strikes." Mr Louw said he believed high-profile political activities by unions meant that members' economic interests suffered.

He accepted that trade union leaders had a political role to play. They were among those invited by the President to take advantage of his open door. But union leaders should participate as politicians and not use their unions to achieve their political goals.

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CMA TMB 16/1/87  
275

## Mpumalanga: 3 die in ongoing violence

PRETORIA. — The Natal death toll rose at the weekend with the discovery at strife-torn Mpumalanga of the bullet-riddled body of an as yet unidentified man.

The man's death raises to three the number killed in the township at the weekend. In the other incidents a black man, 52, was stabbed to death by a group of men, and a man was fatally wounded when he and another man were fired on.

Two more bodies were found at Gsebusa, also near Maritzburg. The two men had apparently been stabbed. Another man was wounded by an unknown gunman in the same area.

At Balishaba, Maritzburg, one man, one woman and a youth were injured when three private houses were stoned by a small group. One youth was arrested.

Unrest incidents in the Cape included the stoning of a police vehicle at Paarl East. One coloured youth and one black man were arrested, and slight damage was caused to the station.

Stonings were also reported at Guguletu and Babalello near Upington. — Sapa

# Fighting at KTC leads to public violence charges

Staff Reporter: *ARCUS 17/1/89*

NINE members of the Cape Youth Congress, arrested after property belonging to residents' committee members was destroyed during fighting at KTC squatter camp, have pleaded not guilty to a charge of public violence.

The nine, who appeared in the Wynberg Regional Court yesterday, are Mr Elliot Mtwala, 21, Mr Vusumzi Futshana, 21, Mr Simon Seneli, 19, and Mr Makhosonke Matoto, 19, all of Guguletu; Mr Mzwandile Buka, 23, and Mr Mzwandile Xesha, 23, both of KTC; Mr Paulos Mokoena, 18, of New Crossroads; Mr Thembinkosi Mbanjwa, 18, of Nyanga; and Mr Ntsikelelo Khambi, 25, of Khayelitsha.

The State alleges that they destroyed property belonging to Masincedane Committee members Mr Gladstone Ntamo, Mr Lucas Nunu, Mr James Gawulateta, Ms Gertrude Nokila and Mr Madikane on January 28 last year.

The damaged property in-

cluded shacks, crockery and the windscreen of Mr Ntamo's car.

They were originally charged with murdering two Masincedane committee members, Mr Storemont Madubane and Mr Delekile Siqaba, who were stoned and stabbed to death on January 28 last year in KTC.

However, the Attorney-General dropped the murder charges because of lack of evidence.

The nine are on bail of R150 each.

(Proceeding)

Mr S Knox was on the Bench and the prosecutor was Mrs L Crouse. Mr David Kawalsky, instructed by E Mohammed of E Moosa and Associates, appeared for the men.

## Tearsmoke used after cars attacked

PRETORIA. — A car has been burned in Guguletu and another stoned, according to the police unrest report.

In each case, the groups were dispersed with tearsmoke.

A car was set alight in Nyanga.

A man and youth were arrested and the group of which they were allegedly members was dispersed with tearsmoke after a police van was stoned at Mbekweni in the Boland.

● Police used tearsmoke to disperse groups that gathered on four occasions in Motherwell in the Eastern Cape and arrested a man.

● A man was killed at Kwamashu, Natal, and two youths wounded when a group fired at two homes.

In a correction to a report yesterday about an incident at Mountain Rise in Maritzburg, police say it did not occur at Hippo Quarries but at the adjacent Shorty's Farm, nor were quarry employees involved. — Sapa.



CAL Times 17/10/89  
25

# Trojan case records not admissible

Supreme Court Reporter

AN application by the private prosecutors in the "Trojan Horse" trial to have the records of an inquest and a public violence trial admitted as evidence failed yesterday.

Mr Justice D M Williamson ruled evidence to be inadmissible.

Defence counsel objected three weeks ago to the application by private prosecutors to have the inquest record into the death of Michael Miranda and the trial record of people subsequently arrested on charges of public violence and later acquitted be admitted as evidence.

Counsel said the inquest magistrate had committed irregularities by failing to adequately warn some of the men that they could incriminate themselves and had a right to refuse to answer questions.

The right of a witness against self-incrimination was enshrined in Section 203 of the Criminal Procedures Act and the accused were entitled to claim the protection of that section, the judge said.

## Tainted

Mr Justice Williamson said that in his view the magistrate had been wrong in restricting the privilege against self-incrimination in the manner in which he did.

This tainted the whole proceedings before him and rendered the position of each witness untenable in being meaningfully able to protect himself against self-incrimination.

Further, at the public violence trial where he gave evidence, Lieutenant Douw Vermeulen — who had played a major part in the carrying out of the Trojan Horse operation — was not warned by the magistrate that he could incriminate himself, neither was he represented.

Mr Justice Williamson said the evidence he gave at the trial was also of an incriminating nature and ruled it as inadmissible in the present trial.

The trial continues today.

# Court lifts protest charges

Cape  
Town  
17/10/89

275

By MONICA GRAAFF  
Court Reporter

MORE THAN 1 000 city protesters, arrested shortly before the September 6 general elections for alleged unlawful demonstrations, have had charges withdrawn against them in Cape Town Magistrate's Court.

This was announced last night by a spokesman for the National Association of Democratic Lawyers (Nadel).

The attorney-general, Mr Neil Rossouw, last night confirmed that charges had been withdrawn against all those people who allegedly had taken part in illegal gatherings on and between August 24 and September 5, and who were to appear in Cape Town Magistrate's Court.

## No court appearances

According to the Nadel spokesman the senior public prosecutor has advised the lawyers representing all those arrested that the state would not be proceeding with any of the prosecutions against the protesters.

Charges would be withdrawn *in absentia* over the next couple of months thereby relieving the accused of the need to appear in court.

The spokesman also announced that Nadel would soon be calling a meeting of all those arrested.

**Killer van  
may have  
been stoned,  
say police**

By DON HOLLIDAY  
Staff Reporter

POLICE are investigating the possibility that a security firm's bakkie which ploughed into a group of people in Guguletu last night, killing two people and injuring five, had been attacked by stone-throwers.

A police spokesman said a Philippi man lost control of the vehicle while travelling along NY 108 at 7.15pm.

The vehicle mounted the pavement and killed Miss Sibangili Gantana, 23, and an unknown woman in her 20s, and injured Sitha Gantana, 5.

It then smashed through a fence into the yard at No 51 and struck and injured Mr John Maeamba, 30, Mr Mazaoyo Maeamba, 20, Mrs Adelena Maeamba, 58, and Mr Mandla Nellie, 33. They were taken to Conradie Hospital for treatment for minor injuries.

A charge of culpable homicide against the driver was being investigated, but the possibility that the vehicle was stoned was also being investigated after an alleged eyewitness said she saw stones thrown, police said.



## 2 killed as city stoning causes horror smash

Capt Tim K 17/10/89 Staff Reporter (775)

TWO people died and another four were seriously injured early last night when a motorist ploughed into a group of people on a Guguletu pavement after he had been stoned.

Four other people received minor injuries.

A police liaison officer for the Western Cape, Captain Hendrik Opperman, said the driver of the vehicle had been travelling along NY 108 when his car was apparently stoned about 7.15pm.

The driver had swerved on to the pavement and knocked down a group of people before smashing into the wall of a house.

## Police block marchers

QWZ Times 17/10/89  
Staff Reporter

(27)

POLICE yesterday thwarted a protest march by about 250 Stellenbosch high school pupils who intended submitting a petition at the local magistrate's court.

Policemen, backed by a Casspir armoured vehicle and remand truck, blocked the march at the corner of Banhoek Avenue and Andringa Street, about 200 metres from the starting point at Luckhoff (No 2) Senior Secondary School.

Confirming this last night, police liaison officer Captain Hendrick Opperman said an officer persuaded the leaders of the march to divert the procession back to the school.

The joint protest was stopped just before 9am.



# Hid on stoep during shooting witness

275  
18/10/89

By LINDA GALLOWAY  
Supreme Court Reporter

A MAN who saw the "Trojan Horse" incident and was charged and acquitted of public violence has described in the Supreme Court, Cape Town, how he crouched on a front veranda during the shooting.

Mr Roderick Crowley was testifying in the private prosecution of 13 security force members charged with the murder of Shaun Magmoed, 16, who died on October 15 1985 on the corner of St Simon's and Thornton roads in Athlone.

It is alleged that the security force members — from the army, police and railway police — planned an operation in which armed men hid in crates on the

back of an unmarked truck which drove a predetermined route and that, when the truck was stoned at the intersection, the men emerged from the crates and opened fire on a crowd, killing three people.

The 13 have pleaded not guilty.

Mr Crowley said he had been home on study leave on October 15. His sister and brother-in-law arrived and his sister mentioned that "something must be happening on the corner."

He looked out of the window and saw an unusually large number of people walking in groups towards the corner. He went out and saw a crowd at the corner, then walked up the path of another house to get a better view.

A truck had driven down Thornton Road and he had seen stones being thrown at it and a brick hit the windscreen. He then

heard shooting and ran on to the veranda, where he crouched with four or five people, including his brother-in-law.

He had not been shot and remained there after the shooting, he said. A policeman he identified as Sergeant Frank van Niekerk had walked up to the house and knocked on the door. When no one answered he turned around and saw the people on the veranda.

They were arrested and charged with public violence. They were later acquitted.

Under cross-examination Mr Crowley said that although he had seen burning barricades in near the intersection before that day and had heard of other incidents, he had never seen stone-throwing or police action at that particular spot.

The hearing continues today.



# Cars set alight in Cape violence

PRETORIA. — Vehicles were stoned and set alight in the Peninsula yesterday and at least five people died in violence in Natal.

In Guguletu groups set fire to a private car and, in another incident, stoned a car. Both vehicles were extensively damaged. The groups were dispersed with tearsmoke, police here reported.

At Nyanga a group set fire to a private vehicle, causing extensive damage.

At Mbekweni, in the Boland, a group stoned a police vehicle. Police dispersed the group with tear-smoke and arrested a man and a youth.

In Ekuthuleni, north of Durban, a man was burnt to death when his house was petrol-bombed on Monday.

The KwaMashu Police said on Monday that Mr Richard Mavimbela, 39, was burnt to death when unknown people threw a petrol bomb at his house.

Another man, Mr Malolo Soni, was shot and then hacked to death in KwaMashu's K Section while an unidentified man was found stabbed to death at Siyanda, near KwaMashu, on Monday.

Mr Fololo Ndlovu, 35, died after he had been beaten up at KwaMashu's men's hostel on Monday.

Mr Sonnyboy Chonco, 25, was stabbed to death at Mpumalanga, between Durban and Maritzburg.

Two houses were petrol-bombed at Ntuzuma, near KwaMashu. There were no injuries, police said. — Sapa

Supreme Court Reporter  
A WITNESS yesterday told the Supreme Court that minutes after he had seen police opening fire from crates on the back of a truck, he and other people who had sought refuge on a stoep, were arrested on a charge of public violence.

This was said by Mr Rodney Crowley, a quantity surveyor, who was giving evidence in the trial of 13 security forces members who have been charged with murder following the death of Mr Shaun Magmoed in the "Trojan Horse" incident.

Mr Crowley, of St Simon's Road, Athlone, said he and other family members were in their lounge on October 15, 1985 when his sister reported that something must be happening because people were

# Arrested

## man 'hid on stoep'

streaming towards the intersection of St Simon's and Thornton roads.

He and two other people walked to the corner but because he did not want to be part of the crowd, he had gone inside a corner property.

"I heard someone say a railway truck was approaching and I was still on the pathway when I

saw the truck making its appearance from around the corner. The truck was stoned.

"Then I saw people jumping out of crates on the back of the truck and open fire into the crowd. I ran for cover on the stoep and people were running in all directions," Mr Crowley said.

When the shooting had stopped, he hid on the stoep in a crouching position along with about five other people for about three minutes.

One of the accused, Sergeant Frank van Niekérk, approached the house and saw the people on the stoep. He ordered them to go to the corner.

They were later charged with public violence and subsequently acquitted, Mr Crowley said.

The trial continues today.

Capt Tink's 18/10/85



# 'Trojan Horse' truck logbook not found

CAP 714 B 19/10/89  
SA 715

Supreme Court Reporter

THE logbook of the SATS truck used in the "Trojan Horse" incident could not be found and the vehicle, which was to have been scrapped and auctioned, was now being used by the riot squad, the Supreme Court heard yesterday.

This was said by Captain Daniel Albertus Dyssel, the disciplinary officer in the Regional Commissioner's office, in the trial of 13 security forces members who have been charged with murder, alternatively culpable homicide, following the death of Shaun Magmoed when police hidden in crates on the back of the SATS truck opened fire on stone-throwers.

The men have pleaded not guilty in the first private prosecution for murder in South African legal history.

Capt Dyssel said he had been unable to locate the truck's logbook but during his search found out that the vehicle was supposed to have been scrapped and auctioned but was now being used by the Riot Squad in Maitland.

No departmental inquiry had been held even though it was the procedure in all criminal proceedings or inquests involving policemen. His office had learnt of the private prosecution soon after the inquest had been completed and had decided to await the outcome of criminal proceedings in the Supreme Court.

There was a police standing order that policemen should record events in their pocket books but there were no notes of the shooting incident, he said.

The trial continues today.



# Natal violence 'flattens' houses

*JTS* *19/10/87*

POLITICAL violence in Natal had devastated entire housing blocks in some residential areas, the Bishop of the Natal Coastal District, the Rev Dr John Borman, told the annual conference of the Methodist Church of Southern Africa in Cape Town yesterday.

Bishop Borman said he had visited the trouble-torn area of Mpumalanga shortly before coming to the conference.

His address came in the wake of further reports of unrest from Natal. The overnight unrest report said a man was stabbed by a group of men who set fire to one bus and stoned another at Prospecton industrial area at Amanzimtoti.

Both vehicles were extensively damaged, but the man was not seriously injured.

The report also said a delivery vehicle was set alight and destroyed at Mbekweni in the Boland.

And at Beaufort West, a man who took part in an illegal gathering was arrested. At Motherwell in the Eastern Province an illegal gathering also led to the arrest of one man.

On Monday in Guguletu, two people were killed and three seriously injured when a private vehicle ploughed into a group of people on a pavement after it had been stoned by a group.

Police said yesterday that two passengers were also injured in the incident. — Sapa



# Bloody city street battle

19/10/89

275

19/10/89  
The Argus, Thur

By DON HOLLIDAY, GRAEME LIZAMORE and SHARKEY ISAACS  
Staff Reporters

RIVAL gangs of armed skollies and commuters fought a bloody battle for control of a taxi rank in Elsie's River last night, leaving two dead and scores injured according to eye witnesses.

A witness associated with the International Taxi Association (ITA), Mr Andre Ferreira, said the fight started in Second Avenue when a driver refused to pay "protection money".



Pictures: LEON MULLER, The Argus  
**KNIFE VICTIM:** A man stabbed in the head in the battle between rival gangs of skollies and commuters in Elsie's River last night hides his face.



**CHASE VEHICLE:** One of the taxi guards, Gabriel (right) talks to a man who was stabbed in last night's fighting. The guard was stabbed in his left hand. The combi in the picture allegedly knocked down a man who was being chased.



**DEATH SCENE** Mr Basil Smit, who saw the battle, points to where a man was stabbed and hacked by rampaging skollies. In the background is the new taxi rank for the ITA.

He said he had been told the driver, who was threatened, drove off and returned with a load of "skollies". This, in turn, led to other gangs, becoming involved.

"The next moment a bloody running battle erupted all along 16th street right up to and past our premises. It was shambles," Mr Ferreira said.

He said he heard tyres squeeling and suddenly gunshots were heard.

Mr Ferreira ran out and saw two policemen chasing a "skolle". A Toyota combi joined the chase and knocked the man down.

"We heard the bump and then the man got up and ran away. It was amazing!"

But the taxi drivers in Second Avenue say anything The Argus heard from the ITA taxi rank was a "downright lie".

## New rank

A Mrs Stevens, who said she was a spokesman for the "legal" Elsie's River taxi rank in Second Avenue, said the trouble lay with the new taxi rank.

"ITA are trying to bully us away from our rightful spot. We have been here for years, but then they started to steal our customers. They want to close us down here and force us to join them because we have got the prime spot," she said.

"But they want us to pay R200 a month to use their rank," she said.

A so called guard for Second Avenue, known as Gabriel, laid the blame squarely with ITA.

Gabriel and another "guard" Izak were both attacked and cut up by skollies whom she said worked for the ITA rank.

According to Gabriel, a taxi was stopped and its commuters forced out outside the ITA offices. A fight ensued and then spilled to Second Avenue.

"They get skollies to cause fights here so that people will go to their taxi's," he said.

Mr Ferreira denied they were involved.

"We are simply trying to

(Turn to page 3, col 7)

## Bloody battle

(Cont from page 1)

help these people get a proper taxi rank with facilities, including security against the very big skolle element. The fight is all about protection money and rival gangs who want to get into the act," he insisted.

"This type of fighting is very bad for business and for the taxi business as a whole," he said.

A police spokesman said about 150 people were waiting at a taxi rank at the corner of Second Avenue and 16th Street at about 5.30pm when the gang of about 100, armed with pangas, garden forks, spades, knives and other weapons, approached.

The men told a taxi driver that unless they were paid the people would be assaulted. They refused and the gang attacked. Several people were stabbed.

Policemen, Sergeant R Small and Constable D C de Kock, arrived and tried to stop the battle. They were ignored and, against a background of hooting, shouting and fighting, the policemen fired three shots into the air. Some of the attackers fled.

## FIRE SHOT

The taxi driver started his car and tried to run down one of the gangsters. Sergeant Small warned him to stop and when he refused, the policemen fired a shot into his left rear wheel. The driver ran away.

The situation was brought under control and the injured were taken to Tygerberg Hospital, mostly in private vehicles.

Two spades, two pangas, two garden forks and a sword were recovered.

About 9pm police discovered the body of an unidentified 28-year-old man in Lantana Road. The body had numerous cut wounds on the back, stomach and chest. The body of a 20-year-old man with similar wounds was discovered in Dobson Street.

Two murder charges and several of assault are being investigated.

Mr Basil Nagel, Western Cape chairman of the South African Black Taxi Association (Sabta), described the attack on innocent commuters as deplorable.

"Sabta is considering its own security and law enforcement at taxi ranks throughout the country," he said.

"We are obviously first looking to the police and a law enforcement agency such as the



# Bloody city street battle

ARGUS 19/10/89

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275 19/10/89  
The Argus, Thurs

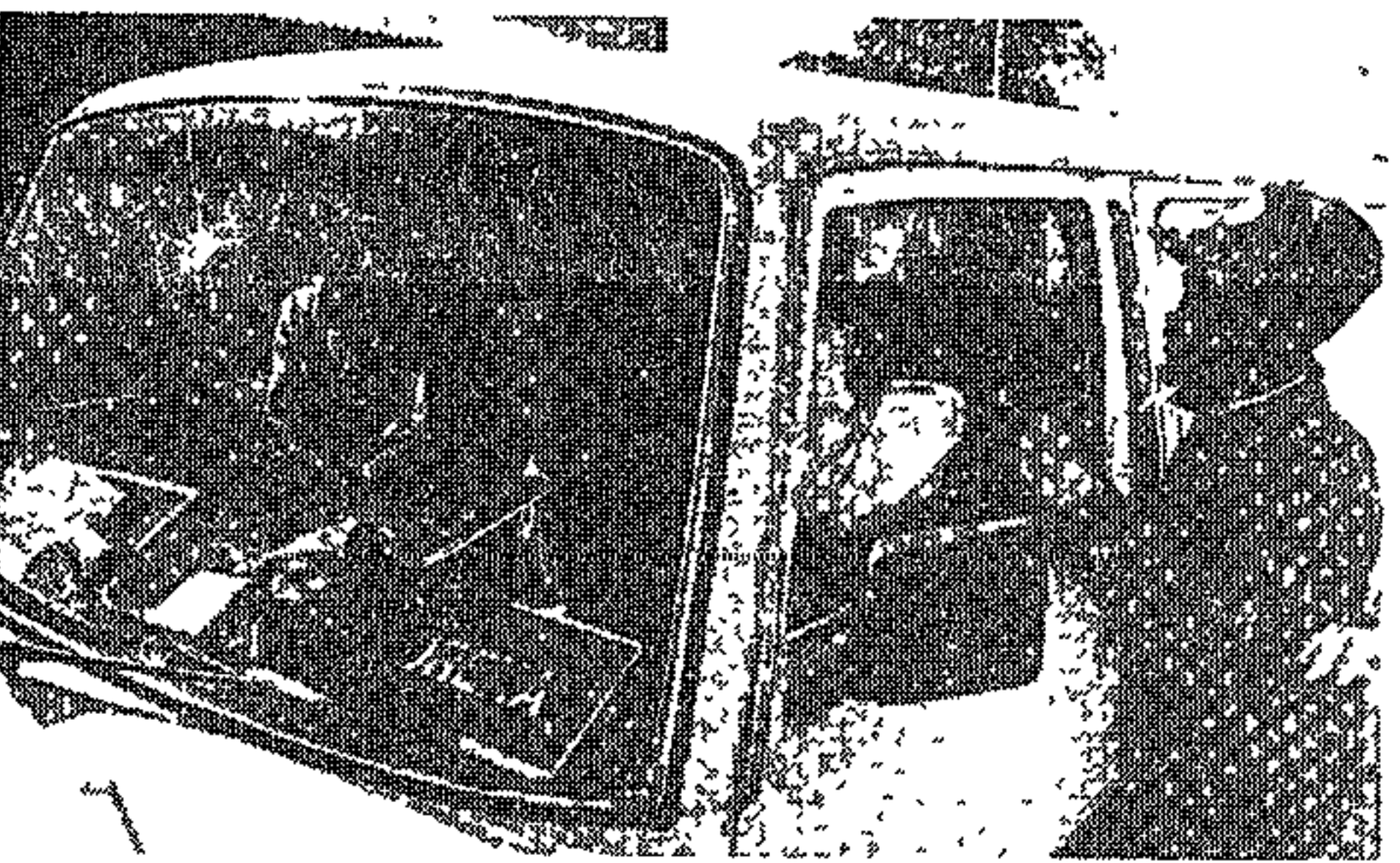
By DON HOLLIDAY, GRAEME LIZAMORE and SHARKEY ISAACS  
Staff Reporters

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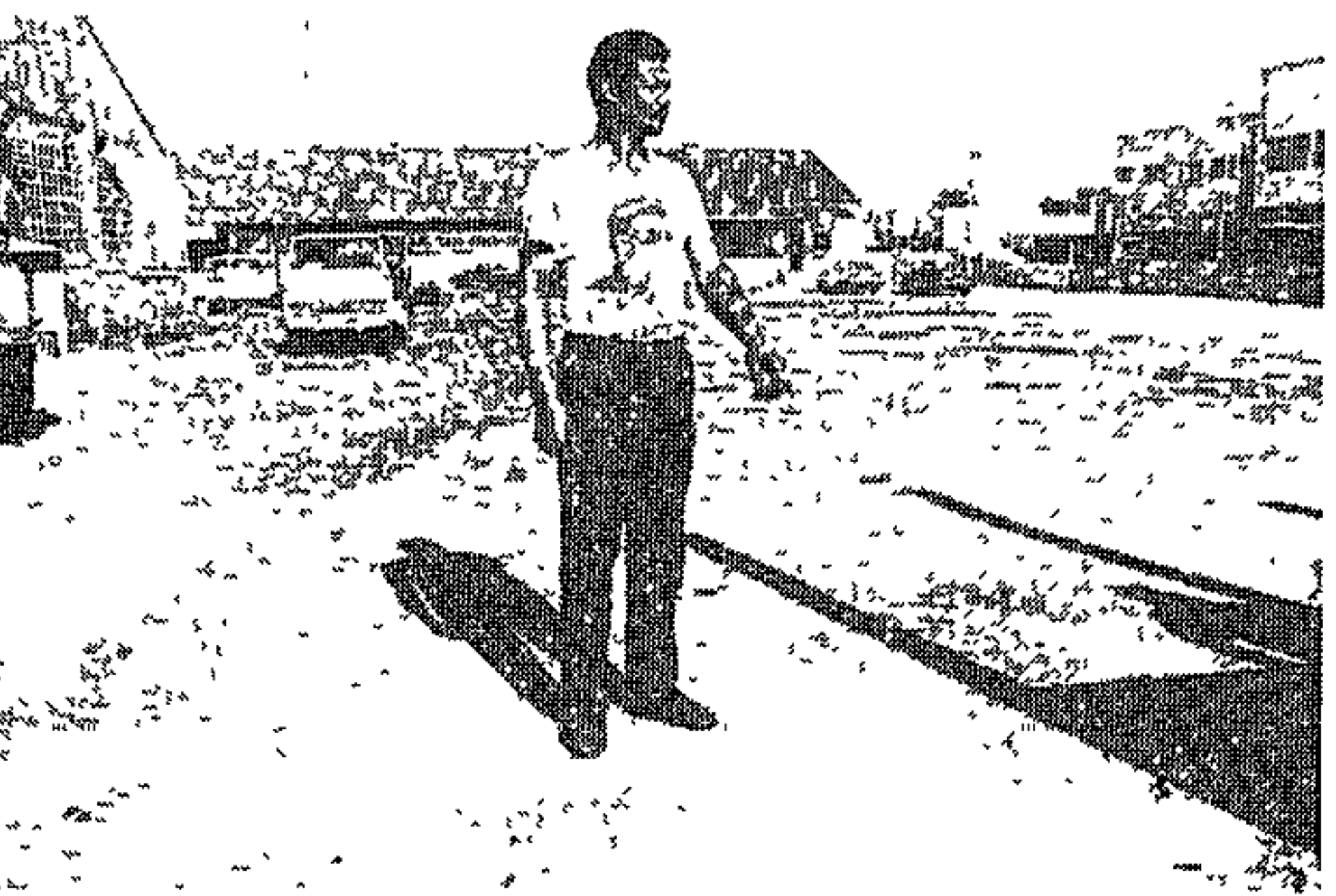
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Pictures LEON MULLER, The Argus



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## Two arrested in hunt for stone-throwers

By DON HOLLIDAY  
Staff Reporter

*19/10/89*  
*278*  
A 20-YEAR-OLD man and a 16-year-old youth were arrested early today in connection with the stoning of Mrs Cecile Bigara, 41, on the Old Klipfontein Road, near Crossroads on October 9.

The arrests followed a tip-off by a person reacting to a R2 000 reward offered by Mrs Bigara's family for information leading to the arrest and conviction of the people responsible, police said.

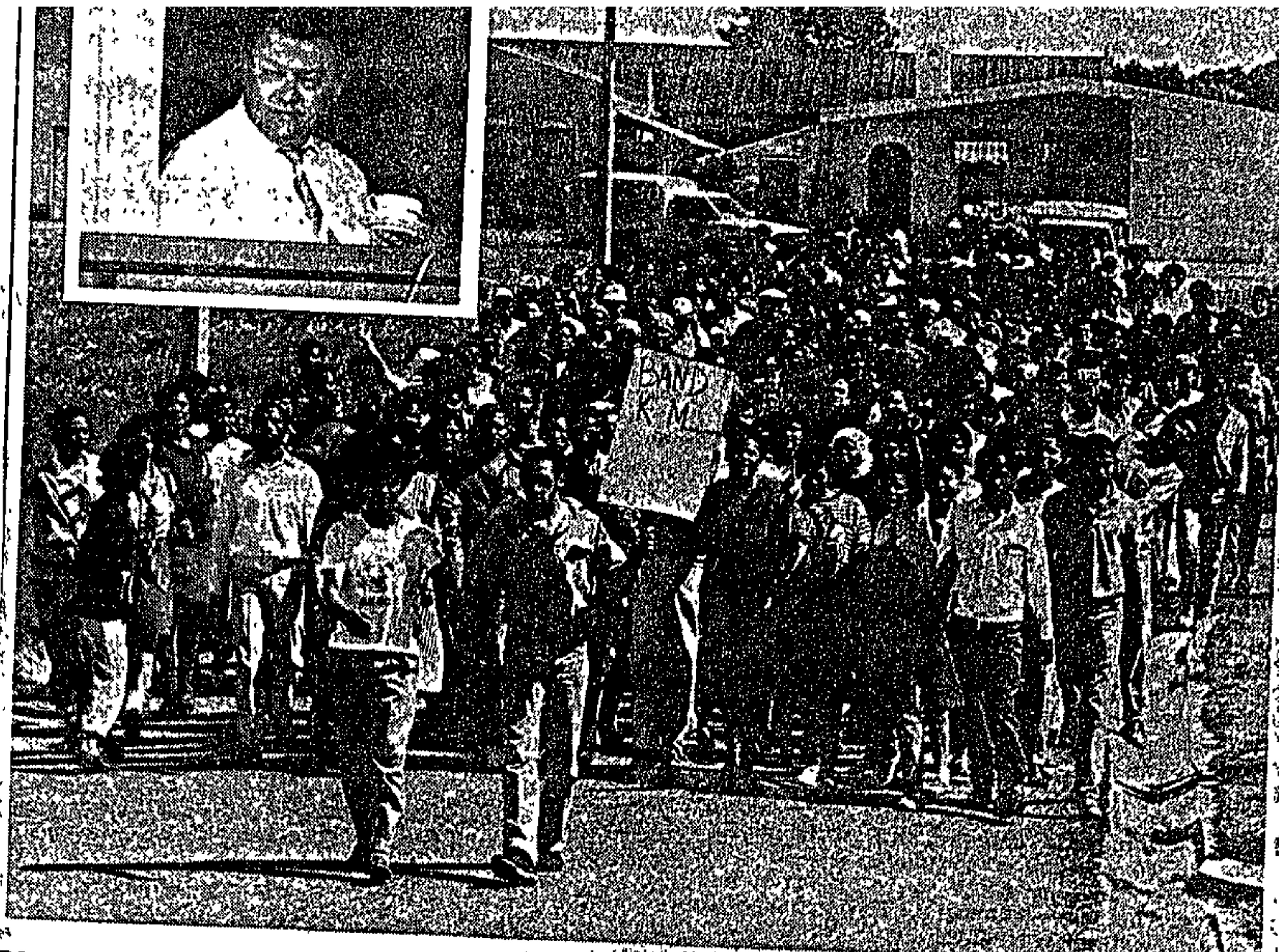
### FRACTURED SKULL

Mrs Bigara, of Hout Bay, was struck on the head by a brick thrown at her car.

