TOTALITARIANISM - DETENTION

1985

NOV. — DEC.

Footnotes

Trade Union: Brewery Employes Union (Cape Penninsula)

Partners: Employer Organisations: South African Brewing Industry

BREWING INDUSTRY, CAPE TOWN

Pay

1. Paid leave for a further 15 or 18 days at 25% of full
   pay in addition to full pay for 10 and 12 days' attendance

2. Sick leave

I. Annual leave

- Skilled workers are entitled to 15 or 18 days leave per
  year
TODAY, on the 104th day of the state of emergency, more than 1 200 people, including children, are still detained.

According to figures issued by the police last Friday, of the 5 196 people detained since the emergency was declared on July 21, 3,987 have been released while 1,209 were still being held.

The Detainees Parents Support Committee (DPSC) believes about 300 of those detained are younger than 25 years, with many aged between 12 and 18.

The DPSC says it is difficult to monitor the figures of children held under the emergency.

The police release only the total figures of people held and do not give the ages of the detainees.

Emergency regulations stipulate that people may be held by the police for up to 14 days, but the period of detention may be extended by the Minister of Law and Order. Many have been held for longer than the 14 days.

A typical example is that of Rebecca Sekgatlhe (17), a schoolgirl from Alexandra Township. She was detained on July 21 — the day the emergency was declared — as she was leaving the Alexandra Clinic after her tooth was extracted.

Rebecca, a Standard Nine pupil at Minerva High School, is at the Diepkloof Prison, Johannesburg. Her mother, Mrs Helen Sekgatlhe, has seen her daughter only once since her detention.

Mrs Sekgatlhe said she was allowed to see Rebecca last Monday after she was told the girl was ill.

Mrs Sekgatlhe insisted that her daughter be examined by a private doctor, who assured her that Rebecca, who complained of constant headaches, would be fine.

Rebecca’s mother, in the meantime, wonders what type of person her daughter will be when she emerges from the prison.

“I think she will be a hardened girl, toughened by the prison conditions and may never again be the happy-go-lucky little girl whose passion was books and dressing up,” Mrs Sekgatlhe said.

Another typical case is that of Johnny Mashiane, also of Alexandra, who spent two weeks in prison and was admitted to a psychiatric ward after his release.

Doctors at the Hillbrow Hospital said the boy was psychotic, but could not say whether his condition was induced by the detention.

Johnny, once a healthy boy, now looks older, cannot eat, speak or walk properly.

His lawyers intend taking legal action against the Department of Prisons and that of Law and Order.

Emergency detentions and the length of time spent in jail by victims are but part of the question: is President PW Botha’s state of emergency succeeding in restoring peace and stability in the country? 

Announcing the emergency on July 20 the State President said: “There is a campaign to make the country ungovernable and the security forces must use all in their power to quell unrest and stop the violence.”

Mr Botha thought that the unrest that had swept through the country — from the Eastern Cape to the East Rand — was championed by thugs and hooligans and those directly involved in law-abiding people.

He said: “These acts of thuggery normally take the form of incitement, intimidation, arson, inhuman assaults and even murder. This state of affairs can no longer be tolerated.”

In the Government Gazette of July 21 Mr Botha published the enormous powers extended to the forces — any member of the South African Police, the South African Defence Force, Prisons and the Railways Police.

One of the regulations said: “A member of the force may, without warrant, arrest anybody whose detention is necessary for the maintenance of public order.”

The regulations also empower the security forces to enter premises to search for or arrest people. They may search cars and the passengers if they suspect anything illegal.

Before the emergency was declared the police said that more than 300 people had died in bloody unrest last year alone.

The State President last Friday extended the emergency to seven areas in the Cape, including Cape Town itself.

Calls for the lifting of the emergency have been growing louder and louder.

Some events have been the highlight of the past 100 days:

- On September 12, 12,746 pupils at Hlengiwe Secondary School, Soweto, were detained after the SADF entered the premises at about 8am. Many of the pupils were as young as 12 years.
- A teacher, Mrs Anna Bester, and 10 pupils were shot at Musi High School, Soweto, when police used shotguns and rubber bullets.
- Deaths and injuries to children in the townships were reported.
- Phillip Dlaminini (3), of Soweto, was shot in the leg at his Zola home.
- Esther Mantwa Mloti (13) of Soweto was shot in her way from school to Soweto during September. The SADF said this after pupils were ordered off the premises of a school.
- Mr Justice J P G Eckstein on September 25 ordered the SAP in Port Elizabeth to stop assaulting emergency detainees after an application by their relatives.

In her testimony, Dr Wendy Orr, who examined some of them, said detainees were systematically assaulted and the police were rather callous in their lack of concern for the plight of the detainees.

Many people and organisations, locally and abroad, have called for the withdrawal of troops from the townships.

The Soweto police are presently investigating allegations of rape against a soldier after a 15-year-old Diepkloof girl alleged that on Sunday she was raped in the wend in the township.
PRETORIA — A total of 2,056 people are being detained under the 14-week-old emergency and 58 more detainees have been released since last week; police lists here today show.

They showed that 473 people were detained since last Friday, bringing to 5,119 the number of people arrested since the emergency began on July 21. Some 3,063 people have been freed.

Most of the detentions took place in the Western Cape, where township unrest has flared during the past month.

- Cape Town University's theology professor, Charles Villa-Vicencio, was released from detention last night.
- Professor Villa-Vicencio was detained last week along with more than 60 people in Cape Town under section 90 of the Internal Security Act.
Umtata lawyer freed from detention

Dispatch Reporter

UMTATA — A lawyer here, Mr Dumisa Ntsebeza, was released from detention early yesterday, a partner in Mr Ntsebeza’s law firm, Mr Xola Pete, said.

Mr Pete said Mr Ntsebeza had returned to work and was attending to court matters, “but he has not come back to the office, and we presume that he is still busy with our legal matters”.

Telephone calls to Mr Ntsebeza’s home were answered by a relative who said Mr Ntsebeza had not returned home.

Mr Ntsebeza’s release follows that of three Cala men on Wednesday, who were immediately served with banishment orders to various areas of Transkei.

Mr Lungisile Ntsebeza, Dumisa’s brother, who is a bookshop owner, said he, Mr Godfrey Silinga, a teacher, and Mr Monde Mvimbé, a Cala businessman, had been released and then banished to Mhlabane near Tsomo, Baziya near Umtata and Nqdu near Willowvale, respectively.

Mr Lungisile Ntsebeza said he did not know when Mr Victor Nqaleka, a bookshop assistant and Mr Zingiza Mkhabile, would be released.

All were detained after the shooting of Mr Batandwa Ndondo, 22, an ex-executive member of the Unita SRC, on September 24, in Cala.

Mr Ndondo was allegedly fetched by three men and a woman from his home and shot dead on the road just outside Cala.

The head of the Transkei security police, Lieut-General Leonard Kwe, and the Transkei Commissioner of Police, General R. S. Mantanga, were both not available for comment yesterday.
Detention can be extended

BY BARRY STREEK

DETAINNEES held under the state of emergency can have their periods of imprisonment extended until the end of the emergency by the Minister of Law and Order, Mr Louis le Grange, "without notice to any person and without hearing any person", according to an extraordinary government gazette published yesterday.

The minister can order that any person be detained for a further specified period above the initial 14 days specified in the emergency regulations "or for as long as these regulations remain in force".

As more detentions under the emergency regulations were reported yesterday, the mystery over the disappearance of Mr Keith Gottschalk, the chairman of the Civil Rights League, continued.

The police did not confirm any detentions yesterday, nor was there any clarification about the position of Mr Gottschalk, who, the police said on Wednesday was not, according to present information, being held in terms of security or emergency regulations.

After police headquarters were telephoned the names of detainees, its public relations division said a complete list of persons detained and released in terms of the emergency regulations would be released today.

Professor Charles Villal-Vicencio, a Methodist priest, was released from detention about 7pm last night.

The professor of theology at UCT was detained last week along with more than 60 people under Section 50 of the Internal Security Act.

Police in Pretoria have, meanwhile, confirmed the detentions, in terms of the emergency regulations, of the following people:


Mrs Gadia Williams, the wife of the University of Western Cape media officer, Mr Moggungen Williams, said yesterday she had been told by the police that her husband was being detained under Section 29 of the Internal Security Act.

Six people are being held under Section 50 of the Internal Security Act in the Strand and Somerset West region, lawyers have confirmed.

They are Mr Faizel Moosa, Mr Winston Thomas, Ms Vida Jetha, Mr Lionel Williams, Mr Gavin October and Mr Elwyn De Wee.

The Strand-Somerset West area is not under emergency rule, and the police have not yet confirmed the detention of the six people.

Three others were released yesterday after they appeared on charges of public violence and were released on R100 bail each.

A delegation of the Law Society of the Cape of Good Hope yesterday met the Judge-President of the Cape, Mr Justice George Munnik, "as a result of concern for the welfare of detainees in terms of the Internal Security Act and the emergency regulations".

The Law Society said in a statement afterwards that "the delegation was given the assurance that all detainees would be visited by judges in the division".
Ciskei arrests
111, releases 6

Dispatch Reporter
BISHO — Five Middledrift teachers and a messenger of court have been detained since Monday under section 26 of the National Security Act, the Ciskei police liaison officer, Lieutenant Muvuso Ngwenda, confirmed yesterday.

They are Mr Vuyani Ngcuka, a messenger of the court, his wife, Mrs Tainara Ngcuka, Miss Nomuvuyo Stoffie, Mr Mathumba Belfour, Miss Bululwa Tumtusa and a Mr Sonjica, all teachers. They were among 111 people arrested at Anshaw mission near Middledrift on Saturday afternoon. All were charged with attending an illegal gathering.

They were each granted R20 bail and the minors were released into the custody of their parents. Their case was postponed to December 6.

The six were then detained under section 26 after their court appearance.

Lieutenant Ngwenda also confirmed the release of six people from detention.

They are Mr Miuleki George, Mr Khaya Mabasa, Mr Bonsile Botile, Mr Luntu Bobo, Mr Mhlophi Bongobi and Miss Nontu Bongco.

They were released from detention under section 26 of the National Security Act at the weekend. They had been in detention since September. None had been charged.
THE Natal chairman of the United Democratic Front, the Rev. Mziwandile Xundu, was released from detention in Transkei this week.

But the UDF in Durban, which has been in organisational disarray since the Government clamped down on them, will not be able to assist Mr. Xundu, its sources said, and will have to elect a new chairman because he has been transferred to Port Elizabeth.

Mr. Xundu was transferred by the Transkei security service on the day before he was released from five years' detention at the hands of the Durban Security Forces.

Shortly after his re-election, he was admitted to hospital in Transkei and remained there until Monday night when he was discharged from there.

Lawyers

Lawyers filed an application in an attempt to the Anglican Church to the Transkei Supreme Court to have Mr. Xundu's detention order declared invalid but he was released from detention before the case could be heard.

Mr. Neville Detection, Aids director, said all judges in the Anglican Church confirmed Mr. Xundu's release from detention.

Mr. Xundu has been the Anglican parish priest in Durban's Lambeth townships for about four years. Before going to detention he was transferred to the diocese of Port Elizabeth where he will be a hospital chaplain.
Majority of detainees from W Cape

Weekend Argus
2/11/85

POLICE have detained a total of 473 people, the majority of them from the Western Cape, under the emergency regulations since last Friday.

The latest arrests have swelled the number arrested since the emergency began on July 21 to 519.

There are still 1152 people in detention, while 3065 people have been freed.

Police today released a list of people still in detention. It confirmed that scores of Peninsula community leaders, students, pupils, teachers and United Democratic Front members have been detained under the emergency regulations.

Full list of W Cape detainees — Page 4.
Western Cape detainee: The full list of names

The Argus yesterday published the names of all detainees fur- nished by the South African Police at the time of going to press. The following is a list of all the names supplied of those de- tained in the Western Cape this week.

Kurilstein: Steve Low, Abra- ham Fortuin, Uvelwethu Mac- Donalds, Leonard Low.


Cape Town: Wilfred Blom, Brian van Wyk, Fred- drau Kaf, Deborah Patto, G A Rosset, Naima Issack, Garel Jacobs, Stanford Ad- am's, Gregory McMaster, Graham Procy, Ivano Jooste.


Clarence: Sophia Isic.
Western Cape detainees: The full list of names

The Argus yesterday published the names of all detainees furnished by the South African Police at the time of going to press. The following is a list of all the names supplied of those detained in the Western Cape this week.

Knile, Leke
Mzwandile, Dyamiyi Yuvu, Zantes She-
drail, Gcsoon Jameson, Masi-
yi, Muki, Nqqaswe Sim-
phile, Mlisi Lengano, Yanda
Kwele, Solomon Tembo. Pat-
ner Serob, Thanduxane Dby-
booi, Thembho Boyton, Jep-
je Mattu, Cypsa Xuru, Kev-
Rima Mamata, Andre Mal,
Richard Dyon, Timathly
Kalo, Andile Gqato, Jackson
Dantile Worcester: Virginia
Ndjynye, Mongesi Shurman,
Peter Crousney, Raymond
Bushbana, Catherine Will-
liam.

Pearl, Joseph Cupida, Anwar
Shaiik, Nwemvela Wilson,
Abraham Moeta, Gerhard
Alexander, Arthur Mwana,
Herold Googwa, Aleslys
Sheldon, Graig Sheldon, Jo-
han Marius, Ivanhose Abara-
ham.

Bellville: Leslie Madoro,
Alton Harris, Michael Benj-
im, Clyde James, Brian En-
gel, Willem Engelbrecht, Mi-
Iichael Frazer, Neville Naasoo,
John Abraham, Jacobus En-
gelbrecht, Patrick Mthembu,
Clyde van Oordt, Ian For-
tn, Christof du Plooy.

Kuxilwe, Steven Louw, Abra-
ham Fortuin, Luvellene Mac-
Donald, Leonad Louw.

Wynberg: Ruhid Seria, Mo-
hamed Badat, Abdulrah
Omar, Basil Snyger, David
Abrams, June Essau. Wilton
Siduna, Kevin Polet, Selena
Manuel, Mountain Qumbalo,
Ethrin Rasool, Bennet Bu-
ley, Zelle Mabet, Veronica
Simmsen, Virginia Steele,
Glede Poole, Mary Ngetu,
Monicke Jack, Dorothy Ma-
ta, Florence Beshenga, Non-
na Mkelo, Mildred Le-
sie, Roseberry Sonto, Chris-
mas Tinto.

Dorothy Zlambo, Howard
Marowo, A J E Meyer, Ray-
lan Fisher, Shabdo isel, Pa-
ricia van Heerden, Robert
Peterson, Joacata Cole, V E
Zwengenthal, Massefer Jeffer,
Yogga Sowat, C M T Villa
Vicenie, Gavin Baines, Ivan
vd Horste, Mark Anthony
Unthanka, Karshin de Jong,
John Motse, Virginia Engel,
Keith Gomth, Yusuf Elbra-
hin, Veresia Ludwig, Theresa
Solomen, Athus Solomon, Anos
Dodo.

Thembo Mitimo, Belinda
Barries, Matthew Selvin, Ana-
lise Bosman, Siblon Need-
ham, Jan vd Riet, Lauren
Muller, Sandra Liebenberg,
David van Selden, Clive Bes-
ter, Allen Davies, Dorothy
Dyer, Jennifer Butler, Kim
Westenberg, Donaud Skinner,
Margaret Orford, Peter Fine,
Madeleine Fullard, Gladstone
Tembladast, Leslie Andrews,
Collen Lombard, Derek Nai-
doe, Charles Paol, Darin
Reef, Clifi Joseph, Ronald
Rupper, Ronald Middelast,
J most Bosch, Daniel Louw.
Baynog Ngwangano, Zanile
Nqaki, Helen Mhag, Vayo-
Fini, Miluoja Simo

Goodwood: Albert Gwus,
Keith Samuel, Moses
Areedra, Morris Arries, Ed-
gar Petere, Aamul Gattier,
Elise Theunis, Michael Che-
/rss, Andre Antho, Thomas
Tsam, Adam Ethriein, Tel
Peterson, Gali Williams, Mer-
cio Andrews, Charles Ma-
che, Sulimani Joel, Rochel
Kennedy, Mathew Dudale,
Selwin Prince, Raymond
Thomus, A Christian, Shepid
Jackson, Mohamed El, Frank
Julie, Richard Martin, Dexter
Mauritz, Andrew Links, John
Handriks, Trevor Johnson, Ni-
chelab Abrarms, Abel Peter-
sen, Granville Johnson, Abi-
gale Tufelo, Nombaulo Besp,
Edwin Wilson.

Capetown: Wilfred
Rheodes, Edwin Marjon, Ge-
fridd Kratz, Debroha Patto,
G A Roslett, Naziem Issac,
Graer Jacobs, Stanford Ad-
ams, Gregory Mcmaster,
Graham Pray, Iwan
Jooste.

Athlosne: Ebrahem Rasool,
Sipho Buchuha, Fiki Nole-
tane, Sipho Motamani, Tha-
hide Ryveld, Ismael Bennet,
Faziel Slimang, Magaphone
Island, Craer Morakell, Pe-
ter George Williams, Sheshi
Mohamed, Donovan Jacobs,
Aston Jacobs, Neil Janury,
Oman Komas, Dramat She-
hlan, Russel Milligast, John
Tris, Pohybe Tobys, Joyazed
Rahami, Farock Abrarms, Jorabim Sadon.

Bellville: Graham Vencande,
Christian Cupida, Raymond
Louw, Angela Sso, Cyril Ne-
wouis, Don Jean Anthony
Schober, Abrahem Leenast, Ge-
Botha, Jonathan Hofer-
Verlis, Normam Farber, Mi-
chael Rajop, Erick de Klick,
Samuel Bamak, Eugene Le
Fleure, Vanessa Brown, Julian
Sahls, Trevor Medler,
Hawtong Perrong, Edwin
Boysen, Onew Stone, John
Jacobs, Andre Andrews, Ron-
ald Kroger.

Claremont: Sophia Iie.
"PAC confession was forced"

By DANIEL DHLMINI

A "TRIAL-­WITHIN-A-­TRIAL" is being held at the Potchefstroom Regional Court, where five alleged Pan African Congress members are appearing on charges under the Internal Security Act.

Five magistrates and two interpreters were called to give evidence after defence advocate R Selvan, assisted by D Moseneke, objected to an alleged confession by one of the accused handed in by the prosecutor on Monday.

-Mr Selvan said the "confession" by Mxandeli Morris Kheeye, 30, of Mdantsane, handed in after the five accused pleaded not guilty on Monday, had been made under duress.

-A number of policemen are to be cross-examined on the "confession" by the defence and judgment on its validity is likely to be passed next week.

-The five men appearing before Magistrate L Kotze are Jan Tshoba, 26, of Anderderville; Mxandeli Morris Kheeye, 30, of Mdantsane; Elly July, 26, of Kimberley; Mpho Mxaza Gqamani, 23, of New Brighton; and Bonite Raymond Nkabiinde, 23, of Soweto, Johannesburg.

They have been charged for participating in "terrorist activities" and contravening the Arms and Ammunition Act.

Other allegations against the accused are that they were active members of the banned PAC and that they recruited persons to become members.

A large number of riot unit cops are present at the hearing.
MY COUNTRY

This is to prove...

A TEMBISA youth who won at the 2018 Three Weeks to Prove...
SIX Zwelitsha township residents were released from detention by Ciskei security police at the weekend.

The freed detainees include Mluleki George, former Robben Island prisoner and acting president of the Border Rugby Union.

The others are teachers Khaya Mabece and Nomzamo Bongo, former student activists Lantu Bobo, Mhlophe Bongo and

Veritas News Agency

*Bonisle Bollte.

They were detained for 36 days under Section 26 of the Ciskei National Security Act which provides for indefinite detention without trial.

Still in detention are Zingisa Educational Project official Mbulelo Tshape and murdered civil rights attorney Victoria Mxenge's brother-in-law Monde Mxenge.

Meanwhile, the Ciskei Supreme Court last week ordered that the files of three detainees who had applied for an interdict restraining Ciskei police from assaulting or further interrogating them be forwarded to Ciskei Attorney-General WF Jurgens for his decision.

Judge B Pickard gave the ruling on Friday, the return date of the application by Mabule Mdla of Zone 2, Zwelitsha. Mr Mdla was allegedly assaulted while detained under Section 26.

Judge Pickard made the same ruling concerning Xola May and Simon Ntshwana of Nongoma Village, who were also detained under Section 26.

They have since been released, but Mr Mdla has been charged with murder, public violence and assault. He is out on R30 bail.
3 from Clowu in detention

THREE of the six organizers of the Clothing Workers Union (Clowu) are in detention.
Ms Shirley Gama has been in detention since August 23, while the detentions of two other Clowu organizers, Mrs Colleen Lombard and Ms June Essau, under the emergency regulations, were confirmed by the police last week.
Three other trade unionists are also in detention. They are Ms Liz- zie Phike, who works for the Food and Canning Workers Union in Paarl, the Rev Howard Marawa, of the General Workers Union, and Mr Thozama Tsolo of the South African Allied Workers Union.
A NUMBER of teachers — many of them members of the Western Cape Teachers' Union (Woctu) — were detained under the emergency regulations last week.

They include: Patricia van Heerden and Penrose Hendricks of the Aloe Senior Secondary School and Ebrahim Bis- soul of the Spine Road Senior Secondary School in Mitchells Plain; Phillip Tobias, principal of Crestway Secondary School; and Elize Theunissen of Crestway; Mike Benjamin, Steven Louw, Mike Frazen, Acton Harris, Clyde James, Brian Engel of the Belhar Senior Secondary School; Abe Portuin of Scottsdene; Basil Schnieder of Garlandale; Selma Manuel and Glenda Pools of Crystal; Anne Murray of Eselen Park Primary, Jenny Luis of Bré Rivier Secondary School and Ivor Opperman of RC Primary School in Worcester; Dan Louw of Manenberg No 3; Willem Engelbrecht and Yaggia Saffai of Bishop Lavis No 3; Moses Arende of Bishop Lavis High; Mercia Andrews and Marcus and Gheeusé Siboniso of the South African College of Higher Education; Derrick Naidoo of Harold Cressy, and Gareth Rossiter of St Joseph's College.
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Planning

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Toyota Cressida.

Maintenance cost: $69.90 a year. This is the savings you get for.

Toyota Cressida.

Then just fuel.

more a lot

saves you

Planning
Three city people believed held

Staff Reporter

At least three Cape Town people are believed to have been detained by police in the past two days.

Police have confirmed the detention of one, Mr Aubrey Haupt, chairman of the Federation of Cape Civics, who was detained under the emergency regulations yesterday.

A Cape Town nurse and educationist was taken from her house by two uniformed policemen at dawn today, according to her housemate.

A final-year BA student at the University of the Western Cape is believed to have been held yesterday.

Police were asked today to confirm both detentions.

More than 20 people have been arrested in Zweluzu, near Ashton in the Boland, on various charges after unrest.

Two were detained after police vehicles were stoned yesterday, according to a police spokesman from Pretoria.

Police also arrested 18 men and two women there after earlier incidents of violence.

In Athlone about 6pm yesterday a man was arrested after he tried to knock a member of the SADF off his motorcycle with an iron bar.

Additional police forces who have supported Atteridgeville police to control unrest in the Pretoria township have been withdrawn, the divisional CID chief for the Northern Transvaal said today.

Brigadier Hendrik du Plessis said additional police would be withdrawn from other townships in the area if the situation normalised, Sapa reports.
Chairman of civic federation detained

By BARRY STREET

THE chairman of the Federation of Cape Civic Associations, Mr Aubrey Haupt, has been detained under the emergency regulations.

Police headquarters in Pretoria yesterday confirmed his detention.

Mr Haupt was reported to have been taken from work in Maitland about noon on Friday.

A number of other detentions at the weekend have been reported but these have not been confirmed by police and under the emergency regulations their names may not be published until then.

Yesterday, the Food and Canning Workers' Union expressed its "outrage" at the detention of Ms Lizzie Phike, one of its national organizers.

In a statement by its general secretary, Mr Jan Theron, the union expressed "falled confidence in her".

"Her detention shows the absurdity of the government's claim that it is trying to maintain law and order.

"It shows they are detaining people who are prominent in their community—and they are the very people it should be negotiating with.

"We call for her release and the release of all other detainees," the union said.
Detention trauma alleged

FROM PAGE 1...

unhealthy psychological effects when detained and interrogated.

The symptoms and psychological disability may persist for many years if the person does not receive treatment," he said.

As many as 70 percent of all detainees developed symptoms of post-traumatic stress disorder.

Fr. Paul Verry of the South African Council of Churches said that after counselling children during the 1976 unrest he had no doubt that the present state of emergency was leaving children traumatised and making their normal development impossible.

The resolution was passed by the South African Institute for Marital and Family Therapy, the Johannesburg Welfare Society, the Johannesburg Child Guidance Clinic, the Johannesburg Branch of the Association of Child Psychology, Psychiatry and Allied Disciplines, the Family Life Centre, the Johannesburg Indian Social Workers' Association, the National Medical and Dental Association, the Islamic Medical Association, the National Education Union of South Africa, the Organisation for Appropriate Social Services in South Africa, the Concerned Social Workers' Group, the People Opposing Women Abuse and the Detainees Counselling Services.

The police public relations directorate said: "The South African Police are as concerned about children in detention as any other individual and organisation. Their arrests, however, are unavoidable as children in many instances, and often encouraged by adults, participate in acts of violence and other unlawful deeds, perpetuated in the name of a cause.

Acts of sheer thuggery and intimidation are also often committed by children.

Permission

"Because of their concern the police, in close co-operation with the South African National Council for Child Welfare, have taken the necessary steps to allow members of this society access to young people in custody.

Registered members of this society are granted permission to visit the youth and form the link of communication between parent and child on the one hand and police and parent on the other hand.

From visits by members of this society, many other officials regularly visit people detained under the emergency regulations and the possibility of maltreatment is very remote indeed.

Concerning other pamphlet case, the police have detained children as young as seven, we can only say that they are untrue.

At the start of the unrest it occurred that children of a very young age were detained in cases of arson. Since then Brig. Ceetee has issued other instructions."
Fears for health of held advocate

Staff Reporter

The wife of detained City advocate, Mr Abdullah Omar, 31, said she was concerned about the "deteriorating health" of her husband following his admission to the Victor Verster Prison Hospital in Paarl.

Mr Omar has suffered from a heart ailment for the past seven years and has been admitted to hospital for complaints, Mrs Fareeda Omar said.

Food

Mrs Omar, who saw her husband last Wednesday after an urgent application, did not disclose further information about her husband's health. She said that it was a matter "so sensitive that I fear for my husband's safety".

Mrs Omar said that food and reading material - including the Koran - for her husband was refused by prison authorities.

Approached for comment yesterday, a spokesman for the SA Prisons Service said: "Detainees incarcerated in prisons in terms of emergency regulations are treated in terms of the rules promulgated in Government Gazette No 934 of October 26, 1956. "These regulations are strict but fair and are applied in a responsible and professional way," the spokesman said.

Judges

"It could be mentioned that judges from the Supreme Court have free access to any prison and may talk to any prisoner, including detainees, and may report thereon. Magistrates have the same access to prisons in their areas of jurisdiction."

"According to an earlier statement by the Minister of Justice, Judge Presidents have been requested to make more judges available to visit detainees," the spokesman said.

"These increased visits are now in progress," he said.

"Furthermore, cell prisoners and detainees are seen at least once a day by the head of the prison to establish whether they have any complaints."

"These complaints are noted in an official register and receive the necessary attention," the spokesman said.

"A district surgeon is appointed for every prison or group of prisons and visit them regularly."

Ailments

"Prisoners and detainees have the opportunity to report ailments on a daily basis and are given prescribed medication by trained medical or nursing staff who also attend to the less serious cases in the prison hospitals," the spokesman said.

"If specialized medical attention is required, prisoners are referred to provincial hospitals by the district surgeons."

The spokesman said the medical treatment of detainees is governed by rule 20 of the emergency regulations, the issuing of reading matter by rule seven and food parcels by rule eight of the regulations.

"If it could be mentioned that all prisoners and detainees are given balanced diets which are reviewed from time to time by professional dieticians," the spokesman said.
Graaff Reinet. — A Government Gazette notice of October 31, amending certain regulations which governed a Supreme Court application heard about two weeks ago, has necessitated the application to be postponed for further argument, a full Bench of the Grahamstown Supreme Court found yesterday.

The application, brought by Mrs Koleka Patricia Nkwinti, challenged the validity of the state of emergency, its attendant regulations and the recent detention of her husband, Mr Gugile Nkwinti, a Port Alfred community leader and law student.

The government, the State President, the Minister of Law and Order, the Commissioner of Police, the Commissioner of Prisons and a Warrant Officer Ferreira are the respondents.

The application seeks a rule nisi calling on the respondents to show why Mr Nkwinti’s arrest and detention was not unlawful, and why the police should not be interdicted or restrained from taking any steps to hinder or interfere with Mr Nkwinti’s release.

Detainees held under the 14-week-old state of emergency can have their periods of detention extended until the end of the emergency by the Minister of Law and Order, “without notice to any person and without hearing any person”, the Government Gazette notice reads.

The presiding judge, Mr Justice Kannemeyer, yesterday said the court wished legal counsel to address three questions:

1. First, that counsel should argue a phrase contained in the amendment, which reads “without hearing any person” and whether this excluded the right to make written representations.

2. Secondly, whether the amendment was ultra vires the powers conferred on the State President in terms of the Public Safety Act.

3. And thirdly, the question of costs.
Order prohibits assault of Mxenge

BISHO — The Ciskeian Chief Justice, Mr Justice Daniel de Wit, issued an interim order yesterday restraining the police from assaulting and interrogating a detainee, Mr Monde Mxenge.

The order was made by consent and without any admission of liability.

Mr Mxenge, a brother-in-law of murdered lawyer Mrs Victoria Mxenge, was detained under section 26 of the Ciskei National Security Act a week after Mrs Mxenge’s funeral in August.

EXAMINATION

The order instructed the district surgeon to conduct a detailed medical examination on Mr Mxenge and to compile a report and submit it to the registrar of the Ciskei Supreme Court.

A magistrate in the district in which Mr Mxenge is being detained has been directed by the court to make inquiries and ask the detainee if he has been assaulted by any member of the Ciskei police force. He has also been asked to submit a report.

The order operates as an interim interdict in the final determination of the application.

The matter was postponed until November 15.

Sapa.
2 women arrested in township crackdown

NINE Casspirs and 150 personnel combed the Lenasia Hill, Lebowa and Lenasia Centre areas yesterday in Operation Open Door, the first of the systematic searches since the removal of 1,600 residents from the Hillbrow shantytown last year.

Confirmation of the names of the detained women, who were taken to Steenberg police station, is being obtained before they can be published. Family members said both worked for the newly-formed Unemployment Youth Movement and had UYM posters and a batch of pamphlets confiscated from their home before being taken to Steenberg police station.

Residents were stopped in the street and questioned and taxis and private vehicles were also stopped, searched and the occupants questioned.

Cars at the intersection of Prince George Drive and Concert Boulevard, where the Casspirs and Buffels were stationed from 11am to 1.45pm, were randomly stopped and searched.

Systematic searches

Residents of several blocks of flats told of systematic searches of their homes by the security forces who scratched around in cupboards, desk drawers and even school cases. They said they were told the action was being taken "under the emergency regulations". They believed guns and handgrenades were being sought.

When the contingent moved out, the residents were reminded of the 1,600 residents who were.tear-gassed out of the Hillbrow shantytown last year and given a dawn warning that they would be removed once again if they were not out by 6am.

A spokesman at police headquarters in Pretoria last night said: "It sounds like very normal police activity." He added that not all police activity had to be reported to the press.

Afteridgeville withdrawal

Saps reports from Pretoria that the divisional CID Chief for the Northern Transvaal confirmed yesterday that the additional police units who had supported Afteridgeville police to control unrest in the Pretoria township have been withdrawn.

Brigadier Hendrik du Plessis said that additional police would also be withdrawn from other townships in the area if the situation normalized.

He said, however, that the support policemen had not evacuated Mamelodi and Sothoengue, where incidents of stone-throwing were continuing.
21 Cape detentions confirmed

By BARRY STREEK
Political Staff

THE police yesterday confirmed 21 more detentions in the Cape Peninsula under the emergency regulations, including that of Mrs Helen Kies, a 60-year-old teacher.

Last week, police headquarters twice said that according to present records, Mrs Kies was not being held in terms of either the emergency regulations or security legislation, but her detention was confirmed yesterday.

Mrs Kies, the editor of the Educational Journal, which is published by the Teachers' League of South Africa, was reported to have been detained last week at the Harold Cressy School, where she teaches English and Latin.

Condemned

She is the wife of the late Mr Bennie Kies, a well-known Cape Town advocate who was involved in the formation of the Unity Movement in 1948.

Her detention has been condemned in statements by the Harold Cressy School Parents Teachers Students' Association and the Schotsehekoop Civic Association.

The Schotsehekoop Civic Association statement, which was issued by its secretary, Mr O Shaboodien, said her detention was "unwarranted" and that "no amount of detentions will deter us in our struggle against political oppression and economic exploitation."

Police also confirmed the detentions of David April of Heathfield High School; Marsha Daniels, a teacher at Heathfield High School; Gail Williams of Heathfield High School; Neil Petersen, 14, of Heathfield; Garth Stevens of Harold Cressy High School; Marilyn Garven, a teacher at Crestway School; Emanuel Constable of the University of the Western Cape; David Abraham, 15, of Bonteheuwel; Samuel Abraham of Schotsehekoop; Julian Saul, a teacher from Kaapsekloof; Ivor Opperman, a teacher from Worcester; Henry Jaars, 17, of Ravensmead; Lionel Ormonville of Ravensmead; Roy Thompson of Ravensmead; Ernest Huyselman of Bellville; Vernon Groenman of Bellville; Peter Groenman of Bellville; Allan Appolis of Bonteheuwel; Raoul Swart, a teacher from Fairways and Mark Oungel, a pupil.

Dr Andre Daniels, the husband of Mrs Marsha Daniels, said yesterday that his wife was detained on Thursday morning and then released, but was redetained half an hour later.

'No record'

A number of detentions were reported yesterday but these have not been confirmed by the police.

The Cape Times was told yesterday by a number of people that Hester van der Walt, of the Health Care Trust, had been detained at her home in Observatory yesterday morning but police headquarters said "we have no record of any of the other persons mentioned in your telex", which included Ms Van der Walt's name.

In Strand, Ms Vida Jeffa, who had an operation two weeks ago, was released from detention yesterday morning, according to her father. She was being held under Section 50 of the Internal Security Act.

Meanwhile, the Congregational Church in Rondebosch has decided to ring its church bells for five minutes at noon every day, except Sundays, and to hang a banner over its altar saying "Seek Justice" until all detainees have been released, and the state of emergency has been lifted.

[Mr Ron Wilson, the church's secretary, said yesterday: "We hope that other churches will join us and we have decided to approach other churches to adopt similar action."

The church also issued a statement protesting against the way in which the government was dealing with the unrest.

Released

Recently four members of its congregation had been beaten while kneeling down during a demonstration and two had been taken into custody. Another member, Ms Deborah Puta, had been detained.

"Robin Peterson and Abe Maart, two Congregational ministers and men of peace, have also been released. With them were a thousand people, black and white, present languishing in prison with no legal charge whatsoever against them.

"We support such people and all like them who the struggle or speak out for justice and freedom for the oppressed and have not used violence against anyone."
Xundu freed, no charges

THE Natal Chairman of the United Democratic Front, the Reverend Mcebisi Xundu, has been released without charge from detention in Transkei, a fortnight after being picked up there.

His wife, Thandiwe Xundu, said he had been in hospital for most of that period and seemed "depressed" and tired.

The Anglican Church had begun an application to the Supreme Court for his detention to be declared invalid.

Although the papers had been finalised, Xundu was released before the matter came to court.

Xundu is to begin work as hospital chaplain in Port Elizabeth from the beginning of November.
Staff Reporter

A GROUP of detainees being held at Victor Verster Prison near Paarl "refused to take their lunch" yesterday, but a spokesman for the SA Prisons Service denied allegations that a hunger strike is underway there.

Repeating to allegations that detainees at the prison were possibly observing a hunger strike, the Prisons Service spokesman said: "There are no records of detainees on hunger strike at Victor Verster Prison.

"A group, detained in terms of the emergency regulations, refused to take their lunch on November 6 (yesterday)," he said in a statement at 4.30pm. "However, they took food again when supper was served."

A petition calling for the immediate release of detained St Joseph's College lecturer Mr Gareth Rossiter, and bearing 430 signatures, is to be sent to the Minister of Law and Order, Mr Louis le Grange.

A telegram has been sent to Mr Le Grange by Education for an Aware South Africa (Edasa) — a group of teachers — informing him that the petition was to be sent.

An Edasa spokesman said it was "especially outraged" by the detention of teachers belonging to the Western Cape Teachers' Union (Wectu).

"25 000 held"

The petition objects to Mr Rossiter's detention and calls for an end to harassment and victimization of teachers and students who encourage open discussion of alternative viewpoints.

The Baptists for Social Concern yesterday condemned the continued detention of community leaders, teachers, students, ministers of religion and the attempt to restrict the freedom of the press.

In a statement, the group deplored "the brutal force of institutionalized violence" and called for the immediate lifting of the state of emergency.

Gavin Evans reports from Johannesburg that according to the Detainees Parents' Support Committee monthly report released last night, the number of people arrested for alleged political offences since September last year has reached 25 000.

Most of these arrests were for alleged public violence offences, the DPSC said.

Boesak: Court cordoned off
Xundu freed, no charges

THE Natal Chairman of the United Democratic Front, the Reverend Mcebisi Xundu, has been released without charge from detention in Transkei, a fortnight after being picked up there.

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Xundu is to begin work as hospital chaplain in Port Elizabeth from the beginning of November.
Nominees for our World

Ethics prompt Dr Wendy Orr to up the cudgel for ‘abused’ detainee

By Marika Shores

Thanks to a young doctor’s unwavering dedication to the Hippocratic Oath, the issue of physical abuse of detainees has been internationally spotlighted.

Dr Wendy Orr (25), a Port Elizabeth district surgeon, captured the imagination and respect, not only for her unyielding dedication to her patients, but for her work in challenging the system that allowed such abuse to occur.

She made a courageous stand earlier this year against alleged police mistreatment of detainees.

Dr Orr, the main applicant along with 44 others, won an interim interdict from the Port Elizabeth Supreme Court in September, restraining the South African police from assaulting detainees held at the St Albans and North End prisons under State of Emergency regulations.

COMPLAINTS NOT INVESTIGATED

In an affidavit before the court, Dr Orr told of an "extensive pattern of police abuse of detainees" under her care. She alleged that complaints of assault by the police were not being investigated as they should be and that she had received instructions not to endorse medical records requesting investigations of alleged assaults.

Among the list of abuses she chronicled were a man who says he was forced to eat his own hair, another who was forced to drink petrol and another who had so many whip wounds on his body that he could not count them.

The reaction of her superiors was swift and retributive. She sat a virtual prisoner in her office in central Port Elizabeth Telephone calls were diverted, her colleagues treated her like a pariah.

DENIED REMOVAL

Then followed a round of semantic sophistry, in which the authorities denied that Dr Orr had been removed from the care of detainees, preferring to describe it as "discontinuing" her duties in view of the "interrelationship between herself and the prisons department.

What this meant, in plain English, was that the compassionate young doctor was removed from the care of detainees to whom she was prepared to offer constructive care and compassion, people who, as she bluntly put it, "could not help themselves".

Through it all, Dr Orr has remained composed, secure in the knowledge that she truly followed the dictates of her conscience.

But the ramifications of her brave stand against the might of the State have been endless. As one Port Elizabeth church minister pointed out, many people are far less fearful of detention since Dr Orr and the other applicants brought the matter of physical abuse into the international spotlight.

Dr Orr is characteristically modest about her actions. To have ignored the plight of the detainees in her care, she says, would have been to "compromise my moral beliefs and my perception of professional responsibility."

She is also a little embarrassed by the profusion of accolades heaped on her by people of all races, from all walks of life.

So where does this unlikely heroine sprout from?

The daughter of a Presbyterian minister, she matriculated from Pretoria Girls’ High with six distinctions.

EPICENTRE OF VIOLENCE

She was raised in a home where social concern was stressed. From an early age she became aware that people of different race groups were treated differently.

"I knew that was wrong," she says.

Her first post as a newly-qualified doctor was to the District Surgeon’s office in Port Elizabeth, which catapulted her into the epicentre of the country’s spiralling violence. She was one of the state doctors who performed post mortems on 20 victims gunned down by the police at the Langa shooting near Port Elizabeth in March.

She describes herself as politically aware but says she is not a member of any political party, nor did she become involved in student politics during her studies at the University of Cape Town.

At UCT she joined a medical students’ organisation whose members visited black and coloured townships to help the disadvantaged residents.

WENDY ORR: uncompromising principles of the Hippocratic Oath.
Why we have departed from the usual selection procedure

Here are the final three candidates in our search for The Star's Woman of the Year (the third profile is on the facing page).

Two of the candidates, Dr Wendy Orr and Mrs Marion Crawford, represent a departure from our usual selection criteria, which are based on career achievements or milestones.

These two women made headlines this year by choosing in their separate ways to make a stand on principle — regardless of personal cost.

The public response to their actions, at home and abroad, has been overwhelming. The Star has been inundated with calls from members of the public proposing that they should be Women of the Year candidates.

Selection of candidates is usually made by senior members of The Star's editorial staff. On the basis of public opinion, The Star has decided to acknowledge the brave acts of these two women and include them as candidates.

Watch out for the line-up of all the distinguished nominees tomorrow, plus a voting form, which YOU, the reader, will be asked to fill out and return to let us know who you think most deserves the award.

The winner will be announced at a gala luncheon in Parktown on November 26.

Also present will be our Unsung Heroes, the women who play a vital but unpublicised role in society.
Court order on Mxenge

BY EDWIN Ciskei

Chief Justice Mr. Justice Daniel de Wit on Monday granted an interim order restraining police from assaulting and further interrogating detainee Mr. Mxenge.

Mr. Mxenge, a brother-in-law of murdered lawyer Mrs. Victoria Mxenge, was detained under section 26 of the National Security Act a week after Mrs. Mxenge's funeral in August.

The order instructed the district surgeon to examine Mr. Mxenge and to submit a report to the registrar of the Ciskei Supreme Court.

A magistrate has been ordered to ask the detainee whether he had been assaulted by any member of the Ciskei police force.

The matter was postponed until November 15.

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Onkers sisters in detention

POLICE headquarters in Pretoria yesterday confirmed the detention under emergency regulations of two Lavender Hill sisters, Ms. Elizabeth Onkers, 26, and Ms. Cynthia Onkers, 21, of Wych Court, at their flat on Tuesday.

A family spokesman said police arrived at the flat about 11am. The women were taken to the Steenberg police station and then to Pollsmoor.

The spokesman said police took literature relating to an unemployment movement to which the sisters apparently belonged.
Twenty youths who had sought refuge at a Catholic Church hall in Phiri, Soweto, were rounded up by police and arrested shortly after midnight on Wednesday morning.

The youths had requested shelter at the hall after failing to secure transport to their respective homes from a night Vigil not far from the church.

Brigadier Jan Coetzee, the chief of the Soweto police, confirmed the arrest, adding that eight of them were subsequently released and the 12 are still being held under emergency regulations.

Father Chris Langefeld, the priest in charge of the hall, said he gave the youths shelter because some of them were as young as 13 years of age.

"I felt it was my Christian obligation to give shelter to those who genuinely are in need of it only to be shocked to see police arrive and arrest them," he said.

"I was more worried of the young girl who looked 13 years of age when they were picked up. However, I went to inquire at the Mabopana Police Station where I was told some of them had been released," Father Langefeld said.

Brigadier Coetzee said there were 17 males and three females when police arrested the youths on Wednesday morning.
Police detain entire Lotus River school

By TONY WEAVER and YAZEED FAKIER

TWO HOURS before 510 pupils at Zeekoevlei Senior Secondary School in Lotus River were due to write end-of-year internal exams yesterday, police detained the entire school.

At other schools throughout the Peninsula, widespread disruptions took place as pupils were held in classrooms smashing furniture, tearing up exam papers and threatening teachers and pupils to stop examinations.

Police and troops moved into several schools, surrounding some and searching others, with a number of teachers and pupils reported detained.

By last night, all except 15 of the 510 Zeekoevlei pupils had been released. Police said 18 were being held in cells of emergency regulations.

There are 193 320 secondary school pupils under the Department of Education and Culture, but most of these have not been told not to write end-of-year examinations at many schools there is a total boycott of exams.

It is impossible to get exact figures on the boycott since the liaison officers for the department, Mr. Abel Jordaan, has declined to comment until all examinations have been completed.

Yesterday afternoon, a crowd of more than 200 angry parents and teachers lined the street outside the "Grassy Park" police station in Victoria Road, demanding the release of the 510 Zeekoevlei pupils.

"We refuse to send our children back to school," said a disgruntled parent, "our children want to school to write exams and they get locked up. We will not send our children back, they cannot write exams under conditions like this.

Koornz, said the old 6, and 9 classes were preparing their exams when a police officer arrived at the school yesterday morning and told the pupils they would not be able to write any exams.

A pupil of the school named Koenze, said his teacher told him to remove his glasses. He told the police officer that he wanted to write.

"At least the teachers are coming to the school and some of the children are throwing stones and..." Koenze wanted to write.

"About 10, 15 or about 30 policemen pushed in. Captain Jansen said he was going to pick up all the students because they would not listen. The officers moved in systematically and they systematically moved through the school. They picked up all the students. 510 of them."

Mr. Koenze said he had been denied access to the pupils at the police station.

The number of teachers demanded to be detained with the students but police refused to let them. A teacher, who asked not to be named, said: "Captain Jansen said police would 'clean up' the teachers next if the school was not normal, and he said they would specifically come for the UDF teachers.

18 held.

* At Arrackie Senior Secondary in Bonteheuwel, where about 250 pupils sat for examinations, a group of singing and chanting pupils sprayed fire extinguishers and fire hoses at teachers and pupils inside class chambers.

The pupils arrived and as the group dispersed, about 15 pupils, including some who were going to write exams, were arrested. Later the exam was canceled but was begun disrupted. Many of the pupils writing, to write also tore up their papers.

Police said yesterday that two Arcadia pupils, aged 16 and aged 15 were "taken for questioning" and later released. The school was closed about noon.

Kasselsvlei.

At Kasselsvlei, pupils disrupted exams about 9.30am when they tore exam papers and at Bonteheuwel police were called in after pupils standing at the main gate were seen shouting at passing cars. Both schools were closed and soon after the disturbances after police had single chiefs principals.

* Belhar Senior Secondary No 2 was also shut by disruptions and Modderdam Senior Secondary was closed when pupils refused to write exams. Similar disruptions took place at high schools in Bonteheuwel and Grassy Park.

* Police have confirmed the incident.

* At least two roadblocks were established last night in Mitchells Plain and a number of vehicles were searched.
Jan Harm van As, a suspended policeman, was today granted bail by the Rand Supreme Court pending the outcome of his appeal against his conviction and 10-year sentence for culpable homicide.

Van As was convicted of culpable homicide last year after the death of Mr Paris Malatsi on July 5 1983. Mr Malatsi was shot while detained for questioning at the Protea Police Station. At the time Van As was a security policeman.

Mr Justice P C Kirk-Cohen granted R5 000 bail and imposed strict bail conditions on Van As.

Included in the conditions are:
- Van As must report twice a day at the Roodepoort police station.
- He must contact Captain P S van Heerden every second day.
- Except when reporting to the police station, Van As may not leave the magisterial district of Krugersdorp without the written permission of the Attorney-General.

Any firearm or ammunition in his possession must be handed to the police.

Van As, charged with murder, was found guilty of culpable homicide in February last year and jailed for 10 years by Mr Justice Kirk-Cohen.

After an application for leave to appeal was dismissed in the Rand Supreme Court last year, Van As petitioned the Chief Justice. Leave to appeal against conviction and sentence was granted by the Appeal Court in Bloemfontein in July last year.
CAPE TOWN — Police detained 18 pupils under emergency regulations after security forces entered Zeekoevallei High School in Lotus River and took away 510 pupils, the entire body of pupils, for questioning.

They were taken to Grassy Park Police Station and most were released about five hours later.

Parents and teachers told the Press of the incident yesterday, but news of police action could not be published without police confirmation, in terms of the Police Act and emergency regulations.

Late yesterday a police liaison officer confirmed that "about 500" pupils had been questioned and 18 were detained in terms of emergency regulations.

A teacher said youths had broken some windows at the school yesterday morning. A police officer warned the principal that his men would enter the school and take action against pupils.

About 6pm yesterday the principal returned to the police station and was told the 18 pupils who had not returned to the school "would be sent to Victor Verster Prison and be detained for 14 days".

At Groenvlei Secondary School many of the 200 pupils writing their first internal exam yesterday decided against continuing because of a heavy police presence outside the school, a teacher said.

Earlier an attempt to storm the examination room by pupils not writing was repelled by pupils who were prepared to write, he said.

Police entered Kaselslavei Secondary School's grounds in Bellville South and a shot was fired yesterday. No one was reported injured. Police confirmed the incident.

A pamphlet was distributed at some Peninsula schools yesterday, warning parents against "reactive teachers and principals who accept monthly cheques and housing subsidies from the Government".

The pamphlet, claiming to be from a group called the Committee for the Silent Majority, warned that parental discipline had broken down.

Top educationists in nine Johannesburg schools say they are worried about the deteriorating educational breakdown in Soweto and the Pretoria-Witwatersrand area, and the Government should urgently meet "informed leaders" about this.

They met representatives of the newly formed Soweto Parents Crisis Committee this week.

The subscribing schools are Kingsmead College, Pace Commercial College, Roedean, Sacred Heart College, St Andrew's, St John's, St Mary's, St Swithin's and Woodmead School.
Hundreds arrested as rioting disrupts exams

Mercury Correspondent
CAPE TOWN—As pupils ran through Peninsula classrooms, smashing furniture, tearing up exam papers and setting off fire hydrants to stop others writing exams, police held all 510 pupils at one school.

Two hours before Zeekoevlei Senior Secondary School children were due to write end-of-year internal exams, police, who had instructed teachers to get the pupils into classrooms, arrested them all after an outbreak of stone-throwing and violence.

Police and troops moved into several schools, surrounding some and searching others, with a number of teachers and pupils reported detained.

By last night, all except 16 of the 510 Zeekoevlei pupils had been released. The 16 were being held in terms of emergency regulations.

Yesterday afternoon a crowd of more than 200 parents and teachers lined the street outside the Grassy Park Police Station, demanding the release of the 510 Zeekoevlei pupils.

Parents said they would not send their children back to school.

The acting principal, Mr Peter Koenze, said Std 6, 7, 8 and 9 classes had been preparing to start exams when a Capt Jansen had arrived and told staff to get all pupils inside classrooms.

A group of pupils asked that exams be cancelled because of the police presence, but they were told the majority of pupils wanted to write.

At that stage the police surrounded the school, and then some of the children threw stones and broke a couple of windows. They cut the telephone wire in my office and broke a few benches," he said.

Police then arrested all the pupils.

At Lentegeur No 8 Senior Secondary School in Mitchell’s Plain, about 500 soldiers and policemen moved in after pupils punctured tyres, smashed a windscreen and daubed slogans on the bonnet of a teacher’s car.

At the Mountainview Secondary in Hanover Park, exams were cancelled after pupils moved through classrooms, tearing up exam papers and setting off fire hydrants.

At the Westridge Senior Secondary School in Mitchell’s Plain, police entered classrooms and arrested six pupils and, it is believed, one teacher.

At the Arcadia Senior Secondary in Bonteheuwel, where about 335 pupils sat for examinations, a group of singing and chanting pupils sprayed fire extinguishers and fire hoses at teachers and pupils inside classrooms.

About 18 were arrested and when the exam was resumed, it was disrupted again.
Court rules leader 'unlawfully' detained

GRAHAMSTOWN. — The Supreme Court here yesterday ruled that Port Alfred community leader Mr Gugulethu Nkwinti was entitled to his release from detention.

The court found that his detention after expiry of the initial 14-day period as specified in the emergency regulation was unlawful, and ordered that the enrolment of leave to appeal by the respondents should not stay Mr Nkwinti's release.

The government, the State President, the Minister of Law and Order, the Commissioner of Police and of Prisons and a Warrant Officer Ferreira are the respondents.

The full Bench application, brought by Mrs Koleka Patriccia Nkwinti on behalf of her husband, sought a rule nisi calling on the respondents to show why his arrest and detention were not unlawful, and why the police should not be interdicted or restrained from taking any steps to hinder or interfere with his release.

The matter was postponed on Monday pending further argument, necessitated by an amendment to regulations governing the application.

State of emergency detainees can have their detention extended by the minister until the end of the emergency "without notice to any person and without hearing any person", according to a Government Gazette notice of October 31.

The minister can order that any person be detained for a further specified period above the initial 14 days specified in the emergency regulations, "or for as long as these regulations remain in force".

Mr Justice Kamemeyer, assisted by Mr Justices Smallberger and Jennett, found the amendment did not affect the proceedings in this case.

The minister had acted "ultra vires" (beyond his power or authority) in Mr Nkwinti's case and the notice extending the detention of Mr Nkwinti was null and void as he was entitled to make representations to the minister before his detention was extended, the court found.
Pupils detained

A total of 27 high school students were reported to have been detained in Genadendal earlier this week following an incident in which a bus was stoned.

The students were detained on Sunday, Monday and Tuesday morning at their homes and a school hostel, but most were released.

However, six students are believed to have been detained under Section 50 of the Internal Security Act and are expected to appear in court on November 13, the day before school examinations are scheduled to begin.

The students at the Emil Weder Senior Secondary School at Genadendal, which is 100 km from Cape Town, have been boycotting classes since the end of July, but until last week there had been no incidents of violence.

Last week, however, police charged a group of people after a bus was stoned and barricades were set alight.

The principal of the Emil Weder School, Mr F W van den Bergh, said yesterday the students at his school had behaved in a "civilized way".

Students would be writing exams. Arrangements had been made for the detained students to write their exams in jail, if necessary.

At the time of going to press police headquarters in Pretoria had not confirmed the reported detentions.
By BARRY STREEK
Political Staff

THE chairman of the Western Province Council of Churches, the Rev. Lionel Louw, and the chairman of the Civil Rights League, Mr Keith Gottschalk, were released from detention yesterday.

A Rensburg schoolteacher, Mr Gareth Rossiter, and an Athlone schoolteacher, Mr Basil Snypers, were also released.

A fifth detainee was also reported to have been freed but his name could not be confirmed until last night.

All five detainees were held under the emergency regulations although Mr Louw was initially detained under Section 50 of the Internal Security Act.

Mr Gottschalk, who is a lecturer at the University of the Western Cape, said last night that "being detained without trial reminds one that 160 000 men, women and children were arrested under the pass laws, according to the most recent figures."

"The traumatic effect of two weeks' solitary detention must strengthen his resolve to demand the release of all detainees still inside."

He said he was questioned only after five days in detention, for an hour. "There was no attempt to ask if I had committed any crimes."

"I was asked my attitude towards boycotts and communism, questions which they could have asked me any time, even if under subpoena."

Requests

He also been asked about a satirical poem he had written in which he had said ANC guerrillas were a threat to Jan van Riebeeck.

Mr Gottschalk said every request he had made to the prison authorities was answered within 24 hours but none of his requests to the security police had been answered.

He was refused atheist literature, however.

He had been visited by a district surgeon and by the Judge-President of the Cape, Mr Justice George Munnik, who said he had a "tremendous advance... and we were asked if we had been assaulted."
Teargas fired at school 4 held

By YAZEED FARIER
Education Reporter

WIDESPREAD disruption of internal examinations continued at coloured schools yesterday and several closed early, while at others soldiers guarded pupils writing.

At Belhar Senior Secondary No 1, pupils sitting for a language exam were prevented from writing when disruption squads struck, throwing stones which smashed dozens of windows.

Police and soldiers arrived in Caspools and Buffels and fired tear Gas. Groups of pupils then dispersed.

The principal, Mr H Engel, called on pupils either to write their examinations or go home, but those who were prepared to remain said they would write only once police left.

Three soldiers remained to patrol the grounds and only 20 percent of the pupils wrote.

Later a burning barricade was set up in Akkerboom Road near the school.

Four teachers were detained, but police said they had no record of any incidents at the school.

At Belhar No 2, where scores of windows were also smashed, no exams took place yesterday.

At Bonteheuwel Senior Secondary, pupils were dismissed early for the second time after a mass meeting was addressed by the principal, Mr R Clark, in the morning.

Later a police officer was seen emerging from the principal's office and he drove off.

At Arcadia High also in Bonteheuwel, where exams were disrupted on Thursday, school dismissed at 11am when pupils did not write.

At Mountview in Hanover Park, a yellow van with about six policemen stood guard at the school while some pupils wrote their exams.