She was taken to Tygerberg Hospital with a fractured skull. She is recovering and her condition is satisfactory.

The man, from Nyanga, and the youth, from Lusaka Camp, Nyanga East, are expected to appear before an Athlone magistrate soon.





**ON THE MARCH ...** Scottsville residents march through Kraaifontein in protest against high electricity bills and evictions. Police kept a low profile. **INSET:** A Kraaifontein municipal worker surveys the demonstrating crowd from his window.

Pictures: ANNE LAING

# Residents march on municipality

By **PETER DENNEHY**  
Municipal Reporter

**MORE THAN 300** Scottsville residents marched about 2km from a church to the Kraaifontein municipal offices yesterday to complain about electricity bills which they claim rose suddenly from less than R100 to several hundred a month.

Mr Ralph Stuurman, a lawyer for the Kraaifontein Residents' Association, said more than a dozen homes had their electricity cut off on Wednesday and residents were struggling to have

them restored, even after making payment arrangements. **been cut off yesterday after he received "exorbitant bills"**

Mr Frans Claasen of Petunia Street said he had received a bill of R970 for two months' electricity, while his usual monthly bill was a tenth of that.

Another Petunia Street resident, Ms Petronella Pharo, complained that her power had been cut off and the R200 she had gone to pay to have it restored had not been accepted, as officials had demanded the entire outstanding R345.

Mr Patrick Canovi of Kudu Road said his electricity had

After negotiating with residents, municipal officials pledged yesterday to investigate their cases.

Acting town clerk Mr Pierre du Preez said changes in the accounting system had led to confusion. He attributed the higher accounts to "longer periods between meter readings". Eskom used to read the meters every 28 days, but since the municipality had taken over electricity reticulation they were read only every 42 days, he said.

*Cap. Times 20/10/89* (10) 275



# Meeting held to quell gang war

Cape Times 20/10/89 275

By MARIUS BOSCH

OUTDSHOORN community leaders yesterday met youth gangs in the area to put an end to a "revenge war" raging between youth gangs in the Bongoletu township.

The gang fights were sparked off by the murder of a youth about three weeks ago, community workers said yesterday.

In retaliation, a 16-year-old youth was stabbed to death last week and since then fights between rival gangs had been taking place almost daily.

An Oudtshoorn police spokesman said yesterday that police had no

knowledge of any gangs in the area.

But community workers said one of the eight gangs, the Corner Boys, had up to 300 members — many of whom were still at school.

A meeting of church, school and community leaders was held on Wednesday to discuss the situation which a community worker described as "a bloody revenge war".

Last night a spokesman for the Oudtshoorn Advice and Resource Centre said that a "ceasefire" between the gangs had been arranged.

The gangs would meet early next week for peace talks.



# 1 000 protesters won't be charged

By GAYE DAVIS.

275

CHARGES against more than 1 000 people arrested during demonstrations and protest marches in Cape Town during the defiance campaign have been withdrawn.

A representative of the National Association of Democratic Lawyers (Nadel) in the Western Cape said lawyers representing all those arrested were advised this week that the state would not be proceeding with any of the prosecutions.

Charges would be withdrawn in absentia over the next two months, which meant that those who were arrested no longer needed to appear in court and could re-claim bail money if they produced receipts.

The protests included demonstrations by Black Sash members on Greenmarket Square on August 24, by people protesting against the rebel rugby tour at a Sea Point hotel on August 26, a march organised by the Federation of South African Women on August 30, a protest by squatters on August 31, placard protests by journalists on August 31 and September 5 and by academics on September 1, and the "purple rain" march on September 2, during which more than 500 people were arrested.

Cape Attorney General Niel Rossouw would give no reasons for withdrawing the charges, citing "a long tradition" for not doing so.

●Arrangements are being made by Nadel for a meeting of all those against whom charges have been withdrawn.

W. M. Nadel  
20-29/10/89

Oscar Mpetha on Mandela's peace message:



Mr Oscar Mpetha

# 'Stop the stonings'

ARCUS 20/10/89 (275)

By DENNIS CRUYWAGEN, Staff Reporter

TOP community leaders in Cape Town have appealed for an end to the stoning of cars which has led to the deaths of at least two people with many more being injured.

In Nyanga yesterday, freed African National Congress leader Mr Oscar Mpetha appealed to stone-throwers to stop stoning cars.

His appeal was supported by teachers' leader Mr Andile Jonas — who expressed his concern and condemnation of incidents of stoning in Guguletu this week — and restricted United Democratic Front executives Mr Christmas Tinto and Mr Zollie Malindi.

And Anglican Archbishop Desmond Tutu, in an address to students from the troubled townships of Paarl East and Mbekweni, where there have been random stonings, repeated his appeal for discipline and peaceful protest.

So far two people — Pine-lands engineer Mr Peter Boyd and Stellenbosch student Mr Wouter Theron — have died as a result of stonings and Hout Bay resident Mrs Cecile Bicara, 41, has a fractured skull after being stoned near Cross roads.

Police are investigating the possibility that a truck, which swerved out of control in Guguletu, killing two children, Nozuko Mpande, 13, and Sibongile Gantana, 12, this week had been stoned.

## Unrest report

Today's unrest report mentions stonings in Guguletu and Ravensmead.

Mr Mpetha, former president of the African National Congress in the Western Cape, said in his first public appearance since his release on Sunday that he was speaking as the ANC's local president.

He was preaching peace as advised by jailed ANC leader Mr Nelson Mandela.

He said he and the six other ANC members released at the weekend — Mr Ahmed Kathrada, Mr Walter Sisulu, Mr Andrew Mlangeni, Mr Raymond Mhlaba, Mr Wilton Mkwayi and Mr Elias Mokoaleli — had met Mr Mandela in his quarters at Victor Verster prison on the eve of their release.

"He said to us that we must preach peace," Mr Mpetha said.

They had told Mr Mandela the violence was coming from the government.

## "Preach peace"

However, he had replied: "If you preach peace they will refrain from violence."

It was in the spirit of this appeal that he was calling for an end to stone-throwing. Mr Mpetha told more than 1 000 members of the Democratic Teachers' Union and the Peninsula African Teachers' Association at an emotional meeting in Nyanga.

"We should stop stoning other people's cars. We are not stoning the enemy's cars... we are also stoning our own people's cars, killing our children. That's why I say we must stop throwing stones."

"If you don't want to listen to me then listen to Mandela because he has appealed to us to use non-violence."

# Mpetha calls for an end to stoning of vehicles

CPA. TIMES 21/10/89 275

By PETER DENNEHY

RELEASED trade unionist and ANC veteran Mr Oscar Mpetha, 80, spoke out against the stoning of vehicles yesterday in his first personal interview since his release.

Mr Mpetha said he had seen Mr Nelson Mandela in Victor Verster prison shortly before he had been freed and Mr Mandela had emphasised that the released leaders should "advocate peace".

"To me, that is tantamount to saying that the stone-throwing should stop," Mr Mpetha said.

Mr Mandela had empha-

sised peace in relation not only to stonings, but also "other incidents that might arise".

Mr Mpetha said it had been wonderful to see on his release that "the people still have confidence in me, the ANC still has confidence in me".

He indicated that he had no problem at all with the ANC's positions and he did not think he would ever change in his views.

He had consulted various people before speaking out against the stonings. What he said about stonings echoed

the stand the Mass. Democratic Movement had taken, he said.

He will address a crowd at Nyanga Stadium at 2pm tomorrow, when a "welcome home" rally will be held for him.

Mr Mpetha, who wore a union T-shirt, said he was still an employee of the Food and Allied Workers' Union and intended to return to work soon, as he had no fears about his health.

He did not expect to visit Mr Mandela in prison again, and he believes it will not be long before he is released.



# Bringing the stone throwers to book

By CAROLYN McGIBBON

YOU catch a blurr of activity through the wind-screen, figures form on the edge of the tarmac and a menacing missile is hurled in your direction.

You have just experienced Road Roulette, where stone throwers take pot shots at passing motorists.

## VIOLENCE

The N2 in Cape Town has become so hazardous that police helicopters now cover the route and big rewards are offered to those who bring the stone throwers to book. This has had some success.

The family of Hout Bay woman Cecile Bigara, whose skull was fractured by a rock, offered R2 000 to bring in the culprits. Two men have now been arrested and are due to appear in court to face charges of attempted murder.

In the last two months more than four people have died after rocks and half bricks were thrown at vehicles and more than 120 cars have been badly damaged.

Stellenbosch student Wouter Theron, 24, was killed days before the general election after rocks smashed his windscreen near Kraaifontein.

His grief stricken father, Kowie Pienaar, said: "The person who threw the stone did not know what he was doing."

For local engineer Peter Boyd, death came slowly. Despite numerous attempts at surgery, he died a week after he was stoned.



A stone thrower caught in action on the Cape flats

other form of expressing themselves politically."

He said stone throwing was often used to express anger against a symbol of oppression

"When a youngster throws a stone at a Casspir, he has no real expectation of damaging or injuring people in the Casspir. It is a symbolic gesture as much as an attempt to injure.

"One of the most tragic aspects is that when the focus is against symbols, innocent people get hurt.

"In early 1986 delivery trucks were targets because they represented capitalism. That was the policy regardless of whether the driver of the vehicle was black."

A similar tragedy was played out in Cape Town this week when a delivery vehicle was stoned. It ploughed into a group of people in Guguletu, killing two schoolchildren, Nozuko Mpande, 13, and Sibongile Gantana, 12.

Mr Scharf said the effect of a mob at the roadside was for

cy came the clampdown on political organisations which had the effect of breaking down organisational cohesiveness and causing a lack of discipline."

He said stone throwing had not been sanctioned by the Mass Democratic Movement and was not intended to form part of the defiance campaign which was characterised by non violence.

He said after 1986 gangs started developing in African townships

"This does not mean hooliganism and organised crime were not prevalent before. But prior to that, there were no real street gangs. A salient feature of the gangs is their relative youth, they can be as young as 11. The prevalent age is 11 to 17."

He said there probably was about 3 000 of the gang members in Cape Town

These gangsters were "Politically opportunistic", he said, and quick to latch on to a scheme which might prove profitable to them.

"When they see the development of barricades and po-

10 459	13 131	Profit before earnings of associated companies
23 514	28 386	Earnings of associated companies
730	622	
24 244	29 008	Net profit after taxation
4 100	4 491	Outside shareholders' interest
20 144	24 517	Profit before extraordinary items
	3 676	Extraordinary items
20 144	28 193	Net profit

# Crowd stones police in Paarl, 6 held

CME TUNFS  
93/10/89

275  
~~275~~

POLICE and stone-throwers clashed at the Paarl township of Mbekweni on Saturday.

According to police, the stone-throwers attacked policemen and police vehicles in four separate incidents.

Six people were arrested.

The incidents came just over a week after widespread stoning in Paarl East, when police used teargas and shotguns to disperse the stone-throwers. A woman was wounded during that incident and three men arrested.

At Nyanga a shot was fired at police and police were also attacked by stone-throwers. Police said they did not know how many people were involved in the shooting, nor the kind of firearm used in the attack. No arrests were made.

A 29-year-old Mitchells Plain man, Mr Leon Vermeulen, had to be treated for a gash to his head on Saturday night after the car he was travelling in was stoned in Crossroads.

Mr Bernard Rajh, 26, said he was driving with Mr Vermeulen shortly after 9.30pm when a half-brick was thrown through the passenger's window, hitting Mr Vermeulen on the head.

"All I remember is seeing a group of people standing next to the road and the next moment a half-brick came through the window, hit Leon in the face and then ricocheted onto my hip," Mr Rajh said.

The two first went to the Mitchells Plain police station to report the incident and then to hospital, where Mr Vermeulen received stitches.

At Gesubuso, near Maritzburg, a gang of men fired on 300 people at a funeral, wounding five young children. No arrests were made.

● Mr Nelson Mandela and released trade unionist and veteran activist Mr Oscar Mpetha, 80, have spoken out strongly against the stoning of vehicles.

— Crime Reporter and Sapa

# Violence erupts after peaceful Umtata march

OWN CORRESPONDENT

UMTATA. — Violence erupted after an orderly march by 10 000 people through the streets here yesterday.

The crowd marched to the Botha Sigcau Building where 13 representatives of workers handed a petition to the chairman of the military council, General Bantu Holomisa.

Transkei police liaison officer Lieutenant M S Mkiwane said a section of the crowd had later marched to Ngangelizwe township.

On their way, they met the Ngangelizwe police station commander and started attacking his van.

The station commander locked himself in the van and called for help. The counter-insurgency unit arrived and dispersed the crowd with teargas.

Lieut Mkiwane said the crowd re-assembled and attacked policemen as they alighted from public transport taking them home. One policeman was injured and taken to hospital.

Yesterday's rally, which was approved by the government, was aimed at collectively lodging common grievances of Transkei workers.

● General Holomisa told the workers' committee the military government was committed to the atmosphere of change in Southern Africa.

He said his government wanted to make certain the black peoples of Southern Africa were emancipated from oppression.

Regarding the workers' grievances about labour problems, he said the government was handling the matter and the workers should expect relief soon.



# Boy's injuries meant death 'in minutes'

By LINDA GALLOWAY  
Supreme Court Reporter

A PRIVATE pathologist who performed a second autopsy on "Trojan Horse" victim Shaun Magmoed has told the Supreme Court in Cape Town that the boy would not have survived "more than a couple of minutes" with the injuries he had.

Dr Len Anstey, who was instructed by the Magmoed family's lawyers to perform the autopsy after the State pathologist had made his findings, was giving evidence in the private prosecution in which 13 security force members are on trial for the murder of Shaun Magmoed, 16, on October 15 1985.

The prosecution alleges that the men, members of the army, police and railway police, planned and executed an operation in which nine men armed with sharp ammunition hid in

crates on the back of an unmarked railways truck and then opened fire on a stone-throwing crowd at the corner of Thornton and St Simons roads in Athlone.

Dr Anstey said he had found numerous pellet wounds down the left side of Shaun's body and on the sole of one foot.

He would have had to have been lying down with his feet turned to where the shots were fired from, or running from that direction, to have been shot in the sole of his foot.

## Blood in chest

Numerous pellets had penetrated the heart and there was 1 500ml of blood in the chest cavity, which could itself have been a cause of death.

Dr Anstey said injuries of the kind sustained by Shaun meant he would have been capable of activity for a "couple of minutes" before death, but not longer than that.

Under cross-examination he said he had not inspected the inside of the bullet wounds as he had "a problem with mutilating the body" after a State autopsy had already been performed.

Asked whether wounds on Shaun's left side were consistent with someone who could have been standing sideways with a stone in his hand, Dr Anstey said he did not think this was possible if one took into account the wounds on the sole of the foot.

The hearing continues.

Those on trial are Colonel Pieter Janse van Rensburg, Lieutenant-Colonel Christian Loedolff, Commandant Salmon Pienaar, Captain Douw Vermeulen, Warrant Officer Andre Swart, Sergeant James Sayer, Sergeant Frank van Niekerk, Sergeant Jacobus Burger, Sergeant Albertus Smit, Constable Andre Smit, Constable Wilhelm Puchert, Constable Alexander Rossel and Constable Pieter du Toit.

By MONICA GRAAFF  
Court Reporter

THE riot police will not be held criminally responsible for the deaths of seven alleged ANC guerrillas whom they wiped out "as a natural reaction" in a vicious gun battle in Guguletu in 1986.

This was the finding of Wynberg magistrate Mr G Hoffman who yesterday closed the "Guguletu Seven" inquest.

The inquest was reopened following the emergence of new evidence during and after the Police Act trial of former Cape Times deputy news editor Mr Tony Weaver.

Mr Weaver, who was acquitted in September 1987 after a lengthy trial, was charged with "publishing untrue matter about the police" by reporting allegations that the men had been shot in "cold blood" and that the police had then "planted" weapons on the dead.

He is now suing the Minister of Law and Order for R107 000 for malicious and wrongful prosecution.

### Officer's 'blithe attitude'

Mr Hoffman said the police had acted "out of self-defence" and "in combating terrorism" and could not be held criminally responsible.

However, he lashed out at the "blithe attitude" of former murder and robbery chief Colonel Stephanus Brits, whom he blamed for the court's "inability to hold a proper inquest".

Colonel Brits, who was the investigating officer during the first Guguletu inquest, had "taken it upon himself" to decide on gathering only seven police statements when in fact 22 policemen had been involved in the shooting.

"Colonel Brits may not have been expected to conduct a thorough investigation into the death of a terrorist in Rhodesia, but that is not the case here," Mr Hoffman said.

He stressed that the shoot-out near the intersection of the NY1 and NY111 on the morning of March 3, 1986, had caught the police unawares and as a result "each man had acted for himself".

An expected ANC ambush of a police personnel bus had not come off and the police were pulling out of a "planned operation" — which had them lying in

# No proper inquest: Colonel blamed

wait in bushes and in cars — when the shooting began, he said.

"Suddenly one of them spotted seven black men in a combi at the crossroads and the first shot was fired at a man holding a hand-grenade," he said.

Acknowledging the "learned assistance" of his assessor, Professor J P Nel, Mr Hoffman briefly outlined his reasons for dismissing the defence arguments on why forensic, ballistic and eye-witness evidence disputed the police account.

He found the evidence of eye-witnesses Mr General Sibaca and Mr Cecil Msutu "blatantly contradictory" and "unreliable".

"They claimed they saw Constable T Mbelo shooting Mr Temba Molefe, 30, in the chest at point-blank range three times, when in fact the medical evidence shows he was only hit in the chest twice.

"The reason the forensic evidence looks questionable is that Constable Mbelo was naive in his assessment of which of his bullets killed Mr Molefe," he said.

Mr Hoffman also dismissed the "improbable" evidence of people in a bus that was forced to stop at

the crossroads, Mr Ronald Benting and Miss Patricia Smith.

They claimed they watched Lieutenant Wilhelm Bellingham shoot Mr Zamonkwe John Kondile, 28, in the head at point-blank range while the deceased was lying on the ground.

Mr Hoffman said Miss Smith was an "honest, motherly" witness but had an "undoubtedly rich imagination" and that Mr Benting had "obviously enjoyed the publicity he was attracting".

"While Lt Bellingham's evidence is also not free from criticism, it is clear he acted in putative self-defence when he saw a man holding what he mistakenly thought was a hand-grenade."

He said he was sure Mr Kondile had not been lying on the ground when he was shot.

Mr Hoffman further dismissed the evidence of eye-witness Mr Bowers Vumazonke, who claimed he saw "a white man" shoot Mr Christopher Piet, 23, who was lying on the ground, in the head.

### Shot by at least six policemen

Mr Hoffman said it was strange that Mr Vumazonke had not been able to recall the race of the shooter during the Weaver trial but "had come up with his being white" during the inquest "years later".

It appeared that Mr Piet had been shot by at least six policemen — more than had originally been understood during the first inquest, "but then there had been fewer police statements to go by", he said.

That "such a *bohaz*" had been created around the existence of a long black burn mark on the back of Mr Godfrey Jabulani Miya, 21, had been "completely unnecessary" as it had not been caused by the fatal shot.

Mr Hoffman also found that Sergeant Geoffrey McMaster and Warrant Officer H G J Barnard had "acted in self-defence under dangerous circumstances" They had shot Mr Madla Simon Mqungwa, 23, and Mr Zola Zalis Mfobo, 21, while pursuing them in some bushes near the N2.

A shooting of a seventh man, Mr Zola Alfred Zwelani, 22, was not disputed during the inquest.

Mr P Morant led the evidence. Mr Y Ebrahim appeared for the relatives of the seven dead. Mr J L Costello instructed by state attorneys, appeared for the Minister of Law and Order.



MORE than 400 Western Cape youths face charges of public violence stemming from clashes between police and demonstrators during the recent defiance campaign of the Mass Democratic Movement.

In Mitchells Plain alone at least 85 youths have been charged. In Paarl more than 200 are on trial.

The youngest accused is an 11 year-old Saldanha boy.

The trialists could face sentences of up to five years, depending on the nature of their offences.

A Mitchells Plain lawyer said pupils were preparing for end-of-year exams and were being distracted by the many court appearances and consultations.

"The courts are showing little sympathy for these children. They are still young and easily distracted from their schoolwork."

There is a great deal of uncertainty over the nature of many of the charges.

### disguised

The State's evidence would have to include a police officer identifying the accused as being responsible for a particular act of public violence.

Several of the accused were arrested in large groups near incidents of unrest.

"I am not sure if the Jump Street allegations, where pupils say policemen disguised as students, incited them to throw stones, will act as mitigation.

"It may be a very difficult case to prove."

Lawyers believe that it is still too early to speculate on the sentences facing public violence offenders.

Sentences are imposed at the discretion of the magistrate.

Scores of people were also arrested and charged in Boland towns.

On the West Coast, 11 people are still due to appear in the Vredenburg Magistrate's court on charges of public violence.

In Paarl alone more than 130 have been charged with public violence. Another 100 youths have been charged in the nearby township of Mbekweni.

In Ceres, the trial of 32 youths was postponed to December 4 for plea.

More than 250 pupils marched from Cloetesville to the nearby Stellenbosch Magistrate's court last week

# 400 on public violence charges

27/5

South  
26/10/11/89

when 27 of their fellow pupils appeared on charges of public violence. Their trials were postponed to November 6.

"Some of the accused are as young as 14 and all the Stellenbosch accused were picked up on or around election day," said Mr Rob Gaylard, a member of a support committee assisting the offenders.

"It seems that some of them could face quite heavy sentences. One group's trial has been referred to the Regional Court because they are charged with stoning a policeman's house, allegedly causing R5 000 damage.

"The law lays down a maximum of five years' imprisonment but minors can be caned or fined, depending on the seriousness of the charge."

Other charges relating to the defiance campaign include illegal gatherings, malicious damage to property and arson. Two people have been charged with assaulting a policeman.

Meanwhile, charges against more than 1 000 people arrested and

charged during the protest marches which took place almost daily in Cape Town between August 25 and September 5, have been withdrawn.

The protests included demonstrations by the Black Sash on August 24, an anti-rebel rugby tour demonstration on August 26, a women's march to Parliament on August 30, a squatter march on August 31, a march by academics on September 1 and the "purple rain" march in Cape Town on September 5 where more than 500 people were arrested.

Pickets in support of detained hunger strikers held at several venues in central Cape Town in March this year had a sequel in the Cape Town magistrate's court last Friday when seven people appeared on charges of participating in an illegal gathering.

Their trials were postponed to November 22 to allow for representations to be made to the attorney-general.

Several others who had allegedly also participated in the pickets, did not appear after improper summonses were issued.



# Shots fired in new taxi war

Staff Reporter

Argus 30/10/89 975  
TWO shots were fired and people ran helter-skelter as another "taxi war" for control of a rank erupted at the Nyanga terminus today.

About 50 heavily armed men invaded the busy terminus and brought taxi services to a virtual halt about 9am. No one was hurt.

A taxi operator who did not wish to be named said the "war" started late yesterday after a minibus belonging to a Western Province Black Taxi Association member was ordered off the road by members of the Langunya Taxi Association.

He said Langunya members objected to WPBTA members using a rank at Crossroads for loading Khayelitsha passengers because the rank "belonged to them".

He said a meeting between representatives of the warring parties was held after the incident and the issue of the controversial rank resolved.

## HUNDREDS RUN FOR COVER

However, there was confusion today as some commuters were told there would be no taxis.

After The Argus arrived at the Nyanga terminus about 8am today, more than 50 heavily armed men stormed the terminus. Two shots were heard and hundreds of commuters waiting to board buses ran for cover.

Police arrived promptly and tried to speak to the men, who said they were going to "talk among themselves".

Mr Maxwell Nonkonyana, chairman of the Langunya Taxi Association, said though he was not aware of yesterday's incident, the basic cause of the taxi feud was the refusal by the WPBTA to allow other taxis to operate on certain routes.

"The restructuring of the provincial association by SABTA earlier this year has left many people dissatisfied as basic problems have not been attended to by the national body," he said.



# SAB strikers join city march

Staff Reporter

STRIKING SA Breweries workers joined a march of unemployed workers to the headquarters of the Department of Manpower in Cape Town centre today

About 500 workers gathered at the corner of Darling and Sir Lowry Streets shortly after mid-day to march to the Thomas Boydell building to deliver demands including a freeze of prices on basic foods

Other demands were jobs for all, a living unemployment benefit, no rents, free education, free medical care, an end to evictions, the withdrawal of troops from the townships, the unbanning of all political organisations, an end to police/army violence and the meeting of the demands of the SAB and Bokomo strikers

The majority of marchers were youths from KTC, New Crossroads, Green Point and Khayelitsha, many of whom had not had a job since leaving school

Behind the main body was a group of SAB workers, 500 of whom are on strike in the Western Cape as part of a national legal strike.

Placards read "Freedom from SA. We demand a living wage De Klerk", "Socialism means jobs for all", "40 hour week means 10 000 jobs", "Freeze all prices on basic food"

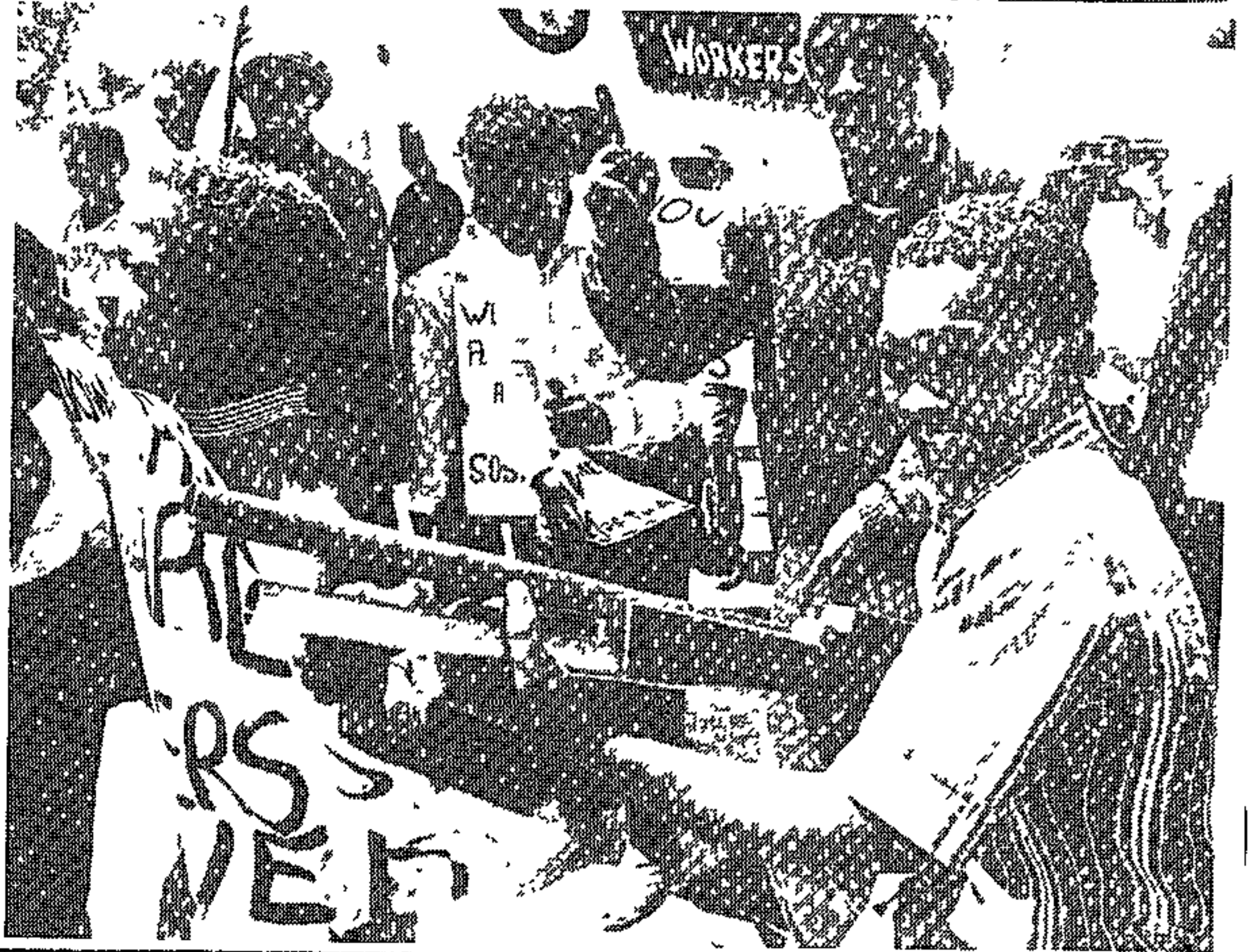
SAB workers carried placards saying "Bosses robbed us of hours" and "Forward with a living wage, down with beer"

The Regional director of Manpower, Mr Willie Marais, accepted a list of demands handed to him by a representative of the chanting and singing group at the Thomas Boydell building

He told newspaper reporters that he would convey the grievances to the Minister of Manpower, Mr Eli Louw

Pictures BRENTON GEACH, The Argus

**UNEMPLOYED MARCH:** A poster, top, advertising the American Roots television series on slavery was cut out and hoisted high by unemployed workers on their march through Cape Town today. Below: Toting a gun made out of wood and metal, a marcher mimics a gun battle.





# Education call for end to random stonings

Staff Reporter

278  
Africa's 30/10/89

THE Western Cape Education Front has condemned the recent "spate of random stonings" and called for all public violence charges arising out of the election defiance campaign to be dropped.

The Front, which represents a broad alliance of student, teacher, academic and community organisations, re-stated

their "unequivocal opposition to the recent spate of stonings" on the N2 and Lansdowne Road.

"These are random and undirected acts with no purpose or benefit. They take place outside of our organisational discipline.

"Our affiliates have long taken active steps to discuss this issue in our ranks and even to prevent the stonings so far as that is in our power."

In a statement issued by the executive committee, the Front adds: "There are more than 400 youths on so-called public violence charges in the Western Cape at present.

"Most of these arise from a situation which deteriorated when police intervened in peaceful demonstrations.

"The pursuit of these charges on such a scale is severely dis-

rupting classroom stability at this crucial exam time and affecting pupils as well as those facing sentences," the statement reads.

"We cannot afford another round of this trauma in the community and call on the Attorney-General to drop all so-called public violence charges that have arisen during the defiance campaign."



# Expert alters opinion on pellet type

Supreme Court Reporter

A BALLISTICS expert in the "Trojan Horse" trial yesterday said he could no longer defend his assertion that a buckshot pellet embedded in a young boy's leg was SSG, a larger type of shot regarded as live ammunition, which is lethal at short range.

Dr David Joseph Klatzow was giving evidence in cross-examination in the trial of 13 security-force members who have been charged with murder in a private prosecution.

The trial is a sequel to the death of Shaun Magmoed, 16, in an incident in Thornton Road, Athlone, on October 15, 1985 when police, hidden in crates on the back of a SATS truck, opened fire on a group of people when the truck was stoned.

Last week Lieutenant-General Bert Wandrag, a deputy commissioner of police and officer commanding the police operation units, testified that he had sent a telex to divisional commissioners on September 5, 1984 with instructions that live ammunition (which includes SSG, AAA and number-one shot) should be used only in cases where no other alternatives existed to protect a life or property.

Earlier Dr Klatzow had testified that he had seen a set of X-rays Ashraf Abrahams, who had been injured in the shooting.

## Light dots

Light dots shown on the X-rays were shotgun pellets in Ashraf's leg and pelvis and one pellet was lodged in a leg bone. He had concluded that SSG, a type of larger live ammunition, had been used.

Yesterday Dr Klatzow told the court he had been back to 102 Thornton Road to re-examine the house. He had also arranged for the pellet in the boy's leg to be removed.

The measurement of the pellet brought it into the range of AAA, a smaller type of shot.

Pellets removed from the door and the top of the door indicated that number-one shot had been used.

In respect of the child's leg he could no longer defend his assertion that SSG had been used.

However, Dr Klatzow said that from the pattern of pellet holes on the outside wall he was certain police had used number-one, AAA and SSG shot.

Staff Reporter

ABOUT 500 unemployed people and striking SA Breweries workers yesterday marched to the headquarters of the Department of Manpower in the city and handed over a list of demands to the regional director, Mr Willie Marais.

The group, who arrived in four buses, gathered at the corner of Darling and Sir Lowry streets about noon and the march then proceeded along Darling, Buitenkant, Albertus and Parade streets.

The list of demands included jobs for all, a living unemployment benefit, no rents, free

Unemployed  
march in city

education and medical care, an end to evictions and a freeze on all basic food prices.

They also demanded the withdrawal of troops from the townships, the unbanning of all political organisations, an end to the police/army violence and that the demands of the SAB and Bokomo strikers be met.

Mr Marais said the Unemployment Workers Movement had arranged with him to accept the demands and he would

hand them to the Minister of Manpower, Mr Eli Louw.

Most of the marchers were youths who had left school and were unable to find jobs. They came from KTC, Khayelitsha, New Crossroads and Green Point. They toyi-toyed, chanted and sang freedom songs as they walked through the city streets. The SAB strikers walked behind the main body of marchers.

Some of the placards they carried read: "We demand a living wage", "De Klerk come to the point. We are suffering and hungry", "A 40-hour week means 10 000 more jobs" and "Socialism means jobs for all".

# 'Trojan Horse' trial closing

*Cape Times 11/11/89*

378

## Supreme Court Reporter

THE "Trojan Horse" trial, the first private prosecution for murder in South African legal history, is drawing to an end with all parties closing their cases yesterday.

The private prosecution resulted when the attorney-general declined to prosecute 13 security forces members who were allegedly involved with both the planning and execution of the operation. They had pleaded not guilty to the charge.

The trial is a sequel to the death of Shaun Magmoed, 16, in Thornton Road, Athlone, when police hidden on the back of a SATS truck opened fire on a group of people when the truck was stoned.

Yesterday Brigadier Wessel Kritzinger, Officer Commanding Eastern Province Command, testified he had been appointed chairman of a Joint Management Centre (JMC) established in the Western Cape in 1985.

### Not joint action

The "Trojan Horse" incident had not been a joint operation because SADF personnel were not involved.

Commandant S Pienaar, accused No 3, would not have been able to give orders during the incident, Brigadier Kritzinger said.

Lieutenant-Colonel Piet Retief Gouws, a ballistics and forensic expert, said he had visited No 102 Thornton Road and had measured shotgun pellet marks found inside and outside the house.

On a second visit he had taken precise measurements of the holes and concluded that No 1 and AAA shot — regarded by police as live ammunition — had been used that day.

The court adjourned to November 14 for argument.



CPA- Taxi A 1/11/89 (275) ~~275~~

# Taxis stay home as war continues

By CHRIS BATEMAN

AT least one person has been shot, several others beaten up and dozens are in hiding as Cape Town's township taxi war yesterday continued to disrupt the lives of hundreds of thousands of Peninsula workers.

Early today all black township taxis were still immobile as drivers elected to stay at home for the third consecutive day rather than expose themselves to attacks from either of the two warring factions.

At least two drivers, one from each faction, were abducted yesterday, sources said.

City Tramways buses plying the township routes are being filled to capacity as the service tries to compensate for the public transport shortfall.

Tramways managing director Mr Barry Gie said there had been a "substantial increase in patronage", adding that the situation is being closely monitored.

Sources in the Western Cape Black Taxi Association, WECBTA, and their rivals, the

Western Province Black Taxi Association, WPBTA (or Lagunya Taxi Association), said two people were shot on Monday night.

One victim, identified as WPBTA taxi operator Mr Phillip Mquinshi, 28, of Khayelitsha, was gunned down in his car at a Khayelitsha service station.

He was admitted to Conradie Hospital where his condition was described as "satisfactory" last night.

The second alleged victim could not be identified.

Police confirmed using teargas twice to disperse rival factions at the Nyanga taxi rank on Monday. They said three private vehicles were damaged when the groups clashed over rights to taxi routes.

One angry Langa commuter, Mr Zolile Zembe, urged the factions to "bury the hatchet so that we don't have to explain every day to our bosses".

WPBTA chairman Mr "Mac" Nonkonyane said long-standing enmity boiled over on Sunday night when a WECTBA driver passed a traditionally WPBTA Crossroads taxi rank carrying passengers.

"Our guys gave chase. He stopped, produced a panga and slashed one guy on the leg before breaking the windscreen," he said.

Word spread fast that "the war was on" and conflict escalated.

Yesterday top officials of the umbrella South African Black Taxi Association, SABTA, met briefly in an unsuccessful attempt to resolve the impasse.

Mr Mike Ntlatleng, director of public affairs for SABTA, appealed for restraint and urged the factions to negotiate.

"The community is suffering and our image is suffering," he said.

A comparison of taxi and bus return fares between Nyanga and Cape Town (purchased daily) revealed taxis to be 90c cheaper. Commuters are forced to travel via Mowbray where they must change buses for their end destination.

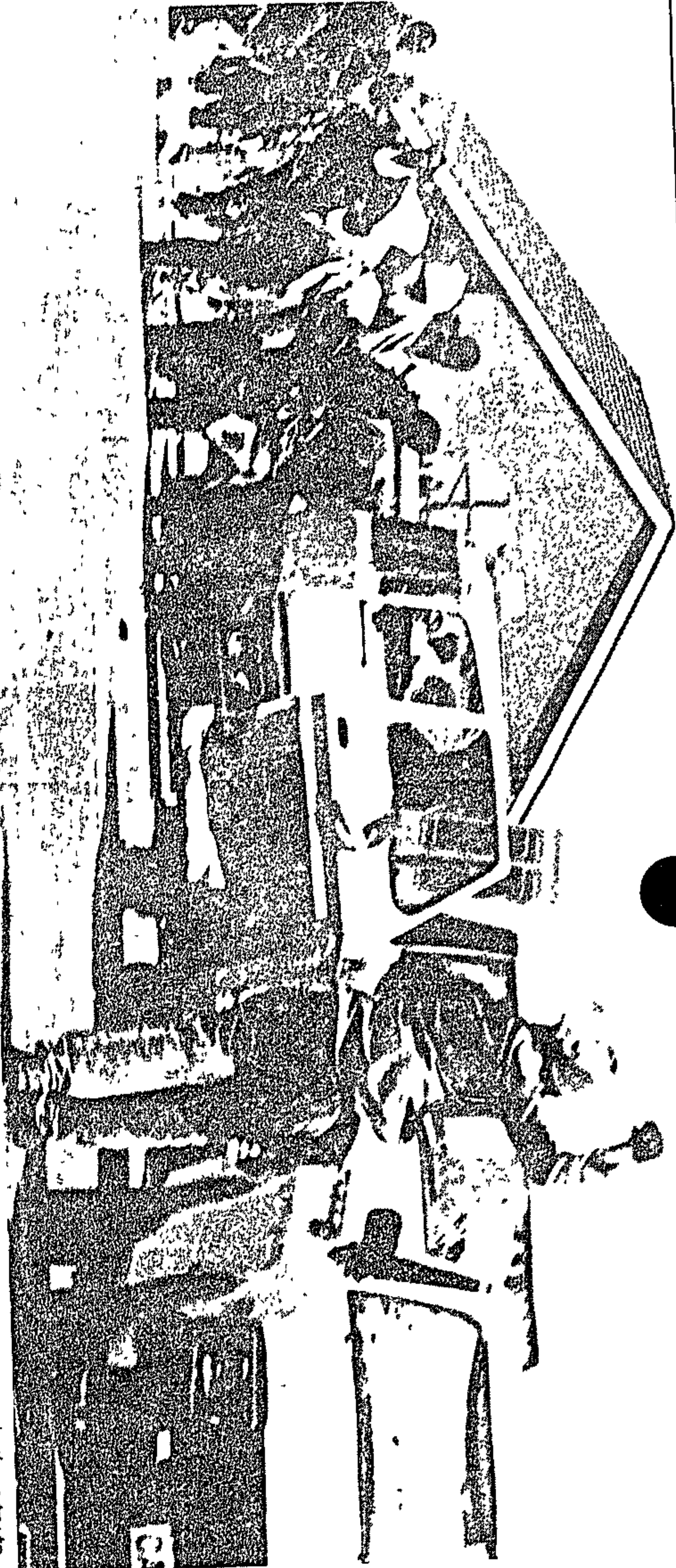
Several crisis meetings are scheduled for today.

● Mr Clement Ramlatyane, WECTBA chairman, could not be traced for comment by late last night.



But the UN was mystified by Mr Botha's claims, while But in New York the secretary-general's spokesman,

were not genuine.



ATTACK... A man with an axe smashes a Lagunya Taxi Association bakkie in the background others try to set fire to a minibus.

Picture CHRIS BATEMAN

# REVENGE attack in city taxi war

Cape Times 2/11/89

By CHRIS BATEMAN

SCORES of heavily armed taxi drivers severely damaged at least nine vehicles in Khayelitsha belonging to Lagunya Taxi Association members yesterday, plunging the Peninsula's township taxi service into deeper crisis.




The attack by the Western Cape Black Taxi Drivers' Association (WECTBA) was in apparent retaliation for yesterday's early-morning Nyanga East firebombing of a mini-bus belonging to one of their members. It was claimed.

Hundreds of thousands of regular taxi commuters entered their fourth day of catching trains and buses at greater expense and inconvenience as the war continued.

Yesterday's drama began after a Lagunya Taxi Association (LTA) crisis meeting at Ikwezi Community Centre in Gugulethu was mysteriously moved to Khayelitsha.

A Cape Times reporter and driver arriving in Green Point in Khayelitsha were met by the sight of hordes of armed men smashing the wind-screens and slashing the tyres of nine parked vehicles. At least a dozen shots were heard being fired during the attack.

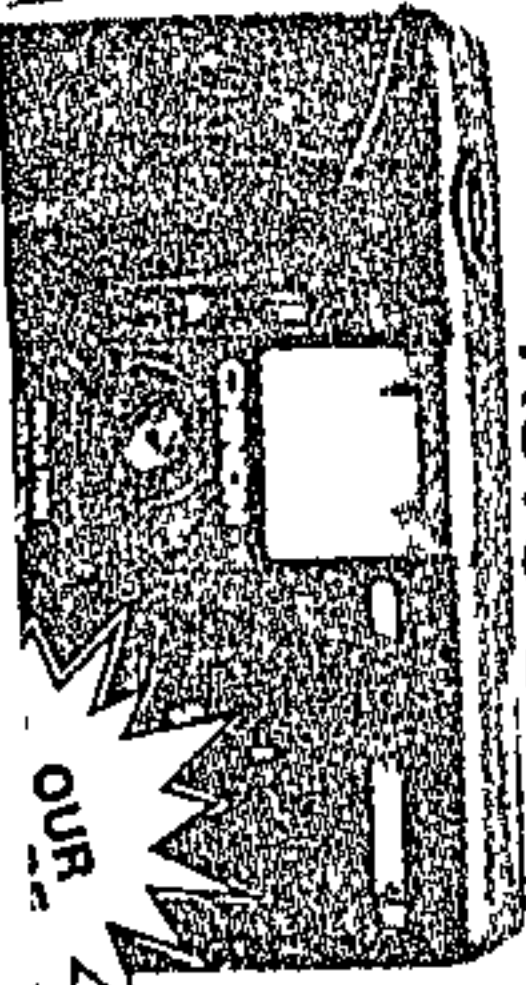
See page 2

## SAVE R100

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### Medical aid fees to soar by 20%

Staff Reporter 299

MEDICAL AID members will have to pay an average R200 to R300 a year more in 1990 when medical scheme pay-outs will increase by 20% to R4,8 billion.

The Representative Association of Medical Schemes (RAMS) earlier this week announced increases in scales of benefits for various health services.

Medischeme managing

## Ranger held after Kruger rhino killings

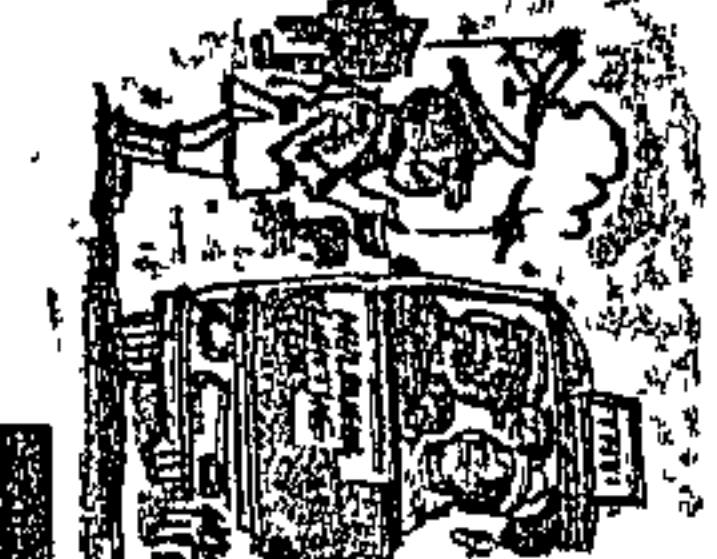
Own Correspondent

JOHANNESBURG — The skulls of at least 25 white rhino, with their valuable horns cut off, have been found in the Kruger National Park, park warden Dr Saloman Joubert said yesterday.

on white rhino spotted rhino skulls hidden under bushes

"He went to inspect them to collect ecological data and then he saw the bullet marks. That started our investigation."

### crack of dawn



Licence? Which licence? Driver's, taxi or firearm?

### Syrets Cape Times Share Challenge



From page 1

## Taxi war

Thousands of Green Point residents watched as the attackers tried to set the vehicles alight before retreating to their own vehicles parked less than a kilometre up the road. No injuries were reported.

Within minutes another large group of armed men — who identified themselves as Lagunya drivers — arrived to inspect the damage and then called a hasty "war conference"

Among the weapons on the scene were pangas, spears, sharpened metal rods and knobkerries

One angry Lagunya driver said. "This is all-out war now. You can forget about peace talks"

Several police riot vehicles arrived on the scene afterwards.

About 80 armed WECTBA men were seen gathered about their parked vehicles, many of them remonstrating with riot police. They eventually returned to their vehicles and drove off in convoy, hooting.

The convoy, including dozens of armed men on board bakkies, then patrolled around sections of Khayelitsha.

By late yesterday no further violent incidents had been reported.

● Senior officials of the South African Black Taxi Association (SABTA) and Shell yesterday met local taxi drivers to outline a taxi-driver's share-scheme service station proposal for Guguletu and Nyanga.

The meeting went ahead with little or no reference to the dramatic fighting nearby and the long-standing factional enmity.



A taxi driver carries a panga during the taxi "war".



NIGHT ATTACK ... Mrs Angelina Mayeki inspects her husbands minibus taxi, burnt out during an early morning attack in their Nyanga East front yard yesterday.

Pictures OBED ZILWA



SMASHED ... One of the Lagunya Taxi Association vehicles after the WECTBA attack in Green Point, Khayelitsha yesterday.





Mr Phillip Ivey with his mother, Mrs Elspeth Ivey.

# Purple rain: Man in court

CAF Times 2/11/89  
275 Staff Reporter

A BOTANIST, Mr Phillip Ivey, appeared in court yesterday in connection with an incident involving the "purple rain" cannon in the city centre during a protest in September.

During the protest in Burg Street on September 2 a man climbed on to the roof of a police riot-control truck and directed the nozzle, which was spraying purple dye on protesters, away from the crowd.

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From page 1

## Purple rain

Buildings in the street were splattered as police fought with the man for control of the nozzle. Police instituted a wide search for the man after the incident.

Yesterday a 26-year-old botanist, Mr Phillip James Ivey, of Claremont, appeared in the Magistrate's Court.

He was not asked to plead to allegations of malicious damage to property, defeating the ends of justice and assault with intent to do grievous bodily harm.

Mr Ivey was arrested yesterday morning. He appeared in court later in the day and was granted bail of R200.

The hearing was adjourned to November 23.

Mr H Venter was the magistrate Mrs S J Smith appeared for the state and Mr Michael Evans for Mr Ivey



# TAXI TRUCKS

GM + TRIPS  
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By VETTE VAN BREDA

**WARRING taxi factions in the townships have called a truce and are expected to be back in operation today after a meeting with police yesterday.**

The agreement followed recent violence between members of the Western Cape Black Taxi Association (WECTBA) and the Western Province Black Taxi Association (WPBTA) which broke out five days ago after disputes over routes.

The recent violence left at least one dead and three injured, and caused extensive damage to many taxis. Groups of taxi drivers used pangas, guns and other weapons in attacks on each other and vehicles.

Yesterday Brigadier Gillus van der Wall, the senior deputy regional commissioner of the operational and reaction unit in the Western Cape, called a meeting attended by about 300 people from both taxi organisations, to discuss the recent trouble.

Brig Van der Wall said that, according to police records, there had been three injuries but "I have heard that one person was killed."

WPBTA spokesman Mr Mac Nonkonyana

said a taxi owner affiliated to his organisation had died. Mr Clement Ramatlakane, spokesman for WECTBA, said he had heard of deaths but could confirm none.

Both men said there had been extensive damage to vehicles but gave the assurance that their organisations would stop the violence and would be operational today.

Hundreds of minibuses parked outside police stations yesterday as their owners sought protection from further violence.

At Khayelitsha police station, metres from the Lingeletu West community centre where the meeting was held, scores of taxis — several damaged — stood outside the yard.

Brig Van der Wall reminded the meeting that similar incidents had taken place last November.

He said police could not allow the mayhem to go on. "We are here to sort it out and get the taxis on the road again."

The town clerk of Khayelitsha, Mr Graham Lawrence, appealed to the group to put aside their differences and said that in January Rfm was being spent on upgrading the roads "so that you can travel with your taxis".

The mayor of Lingeletu West, Mr Mali

To page 3

**The wheels are back on**



**IN THE LONG ARM OF THE LAW** ... Brigadier Gillus van der Wall smiles as Mr Mac Nonkonyana of WPBTA and Mr Clement Ramatlakane of WECTBA shake hands and agree that the violence between their organisations should stop.

Picture: RICHARD BELL



From page 1

# Truce in city taxi war

CPA

3/11/89

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Hoza, and the deputy mayor of Crossroads, Mr Alfred Agelli, also spoke.

Mr Agelli said there were too many people, many innocent, in hospital because of the taxi war. "When you start warring, everyone in the township is unhappy. Have you forgotten the promise you made to convey people to work and home when your licences were allotted?"

Mr Ramatlakane said WECTBA wanted to settle the matter amicably "and I would appreciate it if conditions could revert to normal".

"Fighting, shooting, pangas and killings is no way to solve the matter. The fighting over the last four years has proved that. I blame the taxi operators for failing to keep proper control over the drivers," he said.

A working committee had been appointed after enmity in August

and irregularities were supposed to be reported to this committee, which in turn was meant to report to the operators.

## Concern about money

"The outbreak of violence came about when the working committee was made ineffective by both organisations.

"We are the people that have invested in taxis, not the drivers. Many of us is more concerned about money and not disciplinary action," Mr Ramatlakane said.

He said the president of the SA Black Taxi Association, expected in Cape Town today, had appealed for the fighting to stop.

Mr Ramatlakane sympathised with families who lost loved ones and property in the violence.

Mr Nonkonyana said: "I am ashamed that I could have contributed to a crisis of this nature.

"The taxi industry came into our folds when we were not ready for it and I identify with the immaturity and incompetence of the people running it."

He said people should be responsible to procedure, conditions and policies and there is room for education and improvement in the industry.

There had been a breakdown in communication between the owners, operators, drivers and commuters and he expressed the wish for "gaps to be bridged".

Brig Van der Wall said police would undertake to see that no harm came to those who operated their taxis. He said he would go on to the working committee "to ensure that everyone gets a fair deal".

According to yesterday's police unrest report, covering the previous 24 hours, two opposing groups attacked each other in Khayelitsha, damaging several vehicles. The battle was "due to a taxi route dispute rather than unrest", police said.



**PEACE MEETING** ... About 300 people associated with warring organisations in the black taxi industry attended a meeting with police yesterday and agreed to stop the violence.

# Boycott 'will kill taxis'

By JOCELYN MAKER  
Weekend Argus Reporter

THE South African Black Taxi Association (Sabta) is to appeal to the Western Cape community not to go ahead with its six-month boycott of taxis.

The president of Sabta, Mr James Ngcoya, made the appeal before a meeting at Cosatu House called to discuss the boycott today.

Mr Billy Daniels, secretary of Sabta in the Western Cape, said a boycott would kill the industry.

A five-day "war" erupted in the Peninsula this week when factions of the Western Cape Black Taxi Association (WECBTA) and the Western Province Black Taxi Association (WPTBA) clashed over routes. A man was killed, three people were badly injured and numerous vehicles were damaged before a truce was reached on Thursday.

Speaking for the two organisations, Mr Daniels said the community seemed to have the attitude that the truce had been called only because "the big boys waved their big sticks".

"This is not so. We stopped because we wanted to put an end to the war. We realised it was harmful to ourselves and our businesses."



# 25 000 in peaceful protest

Own Correspondent

QUEENSTOWN. — A crowd estimated at 25 000 took part in a peaceful protest march against apartheid here yesterday.

Proceedings started with a church service in Mlungisi, after which singing marchers, waving banners and placards, led by several clerics of various denominations, began their march through the town.

About 200 policemen monitored the march, which was well controlled by marshals, and no incidents were reported. A police spokesman agreed with the estimate of the crowd size.

# Taxi service on Flats resumes

Cape Flats  
4/11/89

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Staff Reporters

THE Peninsula's disrupted taxi service resumed yesterday — but scores of commuters remained uncertain whether the "war" had ended.

After five days of internecine strife during which a man was killed and three people were badly injured, drivers and commuters said yesterday that the situation was still "tense".

Factions of the Western Cape Black Taxi Association (WECBTA) and the Western Province Black Taxi Association (WPBTA) clashed over taxi routes. The two organisations, both affiliated to the SA Black Taxi Association, called a truce after meeting with the police on Thursday.

At the Guguletu taxi rank yesterday, one driver, Mr Ernest Baliso, said things had still not settled down completely and were "still a bit tense". "We are doubtful as to what will happen."

He said his organisation, WECBTA, was operating "because of the passengers, but we still cannot go to Claremont because WPBTA will not allow us there."

Another driver, Mr Zuko Danisa, said "The war is not over, there might even be fighting tonight."

A spokesman for the Western

## 'But war may start again'

Cape Civic Association (WCCA), Mr Rose Sonto, said yesterday that Cape Flats residents were "deeply concerned about the unnecessary loss of life" and had resolved to stop using taxis for six months because of the injuries sustained by residents who were on the taxis when fights broke out.

"Some people were forcibly removed from taxis while others were victimised inside them," he said. "We are desperately trying to reach a solution to permanently diffuse the situation."

He said communities in all areas condemned the fighting.

A meeting between the taxi owners, drivers and community organisations had been planned with the aim of finding a permanent solution and to promote better understanding between the warring factions.

The Nyanga taxi rank and cen-

tral terminus was a hive of activity yesterday, teeming with taxis. Two police vehicles were parked on the outskirts.

Commuters said they were grateful that taxis were back on the roads. Many said they suffered and it had been "very difficult" to use alternative transport.

Ms Priscilla Gebetwane said she regularly commuted by taxi. "Over the troubles I had to take a bus from Khayelitsha to Nyanga. It was difficult and it cost more."

"But now I'm scared to take a taxi again because the fighting could start up again at any time."

Some saw City Tramways as an alternative means of transport, but said the fares were too high and the buses came infrequently.

In the city yesterday afternoon, a crowd of chanting women demonstrated against the taxi war.

About 25 women gathered outside Newspaper House in St George's Street shortly after noon. Watched by police, the women chanted freedom songs behind a handwritten placard asking for help to stop the violence.

When asked to leave the area by a Newspaper House employee, the women walked towards the Parliament buildings.

Police said that when the women were stopped in Albertus Street, they dispersed peacefully.



DEMANDING PEACE... Some of a group of about 25 women from Guguletu, Nyanga and Khayelitsha who protested about the taxi war outside Newspaper House yesterday afternoon.

Picture. RICHARD BELL



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# Suspension for taxi war culprits

Staff Reporter

OFFENDERS in the Peninsula's recent five-day township taxi war could face suspension or expulsion from the South African Black Taxi Association (SABTA) while further violence will be immediately referred to the police.

This was said yesterday by Mr Basil Nagel, SABTA regional secretary, following a week in which at least one driver was killed, several were badly injured and over a dozen taxis severely damaged.

The feuding Western Cape Black Taxi Association (WCBTA) and the Western Province Black Taxi Association (WPBTA) laid down arms on Thursday last week and pledged peace in front of senior riot policemen.

SABTA's disciplinary committee will begin a commission of inquiry next week into the violence and "thoroughly investigate, identify the problem and uproot it", Mr Nagel said.

SABTA president Mr James Ngcoya will be on hand to ensure that the decisions taken by the committee are properly carried out, he added.

Asked what was being done to prevent a repeat of violence which has sporadically claimed lives and property over the past four years, Mr Nagel said education of drivers was a key element.

Much of the violence followed the Road Transportation Board's greater flexibility in issuing taxi permits in line with the government's deregulation initiative recently, he said.

"The drivers are overtrading certain routes as more and more of them come on to the market with permits," Mr Nagel said.

He said that with better education, drivers would learn to avoid overtraded routes and earn more money identifying and developing new routes.

"There are definitely enough commuters for everybody," he said.

Mr Nagel said that over the past five months the board had been issuing permits more freely than ever before.

Mr Ngcoya appealed to anyone with information on last week's violence to contact SABTA at 30 Waterkant Street, Room 708, seventh floor, or to phone (021) 211736.

# 'Tough time' for traders during taxi driver war

SCORES of traders in Mouille Point Sea Point have had a "tough time" during the war among taxi drivers in the townships, said City Councillor Chris Joubert, chairman of the Green and Sea Point Traders Association.

He said many in business had been forced to a standstill because their staff could not get to work.

"As chairman my phone was going day and night from traders requesting help. It has now been brought to light how essential this taxi service has become.

"The bus company obviously cannot cope and one can understand that with all the stone-throwing and violence it would have been dan-

gerous for buses to enter the townships.

"Consequently the large number of workers now employed in our areas found it impossible to get to work, and this includes my own staff."

Proof that Sea Point traders value the taxi driver highly was shown at a recent meeting of the Traders Association when it was decided to give an award to the best taxi driver of the month.

Mr Joubert said he had received many complaints regarding bad driving, such as pulling over to the pavement suddenly and without warning, and failing to give proper signals when changing direction.

Stickers would also be displayed on taxis whose

drivers had agreed to a code of conduct agreed by the Taxi Association.

The Chief Traffic Officer, Mr Wouter Smit, agreed it was a good idea and welcomed anything to improve driving standards.

Two regulations required were that vehicles should be road-worthy and the driver competent.

He said there was a move afoot to increase

the number of taxi permits on demand but the traffic department had opposed this.

The Western Black Taxi Association and the Western Province Taxi Association have agreed to the competition being held in Sea Point to choose the taxi driver of the month and to issue an award, and feel it may lead to an improved standard of driving.

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# Murder accused disappear

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South  
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GRAHAMSTOWN. — Two Port Elizabeth residents facing two murder charges have disappeared and warrants for their arrest have been issued.

Bongani Billy and Tutuzela Cresswill Silinga were part of a group of 11 Kwazakhele residents charged with two necklace murders.

Silinga absconded earlier during the trial and Billy failed to appear in court on Monday.

Earlier the defence had to apply to the court to be given an identification parade report by the state after the prosecutor had refused to hand it over.

The state claimed a precedent would be set which could be abused by defence advocates.

Mr Justice Erasmus said he could not blame the defence counsel, Mr Ronnie Pillay, for taking "strong exception" to suggestions of unscrupulous behaviour.

After the defence had received the report, they found that some of the witnesses had pointed out some of the accused in court, but had not been able to do so during the identification parade.

The trial is continuing in the Supreme Court. — ANA

November 1989

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'Two policewomen stormed at me and began hitting me'

# Girl (17) tells of beating by police

Own Correspondent

CAPE TOWN — A 17-year-old Mondale High School pupil was hit several times with quirts in the Mitchell's Plain town centre minutes after asking a policeman why, if people beating animals could be charged with cruelty, riot police hit people, the Wynberg Magistrate's Court has heard.

The Std 9 pupil, who may not be identified because she is under 18, said she had no objection to giving her evidence before a full gallery yesterday.