About six Casspils and four Buffels surrounded Silverstream Senior Secondary School in Manenberg yesterday, while police searched classrooms and questioned pupils.

Police said they had no record of police action there.

Third-year teaching students at Peninsula Technikon, Wesley, Zonnebloem, Hewat and Ballville colleges have been writing examinations at the Cape Showgrounds where matric pupils yesterday wrote history.
Political Staff

THE police yesterday confirmed the detentions of 87 people in the Western Cape — and released 15 detainees.

There were reports of more detentions in the Peninsula yesterday but in terms of emergency regulations these could not be confirmed.

Officially, 403 people have been detained in the first two weeks of the emergency in Cape Town and at least 23 have now been released.

Among the detentions confirmed yesterday were those of Yvonne Shapiro, a member of the Claremont Area Committee of UDF, Ms Hester van der Walt of the Health Care Trust and Jean Pease, also known as Evelyn Wilhelmina Pease, who is assistant secretary of the Western Cape Teachers Union.

The Health Care Trust yesterday expressed its "anger" at the detention of Ms Van der Walt. Her detention was also condemned by the Centre for Extra-Mural Studies at the University of Cape Town, where she works.

Her colleagues at the centre said they were "appalled that such a gentle, peace-loving person should be detained under South African security legislation."

"We are very concerned about her health. Hester suffers from severe asthma and needs frequent medication."

Professor Donald Carr, acting Vice-Chancellor of UCT, also expressed distress at the detention of another member of the university community without reasons being given.

In another statement the Heathfield and District Residents' Association condemned the unwarranted arrest and detention of eleven residents of the area, including Mr Yusuf (Joe) Ebrahim, the vice-president of the SA Council on Sport, and Mr Philip Tobias, principal of Crescent school.

It also condemned "the unwarranted detention of executive officials of our parent body, the Federation of Cape Civic Associations, and all other organizations of the oppressed and exploited."
Father in court bid for son's release

Own Correspondent
MARITZBURG. — A Durban man is taking legal action in the Supreme Court here in an attempt to have his son released from police detention after receiving a letter from him pleading for help.

The case was adjourned by consent yesterday until November 22.

In papers before the court a Durban businessman, Mr Goolam Soobader, said his son, Yunis Shaik, had been detained in terms of Section 29 of the Internal Security Act since August 3 this year.

He said his application followed a letter from his son in which he asked for help and told his father that after his first two days in detention he had never been questioned or "otherwise engaged in any manner whatsoever" by the Security Branch.

In the letter to his father, Mr Shaik wrote he was undergoing psychological treatment at St Augustine's Hospital.

He expressed the fear that if he were returned to solitary confinement "I shall suffer permanent psychological and mental damage".

"Forgotten"

"I have made repeated requests to see Lieutenant Robertshaw, the investigating officer, and to date he has ignored me.

"And I also believe they are being punitive because of the indictment you brought.

"It seems that I have been locked away and forgotten about." My detention appears to serve no useful purpose save to use the occasions to torture me. And solitary confinement is indeed torture, and of all the forms of torture I have suffered, this is the most cruel of them all.

"I urge you to make some endeavour to secure my release. I fear I cannot go on much longer. Help me, please."

Mr Soobader submitted that Section 29 was confined to detention "for interrogation" and that under the circumstances his son's detention was unlawful.

"There has been ample time for the matter to be submitted to the Attorney General for his decision as to whether or not my son should be prosecuted."

He said he was not bringing into issue the validity or otherwise of his son's detention or arrest but submitted that even if it were justified three months should be sufficient to complete an interrogation.
Grassroots journalists freed

Staff Reporter

TWO journalists at the Grassroot community newspaper and an executive member of the Western Cape Civic Association were released from Victor Verster Prison yesterday after two weeks in detention.

Mr Ryland Fisher and Mr Manooor Jaffer were detained along with Mr Pro Jack, assistant secretary of the WCCA, on October 25 under Section 59 of the Internal Security Act.

They were later held under the emergency regulations.

Belhar Senior Secondary School teachers Mr Alton Harris and Mr Clyde James, who were also held under emergency legislation, released on Thursday.

Mr Fisher said they were taken by prison transport as far as Bellville and then had to find their own way home.
Detainee hunger-strike rules

CAPE TOWN—Detainees on hunger strikes at Pollsmoor and Oudtshoorn prisons are to be treated in terms of an international convention that bans "artificial" feeding of prisoners who refuse food.

According to the Department of Prisons, the strikers are to be treated "strictly according to the internationally-accepted guidelines concerning the handling of hunger strikers as contained in the Tokyo declaration."

The declaration, passed in 1968 by the World Medical Association, is an international convention on the medical treatment of prisoners. It bars doctors from participating in the torture of prisoners, from providing facilities for the torture of prisoners, and from being present at such torture.

It also says that where a prisoner refuses nourishment and is considered by a doctor as being capable of forming an "unimpaired and rational judgment" on the consequences of this refusal, he or she "shall not be fed artificially."

The decision as to the capacity of the prisoner for forming such a judgment should be confirmed by at least one other independent doctor," says the declaration.

"The consequences for the refusal of nourishment shall be explained by the doctor to the prisoner." — (Sapa)
SABC man detained

A SENIOR SABC journalist has allegedly been detained by security police.
TV2 Xhosa chief sub-editor and news reader Vincent Mfundisi, 27, was allegedly detained on September 16, a week before he went on leave.
But the SA Police in Pretoria this week said in a telex they could not "confirm the detention under security legislation".
The SABC has confirmed Mr Mfundisi's detention. Media Relations manager Lucas de Lange said he could not comment "because there are no further particulars about the detention."
Mr De Lange confirmed the detention after earlier denying he was aware of it.
Mr Mfundisi is a Transkei citizen and has been working for the SABC since TV2 was launched five years ago.
A lodger in Zola, Mr Mfundisi was taken to Pretoria station together with two other men - Simon Mlamango, 32, and Francis Mlamango, 21, a trade unionist. The two brothers have since been released.
Mr Francis Mlamango said their particulars and fingerprints were taken on Tuesday.
"Mr Mfundisi's travel document caused him a lot of trouble because of customs stamps indicating his visit to Lesotho. The police asked him which 'comrades' he went to see there."
Mr De Lange said Mr Mfundisi was still an employee of the corporation.
The detained sub-editor's future with the corporation "will largely depend on the outcome of his detention."
He said the SABC would wait for the police to finalize the matter.
Detainees Freed

The Divisional Commissioner of Police in the Eastern Cape, Brigadier Ernest Schnetler, yesterday announced the release of the detainees. A bus was arranged for the transport of the men back to their homes.

Brigadier Schnetler said that last Monday, in his capacity as the Divisional Commissioner of the Eastern Cape, he made several recommendations to the Minister of Law and Order, Mr Louis Cranko. One of those was the release of Mr. Jack and 18 others who were being held in terms of the emergency regulations.

Brigadier Schnetler said that the next day he met Mr. Tony Gibson, director of the Port Elizabeth Chamber of Commerce. The chamber had made several requests and he was able to tell them that he had already approached the minister on these requests.

The warrants ordering the release of Mr. Jack and the 18 others had to be signed by Mr. Cranko who dated their release from yesterday.

Last week, it was announced that the import of shrimp in Port Elizabeth should be lifted for two weeks as from November 15.

Several demands were made for the suspension, including the release of Mr. Jack and several others.

Those released yesterday included Mr. Hans Klune, a member of the local Democratic Front, Mr. Louis Draper, a member of the P.A. Women's Organization, Mr. Tommy Schwerin, general secretary of the Metal, Mine and Constructional Workers' Union of South Africa, Mr. Joseph Mzimpo, Mr. Lenise Lambrini, editor of the Daily Mirror, Mr. K-B. Mzimpo, a member of the Port Elizabeth Women's Congress, Mr. Marzell Salim Masutam, Mr. Zula Shee, director of the South African Trade Union, Mr. Cecil Nteme, Mr. Michael Zulu, Mr. Norman Dlamini, Mr. Peter Mntombeni, Mr. M. Black, C.O.O. of the Port Elizabeth Black O.G. Organization, Mr. M. N. Nkomazi, Mr. S. Dlamini, D.O., Mr. Z. M. Nkomazi, and Mr. H. Dlamini.
Sympathy
fasts for
detainees
start today

Staff Reporter

Fasts in sympathy with emergency detainees in the Western Cape begin today at four Peninsula churches.

At a Press conference, families and lawyers of detainees said at least 32 emergency detainees at Pollsmoor Prison started a hunger strike at the weekend in protest against their detentions.

Mrs H Petersen, wife of detained clergyman the Rev Robin Petersen, said sympathy fasts — in 24-hour shifts — start at 6pm today at the Methodist Church in Buitenkant Street, St Philip's Church in Weton, St Emmanuel Church in Wynberg and St Luke's Church in Retreat. Bells will peal to mark the event.

ORGANISER

The Argus Bureau in Port Elizabeth reports that consumer boycott organiser Mr Michael Jack, and 18 others held under emergency regulations were freed today.

Those released today include: Mr Henry Pazzie, vice-president of the United Democratic Front in the Eastern Cape; Mrs Ivy Gicna, president of the PE Women's Organisation; Mr Dennis Sehloho Neer, general secretary of the Motor Assemblers and Components Workers Union.

Mr Jackson Mefongw; Mr Tango Lamani, executive member of UDF; Mr Mziwamase Mungoetywa; Mr Bonakele A Rala; Mr Mpumi M Odolo, executive member of Peyco; Mr Michael Xhogo, executive member of the PE Youth Congress; Mr Sipho Silas Manyimba; Mr Zola Mlatsi, executive member of Peyco; Mr George Nyengane; Mr Michael Zitho; Mr Ernest Malgas, an executive member of the PE Black Civic Organisation; Mr Michael Nteyo, acting secretary of the same organisation; Mr Clifford Ntanga; Mr Tembo Duze, executive member of Macwusa; and Mr Herrieck Luiters.
Longer detention possible

By BARRY STREEK

MANY of the Western Cape detainees being held under the emergency regulations may now be kept in detention without notice until the end of the emergency.

In terms of a recent amendment to the emergency regulations, detainees may be held without further notice after they have served their first 14 days.

Advocate

Among those affected by the new measure are: Mr Abdullah Omar, a Cape Town advocate; Mr Gordon Rhodes, a UDF executive member and chairman of the Cape Area Housing Action Committee (Cahac); Mr Christmas Tino, a UDF executive member; Mr Zolt Malindi, Western Cape president of the UDF; Mr Llewellyn McMaster, president of the majority of the Western Cape SRC; Rev Robin Petersen, a Congregational priest in Heidelberg, who is also involved in the Churches Urban Planning Committee (CUPC); Rev Godfried Kraatz, a Lutheran priest in Mitchells Plain who is also involved in CUPC; Rev Howard Marawu, of the Reformed Presbyterian Church who is also involved in the General Workers Union; and Mr Albe Portinari, vice-chairman of the Federation of Cape Civic Associations and chairman of the Kula River Civic Association.

Many others who were detained during the first week of the emergency in Cape Town will soon have been in detention for 14 days and if they are not released then, will also be subject to the new provision.

‘No notice’

The authorities could decide at any time to release the detainees who have served more than 14 days but they are no longer required to serve notice of their intention to keep the detainees in prison.

A number of detainees were released last week:

Among those released were: Mr Mzonke ‘Pro’ Jack, Ms Dorothy Mfano, Ms Florence Beshonga, Ms Noma India Mekheto, treasurer of the United Women’s Organisation, Mr Allan John Meyer, Mr Rylant Fisher, a Grassroots journalist, Ms Josette Cole, a member of the Ecumenical Action Movement, Mr Mansoor Jeffer, a Grassroots journalist, Mr Action Harris, a teacher at Belhar Senior Secondary School, Ms Edith Tiso, Ms Mary Ngwemtu of UWO, Mr Clyde James, a teacher at Belhar Senior Secondary School, Mr Albert Gwos, Ms Virginia Stoffie and Ms Glenda Poole, a teacher at Crystal Secondary School in Athlone.
## 2 190 still in detention

PRETORIA — A total of 2 190 people are still in detention under the emergency regulations, and no detainees have been released in the past week, according to the latest list of the detainees issued by police.

According to the weekly list, 194 people have been detained since last Friday, bringing to 2 523 the number of people who have been detained since the emergency began on July 21. A total of 3 065 people have been freed.

The names of the latest detainees are:

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Work camp to detainee's cell

DETAINED Lutheran priest, Pastor Gottfried Kraatz, fled from East Germany at the age of 14 after he had been barred from high school because he refused to join the Communist Youth Brigade.

Pastor Kraatz, 44, who has been a Lutheran priest in Mitchells Plain for nearly five years, was detained more than two weeks ago under the Internal Security Act.

He was then transferred to detention under the emergency regulations when the state of emergency was extended to the Western Cape.

His escape from East Germany was disclosed yesterday by a friend.

The friend said Pastor Kraatz had refused to join the Communist Youth Brigade and as a result he was not allowed to go to high school and was ordered to go to a work camp.

He escaped to West Germany to obtain a high school education.

When he arrived in West Germany, he refused to be registered as a refugee and insisted on being regarded as an immigrant to avoid being used as a "pawn in the East-West conflict", the friend said.

Pastor Kraatz, still a West German citizen, has four children and lives in Rondhoven.
Wectu member hits at detention

Staff Reporter

An executive member of a branch of the Western Cape Teachers' Union (Wectu), Mr Basil Snayer, said on Friday after his release from nearly 14 days in detention that he had been mentally and emotionally affected by his experience.

Mr Snayer said he "deplored and strongly condemned" the manner in which he was arrested and subsequently detained for nearly 14 days at Victor Verster Prison.

"I was never informed as to the reason (other than those contained in the latest Gazette on the state of emergency in the Western Cape) for my arrest or detention and I have now been released unconditionally without having been charged," he said.

"In prison I was subject to the arbitrary decisions of prison authorities and dehumanizing regulations like being locked up in a single cell without the option or ability to communicate with anyone for up to 12 hours. This has affected me emotionally and mentally."

He said he was prevented from communicating with his students, colleagues and friends during his detention.

"I condemn in the strongest terms the banning of meetings of this organization. Such deliberate victimization can have no justification on any educational, political or moral grounds."
134 more detained

PRETORIA — A total of 2,000 people are still in detention under the emergency regulations, and no detainees were released in the past week, according to a list of the detainees issued by police on Friday.

According to the weekly list, 134 people have been detained since last Friday, bringing to 2,553 the number of people who have been detained since the emergency began on July 21. A total of 3,083 people have been freed.

However, a police situation report on Friday said only 1,417 were still being held.

The names of the latest detainees are:

1. Mzwandi Zuma Bm Pd
2. Lekhela Sabana Bm Pd
3. Mopho Vaba Pd
4. Nkakhe Bhebhe Pd
5. Xasa Shoba Pd
6. Yizo Bhebhe Pd
7. Zola Mlotshwa Pd
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Detainees, prisoners in hunger protest

By BARRY STREEK and TONY WEAVER

THIRTY-TWO emergency-regulation detainees started an indefinite hunger strike yesterday, according to a committee of family and friends of detainees, while it was confirmed last night that seven awaiting-trial prisoners in Oudtshoorn have been on a hunger strike since Wednesday.

The detainees were demanding "the unconditional release of all state of emergency detainees; the release of Ms Shirley Gunn as well as others held under the various sections of the Internal Security Act in the Western Cape; and access in the interim period to lawyers for all detainees".

In a statement read out by the mother of detainees Mr Edwin Arrison, the committee said: "We have decided that in the light of the demands of the detainees we will express our solidarity with them as individuals and as members from various religious and community organisations by joining them in their hunger strike."

The Claremont United Democratic Front area committee said last night it "strongly supports the action and demands of the hunger strikers".

Solidarity fasts

At yesterday's press conference Mrs Heather Peterson, wife of detained Congregational Church minister the Rev. Robin Petersen, said a number of people had already begun 24-hour solidarity fasts and at 6pm today another group would start fasting at the Stellenbosch Methodist Church.

Other centres would at this stage be St. Phillips' Churches in Wits and St. Luke's in Retreat and St. Emmanuel in Wynberg.

Ms Josette Cole, who was released from detention on Friday, said that before she was released the detainees had decided they would not take any food but would drink water during the hunger strike.

At press conference, the committee said at a press conference:

- Longer detention possible, page 2
- 134 more detained, page 7
Nine arrested in DV after police attacked

JOHANNESBURG - Police arrested nine men in Duncan Village yesterday after they had allegedly stoned police vehicles, according to the police public relations directorate.

Police reported isolated incidents of unrest in areas of the Eastern Cape, the Northern Transvaal, the Northern Free State and Soweto yesterday.

A policeman was slightly injured in Mamelodi near Pretoria where police said several incidents of petrol-bombing and stone-throwing had occurred. Police dispersed groups with tear smoke and shotgun fire.

Two policemen were slightly injured when police dispersed a large crowd stoning buses and police vehicles after a funeral in Soweto on the Witwatersrand on Saturday.

Police said that a man who had allegedly shot and wounded a policeman near Worcester on Saturday night was killed when police retaliated.

A Sebokeng development board guard was seriously injured and robbed of his weapon and radio.

In KwaZulu, a man was wounded after a police guard fired on a groupstoning the house he was guarding.

A train coach and ticket office were extensively damaged at Mhkwweni Station, near Paarl, when they were petrol-bombed early on Saturday morning.

Eye-witnesses said a coach on the Wellington to Cape Town train was badly damaged when it caught fire.

However, a police spokesman in Pretoria said the coach which was damaged was on a branch line and was not in use at the time of the petrol-bombing.

A last-minute bid to have the Supreme Court set aside a magistrate's ban on a residents' meeting in Atlantis failed yesterday less than two hours before the meeting was to have started.

The Atlantis Residents' Association and its chairman, Mr Noel Williams, brought an urgent application against the Malmesbury district magistrate, Mr Wilm de Klerk, to have the ban he issued on Friday set aside.

Mr De Klerk gave evidence that he had also banned a meeting last Sunday after a request by Detective Sergeant L.P. Coetzee of the Atlantis Police.

According to the sergeant's sworn statement, shop windows were broken and a vehicle and tyres burned in Atlantis on September 18, the evening after a meeting of the Atlantis Residents' Association and the Atlantis Youth Congress.

It was possible the proposed meeting could lead to a renewed situation of unrest, Mr De Klerk said.

Detective Sergeant Coetzee went to see Mr De Klerk on Friday, November 8, with another application, in which he said he had gone on Monday to five classrooms where there had been arson attempts.

"It looked as if this was a revenge for the meeting that was banned," he said.

Mr Denis Potgieter, for the association, said the agenda of the meeting related to community issues such as the proposed eviction of 1,000 Atlantis families, due on Thursday.

The executive of the residents' association would meet the Divisional Council on Wednesday, and the proposed meeting was the last chance for them to get a mandate, he said.

There had been no unrest at the previous six meetings, Mr Potgieter said.

Mr Justice Miralis said the matter was urgent and a decision had to be made. He dismissed the application and said he would give his reasons later. - SAPeDCC
77 lawyers sign demand

By BARRY STREEK
Political Staff

A GROUP of 77 Western Cape lawyers have demanded the lifting of the state of emergency, unconditional release of all detainees and the withdrawal of security forces from the townships.

In a statement, they declared their "abhorrence and condemnation of apartheid and economic exploitation; the laws which maintain this system; the declaration of the state of emergency; the despotic powers conferred upon the security forces and the indiscriminate arrest and detention of those opposed to the unjust system".

The "concerned lawyers of the Western Cape and the Boland" noted that "the system of apartheid and economic exploitation are the direct causes of the present state of unrest".

They noted that "the draconian powers assumed by the regime have been used to suppress the political, social and economic aspirations of the oppressed people" and that the regime had declared a state of emergency "in order to maintain the status quo".

'Abolition of the laws'

The statement also noted that "far-reaching and sweeping powers have been conferred by the security forces; the right of recourse to the courts has been excluded in certain instances and severely curtailed in other respects and the right of access by detainees to their families, legal representatives and the court has been denied".

The lawyers reaffirmed their commitment to strive for "the dismantling of the system of apartheid and the abolition of the laws which maintain such a system" and to strive for a "just society".

Schools teem with soldiers

By YAZEED FAKIER

MITCHELLS PLAIN and some Cape Flats schools swarmed with soldiers yesterday following widespread disruptions of exams last week.

Internal examinations for pupils from Std 6 to 9 have been disrupted at virtually all schools since they started, while between 28 and 30 percent of matric pupils have been writing their exams under police guard at special centres.

At Westridge Senior Secondary School in Mitchells Plain, five teachers were detained after they picketed inside the school grounds with placards calling for the removal of soldiers who have been posted there since last week.

Armed soldiers in camouflage uniform and a riot policeman carrying a shotgun patrolled both inside and outside the school.

Police have confirmed the detention of three teachers under emergency regulations — Mr Gordon Edwards, Mr Josef Mohammed and Mr Shahied Hartley.

Two other teachers — Mr Rhaunda Khaq and Miss Shereen Walters — were also detained but were later released.

Armed soldiers and police were also present at most Mitchells Plain high schools and at schools in Athlone, Manenberg and Hanover Park.

Question papers torn up

Disruption squads prevented pupils from sitting for their typing and needlework exam at Belhar Senior Secondary School No 1 when they smashed windows, threw stones and tore up question papers soon after a mass meeting about 8am.

The principal, Mr H Engel, dismissed pupils just before 8am after two of only four pupils remaining to write were hit by stones and were injured.

About 800 Spine Road Senior Secondary School pupils who "pretended" to write exams, tore up their papers as soon as soldiers left the grounds about 12.45pm.

Six Department of Education and Culture security guards were at Arcadia Senior Secondary in Bonteheuwel when pupils and teachers arrived.

Pupils' names and other details were taken but no examinations were written because of disruptions.

Pupils at Bonteheuwel Senior Secondary School were sent home at midday after they held a mass meeting in the morning.

At Hewat College in Athlone, less than 10 percent of students arrived for exams but were prevented from writing by other students. Lecturers stood at the entrance to examination halls and tried to stop non-writing students from entering.

A police liaison officer for the Western Cape, Captain Jan Calitz, last night confirmed that there had been a strong security force presence at certain Peninsula schools yesterday.

There were sporadic incidents of stone-throwing and disruption of examinations, he said.
Nkwinti won't negotiate with businessmen

Own Correspondent

PORT ELIZABETH. — A prominent Port Alfred
community leader, Mr. Gugile Nkwinti, who was
released last week after two months in detention on
an order of the Grahamstown Supreme Court, said
at the weekend that he could not resume negotia-
tions with white businessmen in the town while 10
other residents were still in jail.

"I owe it to those still in detention," he said.

Mr. Nkwinti was released from St. Albans Prison in
Port Elizabeth on Thursday night. The order for his
release was taken to Port Elizabeth by his wife,
Koleka, who had brought the court application.

Mr. Nkwinti said he did not know why the 10 other
Port Alfred residents were being held because they
were not members of any political organization nor
were they active in negotiations with the local Em-
ployers' Federation.

One of the ten, a middle-aged man arrested two
days after the state of emergency was declared, is a
member of the Nomzamo Parents and Guardians
Association and chairman of the Mthoko Higher
Primary School committee. Mr. Nkwinti said.

"This is a church-going, non-violent man with
children to support. I cannot see the reason for his
arrest."

Wife's visits the 'highlight'

Mr. Nkwinti said he had not yet acquainted him-
self with the situation in Port Alfred. Once he had,
hoped to resume negotiations with business and
local government leaders to improve the quality of
life in his home town.

Mr. Nkwinti described weekly visits by his wife as
the highlight of his spell in detention. He said he
had also spoken daily with Mr. Mkhwebeni Jack, the
consumer boycott organizer in Port Elizabeth, who
is also in detention.

He added that morale among the other emergency
detainees at St. Albans was good. "Part of me is still
there with them."

Mr. Nkwinti, 35, has been applauded for his role as
the accepted leader of Port Alfred's black commu-
nity.

He sits on a recently-formed committee with
white businessmen and town councillors and
helped negotiate an end to a consumer boycott
earlier this year.

Posters calling for a second boycott were distrib-
uted about the time Mr. Nkwinti was detained. How-
ever, this boycott was never effective because it was
steeped in confusion and Mr. Nkwinti did not sup-
port it.

He is studying law at Rhodes University and fi-
nances his studies from the savings he made from 14
years of work as a natal nurse in Port Alfred.
Detention of UWC student confirmed

Staff Reporter

POLICE have confirmed the detention of University of the Western Cape final-year B.A student Mr Shamiel Jeppe.

Mr Jeppe, 21, was detained at his home in Ross Road, Wynberg, on October 31 but his detention was not confirmed in the weekly list of detainees issued by the Police on November 1 or November 8.

Yesterday The Argus asked the police directorate of public relations in Pretoria by telefax to confirm his detention. A telexed response said Mr Jeppe was being held in terms of emergency regulations.

The Argus first asked about his detention on October 31 in a telex to police headquarters in Pretoria.

Under the emergency regulations The Argus may not publish the name of any person believed detained until confirmed by the police directorate of public relations.
Papers before court allege assaults at Protea

Detainees’ families seek interdict on SAP

By Jo-Anne Collinge

Lawyers for ex-detainees and families of detainees have filed papers in the Rand Supreme Court for an interdict to restrain police at Soweto’s Protea police station from assaulting those held under emergency regulations.

The urgent application, in which the first respondent is the Minister of Law and Order, seeks to protect detainees at Protea and Diepkloof Prison from assault by police at Protea.

Activists

In particular, protection is sought for three prominent political activists currently detained — Mr Amos Massafo, publicity secretary of the Soweto Civic Association, a regional leader of the United Democratic Front and organiser for the General and Allied Workers’ Union; Mr Sidney Rapu Molekane, president of the Soweto Youth Congress; and Mr Kenneth Fliha, a leading figure in the Soweto branch of the Congress of South African Students until the banning of the organisation.

It is also requested that the police be restrained from assaulting several former detainees in the event of their re-detention.

These applicants have alleged assault in detention.

The applicants will also ask the court to order the Department of Health and Population Development and the Department of Justice to furnish full medical records and all information regarding their medical treatment.

The application is expected to be heard today.
17 detainees in E Cape freed

PORT ELIZABETH — Consumer boycott organizer Mr Mkhosana Jack and 16 others being held in terms of the emergency regulations were released yesterday.

The divisional commissioner of police in the Eastern Cape, Brigadier Ernest Schmetter, yesterday announced the release of Mr Jack and the 16 others.

He also arranged for a bus to be sent to St Alban's Prison to transport the people back to their homes in the townships.

He said the Chamber of Commerce last week made certain requests, and he had been able to tell them he had already approached the Minister of Law and Order on these requests.

The warrants ordering the release of the 17 had to be signed by Mr Louis Le Grange, who dated their release as from yesterday.

"Last week it was announced that the boycott of shops in Port Elizabeth would be lifted for a period of two weeks from November 16.

Demands

Several demands had been made for the suspension of the boycott, including the release of Mr Jack and several others.

Those released yesterday were Mr Henry Fazie, vice-president of the United Democratic Front in the eastern Cape; Mrs Ivy Geina, president of the Port Elizabeth Women's Organization; Mr Jackson Mdongo, Mr Tando Lamani, executive member of the UDF; Mr Msimame Mangcotywa, Mr Bonakele A Rule; three executive members of the Port Elizabeth Youth Congress — Mr Mpumi Mzolo, Mr Michael Xhego and Mr Zola Mlimo; Mr Sipho Silas Mayimba; Mr George Nyengane; Mr Michael Zithio; Mr Ernest Malgas, an executive member of the Port Elizabeth Black Civic Organization (Pebco); Mr Michael Nteng, acting secretary of PEBCO; Mr Clifford Ntanga, and Mr Temba Duze, executive member of the Motor Assemblers and Components Workers Union (Macwusa).

Neer

Although the name of Mr Dennis Neer, general secretary of Macwusa, was included on the police list of those released given out for publication yesterday, Mr Neer was not released.

According to police, Mr Neer's name was accidentally included on the list and no application was made to Pretoria for his release.

The name of Mr Her- rick Liuers had also been accidentally included on the list, it was learnt.

At least 12 emergency detainees were reported to have been freed in the Peninsula yesterday, and one new detention was confirmed.

But the names of 54 other people who are believed to have been detained have not been confirmed by the police.

Researcher

In regard to the reported detention of a University of Cape Town researcher and seven other people in Mitchells Plain, police headquarters in Pretoria said they "cannot confirm" the names of the people submitted to them in terms of either the emergency regulations or security legislation.