She was the penultimate State witness in the trial of Major Charles Roger Brazelle and Lieutenant David Johan Roos, who have pleaded not guilty to a charge of assault relating to alleged riot police brutality in breaking up a demonstration in the town centre on September 5.

Shortly afterwards, after handing in medical reports on the condition of two other witnesses, prosecutor Mr Tommy Prins closed the State's case.

Mr J Els, SC, for the riot policemen, said he planned to call witnesses and was granted an adjournment until today.

The pupil said although there was "no school" on September 5, she and a friend had planned to meet their physical science teacher at school at 10 am for extra lessons.

Harmony Square and the town centre were on the route she walked to school every day. On September 5, she had reached the shopping complex at about 9.55 am to find police hitting and chasing students.

The girl said: "When the children went back to the podium, I was with them, where we sang.

"About five minutes later Lieutenant (Gregory) Rockman told us we had 20 minutes to leave the (town) centre.

"I went to join people having a discussion with policemen.

"I asked him (a policeman): 'If people who hit animals could get charged with cruelty to animals, what did they call it when they (the police) hit us?'"

The girl said a smallish group followed police who were taking a boy to a police van under the roof of the bus terminus.

"I observed the police gathering and then they just burst loose and began hitting (the people). People ran in all directions.

"I didn't run. I was under the roof of the terminus. Two policewomen stormed at me and began hitting me.

"Later two policemen also (came). I was hit twice on the left breast and also over the rest of my body, including my right arm and both legs.

"At first I stood for a bit, but when I couldn't take it any more, I ran ... into Adams Butchery.

"A policewoman came to fetch me and put me in the back of a police van with others."

In cross-examination, Mr Els, for the defence, asked: "What did people sing on the podium?"

## Freedom songs

The girl: Freedom songs. One placard said. "Don't vote."

Mr Els: Did you boo, provoke or barrack the police?

The girl: No, I'm sure of that.

A labourer, Mr Douglas Nicholson (40), said he had been at the town centre on September 5 at about 10.30 am with a friend who wanted to sign unemployment benefit documents.

He said he was standing near the bus terminus. Police were on the other side of the road.

Mr Nicholson said he heard someone say: "Pasop, hier kom hulle." (Watch out, here they come.)

He turned to run, felt a blow on his back and fell.

The case continues.



# Defiance 275 campaign marches on

South 9-15/11/89

From MAKHAYA MANI

BEAUFORT WEST.— About 3 000 people marched through the centre of town here last weekend in solidarity with eight township residents who are facing murder charges.

The march was one of a series held in mainly rural areas last weekend as the three-month long defiance campaign continues to unfold throughout the country.

The eight residents of Kwa-Mandlenkosi township near here are appearing in court on a charge of murdering a kitskonstable during 1988.

Residents of Rustdene, Es-sopville and Kwa-Mandlenkosi

township marched to the centre of this CP dorpie to hand over a petition to the town clerk, Mr J van der Merwe, and the station commander at the local police station.

The march was led by Cape Town attorney Essa Moosa; Randall van den Heever, deputy president of the Cape Teachers' Professional Association; and local Anglican minister the Rev Connie Prins.

The march was approved by the local chief magistrate.

The demands in the petition included better township housing and recognition of Kwa-Mandlenkosi as the name of the African township.

They also demanded that the murder trial be stopped and that kitskonstabels be removed from townships.

Education demands included the right of teachers to participate in community and political issues and that SRC members at schools not be victimised.

In a church service preceding the march, Van den Heever told residents that "this town has a long history of boereskap and a long history of resistance".

Brian Sokutu reports from Port Elizabeth that in Cradock the police confiscated the banners of the SA Communist Party after marchers left the dusty Lingelihle Stadium led by church leader Allan Boesak.

The town has not seen such a huge demonstration since the deaths of Mathew Goniwe and three other community leaders in 1985.

Boesak told the marchers, who came from as far afield as Port Elizabeth and East London, that the defiance campaign was not going to be stopped until the government met the demands of the people.

"Every march now and every act of defiance are steps towards the goal we've set ourselves — an open, free and united, democratic South Africa," Boesak said.

He said several years the emergency gagged the press in South Africa, preventing them from informing the world of what was happening in the country's "apartheid jails".

However, the defiance campaign had "broken that veil of silence."

It had forced the local and international press "to bring the cause of the people back on the television screens and back onto the front pages of newspapers".

Almost the entire Lingelihle and Michausdal community swarmed into the dusty streets of Lingelihle and marched to nearby Cradock.

A black, green and gold flag of the African National Congress (ANC) and that of the Cradock Youth Congress were among the banners displayed.

# March for Mandela

## SA Press Association

THE Mass Democratic Movement said on Wednesday it would stage a march to Victor Verster Prison before Christmas "to release Mandela".

The organisation also condemned the detention of one of its members, Ms Cheryl Carolus, saying it made a mockery of President F W de Klerk's reformist statements.

Carolus was detained on October 5 and her family and lawyer have since been prevented from visiting her at the Ravensmead police station, her lawyer, Mr Essa Moosa, said on Wednesday.

Carolus' mother, Mrs Margaret Carolus, said she would like the security police "to tell me what she has done".

She said it was the third time her daughter had been detained.

A letter written to the Minister of Law and Order, Mr Adriaan Vlok, on behalf of Archbishop Desmond Tutu, called for Carolus' immediate release.

Meanwhile plans for a lengthy meeting between jailed leader of the African National Congress Nelson Mandela, and senior Pan Africanist Congress member Jafta Masemola, were scuttled by prison authorities yesterday.

## Release

Authorities had made it clear that the meeting would not be allowed to last for days when the PAC man entered Victor Verster prison yesterday morning.

According to Alexander, Mandela had invited the PAC man for a six-day visit at his prison home.

Masemola is one of the eight leaders who were released from prison recently. He and Mandela shared a section on Robben Island for 25 years.

Three lawyers who emerged from a meeting with Mandela on Wednesday said he had appealed for unity among rival black organisations, fueling speculation that the jailed leader's meeting with Masemola concerned ANC/PAC unity proposals.

Both the Department of Justice and the SA Prisons Service yesterday refused to answer questions regarding Masemola's visit. Both supplied similar

versions of the "standard" reply to questions regarding Mandela. "Visits to Mr Mandela are considered a private matter and therefore there is no further comment," Justice Minister Kobie Coetsee said in reply to Sapa's queries.

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## Apology to Mr Matsambo

IN yesterday's *Sowetan Business* a headline referred to Mr Eric Matsambo (38) of Soweto as a jailbird. We wish to point out that the word "jailbird" was erroneously used as it refers to somebody who is in and out of jail, and Matsambo has not been in and out of jail. We take this opportunity to unconditionally retract the word and apologise for the embarrassment this caused him. An angry Matsambo said: "It could have been anybody else convicted after a traffic accident, but this article made me appear to be a criminal."

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Secretary  
10/11/89

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# Taxi warlords hope for a merger

**EDWARD MOLOINYANE**  
Staff Reporter

THE two most powerful men in the Peninsula's taxi industry believe the only way to ensure there will not be another "taxi war" is to form one association.

Years of bitter rivalry mean this would be a difficult task and would be achieved only through "honest attempts", they say.

Mr Maxwell Nonkonyana, chairman of Langunya Taxi Association (LTA), and Mr Clement Ramatlakane of the Western Cape Black Taxi Association (WCBTA) spoke after the recent "war" between their members.

## Vast differences

Although there are still vast differences between them, with each blaming the other for the conflicts, both men see the formation of one association, long demanded by the community, as a possible solution to the feuding.

They said the recent police-initiated truce, like others before it, was unlikely to last as tempers were still running high.

The Road Transportation Board's taxi permits entitling a holder to work on a specific route were often the source of conflict when "unlicensed" people plied the same route.

They believed that if one association were formed, all members would be able to ply all routes in free competition and the chances of conflict would be lessened.

The LTA is the larger association and has 2 000 members. It concentrates almost exclusively on inter-township services. Licences for other areas are usually refused by the transport authorities.

## Harassment

"Permits entitle members to ply a definite route within the townships and our attempts to operate in areas such as Wynberg, Mowbray, Claremont, Bellville and Cape Town invited harassment by the traffic officials," Mr Nonkonyana said.

Because even township permits were difficult to obtain, many people with vehicles, especially in the Nyanga and Crossroads area, had begun working these "no-go areas" as unlicensed "pirates", Mr Nonkonyana said.

By 1985, about 10 of his members had permits for Mowbray, but the pirates, whose numbers had increased dramatically, objected to the new permit holders' working this route and claimed it was their domain.

"This resulted in a war at Mowbray rank in which one of our members was killed and many injured. At a meeting after this, it was agreed that those with vehicles, including

the pirates, be allowed to operate wherever they liked."

## "Pirates interfere"

Although peace appeared to have been restored, "pirates" continued to interfere with his association's members on these routes.

The LTA was renamed the Western Province Black Association (WPBTA) and became affiliated with the South African Black Taxi Association (Sabta). The "pirates", however, snubbed an offer to join the WPBTA and in 1987 formed the rival Western Cape Black Taxi Association (WCBTA).

Because of the distance from the townships, the urban routes became some of the hottest property on the taxi market and a battle for control, with the former "pirates" now claiming ownership, ensued.

## Daily takings

An average inter-township single taxi trip can cost about 90c whereas the fee to other areas is about R1,70. The daily takings on these routes can be anything from R180 to R200, whereas inter-township trips bring in about R100 to R130 daily.

Mr Nonkonyana believed the reason for the ill feeling was that the former "pirates" — most of whom were from squatter communities — had "wrongly thought" that his

association, as a more established unit, had been responsible for blocking their applications for permits.

He said there had been moves since August to unite the two associations but the "war" had broken out before this could be achieved.

Mr Ramatlakane said WCBTA's 675 members had found it "very difficult" to obtain permits and had approached Langunya for membership as early as 1980.

"Most of us operated without permits from Nyanga to the suburbs of Bellville and Cape Town and were often targets for traffic officials. We were harassed and fined almost daily

## "Jealous"

"It was only after we had been granted permits that Langunya became jealous and demanded by force that we allow them to ply the routes, leading to the first war between us."

"We are not opposed to Langunya operating here as long as they also allow us to do the same in the townships. A merger should not be seen by one association as a way of gaining unfair advantage over the other.

"We believe an unconditional merger is possible to restore the tarnished image of our business."

## Bus boycott called off

EAST LONDON. — The six-month long boycott of the Ciskei Transport Corporation (CTC) bus company has been suspended.

At a meeting in the Duncan Village hall last Sunday, commuters decided to lift the boycott on condition the CTC met commuters' demands.

CTC buses were boycotted following a fare increase of 25 percent.

Commuters subsequently rejected the company's offer of a compromise in terms of which fares were reduced between 8am and 4pm. — *ELNEWS*

## Workers put stamp on unity

UNITY for post office workers was the theme of a rally attended by about 200 people at a hall Salt River, Cape Town, last Sunday.

The rally was a prelude to the launch of a new union in the industry planned for January next year.

The new union will be a merger of the Post Office Employees Association of South Africa which represents about 5 000 "coloured" workers, the South African Post and Telecommunication Employees' Association (Saptea) which represents about 2 000 Indian workers and Cosatu affiliate, the Post Office and Telecommunications Workers' Association (Potwa) which has a membership of about 17 000.

Since the decision taken at a seminar in Lusaka in March this year to push for unity in the industry, shopstewards from the different unions have been working together on issues of common concern.

Mr Bhaderoen Bakardien, a member of the committee which is co-ordinating the merger, said the four unions which organise white post office workers had been approached to enter the merger but had refused.

South 16 22/11/89

South

South 16 22/11/89



Capt Timp 16/11/85 (278)

# 'Trojan' operation 'punitive, unlawful'

Supreme Court Reporter

THE "Trojan Horse" operation in which police used an unmarked SATS truck to drive down Thornton Road — a trouble spot during Peninsula-wide unrest in 1985 — was an "unlawful punitive expedition from the start", the Supreme Court heard yesterday.

This assertion was made by Mr Jules Browde, SC, counsel for the prosecution, in the private prosecution for murder brought against 13 security forces members. The prosecution follows the death of Shaun Magmoed, who was killed when police, concealed in crates on the back of a truck and armed with shotguns, fired 39 rounds at a group of people.

Mr Browde said medical evidence had clearly established that the cause of Shaun Magmoed's death was shotgun wounds inflicted on him, that the fatal shots were fired in a downwards and forwards direction; that at the time he had been shot Shaun Magmoed had been standing with his back to the truck, and that the shot fired at him had been live ammunition.

Ballistics evidence had conclusively established that shotguns were "most lethal and imprecise weapons" and when fired shot would start spreading at a distance of about four metres.

The totality of the evidence had established beyond a reasonable doubt that Colonel Pieter Janse van Rensburg (SAP), Colonel Christian Loe-

dolff (SA Railways Police) and Commandant Salmon Pienaar (SADF) had ordered and instructed the carrying out of the operation which resulted in the death of Shaun Magmoed.

The remaining accused had all been on the truck and each had participated in the operation, Mr Browde said.

The firing had been indiscriminate and not directed only at those throwing stones. Immediately the firing started people in the vicinity had turned and fled. Despite this the firing continued, Mr Browde said.

Because there was no evidence from the accused explaining their conduct or attempting to justify such conduct in terms of Section 49 of the Criminal Procedures Act (which authorises the use of force in effecting an arrest and even justifies homicide), the prosecution submitted that there was no conceivable basis on which such a defence could succeed.

The prosecution submitted that the common purpose that had been established in relation to each accused provided the basis for their conviction of the offence of murder, alternatively culpable homicide, Mr Browde said.

The hearing continues today.

Mr Justice D M Williamson was on the bench. Mr Browde, assisted by Mr Jeremy Gauntlett, SC, Mr Les Rose-Innes and Mr Denzil Potgieter, instructed by Y Ebrahim and Co, leads the prosecution. Mr Flip Hattingh, SC, and Mr June Wessels, instructed by Mr Adrie Brand, appeared for the men on the truck. Mr W Burger, SC, with Mr Piet de Jager, appeared for Commandant Pienaar. Mr P de Bruyn SC, assisted by Mr Anton Veldhuizen, appeared for the police officers.

# Court told of shots after election day

Cape Times 16/11/89  
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By **MONICA GRAAFF**  
Court Reporter

A POLICE constable told the Wynberg Magistrate's Court yesterday that concealed policemen were "probably" firing rubber bullets or tear-gas through the portholes of a moving police truck the day after the September 6 general election.

Constable Etienne Nel of Deep River police station was testifying in the trial of Mr Igshaan Kenny, 20, of Retreat, who yesterday pleaded not guilty to a charge of public violence.

Mr Kenny is one of the few people against whom charges have not been dropped for allegedly being involved in stone-throwing incidents on the Cape Flats during the election period.

When he first appeared in court in September he was wearing a blood-drenched T-shirt and had blood caked over a cut on his head.

He alleged that he had been beaten up by the policeman who arrested him and afterwards by other policemen in the back of the truck.

The state alleges Mr Kenny threw a stone at a moving police truck after gathering with four others in Gate Road, Steenberg on the evening of September 7.

A stone allegedly hit the police truck below the windscreen.

Constable Nel told the court that he was the driver of the patrolling truck carrying other policemen who were concealed in the back.

## 'Mostly agitators'

They were "probably" pointing their rubber bullet and teargas launchers out of the portholes and firing, he said.

Under cross-examination by defence counsel Mr S Desai, he agreed that it was natural for people in the street to start run-

ning away when they heard shots being fired.

"The street was fairly empty that night and the people who were out and about were mostly agitators," he said, adding that he was very familiar with people who threw stones.

Constable Nel said he arrested Mr Kenny but denied beating him up, saying: "I am not interested in hitting them. I may have lost control when I was younger but I am too old for that now."

He said that although the area was very dark he was sure that it was Mr Kenny he saw throwing a stone at the truck.

He said he stopped the truck, got out and caught Mr Kenny who had run in the opposite direction from the other three who also allegedly had thrown stones.

The hearing was adjourned until December 18. Mr Kenny was released on his own recognisance.

Ms M J Griessel was the magistrate. Mr C K Petty prosecuted Mr Desai was instructed by Ms Beverly Franks of Y Ebrahim and Company.



# SADF man 'not entitled to give orders'

CAT Trials 17/11/89

(22)

Supreme Court Reporter

COMMANDANT Salmon Pienaar, the only SADF member accused of murder in the "Trojan Horse" trial, could not have given police orders to commit an unlawful act because his authority only extended to army personnel, the Supreme Court heard yesterday.

There were no SADF members involved in the operation.

This was said by Mr W Burger, SC, for Commandant Pienaar, during argument in the trial of 13 security force members who have pleaded not guilty to murder following the death of 16-year-old Shaun Magmoed on October

15, 1985, when police, hidden in crates on the back of a SATS truck, opened fire on a group of people when the truck was stoned.

The men have pleaded not guilty to the charge and the alternative charge of culpable homicide.

Mr Burger said the private prosecutors had not led any evidence to show that Commandant Pienaar was aware that the policemen were armed with shotguns.

It was clear from evidence that he could not have given police orders and there had also not been evidence that a joint decision, by or on behalf of the commandant, had been conveyed

to the men on the truck to commit an illegal act, Mr Burger said.

A Joint Operations Centre (JOC) existed at the Manenberg police station and the private prosecutors alleged that Commandant Pienaar, Colonel Pieter Janse van Rensburg (SAP) and Colonel Christian Loedolf (then SA Railways Police) had jointly decided on the operation. They did not actively take part in the operation and remained at the JOC.

The prosecutors had also not proved that before the men had left Manenberg police station they had a common purpose to unlawfully and intentionally kill people, including Shaun Mag-

moed.

Mr P Hattingh, SC, for Lieutenant Douw Vermeulen and the men on the truck, said it was clear that the prosecutors did not know which of the accused had caused the death of Shaun Magmoed.

It was clear that the prosecutors depended on the common purpose doctrine, which had allegedly been formed at Manenberg Police station before the truck left.

From the evidence it could, not be concluded that the accused had a common purpose to unlawfully kill people, Mr Hattingh said.

The hearing continues today.

overflowed its banks yesterday. The area reported  
parking area at the mouth was also washed away by the waters. Dam was filled

# Woman wins R14 000 claim against police

CAT  
Tint  
17/11/86  
J. S.

Supreme Court Reporter

A GUGULETU woman, who was wounded in the neck when police opened fire on a crowd of people who had attacked a truck, yesterday won R14 000 in damages from the Minister of Law and Order.

Evidence was that on February 11, 1986, a truck belonging to Chilwan's Bus Service was stoned by a group of people and was subsequently set alight.

Mrs Evelina Nomtshongwana was outside her sister-in-law's house in NY 115 on February 11, 1986, watching the incident when she felt a sting on her neck.

Mrs Nomtshongwana said she had reported her injury to the Guguletu police station where she was arrested on a charge of public violence, which was later dropped.

Mr Justice J H Conradie entered judgment in the amount of R14 000.

Mr John Whitehead, instructed by Mr Gary Jansen of Y Ebrahim and Co, appeared for Mrs Nomtshongwana. Mr B M Griesel, instructed by the state attorney, appeared for the minister.



**Supreme Court Reporter**  
POLICEMEN on a SATS truck who had been ordered to arrest stonethrowers in Thornton Road, Athlone, were entitled to open fire because their lives were danger and the truck was a "soft target", the Supreme Court heard yesterday.

This was said by Mr Flip Hattingh SC, for nine policemen, during argument in the "Trojan Horse" trial yesterday.

Thirteen security forces members, including a commandant in the SADF, have been charged with murder in the first private prosecution on that charge in South African legal history

The trial is a sequel to the death of Shaun Magmoed, 16, during an incident in Thornton Road on October 15, 1987 when the policemen, hidden in crates on the back of the SATS truck, opened fire when a group of people who had gathered at the intersection of Thornton and St Simons Roads stoned the truck.

The private prosecutors alleged the policemen on the truck had acted in common purpose with three officers — Colonel Pieter Janse van Rensburg (SAP), Commandant Salmon Pienaar (SADF) and Colonel Christian Loedolff (then SA Railways Police) and that the common purpose had been formed at the Manenberg police station where a Joint Operations Centre (JOC) had existed.

Mr Hattingh told the court the men had been ordered to

# Court hears police were in danger

*CAI Tuis*  
*18/11/89*  
*(JOC)*  
*275*

arrest stonethrowers, but had been forced to act when their lives were endangered by stones hitting the truck.

From video evidence it was clear that a large brick had gone through the unprotected windscreen of the cab where Constable James Sayer was seated. Had police been able to arrest the person who threw the brick, a charge of attempted murder would have been appropriate.

The truck had been a "soft target," he said.

The hearing continues on Monday.

Mr Justice D M Williamson was on the Bench. Mr Jules Browde SC, assisted by Mr Jeremy Gauntlett SC, Mr Les Rose-Innes and Mr Denzil Potgieter, were the prosecuting counsel. Mr Hattingh, and Mr Jurie Wessels, instructed by Mr Adrie Brand of De Klerk and Van Gend, appeared for Lieutenant Douw Vermeulen and the men on the truck. Mr W Burger SC, assisted by Mr Piet de Jager, appeared for the SADF member Mr P de Bruyn SC, assisted by Mr Anton Veldhuizen, appeared for the police officers.



Picture: WILLIE de KLERK, The Argus.

**JOBLESS:** Mr Abraham Onverwacht and his glass eye.

## The brick that shattered a life

APR 20 11 18 9

By CLIVE SAWYER  
Tygerberg Bureau

A BRICK that cost him an eye has meant the end of the road for long-distance driver Mr Abraham Onverwacht of Sarepta.

Mr Onverwacht, 29, was driving a brick delivery truck between Bonteheuwel and Langa on September 8 when a gang of youths rained bricks down on his truck.

"I lost consciousness when a brick hit me on the side of the head," Mr Onverwacht said. He was hauled from the truck, which was then burnt out.

### BURST EYE

"I woke up in hospital, to be told by doctors that the brick had fractured my skull and burst my right eye."

Now he has a glass eye, which he tosses idly in his hand as he speaks: "I hate wearing it."

He found out after his discharge from hospital that his insurance did not cover the injury.

Doctors told him to avoid labourer's jobs because of the skull injury, which still causes dizzy spells.

"I can't take a desk job be-

cause I haven't the education, and I have no money to study further," Mr Onverwacht said.

"Photography and swimming were my hobbies and they have been ruined for me," he said.

### DISABILITY

Mr Onverwacht has been to see the Bellville district surgeon for a medical certificate to qualify for a disability grant.

In the meantime he is living on irregular R32 Department of Health and Social Welfare food vouchers, which he uses to feed himself, his wife and small son. His wife has no job.

"In my work as a long-distance commercial driver I have seen Zimbabwe, Mozambique and Botswana. Now I travel by public transport."

He took a factory job for a while but the harsh noise made him feel faint.

"I am desperate and depressed," he said.

"I call on those who throw rocks senselessly to realise they are not helping anyone, and to see how easily they can ruin someone's life," Mr Onverwacht said.



# Van Eck warns FW of 'bloody township conflict'

By MICHAEL MORRIS, Political Staff

"BLOODY" conflict could be imminent in Old Crossroads as tension mounts between opposing groups who have been locked in dispute for months, Democratic Party MP for Claremont Mr Jan van Eck has warned in an open letter to President F W de Klerk.

In an urgent appeal for presidential intervention, Mr Van Eck says he fears that "unless some immediate steps are taken, a bloody conflict with loss of life and property — similar to the massive conflict in Old Crossroads in 1986 — will erupt".

Mr Van Eck's letter was faxed to the President's office yesterday, and copies were sent to Minister of Law and Order Mr Adriaan Vlok, Prime Minister of the Transkei Major-General Bantu Holomisa, the Minister of Constitutional Planning, Mr Hernus Kriel, and MEC Mr J W Theron.

In the letter, Mr Van Eck describes tensions between the mayor of the community, Mr Johnson Ngxobongwana, and 14 of the 19 headmen, led by Mr Jeffrey Nongwe.

One of the major reasons for the conflict between the two groups, Mr Van Eck believes, is allegedly fraudulent practices in the use of money collected from residents to purportedly improve their housing. Police are investigating a fraud charge.

Mr Van Eck says he reported the situation on several occasions to Mr Vlok, the Western Cape Commissioner of Police, General P Fourie and the riot police. "Nothing has improved".

He warns that a "crisis point" has been reached and that as an appointed rather than elected leader, Mr Ngxobongwana lacked legitimacy.

"This is worsened by the fact that he is openly allowed to control, influence and interfere in the daily lives of all residents ..."

Mr Van Eck claims that supporters of Mr Ngxobongwana have resorted to "widespread intimidation" and violence against their opponents.

A spokesman for Mr De Klerk confirmed that the letter had been received. "When, and if, Mr De Klerk responds, he will do so personally, not publicly."



Mr Van Eck

# Police were in danger, says counsel

Supreme Court Reporter

AFFIDAVITS made by the accused in the "Trojan Horse" trial that they had opened fire because their lives were in danger should be taken into account when the court considered if they had acted in self-defence and if so, if they had exceeded the bounds of self-defence, the Supreme Court heard yesterday.

This was said by Mr Flip Hattingh SC, counsel for nine policemen, during argument in the trial in which 13 security forces members are charged with murder, alternatively culpable homicide.

The trial, a private prosecution, is a sequel to an incident in Thornton Road on October 15, 1985 when policemen hidden in crates on the back of a SATS truck, opened fire on a group of people who had stoned the vehicle.

Mr Hattingh said it was clear that a large number of people were involved in the attack on the truck and in the circumstances it appeared "highly unlikely" that the accused would have chosen instead to shoot at innocent bystanders.

If the evidence of the witnesses who lived in the area was correct, it could be concluded that a large part of the crowd consisted of people who had gone to the area to participate in attacks on vehicles.

## No one causally linked

It was "highly improbable" that a group of people who had just come out of a house and innocently stood on a concrete slab outside would be singled out by police as targets for their actions, while several people had been closer to the truck.

There was no evidence to prove which of the accused fired the shot or shots which killed Shaun Magmoed. It was common cause that not all of the accused fired in his direction.

There was no evidence that the actions of one or other or all the accused could be causally linked to the death of Shaun Magmoed and that they were guilty of culpable homicide.

Where the accused had said in affidavits that their lives had been in danger, the court must consider if they had in fact acted in self-defence and if so, if they had exceeded the bounds.

Their statements that their intention had been to arrest stone-throwers should also be considered.



PRETORIA. — Police used shotguns, rubber bullets and tearsmoke to disperse a crowd of about 3 500, apparently striking SATS workers, at Reunion station, Unmlazi, on Monday, according to yesterday's police unrest report.

The crowd had surrounded a ticket examiner and police on duty at the station to guard against intimidation.

One of the crowd allegedly incited others to kill the police, the report said, and a shot was fired at the police from among the crowd.

Twelve men and three youths were wounded.

At Muzimhlope station in Soweto, a group set

Police  
fire on  
station  
crowd

CAPE TIMES 22/11/87

fire to a passenger carriage. Damage was extensive.

Two private homes at Mpumalanga, in Natal, were damaged in petrol-bomb attacks. A number of shots were fired at a third house. Two occupants of the house, a man and a woman, were wounded. — Sapa

... group said the family had been "with his treatment," Mrs. Bishop said.

# Judgment reserved in 'Trojan Horse' trial

Supreme Court Reporter

JUDGMENT was yesterday reserved in the "Trojan Horse" trial — the first private prosecution for murder in South African legal history — which entered the final stages when counsel for two police officers addressed the court.

Mr P de Bruyn, SC, for Colonel Pieter Jansse van Rensburg and Colonel Christian Loedolf, said the guilt or otherwise of the men should be judged on the fact that a joint decision had been taken to send an unmarked truck on a planned route to identify and arrest people who instigated unrest.

The two police officers, a commandant in the SADF and nine policemen had been charged with murder, alternatively culpable homicide, following the death of Shaun Magnoed, 16, after police hidden on the back of a SATS truck opened fire when the truck was stoned by a group of people.

*Capl Tim's 22/11/89*

Mr De Bruyn said the evidence of General Bert Wandrag, a deputy commissioner of police in charge of the police operational unit, confirmed that police were required to take purposeful action to combat unrest.

There had been no evidence that Col Van Rensburg had taken a decision regarding the type of shot used on the truck that day.

Because of the seriousness of the unrest, Col Loedolf had warned the men on the truck not to place their lives in danger and had impressed on them to act in a lawful manner.

They were ordered to shoot only when it was absolutely necessary and when there was no other way to arrest stone-throwers. The only defence Colonels Van Rensburg and Loedolf could broach was that the operation was a lawful one, Mr De Bruyn said.

To prove a common purpose between

the colonels and the men on the truck, the prosecutors should have proved the existence of a prior agreement with an intention to purposefully, alternatively unlawfully, kill or assault.

In the absence of such proof, the accused could only have been present at the scene and been aware of unlawful actions.

If their order was unlawful, the men could only be convicted if there was proof of an unlawful action by the men on the truck.

Accordingly Colonels Van Rensburg and Loedolf should be acquitted and discharged, Mr Hattingh said.

The trial was postponed to December 11.

Mr Justice D.M. Williams was on the Bench. Mr Julius Browde SC, assisted by Mr Jeremy Gaardner SC, Mr Ian Roper and Mr Daniel Forster, instructed by V Ebrahim and Co, led the prosecution. Mr Fip Harshigh SC, and Mr Jule Weisheit, instructed by Mr Adria Brand of De Klerk and Van Gend, appeared for Lieutenant Douw Vermeulen and the men on the truck. Mr W Burger SC, assisted by Mr Piet de Jager, appeared for the SADF member. Mr De Bruyn, assisted by Mr Arnon Veldhuizen, appeared for the police officers.

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## Mother jailed for public violence

### False Bay Bureau

A STRAND mother-of-three has been jailed for an effective nine months for public violence after being arrested shortly after a beach protest had been dispersed by police.

Strand regional magistrate Mr D Cronje sentenced Diana van Beulen, 22, of Rusthof, to two years in jail, of which 15 months were conditionally suspended, for having thrown a stone at a police vehicle.

Van Beulen pleaded not guilty to public violence, but guilty to an alternative charge of malicious damage to property.

### UNCLE IN BRAWL

Van Beulen told the court she and two of her children had been on the way to a relative's house to deliver some chickens when she had stopped near a brawl in which her uncle had been involved.