The one detention confirmed yesterday was that of Mr Mohammed Nazim Lee, who was arrested in Arcadia Heights on Friday.

Those reported to have been released from detention were Mr Dar- lan Retief, Mr Cliff Joseph, Mr Ronald Kupers, Mr Graham Vencencele, Mr Christian Cupido, Mr Raymond Louw, Ms Angela Sass, Mr Cyril Newhaus, Mr Deon Joseph Antony Alexander, Mr John Ti- tius and Mr Ronald Middleway.

Bellville

Five other emergency detainees were reported to have been released in Bellville on Sunday but were rearrested yesterday morning. However, the police have not confirmed the rearrests or whether the five are still being held under the emergency regulations.

— Cape, Own Correspondent and Political Staff
Support
for City
hunger
strikers

Staff Reporter

DETENTION without trial was an "evil" and it was unbelievable that such actions could be countenanced in a Christian state, the Rev Alan Brews told a prayer service for detainees at the Buitenkant Street Methodist Church last night.

About 120 people attended the service at which a number of former detainees and relatives of detainees spoke on the effects of detention on family and friends.

The service was told that the detainees at Pollsmoor Prison would fast for seven days and those at Victor Verster for three days if certain demands were not met.

Demands

The five basic demands are: The lifting of the state of emergency; the release of all detainees; the right of visits by parents, relatives, friends and attorneys; that relatives should be allowed to bring food, clothing and books; and for newspapers to be provided daily.

Failure of the authorities to comply with these demands would result in the commencement of hunger strikes tomorrow. The Victor Verster detainees would consider their options when their three-day fast ended on Friday.

It was also announced that members of the congregation and the general public could participate in activities in support of the hunger strikes.

Yesterday the executive of the University of Cape Town Students' Representative Council adopted a resolution of support for the hunger strikers' demands.

It said it believed that a hunger strike was "one of the last forms of peaceful protest that people in South Africa can engage in".

- A Prisons Department spokesman last night said that the two Pollsmoor detainees and the seven Outshoorn prisoners on hunger strike would not be force-fed and would be treated according to the Tokyo Declaration.
In Port Elizabeth, boycott organisers who were among 17 people released from detention yesterday said a major statement giving a direction on the boycott would be given today. In Grahamstown, it was announced the boycott is to be "officially" suspended tomorrow.

A spokesman for the Port Elizabeth Consumer Boycott Committee, Mr. Mkhulu, Jack, said after his release from detention yesterday that the committee would consult with the interim leadership which monitored the boycott during their three-month absence.

"We will brief the public about developments and the whole question of the suspension will be discussed," he said.

Meetings would then be held with the chamber of commerce and an approach might be made to the police about security force presence in the townships, he said.

Mr. Jack, Mr. Henry Fazie, vice-president of the United Democratic Front in the Eastern Cape, and 15 other leaders of several UDF-affiliated organisations in Port Elizabeth were released from detention following recommendations made to the Minister of Law and Order, Mr. Louis Le Grange, by the Divisional Commissioner of Police in the Eastern Cape, Brigadier Ernest Schnettler.

The day after Brig Schnettler made these recommendations to Mr. Le Grange, he had discussions with the Port Elizabeth Chamber of Commerce. The chamber had made certain requests to Brig Schnettler.

The four-month-old consumer boycott, which has crippled a number of white businesses and seen township trade萎缩, will be suspended for two weeks from Friday.

The organisations are demanding that the state of emergency be lifted, troops be withdrawn from the townships, meetings be unbanned, the Genewie murderers be brought to justice and missing Port Elizabeth civic leaders be produced.

Mr. Jack said the committee members were "impressed" with the support the community had shown during their detention and felt that they had "driven the point home" to white businessmen.

White businessmen, he believed, had also come to understand the "frustrations" of detention without trial — "a system which has gone unchecked for a long time."

Mr. Fazie said the leaders would take stock of what has transpired in the townships during their absence before deciding on a course of action.

The "official" suspension of the boycott in Grahamstown follows its unofficial calling off about two weeks ago.

Mr. Billy Ndwebisa, of the Grahamstown Burial Action Committee, said the two-month boycott had been suspended after a meeting with township residents at the weekend. He said the residents felt it should be suspended for financial reasons as prices at township stores were much higher than those in town.

The confusion which arose after the distribution of pamphlets at the beginning of November also contributed to the suspension of the boycott, Mr. Ndwebisa said. It was not known who had issued the pamphlets, he added.

The GRAC is to continue negotiations with the local Chamber of Commerce with regard to four main demands: the lifting of the state of emergency, the release of detainees, the resuming of the ban on public meetings and assurances that leaders in detention can return without fear of harassment or arrest.

With regard to the recent survey carried out by a township resident which found that 65 per cent of blacks in Grahamstown were in favour of a suspension of the boycott, Mr. Ndwebisa said he could not comment as he was not aware of how the survey was conducted.

He conceded that "some" residents felt they could not cope with a boycott for any length of time because of the financial considerations.
Bid to protect detainees

Johannesburg — Lawyers for detainees and their families have filed papers in the Rand Supreme Court in an urgent effort to secure an interdict to restrain police from assaulting those held under emergency regulations.

The application, in which the first respondent is the Minister of Law and Order, seeks to protect detainees held at Botha, Protea and Dieploof Prisons from assault by police stationed at Protea.

In particular, protection is sought for three detained activists — Mr Amos Mosoko, publicity secretary of the Soweto Civic Association, a regional leader of the UDF and organiser for the General and Allied Workers' Union; Mr Sid Sapa;

Further, it is requested that police be restrained from assaulting several former detainees in the event of their rearrest.

The applicants have alleged they were assaulted when detained.

The applicants will ask the court to order the Department of Health and Population Development and the Department of Justice (which administers prisons) to furnish full medical records and all information regarding their medical treatment.
The Consumer Boycott Committee in Port Elizabeth whose members were released from detention yesterday today came out in full support of the suspension of the black consumer boycott for a period of two weeks, starting on Friday.

By Jimmy Ntshu

suspension
Jack back

Mf Tony Gibson
deputy minister of the Co-operative Development

The decision was announced in a press conference today.
No more info on hunger strikers in jail

PASTS in solidarity with detainees started in the City last night as the Prison Department decided not to release any more information about the hunger strikers in jail "at this stage".

A department spokesman, Lieutenant-Colonel D J Immelman, said from Pretoria last night that the release of "any further detailed information" was not regarded as being in the interests of "administration, discipline and good order" in prisons.

Colonel Immelman was replying to questions on the number of prisoners involved in a one-week hunger-strike at Pollsmoor Prison, and on reports that awaiting-trial prisoners at Oudthoorn had been admitted to hospital after beginning a hunger-strike last Wednesday.

The prisons service has put the number of Pollsmoor strikers at two, but relatives of detainees held there in terms of the emergency regulations say the number may be as high as 30.

Colonel Immelman said: "The subsequent comments do not refer to circumstances pertaining to any individual.

"From time to time prisoners and/or detainees refuse to eat food served to them in accordance with the prescribed ration.

"The policy with regard to prisoners who refuse to eat is strictly applied and is based on the internationally-accepted guidelines as contained in the Tokyo Declaration.

Refused rations

"As has been confirmed previously, there are detainees and prisoners awaiting trial at a few prisons who have refused prison rations for one or more meals.

"Besides the fact that each prisoner and detainee is served with the prescribed meals daily, they are permitted to buy additional foodstuffs at the prison shop according to their needs."

Meanwhile, University of the Western Cape lecturer and chairman of the Civil Rights League, Mr Keith Gottschalk, has joined the hunger strike being held in the Buitenzorg Street Methodist Church in solidarity with hunger-striking detainees.

Four others have joined Mr Gottschalk, who was released from detention last Thursday, in the hunger strike at the church.

Support

Mr Gottschalk said he was fasting "to support the detainees who are fasting for the release of all detainees".

A 24-hour relay fast is being held at the church for the duration of the detainees' hunger strike and members of the congregation and the general public have been invited to visit those participating.

The fasting periods begin and end daily at 6pm. The public has also been invited to participate in dawn-to-dusk fasts in their homes or at work.

At 7.30pm today a service for the hunger-striking detainees will be held in the church. Similar "state of emergency" services are to be held every Wednesday at the church until the emergency is lifted. - Sapa and Staff Reporter
Pupil escapes 'necklace'

Crime Reporter

A pupil has escaped, a gruesome death by seconds, on Monday after fellow pupils abducted him from his home and placed a petrol-filled tire round his neck.

One of the abductors was about to toss a lightning rod match on the 22-year-old Ficksbak High School pupil when he lashed out, landing a painful kick on his would-be executioner, and sprinted.

The enraged crowd failed to catch the pupil who cannot be identified for his own safety.

The pupil was abducted from his Guguletu home about 8am and taken to the nearby D'Mkhize High School grounds where the incident took place.

Police recovered the charred remains of Mrs Rebecca Nonzizo Ngwebi, 36, among bushes near Landsdowne Road in Old Crossroads on October 28.

A burst-out mini-bus in which she is believed to have been travelling was travelling nearby.

Mrs Ngwebi was a member of Mr Jerry Tutu's squatter camp community at Old Crossroads. The squatters are divided over the appeal to Khayelitsha and Mr Tutu has been negotiating the issue with the Western Cape Development Board.

PFP rally

Political Staff

A rally, labelled "The people of Cape Town will speak," is to be held tomorrow night under the auspices of the Progressive Federal Party.

Dr Alex Boraine, and a recently-released defendant, the Rev Lionel Louw, chairman of the Western Province Council of Churches, will address the meeting.

Dr Boraine said yesterday: "We are in contact with a number of organizations and have invited them to attend the meeting."

He said the meeting would focus on the emergency and the general situation of South Africa through detentions and restrictions on the media.

The rally will be held in Gordon's Institute, Mowbray, at 8pm.
Mdleleni in detention says wife

Dispatch Reporter
KING WILLIAM'S TOWN — The Director-General for Health, Mr. H.M. Mdleleni, has been detained by the Ciskei police, his wife, Mrs. Phumla Mdleleni, said yesterday.

Mr. Mdleleni's attorney, Mr. John Smith, said yesterday that the police liaison officer, Lieutenant Mavuso Ngwenu, had confirmed that Mr. Mdleleni was in detention under Section 26 of the National Security Act.

Mrs. Mdleleni said that her husband had been telephoned in Alice and told the police wanted to see him at Bisho on Monday. He drove to Bisho and returned to Alice under police escort.

She said that the police searched their house and removed a tape deck and cassettes. They also searched his bottle store but did not remove anything.

Mr. Mdleleni was suspended last month after the tabling of the interim report of the commission of inquiry into allegations of malpractice by the former Minister of Health, Dr. Hennie Beukes.

The commission made findings of corruption and bribery against Mr. Mdleleni. The report of the commission was sent to the Attorney-General.

Lieut. Ngwenu was not available yesterday for comment on Mr. Mdleleni.
Stringent curbs on freed white detainees

Argus Correspondent

JOHANNESBURG. — The only white emergency detainees still held in Johannesburg were released from Diepkloof Prison last night subject to stringent restrictions.

They are Mr Simon Ratcliffe, Mr Neal Coleman, Mr Aurel van Heerden and Mr Morris Smithers, who have all been involved in community research and information services.

An urgent application for the release of Mr van Heerden and Dr R.A.M. Saloojee (who was also freed yesterday) was to have been brought in the Rand Supreme Court tomorrow.

Mr Ratcliffe, Mr van Heerden, Mr Coleman and Mr Smithers were detained on July 21.

They are confined to the magisterial district of Johannesburg for the duration of the emergency.

They are prohibited from taking part in the affairs of trade unions and various organisations, including the Johannesburg Democratic Action Committee, Media and Research Services, South African Students' Press Union, Community Research and Information Service and any youth organisations.

They may not write for or prepare any publication or enter any school, and must stay away from meetings where State policy is criticised or black local authority affairs discussed.
Unionist held for questioning

By Staff Reporter

A CAPE TOWN trade unionist, Ms Di Cooper, was taken from her Athlone office by four police officers today.

Ms Cooper, assistant branch secretary of the General Workers' Union, was told by police she was not being detained under emergency regulations but was being taken to the Athlone police station for questioning.

Last week four security force members, wearing brown uniforms and green berets went to her Woodstock home, asking for her. Her housemate said the soldiers had asked for a photograph of her, as well as for her work address.

LAWYER

Ms Cooper’s lawyer, who was present when the police arrived at the GWU office today, was also told that she was not being detained under emergency regulations.

“She is involved in delicate and important wage negotiations in the Western Cape,” said Mr David Lewis, national organiser of the GWU.

The police have been asked for comment.
Court told of electric shocks, beatings

Ex-detainees claim torture by the police

By Jo-Anne Collinge

Claims of electric-shock torture, suffocation by “hooding”, beating, death threats and forced exercise have been made by 14 former detainees who were allegedly interrogated at Protea police headquarters in Soweto.

The claims were in papers put before Mr Justice G Coetsee in the Rand Supreme Court yesterday in an urgent application to restrain the police at Protea from assaulting detainees held under emergency regulations at the police station there and at Diepkloof Prison in Johannesburg.

The applicants are seven former detainees, the mothers of three men still in detention and Soweto Anglican priest the Rev David Nkwe.

Interdict is opposed

The respondents include the Ministers of Law and Order, Justice, and Health and Population Development, as well as senior police officers at Protea.

The applicants, with the help of the Legal Resources Centre, have been able to force the police to:’

The police have been forced to:’

The police have been forced to:’

The hearing has been postponed to tomorrow, when the judge will rule on whether the application warrants an urgent hearing.

In papers, the respondents have rejected claims of assault or abuse of detainees at Protea.

Major Lodevuyt de Jager said officers were warned at least weekly against the use of violence.

He said he moved constantly between interrogation rooms and at no time had he seen anyone assaulted.

The applicants have filed affidavits by six medical practitioners backing the claims of some former detainees.

The police have filed official medical records for certain detainees, in some of which reports of denial of assault or absence of signs of assault are noted.

Several former detainees allege they know that three Soweto children still in detention have also been subjected to assault.

• Mr Rapu Moleke, president of the Soweto Youth Congress. Several detainees said they had been held in conditions showing obvious signs of assault.

• Mr Kenny Filia, a prominent member of the Congress of South African Students until the organisation’s banning.

• Mr Amos Masando, publicity secretary of the Soweto Civic Association and organiser for the General and Allied Workers’ Union.

The affidavits say in most cases the detainee was subjected to a combination of assaults. Shocking were said to have been applied to six of the 14, in one case to the person’s penis.

One of three women to submit evidence, Ms Delroy Nkosi Maseya, said she had been injected with an unknown substance during interrogation.

She testified that she was held at Diepkloof Prison and taken to Protea, several times for interrogation, during which she was beaten.

On one occasion after “hooding”, she “felt something being injected into my vein in my right elbow”.

“Within a very short time, I felt dizzy and weak and could not talk freely anymore.

“I recall hearing noises which sounded to me as if buttons, rather like those on a telephone or calculator, were being..."
White detainees released

The only white emergency detainees still held in Johannesburg were released from Diepkloof Prison last night subject to stringent restrictions. They are Mr. Simon Ratcliffe, Mr. Neil Coleman, Mr. Adrie van Heerden, and Mr. Morris Smithers, who have all been involved in community research and information services.

An urgent application for the release of Mr. van Heerden and Dr. RAM Saloojee (who was also freed yesterday) was to have been brought in the Rand Supreme Court tomorrow.

Mr. Ratcliffe, Mr. van Heerden, Mr. Coleman, and Mr. Smithers were detained within 24 hours of the declaration of the state of emergency on July 21.

The restrictions imposed on them now are likely to curtail both their work and voluntary activities.

See Page 4
I am not sure what to write...
KING WILLIAM'S TOWN — Six Middledrift teachers and a messenger of the court who have been detained under section 28 of the National Security Act since October 28 were released on Monday.

They are Mr Mathemba Balfour, Mrs Tamara Ngcuka, Mr Ray Twaku, Mr Zanoxolo Sonjica, Miss Buliwa Tapiwo, Miss Nomvuyo Stoffile, all teachers and Mr Vuyani Ngcuka, a messenger of the court.

Their release was confirmed by Mr Vuyani Ngcuka and their attorney, Mr Dumisani Tabata.

Mr Tabata said they were released on the same day their attorneys had served papers on the registrar of the Supreme Court applying for the detention of their clients to be declared unlawful.
49 released, 2 more held

Political Stuff

AT LEAST 49 emergency detainees in the Western Cape, including a school principal and a teacher, were released yesterday and a further two detentions were confirmed.

The two detentions are

Anisa Hartley, 17, of Retreat, a pupil at Creighton School, and
Shamiel Jeppe, 21, a University of the Western Cape student.

A further ten detentions were reported yesterday but the names of the people have not been confirmed.

Those reported to have been released are:

Graham Pricey
Anthony Alexander
Gavin Elmers
Mohamed Ell
Frank Julie

Richard Martin
Dexter Mauritius
Abraham Louwene
Philip Tobias (principal of Creighton School)
Farouk Abrahams
Elize Theunissen (teacher at Creighton School)
Mike Cheema
Thomas Essau
Adam Ebrahim
Neil Peterson
Gail Williams
Douglas Ashley du Plooy (UCT researcher)
Raymond Thompson
Jason Christian
Shehad Jacobs
Sophie Ghebre
Ivain Josse
Terece Samuels
Lou Vanaga
Michael Rajpar
Eric de Kloet
Samuel Busesak
Vanessa Brown
Eugene Le Fleur
Julian Sade
Trevor Medlar
Jonain Saden

Hantwig Perrong
Edward Booyzen
Owen Stone
James Jacobs
Andre Andrews
Ronald Kroeniger
Andrew Linka
John Handlop
Trevor Johnson
Nicoles Abraham
Abel Peterson
Granville Johnson

Five other people were reported to have been released.

Those released have not been officially confirmed.

People's courts

OWN CORRESPONDENT
PORT ELIZABETH — People involved with the kamarro courts in townships here and claiming to be linked to the United Democratic Front would be dealt with.

Mr. Henry Fazzie, UDF regional vice-president, said yesterday.

Mr. Fazzie, who was released from detention this week, made an earnest appeal for the community to fight "tooth and nail" against the people running the courts in a bid to return the situation in the townships to normality.

"We have taken a decision at our meeting that a committee be established to investigate those involved in the so-called peoples' courts under the guise of the peoples' organizations," he said. These people would be "swept out of the way," he added.

He also stressed that UDF affiliates would also trace those people claiming allegiance to the UDF who were stirring up fighting with the Azanian Peoples' Organization.

Mr. Fazzie condemned police statements linking the UDF with the kamarro courts.

He said he was aware that many people used the UDF as a shield when carrying out their criminal acts and presiding at trials to mete out severe sentences on innocent people with different political convictions.

Pupil escapes ‘necklace’

PRETORIA - The following situation report was received from the SAP Police Relations Division for the Pretoria area yesterday.

At 8:00 p.m. a woman was killed when police fired on people who attacked their vehicle. In another incident, eight men were arrested after a group of motorists (SAP vehicles) were stopped at a petrol station. A private vehicle was stopped and an attempt made to steal petrol from the car. Police stopped the group, charging two women and a man who were under guard in hospital.

Incidents in the Cape Town area:

At 12:01 a.m. a man shot at a school bus in the Diepsloot area.

At 10:02 p.m. a man was shot dead when a private vehicle was petrol-bombed and extensively damaged.

At 9:20 p.m. two private vehicles were petrol-bombed and extensively damaged.

At 9:05 a.m. a delivery driver (a driver) was shot and his car was petrol-bombed.

Incidents in the Johannesburg area:

At 8:00 p.m. a man was shot dead when a private vehicle was petrol-bombed and extensively damaged.

At 9:20 p.m. two private vehicles were petrol-bombed and extensively damaged.

At 9:05 a.m. a delivery driver (a driver) was shot and his car was petrol-bombed.

Incidents in the Durban area:

At 8:00 p.m. a man was shot dead when a private vehicle was petrol-bombed and extensively damaged.

Incidents in the East London area:

At 9:05 a.m. a delivery driver (a driver) was shot and his car was petrol-bombed.

Incidents in the Kimberley area:

At 8:00 p.m. a man was shot dead when a private vehicle was petrol-bombed and extensively damaged.

Incidents in the Johannesburg area:

At 9:20 p.m. two private vehicles were petrol-bombed and extensively damaged.
UDF slams restrictions on released detainees

By Jo-Anne Collings

It is completely unacceptable that political leaders should be released from detention subject to stringent restrictions which prevented them from carrying out their public responsibilities, United Democratic Front (UDF) acting publicity secretary, Mr Murray Morobe, said today.

"We see the initial detention of these people as well as their restriction as aimed at impeding and eradicating democratic organisations," he said.

Mr Morobe was reacting to the conditional release of UDF Transvaal vice-president Dr Ram Shiloe and at least four other emergency detainees, who are now subject to stringent restrictions which prevent their participation in political and community organisations.

Mr Morobe said the UDF's pleasure at Dr Shiloe's release is completely overshadowed by the fact that hundreds of other anti-apartheid activists remain incarcerated because of their contribution to the creation of a democratic South Africa.

Dr Max Coleman and his wife, Audrey, whose son Neil is one of those conditionally released this week, said: "Are we supposed to feel grateful for the release of our son from detention? Our predominant feeling is one of anger that he should have been deprived of his liberty for nearly four months and that his liberty continues to be severely restricted by a banning order."

The Coleman said they were mindful of thousands of others who have been detained — "victims of the Government's device of using the state of emergency to stifle all opposition to the structures of apartheid."

They said: "We call on the Government to demonstrate whatever commitment to peace it might have by releasing without conditions all detainees languishing in cells throughout the country."

Union condemns organiser's detention

CAPE TOWN — The General Workers Union yesterday condemned the detention of one of their organisers, Miss De Cooper, and said her detention could have serious implications for the industrial wage negotiations presently underway.

Miss Cooper was taken from the union's 4.00 a.m. offices at 4.15 a.m. yesterday by four policemen dressed in riot police uniform. The policemen said they wanted her for questioning at the Athlone Police Station. — Sapa.

MPC claims 40 children-detained

CAPE TOWN — Forty children from Worcester's Zwedelihlo, section, were allegedly detained yesterday by police in terms of emergency regulations, according to the Progressive Federational Party, Mrs Di Bishop.

She said she had been in Zwelethleni and was told by residents that police came to the home of the Van Staden family — where a "maid" was being held for a family member shot dead by police — and detained the children. — Sapa.
Chaos after rampage by nurses

700 held in strike at Bara

Staff Reporters

More than 700 daily-paid workers were arrested at Baragwanath Hospital in Soweto today after striking for better wages.

A police spokesman said people gathered on the hospital premises about 9 am. A total of 114 men and 574 women were arrested and taken to the Orlando Police Station, where charges against them are being processed.

A doctor who called The Star said the situation at the hospital was "chaotic" and all surgery except emergencies had been cancelled.

By refusing to work, domestic workers and student nurses had brought large parts of the hospital to a standstill, he said. Doctors were even doing the work of porters.

SAPA reports the Police Divisional Commissioner for Soweto, Brigadier Jan Coetzee, as saying that cooks, cleaners and other labourers offered themselves for arrest this morning after a strike for better pay and conditions of service.

They were arrested on a main charge of attending an illegal gathering, alternatively staging an illegal strike. They will probably appear in court on Monday pending a decision by the Senior State Prosecutor.

Today's arrests follow incidents last night when student nurses, who demonstrated against an 8 pm curfew were baton-charged by hospital security guards as they marched on the administration block.

Some nurses were injured.

Guard at the gate to the nurses' home fled as nurses destroyed one of their posts and stormed through.

A spokesman for the Hospital Workers' Association (HWA) said the guards had been issued with firearms.

Today some of the student nurses — 2000 live in the nurses' home — who had refused to take up duties or report for lectures, sang freedom songs and chanted slogans.

Outside the hospital, two army trucks stopped under a pedestrian bridge and dispersed a crowd which had gathered on the bridge.

A team of newsmen from The Star was barred from entering the hospital by an officer commanding the police unit there.

The officer said: "This is an unrest situation. You are not allowed to be here."

Student nurses last week presented the hospital authorities with grievances about the 8 pm curfew, the quality of their food, and alleged victimisation of those who spoke out.

This morning they added a rider that they refused to "act as seabe" and do the work of the striking cleaners and kitchen staff.

The HWA spokesman said the student nurses were told last night that the authorities would not accede to their requests.

He added that the hospital cleaners, messengers, porters, kitchen staff and nurses' aides have been agitating since last year for pay increases.

"Although some of these workers have as much as 10 to 20 years' service, they are still viewed as temporary staff."

He added that some earned as little as R110 a month.

At the mass meeting yesterday they were told their demand for pay increases could not be considered before March.
No order on assaults 'could harm detainees'

By Jo-Anne Collinge

Failure by the courts to grant a temporary order restraining the police at Protea Police Station, Soweto, from assaulting emergency detainees might result in severe and irreparable harm being done to those detained, a Rand Supreme Court judge was told today.

 Advocate Mr Wim Trengrove, appearing on behalf of detainees and former detainees, argued that the damage the police claimed they would suffer by the granting of a restraining order constituted lesser harm and was overstated.

Police had said in papers before the court that any interdict would cause leftist organisations, township residents and the international community to interpret this as a victory for leftist forces and a defeat for the SAP.

Mr Trengrove appeared before Mr Justice Carlowis on behalf of seven former detainees, the mothers of three community leaders presently detained and a Soweto Anglican priest, the Reverend David Nkwe.

They are seeking an interim order restraining police at Protea from assaulting emergency detainees held there and at Diepkloof Prison.

PROTECTION

The protection is sought on behalf of all detainees held at these places but particularly in relation to Soweto Youth Congress president Mr Ratu Molokane, former Congress of South African Students leader Mr Kenneth Fihla and Soweto Civic Association publicity secretary Mr Amos Masando.

The respondents in the case are the Minister of Law and Order, the Minister of Justice, the Minister of Health and Population Development and various police officers stationed at Protea.

In papers, 40 former detainees have alleged they were tortured by Protea police.

The methods they claim were used against them include electric shocks, beating, forced exercise, suffocation by "hooding" and injections with an unknown substance.

Several former detainees allege they have been told of or seen signs of assault on Mr Molokane, Mr Fihla and Mr Masando.

Police have denied all allegations of assault, submitting papers that there are checks against abuse at Protea Police Station.

Legal argument on whether the application warrants urgent treatment by the courts will be heard later today.

Mob beats man to death

KING WILLIAM'S TOWN — A man was beaten to death and another seriously injured after they were attacked by members of the "Ciskei Vigilantes" early this morning.

Mr Zandile Matyholo, of Zwelitsha, was leaving for work when he was confronted by about 15 men who chased him and beat him to death.

An unidentified man, assaulted in the raid, was admitted to the Mount Cook hospital. — Sapa.

Man shot dead on railway

One man was shot dead and another wounded in Alberton today.

Mr Vumbro Mhande died of multiple bullet wounds at a railway siding in Combrink Avenue, Amlatho, at about 6.50 am. Mr Ernest Molisa was wounded in his leg.

A police spokesman said the shooting was related to a faction fight. Mr Molisa is in a satisfactory condition in the Natalpuit Hospital.
Detention of trade unionist condemned

Staff Reporter

TOP level representations are being made to the Government following the detention under emergency regulations of prominent Cape Town trade unionist, Ms D. Cooper.

Several business leaders have sent telegrams to the Minister of Law and Order, Mr. Louis le Grange, condemning the detention. And two powerful international trade union bodies, the International Confederation of Free Trade Unions and the International Transport Federation, are planning to make representations to the Government.

Ms Cooper, assistant branch secretary of the General Workers Union, was detained after being taken from her Athlone office yesterday "for questioning".

She had previously arranged with the police to meet her lawyer at the office after she had been informed they were searching for her.

Called Off

National wage negotiations with the stevedoring industry between South African Stevedores and the GWU today have been called off following the detention as Ms Cooper is a key figure in the talks.

The GWU represents dockers at every major port in the country.

The acting leader of the Progressive Federal Party and spokesman on manpower, Dr. Alex Boraine, condemned the "reckless" detention and warned that it could trigger a strike.

Intervene

Dr. Boraine said he would contact the Minister of Manpower, Mr Pietie du Plessis, today to urge him to intervene with Mr le Grange for Ms Cooper's release.

Mr du Plessis said in an interview yesterday that, if the trade union were to make a request, he would make inquiries about Ms Cooper's detention with Mr le Grange.

GWU national organiser Mr Dayid Lewis said the union believed that both Ms Cooper and another GWU organiser, Rev Howard Marawu, had been detained because of their union activity.
Detentions rule supreme in SA as crisis mounts

At least 1 544 people are still being held under the country's security and emergency regulations, according to the Detained Parents Support Committee's report for October.

The DPSC's report stated that security detentions for the year so far total 1 633 — 784 known and 849 unknown persons — 69 percent more than last year. Still being held are 392 people of whom only 156 are known. Emergency detentions are close to the 6 000 mark, with 1 152 still being held.

One death of a political nature was also recorded in the month of October. A student teacher at the Modjadji College, who was also president of the Students Representative Council (SRC), Ngwako Ramalepele of Kgopane, Lephalale, was taken into custody on October 17 and was allegedly assaulted in the cells and subsequently dumped in the veld. He was found by policemen in the veld and taken to Kgopane Hospital where he died the next day.

The report said: "While the focus of attention in the last month has been the Western Cape, the Transkei is looming as an area of intense repression. State reaction to the widespread rejection of apartheid structures is reflected in the unprecedented numbers of political trials being processed through the courts."

### Intense repression

Commenting on security detentions, the DPSC said the high figure of 140 during last month was inflated by the 74 detentions under Section 28 which took place in the Western Cape on the day before the declaration of a State of Emergency in that area, and which were subsequently converted to emergency detentions.

"Alarming reports are emerging from the Transkei of intense repression accompanied by mass detentions. Only few of these detentions have so far been reflected in our statistics. From preliminary information, it appears that the numbers since May, this year are well over 1 000, with the latest detentions being those of relatives of, and witnesses to the death of Hatanwanda Mchendu who died in the hands of the Transkei Security Police. Several of these latter detainees have been released and then banished to remote parts of the Transkei," the DPSC said.

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<tbody>
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<td>2</td>
<td>23</td>
<td></td>
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<tr>
<td>Eastern Cape</td>
<td>17</td>
<td>10</td>
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**A.2 Detained by Activity**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Detained</th>
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</thead>
<tbody>
<tr>
<td>Scholars, students, teachers, clerical and administrative workers</td>
<td>51</td>
</tr>
<tr>
<td>Trade Unions</td>
<td>44</td>
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<tr>
<td>Civic and trade union workers</td>
<td>7</td>
</tr>
<tr>
<td>Investors</td>
<td>3</td>
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<tr>
<td>Unspecified nature of activity</td>
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**A.3 Detained by Legislation**

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<tr>
<td>Section 28, RSA</td>
<td>140</td>
</tr>
<tr>
<td>Section 29, RSA</td>
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</tr>
<tr>
<td>Section 30, RSA</td>
<td>1</td>
</tr>
<tr>
<td>Section 31, RSA</td>
<td>11</td>
</tr>
<tr>
<td>Section 32, RSA</td>
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</tr>
<tr>
<td>Government Security Act</td>
<td>24</td>
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<td>TPA (Public Security Act)</td>
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<tr>
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<tr>
<td>Unknown Legislation</td>
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</table>

**A.4 Rate of 1985 detentions and 1985-86**

<table>
<thead>
<tr>
<th>Type</th>
<th>Rate (per 100,000)</th>
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<tbody>
<tr>
<td>Released on charge</td>
<td>10</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>13</td>
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<tr>
<td>After Tiremporal</td>
<td>30</td>
</tr>
<tr>
<td>Charged and charged</td>
<td>100</td>
</tr>
<tr>
<td>Charged and convicted</td>
<td>100</td>
</tr>
<tr>
<td>Repatriated</td>
<td>1</td>
</tr>
<tr>
<td>Self detained</td>
<td>25</td>
</tr>
<tr>
<td>Total of Emergency detainees</td>
<td>25</td>
</tr>
</tbody>
</table>

**A.5 Detained (Known Persons) during 1985**

| Unknown persons under Section 28, RSA | 20 |
| Unknown persons under Section 29, RSA | 72 |
| Unknown persons under Section 30, RSA | 10 |

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Case dropped against 17 UCT students

Education Report

NO charges are being laid against 17 University of Cape Town students who spent a week in detention after allegedly attending an illegal gathering on the campus.

A lawyer representing some of the students confirmed today that the case had been withdrawn on the instruction of the Attorney-General.

The students were arrested after a demonstration on the campus in protest against the state of emergency. They spent a week in Pollsmoor Prison. Special arrangements were made for those who wished to write final examinations.

They appeared in court on November 8 and were released on bail of R100 each when the hearing was postponed to November 22 for the Attorney-General's instructions. No charges were put to them.
Plea to free 'broken man'

If the only way to save a detainee's mental health was to end his detention, then he should be released, the Durban Supreme Court heard this week, in what could be a test case for security act detainees.

The father of detainee Shirish Soni has applied for the release of his son, held since June 29 under Section 29 of the Internal Security Act.

Chris Nicholson, of Durban's Legal Resources Centre, told the court that two psychiatrists, called in by the district surgeon treating Soni, who is in hospital for psychiatric treatment, described him as "a broken man" and "suicidal". There was some doubt whether he would ever fully recover.

Detainees had the right to be physically and mentally unimpaired on their release from detention, he told the court.

The Soni application is based on two arguments not yet tested in court.

In terms of Section 29 a detainee has to be released after 30 days unless the Minister of Law and Order is given information (by the police) which convinces him that it is necessary to extend the period of detention. Soni's family claims that detainees are entitled to know the substance of such information, so that they may respond and make representations to the minister to be freed.

The family has argued that since Soni was not given the chance to answer police allegations, his detention beyond 30 days was unlawful.

They also argued that since the purpose of detention under Section 29 was interrogation, there could be no purpose in detaining Soni if he were unable to answer questions. In the view of the two psychiatrists, Soni was in no condition to be interrogated, and ought, therefore, to be released. This was the only way of saving his mental health, the application said.

Judgment was reserved after lawyers for the state asked that Soni be examined by two other, independent psychiatrists.
Now UDF man gets strict restriction orders

Saloojee released

THE Transvaal president of the United Democratic Front, Dr Rashid Saloojee, was released on Tuesday night after nearly four months in detention and served strict restriction orders which will be in force while the state of emergency lasts.

Dr Saloojee, who is also acting president of the Transvaal Indian Congress and vice-president of the Islamic Council of South Africa, was being treated under guard in the psychiatric wing of the Johannesburg Hospital for the past month.

He was transferred back to Diepkloof Prison on Monday before his release.

In terms of a schedule signed by the Minister of Law and Order, Mr Louis le Grange, Dr Saloojee may not leave the magisterial district of Johannesburg without the permission of the Minister.

He may also not, without ministerial permission, take part in any manner whatsoever in the activities of affairs of the UDF.

Meanwhile four whites detained four months ago under South Africa's state of emergency, were released on Tuesday, the parents of one of them said. All are restricted, reports Sapa-Reuter.

Dr Max Coleman said his son Neil and three others were freed from Diepkloof Prison in Soweto.

There was no immediate official confirmation.

"We are delighted that Neil is free," Dr Coleman said.

The others released were Mr Auret van Heerden, Mr Morris Smithers and Mr Simon Ratcliffe, he said.

They had all been detained soon after the state of emergency was imposed on July 21 in areas surrounding Johannesburg and in the Eastern Cape. Since then the emergency has been extended to Cape Town.
Five detainees released

From CLARE HARRÉE - FIVE DETAINÉES RELEASED

JOHANNESBURG - Four men, detained under the emergency regulations since July 21, were released from Diepkloof Prison on Tuesday night after being served with restrictions severely curtail their movements.

They are Mr. Aurel van Heerden, Mr. Morris Smithers, Mr. Simon Ratcliffe and Mr. Neil Coleman.

A fifth detainee, Dr. Rashid Saloojee, vice-president of the United Democratic Front in the Transvaal and acting president of the Transvaal Indian Congress, was also released on Tuesday night.

In terms of the schedule:

- In addition to the restrictions, compilation, publication or dissemination of any publication defined in the Act, nor may they contribute, prepare or compile any material for publication in any defined publication.

- Attend any gathering at which any principle or policy of, or any action or contemplated action, by the government is attacked, criticized or discussed, or at which any local authority as defined in Section 11 of the Black Local Authorities Act of 1962 is attacked, criticized or discussed.

- Enter any school or educational institution.

- Enter Freeway House or Khotso House.
Detention could affect wage talks — union

Dispatch Correspondent
CAPE TOWN — The General Workers' Union yesterday slammed the detention of one of their organisers, Miss Di Cooper, and said her detention could have "potentially dire" consequences for crucial wage negotiations currently underway.

Miss Cooper was taken from the union's Athlone offices at 8.15 am yesterday by four riot policemen.

A spokesman for the police confirmed the detention yesterday afternoon but it was not immediately clear whether she was detained in terms of emergency regulations or a section of the Internal Security Act.

A coloured primary school in Pefferville was extensively damaged when it was set alight by a crowd on Tuesday night.

A police spokesman said two private homes were petrol bombed at about 10.30 pm on Tuesday in an incident in the Sandbult township, near Burgersdorp.

One man was injured and arrested.

Meanwhile, in Outshoorn, the magistrate, Mr. J. J. Groene- wald, found at an inquest that no one could be held criminally responsible for the deaths on June 17 this year of three black youths, Patrick Madikane, Thomas Hansa and Simon Majola from the Bongoletu township.

Mr. Groenewald said the police were compelled to open fire as their lives were endangered when the youths, part of a mob of 400, attacked the home of a policeman.

He found that when petrol had been thrown into the front room and somebody struck a match, the police opened fire to prevent the petrol being set alight.

The woman who was shot in Mamelodi following an alleged attack on a policeman's home early this week was identified yesterday as 18-year-old Magdelaine Nkwanza of Soweto.

In Worcester, forty children from Zwelethemba township were allegedly detained by police in terms of emergency regulations yesterday, according to the PFP MPC for Gardens, Mrs. Di Bishop.

The SAP Public Relations Division reported that in Despatch in the Eastern Province and Kavalsite near Cape Town, extensive damage was caused to delivery vehicles when set alight and looted by mobs.
40 workers on 'liquid fast'

Staff Reporter

ABOUT 40 workers at two factories in Athlone yesterday started a "liquid fast" in solidarity with hunger-striking detainees at Pollsmoor Prison.

The workers are at the Puma textile firm and the Pastel clothing company, both off Heims Road.

A spokesman for the group said the fast would continue till next Wednesday and that participants would take only water and fruit juices.
GWU official held by police

Staff Reporter

GENERAL Workers' Union organizer Ms Di Cooper was taken from the union's Athlone offices yesterday by four policemen in riot uniform.

The GWU general secretary, Mr Dave Lewis, said a Captain Oosthuizen had been looking for Ms Cooper for some days, and she yesterday said she should come and see her in the union offices with lawyers present.

'Questions'

Instead of Captain Oosthuizen, four riot policemen arrived and said "we just want to ask her a few questions at Athlone police station".

A spokesman for police headquarters in Pretoria confirmed Ms Cooper's detention but it was not immediately clear whether she was detained in terms of the emergency regulations or a section of the Internal Security Act.

Mr Lewis said yesterday that Ms Cooper was the second GWU organizer to be detained, with the Rev Howard Marawu being detained the day before the state of emergency was extended to Cape Town: He is now being held under the emergency regulations.

He said Ms Cooper was a central figure in wage negotiations between the union and SA Stevedores Limited, which were at a critical stage. Her detention could have "dire consequences for both management and the union".

A further 30 emergency detainees were released from prison yesterday, but the police have not confirmed 75 newly-reported detentions under the emergency regulations.

The names of the new detainees, most of whom were reported to have been arrested this week, have been telephoned to police headquarters in Pretoria but that has
Court to consider validity of detentions

Dispatch Correspondent

PORT ELIZABETH — An urgent application challenging the retrospective of the emergency regulations was postponed yesterday so that it can be heard before a full bench of the Grahamstown Supreme Court.

It was brought on behalf of 10 detainees from Port Elizabeth, Fort Beaufort and Alice by Mrs Marjorie Paul, Mrs Harriet Nondumo, Miss Constance Williams and Mrs Ethel Neer.

The Minister of Law and Order, the Minister of Justice, the Officer Commanding St Albans Prison and the Officer Commanding North End Prison are the respondents.

In terms of a Government Gazette notice of October 31 which details the amendment to the emergency regulations with retrospective effect to July 31, state of emergency detainees can have their detention extended until the end of the emergency by the minister "without notice to any person."

The minister can order that any person be detained for a further specified period above the initial 14 days specified in the emergency regulations, "or for as long as these regulations remain in force."

Mr Gilbert Marcus, for the applicants, yesterday said the detention of the 10 was unlawful, in that the retrospective of the amended regulation was "unreasonable and invalid."

He further submitted the regulation was ultra vires the powers of the Public Safety Act — under which the regulations were made — and that the Minister of Law and Order should adhere to the long-standing legal principle that a citizen be given the right to make representations to him as to whether or not his further detention should be ordered.

Mr J. Nogen, SC, for the respondents, asked that the application be postponed in order to allow the respondents to present their version before the court prior to an order being made.

The presiding judge, Mr Justice Mullins, said the application did not seek interim relief although it had been brought as an urgent application on the basis that the detention was unlawful.

He said, in his view, the application was a matter to be heard by a full bench of the Supreme Court, and that it should be postponed to a date to be arranged.

The 10 detainees are: Mr Mannie Zetu, a 73-year-old Fort Beaufort man; Mr Dennis Neer, of Port Elizabeth; Mr Malungelo Nondumo; Mr Zamiile Nondumo; Mrs Florence Nondumo; Mr Albert Nondumo; Mr Vukile Nondumo; Mrs Mondisa Mhlango; Miss Pumla Zache, all of Fort Beaufort; and Mr Daniel Williams of Alice.

Mr Nogen was instructed by Mr E. B. Boustead, of Wellingtons. Mr Marcus was instructed by Choudhry, Thompson and Hayman; Mr P. H. Hounds of Port Elizabeth and Mr N. K. Shulien of Grahamstown.
Police assault claims: application is struck from roll

By Jo-Anne Collings

An urgent application for an interim order restraining police at Protea Police Station in Soweto from assaulting emergency detainees has been struck off the roll.

This was done after a Rand Supreme Court judge rejected arguments that delay in bringing the action had been unavoidable if sufficient evidence was to be assembled to suggest a general pattern of abuse.

Mr Justice D Curlewis ruled yesterday that the applicants failed to clear the first hurdle—that of establishing that their matter required an urgent hearing—and he dismissed the case with costs.

He said the fact that seven of the applicants—all former detainees—had allowed several weeks to pass between their release and lodging of the application showed that the matter was not urgent.

Three further applicants, most of them community leaders, still have in the court high board reports of assaults on their sons or a considerable time ago.

"If the mothers felt there was imminent danger, then was the time to bring the case," he said.

He said the delay indicated there was no fear then or now of further assault on the

Application is struck from roll

three men.

Fourteen former detainees held at Protea Police Station and Diepkloof Prison, Johannesburg, had testified they had been tortured by police at Protea between July and November.

They said variously they had been subjected to electric shocks, beating, suffocation by "hooding" and forced exercise while carrying weights.

Several former detainees claimed they had seen at their places of detention three current detainees who reported they had been tortured at Protea and/or showed obvious signs of physical abuse.

The three are Soweto Youth Congress president Mr Ruga Molekane, former Congress of South African Students leader Mr Kenneth Fihla and Soweto Civic Association publicity secretary Mr Aaron Manzondo.

The respondents—who include the Minister of Law and Order and the Minister of Health and Population Development—denied all allegations of assault.

Mr Wim Trengove for the applicants, argued that the prospects of success for a single detainee bringing an application against the police were slight.

The action would depend on the applicant's own say-so and he would be outnumbered in giving testimony by the police.

The collation of as much supporting evidence as necessary had been important to the success of the case even if it did necessitate delay.

The delay did not indicate an absence of urgency—it had occurred despite the urgent nature of the case. The establishment of a "pattern" of police conduct had also been essential.

Mr Trengove referred to the fears of several former detainees. He pointed to affidavits of those who said they had left home to avoid re-detention.

Others claimed they had been threatened with death by the Protea police.

"Mr K Kruger SC, for the respondents, said the disinterest (of the applicants) has taken the sting out of the argument that they are under fear that they can be arrested at any time."

"The respondents said they believed the action was a malevolent plan put together over a lengthy period and brought as a matter of urgency to inconvenience the police."

"It is only the police who would have the necessary power to do so, and I am not saying that they did anything wrong," Mr Trengove said.

Mr Trengove also said the district officers who would have to give evidence could not appear before the court because of an urgent case in the Pretoria High Court.
POLITICAL DETAINNEES

Torture report row

After weeks of silence following the publication in September by University of Cape Town (UCT) criminologists of a report alleging large-scale torture of political detainees, a section of the Afrikaner academic establishment has erupted in protest and sparked what has become a heated political debate on the merits of the investigation.

The report, by Don Foster and Diane Sandler of UCT's Institute for Criminology, claimed 82% of a sample of people in "political" detention between 1974 and 1984 were mentally or physically tortured.

The publication coincided with the mounting outcry over allegations of the abuse of detainees and calls for independent inquiries. Law and Order Minister Louis le Grange's initial response was that he was studying the report before commenting.

But earlier this month, in a comment to the Cape National Party mouthpiece, Die Burger, he questioned the scientific merits of the study and accused the investigators of causing "considerable negative publicity" for SA. At the same time Die Burger started publishing lengthy letters from academics and readers, initially critical, but later also in support of the report. The tone of the debate in the newspaper's letters column has been distinctly political.

The report's detractors have attacked its scientific base and methodology and thereby questioned the obviously politically embarrassing findings. Their essential criticism has been that the report is not scientific enough to be regarded seriously and that it is too politically biased.

The row erupted after a letter to Die Burger from Stellenbosch University history professor, Diko van Zyl, who said he was "stunned" by the "unscientific, incomplete and subjective" nature of the report.

Another reader, Trevor Wells, then suggested government "investigate the scientific activities" of UCT's Institute of Criminology.

There were similar attacks to Van Zyl's from the former head of Unisa's department of criminology, Piet van der Walt; University of Port Elizabeth sociologist, Herman Crause; and the director of Unisa's Institute of Criminology, Jacob van der Westhuizen. Former Judge President Helm van Zyl was critical of the anonymity of the former detainees. He questioned the investigators' motives and suggested the police should have been given a chance to react to the findings before they were published.

In a second letter, Stellenbosch University's Van Zyl changed tack and called on the researchers to give their evidence of torture to the Attorney General.

But there has been widespread support. In a letter to Die Burger Amanda Gouws and Jan Liebenberg of Stellenbosch said: "In the light of the many allegations of torture in detention — particularly in recent times — we believe the report cannot simply be brushed aside.

"It is a valuable contribution, the validity of which cannot be summarily dismissed — except perhaps for political motives."

UCT sociologist John de Villiers Graaff said: "We cannot afford merely due to methodological fastidiousness to close our eyes even if it is only because of a suspicion of regular and systematic physical abuse of people who have not even been tried by a court."

UCT rector Stuart Saunders staunchly defended both the scientific basis of the report and the integrity of the researchers.

"I am afraid that Mr Wells and Professor Van Zyl will have to try harder if they are trying to discredit the work of Dr Foster and Ms Sandler," he wrote.

With Die Burger having given no indication yet that correspondence on the issue is closed, a long debate could be in the offing.
THE urgent court application to stop Security Police at Protea Police Station from assaulting or threatening persons held in terms of emergency regulations was yesterday dismissed with costs by a Rand Supreme Court judge.

The application before Mr Justice D J Curlewis had been brought by mothers of three political activists held at the new Johannesburg Prison.

The detainees are Mr Sydney Rapu Molekane, president of the Soweto Youth Congress, Mr Kenneth Fihla, a former member of the banned Congress of South African Students, and Mr Amos Masando, publicity secretary of the Soweto Civic Association.

The other applicants who had asked that police be restrained from further assaulting them if they are detained again are former detainees, Ernest Mabe, Patience Muralhe, Lazarus Mooketsi, Clive Radebe, Doris Massenyi, Beatrice Fiela and Mandla Diamini.

They had alleged that they had been assaulted while in detention before.

The last applicant was the Rev David Nkwe, the Archdeacon of Johannesburg in the Anglican Church and rector of St Paul’s parish in Jabavu, Soweto. He brought the application on behalf of all detainees at Diepkloof Prison.

The respondents in the application were the Ministers of Law and Order, of Justice, of Health and Population Development, the Divisional commander of the Soweto Security Branch; the SAP commanding officer at Protea police station and assistant Director-General of the Department of Health and Population Development.

In rejecting the application, Mr Justice Curlewis, said he agreed with counsel for the respondents, Mr R Kruger, SC, that there was no urgency in the matter.

The former detainees had no ground for urgency because they had been out of detention for several weeks. If they were in desperate fear of arrest, he said, they should have sought relief soon after their release.

The same applied to the mothers of the three who said in papers before the court that they had been told some weeks ago that their sons were in danger.
The number of banned people in the country rose to 14 this week when five former detainees were subjected to stringent restrictions to last the duration of the state of emergency.

Dr Nelson Mandela, Mr Simon Ratcliffe, Mr Aurelio de Jorda, Mr Neil Coley and Mr Steve Stothers were slapped with the restrictions which will curtail their movement and activities and confine them to the Johannesburg magisterial area for three months after being released from four months detention.

Like the nine other people throughout the country banned for five years, the five are prohibited from taking part in the affairs of trade unions and various other organisations. They may not write for any publication nor attend any gathering.

Dr Saioojoe, in terms of the restrictions signed by the Minister of Law and Order, Mr Louie le Grange, may not, without ministerial approval, take part in the activities of the United Democratic Front of the Transvaal Indian Congress.

Dr Salojojoe, the Transvaal president of the UDF, acting president of the Transvaal Indian Congress and vice-president of the Islamic Council of South Africa, was treated under guard in the psychiatric wing of the Johannesburg Hospital for a month during his detention.

He was transferred, back to the Diepkloof Prison on Monday, the day before his release.

Dr Saloojojoe, (52), was detained under the emergency regulations on July 21, the very day the state of emergency was proclaimed.

In South Africa the rule of habeas corpus does not exist.

Banned persons cannot be heard in public because the Government says so. They are restricted in terms of the Internal Security Act of 1950, amended in 1976.

Not only are banned people prohibited from attending gatherings or making public utterances but their movements as well are curtailed. The Minister of Law and Order may impose harsh measures which include house arrest.

Some of the banned people are:
- Mrs Nomzamo Winnie Mandela has been banned since 1962, the year before her husband was jailed for life.
- Banished
- Since 1977 she has been banned to the small Free State dorpie of Brandfort.
- Mrs Malanela has been brought to court several times for breaking her banning order.
- The only journalist still banned is Mathata Tsedu, of The SOWETAN, whose first banning order was imposed on January 9, 1981.
- Tsedu (33) cannot practise as a writer because of the restrictions.
- Tsedu is under house arrest from dusk to dawn during the week and on public holidays and weekends is confined to his Seshogo house, near Pretoria, for 24 hours a day.
- Tsedu has three children and his "grounding" has "put an emotional strain" on his teacher wife, Flora.
- In 1982 Tsedu was detained for 30 days under Section 29 of the Internal Security Act.
- He started working for the defunct Post newspaper in 1976 and was secretary of the Northern Transvaal region of the Media Workers' Association of South Africa and served on its Standing Constitutional Committee.
- Tsedu's second three-year banning order expires in June next year.
- Mordecai Tatas is the only banned person living on the Reef. Until late October last year he shared the dubious honour with the current general secretary of the African Council of Churches, Dr Breyers Naudé.
- Everyday is the same for Mordecai, the Orlando East, Soweto
- Another Soweto resident who is banned is Mr Abel Dube of Molopo, who has been banned to Messina in the Northern Transvaal.
- Mr Dube (33) was banned in 1984 and his order expires on October 10, 1987.
- His twin sister, Ntombikayise, said she last saw him in 1976 when Mr Dube, aged 18, left the country. She later learned he had been detained and held at the old Johannesburg Fort.
- After his release last year in October after 30 months in detention, Dube was banned.
- His mother, Mrs Elsie Dube, is the sole breadwinner in the family and earns about R50 a month as a domestic in the white suburbs.
- Mr Dube's elder brother, Matthews, married with two children, is unemployed.
- Ntombikayise was forced to leave her job when she gave birth three months ago.
- Two of those still banned are in Port Elizabeth, and one is in Athlone and the other in Wynberg in the Cape.
- One of the longest banned people, Mr Rowley Israel Arenstein, from Durban, has lived in the twilight for more than 20 years. His current banning expires on June 30, 1988.

Isolation

He cannot tell of the fits of depression he suffered when he was detained at Modderbee Prison, or of his continuing isolation from society, or of the way his education has suffered.

Mr Tatas also holds another dubious record of being detained the longest in the history of detention without trial here. He spent some time in a psychiatric ward after his release.

He was detained shortly before Christmas in 1979 and held under Section 6 of the old Terrorism Act. Mr Tatas was banned on August 5, 1983 and his order expires on August 31, 1986.
GWU trade unionist freed after outcry

Staff Reporter
CAPE Town trade unionist Ms Di Cooper, whose detention sparked an international outcry, has been released.

Ms Cooper, a General Workers’ Union official, was released late yesterday after being detained for about 36 hours under emergency regulations.

South African industrialists sent telexes to Mr Louis Le Grange, Minister of Law and Order, protesting against her detention after requests from the union to do so.

The International Transport Federation and the International Confederation of Free Trade Unions had made formal representations to the Government.

National wage negotiations in the stevedoring industry, which affect every major South African port and in which Ms Cooper is a key figure, were called off yesterday following her detention.

A GWU spokesman said the reaction of all major corporations—except a Swiss-based multinational corporation—had been to realise the industrial relations implications of police repression and detention without trial.

The Rev Howard Marawu, a community figure who is also a GWU official, has been in detention for three weeks under the emergency regulations.

Mr Shamiel Jeppie, 21, a final-year BA student at the University of the Western Cape, was released from Victor Verster Prison, Paarl, on Wednesday.
PFP slams 'unfeeling' policemen

By BARRY STREEK
and COLIN HOWELL

The police admission that they were too short-staffed to speedily confirm emergency detentions has drawn angry criticism from the acting leader of the Progressive Federal Party, Dr Alex Boraine.

Dr Boraine said last night: "This must rank among the most insensitive and unacceptable statements ever made by an often insensitive police bureaucracy.

"There seems to be no regard whatsoever for the human suffering and anxiety behind cold statistics."

Yesterday, a senior police spokesman at the public relations division in Pretoria, Major Steve van Rooyen, told the Cape Times: "Sorry, we just don't have the manpower to physically go through the official lists of detainees to look for, let's say, 40 or 50 names you send us.

'Just have to wait list!

"We don't have the staff—you'll just have to wait until Friday (today) for the latest official list to be released.

"I promise you, if you send us a list of two or three names only, we'll accommodate you as soon as we can—that will be no problem—but these long lists are impossible."

Major Van Rooyen said this when he was approached after police had failed to confirm a number of reported detentions under the emergency regulations in the Western Cape.

Dr Boraine said: "I believe that we must demand that the police release information regarding detainees without any delay whatsoever."

"This stand can only heighten the fears of many that people simply go missing and then are found later to be in detention."

"It sparks off rumours and creates feelings of deep apprehension which are wholly understandable."

Meanwhile, the Detainees Parents' Support Committee has expressed its deep concern about the emergence of a new form of banning, which represents "a further incursion into the area of human rights."

In a statement to Sapa yesterday, the DPSC said: "We refer to the restrictions placed recently upon a number of emergency detainees on their release."

"These restrictions place constraints on the movements, activities, utterances, occupation, attendance at educational institutions, access to certain buildings, and presence at gatherings of such persons."
Fast: 'Unlawful protest' charge

Staff Reporter

POLICE yesterday visited the Buitenkant Street Methodist Church where solidarity fasts with hunger-striking detainees are in progress, and informed a church worker she was being charged with holding an unlawful protest.

The Rev Alan Brewley said a Detective Warrant Officer Slabbert arrived in plain clothes at the church about 2pm and asked who was in charge. Ms Barenne Voigt replied that she was at that stage, and the policeman handed her a summons to appear in court on charges of 'wrongfully and unlawfully protesting inside a proclaimed area'. In terms of the summons, she must appear in the Cape Town Magistrate's Court on December 6.

At the time of the raid there were five people inside the church participating in solidarity fasts. A large number of supporters were also present.
4 teachers, 100 pupils held

By ANDRE KOOPMAN

POLICE in Cassips yesterday swooped on the Kassaveli Senior Secondary School in Bellville South and arrested four teachers and two classes who had been writing examinations.

Of the 100 pupils at the school, 25 turned up to write exams yesterday after a strong police guard, teachers said.