She said a man had knocked over her five-year-old daughter and run off with the chickens. She had picked up a half-brick and thrown it in his direction.

She said because many people who had been at the beach protest were around the brawl, police had arrived and fired teargas, and an unrest situation had developed.

Mr Cronje rejected her evidence and accepted the version of two police witnesses, who said they had picked out Van Beulen by her white dress.

The magistrate reprimanded one of the policemen for his aggressive attitude under cross-examination by Ms Ilze Olckers, for Van Beulen.

Ms H Lombard appeared for the State.

● Ms Olckers said she would lodge an appeal.

AKG S. 278  
y November 23 1989 3

## Pro-Yengeni demos arrested on way to court

### Staff Reporter

EIGHT demonstrators who gathered in Greenmarket Square to express solidarity with the Yengeni treason trialists in the Supreme Court were arrested today because they did not have permission to demonstrate.

Police confiscated two placards reading "Our struggle for freedom is not an act of treason" and "Release all political detainees" when the group first tried to demonstrate outside the Metropolitan Methodist Church in Burg Street.

The demonstrators went back into the church and then regrouped on Greenmarket Square where the police gave them five minutes to disperse, seizing another placard.

### MESSAGE OF SUPPORT

A spokesman for the demonstrators said their only intention was to remind people of the many political detainees, and to express support for the Yengeni trialists.

Most moved towards the Supreme Court, but were stopped by the police, who arrested eight.

Inside the church a message of support from the Yengeni trialists was read out, as a small group gathered to decide what action to take next.

Some of the group had earlier attempted to get into the Supreme Court where the trial is being heard but were turned away because it was full.

Burg Street was sealed off and there was a heavy police presence.



# Trojan 13 'guilty of common purpose'

IN an ironic twist, the prosecution of 13 security force members for the "Trojan Horse" killings depends on the same legal point that convicted the Sharpeville Six — the common purpose doctrine.

Alternatively, the 12 policemen and a South African Defence Force member were guilty of culpable homicide — also in terms of the common purpose doctrine — because they caused the death of Shaun Magmoed, 16, through negligence.

This was argued in the Cape Supreme Court this week by Jules Browde, SC, who said the Sharpeville Six trial had established that no causal connection had to be established between the conduct of an accused and the death of a person.

Thus the three senior police, railways police and defence force officers who devised the scheme could be held guilty even though they were not at the scene. So could the truck's driver, although he fired no shots.

And although the prosecution could not establish which of the policemen fired the fatal shots, this too was not

By GAYE DAVIS,  
Cape Town

necessary. Under common purpose, the action of each accused was imputed to each other, Browde said.

The security force members are in the dock in terms of a private prosecution brought by the mother of Magmoed, who was one of three youths who died in the incident.

The trial entered its final stages this week after initially being repeatedly stalled by defence counsel objections to aspects of the proceedings.

Browde described it as the "most extraordinary case" because no defence had been raised by any of the accused. The only intimation that police acted in self-defence or in order to make arrests lay in affidavits filed during an earlier inquest — and their truth had not been admitted by the accused.

Browde argued that "when the accused set out on this adventure they knew the result of it was going to be death".

The operation — sending a government vehicle into an area troubled by unrest, knowing it might be stoned — was intended to elicit an attack.

The fact that the hidden policemen were armed with shotguns, pistols and lethal ammunition meant the possibility of fatalities must have been foreseen.

After travelling once down Thornton Road without incident, the truck turned and retraced its passage — deviating from its planned route.

This amounted to a "very strong invitation — stone me and see what happens to you", Browde said.

Within seconds of the first stones hitting the truck, the policemen sprang up and started firing into the crowd — most of whom were bystanders, rather than stone-throwers.

Although people immediately turned and fled, they continued to pump 39 rounds — 1 400 "lethal pellets" — into the crowd from close range without interruption.

There was no warning, no attempt at identifying themselves or their purpose or even to leave the truck.

24-30/11/87

# Tutu hails white march into black PE township

PORT ELIZABETH. — News of the first-ever white march into a black township in Port Elizabeth was called "tremendous" yesterday by Anglican Archbishop Desmond Tutu.

Support from the archbishop came after organisers of Saturday's five-kilometre "March for Hope" received permission from Port Elizabeth's acting Chief Magistrate, Mr J M Oost-

huizen.

A "message of hope" stating a desire "to participate in building a new and non-racial South Africa" will be presented to the residents of New Brighton.

Archbishop Tutu joined local black leaders and the Eastern Cape's Mass Democratic Movement (MDM) in supporting the march.

*CAPE 11/8 24/11/88 275*



# Maverick Nat joins march for a new SA

... Meanwhile in PE, another Nat  
bridges old barriers. GAVIN  
EVANS reports

A PROMINENT National Party MP  
will be taking part in an anti-apartheid  
march in Port Elizabeth tomorrow  
morning.

Sakkie Louw, maverick MP for  
Newton Park, will be one of several  
hundred Port Elizabeth whites taking  
part in the "March for Hope"; from  
PE's white suburbs to its black town-  
ships.

The marchers are expected to be met  
by the city's Mass Democratic Move-  
ment leadership, and thousands of  
supporters, at the Centenary Hall in  
New Brighton at noon tomorrow.

A "Message of Hope", which calls  
for a "new South Africa ... based on  
freedom, justice and equality, where  
protection of human rights is en-  
sured", has been endorsed by those  
involved.

It stresses that "not all whites sup-  
port apartheid", which "divides us  
and causes much suffering".

Louw's involvement in the march  
follows his presence at two meetings  
with the MDM leadership recently.

He was joined by Nat MP Frans  
Smit (North End) at local level dis-  
cussions with MDM representatives  
in which Eskom's proposed electrifi-  
cation of new areas was one of the  
issues discussed.

The meeting, which was chaired by  
SA Bottling MD Phil Gutshe, in-  
volved seven MDM leaders.

Louw also made representations to  
the government to lift the restriction  
orders on several MDM activists.

● According to local lawyer Ho-  
ward Varney, one of the event's or-  
ganisers, nine city councillors, sever-  
al University of Port Elizabeth pro-  
fessors, three bishops and several  
prominent businessmen and school  
principals will take part.

"The MDM are extremely enthu-  
siastic about this. They told us  
they've been waiting years for such  
a gesture," said Varney.

Wmail

24-39/1/89

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(27) 275

## Trial protest: 33 appear in court

Staff Reporter

THIRTY-THREE people arrested after a demonstration outside the Metropolitan Methodist Church in support of terrorism trialists have appeared in the Cape Town Magistrate's Court. They were not asked to plead and were released on warning.

They were Mr Andile Hoho, 26, of Langa; Mr Asiza Charles, 32, of Athlone; Miss Zelda Hotizman, 28; Miss Robine Kayser, 21, of Lansdowne; Mr Leon Vollenhoven, 37, of Mitchell's Plain; Mr Sidumo Cole, 25, of Guguletu; Mr Theophilus Jonas, 21, of Guguletu; Mr Patrick Nangu of Guguletu; Miss Buyiswa Jack, 35, of Nyanga; Ms June Esau, 36, of Lansdowne; Mr Andrew Mandla, 18, of Guguletu; Mr Mnikeli Msesi, 26, of Guguletu; Mr Ndumiso Boo, 19, of Khayelitsha; Mr Mtheleli Maliti, 20, of Paarl; Mr Amien Benjamin, 21, Mr Edward Cottle, 21, of Athlone; Miss Miriam Will, 21, of Manenberg; Mr Owen Fourie, 22, of Manenberg; Miss Rosei Bles, 32, of Bellville Technikon; Sister Clare Horkif, 46, of Rondebosch; Mr Sidney Luckett, 42; Mr S Sodidi, 30, of Nyanga; Mr Balfour Ngconde, 35, of Guguletu; Miss Yasmine Jacobs, 29; Mr Otto Ntuli of Nyanga; Mr Ferdinand Faine, 29, of Hanover Park; Mr Kiwelo Mpahlwa, 26, Cape Town; Mr Mac Jonas, 23, of Athlone, and five minors.

The magistrate was Mr H J Venter. Mr D J Cloete appeared for the State. Mr V Saldanha appeared for the accused.



# 2 stabbed, hacked to death in Natal

CNT Times 24/11/89

278

PRETORIA. — The bodies of two men who had been stabbed and hacked to death were found in Hammarisdale, Natal, by police after their patrol had been fired on, yesterday's police unrest report said.

A woman suffering from stab wounds was also found by the police, who took her to hospital.

In another incident in the area, a mob attacked a private dwelling with petrol bombs and also fired shots at it. Four men and a girl were injured.

And at Ntuzuma, Durban, a private house was extensively damaged in a petrol-bomb attack. No injuries were reported.

Other incidents were reported at Katlehong, Germiston, where arsonists caused serious damage to a squatter shack, and at Croesus railway station, Johannesburg, where it was discovered that two railway coaches were on fire. Extensive damage was caused.

At Roodekop, Germiston, a group of strikers from a timber company allegedly attacked two workers. Another worker, who apparently attempted aid the two, was wounded and arrested. — Sapa

Capr Times 24/11/89

~~275~~ 275

# Removal of signs has not defused grievances

Cape

By PETER DENNEHY

TAKING down "whites only" signs from the beaches has not ended apartheid in Mossel Bay, nor has it defused grievances felt by many of the town's 30 000 black and coloured residents.

The Rev Leslie Crotz, moderator of the Volkskerk van Afrika, said yesterday that Saturday's planned march would now be a celebration of the opening of the beaches as well as a protest against other matters.

"Our main speaker will be Mr Franklin Sonn and Lieutenant Gregory Rockman has

also agreed to attend," Mr Crotz said. "We have permission from the municipality and the police and the magistrate have been most helpful.

"We want to rename Santos Beach 'Madiba Beach'. That is one of Mr Nelson Mandela's names."

The marchers plan to hand over lists of their various grievances to the municipality, the police, the local chamber of commerce and the Department of Education and Training.

They wanted to complain about some state-

ments made by the mayor; about allegedly discriminatory employment practices by some businesses in town; about the lack of a doctor at the post office; the fact that Khosa-speakers at the post office; the fact that no doctor was in attendance at the KwaNongaba clinic; poor educational and other facilities; restriction orders on community leaders in Oudtshoorn, and others.

What was not mentioned in the list of grievances was the continued presence of some apartheid signs in the town, even after the beach signs had been removed.

An inspection yesterday revealed that notices were still up reserving two council-

owned caravan parks near the beaches, Santos and the Point, for whites only.

Domestic servants are allowed in the caravan parks only between 7am and 8pm, according to the notices.

Not everyone in the town is happy about the beach apartheid signs coming down.

One young white woman asked whether all of them had been removed. When told that there was still at least one "whites only" sign at a Hartenbos beach, "just over 7km away," she said: "Thank heaven for small mercies."

There are still separate public toilets for "whites" and "non-whites" in Mossel Bay.



**Public packs court for  
Rockman's appearance**

CASE TIPS 24/11/57

575 Court Reporter

MITCHELLS PLAIN Magistrate's Court was packed with members of the public and prison warders yesterday when suspended policeman Lieutenant Gregory Rockman and 15 others appeared in connection with an alleged illegal gathering in Mitchells Plain Town Centre last week.

The 16, 11 of whom are suspended prison warders, were arrested after a protest march by the newly-formed Police and Prisons Civil Rights Union (Popcu), headed by Lt Rockman.

They were not asked to plead and the hearing was postponed till January 10 when the attorney-general's decision regarding prosecution will be made known.

*CAPE TOWN 25/11/89*  
**Parade clash:**

**11 in court** (275)

**Court Reporter** ~~275~~

ELEVEN people were released on their own recognisance yesterday after appearing in the Cape Town Magistrate's Court in connection with an incident on Wednesday in which a Rastafarian band clashed with police on the Grand Parade. They were not asked to plead and were warned to appear again on December 15.

The incident occurred when a traffic officer allegedly tried to stop the band playing amplified music near the stalls.

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# Unemployed march through city streets

*Cape Times 25/11/87 (275)*

ABOVE: Hundreds of unemployed thronged the streets of Cape Town in a legal march yesterday protesting against high bread prices, general unemployment and for basic food prices to be frozen. BELOW: A protest marcher hands a petition to the regional representative of the department of agriculture, Mr F J Venter, at Customs House on the Foreshore. Mr Venter told the organisers he would forward the petition to the Minister of Agriculture, Mr Jacob de Villiers.

BY YVETTE VAN BREDA

ABOUT 600 chanting unemployed people and striking workers marched through the streets of Cape Town yesterday to hand over a petition with about 5 000 signatures to an official of the Department of Agriculture

The marchers were protesting against rising food prices, sales tax, and low incomes

The march was organised by the National Unemployed Workers Co-ordinating Committee (NUWCC) in conjunction with the Mass Democratic Movement.

A police spokesman said the march had been approved by the Chief Magistrate of Cape Town

The march was supposed to take place at noon yesterday, but after some confusion about where the march would start, it only got underway at 1 45pm from Kaizergracht in District Six and proceeded to Customs House on the Foreshore

Placards read "We need jobs, not prices", "Bread at prices we can afford" and "Down with the wage freeze,

forward to a living wage".

Escorted by police and traffic officials and followed by a large contingent of police vehicles, the marchers sang as they toyi-toyed along Civic Road, Hertzog Boulevard and into upper Adderley Street until they reached Customs House Traffic along the way was stopped for them to pass

There, by prior arrangement, they were met by the regional representative in the Department of Agriculture, Mr F J Venter, who accepted the petition

It contained demands for the bread price to remain low, for all basic food prices to be frozen, for sales tax to be removed from these products and for a living wage for all.

Mr Venter said he would hand the petition to Agriculture Minister Mr Jacob de Villiers

The marchers sat down for a while and then sang Nkosi Sikelel' i Afrika

Some went to the nearby bus station, but about 400 marched to the railway station, ignoring police orders to walk on the pavement.





*Cape Times 27/11/89 (275)*  
**White 'hope of march' in PE**

PORT ELIZABETH. — Deafening cries of "moliweni" or "welcome" resounded throughout the streets of New Brighton on Saturday as about 1 000 whites marched into the black township.

Tens of thousands of residents came out to greet the marchers and receive their "message of hope" in the first

march of its kind in the country.

The white marchers and black residents filled the 10 000-seat hall.

Messages of support from recently-released Rivonia trialist Mr Raymond Mhlaba and the Mayor of Cape Town were read out.

*APR 7/11/89* *(275)*  
**Crowd calls on mayor to quit**

A CROWD of between 15 000 and 20 000 people, including suspended rebel policeman Lieutenant Gregory Rockman, converged on the Mossel Bay municipality to call for the resignation of the town's "racist" mayor after marching from nearby D'Almeida township.

The mayor, Mr Johan Oosthuizen, was not there to receive the crowd as he was in Taiwan; an organiser, the Rev Leslie Crotz, moderator of the Volkskerk of Africa, said last night.



# 11 die, 20 held in violence in townships

*Call Trip 28/1/89*

*275*

DURBAN. — At least 20 people have been arrested in the past week by a special police unrest unit and 11 people were killed in a spate of overnight violence that hit several townships over the past 24 hours.

Police said yesterday the arrests came after breakthroughs were made by detectives headed by Captain Frank Dutton, of the Unrest Investigation Unit, set up to investigate crimes committed during Natal's political violence.

According to the police unrest report 11 people were killed, several others injured and at least six arrested in the past 24 hours.

Most of the violence occurred in the KwaMashu township on the outskirts of Durban.

The report said one man was stabbed to death and two others burnt by a mob in the township. A police constable also killed a fourth man when he fired birdshot to disperse a group of attackers.

Also in KwaMashu, police found the body of a 35-year-old man after they dispersed a crowd with tearsmoke. He apparently had been attacked before the police arrived.

At Hlanzeni, near Camperdown, a man was shot dead by an unknown assailant, while at Mpumalanga, near Hammarsdale, two people were shot dead by unidentified gunmen.

At Steadville, near Richmond on the Natal south coast, a municipal policeman was attacked and killed by unidentified people.

An arson attempt was made on a school at De Doorns, near Worcester. — Sapa

# Court crowded for Maties' march case

Case 7415 28/11/89 (275)

By MONICA GRAAFF  
Court Reporter

THE Stellenbosch Magistrate's Court was packed yesterday and a peaceful picket demonstration and church service were held outside to mark the start of the emergency regulation trial of former Nusas chairman Ms Leslee Durr and 27 others.

The accused, most of whom are connected in some way to the University of Stellenbosch, pleaded not guilty to holding an illegal gathering on September 5, the day before the general election, by attempting to march from the students' union to St Mary's Anglican Church near the court.

The march was to protest the Labour Relations Act and the detention of teachers and students and to call for a living wage.

The accused included Ms Durr, the present Nusas chairman Mr Rudolf

Mastenbroek, English lecturer Mr Rob Gaylard, the Rev Adonis Booyse, 12 students and 11 university workers.

A warrant of arrest was authorised but was stayed until February next year in respect of another accused, foreign journalist Mr James Mitchell, who is currently overseas.

Giving evidence yesterday, a Stellenbosch riot squad chief identified only as a Captain Els told the court his men arrested the protesters after they failed to heed a warning to disperse.

Under cross-examination by defence advocate Mr John van den Berg, Capt Els agreed that it would have been difficult for some of the protesters to hear the warning. He also agreed it would be difficult for the public to know when a gathering constituted an illegal gathering.

Mr R Nortje was the magistrate. Mr J van Reenen prosecuted. Mr Van den Berg was instructed by Ms Olckers.



# Policeman injured as patrols are fired on

DURBAN — South African Police patrols came under fire 10 times on Monday in trouble-torn Mpumalanga, between Durban and Maritzburg. One policeman, Constable A J J Kruger (21), was struck in the head by a shot apparently fired from a home-made gun. His condition yesterday was said to be satisfactory.

A bullet narrowly missed hitting Brigadier Gerrit Viljoen, co-ordinator of riot control in Natal. Monday's armed attacks on SAP patrols occurred mainly in Section C at Mpumalanga, where a number of houses were burnt down and cars destroyed. The shootings took place as patrols moved in to restore order, Brigadier Viljoen told a press conference in Durban yesterday. He blamed rival Inkatha and UDF factions for the trouble.

The attacks came after a week in which five policemen were brutally murdered in four different incidents in Natal. SAP chief liaison officer in Natal, Lieutenant-Colonel Charl du Toit, said it was "alarming that the police are being shot at. Section C in Mpumalanga saw a new surge of violence begun late last week and the area really went wild on Monday."

After police moved in on their assailants, three firearms — a R-1 rifle, an Astra .765 and a 9mm pistol — were seized. Journalists at the press conference were shown a police video of some of the incidents in Mpumalanga. Two black people could clearly be seen firing guns at the police, who immediately gave chase. The video showed houses burning fiercely, cars in flames and barricades across roads.

Brigadier Viljoen, who vacates his post today, has been transferred to Petersburg and promoted to regional commissioner of police, Far North, from January 1. He arrived in Natal in February this year and was first stationed in Maritzburg. In May he moved to Durban to head riot control in the province. — Sapa.

## DP to probe UDF, Inkatha clash

# 4 dead, 14 houses burn in Maritzburg violence

MARITZBURG — Violence erupted in Mpumalanga on Monday after a group of men went on the rampage, killing at least four people and burning down 14 houses.

A strong police presence was reported, with contingents of kwazulu police, South African Police and special constables operating in the area. On Monday night residents from the district said two sections of the township, Units One and Three, predominantly "UDF areas", were nearly deserted after the day's violence. They said hundreds of people, particularly women and children, had fled the area when they were attacked by a large group shortly before midnight.

Police said one SAP member was shot in the head during the violence. They could not provide any details about the incident, but spokesmen said the policeman was still alive. The SAP declined to comment on claims that a deployment of special constables took part in the attacks on the homes in the area, and referred inquiries to the emergency regulations concerning the deployment and action of security forces.

An account of the day's violence was given by Democratic Party MP Mr Mike Tarr and DP regional organiser Mr Radley Keys, who visited the area on Monday. The account, based on reports from a range of witnesses, concided with information received from residents in the area. Mr Tarr and Mr Keys said the reports cast doubt on the tactics used by the police. "We are determined to get to the bottom of the

situation and have started an independent investigation," Mr Tarr said. "We'll be taking affidavits from witnesses, meeting with police and all the parties affected."

Mr Keys said they were told a group of residents from Inkanda, an area known to be an Inkatha stronghold, and allegedly some special constables moved from Inkanda to a lower section of Mpumalanga Unit Four. He said people in the streets were attacked with knobkerries, spears and guns. The SAP arrived and witnesses claimed most people from Unit Four fled towards Unit Three.

### Died at clinic

"The attacking group followed. By noon, 14 homes were burnt and three people were shot dead. Two were seriously injured and another died at the clinic. All victims had gunshot wounds," Mr Keys said.

He said witnesses told them that residents had retaliated, using knives and guns. The head of the kwazulu police in the area, Lieutenant Mandlake Mbele, confirmed that residents from Inkanda had attacked homes in Unit Three of Mpumalanga, but denied allegations of police complicity. He said he had no details of any people killed. "The SAP was there. They dispersed the attackers," he said. Lieutenant Mbele said "The violence started when the UDF people intimidated Inkatha people going to work. These people retaliated." — Sapa.

## SAP oppose group's presence in Imbali

MARITZBURG — The presence of white people in Imbali near Maritzburg served no purpose in the present political climate and was only polarising the community, police said this week.

Brigadier Gerrit Viljoen, responsible for unrest-related units in Natal, said he had information that white members of the Imbali Support Group, who have said they would stay with anyone who needed protection, had so far only been staying with supporters of the UDF.

He added that police had noticed members of the support group had been following SAP patrols in the area. "This creates the impression that they are monitoring police actions. The community does not benefit from this because it restricts policing in the area."

He appealed to the community to direct complaints about the police to the commander of the unrest unit.

Imbali councillors have also expressed concern. At a news conference attended by deputy mayor Mr Abdu Awetha and two other councillors, Mr Jerome Mncwabe and Mr Hudson Zuma, Mr Mncwabe claimed the problem was that the Imbali Support Group members were staying in homes occupied by radicals.

"They must show that they are not taking sides. I have space in my house and would welcome them to stay to show that they are not biased," he said. Mr Graeme Swan, spokesman for the support group, declined immediate comment. — Sapa.

29/11/89  
Sapa



Women and children flee - 14 houses are burnt down

# FOUR DIED IN

# VIOLENCE

*Handwritten notes:*  
27/11/89  
Mafong  
27/11/89

SOWETAN Correspondent

**VIOLENCE** erupted in Mpumalanga on Monday after a group of men went on the rampage, killing at least four people and burning down 14 houses.

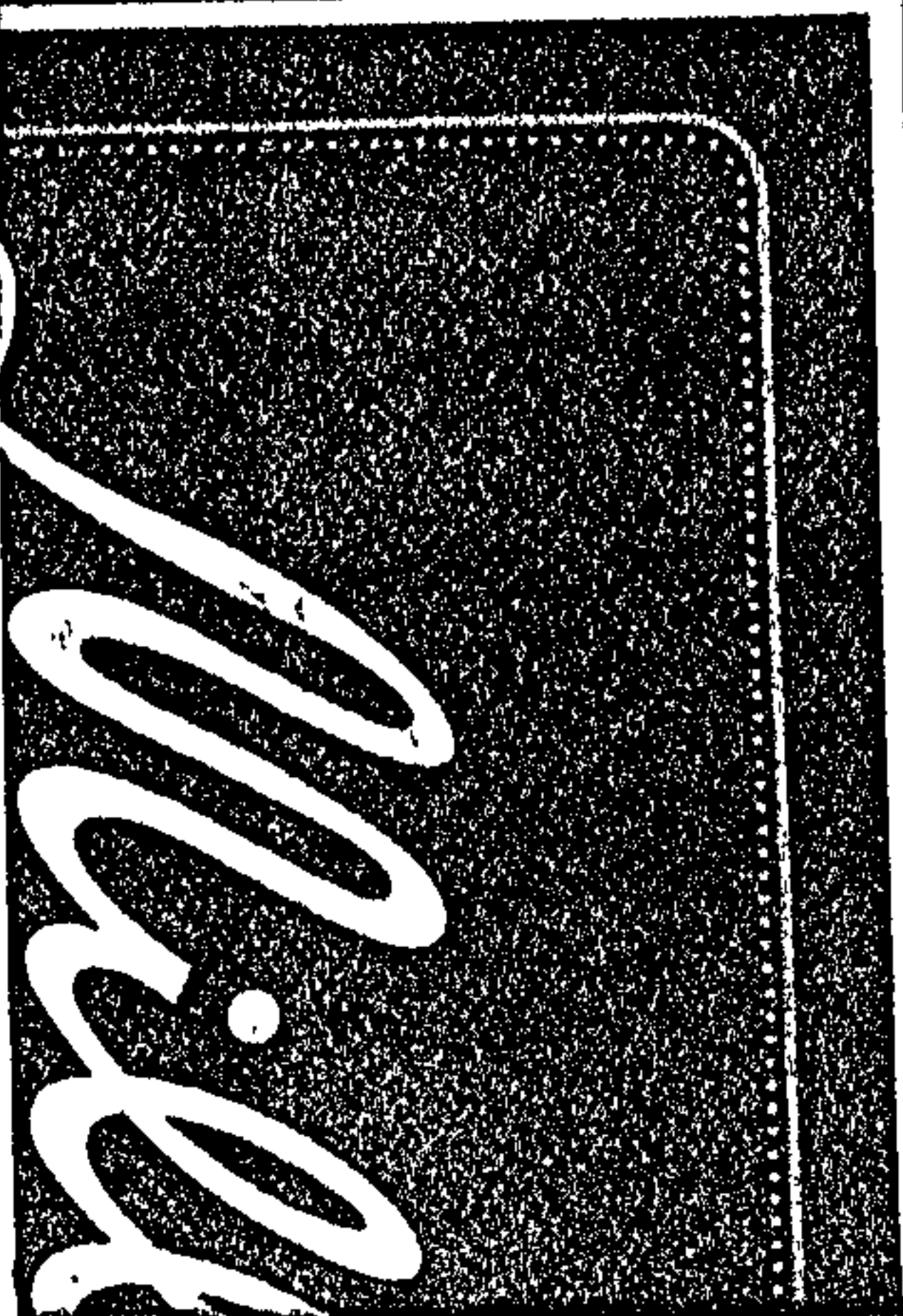
KwaZulu police, South African Police and special constables have been sent to the area. On Monday night residents from the district said two sections of the township, Units 1 and 3, which are predominantly "UDF areas" were almost completely deserted

after the day's violence. They said hundreds of people, particularly women and children had fled the area when they were attacked by a large group shortly before midday. Police said one SAP member was shot in the head during the violence. They could not provide

any details about the incident but spokesmen said the policeman was still alive. The SAP declined on Monday night to comment on claims that a deployment of special constables took part in the attacks on the homes in the area and referred inquiries to the emergency

● To page 2

P.T.O.





Sowetan 29/11/89

# 4 die in violence

● From page 1

regulations concerning the deployment and action of security forces.

An account of the day's violence was given by Democratic Party MP Mr Mike Tarr and DP regional organiser Mr Radley Keys who visited the area on Monday. The account, based on reports from a range of witnesses,

coincided with information received from residents in the area.

Tarr and Keys said the reports cast doubt on the tactics used by the police in unrest control.

"We are determined to get to the bottom of the situation and have started an independent investigation," Tarr said. "We'll be taking affidavits from

witnesses, meeting with police and all the parties affected."

Keys said they were told a group of residents from Inkandla, an area known to be an Inkatha stronghold, and allegedly some special constables, moved from Inkandla to a lower section of Mpumalanga Unit 4, which is a UDF area.

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# Police tell why they held 'peaceful' protesters

By CLIVE SAWYER  
Tygerberg Bureau

STELLENBOSCH police district commander Colonel Cornelius Taljaard has told the Stellenbosch Magistrate's Court he ordered protesting university students and workers to be arrested, not dispersed, because their gathering was illegal, in spite of being orderly.

Colonel Taljaard was one of 18 police officers who gave evidence yesterday at the trial of 28 students and workers charged with attending an illegal protest march on September 5.

The gathering was broken up by police using dogs and quirts.

Arrests were made first at De Braak and, later, when some protesters allegedly regrouped in Victoria Street.

Among the senior police officers who gave evidence were the then station commander,

Lieutenant-Colonel Trevor Vermeulen, security branch chief Captain Phillipus Fourie and the riot squad head, a Captain Els.

Asked by Mr John van der Berg, for the accused, if it was usual practice to warn people before dispersing them, Colonel Taljaard said each officer in charge of a "situation" had to use his own discretion.

Mr Van der Berg: There has been evidence this gathering was orderly, tame and not earth-shattering.

Colonel Taljaard. They were making a lot of noise. They could have done anything.

He said police action against students had not been inspired by the university authorities' known disapproval of protest.

Asked by Mr Van der Berg why the trial was being allowed to proceed when there were protests being allowed "all over the Cape", Colonel Taljaard said. "I have no idea."

Constable Johannes Roux

said he and other police had arrested protesters after being told to do so by Captain Els. The protest had been peaceful, he said.

After the "action" at De Braak was over, police arrested people in Victoria Street following a radio report that protesters had regrouped there.

Those arrested had been heading toward university residences, he said.

Sergeant Gert du Plessis said no order to arrest people was given at the scene of the protest.

Orders to arrest had been given earlier that day at Stellenbosch police station and all arrests were made in terms of the emergency regulations, he said. No order to disperse was given at De Braak.

Constable Michael Horstmann said those arrested had not had a "threatening bearing".

Each of the arresting officers testified that the accused

had been singing, dancing and waving clenched fists.

Lieutenant-Colonel Vermeulen said he was effectively in command, while Colonel Taljaard said he had given orders to disperse the crowd.

Four policemen said arrests had been made in terms of the emergency regulations, while others said they were made in terms of the Internal Security Act.

Captain Fourie said the security branch had radio contact with two plainclothes members, Constable Tetile Sigwendu and a Constable Nel, who monitored the march after it left the university campus.

They knew about the march because informers and other police had supplied them with pamphlets advertising it, said Captain Fourie.

"For a singing, protesting group, it was relatively orderly.

(Proceeding).



# Workers picket at council

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CAPE Town City Council drivers are up in arms over what they say is a failure on the part of the council to recognise the difficult conditions under which they work.

The workers, members of the South African Municipal Workers' Union (Samwu), held a picket outside the Civic Centre on Tuesday night to highlight their grievances.

A spokesperson for the workers said they were "very dissatisfied" with the findings of a job evaluation report recently completed by the council.

The report failed to address the problems faced by code 10 and 11 drivers, he said.

The drivers felt they should be much better paid because their work involved a wide range of responsibilities.

*South: 30/11-6/12/89*

# Chaos after police broke up peaceful protest <sup>McUS</sup> — witnesses <sup>30/11/89</sup>

Tygerberg Bureau <sup>275</sup>

DEFENCE witnesses in the trial of 28 Stellenbosch University students and workers charged with attending an illegal gathering have told Stellenbosch Magistrate's Court that chaos followed a police dispersal of a peaceful march.

The Rev Adonis Booyse of the African Methodist Episcopal Church said he had been in front of the 200-strong procession when they were stopped by police on September 5.

He asked the riot police commander, a Captain Els, to let the group go on to a scheduled church service at St Mary's on De Braak, a square in Stellenbosch.

"He said the church service would be illegal. I asked him to repeat himself because I could not believe my ears."

## ORDERLY PROCESSION

When police charged without warning, people scattered and there was chaos, said Mr Booyse.

Accused Miss Pearl Joubert said the procession had been orderly considering the number of people who took part.

Miss Joubert was one of the group who tried to negotiate with Captain Els.

"When I asked him if we could cross the road to go to church he said: "Miss, you are not setting foot on De Braak."

Mrs Marika Flockemann, a University of Western Cape lecturer who attended the march to monitor events, said onlookers appeared "bemused at the sight of a peaceful protest in Stellenbosch".

"I heard no warning to disperse and was close enough to the police vans to have heard one. People scattered as police charged with sjamboks and dogs."

Asked by Mr John van der Berg, for the accused, if there had been any apparent reason for the march to be broken up, Mrs Flockemann said: "No. I was shocked at what happened."

At the start of yesterday's proceedings Sergeant Martinus Louw of the police video unit showed a tape of the events.

The hearing continues.





# Students 'did not intend to break law'

**Tygerberg Bureau**  
STELLENBOSCH University students and workers accused of attending an illegal gathering could not be found guilty because they did not intend to break the law, Stellenbosch Magistrate's Court has been told.

Arguing for the defence, Mr John van der Berg said the 28 accused were among those arrested on September 5 on their way from a legal gathering to a legal church service

Police let violations of the Internal Security Act, under which the accused were charged, go by every day, he said.

The marchers were allowed to proceed a "reasonable distance" before police took action, and before then had had no indication they were acting illegally, Mr Van der Berg said

There had been no evidence that a ban on the meeting had been published in the Government Gazette

Mr J van Reenen, for the State, said the accused must have realised there was a possibility their gathering was illegal

"It was no ordinary walk to a rugby match. They were excited, waving banners and singing so-called freedom songs," he said.

Some of the accused had given evidence that they knew each other. This and activities like singing and raising clenched fists showed they had a common purpose.

Earlier university rector Professor Mike de Vries was called as a defence witness. University council rules forbade protest on the campus, he said.

The rules aimed to give those of different opinions the opportunity to debate instead of demonstrating, he said

On the relationship between the university, the police and the Attorney-General, he said Stellenbosch police had agreed

not to enter the campus without consulting him.

Where a student was alleged to have committed an offence, the police or the Attorney-General would contact him and withdraw charges. The university would then discipline the offender, Professor De Vries said.

"It is not in the interests of a young man or woman to have a criminal record. We contact the Attorney-General and inform him what has been done."

However, the university did not interfere with the normal process of law.

Judgement in the case is expected today.

# 36 <sup>(27/1/81)</sup> people arrested in march to city <sup>CAF</sup> meeting <sup>Tim</sup> 2/12/81

Labour Reporter

POLICE yesterday arrested 36 striking workers and trade union officials who were marching from Community House to a meeting in Industria House, Victoria Road, Salt River.

The marchers, who were arrested in terms of the Internal Security Act about 12.30pm, appeared individually in the Cape Town Magistrate's Court, an attorney acting for them said.

The hearings were in camera. No charges were put to them and they were warned to appear again on January 30, he said.

The group was on its way to a mass meeting attended by, among others, about 1 000 striking Jungle Oats, beer and railway workers in the Industria House headquarters of the SA Clothing and Textile Workers' Union.

ANC leader Mr Govan Mbeki, Mass Democratic Movement leader Mr Dullah Omar and trade unionists addressed the gathering.

● Meanwhile, Fawu yesterday brought an application in the Industrial Court contesting the lockout of 70 Jungle Oats workers from the Maitland factory on November 21, an attorney confirmed.

And an SAB spokesman said more than half the 200 striking workers at the Pinelands depot had returned to work and accepted the company's 16% wage offer yesterday.



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THE Sunday Times has exclusive rights to publish extracts from rebel police lieutenant Gregory Rockman's controversial book: **ROCKMAN** — One man's crusade against apartheid. It is the story of Gregory Rockman as told to Sunday Times writer **EUGENE ABRAHAMS** (left). In this, the first extract, he reveals his suffering under "racist" attitudes within the SA Police, which culminated in his outburst against riot police action at Mitchell's Plain. The second and final extract appears next weekend.

# BOOK





## THE PEOPLE'S COP ... Gregory Rockman — still a policeman — once believed he could serve his community while wearing apartheid's uniform

### ● From previous page

that was the type of policeman I wanted to be

"That experience has helped me throughout my career because it gave me an understanding of what could be done by the police"

Rockman joined the police on August 10, 1977, and was almost immediately shocked by the extent of the racism in the force

"For me, the biggest shock came when I realised that no matter what his rank, a black policeman was always inferior to a white cop."

Rockman says he witnessed daily how white policemen ordered around black superior officers because of their colour

### Conflict

"I found this repugnant, particularly because I knew that blacks were as much in the firing line as whites"

Rockman stresses that he is not anti-white. On the contrary, he believes in a non-racial South Africa and police force.

Many white policemen advised him and helped him in his career. He has the highest regard for them because they treated him as a colleague

Unfortunately, other white policemen treated him as a "hotnot" (Hottentot) regardless of his rank.

"I suppose one finds this in every sphere. I could never accept that and it brought me into continuous conflict with some white policemen

"I saw this naked 'Boer' attitude which said that if someone was white, he was superior. I was constantly having to stand up for my guys because I refused to allow them to be pushed around."

In 1980, when Rockman was still a constable, the police standing orders were changed, enforcing rank as a criterion, not colour

"Some white policemen were so angered by the new rules that they left in disgust,

but I saw this as an opportunity and decided I would study further for rank because it would now really mean something"

However, as he discovered, attitudes built up over many years did not end because "of a piece of paper" and racism and discrimination still continued on a wide scale

In 1987, Rockman, who had already earned himself a reputation as a "troublemaker" because of his constant rows over the treatment of blacks and coloureds, was transferred to Mitchell's Plain

"When I arrived I received very bad reports about the relationship between the police and the public we were meant to serve. As community officer I went among the people to tell them the police were there to help them and encouraged them to come to me with their problems.

"I believe we were really getting through to the people. We had managed to stop the gang warfare and were involved in work with the community

### Threat

"But the behaviour of the riot police during August, and particularly on the day before the September 6 general election, destroyed all that"

Today Rockman says he is forced to live with friends in safe houses around Cape Town when he is off duty because he fears that there could be an attempt to kill him, forcing him to live a way of life which put a serious strain on his marriage.

He has already received a frightening death threat from a man claiming to be a policeman and a member of the supposed white terrorist group, the Wit Wolwe (White Wolves)

"It left me shaken. But I spoke out for justice because of my Christian upbringing and I believe I achieved what I set out to do. They can do

what they like to me now. They can lock me up or even kill me. I am prepared for anything

"The full story must be told"

(C) ROCKMAN, One Man's Crusade against Apartheid Police. Published by Senior Publications, Johannesburg.



# ROCKMAN

THE policeman was hardened to most things — he couldn't be otherwise after 12 years in a force some say is one of the most brutal in the world.

But the day came last September when he had tears in his eyes

Bitterness and anger welled up inside him, almost choking the policeman. He felt cheated, betrayed, double-crossed.

After years of putting up with attitudes in the South African Police which is the living, breathing reality of the hated policy of apartheid, this policeman had had enough.

Lieutenant Gregory Rockman, 30 years old, husband, father, Christian and, above all, a cop who loved his job, was at the crossroads.

On the morning of September 5, 1989, years of anger and frustration boiled over when he was forced to watch helplessly as white policemen beat and whipped people gathered peacefully in Cape Town's "coloured" township of Mitchell's Plain to protest against racially segregated parliamentary elections.

When the riot police turned up after he had spoken to the protesters, his assurances that he had the situation under control were ignored. His undertaking to give the demonstrators time to leave was overridden. He felt like a traitor.

## History

When they waded into the young protesters and innocent bystanders "like a pack of wild dogs", something snapped inside him.

As he was to say afterwards, "I realised it was my duty to speak out against what I had witnessed over the past weeks, no matter what the consequences for myself or my career."

And speak out Gregory Rockman did, creating for himself a place as a hero in a vitally important chapter of South African history. He told his story the very next day to a journalist.

And such was Rockman's courage, he demanded first an assurance from the reporter that his story would be transmitted overseas "for the whole world to see what is happening."

His timing, although not of his own making, had profound implications.

No one accustomed to the heavy-handed actions of the South African authorities and its police in dealing with protest — peaceful or otherwise — could have guessed the consequences of what Rockman told the reporter.

In Mitchell's Plain itself, where there had never been anything but a sour relationship between the community and the police, Rockman became a hero overnight.

The shopping mall where the September 5 incident happened has been renamed Rockman Square by the locals.

Residents mob him wherever he goes, lauding him for his brave stand and shouting "Viva Rockman! Viva Rockman!"

Who is this man, Gregory Rockman, whose name became known around the world as his story made



THE PEOPLE'S HERO ... since defying the orders of his superior officers Rockman has become the anti-apartheid movement's best-loved policeman

# THE

## His fans gear up for show of support

THOUSANDS of well-wishers are expected to converge on Mitchell's Plain's Harmony Centre near Cape Town — now known as Rockman Square — for the launch of controversial policeman Lieutenant Gregory Rockman's biography.

The book's launch, expected to be the biggest and most unusual of its kind in South Africa, will start at 9am on Saturday.

All shops in the centre are participating in the launch and will be giving discounts on several items.

Radio Plain will provide the music, there will be a Miss Rockman Square beauty competition and representatives from the local and overseas Press are expected to attend.

Lt Rockman, currently

suspended by the SAP, will sign copies of the book.

The incident central to the book and to the investigation into Lt Rockman took place during an anti-election protest on September 5.

Riot police waded into a Mitchell's Plain crowd with batons and quirts. Lt Rockman tried to halt the riot police attack, accusing them of acting like "wild dogs".

Exclusive extracts from the book, printed in the Sunday Times today and next Sunday, give an insight into why Lt Rockman took such a strong stand.

Publisher Hans Strydom said: "It will be the biggest and most unusual book launch ever in South Africa."

"There has been an enormous amount of interest."

## One man can make a difference — Tutu

IN a foreword to the Rockman book, Archbishop Desmond Tutu says:

Often when we are faced with massive problems, our tendency is to shrug our shoulders in imagined impotence exclaiming with perhaps some justified frustration "What can little I do against this colossus?"

And most of us will resign ourselves to doing nothing because we say "it can surely not make any difference and the serious problem remains, unattended; the injustice goes unchallenged and the suffering is not lightened."

But Gregory Rockman illustrates the wonderful truth that each of us can make a difference. We can transcend our depressing upbringing and we can indeed get the ghetto out of our souls.

God be praised for such as Gregory Rockman. They give us a renewed faith in human nature.

# Rebel lieutenant tells his story of defiance

headlines from New York to Hong Kong?

He does not see himself as a hero

"I am a Christian and I could not have lived with myself if I had stood by and said nothing at all. Now I am ready to face the consequences and I am prepared to die if necessary," he says.

To understand what finally made Rockman take on the might of the South African Police, it is necessary to go back many years to his childhood in Schauderville, one of Port Elizabeth's poorest "coloured" townships. Rockman was the second

oldest in a family of nine children. Life was a constant battle for the family.

"We were very poor. Life was a real struggle and there were often times when neither of my parents had a job."

Religion also played a major role in the Rockman family.

"It was this Christian upbringing and being taught the difference between right and wrong that made it so easy for me to speak up for justice now," he says.

"I was still at primary school when I began to realise that whites and blacks were treated differently

"But my parents kept telling us that although white people felt superior, they were not better than us. 'You are their equal,' my parents kept on telling us."

Eventually, frustrated with the inferior school system, Rockman — a particularly bright pupil by all accounts — dropped out.

## Gangsters

This was followed by months of confusion and aimlessness for the bitter young man. His dream was to become a teacher "and do something for my people",

but because he had still not passed matric this door was closed to him. (He later passed his matric through a correspondence course.)

It was about this time that something happened which forever changed his life. One day in the township of Arcadia in Port Elizabeth, he watched as a group of gangsters harassed people.

"Suddenly a police van pulled up and a cop, a 'coloured' man, got out," Rockman recalls.

"I remember thinking how neat he looked in his uniform and how brave he was. He spoke to them for a few min-

utes and then they walked off. This was a sight of the police I had never seen before and I was really impressed.

"To me, this was amazing. I thought of how terrified we as a community were of these gangs — and yet one man could see them off. That day a seed was planted in my head and I decided I wanted to become a policeman."

"Until then I had always seen the police as 'the enemy' — but now I saw them in another role, as friends. I saw myself doing something for my community and realised

• To next page



# Stayaway 'to mourn deaths'

275  
Sowetan 5/12/80

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Just a  
whisker  
away  
from  
main  
prize

THOUSANDS of workers in Clermont, Pinetown and Hammarsdale in Natal were absent from work yesterday.

Some did not go in response to a call for a one-day stayaway "to mourn the deaths of Hammarsdale people."

Others were stopped in Clermont near Pinetown by crowds of youngsters who prevented people from going to work.

Police later used teargas to disperse the township youngsters.

A Pinetown municipality spokesman said about 75 percent of black staff had stayed away. She said services were obviously affected but they were "coping"

In Kloof none of the 86 black municipal workers reported for work and white staff members had to drive municipal trucks there.

Leaflets telling people not to work had been circulated at Klaarwater, Shongweni and St Wendolin's Industries and businesses in Pinetown reported stayaways

yesterday.

Most people spoken to did not know about the stayaway until they were prevented from going to work yesterday morning. One resident said he got up as usual only to be turned away at Clermont Central and told to go back home.

Private cars, buses and taxis trying to leave the township were stoned by groups of township youngsters who sealed off all roads and paths leading out of Clermont.

Pinetown's Intertown Bus Service was also not

running any service between Pinetown and Durban yesterday because their drivers did not come to work.

However, nine Collins buses were being driven between Pinetown and Durban.

The Durban Transport Management Board said that although all bus services between Clermont and Pinetown were called off for the day because the drivers were "scared" to drive the buses, nine Collins buses were being driven between Pinetown and Durban.



CAP 7/4/88 6/12/89

200 275 300

# Township kids wait in despair

By MARIUS BOSCH

A SMALL house in Paballelo township outside Upington is filled with children but there is no happy laughter — only a sense of despair.

While other children their age play in Paballelo's hot and dusty streets Mobeledi, 14, and Adelaide 11, sit in the lounge of their absent parents house waiting.

They are the youngest children of Evelina de Bruin, 55, and Gideon Madlongwane, 63, both on death row in Pretoria for their part in the 1985 common purpose murder of municipal policeman Constable Jetta Sethwa.

Along with 12 other Paballelo residents, they were sentenced to death earlier this year, sparking an international outcry over the judgement.

In September the Appeal Court granted leave to appeal to 13 of the "Upington 14".

Adelaide and Mobeledi have not seen their parents since they were sentenced in May this year.

"They have avoided talking about it," they only want to see mom and dad," says Mr Shadrack Madlongwane, 30, their eldest brother who had been taking care of the children.

## Brother and sister in vigil for parents on death row

The mother of two other men convicted of the murder, Mrs Susan Bekebeke says she feels much better now that her two sons have been granted leave to appeal.

Barry Bekebeke, 23, received a suspended six year sentence on condition he did community service in Upington. His older brother, Justice "Bastie" Bekebeke received the death sentence.

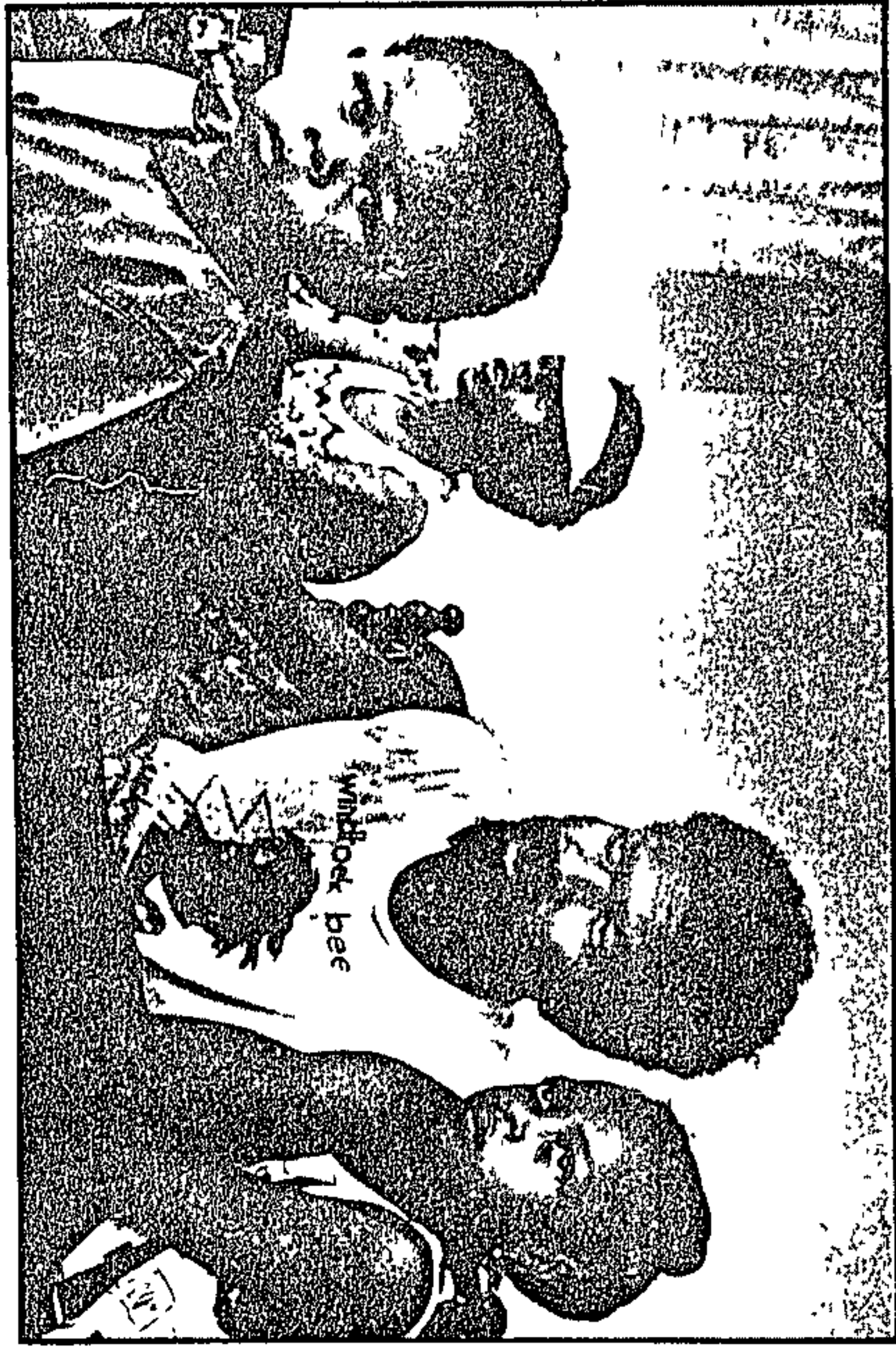
The Appeal Court ruled that Justice Bekebeke could only appeal against his sentence and not against his conviction for murder.

"In letters Justice writes to me that he is hopeful that he will come home," Mrs Bekebeke says.

Both the Bekebekes were exceptional students with above-average intelligence.

Barry Bekebeke wants to study social work at UCT when he completes matric through correspondence, while his brother, a former male nurse, wants to be a doctor.

Barry Bekebeke and three other trialists are doing community work at the N D Swart old-age home in the Blikkiesdorp coloured township while two other trialists are doing their com-



ABSENT PARENTS ... Some of the Madlongwanas children at their parents' home in Paballelo. They are, left to right, grandson Mhangani, Mobeledi, 14, Welcome, 28, and Adelaide, 11. Their parents are Evelina de Bruin, 53, and Gideon Madlongwane, 63, who are both on death row in Pretoria.

munity service at the Roman Catholic church in Upington.

The group, along with four others — who are out on bail pending their appeal have formed the Congress of the Upington 26 to raise funds for the families of the trialists.

With financial help from the Black Sash they are painstakingly crafting model boats from thousands of matches.

During the trial, they made several models which they gave to their families and legal team.

Elizabeth Bostaander, one of the three women convicted of murder said she did not know how to make the models but added "Barry will teach me".

Today these model boats are the most prized possessions of the families of the 14 on Death Row.

Black Sash spokeswoman Ms Cindy Tyrrell says the organisation had already received orders for more than R3 000-worth of models.

CPA social worker Mrs Nelme Barnard says the four doing community service at the old-age home 'are doing very well — they are becoming aware of the plight of the elderly'.

The six doing community service must do 1 200 hours of service over a three-year period, Mrs Barnard said.

The mother of the dead policeman, Mrs Beatrice Sethwa, refused to speak about the case, saying "It is like an old wound being scratched open again."

of a matchstick model boat made by his adopted son, Zonga Mokhatle — one of those now on Death Row "It was a terrible thing, almost as if a dark cloud hovered over Paballelo," Mr Gubula said at the weekend.

"We felt bitter, almost more than about our own people in Pretoria (Death Row)."

Mr Gubula said Mr Lubowski had meant "a lot for the trialists and families".

This was very evident during the trial, when the 26 accused treated Mr Lubowski with reverence.

"There are few like Advocate Lubowski, believing in mankind," Mr Gubula said.

## Paballelo mourns Lubowski

Staff Reporter

THE murder of Swapo activist Mr Anton Lubowski was a tremendous shock to the "Upington 26", to whom he had been friend as well as advocate.

Mr Lubowski was one of two junior counsel assisting Mr Ian Farlam SC in the marathon murder trial which ended in June this year.

"I was at home and friends in Windhoek phoned to tell me that our advocate had been shot dead," said Barry Bekebeke, who received a suspended sentence for his part in the "common purpose" murder of a municipal policeman in 1985.

that Mr Lubowski had been killed and had prayed that it was not true.

His mother, Mrs Susan Bekebeke, said all the families of the "Upington 26" were "very, very sad about the murder ... he meant so much to us".

Before the judge sentenced her son and 11 others, Mr Lubowski had told the families that six trialists might be "let out", she said.

"This was a tremendous help after the previous week," she said — when Mr Justice Jan Basson sentenced 14 of the trialists to death.

Mr Gubula said Mr Lubowski had meant "a lot for the trialists and families".

This was very evident during the trial, when the 26 accused treated Mr Lubowski with reverence.

"There are few like Advocate Lubowski, believing in mankind," Mr Gubula said.

### TRIALISTS

... Three of the "Upington 26", from left, Jeffrey Sikya, Barry Bekebeke and Neville Witbooi. Sikya is out on bail pending his appeal, Witbooi and Bekebeke received suspended sentences.



THE two children will be spending Christmas Day — De Bruin's birthday — in Cape Town.



international  
test village yesterday

**Cosatu stages marches**

*Cap Tink 6/2/87*  


JOHANNESBURG — The Witwatersrand region of Cosatu is to stage two marches on the New Canada police station in Soweto today to protest against alleged intimidation of workers on trains by soldiers.

## Women's march: Appeal fails

CMT Trip 6/12/89  
Supreme Court Reporter (275)

THE Supreme Court last night dismissed with costs an application to set aside a decision by the Crossroads Town Committee to refuse permission for a planned march by women this morning.

About 800 women had planned to march through the streets of Old Crossroads to peacefully make grievances known to the Town Committee.

The Town Committee said it could not give permission for the march until tension in the area disappeared.

Mr Acting Justice I Farlam said he would give reasons later.

The Old Crossroads Women's Peaceful March Planning Committee, Ms Nofumene Mqweba, Ms Nobandla Kula and Ms Buklewa Mfenyana brought the application against the Crossroads Town Committee, its secretary and the Chief Magistrate, Wynberg.





ARGUS 7/12/89 (275)



## 200 feared homeless in Crossroads burnings

### Staff Reporter

ABOUT 60 shacks were burned down in Crossroads early today after a protest against the administration of the mayor of Crossroads, Mr Johnson Ngxobongwana

No casualties have been reported but more than 200 people, including children, are believed to be homeless

The first fires were reported just after 2am in Boystown, Old Crossroads Civil Defence alerted the fire station and two fire engines arrived under police escort

Two shacks were set alight in F2 and others in F1. A water tanker was sent to help

When further shacks were set alight near Lansdowne and New Iseleben Road at 3am another fire engine was sent. Firemen said many shacks were burning in the area

Police said a man was arrested after he tried to persuade people to attend an illegal gathering.

**HOMES LOST:** Some of the 60 shacks burned down in Crossroads in growing tension between opposing groups in the township.

Pictures. LEON MULLER, The Argus



**SALVAGE:** Crossroads residents, some with their babies on their backs, battled to save whatever they could from their burning shacks.



# Lingeletu councillors charged with murder

CHE 70215 9/12/89  
35-111-275  
Court Reporter

EIGHT Lingeletu town councillors and five Khayelitsha residents appeared in the Wynberg Magistrate's Court yesterday in connection with seven charges of murder and three charges of attempted murder.

The men, arrested in connection with incidents which occurred on and around election day, September 6, were released on bail of R200 each without being asked to plead.

They are Mr John Warrington, 40, and Mr Jan van Wyngaardt, 37, of Goodwood; Mr Magolola Zomo, 46, Mr Ezekile Jezile, 37, Mr Gxowa Morris, 63, Mr Charlie Banti, 55, Mr Vakatshiwo Goenie, 47, Mr Livingston Booi, 38, Mr Charles Mnikina, 32, Mr Alfred Mpetsheni, 41, Mr Peter Mathole, 39, Mr George Magquazu, 44, and Mr Million Goniwe, 44, of Khayelitsha. The case continues on February 28.

ATTORNEY-GENERAL Mr Neil Rossouw appealed to members of the public yesterday to come forward with information relating to incidents of violence in Khayelitsha on September 6 and 7.

In a statement issued yesterday he referred to a court case involving "certain members of the Lingeletu Town Council on various charges".

"There are a number of indications that persons who may give material evidence on these and related offences have not come forward with information," he said, adding that the successful prosecution of offenders always depended on witnesses.

He also invited people to contact himself or state advocate Mr WC Viljoen at 23-3000.



# Death, arson grip Crossroads

SHARKEY ISAACS,  
ALE KNEEN and  
WARD MOLOINYANE  
Staff Reporters

FOUR people died, eight were injured and scores of shacks torched in fierce fighting among rival squatter groups in Crossroads early today.

Units of the Cape Town fire brigade were forced to withdraw from the blaze early today after struggling for more than four hours to put out the fires. Six water tenders, rescue vehicles and 40 firemen were sent in under police escort late last night.

Firemen found 150 shacks burning fiercely, fanned by a strong south-easter in the Crossroads area off Lansdowne Road. They battled to put out the flames, but were forced to withdraw as fighting intensified.

"Firemen fought the fire under difficult conditions and heard sporadic gunshots," said a brigade spokesman.

Ambulancemen took four dead from the scene. A spokesman said three had gunshot wounds and one severe burn. Eight injured were taken to Grootte Schuur Hospital.

Police spokesman Major Reg Crewe said at least three houses were torched in Crossroads before last night's renewed outbreak of violence.

## MP's warning

One of the houses was petrol-bombed yesterday and the other two on Friday.

"A group of women who gathered in Crossroads last night were told to disperse. They did so peacefully," said Major Crewe.

Discontent has been simmering in Crossroads since 14 headmen and former allies of the mayor, Mr Johnson Ngxobongwana, broke away last year after accusing him of corruption.

The situation has deteriorated in recent weeks and on at

least two occasions, Mr Jan van Eck, the Democratic Party MP for Claremont, has warned of a major outbreak of violence.

Mr Ngxobongwana, one of the most powerful men in the African townships of Cape Town, has been ruling the sprawling shack township with an iron hand for years.

A former chairman of the Western Cape Civic Association, he attained acceptability with the authorities after the emergence of "witdoeke" in 1985/86 when he became the man through whom State officials communicated with the people.

## Funds collected

He heads a 19-member committee of mostly conservative "leaders" in the 9 000-strong community. However, dissatisfaction has been growing about the funds the committee has allegedly been collecting from each household for various projects, including housing.

The last straw came more than a year ago when 14 of the "leaders" broke away after alleging that R150 000 of community funds were missing.

However, attempts to oust Mr Ngxobongwana so far have been fruitless.

A good organiser, he last year bussed more than 200 women to Bishopscourt to protest against the sanctions call by Archbishop Desmond Tutu.

Now reported to be based in the Ciskei where he has bought a farm, he was re-inaugurated as mayor in September this year.

## "Many projects"

When the allegations of the breakaway headmen were put to him in an interview at his Nyanga offices after his inauguration in September, he dismissed them as "Loud noises by barking dogs."

Speaking confidently, he denied that he had misappropriated funds. He said the money had been used for the "many projects" his council had undertaken.

He said the money was given voluntarily by his supporters to pay legal costs. He also dismissed allegations by "disgruntled" former allies that he was being pushed down the people's throats as "nonsense."



Picture: ADIL BRADLOW.

**FIRE AFTERMATH:** A shaken Crossroads mother takes in the scene today of the blackened debris of scores of burnt-out shacks after faction fighting in the shanty township on the Cape Flats last night.