When the pupils received their question papers, one tore his up and the rest then cheered. Policemen patrolling past the classroom entered the class and demanded to know who had torn up the paper.

When the pupils refused to answer, the teacher invigilating, Miss Vanessa Kotzé, was arrested but later released.

The pupils were taken to Bellville police station.

Three policemen later returned to the school and arrested three other teachers.

The teachers' statement said: "The staff is terribly disturbed by current events at the school and is pessimistic about the examinations continuing under such adverse circumstances." The police unrest report said: "In Cape Town, more than 100 pupils and four teachers from the Kassaveli and Bellville South schools were arrested after they allegedly burnt exercise books and tore up internal examination papers."
Detention threatens talks

CAPE TOWN — There has been widespread condemnation, nationally and internationally, of the detention of Cape Town trade unionist Miss Di Cooper.

Miss Cooper, the assistant branch secretary of the General Workers' Union, was held under the emergency regulations after being taken from her Athlone office on Wednesday for questioning.

The union has warned that her detention could disrupt national stevedore wage negotiations, which were due to start yesterday.

The acting leader of the Progressive Federal Party and spokesman on manpower, Dr Alex Boraine, condemned the "reckless" detention and warned it could trigger a strike.

Dr Boraine said he would contact the Minister of Manpower, Mr Pietie du Plessis, to urge him to intervene with the Minister of Law and Order, Mr Louis Le Grange, to secure Miss Cooper's release.

Mr du Plessis said that if the trade union were to make a request, he would make inquiries with Mr Le Grange.

"Nobody has ever been detained because of trade union activities, but on account of activities which the police judge as detrimental to the security of the state," he said.

Miss Cooper's fiancee, Mr John Weinberg, said she had phoned the police to say they could meet her — with her lawyer — at her office, when she heard they were looking for her.

GWU national organiser Mr David Lewis said the union believed that both Miss Cooper and another union organiser, the Reverend Howard Marawu, were detained because of union activities.

Several companies with which Miss Cooper deals are sending telegrams to the Minister of Law and Order.

The International Transport Federation, based in London, and the Brussels-based International Confederation of Free Trade Unions are believed to be making top-level representations to the government. — Sapa
Application on assault 'not urgent'

Own Correspondent

Johannesburg. — A Rand Supreme Court judge yesterday ruled that an application for an order restraining police at Soweto’s Protea police headquarters from assaulting detainees held under emergency regulations did not warrant an urgent hearing.

Mr Justice D J Curlewis struck the application from the roll with costs after hearing arguments from the applicants’ counsel, advocates Mr Wim Trengove and Mr Sean Naidoo, and counsel for the respondents, Mr R Kruger, SC.

Claims of electric shock torture, suffocation by “hooding”, beating, death threats and forced exercise have been made by 14 former detainees allegedly interrogated at Protea.

The applicants were seven former detainees, the mothers of three men in detention and a Soweto Anglican priest, the Rev David Nkwe.

The respondents included the Ministers of Law and Order, Justice, and National Health and Population Development, the divisional commander of security police in Soweto and the officer in command of Protea police station.

Mr Trengove argued that each of the former detainees feared retribution and more assaults.

Counsel for the respondents argued that the delay between the release of seven of the applicants and their application argued against urgency.

Counsel for the applicants said the delay in the application was explained by the fact that the applicants had been advised that their prospects of success were almost non-existent if they came forward as individuals rather than as a body with supporting evidence.

Mr Justice Curlewis said the dispute of fact between the applicants and respondents would not be decided on papers, and would have to go to trial.

He said the seven who had been detained and since released had come out of detention at least 8 weeks ago. "If they felt then desperate fear of being rearrested, that was the time to make an application." The fact that they had not done so was convincing proof of a lack of urgency, the judge said.

Equally, if the three mothers felt their detained sons were in imminent danger, they should have brought an application earlier.
HUNDREDS ON HUNGER STRIKE

Staff Reporter

LARGE numbers of detainees in Pollsmoor and Victor Verster prisons are reported to be on hunger-strike.

According to relatives, two hunger-strikers have collapsed and been taken to hospital. They are Mrs Theresa Solomon and Mrs Shahieda Iassel.

Families of detainees also told the Cape Times they had not been allowed to see their relatives although they had obtained permission under emergency regulations. They were also not allowed to leave money and clothes for them.

According to several relatives of detainees at the two prisons, over 200 detainees at Victor Verster and almost all the detainees at Pollsmoor are on a hunger-strike.

Speaking at the Buitenzorg Meerester Church on Wednesday night, one woman whose husband is detained at Victor Verster said privileges such as the use of toiletries and periods during which detainees mixed with each other had been withdrawn.

At least 22 people were in solitary confinement at Victor Verster for hunger-striking, another man alleged.

Mr M Parkor, a city attorney, said he had personal knowledge that as punishment for hunger-striking, detainees, including detained advocate Dullah Omar, who needed regular medical treatments, had had these withdrawn.

Lieutenant-Colonel Denis Immeinman of the Prisons Department said last night: "From time to time prisoners or detainees refuse to eat food served to them in accordance with the prescribed ration."

"The policy in regard to prisoners who refuse to eat is strictly applied and is based on the internationally accepted guidelines in the Tokyo Declaration."

"As has been confirmed previously, there are detainees and prisoners awaiting trial at a few prisons who refuse rations in terms of one or more meals."

"Besides the fact that each prisoner and detainee served the prescribed meals, they are permitted to buy additional foodstuffs at the prison shop in accordance with their own needs."

"It must be reiterated that prison authorities follow a policy of reasonableness and fair play towards people entrusted to their care and have not been found wanting in this regard."

"This reply does not pertain to any individual," he said.
No details on judges' visits

Supreme Court Reporter

The Judge President of the Cape of Good Hope Division of the Supreme Court, Mr Chief Justice G.C.A. Munnik, declined yesterday to divulge information on judges' visits to detainees. "I am not prepared to give any information about detainees; I don't deal with the press about detainees," he said in reply to a question.
Meeting ban on Manuel

A United Democratic Front Western Cape leader, Mr. Trevor Manuel, has been banned from attending any meetings until August 31, 1985 in terms of a notice published in yesterday's Government Gazette, and issued by the Minister of Law and Order, Mr. Louis le Grange.

The order is dated from October 22, the day Mr. Manuel was detainted in terms of Section 29 of the Internal Security Act. He is still in detention, and is being held in terms of the emergency regulations.

Mr. Manuel's attorney, Mr. Essa Moosa, said last night that "the banning order is surprising because he is still being held under Section 29 of the Internal Security Act and he cannot therefore attend any meetings. One can only assume that he is about to be released or he is being released."

Dr. Alex Boraine, acting leader of the Progressive Federal Party, said: "Despite several weeks' detention, no charges have been brought against Trevor Manuel. This is, all too familiar a pattern, used by the government to silence its critics. The Government should be talking to people like Trevor Manuel, not banning them."
**Detention slammed**

**Staff Reporter**

THE detention of a University of Cape Town research fellow, Mr Younus Gabru, who is also chairman of the Western Cape Teachers' Union (Wectu), has been condemned by the union, the university's education department and by Wectu.

Mr. Gabru was detained at 5am on Friday last week but in spite of telex messages to police headquarters this week the detention was confirmed only yesterday in the weekly police list of emergency detentions.

The academic staff in UCT's education department said in a statement that Mr Gabru was a dedicated educationist of the highest integrity.

"We do not believe that his detention can in any way contribute to a peaceful resolution of the present crisis in South Africa and particularly that in Western Cape education."

Wectu said in a statement the detention was part of the attempt "to totally silence and cripple the union".
ALARM has been expressed at the growing number of detainees — and people believed detained under emergency regulations — who are not accounted for on official police lists.

“This has terrifying overtones and even raises the spectre of South American countries, where to go missing is part of the risk of opposing the status quo,” the acting leader of the Progressive Federal Party, Dr Alex Boraine, said yesterday.

Yesterday, police issued their latest list of 314 people, including 156 people from the Western Cape, detained under the emergency.

But the police list did not include the names of four Belhar Senior Secondary School teachers who were detained at the school on Friday last week.

Three of the four teachers have been visited by members of their families in prison and, according to the husband of one of them, the families have been told they are being held in terms of the emergency regulations.

Police ‘could not confirm’

On Monday, the Cape Times telephoned the names of the four teachers to police headquarters, together with a number of other reported detentions, but these were not confirmed, and the four teachers were not on yesterday’s official list.

On Wednesday, lawyers gave the Cape Times the names of 30 people who had been released from detention, but only two of the 30 had been confirmed on the police lists.

At 5am last Friday, the chairman of the Western Cape Teachers’ Union, Mr Yusuf Gabry, was detained at his home. The police were telephoned on Friday about his detention but replied that they could not confirm his detention. A further telex about his detention was not answered.

Yesterday’s police list the detention of “Yusuf Gabry” was finally confirmed.

Under the emergency regulations, the names of detainees may not be published unless they are confirmed in writing by police headquarters. This means that a number of what are believed to be detentions cannot be reported in newspapers.

Dr Boraine said yesterday that this development was “alarming”.

“Detention without trial is in itself a total disregard of the rule of law and something which brings with it fear, isolation and deprivation. But when detentions are not confirmed by the police, and therefore cannot be published in newspapers, it takes on a more ominous and chilling note.

Sometimes days and even weeks go by where people are simply ‘missing’. We do not know how many, we do not know where they are from and where they are.

‘Behind the cold statistics’

“Behind the cold statistics of missing people, are human beings who are loved and missed by parents, by families and by friends.

“If the government will not stop detaining without trial, then I appeal to them at least to confirm without delay the names of those people who are taken into custody.

“That will be poor comfort, but at least loved ones and family will know that the detainees have not just been forgotten in some cold, lonely cell.”

* On Thursday a senior police spokesman in Pretoria, Major Steve van Rooyen, approached after police failed to confirm a number of detentions, told the Cape Times: “Sorry, we just don’t have the manpower to physically go through the official lists of detainees to look for, let’s say, 40 or 50 names you send us. We don’t have the staff — you’ll just have to wait for Friday for the latest official list.”

* Detentions in W Cape ‘indiscriminate’, page 11
* Latest official list, page 11
Detainees tell MPs of assault

JOHANNESBURG. - Several cases of assault were reported yesterday by detainees to Progressive Federal Party MPs who inspected the Johannesburg and Modderbee prisons, a PFP statement said.

The tour was undertaken by Dr Marius Barnard, MP for Parktown, and Mr Peter Soul, MP for Johannesburg North, as part of the Parliamentary Standing Committee on Health.

The statement issued by Dr Barnard and Mr Soul said: "Today we visited the Johannesburg Prison and the Modderbee Prison as part of a tour of inspection as part of the Parliamentary Standing Committee on Health.

"At Johannesburg Prison we found there were 293 detainees, most of whom were young people. We came across a group of 14 young people in a cell, who agreed to speak to representatives of the PFP and to the National..."
Held mother, baby wrangle

By TONY WEAVER

A nine-eight-month-old baby, his mother, grandmother and aunt were detained on Thursday in Kesselsvlei in terms of emergency regulations.

The baby was released into the custody of his father the same night, but now a legal wrangle is going on in an attempt to get the mother out of jail, with police telling attorneys the mother will not be released and the baby must join his mother in the cells.

The family's attorneys said yesterday that police were insisting on having a medical test done on the mother to "make sure she is breastfeeding and not taking".

The baby is eating but refusing to take any fluids since being separated from his mother, and family members said yesterday the child is "miserable and sick".

The baby's father has refused to allow his child to be taken back into the cells.

The Cape Times has the names of those detained, but in terms of the emergency regulations may not in any way publish any information which will disclose the identity of the detainees. Another aunt of the baby said police came to their flat and demanded to see her sister, a high school pupil.

There were three white policemen in the house and two outside. They came in looking for my sister and they grabbed her. My mother tried to stop them. The policeman stuck his elbow under my mother's chin and said to her in Afrikaans: 'I'll beat you to death.' Then they left and went to the school where they detained a lot more people.

The family is mystified as to why the baby's mother was detained, and said none of the family, including the girl police came looking for, are politically involved.

A spokesman for the Police Directorate of Public Relations in Pretoria commented: 'It is practice that when the mother of a young child is arrested, the child is placed in the cell with its mother, for obvious reasons.

'The liaison officer, Cape Town, has made inquiries and can find no evidence of an eight-month-old baby being held in this way.

'Regarding the allegations in your telex, we can only reiterate that if the persons concerned are of the opinion that the police acted abusively or exceeded their powers, they should file affidavits at any police station so that the allegations can be properly investigated.

'We understand that the Cape Times has already printed this report and would like to know what steps will be taken to rectify the inaccuracies, since it must have been obvious that comment would not be available at the time of going to press (on Thursday night).

'This is the first publishing of the story in the Cape Times.'
Detained women in hospital

Political Staff

THREE more detained women on hunger strike are believed to have been admitted to hospital.

It is understood that June Esau, a Clothing Workers' Union organiser, Selena Marutlulo and Vanessa Ludwick have been hospitalized.

A fourth detainee, Mrs Theresa Solomon, who works for the Western Province Council of Churches and who was admitted to hospital earlier this week, was still there on Thursday.

But a fifth woman detainee, Mrs Shabeida Issel, who was also admitted to hospital, has, it is understood, been returned to Polismoor Prison.

All five are being detained under the emergency regulations.

Details of the reported hospitalization of the hunger strikers were submitted yesterday to the prison's department for confirmation.

Refuse to eat

Colonel Danie Immelman, praesidium of the prison's department said the subsequent comments do not pertain to any individual.

"From time to time prisoners and or detainees refuse to eat food served to them in accordance with the prescribed ration."

"The policy with regard to prisoners who refuse to eat is strictly applied and is based on the internationally-accepted guidelines in the Tokyo Declaration."

In response to allegations published yesterday's Cape Times that detainees had had medical treatment withdrawn, had privileges like the use of toilet facilities and being allowed periods during which they mixed with each other while laundering their clothes withdrawn, and had been placed in solitary confinement, Colonel Immelman said:

"The detainees in question are treated in accordance with the regulations mentioned."

"Any suggestion to the contrary is therefore rejected."

"Moreover detainees are being visited by judges who file reports on conditions and irregularities if any."

He said prison authorities pursue "a policy of reasonableness."

Women who shared my cell told me they felt as if they were being used as training material, for teaching purposes for trainee security policemen."

Protest to the minister

Barry Streek reports that the Food and Canning Workers' Union has protested to the Minister of Law and Order, Mr Louis le Grange, about the detention of three of its organizers.

In a letter to Mr Le Grange yesterday, the union said: "We believe that there is no justification for the detention of these persons. We call for their immediate release."

The message was signed by the union's general secretary, Mr Jan Theron.

The union's national organizer, Ms Lizzie Phike, is one of those being held. Its organizer of the Paarl branch, Mr John "Oupa" James, was detained on Saturday but the police said yesterday that "according to our present records, John James is not being held in terms of the emergency regulations."

The reported detention of a third organizer has not been confirmed by the police and, in terms of the emergency regulations, may not be published.

This list is the official police list of detainees this week in the Western Cape.

Noel Paterson, Wynberg.
Gwede Makupela, Wynberg.
Pietro Jeptha, Wellington.
Cornelia Johannes, Bellville.
Heindrich Mal Interactive.
Witsu Magna, Wynberg.
Sipho Mabuku, Athlone.
Dean Williams, Wynberg.
Richard Gobob, Cape Town.
Anesu Hartley, Wynberg.
Cassiem Christens, Wynberg.
Nasem Lee, Goodwood.
Munguwe Lebo, Athlone.
Arno Williams, Bellville.
Daniel Sava, Athlone.
Christopher Kusi, Bellville.
Michael Rade, Bellville.
Rodney Wypenga, Athlone.
Youssif Goler, Wynberg.
Braam Hack, Wynberg.
Bram Fasans, Wynberg.
Glennie Adams, Athlone.
Daniel Baka, Bellville.
Piet Brits, Athlone.
Daniel Williams, Wynberg.
William Patto, Bellville.
Reginald Cook, Athlone.
Lloyd Fortuin, Paarl.
Ahren, Paarl.
Philea, Paarl.

The full list of names will appear in Monday's Cape Times.
Police listings: alarm over the ‘missing’

Weekend Post Correspondent

CAPE TOWN — Alarm has been expressed at the growing number of detainees and of people believed held under emergency regulations who are not accounted for on official police lists.

“This has terrifying overtones and even raises the spectre of South American countries, where to go missing is part of the risk of opposing the status quo,” the acting leader of the Progressive Federal Party, Dr Alex Boraine, said this week.

Yesterday, police issued their latest list of people detained under the emergency, including 116 people from the Western Cape.

But the police list did not include the names of four teachers detained at Belhar Senior Secondary School in Cape Town last Friday.

Three of the four teachers have been visited by members of their families in prison. According to the husband of one of them, the families have been told they are being held in terms of the emergency regulations.

On Monday, a Cape Town newspaper telephoned the names of the four teachers to police headquarters, together with a number of other reported detentions, but these were not confirmed. The four teachers were not on yesterday’s official list.

On Wednesday, lawyers in Cape Town issued the names of 30 people who had been released from detention, but only two of the 30 had been confirmed on the police lists.

At 8am last Friday, the chairman of the Western Cape Teachers’ Union, Mr Yusuf Gaba, was detained at his home. The police were telephoned on Friday about his detention, but replied that they could not confirm it. A further telex about his detention was not answered.

In yesterday’s police list the detention of “Yusuff Gaba” was finally confirmed.

Under the emergency regulations, the names of detainees may not be published unless they are confirmed in writing by police headquarters. This means that a number of what are believed to be detentions cannot be reported in newspapers.

Dr Boraine said yesterday that this development was “alarming”. “Detention without trial is in itself a total disregard of the rule of law and something which brings with it fear, isolation and deprivation. But when detentions are not confirmed by the police, and therefore cannot be published in newspapers, it takes on a more ominous and chilling note.

“Sometimes days and even weeks go by where people are simply ‘missing’. We do not know how many, or where they are from and where they are. Behind the cold statistics of missing people are human beings who are loved and missed by parents, by families and by friends.

“If the Government will not stop detaining without trial then I appeal to them at least to confirm without delay the names of people taken into custody.

“That will be poor comfort, but at least loved ones and family will know that the detainees have not just been forgotten in some cold, lonely cell.”

A senior police spokesman in Pretoria, Major Steve van Rooyen, approached after police failed to confirm a number of detentions, said: “Sorry, we just don’t have the manpower to physically go through the official lists of detainees to look for, let’s say, 40 or 50 names. You’ll just have to wait for the latest official list.”

● According to official figures released last night, 5,957 people have been detained since the state of emergency began on July 21, of whom 4,147 have been subsequently released, leaving 1,810 still in detention.
Staff Reporter

ONE DAY after Mr Zain Jeenah of Rylands was released from detention, police came to his house on Thursday to detain his brother Faizul, who was seriously wounded when he was shot in Athlone last month.

Now both brothers have disappeared and their mother, Mrs Sabera Jeenah, is frantic with worry as Faizul was supposed to have had a crucial operation on his wounded leg yesterday.

She said yesterday that police and Defence Force members came to her house on Thursday and demanded to see Faizul. While they were in the house, Faizul came in, saw what was happening and "disappeared."

Mrs Jeenah said that early yesterday her house was stoned.

Later, police came to her house again, demanding to know where her sons were. "I said both my sons have disappeared and I would like to find them just as much as the police would."

"Our doctor said if Faizul does not have medical attention soon there will be serious problems. His leg is festeriing."

Mrs Jeenah said the police had also asked her why she "made statements which were untrue in the newspapers"—referring to an article headlined "Fleas for children" which appeared in the Cape Times on November 6.

The article, which did not give her name, quoted her as pleading with the police and the State President to "show some concern" for children in detention.
Salojee lost 11 kg while in detention

DURBAN — Dr Arashid Salojee, Transvaal Vice-president of the United Democratic Front and acting president of the Transvaal Indian Congress, lost 11 kg in weight during 17 weeks in detention.

His wife Sara said at the weekend that he also had to be given psychiatric therapy and treatment for gastric and bladder infections.

Dr Salojee was one of five detainees released last week after being detained in the first two days of the state of emergency.

The release of the five came days before the Rand Supreme Court was to have heard an urgent application for the freeing of Dr Salojee and Mr Auret van Heerden.

The others released were Mr Neil Coleman, Mr Simon Ratcliffe and Mr Maurice Smithers.
314 people held last week under emergency
A total of 314 people were arraigned under emergency regulations last week, according to a list of detainees issued by the Police in Pretoria.

According to the lists, which are issued weekly, 5,887 people have been held in detention since the emergency began on July 21.

On Friday police said only 1,466 were still being detained and they would no longer issue new lists of detainees.

The names of the latest detainees are:

JOHANNESBURG

Michael Bester, Daniel Maluleke, Peter Bergeth, Emselfo Dlamini, Jacob Mathabala, Thami Mkhize, Sipho Mkheza, Josiah Motshoana, Simeon Motsamai, Leonce Nkosi, Itsantsi Phepha, and Antonio Nhlapo.

KPMG

Mphakathi Nkomo, Sipho Mokoena, Ntombe Ntuli, and Sipho Ximba.

BELOULI

Richard Parker, Riky Papi, and Patrick Papez.

GOODWOOD

Nathan Lee, Eldekan David, and причина.

WINBERG

Kerry Peterson, Cedric Koefer, Dave Jacobs, Mark Williams, Brett Smith, Witzi Blomfield, Linda Venter, Roy Shih, Vuyanda Manyana, and Cillaine van der Merwe.

PAAL

Lloyd Fortune, Elizana de Villiers, Steven Ophir, Calvin Gordon, John Steep, Edgar Hawley, Nelvin Martin, Allan Paule, and Andrew Newbold.

PORT ELIZABETH

Patrick Kwek, Ncekohe Nkosi, Tsholake Bold, Tshoelo Ponele, and Vincent Wafubenga.

ALBANY

David Anani, Sabelo Makgopane, Francis Nyathi, and Joseph Nkosi.

CRADOCK

Makupeli Mangane, Lilianile Sipiso.

UTENNGAGE

Mphakathi Mxolisi, Sizwakazi Jali, and John Mthembu, Jackson Nebula, and Constant Pheza.

KEMPTON PARK

Richard Becker, Richard Bader, and Brian Marais.

BELVILLE

Pulanele Dlamini, Stiven Mokoen, and Henry Marais.

Cape Town

Richard October, and Goodwood.

HOMEBER EAST


Avignon

Reginald Cole, Shinty Chauke, William Fischer, Donald Morris, and Charles Berman.

Sawana


VAN DER BERG


Cape Town

Richard October, and Goodwood.

HOMEBER EAST


Avignon

Reginald Cole, Shinty Chauke, William Fischer, Donald Morris, and Charles Berman.

Sawana


VAN DER BERG


Cape Town

Richard October, and Goodwood.
Clerics add support to Pollsmoor detainee fast

Religious Reporter

SEVERAL clerics and theologians took part in a solidarity fast at the Buitenkant Street Methodist Church in support of detainees' demands.

The fast, which began last Monday, is in support of a hunger strike by detainees in Pollsmoor Prison in protest against all detentions.

The fast is continuing in the church this week.

The clerics, who fasted for 24 hours from Saturday evening, included Professor Charles Villa-Vicencio, professor of theology at the University of Cape Town and a former detainee; the Rev Alan Brews, a member of the Western Province Council of Churches executive and a minister of the Buitenkant Methodist Church; the Rev Alan Bruce, also a minister of the church; the Rev Mark Stephenson, minister of the Woodstock and Salt River Methodist Church; Father Basil van Rensburg, of the Holy Cross Catholic Church in District Six; Dr. Mark Stephens, a lecturer in theology at the University of the Western Cape, and the Rev Alistair Rundle, a Methodist minister at the Metropolitan Church on Greenmarket Square.
Detainees end hunger strike

Staff Reporter

ALL but one of the emergency detainees in the Western Cape who went on a week-long hunger strike to protest about their continued detention have ended their fast, according to the Prisons Department.

Lieutenant-Colonel D J Immelman, a Prisons Service spokesman, said: "All the other detainees are having their meals at the prisons."

The four women detainees who were taken to hospital after refusing meals last week are back in prison and eating.

The emergency detainees in Victor Verster Prison and Pollsmoor went on a hunger strike after two weeks in detention.

SOLIDARITY

Friends and families of detainees began a continuous solidarity fast in 24-hour shifts at Buitenkant Street Methodist Church last week.

Concern about the welfare of detainees mounted when relatives had reports that hunger-striking detainees were not receiving necessary medication.

Colonel Immelman said detainees "are treated in accordance with rules pertaining to the regulations mentioned earlier (in terms of the state of emergency)."

"These regulations are strict but fair and are applied in a responsible and professional way and have the effect that people are detained and cared for under internationally accepted prison conditions."
Student detained, SRC office raided

Education Report

A physical education student at the University of the Western Cape was taken away by police from the SRC's Bellville campus today, just two days after a police raid on the Students' Representative Council offices.

A UWC support group spokesman said another student sitting on steps outside the cafeteria complex reported to him that police and what appeared to be troops learnt out of two unmarked cars and told him not to move from where he was sitting. They then entered the complex and later emerged with the physical education student, the spokesman said.

He said that on Friday afternoon, soon after students met to discuss whether to write exams which have been postponed to next year, police arrived and "ransacked the offices, removing banners, media equipment and video tape."

Informal decision

Police are yet to confirm the student's arrest.

A spokesman for the police directorate of public relations in Pretoria said he could not comment on the raid on the offices as it would have been a "routine investigation."

"There is so much police activity taking place throughout the country at the moment that it is impossible to confirm that this place has been raided or searched," he said.

About 200 students who attended Friday's meeting to discuss the exam issue took an informal decision to prepare for
Demand for 1986 exams

Education Reporter

STUDENTS, parents and teachers are preparing to discuss a return to school, classes and the writing of examinations if the government postpones examinations to March next year and releases all detainees.

This is the message contained in a statement last night by 20 community, professional, trader and sports organizations in an attempt to break the educational logjam affecting thousands of pupils in the Western Cape.

The organizations said quite clearly, however, that if these demands were not met, "we see no end to the crisis in the Western Cape and elsewhere.

The present crisis in education affects the entire community — including civic, church, sports, worker and business organizations.

Badge of dishonour

There is agreement among all parents, students and teachers in the Western Cape that it is educationally fraudulent to expect any secondary or tertiary student to write examinations in the present circumstances. The army and police are daily committing acts of intimidation and harassment against students, teachers and parents. The majority of students in the Western Cape have refused to write under these circumstances and feel let down by those who, out of fear and intimidation, have consented to write.

Some parents out of fear of the consequences of not writing have coerced their children to sit for the exams. Any qualifications obtained under these conditions would be a badge of dishonour.

"At all secondary and tertiary institutions only approximately one semester's work has been completed. Very little atmosphere conducive to study and academic work prevails in all these institutions. To insist, as the authorities do, that exams go ahead "as usual" is to perpetrate an educational fraud motivated by sinister political opportunism.

"We believe that the authorities in charge of education lack any legitimacy in the eyes of the people. They therefore have no option but to resort to coercion to force their authority on the unwilling population among whom they have no political support.

"We are not prepared to see the legitimate grievances and concerns of the students turned into a political football to be kicked around by embittered and rejected politicians.

"We therefore demand that all students be allowed to write their examinations in March 1986.

"It needs to be said with all the emphasis at our command that the army and the police must be withdrawn from our schools and colleges.

"Students will not be able to return to school or write examinations as long as so many of their fellow students, teachers and principals are being held in detention. It is a pathetic and extremely dangerous situation when children can be locked up for weeks without proper contact with their parents, friends and legal representatives. This is the surest sign that the old order has outlived its usefulness.

"We therefore demand that all detainees be released.

For the same reason we demand that the harassment and victimization of all teachers and students be stopped.
detainees tell of torture by police
Clerics in hunger strike support fast

EIGHT local clerics and theologians, including two University of Cape Town professors, joined a fast at the weekend in support of hundreds of hunger-striking detainees held in prisons near Cape Town.

The eight went on a 24-hour fast from 6pm on Saturday at the Methodist Church in Buitenhuis Street, calling on other clerics to join the ongoing supportive fasts and other activities.

And "friends and families of detainees" group said at the weekend that the 24-hour rotation fast would continue "although we are uncertain as to whether the hunger strike by detainees in Victor Verster and Pollsmoor prisons is continuing or not".