### Squatter shacks ablaze

# Four killed in fierce battles at Crossroads

2 Own Correspondent

CAPE TOWN — Four people died, eight were injured and scores of shacks were burnt in fierce fighting among rival squatter groups at Crossroads yesterday.

Units of the Cape Town fire brigade had to withdraw after struggling for more than four hours to put out the fire.

Six water tenders, rescue vehicles and 40 firemen were sent to the blaze under police escort.

Firemen found 150 shacks burning fiercely, the flames fanned by a strong south-easterly wind. The area of Crossroads off Lansdowne Road. They battled to put out the flames but were eventually forced to withdraw as fighting intensified.

Firemen fought the fire under difficult conditions and heard sporadic gunshots as they fought the flames, a brigade spokesman said.

Ambulance men took four dead from the scene. A spokesman said three had gunshot wounds and one severe burns. Eight injured people were taken to Groote Schuur Hospital.

A police spokesman, Major Reg Crewe, said at least three houses were torched in Crossroads before this renewed outbreak of violence. One of the houses was petrol bombed on Sunday and two on Friday.

Discontent has been simmering in Crossroads since 14 headmen and former allies of the mayor, Mr Johnson Nxobong-

wana, broke away last year after accusing him of corruption.

The situation has deteriorated in recent weeks and on at least two occasions Mr Jan van Eck, the Democratic Party MP for Claremont, warned that the area was in danger of a major outbreak of violence.

Mr Nxobongwana, former chairman of the Western Cape Civic Association and one of the most powerful men in the African townships of Cape Town, has been ruling the sprawling shack township with an iron hand for years.

### Witdoeke

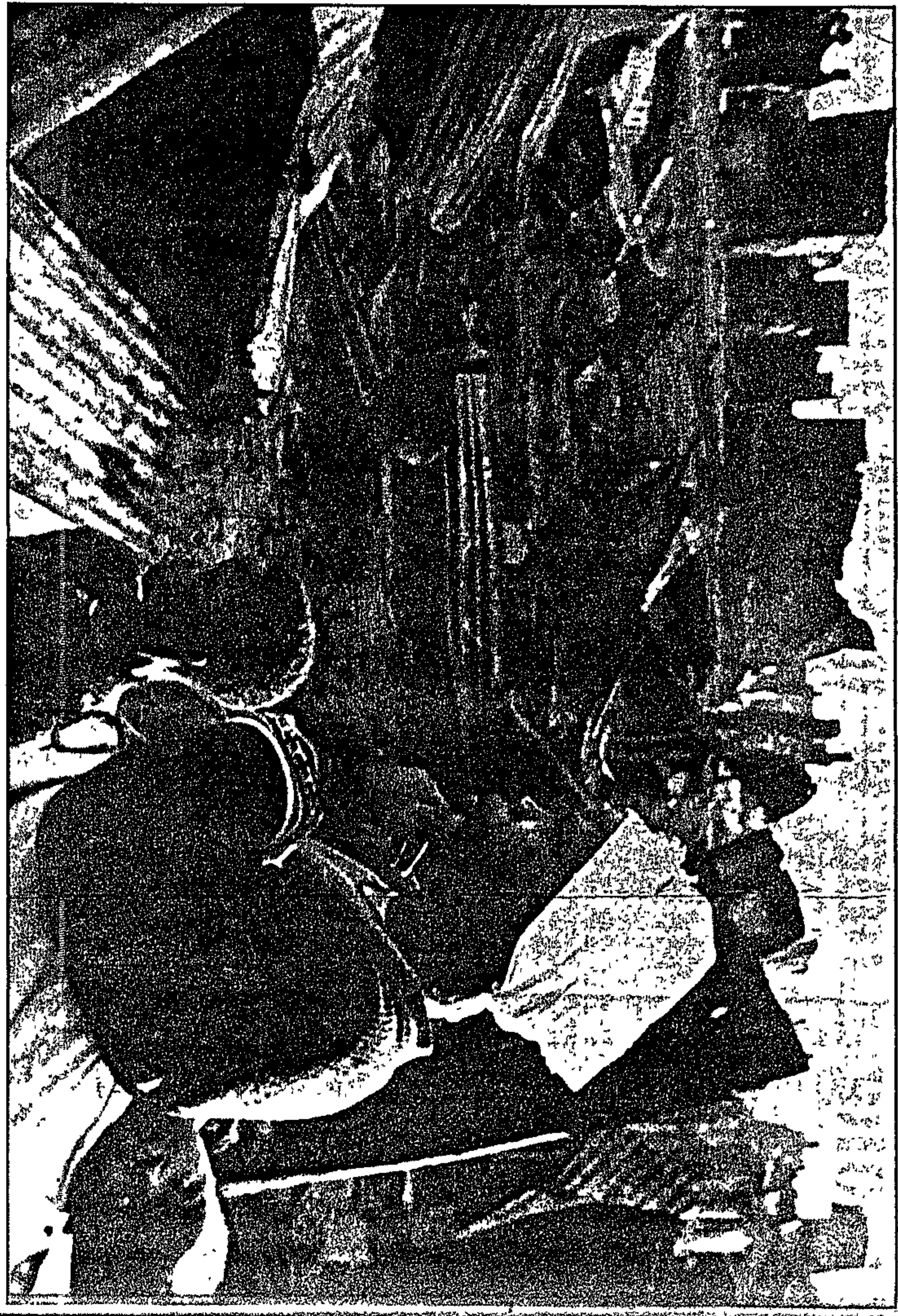
He attained acceptability with the authorities after the emergence of "Witdoeke" in 1985/86 when he became the man through whom State officials communicated with the people.

He heads a 19-member committee of mostly conservative "leaders" in the 9 000-strong community.

But dissatisfaction has been growing about the funds the committee has allegedly been collecting from each household for various projects, including housing.

The last straw came more than a year ago when 14 of the "leaders" broke away after alleging that R150 000 of community funds were missing.

However, attempts to oust Mr Nxobongwana have so far been fruitless.



Aftermath... A mother of two children surveys the devastation caused by fire in the Crossroads squatter camp yesterday morning after a night of fierce clashes between rival factions left more than 100 shacks burnt down and four people dead.

By Sue Valentine, Education Reporter

The Kagiso Trust is to provide R28 million in scholarships next year, which will benefit more than 5 000 students.

The director of the Trust, Mr Achmat Dangor, said the it would not administer the grants itself but would make the funds available through a number of established bursary organisations.

## R28-m provided for education

The bulk of the money came from a R27 million donation by the European Community's Special Fund for the Victims of Apartheid, and the rest was provided by the principal donors to the Kagiso Trust — the European Commission, the Japanese government and Swedish Church Aid.

Mr Dangor said one of the main aims of the Trust was to provide resources in a manner that contributed to the fundamental and peaceful transformation of South Africa. Education was a critical element of this process.

While the various bursary organisations would make independent decisions regarding the awarding of scholarships, the basis

of the Kagiso Trust funding was that resources be directed towards "traditionally disadvantaged" people, including women and those living in rural areas.

Emphasis would also be placed on technical education, agricultural study and other fields such as township planning which have traditionally excluded blacks.

Mr Dangor said the funding should not be seen as a substitute for Government funding.



# Crossroads: Police's role to be probed?

By CHRIS BATEMAN

THE stage was yesterday set for a top-level investigation into allegations of police complicity in the weekend's Old Crossroads killings and burnings while charity organisations began assessing the plight of some 200 homeless people.

Mr Jan Van Eck, DP spokesman for black affairs in the Western Cape, said he had recorded and documented evidence to support allegations that policemen in uniform and plainclothes fired at rebel headmen and their supporters.

Five people died and eight were seriously injured in Sunday night's fighting.

Mr Van Eck telephoned the office of Minister of Law and Order Mr Adriaan Vlok yesterday to inform a senior staffer that he was "now convinced that there are cases of police involvement".

A Pretoria police headquarters spokesman said yesterday that police were waiting for Mr Van Eck "to supply us with concrete proof".

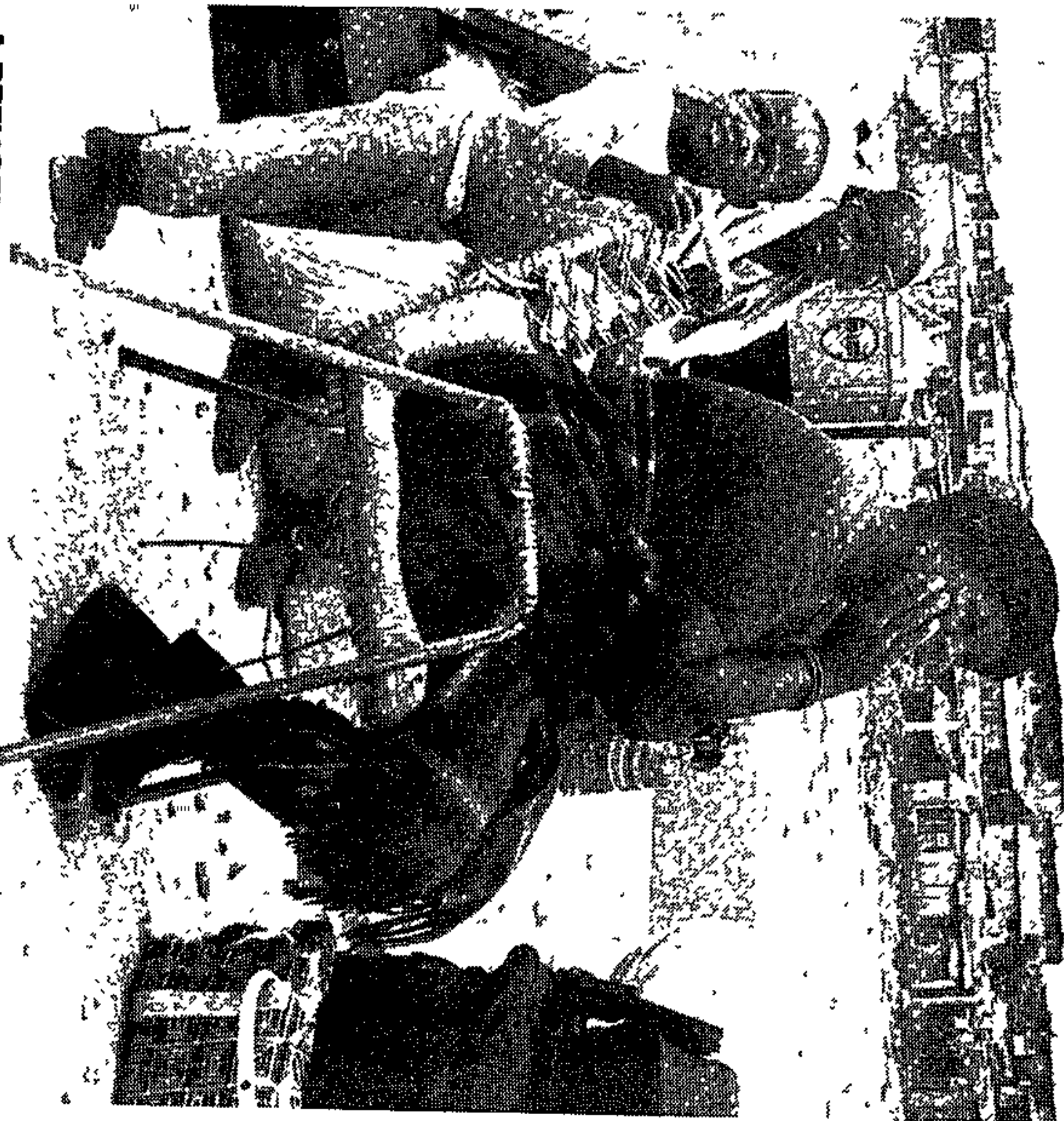
Mr Van Eck replied last night that he was prepared to make his tape-recordings and eye-witness accounts of alleged police involvement available to police investigators.

Sunday night's eruption of violence was the worst since Mr Geoffrey Nongwe and 14 of 19 headmen under Old Crossroads Committee mayor Mr Johnson Ngxobongwana broke away.

Mr Van Eck said yesterday that he had a recorded statement from a shotgun-wound victim that he had been fired at by three white men and one black or coloured policeman. Another Nongwe-supporting family alleged that a policeman entered their home and shot a youth dead.

● A tour of section 4 of Old Crossroads yesterday revealed about 40 destroyed huts and scores of homeless people sitting on the pavements with their possessions.

"We cannot go back and rebuild until the fighting is over — tonight the attacks will come again," Mrs Jeanette Carrolus, mother of a four-day-old infant predicted.



**A REFUGEE PONDERERS . . .** Mrs Sophie Mcakhandayi of section 4, Old Crossroads, whose home was among about 40 burnt down on Sunday night, ponders her dilemma as she sits at the roadside with her children and possessions yesterday.

Picture CHRIS BATEMAN

CAPT. TRAVIS 12/12/89

275 (275)

# 16 die, 65 homes razed in Natal

PRETORIA. — Sixteen people were killed, several others injured and more than 65 private dwellings were burnt to the ground in one of the worst bouts of unrest to hit townships in Natal this year.

According to the police unrest report — the official record of violence around the country — 11 people were killed in the Ntuzuma township, near Durban, shot by assailants or police or in attacks by mobs of rampaging youths.

At Henley Dam in Natal, a mob attacked and killed two men and similar attacks led to the deaths of another two men in Inanda, on the outskirts of Durban.

The police said another man died in KwaMakutha, near Amanzimtoti, after being wounded by unknown attackers.

The worst case of arson occurred in Ntuzuma, where attackers torched more than 45

huts, causing extensive damage, but no injuries to the occupants.

Another 20 dwellings, comprising huts and houses, were razed to the ground by arsonists in Inanda. Police used birdshot to disperse the arsonists.

As fighting in Inanda and Ntuzuma squatter settlements continued to rage yesterday, some residents claimed criminal elements were jumping on the bandwagon to wreak havoc in the areas.

Hundreds of residents of the trouble-torn townships stayed away from work yesterday, arming themselves to protect their families and possessions in the latest bloody power struggle between different factions fighting for control of the area.

Residents yesterday reported armed men were parading on the streets and a pall of black smoke was hanging over the townships. Fighting was continuing on a much bigger scale than at the weekend.

The situation is being carefully watched and there is a strong police and security force presence in the area.

The fighting and arson come days after 92 shacks were razed at the nearby squatter settlement of Lindelani when two factions attacked each other last Thursday.

Residents described the area as a "battlefield".

One said the fighting was initially between the UDF and Inkatha, but now criminal elements had crept in, seizing the opportunity to burn and loot houses.

Passing motorists have had cars stoned and police have also been stoned and shot at by armed men, police said yesterday.

Several petrol-bomb attacks were reported in other parts of the country.

"At Langa a man was injured and a bus damaged when a petrol-bomb was hurled at the vehicle," the police report said — Sapa



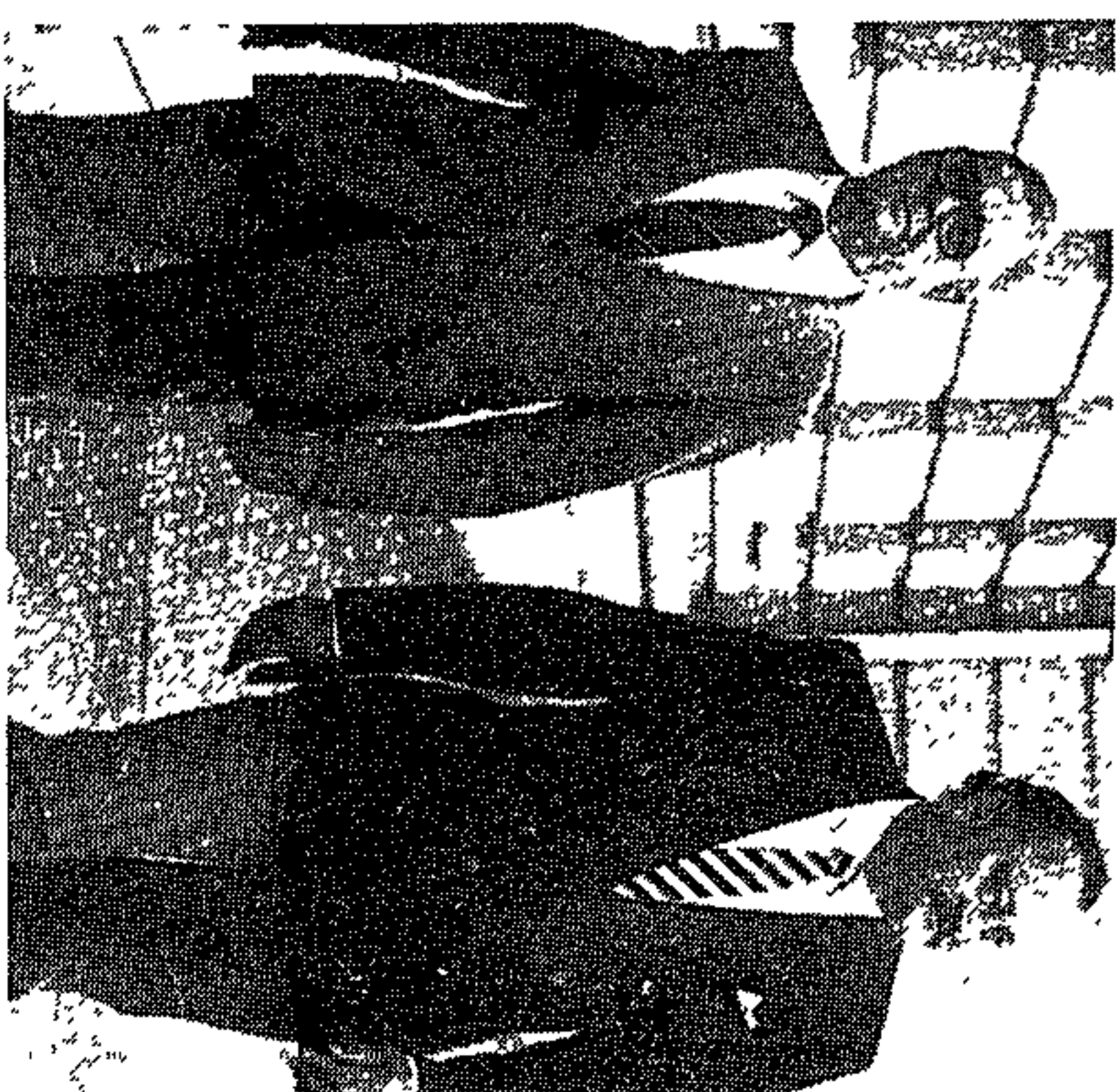


**THE COLONEL** ... Lieutenant-Colonel Christian Loedoff, former head of the now defunct Railways Police Task Force, helped plan the operation at Manenberg police station.

Pictures: ANN LAING



**THE COP ON THE TRUCK** ... Warrant Officer Andre Swart with his wife outside the Supreme Court shortly after the acquittal yesterday.



**THE OFFICERS** ... Colonel Janse van Rensburg and Commandant Salmon Plenaar, two of the officers who planned the "Trojan Horse" operation, shortly after being acquitted of murder.



**THE GENERAL** ... Lieutenant-General Bert Wandrag, a deputy commissioner of police, leaves court shortly after the judgment. He was both a witness and an observer

# Trojan acquittals: Appeal plan

By **RONNIE MORRIS**  
Supreme Court Reporter

IF the "Trojan Horse" incident had served any purpose it was to warn those in authority that "never again" must an operation of that nature be allowed, Mr Justice D M Williamson said yesterday in acquitting 13 security forces members on a charge of murder.

What had happened showed only too clearly that armed operations of that nature carried too much risk of injury and death to innocent persons for them to be justified, the judge said.

Immediately after the judgment was delivered, Mr Jules Browde, SC, for the prosecutors, said an application would be made to "reserve on a question of law" (to determine whether the judge was correct in refusing to admit as evidence the inquest court record and the trial record of a public violence trial of people subsequently arrested and later acquitted).

That application will be heard on January 29 next year when a similar private prosecution by Mrs Georgina Williams, mother of Michael Miranda, will also be brought.

The trial is a sequel to an incident in Athlone at the intersection of Thornton and St Simons Roads on October 15, 1985.

when police hidden in crates on the back of a SATS truck opened fire when a crowd stoned the truck.

The incident lasted 17 seconds, during which 39 shotgun rounds were fired, leaving three people, Jonathan Claasens, 21, Shaun Magnoed 16, and Michael Miranda, 11, dead.

Last year a Wynberg inquest magistrate, Mr G Hoffman, found that Captain (then Lieutenant) Douw Vermeulen, who was in command of the nine-man task force on the truck, and his men were guilty of negligence and had caused the death of the three.

The finding was forwarded to the attorney-general of the Cape, Mr Niel Rossouw, who declined to prosecute. As a result Mr Martin Magnoed brought a private prosecution, the first for murder, alternatively culpable homicide, in South African legal history.

Yesterday morning Lieutenant-General Bert Wandrag, a deputy commissioner of police, and a few senior police officers were in court to hear the judgment.

Mr Justice Williamson said there was a reasonable possibility that the operation had been planned and contemplated within legal limits and that what had in fact happened was not as a result of a common purpose to punish and deter but was an "overreaction to a manifestly

**COUNSEL** for both the private prosecutors and the defence in the "Trojan Horse" case have been described in legal circles as "formidable teams" and men who have served with distinction.

A defence advocate, Mr Flip Hattingh, SC, for the men on the truck, has already served as an acting judge in the Kimberley Division of the Supreme Court.

The police officers were represented by Mr Poes de Bruyn, SC, of the Port Elizabeth Bar, and Mr Anton Veldhuizen of Cape Town.

Mr Veldhuizen successfully defended Warrant Officer Paulus Kruger, who was charged with Constable Ernest Villet in 1987 with on charges of murder in 1985. Advocates for the private prosecutors were Mr Jules Browde, SC, Mr Jeremy Gauntlett, SC, Mr Les Rose-Innes and Mr Denzil Potgieter.

dangerous situation".

"Thus although the probabilities favour the prosecution case, they did not do so with such a strength that we have a moral certainty that each and every accused shared a prior common purpose to use excessive force.

"This means that the cornerstone of the prosecution case has not been proved and the accused are entitled to their acquittal."

Mr Justice Williamson said that looking at the unusual nature of the operation and the actual way in which it had been carried out and the manifest difficulty of effecting arrests without first shooting, it seemed there was a very high probability that an armed response to any attack had been visualised and indeed intended.

"The response which took place in this case was in our view in its totality clearly excessive, for shots were still fired when it was clear that the stoning had stopped and all danger had been averted.

"Furthermore there appears to have been an indiscriminate firing into a crowd that must inevitably have comprised among its numbers many innocent people."

The judge said the actual events showed that a "vicious and murderous attack" had been planned on the truck by the stone-throwers. An "armed response within limits was justified."

If a common purpose to murder existed one would have expected that with 39 shots of mainly AAA ammunition fired from mainly nine trained men at virtually point-blank range the loss of life would have been far greater than it had been.

The operation was said to have been planned to effect more arrests and in particular to arrest ringleaders.

The burning question which arose was whether that had been the purpose of the operation or whether there had not been an "additional and more sinister and indeed illegal purpose" — that of a punitive expedition.

"There is a substantial body of evidence which points to the existence of this illegal purpose... as shown on video there was an almost immediate and concerted response to the stoning with everyone appearing with their guns and firing, on their own admission, at the crowd."

The whole intent of the operation was so obviously to present would-be stone-throwers with an apparent "soft target" that the truck was likely to be attacked, Mr Justice Williamson said.

Mr Joe Ebrahim, the instructing attorney, said yesterday he was very disappointed with the judgment.

"The matter does not end there. We have informed the court we want a question of law to be determined by the Appellate Division.

"If it is decided in our favour, it means there would be great body of evidence admitted against the accused which would have a telling effect on the evidence already before the court.

"In our opinion that would in all probability lead to a different result."



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# Common-purpose criminal intent not proven, says judge

# 'Trojan Horse' 13 are acquitted

**Own Correspondent**  
CAPE TOWN — The 13 security force members charged with murder in the "Trojan Horse" public prosecution were yesterday acquitted in the Cape Town Supreme Court.

Mr Justice D M Williamson said that an armed response to the "vicious and murderous" attack by stone throwers on the unmarked railways truck which contained armed security force members was justified, but he said the incident should be "a warning to those in authority to never again plan such an operation".

Judge Williamson found that a common-purpose criminal intent on the part of the officers who planned the operation and the men who "fired indiscriminately" into a crowd of people,

killing three, had not been proven.

The judgment is the culmination of the first private prosecution for murder in South Africa.

The action was brought by the father of Shaun Magnoed (16), who died of his injuries on October 15, 1985 when security force personnel concealed in an unmarked truck and armed with sharp ammunition fired into a crowd in Athlone, after the truck was stoned.

A second prosecution, for the death of Michael Miranda (11), was initially postponed pending

the outcome of the first.

Judge Williamson said from the video footage shown in court it had been obvious that the men had fired indiscriminately into a crowd for nearly 15 seconds without identifying themselves or issuing a warning.

They had "overreacted to a manifestly dangerous situation".

It was clear that a number of innocent bystanders formed part of the crowd and it was probable that Shaun Magnoed had not been involved in stone throwing.

The men fired 39 rounds

which they must have known to be "obviously dangerous to life".

The accused had said that they felt their lives were in danger as well as the lives of others. There had been evidence that ordinary police methods to control unrest had been ineffective and the "Trojan Horse" operation was planned to effect the arrests of ringleaders involved in stone throwing and burning barricades.

It was reasonable to believe that this was the object of the operation but it had to be asked whether there was a more sinister, illegal purpose.

The whole intent of the operation was "so obviously to present would-be stone throwers with a soft target" and there had been "an immediate and concerted response" by the men on the back of the truck when it was stoned.

The men had to have anticipated that an armed response would be necessary to carry out the operation. The question was whether this was necessarily illegal or whether it had exceeded what was permissible.

The response to the stoning

the intention had been to kill,

Judge Williamson said.

He had given "careful consideration" to all the facts and taken into account the fact that none of the accused had testified

Although there were "strong indications of a common purpose" it had not been proven beyond reasonable doubt.

The men charged were: Colonel Pieter Janse van Rensburg, Lt-Col Christian Loedolff, Commandant Salmon Pienaar, Captain Douw Vermeulen, Warrant Officer Andre Swart, Sergeant James Sayer, Sergeant Frank van Niekerk, Sergeant Jacobus Burger, Sergeant Albertus Smit, Constable Andre Smit, Constable Wilhelm Puchert, Constable Alexander Rossel and Constable Pieter du Toit.

However, it was clear that "a vicious and murderous attack" had been launched at the truck as evidenced by the brick which went right through the wind-screen.

"An armed response, within limits, was justified," Judge Williamson said.

Although the men had said they had fired into the crowd, more people would have died if

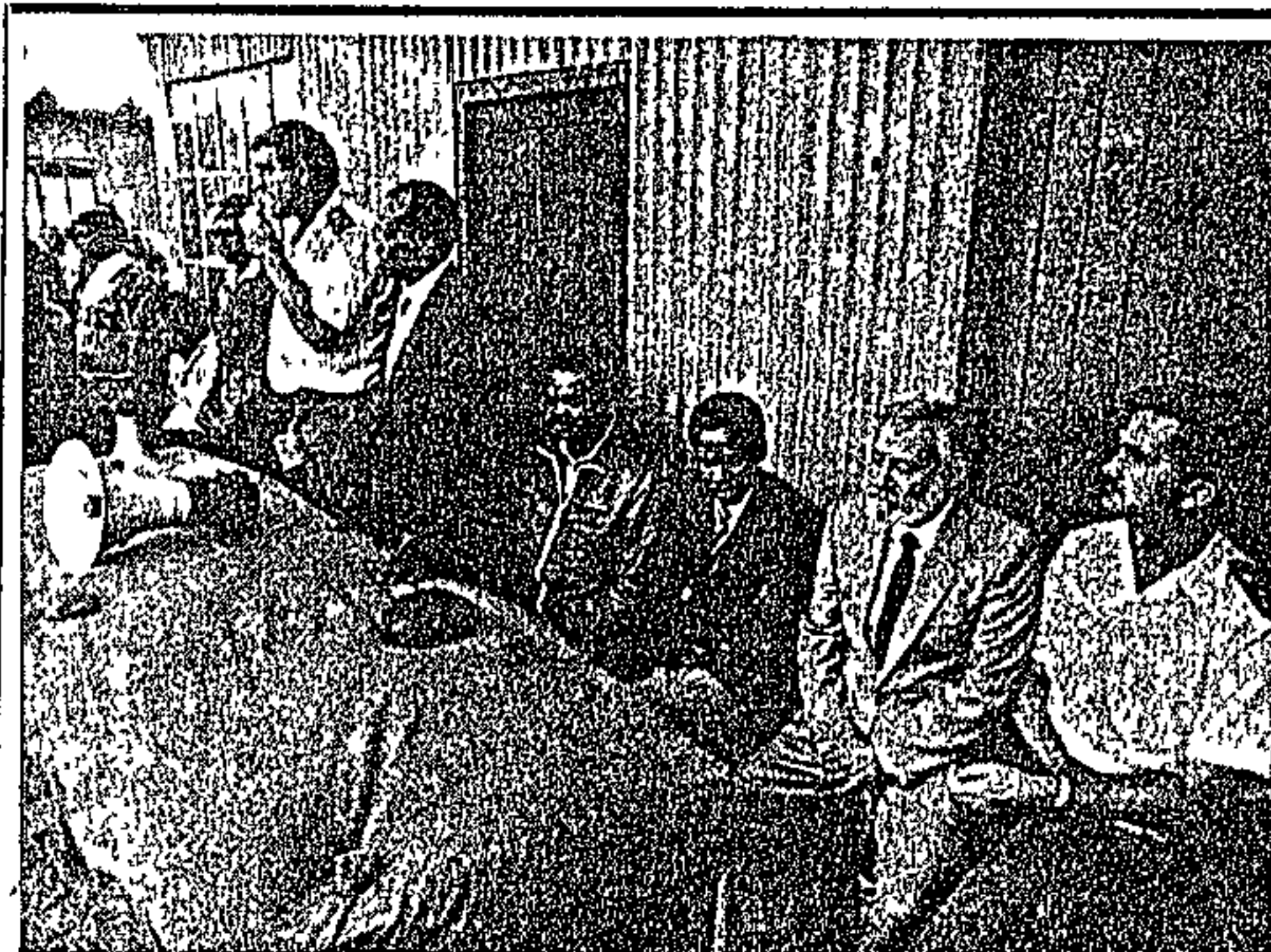
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Picture: ANDREW INGRAM, the Argus.

**STOP THE KILLING:** Brigadier Jumbo van de Wall, left, exhorting supporters of Mr Johnson Ngxobongwana to stop the killing and burning in Crossroads.

# Police plea <sup>Argus</sup> to halt violence <sup>13/12/87</sup> in Crossroads

By GRAHAM LIZAMORE  
Staff Reporter

POLICE called a meeting in Crossroads as part of a drive to end the spiral of violence in the sprawling squatter township — but only one of the factions turned up.

Police moved into the township after a weekend of violence when warring factions went on the rampage, leaving four dead, eight wounded and hundreds homeless.

At yesterday's meeting at the Noxolo school hall in Crossroads, the assistant regional commissioner, Brigadier Jumbo van de Wall, told about 400 supporters of controversial mayor Mr Johnson Ngxobongwana that the police had come as friends to stop the killing and destruction of property.

Brigadier Van de Wall said the police could not take sides with anybody. They were there to uphold the law and to protect all the law-abiding people of Crossroads.

### Houses burnt down

"I know the people of Crossroads to be friendly, but things have changed, people are being hurt and houses are being burnt down," he said.

He appealed to the people not to go back to the violence of 1985 and 1986.

Brigadier Van de Wall said he had brought many police to Crossroads and more were on their way from Pretoria. They would patrol Crossroads on foot to root out any troublemakers.

After Brigadier Van de Wall's speech, several people spoke out against rebel leader Mr Geoffrey Nongwe, saying they believed in peace but they had been attacked by his followers.

One said the proof that they believed in peace was shown by the fact

that only Mr Ngxobongwana's followers had accepted Brigadier Van de Wall's invitation to the meeting.

It had also been the mayor's supporters who had appealed to the police for protection.

Speakers wanted to know why Mr Nongwe had not attended the meeting.

"We would be delighted if Mr Nongwe could stand up at this meeting and explain the cause of the dispute and why he is attacking us," one speaker said.

Another speaker said: "No sooner had the police asked us to attend this peace meeting than Mr Nongwe started evicting people from their homes. Why is he doing this and how long will this carry on?"

A woman said that although they believed in peace it was Mr Nongwe who was collecting followers to march into their location carrying placards. She said people and certain organisations kept abusing Mr Ngxobongwana, but they seemed to forget that he was elected by the people of Crossroads to be their leader.

"Mr Nongwe was one of our mayor's followers. The same applies to the group that has turned against him. They were all followers of his. Now they want us to speak with two tongues like a snake," she said.

Another woman said that Mr Nongwe had himself said in the past that if a person was a troublemaker he should be evicted from Crossroads. It was now his turn to be evicted. He must be out of Crossroads so that they could live in peace, she said to loud cheering and clapping.

● It was not clear yesterday what had prompted the large police presence in Crossroads, but it was learnt that Archbishop Desmond Tutu had appealed to the Minister of Police to keep peace in Crossroads.

**Staff Reporter**

A MAN was killed and another wounded when a special constable fired birdshot into a crowd that had gathered outside his home at De Aar in the Northern Cape, according to yesterday's overnight police unrest report.

The report said members of the group were throwing stones at the house and were allegedly warned by the constable to disperse.

When they failed to comply, the policeman fired birdshot into the crowd.

A spokesman at the De Aar advice office said a group of people did the toyi-toyi in the black township of Nonzwekazi

# Kitscop fires on De Aar crowd, killing man

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*(initials) 575*

after returning from a meeting.

They passed the house of the special constable and his wife allegedly shouted: "Shoot them, shoot them."

The spokesman said the special constable's house had been stoned in the past.

As the tail-end of the group moved past the house, the constable allegedly went into the house and returned with

a rifle, he said.

The constable fired a shot and hit Mr Martin Jambo. When others went to his assistance, one of them, Mr Sizekele Mbekhushe, was also shot and the group dispersed, leaving Mr Jambo lying there.

The spokesman alleged that the special constable then beat Mr Jambo on the head and kicked him. He was later taken to hospital.

Mr Mbekhushe ran to the next street and was taken to hospital, but he died on the way there, the spokesman said.



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**The decade that was . . .**



Youths carry a banner at one of the many funerals in the Eastern Cape in 1985.

# Langa massacre



# Remembering a bloody clash

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C. Press

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SOUTH Africa had a repetition of the bloody Sharpeville Day on March 21, 1985, when at least 19 people were shot dead in Langa township, near Uitenhage in the Eastern Cape.

The shooting was the culmination of sporadic outbreaks of violence around the country.

The event, which was described as "a dreadful coincidence and awful echo" of the 1960 Sharpeville Massacre, saw police kill 19 men, women and children leaving 36 wounded.

In 1960, a similar massacre occurred in Sharpeville during the Pan Africanist Congress-led anti-pass campaign, where 69 people were killed by police bullets.

The Langa shooting resulted in the biggest death toll since unrest broke out in the Eastern Cape in 1984.

The explosion of violence occurred when a 4 000-strong crowd made up of mourners on their way to bury four of the 16 unrest victims were confronted by police.

The funeral was taking place despite a ban by the local magistrate.

The funeral marchers were moving towards Uitenhage from Langa township.

A judicial commission by Justice Donald Kannemeyer was appointed by the government with the brief to examine only the Langa shooting on March 21 and its causes.

One of the matters that the commission had to clear up was whether the crowd was a peaceful one. There was conflicting evidence before the commission on this.

The Kannemeyer Commission found that the tragedy could have been avoided if the police had not interfered with funeral arrangements.

No one person was to blame for the killings, although the judge severely criticised the police, both for their handling of events leading up to the shooting and for the "deliberate" policy of not using standard riot control equipment.

Particularly disturbing was the finding that most of the injured were shot in the back.

Kannemeyer found that a police officer had acted deviously and improperly and had shown a lack of sympathy when he applied for conflicting notices banning funerals just before the incident.



Anger seethed after the Langa massacre in 1985 and police reinforcements were sent in.

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Thousands attended the funeral of 19 shot dead at Langa.





## Special constable dies after Khayelitsha attack

PRETORIA. — A special constable has died in Khayelitsha after being attacked and stabbed by a group of people, according to the police unrest report.

It says three other people, including a policeman, were also killed in attacks yesterday.

The policeman was stabbed to death at Kwamashu, outside Durban, when a group attacked his home. The attackers got away with his weapons.

At Izingolweni, near Port Shepstone on the South Coast, two people died and a third was injured when four homes

APLUS 27/12/89  
were torched.

In other incidents in Natal, a policeman fired several rounds to disperse attackers who were stoning his house near Durban and at Mpumulanga, near Maritzburg, two people were injured when stones were hurled at a private house. — Sapa.





CITY

# Gang battle mays festive weekend

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Staff Reporters GRAEME NICOLSON  
MARK STANSFIELD and GILL TURNBULL

A PITCHED battle at Muizenberg Pavilion between two stick-wielding and beer-bottle-throwing groups — who were eventually dispersed by police — marred an otherwise perfect holiday weekend on the Peninsula.

While well-behaved crowds — like the record-breaking 4 000 who descended on Llandudno beach — enjoyed near-perfect holiday weather, police had to use rubber truncheons and teargas to disperse the two gang factions who attacked each other in a parking lot at Muizenberg.

Police liaison officer Captain Gys Boonzaaier said the fight had broken out about 3.30pm yesterday. Municipal beach constables tried to disperse the two gangs but were chased away and a police riot unit called in.

## Throwing stones

The fight apparently broke out when a group of about 15 men began throwing stones and beer bottles at parked cars. A second group, about 20 strong, attacked the first as about 400 people watched, Captain Boonzaaier said.

After dispersing the fighters, police remained in the area until about 7pm to monitor the situation. A spokesman for Muizenberg Pavilion said no property or cars had been damaged and it appeared no one had been seriously injured.

Beaches on both sides of the Peninsula, from Strandfontein to Tableview, were packed as Christmas and Family Day crowds soaked up the sun.

Most people converged on the Atlantic beaches with Llandudno drawing a record crowd of about 4 000 on Christmas Day.

In spite of tricky, dangerous seas with a large

swell, which later dropped, there were no rescues at Llandudno beach.

A moderate south-easter on the False Bay side did not deter beachgoers from covering the length of Muizenberg and Strandfontein beaches yesterday. Even the usually less populated beaches and tidal pools between St James and Kalk Bay Harbour were packed.

The sea, a refreshing 17 deg C, was crowded with bathers even though bluebottles lined the high-water mark. Lifesavers reported treating up to 50 people a day for bluebottle stings.

Later, the freshening wind drove some people home.

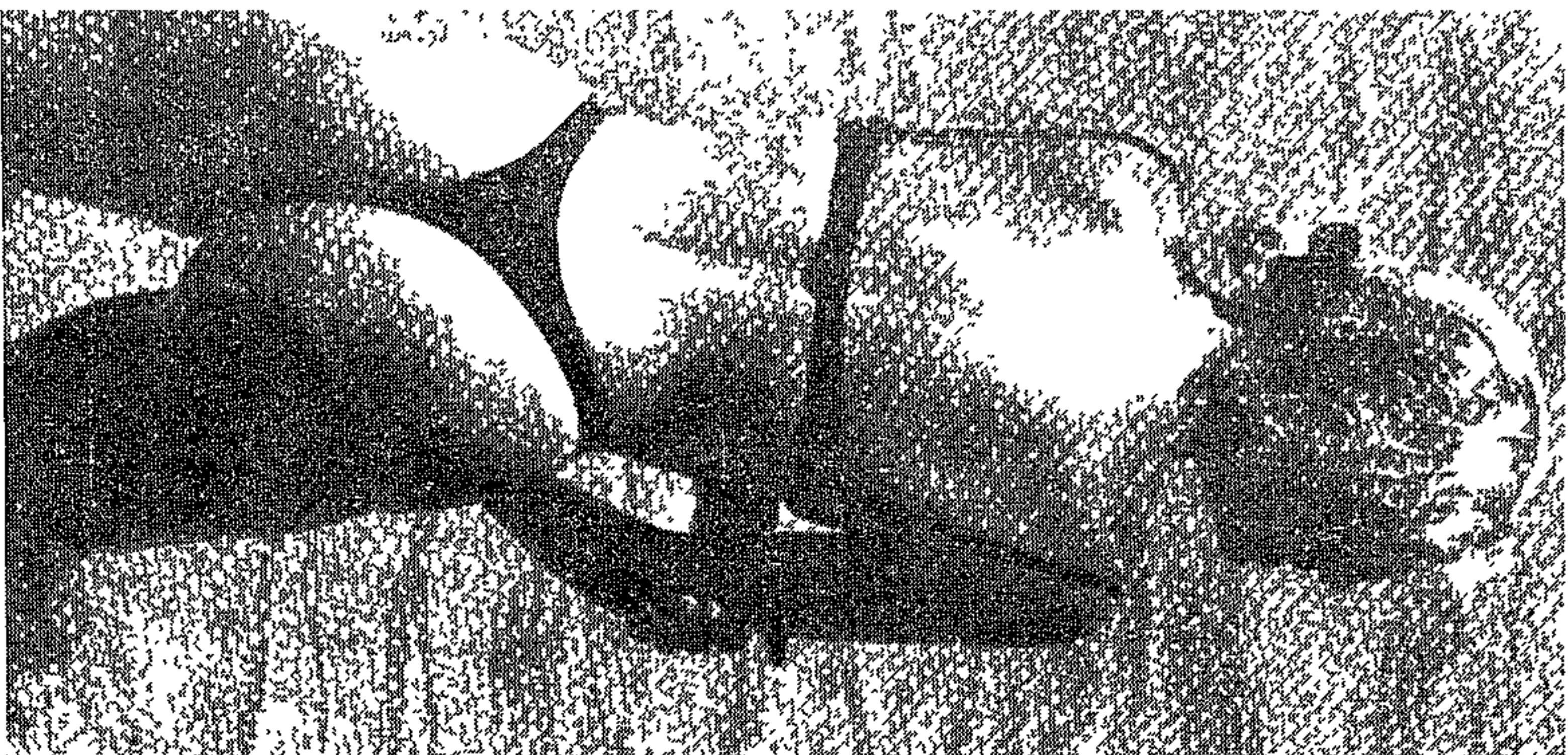
Heavy traffic and a scarcity of parking were the order of the day.

The scene was the same at Clifton, Camps Bay and Sea Point, which were said to be "wall to wall" with boddies, and beachgoers had to park several kilometres away.

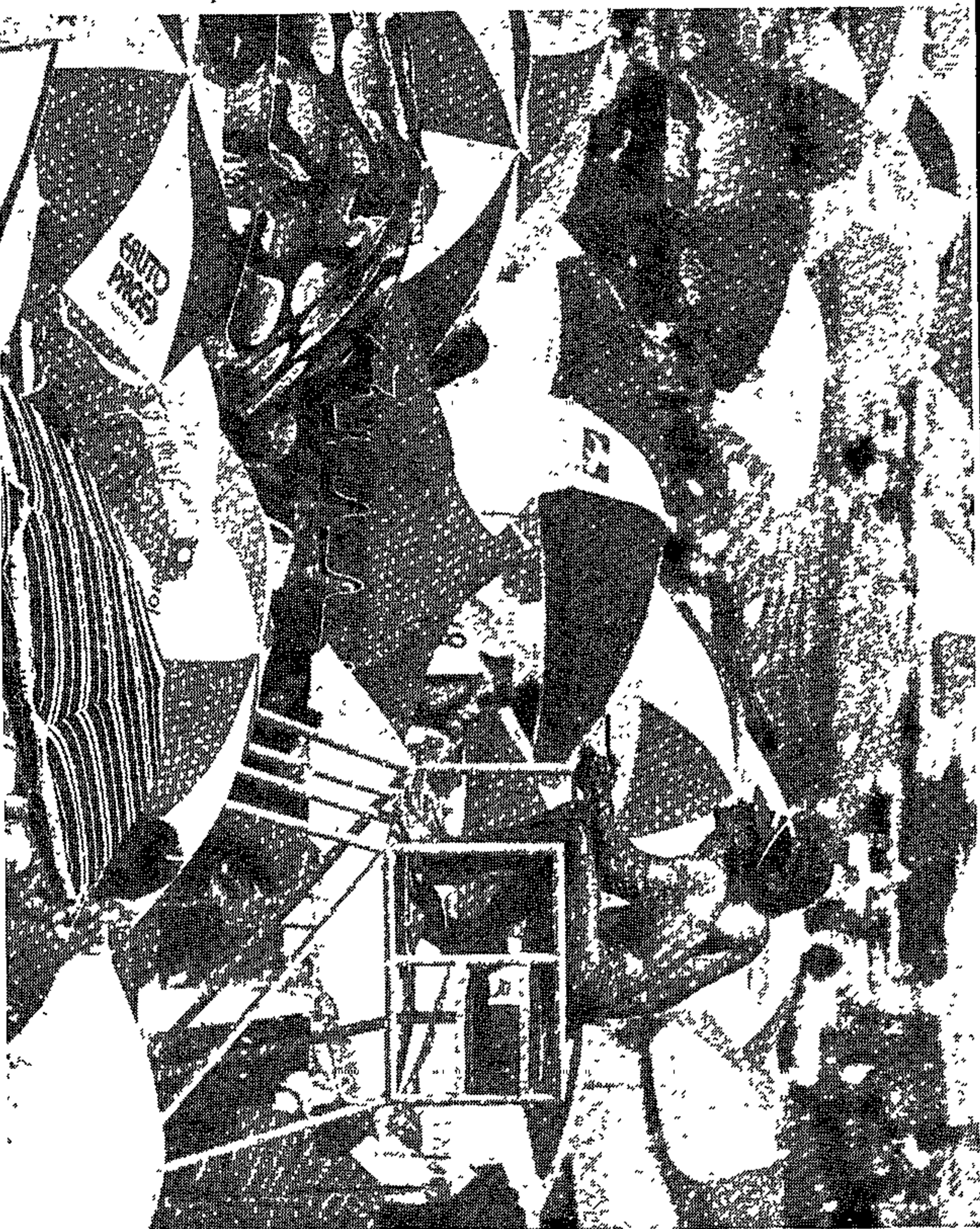
Camps Bay's Glen Beach took on a carnival atmosphere as the crowds watched some thrilling surfing in the WW Nite Classic, held in good half-to one-metre waves.

At Blouberg, lifesavers were kept busy rescuing large numbers of mainly upcountry boardsailors who got into difficulties in the gusty conditions.

Two men were rescued off Bloubergstrand by lifesavers in an inflatable boat when they got in to difficulties while swimming from a motor boat yesterday afternoon.



KEEPING COOL: A beauty takes a dip in the icy Atlantic at Clifton.

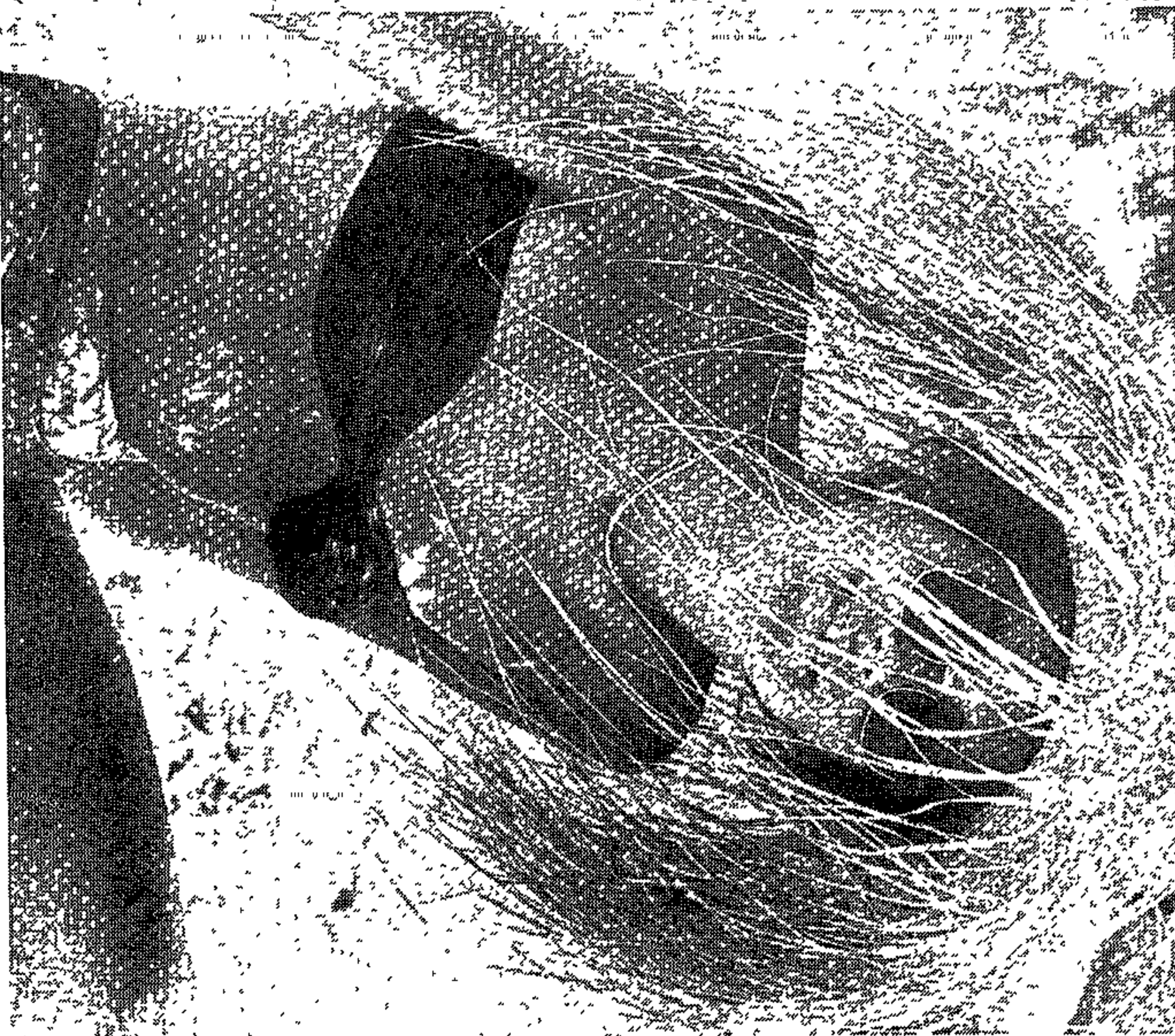


LIFE WATCH: Bronzed lifesavers keep watch as beachgoers swelter under brightly-colored beach umbrellas at Clifton's Fourth Beach yesterday.

Pictures ANDREW INGRAM, The Argus



WIFE ARGUS 27/12/89

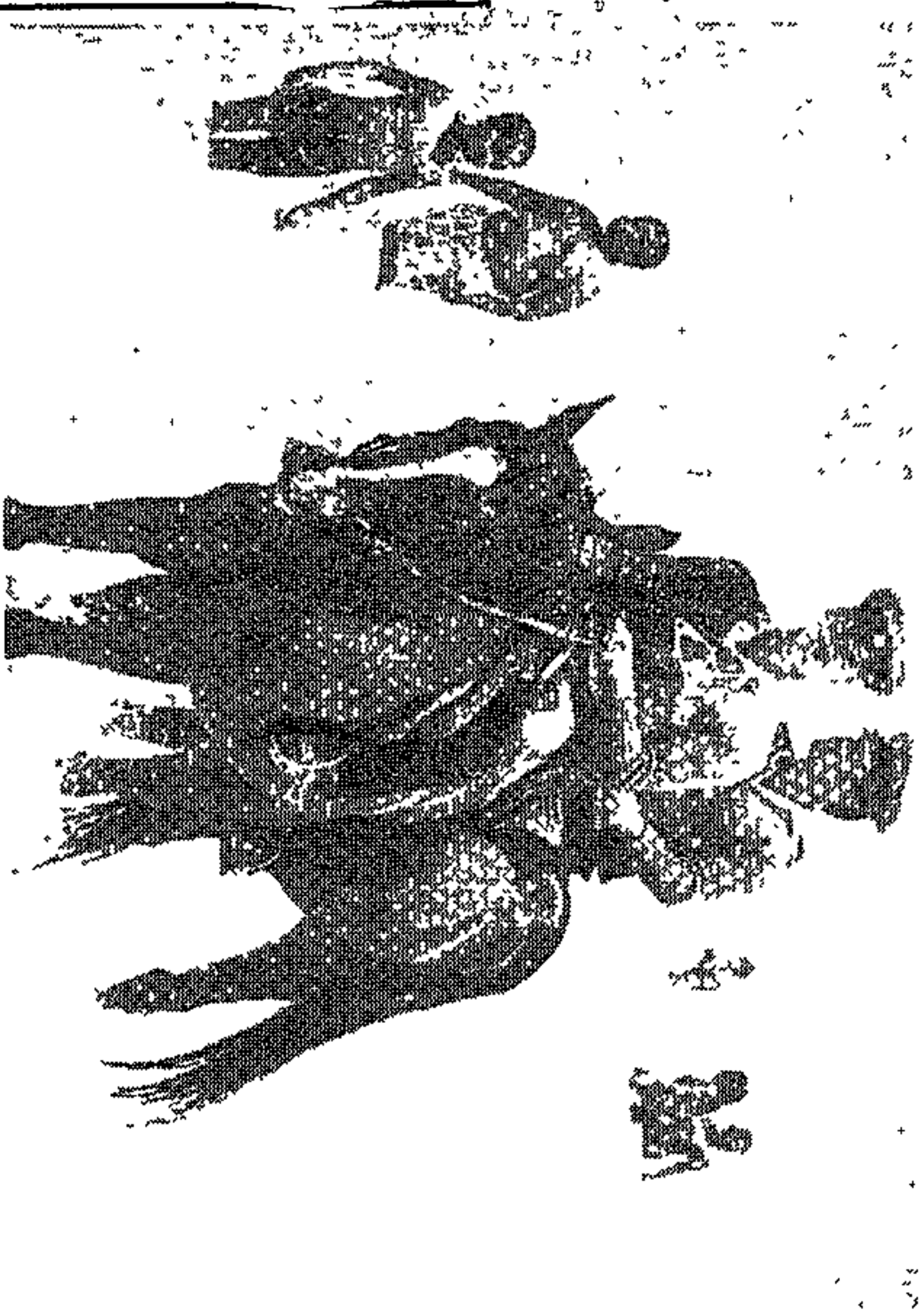


**ON THE FRINGE:** Vicky Wrensch, 16, made sure she didn't get sunburned by wearing this hat.

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**MR SANDMAN:** Richard Spradbury, 16, from Perth, Australia, surprised a group of Muizenberg beachgoers who thought he might be burrowing home.



**BEACH RIDERS:** Beach constables Gavin Thomas and Mark Ward trotted the length of Sunrise Beach to ensure the safety of bathers.



# 'Gangster' battle at Muizenberg

Capt. Tink 27/12/89

Staff Reporter

POLICE used teargas and rubber truncheons to disperse a group of about 40 "gangsters" armed with baseball bats and sticks who fought a pitched battle on the parking lot near Muizenberg Pavilion yesterday.

Municipal beach constables tried to stop the fighting but were chased away by some of the gangsters, police liaison officer for the Western Cape Captain Gys Bonzaaier said last night.

He said the battle started about 3.30pm, "when a group of about 15 blacks started throwing stones and beer bottles at parked cars".

"Another group of about 20 blacks started fighting with the first group while a crowd of about 400 people gathered to watch," he said.

The police riot squad was called in and used teargas and rubber truncheons to disperse the fighting groups.

"The police remained in the area until 7pm to maintain law and order."

Capt Bonzaaier could not say whether any people had been injured or vehicles damaged.

Meanwhile new attendance records were set at Peninsula beaches over the Christmas weekend.

According to Mr Eddy Cassar, spokesman for the Western Province Surf Lifesaving Association, "thousands upon thousands of people" crowded the beaches. Most coastal roads were heavily congested with bumper-to-bumper traffic.

A record 4 000 people crowded onto Llandudno beach, despite the shortage of parking there, Mr Cassar said.

Bluebottles stung scores of swimmers at Muizenberg and Fish Hoek. Mr Cassar said the False Bay and Fish Hoek Lifesaving Clubs between them treated 30 to 50 stings a day.

At Bloubergstrand an NSRI team was called out yesterday to rescue two struggling windsurfers.

The John Rolfe helicopter was called out to assist some men whose dinghy had overturned between Milnerton and Table View and a helicopter was called out from Ysterplaat air force base to Bain's Klóof to rescue a man who had broken his right leg.

The fully-clothed body of a young man was pulled from the sea in front of the Hard Rock Café in Sea Point shortly before 9pm on Christmas Eve, Capt Boonzaaier confirmed yesterday.



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# Violence: Call for more <sup>CAM-Times</sup> police on beaches

28/12/87

MUIZENBERG residents and businessmen have called for a stronger police presence on the beach after violence broke out near the Pavilion on Family Day.

Municipal beach constables were unable to stop two groups from fighting. They were finally dispersed by members of the riot squad, who used teargas and rubber truncheons.

"This is very frightening," said one of Muizenberg's councillors, Mrs Joye Gibbs.

She suggested greater protective measures, including police roadblocks on Muizenberg access roads, to eliminate the number of weapons brought onto the beaches.

"Masses of taxis descended on Muizenberg on the 26th. A solution may be to divert traffic to Sunrise Beach in future. We need R5 million before next season in order to develop the area between Sandvlei and Sunrise Beach to avoid this intense congestion on Muizenberg beach."

She said the beach carried 50% of all False Bay "recreational traffic".

However, police have described the incident as "isolated" and said their numbers on the beach would not be increased.

Mr Dale Ramage, a resident and flea market stallholder who witnessed the incident, said a heavy police presence was needed as "nothing can be done once these factions get together".

Author and local businessman Mr TV Bulpin said the incident was "unfortunate" and that the problem should be confronted through "straightforward law enforcement".

Several people interviewed complained about the amount of alcohol consumed openly on the beach.

# 5 killed in PE unrest flare-up

Capt Tm's 30/12/89 375

PORT ELIZABETH. — At least five men died and seven were seriously injured in running street battles between heavily-armed rival factions in Uitenhage's KwaNobuhle township on Thursday, police said yesterday.

A spokesman for Uitenhage's Provincial Hospital said the figure may well be higher. It was his experience most of the dead were often taken from the scene of the battle, he said.

Most of the injured, their ages ranging from 16 to 43, suffered head injuries and multiple stab wounds, according to the police overnight unrest report issued in Pretoria.

After sporadic fighting on Thursday morning between Charterist "comrades" and Africanists, the township remained tense and there were intensive police patrols of the area.

Violence flared again at 11.20pm on Thursday night, however, when a home was petrol-

bombed. Nobody was injured in the attack, according to an ambulance spokesman.

The fighting follows the breakdown of peace talks between the rival groups and the declaration by Africanists that there was no further question of peace with the UDF in Uitenhage.

Fighting first began in January 1987 when Africanist vigilantes allegedly attacked selected homes of UDF supporters. Peace was restored by the end of the year but violence flared again last month, leaving three dead and three injured in the Tyoksville area of the township.

Riot police were notified as early as 5.10am on Thursday of armed groups marching through KwaNobuhle. A group was first seen by municipal police, heading into the Khayalitsha area of the township, the Africanist support base.

The groups were warned to stop fighting and told to disperse on four occasions, and at times tear-smoke was used. Riot police res-

cued a 43-year-old man from four attackers during the fighting and arrested one alleged assailant.

Between 6am and 7am police came across several groups of heavily-armed men and about 7.30am the bodies of three men were found. They were aged 20, 19 and 18, and all had been stabbed.

About five minutes later a man with multiple stab wounds was found in an open lot in Mondile Street. He was taken to hospital but died shortly afterwards, the report said.

About 7.40am another man with severe head injuries was found in the same area. He also died in hospital.

Between 7.30am and 8.00am seven men aged between 16 and 43 were found seriously injured.

Police were investigating the deaths and assaults, the report said.

"Though the area is being intensively patrolled by the police, the situation remains tense," it concluded. — Sapa