The fasting clerics are: A former state of emergency detainee, Professor Charles Villa-Vicencio, professor of theology at UCT; Professor John de Gruchy, professor of religious studies at UCT; the Rev Basil van Rensburg of the Holy Cross Catholic Church in District Six; the Rev Douglas Bar of the Roodeweh Congregational Church; the Rev Lionel Low, another former state of emergency detainee and chairman of the Western Province Council of Churches; the Rev Alan Brew; a member of the WPC executive and Methodist minister at the Buitenhuis Street Methodist Church; Dr Mark Stephens, a lecturer in theology at UWC, and the Rev Alistair Rundell, a Methodist minister at the Metropolitan Church.
314 held in past week

PRETORIA. — Three hundred and fourteen people were arrested under the emergency regulations in the past week, according to a list of the detainees issued on Friday by police. According to the police lists, which are issued weekly, 5,867 people have been held in detention since the emergency began on July 21.

An earlier police report police yesterday, however, said only 1,420 were still being held.

Police announced this week that they would no longer issue lists of detainees who had been released. They are listed by name, race, sex and district (which is Randfontein, unless stated otherwise):

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314 more held under emergency regulations
Detainees' rights explained

JOHANNESBURG —
Dozens of families came to an unusual tea-party here on Saturday — to learn about the rights of their relatives jailed under the state of emergency laws.

The Detainees Parents' Support Committee gave the party at the Central Methodist Church for parents and brothers and sisters of some of the more than 6000 activists arrested during the four-month-old emergency.

DPSC members answered questions on visiting rights, delivering money and food parcels and other practical questions facing families of prisoners.

Some of those sipping tea and eating cakes were ex-detainees, held under emergency powers or under the Internal Security Act.

A total of 1420 activists are still in custody under the emergency first imposed on July 21 in 38 magisterial districts.

Copies of new regulations governing treatment of prisoners were distributed.

The regulations, issued on October 26, say that without special permission prisoners may not receive letters, may read no books other than the Bible and religious material, may receive no food parcels and may not study or listen to music.

Punishment for misconduct, including insolence, idleness and negligence or singing and whistling, includes solitary confinement for up to 20 days, reduced food and up to six strokes with a cane for males under 40. — Sapa-Afp.
Dr Grobler expressed his disappointment at the "attitude and style" of a PFP member who afterwards told of detainees' allegations of assault.

Mr Soal and Dr Marius Barnard said that, after visiting the Johannesburg and Modder B prisons, he was satisfied there were sufficient medical facilities for prisoners and that officials were "geared" to investigate any allegations of assault.

On the whole, the visit served the purpose of neutralising the impression created by some people that detainees are held under abhorrent conditions," he said.

NO EVIDENCE

He added that "although allegations were made in the course of our visit, there was no evidence that such allegations were not investigated by the authorities".

The PFP delegation saw it differently.

In a statement afterwards they said that, at the Johannesburg prison, they found 224 detainees, most of whom were young people.

"We came across a group of 14 young people in a cell who agreed to speak to representatives of the PFP and to the National Party because they are the governing party."

"They refused to have anything to do with any of the other MPs. Of the 14, 11 claimed they had been assaulted." Later in the statement, they added: "We were also advised that there were 55 allegations of assault by the police which were being investigated. We will ask the Minister of Law and Order to release details of the outcome of these investigations as soon as possible."

"It is obvious that, when these people are eventually released, they will be more opposed to the system of apartheid than before," Mr Soal and Dr Barnard concluded.

Referring to the PFP statement, Dr Grobler expressed his "disappointment at the attitude and style of Dr Marius Barnard."

"Not only did he cause considerable confusion initially by evoking negative responses from the detainees but, apparently, he also lost interest in the well-being of the remaining 200 detainees after having talked to the 14 inmates of the first cell."

"He did not pay much heed to the rest of the visit." Dr Grobler said the detainees appeared to be healthy.

Mr Snyman said he had heard allegations of assault at the prison but had seen no evidence. Mr Dennis de la Cruz, leader of the Opposition in the House of Representatives, said he had seen no evidence of "beatings, brutalities, starvation or solitary confinement."

The New Republic Party MP for Durban Point, Mr Vause Raw, said he had been depressed to see the "unshamed radicalism" of many of the young prison inmates.
UDF leader, clergyman held —

38 released

A UNITED Democratic Front official and a Western Cape clergyman have been detained.

Mr Goolam Aboubaker, a UDF executive member and the Rev Peter Mentoer, a member of the Western Province Council of Churches and a minister of the AME Church, are two of several local people detained in the past week.

Thirty-eight detainees who were being held under emergency regulations were released yesterday, including Cape Town nurse and educationist Ms Hester van der Walt.

The Health Care Trust, of which she is a trustee, condemned all detentions as "arbitrary and indiscriminate".

OTHERS FREED


Raoul Swart, the son of the vice-principal of Alexander Sinton Senior Secondary, Mr Nabil Swart, was reported released last week, as was Marcela Muthien.
End detention, say UCT lecturers

Political Staff

DETENTION should be abolished because of the powers it afforded and the abuses it allowed, 21 University of Cape Town lecturers said yesterday.

In a statement, they called for the immediate abolition of the system of detention and said South Africa should resort to the ordinary principles of criminal justice.

But as there were no grounds for believing that the government would respond favourably to the recommendation, the lecturers said it was necessary to formulate minimal safeguards against further abuse of detainees. These safeguards had been laid down in the Institute of Criminology report on detentions by Dr Don Foster and Ms D Sandler.

They particularly endorsed the recommendation that psychological coercion should be regarded by courts of law as sufficient grounds to challenge the admissibility of confessions and to challenge the reliability of witnesses.

The statement said that four years ago the UCT Department of Psychology condemned the practice of detention and noted that solitary confinement was a form of torture.

The number of detentions in South Africa, including the "independent" homelands, had risen from 453 in 1983 to 1,149 in 1984 and this year had "soared" to well over 5,000.

"It is barely conceivable that the overall picture of what persons in detention have to face is an exaggerated one," the statement said.

It was signed by Professor A Abramowitz, head of the Department of Psychology, Mr F Bokhorst, Mr D Boothroyd, Mr C Couve, Mr A Dawes, Mr Dowdall, Professor P du Preez, Mr F Faber, Dr D Foster, Dr D Raess, Dr R Reitman, Ms S Lea, Ms A Levett, Dr R Oxtoby, Professor G Sazman, Dr H Schonur, Ms T Shefer, Professor D Stumpfer, Mr L Swartz, Ms S Swartz and Mr Teeling-Smith.
Detainee fasts on

Staff Reporter

All but one of the detainees being held under emergency regulations in the Western Cape, and who staged a hunger strike last week, started eating meals yesterday, a Prisons Services spokesman said last night.

He said the detainee continued to refuse meals yesterday.

He said the complaints in question were obviously aimed at obtaining maximum propaganda and reiterated that the prison authorities pursued a policy of reasonableness and fair play towards people entrusted to their care and had not been found wanting in this regard.

More than 40 detainees in Pollsmoor and Victor Verster prisons and seven awaiting-trial prisoners in Oudshoorn started a hunger strike last week to demand their release and that of about 450 other emergency detainees.
Top UDF official detained

By BARRY STREEK

POLICE have confirmed the detention under emergency regulations of a member of the UDF Western Cape executive, Mr Goolam Aboubaker, and of the Rev Peter Mentoor, employed by the Western Province Council of Churches and a priest in the AME church.

However, 38 people were released from detention yesterday and police also confirmed that “a number of scholars and teachers were taken from the Kasselsville Senior Secondary School and the Bellville Senior Secondary School” on Thursday.

“At this stage we do not have the names of those who were eventually detained,” the police public relations division in Pretoria said in a telex.

But the police confirmed that the following people had been detained under the emergency regulations:

Teacher, pupils detained

Angeline Kleinhans, a teacher at Crystal Senior Secondary School; Joseph Mark, a pupil at Silverstream Secondary School; Mark Lakay, a pupil at Silverstream; Cecil Needham, a pupil at Silverstream; Yusuf Mahomed; Catherine David, of Silverstream; and Christopher du Plessis of Mitchells Plain.

Those released yesterday were:


Sapa reports that 20 Labour Party MPs, representing the Peninsula, yesterday called on the government either to charge or release detainees. They also said it appeared that many MPs, at the request of parents, had been “instrumental” in securing the release of detainees.

“We appeal to parents who have problems in locating their children or need assistance in securing their release to contact their Labour Party MP.”
Youngsters claim assault and detention

By Jo-Anne Collinge

Three Dobsonville youngsters — one aged 11 and the others 13 — allege they were assaulted by security forces at a vigil and that they spent three nights in the cells of various Soweto police stations before being freed without charge.

The assaults allegedly took place on November 8 at the vigil for unrest victim Lawrence Cindt. Two of the boys, seen by The Star this week, had black eyes. One had three broken teeth and another showed bruising under the fingernails.

The names of the boys were submitted to the Police Directorate of Public Relations in Pretoria together with the allegations. Police said that they had no record of the children’s detention.

They added: “The allegations made by the boys are severe and need to be investigated to establish the truth.”

The three allege that police threw teargas at mourners at the vigil and arrested about 80 people. They claim they were assaulted with sjamboks, kicked and beaten with fists before being loaded into a van and in the charge office at Dobsonville.
Clergymen, teachers among 29 detained

Staff Reporter

At least 29 people have been reported detained in Cape Town this week under the emergency regulations.

A clergyman, a church worker and two teachers from Fairburn High School were reported detained early today.

Three Groenvlei Senior Secondary School teachers were also held.

The Rev Peter Mentor, a minister of the AME church, and Mr Goolam Aboubaker, a United Democratic Front official, have also been detained.

Four other teachers in the Athlone area were reported detained yesterday.

The Argus sent a telex to police asking for confirmation of the detentions but the police public relations directorate in Pretoria has not responded.

Most of the teachers are members of the Western Cape Teachers' Union. Several have been involved in appeals to the education authorities to postpone school exams until March.

The name of a trade union official held in Paarl last Thursday has still not been confirmed or included on official police lists.
School-tour
chaperone held

TWO days before 16 Athlone high school pupils are
due to leave for Italy on a tour sponsored by the
Italian Government, their chaperone, a teacher, has
been detained under emergency regulations.

Ms Daphne Williams, a teacher at Athlone North
Primary School, was asked to accompany the 16
— all of them Latin scholars — “because of her high
standing in the community”, friends said last night.

The 16 students are from the standards seven to 10
classes at Garlands Senior Secondary School in
Athlone, and their trip was organized by the Italian
Consul, Mr Fabrizio Calabrese.

Mr Calabrese said last night that he was not in a
position to comment on the detention. He had been
in touch with the South African authorities on the
matter and “we are awaiting an answer”.

“Hopefully everything will be resolved.”

He said he was expecting an answer by this after-
noon.

Mr Williams was taken from her home by police at
midday, family friends said.

Late last night a spokesman for the South Afri-
can Police Public Relations Division in Pretoria
was unable to confirm the detention and asked for a
telegram giving details.

17 freed from detention, page 2
17 freed from detention

Political Staff

ANOTHER 17 emergency detainees in the Western Cape have been freed, but the detentions of a further 29 people have been reported.

The names of those reportedly detained may not be published in terms of the emergency regulations without confirmation by the police.

Those who have been released include: Noel Pettersen, Frederik Gaara, Gavin Jacobs, Mark Williams, Randall Sauls, Petronella Johannes, Saut Meltie, Saut Arents, Gary Jacobs, Sipho Mhawisa, Deon Ashley Williams, Denis Geldeboom, Richard October, Lionel October, Cassim Christian, Minneapolisie Benge and Mulele Komina.

The Steenberg Advice Office has condemned the detention of its coordinator, Mr. David April, and called for his release.

Mr. April, who is also a teacher at Heathfield Senior Secondary School, was detained in terms of the emergency regulations more than two weeks ago.

* On Monday, 35 teachers at Manenberg Senior Secondary School Number 3 began fasts in support of two colleagues and three pupils at the school who are in detention at Victor Verster Prison, a spokesman for the group said yesterday.

* A prayer service in solidarity with hunger-striking detainees at Victor Verster and Pollsmoor prisons will be held at the Buitenkant Street Methodist Church tonight at 7.30.
Detentions and deaths far higher than in 1976/77

The number of detentions without trial for the first 10 months of this year already outstrips last year's total sevenfold — yet despite this crackdown, deaths in political violence have occurred with greater frequency since the state of emergency was declared than in the previous months.

Total detentions exceeded 7,500 at the end of October, according to The Star's calculations based on statistics provided by the Police Directorate of Public Relations and the Detainees' Parents Support Committee.

Deaths in political violence for the 10 months exceed 650. In certain areas, like Duncan Village near East London, many deaths went unrecorded by the national media at the time they occurred and it has been impossible to include all of them in a month-by-month analysis.

Police figures for the period from September 1984 to October 1985 account for 720 deaths in political violence. This considerably outstrips the 576 deaths recorded by the Cillie Commission for the uprising of 1976/77. An independent figure of more than 720 deaths for the 1976/77 period is recorded by the South African Institute of Race Relations.

The detention figures represented in The Star's graphs are minimum calculations, excluding scores (and possibly hundreds) of shorter detentions — that is, for periods of up to two weeks.

The emergency regulations promulgated under the Public Safety Act account for 80 percent of all known detentions. But "ordinary" Internal Security Act detentions also rose sharply after July to exceed 1,600 by the end of October. This figure alone exceeds last year's total by more than 400.
CAPE TOWN — The Supreme Court yesterday granted an interdict restraining the Minister of Law and Order and the Commissioner of Police from assaulting and interrogating a detained trade unionist, Miss June Esau.

Miss Esau (33), a Clothing Workers' Union organiser, was detained under the emergency regulations on October 25 and has since been held at Pollsmoor Prison.

Police allegedly assaulted Miss Esau during interrogation at Caledon Square between last Sunday afternoon and the early hours of Monday, November 13, according to papers submitted to the court.

In an affidavit submitted Dr Norman Maharaj, a senior medical officer at Groote Schuur who treated Miss Esau there, said she had told him on Tuesday of being assaulted by police.

Dr Maharaj said he had found bruises on Miss Esau's left upper eyelid, on her temporal region, on the right side of her neck and bruises and swelling on her right elbow.

Mr Justice Gerald Friedman said that in granting the order he made no 'findings of credibility' until further evidence had been submitted to the court.

The application was made on behalf of Mr Jacob Esau, brother of Miss Esau, and supported by affidavits from Dr Maharaj, Professor Cecil Bloch, head of the department of plastic surgery at Groote Schuur Hospital and Miss Beatrix Friedlander, a hospital social worker. — Sapa.
MASA going ahead with prison panels

By Sue Leeman, Pretoria Bureau

The Medical Association of South Africa has said it will take steps to establish local panels of doctors to help with the health care of prisoners and detainees.

It had been announced that such panels would be set up and detainees would be able to consult these doctors should they want a medical opinion other than that of the local district surgeon.

Panel doctors can recommend a change in treatment or refer a patient for specialist treatment, but must inform the district surgeon.

In a statement today, MASA said it would appoint a panel in each of its 11 branches. The association would accept responsibility for the appointment of experts, their qualifications, and their qualifications, and would not have a role in the management.

People in full-time service would be considered if they had their employers' permission and panels could vary in size from six to 10, depending on the size of the local MASA branch.

All nominations will be confidential and branches must submit lists of nominees to MASA's head office for approval before their names are submitted to the Department of National Health and Population Development.

The names of the doctors would not be made public but would be available on request.
Doctors of choice for SA's detainees

Argus Correspondent

PRETORIA. — For the first time detainees will be able to select a doctor of their own choice, should they request a medical opinion other than that of a district surgeon.

The Medical Association of South Africa (Masa) recently considered the practical implications of the appointment of panels of medical practitioners from which detainees could choose in such cases.

The panels will come into existence after more than two years of negotiations with State departments.

The association intends appointing a panel in each of its 21 branches with between six and 30 members nominated to serve on it.

CONFIDENTIAL

General practitioners from all branches of Masa will be invited to make themselves available for appointment on such panels.

Nominations will be confidential and branches will have to submit the names of doctors who are willing to serve on such panels to the Masa head office.

All panel appointments will be subject to final approval by Masa's executive committee and will then be submitted to the Department of National Health and Population Development. As Masa have to accept responsibility for subsequent activities, only members of Masa will be appointed.
Supreme Court Reporter

A TEMPORARY interdict restraining police from assauling or unlawfully interrogating detained Clothing Workers' Union (Cwbu) organiser Ms June Jeannette Esau has been granted in the Supreme Court, Cape Town.

This follows allegations by Ms Esau to a doctor that she was assaulted by security police at Caledon Square.

She claimed that she was punched on the head and the back of the neck, pushed around, made to stand with her head between her knees and forced to stand for "long hours".

Ms Esau, 33, of Observatory, was arrested on October 25, according to her brother Jacob, a teacher, who brought the urgent application against the Minister of Law and Order and the Commissioner of Police.

Hunger strike

Dr Norman Victor Maharaj, a senior medical officer at Groote Schuur Hospital, said he first saw Ms Esau at the emergency unit on November 14. She had been referred by a district surgeon because of lack of fluid and food after a five-day hunger strike.

"My clinical examination revealed a healthy adult who was mildly dehydrated. She was admitted overnight and discharged the following day.

"On November 19 she was wheeled into the emergency unit accompanied by two policemen and a nursing sister.

"My first impression was of a distraught, anxious individual, crying and supporting the back of her neck with a towel."

An examination revealed bruising around the left eye, upper eyelid, left temple, right side of her neck and right elbow.

Severe pain

She complained of severe pain in her neck and there were limitations to its movement.

Mr J A Le Roux, for the respondents, said he had been instructed to oppose the granting of a temporary interdict because of the adverse publicity.
Exams go on, police order

By YAZEED FAKIER
Education Reporter

POLICE yesterday ordered a principal to continue with examinations, although he had departmental permission to cancel them, soon after the detention of three teachers in full view of pupils and staff.

Teachers said that when staff and pupils arrived at Groenvlei Senior Secondary School in Lansdowne after 8am, about 15 policemen and 32 soldiers in Buffels were already waiting for the teachers.

They were taken to the office of the principal, Mr J Van Wyk, who tried in vain to dissuade the police from detaining them. Soldiers stood in the corridor and barred their colleagues from approaching the office.

‘Emotional’

With about 225 pupils and 45 teachers watching, the teachers were led to police vehicles. Several parents who had accompanied their children were also present.

“It was a very emotional experience. People kept breaking down and some collapsed. The whole thing was very unpleasant,” said a teacher.

Some parents were so incensed at the detentions that they took their children home because “they could not continue under these circumstances”. Mr Van Wyk then telephoned the local inspector and obtained permission for the exams to be cancelled for the day.

Soon afterwards, however, more police arrived.

“When the principal told them of the cancellation, the officer in charge said that what the department said is irrelevant and Mr Van Wyk should listen to him or face arrest,” said the teacher.

Police accompanied pupils into classrooms, held a roll-call and divided them into writing and non-writing groups.

“Some pupils were so perturbed that they went along with those who said they would write. They then wrote under
THE Cape Supreme Court yesterday granted an interim interdict restraining the Minister of Law and Order and the Commissioner of Police from assaulting and unlawfully interrogating a detained Cape Town trade unionist, Ms June Esau.

Ms Esau, 33, a Clothing Workers' Union (Clowu) organizer, was detained under emergency regulations on October 26 and has since been held at Pollsmoor.

According to papers before the court, police assaulted Ms Esau during interrogation at Caledon Square between the afternoon of Sunday, November 17, and the morning of November 18.

Bruises and swelling

In an affidavit, Dr Norman Maharaj, a senior medical officer at Grooto Schuur Hospital who treated Ms Esau, said she had told him on Tuesday, November 19, of being "punched on her head, pushed around, made to stand with her head between her knees, punched on the back of her neck and made to stand for long hours" by police.

"She also alleged that she had been punched against a wall, thereby injuring her arm," Dr Maharaj said. He had found bruises on Ms Esau's left upper eyelid, on her temporal region and on the right side of her neck, and bruises and swelling on her right elbow.

Credibility

Affidavits from two policemen — warrant officers Jakobus Steenkamp and Jakobus Malan — and one policewoman, Constable Maria van Schalkwyk, denied that Ms Esau had been assaulted in their presence.

However, Warrant Officer Malan said it was possible Ms Esau might have suffered bruises when a strong wind slammed the door of the car in which she was being transported to Caledon Square on Sunday.

Judge Gerald Friedman granted the interim order during a late sitting of the court.

He said that in granting the order he made no "findings of credibility". The court would hear further evidence on the return date, December 12.

The order restrains the Minister of Law and Order, Mr Louis le Grange, and the Commissioner of Police, General Johan Coetzee, and thereby the police, from "assaulting, interrogating in any manner other than that prescribed by law, employing any undue or unlawful pressure or inflicting any form of unlawful injury on the detainee.

Wheeled in

The application was brought by Ms Esau's brother, Mr Jacob Esau, on her behalf and was supported by affidavits from Dr Maharaj; Professor Cecil Bloch, head of the department of plastic surgery at Grooto Schuur Hospital and the University of Cape Town; and Ms Benilia Friedlander, a hospital social worker.

In his affidavit, Dr Maharaj said that on November 19 Ms Esau was wheeled into the emergency unit accompanied by two policemen and a nurse.

"I queried what the problem was and one of the policemen said they were not permitted to tell what had happened to the patient. He said further that I was to take X-rays and she was then to be returned to Pollsmoor Prison."

"I replied that if I was to see the patient and find anything wrong, with her, I would have to act in accordance with my duty as a doctor and decide whether she was fit enough to be returned to prison or whether she was to be admitted for further medical care.

Ms Esau had been referred by Dr Stoch, a district surgeon attached to Pollsmoor Prison, whose letter indicated that she had "bi-parietal haematomas — injuries on the sides of the head — neck and back injuries, and that we were to investigate to exclude intra-cerebral injuries".

"During my interview with the patient she alleged that she had been assaulted by the police during interrogation at Pollsmoor Prison from Sunday afternoon until the early hours of Monday morning — from November 19 to 20," Dr Maharaj said.

Photographs forbidden

In a supplementary affidavit, Dr Maharaj stated that the alleged assault took place at Caledon Square and not at Pollsmoor as earlier alleged.

The court was also told that Professor Bloch had been prohibited by the police from taking pictures of the extent of the detainee's injuries since under emergency regulations no photographs of detainees were allowed to be taken.

Mr Justice Friedman presided. Mr Siraal Delai, assisted by Mr Les Rose-Innes, both instructed by Mr Babbeer Wasyli of Esau Mosaa and Associates, appeared for Ms Esau. Mr F A le Roux appeared for the State Attorney.

A Cape Town police control on Camps Bay.
Police refuse 'interim lists'  

Political Staff

POLICE said yesterday they would not confirm emergency detentions other than through the weekly list of detainees issued on Fridays.

The public relations division of police headquarters in Pretoria said this after the names of more than 30 people believed to have been detained in the Western Cape under the emergency regulations had been submitted to Sapa by the Cape Times for confirmation.

Police responded that they provided Sapa with a list of detainees once a week on Friday. “We do not see our way clear to issue interim lists.”

The names of emergency detainees may not be published without confirmation from police headquarters.

Meanwhile, a further 21 detainees have been released.

Priest, teachers

They are: Fergus Filaner, Charles Abrahams, Eric Alam, Athol Williams, Alan Obery, Margie Bynevald, Daniel Sass, Ernst Sass, Charles Barmara, Brian Holt, Eugene Daniels, Christopher Fortuin, Michael Rode, Daniel Syster, Edward Oordman, Jacobus van As, Onon Julli, Marshall Pietersen, Keith Stellenkemp, Robert Wilson and Baphine Williams.

Another seven people, including a priest and three teachers, are believed detained.

An urgent petition for the release from detention of Shirley Gunn, 30, who has been in detention for nearly three months, has been launched in Cape Town by a group of women.

Ms Gunn, an organizer in the Clothing Workers’ Union (Clowes), is detained under Section 29 of the Internal Security Act.

Two other Clowes organizers, Ms June Eeau and Mrs Collien Lombard, are in detention under the emergency regulations. A fourth Clowes organizer was reported to have been detained yesterday but this cannot be confirmed in terms of the emergency regulations.
Banks Without Banking Orders

Ex-detainees tell court of torture...
was sharp enough to cut my beard. I took the knife and cut off a portion of my beard. He then placed the knife behind my left earlobe and threatened to cut off my ear because I refused to listen.

"I was told to remove my trousers and electric shocks were then administered to my penis and arms."

"A bucket filled with water was produced, into which one of the policemen pumped teargas. Another then forced my head into the bucket. My eyes began to water and I sneezed and coughed. My face felt as if it were burning."

THESE and other allegations of torture were made by seven former detainees in sworn affidavits before Justice Curlewis in the Rand Supreme Court yesterday in an urgent application to restrain police at Protea Police Station, Soweto, from assaulting detainees held under Emergency regulations at that police station and at Johannesburg's Diepkloof Prison.

One of the seven, a student at the Soweto College of Education, Aubrey Matshigi, said on July 31 a policeman known to him as "Freex" entered the room where he was being interrogated. The policeman threatened him with a hunting knife. During the interrogation, which lasted approximately three hours, he was assaulted and beaten across the right side of his face with a piece of hosepipe.

Another former detainee, Ernest Mabe, said during interrogation he was ordered to take off his clothes before his hands were handcuffed behind his back. He was also placed in leg irons.

His nose, mouth and eyes were covered with two T-shirts before a blue plastic bag was pulled over his head and tied. During this time he was unable to breathe and was repeatedly punched.

At one stage he felt little clips being attached to his fingers and to his legs above the heels. He felt a burning sensation; the intensity was so severe that he screamed and fell.

He was questioned particularly about the underground movement of the African National Congress in South Africa.

Clive Radebe claims he was thrown into the air and then left to fall to the ground. He was also hooded with a bag that smelt of teargas, and mentions repeated beatings with fists and sjamboks.

One of three women to submit evidence, Doris Ndoki Masenya, said she had been injected with an unknown substance during interrogation. She felt dizzy and weak and could not talk freely.

"There was then a strange sound, and I felt an electric shock run through my whole body from the feet upwards. This was extremely painful and I screamed."

Walter Mabona says a metal trunk was placed on his shoulders and he was ordered to do frog jumps for 45 minutes. Thereafter he was made to hang by his hands from the pelmet with the trunk still tied to him.

Soviet Mazibuko claims his head was forced into a bucket into which a security policeman pumped tear gas. Afterwards, bricks were placed on his back and policemen jumped on them.

Several police officers have answered most of the above allegations of torture, either denying the incidents occurred or that they knew about them.

Major Lodewyk de Jager, said officers were warned at least weekly against the use of violence in any circumstances.

He asserted he moved constantly between interrogation rooms and at no time had he seen anyone assaulted.

**Court rejects application.**

- From PAGE 1.

- From the secretary of the Soweto Civic Association and organiser of the General and Allied Workers Union.

- Kenny Filia, a top member of the Congress of South African Students (Cosas) until the organisation's banning.

- Rapu Molokane, president of the Soweto Youth Congress.

The applicants filed affidavits by six medical practitioners corroborating the claims of some former detainees.

The former detainees asked that the police be restrained from detaining them as they feared they would be subjected to the same forms of torture they underwent when previously detained.

The mothers said after reading the claims of the former detainees they feared for the safety of their sons.

Rev Nkwelo brought the application on behalf of the other, unnamed detainees as pastor of a large congregation in Soweto.

Justice Curlewis said the applicants had failed to prove there was any urgency in the matter.

Most of the former detainees, he argued, were released from detention for more than two months ago. If they had felt a desperate fear of re-detention and subsequent assault, they should have moved then.

He said their fear that they would be re-detained was hypothetical.

The fact that they had not brought the matter before the court proves that they felt no urgency at the time.

The mothers were also told about alleged assaults on their sons a long time ago, and if they had genuinely feared for their sons’ safety they would have brought the matter before court earlier.

Justice Curlewis said the objective of urgency is to stop something that is likely to happen the following day. But in the case of the detainees there is no likelihood that they would be assaulted tomorrow.

According to affidavits from police, two of the detainees never complained about assaults, while a third had. The matter was presently in the hands of the attorney general.
STATE OF EMERGENCY DETentions
(Figures released by SAPA and the Police Public Relations Directorate, November 8)
Number detained so far: 5,253
Number released: 3,063
Number still held: 2,190
Number held last week: 1,435
(However, a police situation report on the same day said that only 1,417 people were still being held)
DENTATIONS UNDER SECURITY LEGISLATION
(In Internal Security Act — not Emergency regulations)
Detentions during October 1985: 1,240
Detentions from Jan 1 to Oct 31: 7,884
Number of people held as of Oct 31: 1,665
These figures are based on names known to the DPSC. However, police statistics have indicated that there are another 226 people in detention whose identities are not known. During 1985 as a whole, there have been 9,049 detentions of people unknown.
The following breakdown includes only those security legislation detainees whose identities are known to the DPSC.
Length of detentions of those held at Oct 31:
Detained for more than 10 months: 13
Detained during Jan-June 1985: 18
Detained during July 1985: 18
During August: 18
During September: 56
During October: 56
Detainees by area (Jan-Oct 1985):
Transvaal 237
Natal 86
Eastern Cape 56
Western Cape 181
Northern Cape 43
OFS 46
Ciskei 82
Transkei 47
Bophuthatswana 6
Detainees by activity:
Scholars, students, teachers 222
Community and political workers 233
Trade unionists 26
Clergy and church workers 9
Journalists 19
Unspecified 275
Age of detainees as at Oct 31:
Released without charge:
Within 48 hours: 19
After longer period: 30
Charged, awaiting trial: 1
Charged and acquitted: —
Charged and convicted: —
Escaped: 2
Still in detention: 153
Transferred to Emergency detention: 74
According to the DPSC, the high number of security detentions during October was inflated by 74 detentions that took place on the eve of the declaration of the State of Emergency in the Western Cape. These were subsequently converted to Emergency detentions.
DENTITIONS IN THE TRANSKEI
The DPSC tells of “alarming reports from the Transkei of intense repression and mass detentions. Only very few of these detentions have so far been reflected in our statistics, but the DPSC is making efforts to obtain a clearer picture of the extent of Transkei detentions.”
From preliminary information, it appears that the numbers since May 1985 are well over 1,000, with the latest detentions being those of relatives of, and witnesses to the death of, Ntananda Ndondo, who died in the hands of the Transkei Security Police. Several of these latter detainees have been released and then banished to remote parts of the Transkei."
'Torture application dismissed'

By SEFAKO NYAKA

A RAND Supreme Court justice yesterday dismissed an application to restrain police in Soweto from assaulting Emergency detainees, on the grounds that it was not an urgent matter.

Justice Corley's ordered struck off the roll, with costs, an urgent application to restrain police at Protea Police Station and the Johannesburg Prison at Diepkloof from assaulting detainees.

The applicants were seven former detainees, a Soweto Anglican priest, Reverend David Nkwe, and the mothers of three men still in detention.

The respondents included three Cabinet Ministers — of Law and Order, Justice, and Health and Population Development.

The Ministers of Law and Order and Health, as well as police officers concerned, opposed the action.

In papers before the court, 14 former detainees made claims of torture, suffocation by "hooding", beating, death threats and forced exercise while carrying weights.

Several former detainees alleged they knew that three Soweto leaders still in detention have also been subjected to assault. They are:

- Amos Masonto, publicity

To PAGE 3
A RAND Supreme Court justice yesterday dismissed an application to restrain police in Soweto from assaulting Emergency detainees, on the grounds that it was not an urgent matter.

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- Amos Mazindo, publicity
- To PAGE 3
Gagged press. Cape Town journalists took to the streets last week to protest the government's latest press restrictions. Shortly after this photograph was taken, one of the Argus reporters, Pippa Green, was arrested and subsequently charged with unauthorised picketing.
De la Cruz to visit detainees

Staff Reporter

THE Leader of the Opposition in the House of Representatives, Mr D T de la Cruz, said last night that his Democratic Workers' Party was planning to pay detainees in the Peninsular a visit early next week.

"I call for the immediate release of all detainees and I charge the government to charge or release detainees immediately," he said.

He said he had visited St Albans Prison in Port Elizabeth yesterday as a member of the parliamentary Standing Committee on Health and Welfare.

"There were a number of allegations of police brutality and harassment at the point of detention. I found no evidence of any malpractice or maltreatment since they arrived at the prison.

"I do feel that it is a tremendous waste of money, talent and energy to keep so many young people behind bars without charging them, and we are creating a great opportunity for them to get together to build up a great well of bitterness inside them against the regime."
School tour:
Police release chaperone

Staff Reporter
AN Athlone schoolteacher, Ms Daphne Williams, who was detained under emergency regulations two days before leaving on a tour of Italy as a chaperone for a group of 16 pupils, was released yesterday.

Last night Ms Williams said the pupils from the standards seven to 10 classes of Garlandale Senior Secondary School would leave for Italy tonight on a tour sponsored by the Italian Government.

The tour was organized by the Italian Consul, Mr Fabrizio Calabrese.

She said she had been released without being given a reason yesterday and looked forward to the tour.

A 19-year-old Kasselstel, mother of an eight-month-old baby, and the baby's grandmother, were yesterday released after having been detained by police on Thursday last week.

A third member of the family, an 18-year-old high school pupil, who is the baby's aunt, was still in detention last night. She was also detained on Thursday.

At the time of the detention the baby was released into the custody of the father. However, the family's lawyer started legal proceedings for the mother's release after the baby refused to take liquids.

When police insisted the baby join his mother in the cell the father refused permission.

Last night the grandmother said that after they were detained at Pollsmoor Prison a prison official told them they could go home.

Their names cannot be published as police have not yet confirmed their initial detention.

...
Panel should ensure another Biko incident does not happen

CAPE TOWN — The decision to allow political detainees to have access to independent doctors selected from a panel has been received with qualified praise.

The Medical Association of South Africa (Masa) said it was "delighted that after more than two years of negotiations, the relevant Government department has now agreed to the appointment of medical practitioners from among whom detainees would be able to select a practitioner of their own choice if, for some reason, they were to request a medical opinion/other than that of the district surgeon.

ENSURE

"This is regarded as a major breakthrough and should materially assist in ensuring that an incident like that involving the late Steve Biko should not occur again."

It said detainees would be able to select a doctor from 21 panels made up of up to 30 Masa doctors.

In the past, district surgeons have been largely responsible for giving medical attention to detainees, although detainees and their families have often requested the opinions of private doctors.

Masa said member doctors could apply for appointment to the panels and it would be responsible for their actions in handling detainees.

The names of panel members would not be publicised, but could be obtained on request. Their names would also be submitted to the Department of National Health and Population Development.

The acting leader of the Progressive Federal Party, Dr Alex Berraine, said of the move that "we must never forget that detention without trial is unnatural and unacceptable".

"The very least that detainees should be allowed to do is to have access to the doctor of their own choice. However, the fact that they will now be able to select a doctor from a panel is certainly a great improvement."

Dr Niklaus Louw, director of Hospital Services in the Cape and a former executive member of Masa, said the move was "a positive step."

"I think that it is the right of a detainee to have access to an independent doctor because he is still only an accused."

The Friends and Families of Detainees said: "In the light of information gathered on the medical treatment of detainees, we are extremely relieved at the decision to allow detainees access to independent doctors." — Sapa.
Alleged suicide in Pretoria police cell

By Jo-Anne Collings

A 34-year-old Tembisa man died in Pretoria West Police Station last week within 24 hours of being taken into custody.

"The widow of Mr Philip Sekwakwa said police at the station had told her that her husband had hanged himself in his cell using strips of blanket."

"I want to know what could have persuaded him to kill himself," Mrs Sekwakwa said.

She said police had told her they had arrested her husband on suspicion of theft.

Mrs Sekwakwa is battling against time to have an independent pathologist examine the body before the funeral which is scheduled for tomorrow.

She believes the official post-mortem was conducted on Thursday last week, a day after she was told of the death.

She also says she might have been tricked into waiving her right to have an independent doctor conduct an examination. "I was weeping after seeing his body at the morgue and they asked me to sign some forms. In that condition I did not know what I was signing," she explained.

Mrs Sekwakwa said her husband had been unemployed since his firm moved but he had seemed in a contented frame of mind.
Three held after Cape grenade blast

CAPE TOWN — Police have arrested three people — one of them a woman — in connection with a grenade blast in which three Cape Corps soldiers were injured.

Grenade blasts in the Western Cape area have injured six people since Saturday.

The arrested people will appear in court soon.

The arrests are understood to have been made after police received information following yesterday's blast.

The three soldiers, two of them aged 18 and one 19, were injured while standing next to their armoured personnel carrier near Crossroads.

They were taken to a Military Hospital at Wynberg. They were treated and discharged. — Sapa
Belhar four among 31 freed

Political Staff.

FOUR "missing" Belhar Senior Secondary School teachers and the chairman of the Western Cape Teachers' Union, Mr Yusuf Gabeu, have been released from detention.

They were among 31 emergency detainees freed in the Western Cape yesterday.

The four Belhar teachers — Jane Lawrence, Rachel Bunting, Calvin Johannes and Andre du Plooy — were detained at the school on Friday, November 8, and their first 14 days of detention were due to end today.

Their detentions were never officially confirmed despite a number of telexes to police headquarters, nor did their names appear on the list released by police last Friday.

One day

Other detainees who were released yesterday were: Frederik Erasmus, a Churches Urban Planning Commission (CUPC) employee; Isaac Haroun, who was held for a day; Reginald Cox, Shawn Christian, Faseed Manie, Shahiem Braamani, Ahmed Abdurrahman; Arnold King, Wilfred Collers, Clayton Scheepers, Jaliel Grooboo, Joseph Ratna, Wilma Ruiter, Alan Dean, Daniel Williams, William Petro, Paul Wilson, Coert Lucas, Elfonce da Silva, Melom Jacobus, Jerome Dayee, Percy Jones, Isaac Samodine, Anthony Steyn, Anthony Morley and Glennville Adams.

Mr Mamlele being held under Section 98 of the Internal Security Act. His detention was confirmed yesterday by the family attorney, Mr Dudley van Heerden.

Mr Mamlele's detention could not be confirmed with the police.
3 held after grenade attack

CAPE TOWN - Three people are being held in connection with a hand grenade attack which injured three Cape Corps soldiers in Lansdowne Road, Crossroads, and police may have made a breakthrough in solving the recent spate of grenade explosions in the Peninsula.

The three, a woman and two men, were arrested within an hour of the grenade exploding among several soldiers standing near a Buffel armoured carrier on Thursday, a police spokesman revealed yesterday.

The injured soldiers, whom police declined to identify, "for security reasons", were treated and discharged at Wynberg's 2 Military Hospital.

All had shrapnel wounds in the legs.

The explosion came about 3:45 pm at the corner of Lansdowne Road and New Enleben Road when a crowd gathered near the armoured vehicle.

The spokesman said the grenade was tossed from within the crowd. The soldiers had not responded with shots.

A police helicopter monitoring the funeral of an unrest victim in nearby Guguletu was called to comb the area within minutes of the attack but could detect no suspects, the spokesman said.

He declined to confirm whether the three people arrested had been positively linked to any earlier attacks.
ANC men jailed

JOHANNESBURG—Two men who admitted being members of the African National Congress and undergoing military training abroad were given effective sentences of three and four years' imprisonment by a Rand Supreme Court judge yesterday.

Sentences for treason range from a fine to the death penalty, Mr. Justice J. W. H. Ackermann said, and found Joseph Boilumelo Leepile, 26, and Justice Mafa Ndiidi, 31, were "rank and file" members of the ANC whose treasonable acts were not committed inside the Republic.

The two men ceased to be part of the ANC in May last year—almost a year before the ANC took its decision to go for "soft targets".—Sapa
Doctors' 'breakthrough'

By CHRIS ERASMUS, Medical Reporter

The decision to allow political detainees to have access to independent doctors selected from a panel has largely been received with qualified praise.

The Medical Association of South Africa (Masa) said it was "delighted to be able to announce that, after more than two years of negotiations, the relevant government department has now agreed to the appointment of medical practitioners from among whom detainees would be able to select a practitioner of their own choice if, for some reason, they were to request a medical opinion other than that of the district surgeon".

Select

"This is regarded as a major breakthrough and should materially assist in ensuring that an incident like that involving the late Steve Biko should not occur again," said the body which represents about 60 percent of the country's 18,000 medical practitioners.

Panels of doctors who were members of Masa would be appointed from which the detainees could select a doctor.

Masa said there would be a panel for each of its 21 branches and that there should be between six and 30 members in each panel. The association would be responsible for their actions in handling detainees.

'Unnatural'

The names of panel members would not be publicized, but could be obtained on request.

The acting-leader of the Progressive Federal Party, Dr Alex Boraine, MP for Pinelands, said "we must never forget that detention without trial is unnatural and unacceptable" but that being able to "select a doctor from a panel instead of being subject to the mercies of a district surgeon is certainly a great improvement".

The Friends and Families of Detainees (FFOD) said that "in the light of information gathered on the medical treatment of detainees both past and present, we express our extreme relief at the decision".

Principle

"However this grudging concession does not diminish the injustice of these detentions and we therefore re-iterate the demand for the release of all detainees."

The Detention Action Committee (ADAC), said it was a universally-accepted principle that a person should be able to consult a doctor of his or her choice.
POLICE yesterday released the names of 212 people, including 96 from Paarl and Worcester, who have been detained in the Western Cape under the emergency regulations.

Among the detentions confirmed yesterday was that of the Rev Clive McBride, an Anglican priest, and the Rev Russel Botman, a Ned Fugel Sendingkerk minister in Wynberg.

A number of people on this week's list have already been released, including four Belhar Senior Secondary School teachers whose names were not confirmed during the 12 days they were detained.

Yesterday, the vice-president of the South African Council on Sport, Mr. Joe Ebrahim, an attorney, was released after being detained for four weeks.

Police list, page 4
Call to free Gunn

Political Staff

THE Dominican Sisters yesterday launched a petition for the release of Ms Shirley Gunn, the Clothing Workers Union (Clowu) organizer who has been in detention for more than 90 days.

The petition calls for the release of all detainees, but with “particular urgency in the case of Shirley Gunn, a past pupil of Springfield Convent, who has been in solitary confinement since August 23 — a period of over 90 days. We believe that grave consequences must follow from such isolation and deprivation,” the petition says.

The Dominican Sisters have called on the public of Cape Town to support the petition.
Detention deplored

The continued detention of Mrs Helen Kies, who has been editor of the Educational Journal for more than 20 years, was utterly deplorable, the Teachers’ League said yesterday in a statement.

The league said Mrs Kies had been in detention for more than three weeks.

The league also condemned “gagging” of her journal, mouthpiece of the league, which had consistently exposed the “socially destructive role of the tribalizing school systems that made a virtue of racism.”

“She gave timely and serious warning of the chaos that would engulf parents, teachers and pupils as the systems collapsed under the weight of racist discrimination and unequal subsidies.

“She has defended the right of individuals and organizations to engage in legitimate political activity for the attainment of full democratic rights for all in a unifying South African state, and has constantly expressed her abhorrence of the arbitrary harassment and detention of those involved in the struggle for a common non-racial citizenship.”
Girl detainee aged 14 is held in solitary confinement

By Jo-Anne Collinge

A kwaZulu girl, believed to be 14 years old, has been detained, allegedly for two months, under laws which provide for indefinite solitary confinement for interrogation.

Police in Pretoria have confirmed that Monica Tshabete is being held in terms of section 29 of the Internal Security Act.

Under this section detainees are usually kept in isolation, have no contact with lawyers, and are rarely granted family visits.

The Detainees’ Parents Support Committee (DPSC) says Monica is the youngest reported section 29 detainee.

Police have not specified the period for which she has been held, but The Star has been informed by sources in the community that Monica was detained in Krugersdorp on September 19 when she and a friend were visiting there.

The whereabouts of the friend, 13-year-old Joan Nontondo Goeza, also of kwaThema, are not known. Claims were made to The Star that she too had been detained.

But police state: “According to present records Joan Nontondo Goeza is not being held in terms of security legislation.”

They did not answer a question on whether she had been detained in the past and had been recently released.

A DPSC spokesman said Monica’s detention confirmed the committee’s view that there were many children in detention of whom it was not aware.

The organisation has demanded Monica’s immediate release.
Detention of children confirmed

By BARRY STREEK
Political Staff

POLICE have confirmed in their weekly list of emergency detainees that two children, one believed to be 12 and another 13, have been detained.

Two other children, aged 11 and 13, have been freed from detention in the Victor Verster Prison after lawyers threatened court action.

Four other children, whose detention remains unconfirmed, are also reported to be detained.

In a statement last week, 11 members of the education department at the University of Cape Town expressed "shock and outrage at the patterns of arrests and detentions of young children".

The statement, which was signed by Professor I de V Heyns, Professor Michael Ashley and Professor Douglas Young, said: "We know the damage prison conditions can have on the psyches of children and the dangerous consequences of brutal separation from parents and caregivers.

"The powerlessness of children makes them particularly vulnerable to the stink of uncontrolled behaviour and emotions in a structure designed to confine criminals.

"We therefore call upon the authorities to release immediately all minor children into custody of their parents and families," the statement said.

Telex messages to police

Two boys, Ivan Themba Nkalashe, 12, and Zamiile Msizi, 11, were released from Victor Verster Prison near Paarl last week after legal action to free them was threatened, said their attorney, Mr Fassa Moosa.

Mr Moosa said telex messages concerning their detention had been sent last week to police headquarters in which the police had been informed that the lawyers had received instructions to apply for their-release if they had not been freed by Friday.

In the telexes, the police had been told that in the light of their ages their detention had not been necessary for the maintenance of public order or for their safety or that of the public. For this reason, their detention was mala fides, the police were told.

The names of two other boys, Dudu Machanyana, believed to be 13, whose name was given as "Dudu Mac shyana", and Herbert Sonwaba Mongali, believed to be 12, whose name was given as "Hubert Manguly", appeared on Friday's police list of emergency detainees.

The names of Ivan Kalatshe, believed to be the released Ivan Nkalashe, and Zamiile Msizi also appeared on the list, but the names of four other youths, reported to have been detained, are not on the list.
MARITZBURG. — An urgent application for the release from detention of a Durban man the police believe has been an active member of the African National Congress since 1984, was dismissed by a Maritzburg judge last week.

The application for the release of Mr Yunis Salik, who was recently granted an interdict restraining police from unlawfully interrogating and assaulting him, was brought by his father, Mr G Soobader.

He had made the application after he received a letter from his son, written from hospital where he was undergoing psychiatric treatment.

Mr Justice J A Howard read from affidavits in which the Commissioner of Police alleged that Mr Salik was involved in an ANC network that established arms caches in Natal and Transvaal.

A security policeman, Brigadier J Coetzee, said Mr Salik would be interrogated further, but this could only be done once the interrogation of other detainees "has progressed satisfactorily."
Four-year-old Lara Groeneveldt of Constantia chats to Father Christmas, who put in an early appearance at the Constantia shopping village on Saturday. She told him she wanted an organ for Christmas.

UCT 17: Case withdrawn

They are Ms Sarah Fullard, Mr Peter Fine, Mr Clive Bester, Mr Matthew Slaven, Mr David Sheldon, Mr Donald Skinner, Ms Belinda Barries, Ms Lauren Muller, Ms Jane van der Riet, Ms Dorothy Dyer, Ms Margaret Orford, Mr Slobbar Needham, Ms Kim Westenbury, Ms Sandra Liebenberg, Ms Jennifer Butler, Mr Samuel Madlo and Ms Annelize Bosman.

Prosecution was stopped in absentia and no reasons were given for the withdrawal.

Mr J C Coetsee was the magistrate. Ms N Nel prosecuted.
Wendy Orr’s court order bid postponed

Argus Bureau

PORT ELIZABETH. — The case in which district surgeon Dr Wendy Orr and 63 other applicants are seeking an interdict to prevent police from allegedly assaulting emergency detainees in prisons here has been postponed until February 4.

The postponement was granted when the respondents, who include the Minister of Law and Order, Mr Louis le Grange, and senior police officers, appeared in the Supreme Court here today to answer the allegations.

AFFIDAVITS
Mr Justice J Smalberger ordered the respondents to submit affidavits and other defence material by January 27.

In September Dr Orr, working with prisoners at St Albans and North End prisons in Port Elizabeth, and the other applicants, namely relatives of detainees, were granted an interim interdict restraining police from assaulting detainees at the prisons.

TRANSFERRED
Dr Orr has since been transferred and is dealing with social work for the Department of Health.

The application to seek a postponement of the return date for the interim interdict was unopposed and it was ruled that the interim interdict restraining the police would remain in force until the case was heard again.

Mr J A N财政部 appeared for the respondents and Mr N Chetty for the applicants.
Detentions show pattern — parents

Argus Correspondent

JOHANNESBURG. — A quarter of the 1 100 odd detainees held in the first week of the state of emergency were still in the cells more than three months later, the Detainees' Parents Support Committee says.

In its third special report on the emergency, the DPSC attempts to spell out the fate of some 5 800 people detained under the emergency regulations which came into force on July 21.

More than 5 000 had been released by the end of October, it says, leaving almost 2 900 in the cells.

The report shows that the long-term detainees were taken in during two distinct periods — week one and week seven of the emergency.

"Pattern changed"

The first week of the emergency witnessed an enormous amount of detentions of which 25 percent are still being detained.

In the subsequent five weeks the pattern changed and people were typically held for about 15 days. (For a longer detention the permission of the Minister of Law and Order is required.)

A second wave of detentions occurred in the seventh week of the emergency. A large proportion of these people are still being held as a result of a sweep in the Eastern Cape around September 3, the anniversary of the outbreak of popular protests in the Vlakfontein.

The DPSC concludes that the detention of a disproportionate number of the first detainees indicates "that in the initial stages of the emergency the police were operating from a list of activists whom they wanted — and these are the ones still held."

The DPSC gives the following regional totals: Transvaal 2 597 detentions over 15 weeks; Eastern Cape 2 292 in 15 weeks; Western Cape 207 in one week; and Boland 124 in one week.

Worcester notched up 103 detentions in the first week, the report notes.

Hunger strikes occurred at Soweto's Protea Police Station in July and at the New Johannesburg Prison, Diepkloof.

Injuries

In November detainees at Modderhee Prison on the East Rand began a hunger strike, the report says.

In Cape Town emergency detainees marked the 14-day point in their detentions by beginning an indefinite hunger strike.

In Modderhee Prison on October 3 a clash occurred between detainees and warders, resulting in injuries to several people.
Schoolgirl claims detention ‘unlawful’

Supreme Court Reporter
A 15-YEAR-OLD Atlantis schoolgirl has challenged the validity of her detention under Section 50 of the Internal Security Act in a test case in the Supreme Court, Cape Town.

Zelda Lorna Newman, a Standard 7 pupil and member of the Students’ Representative Council at Atlantis Senior Secondary School No 1, claims her detention on October 16 for 14 days was “unlawful”.

The application, supported by her father, Mr John Newman, was initially brought while she was in detention and he sought her immediate release.

She was released on October 20.

Section 50 allows a police officer to detain for 48 hours any person whose action or failure to act may contribute towards the continuance of a state of public disturbance.

Opportunity of reply
On the grounds of information submitted by a policeman, a magistrate may then sign a warrant detaining the person up to 14 days.

Mr C Nicholson, for Miss Newman, argued that the Malmesbury magistrate was not entitled to grant a warrant without Miss Newman being afforded the opportunity to reply to allegations made by a police officer in his application.

“If she had had the right of reply, the magistrate would not have granted the warrant,” he said.

The warrant was invalid as it did not specify in what respects her detention was necessary and there were no jurisdictional facts for the action taken by the police officer who arrested her.

The magistrate could not have been properly informed that her actions “contributed towards a state of public disturbance, disorder, riot or public violence” as she had “done nothing” toward contributing to such a state, he said.

The matter is being heard by a full Bench, presided over by Mr Justice Munnik, the Judge-President. The respondents were cited as the Minister of Law and Order, the Commissioner of Police, the Divisional Commissioner of Police for the Boland and the assistant magistrate of Malmesbury, Mr P. J. Lourens.

Miss Newman said the role of the Students’ Representative Council was to discuss programmes at school while the class boycott continued and the council had specifically said violence was no solution.

On October 8, a day of prayer, police with sjamboks broke up a march of 500 pupils and 30 teachers.

Subsequent disruptive action at the school by pupils in favour of the boycott — using fire hoses to force children out of classes and smashing cars — had left her “scared and disappointed”.

On October 16 she was taken to the Atlantis charge office, where she was questioned, allegedly threatened and then detained under Section 50.

She claims she was not told under which legislation the police were acting and that no one explained Section 50 or the Internal Security Act to her.

Lieutenant W Nestling of the detective branch in Malmesbury admitted questioning Miss Newman and claims he told her why and under what legislation she was being arrested. He denied that the warrant was invalid.

"Trusted informant"
He said that a sworn statement from a "trusted informant" — whose name he could not reveal — was that Miss Newman had addressed pupils and recommended a boycott of exams and classes.

His informant was of the opinion the boycott would continue unless Miss Newman and others were held and could not go to school.

Mr P. Hodes SC, for the respondents, said the court could only “interfere” if it was shown that the magistrate had acted with malice.

According to the magistrate’s affidavit, he was “satisfied” the continued detention of Miss Newman was necessary, Mr Hodes said.

The applicants had “no case” and he asked the application be dismissed with costs.

Judgment was reserved.
Mr Justice Munnik is sitting with Mr Justice Baker and Mr Justice Vivier. Mr C. R. Nicholson and Mr L. A. Rose-Innes, instructed by the Legal Resources Centre, appear for Miss Newman. Mr Hodes is assisted by Mr P. D. Brand, instructed by the State Attorney’s office, appear for the respondents.
KING WILLIAM'S TOWN. — Ciskeians who had been recruited by foreign forces and returned to try to overthrow the government should expect to be tortured, President Lennox Sebe said at the weekend.
He called on each cabinet minister to check and protect workers in his department against such recruitment. — Sapa
At least 1,440 dead in Tansui since May

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800 held under emergency

DPSC looks at detentions during the first three months

Cape C-G cuts

Pupils

Breakfast case

DOUBLE\artner
Activists still being held (2)
8577 held in 15 weeks

Cape Times, Tuesday, November 26, 1985

329

DPCS:
30 out of detention

Political Staff

AN EXECUTIVE member of the UDF in the Western Cape, Mr Joseph Marks, and an employee of the WP Council of Churches, the Rev Peter Mentoor, are among the 30 people who have now been released from detention under the emergency regulations.

The others are:
Quinton van Reensburg
Lawrence Lee
Robert Arendse
Oscar Smith
Ashley Chandler
Armiel Arendse
Nongeshe Madlingi
John van Niekerk
Vaughan Lewis
Damon Rigby
Everett Grewer
Mark Grewer
Christopher Grewer
Christian du Plessis
David Abrahams
Theodore Jansen
Burn Burns
Devlin Papier
Mark Leaky
André Mentoor
Jeremy Loft
Ebrahim Jannes
Cecil Nelshing
Godfried Koopman
Cathryn Davids
Donald Asplin
Emund Swart
Khelele Mosaic

Meanwhile more than 1,000 signatures have already been collected in the petition for the release of Clothing Workers Union organizer Ms Shirley Gunn and other detainees.

The petition can be signed at any Dominion convent or Sister Marion can be contacted at 48-3017.

DPSC: 5,957 held in 15 weeks
JUDGMENT was reserved in the Supreme Court yesterday on an application by an Atlantis pupil for her own release from detention under Section 30 of the Internal Security Act.

The 15-year-old, a standard seven pupil at Atlantis Secondary School Number One, was released from detention on October 29 this year after two weeks in Pollsmoor Prison.

She had access to lawyers while detained, and her application was proceeded with after her release so that the court would give a ruling on the legal principles.

The pupil said in an affidavit that she was elected to her school’s first Student Representative Council on September 3 this year.

Police came for her on October 16, a week after police dispersed an SRC-organized “Day of Prayer” march to a nearby school.

She was held under Section 30 after a magistrate issued a warrant for this, but she was never taken to court.

“I respectfully submit that the learned magistrate was not entitled to grant the warrant without my being afforded an opportunity to reply to the allegations made by the police officer on oath in his application.”

Lieutenant W.J. Neethling of the Malmesbury CID said he had a sworn statement from a “trustworthy and responsible informant” that the pupil, among others, had addressed pupils and “strongly recommended” that they should not attend school or write exams. She denies this.

Mr. P. Hodes SC, said a clear discretion was granted to the magistrate by legislation. His decision “could not be contested” so long as he did not act in bad faith.

No date was set for judgment.

The Judge-President, Mr. Chief Justice Munnik, presided, with Mr. Justice Baker and Mr. Justice Vivier. Mr. P. Hodes SC, with Mr. F. Brand, instructed by the State Attorney’s office, appeared for the Minister of Law and Order, the Commissioner of Police, the Divisional Commissioner of Police for the Boland, and the magistrate Mr. P.A. Lourens. Mr. C. Nicholson and Mr. L. Ross-Jones, instructed by the Legal Resources Centre, appeared for the pupil.
Freed girl takes police to court

CAPE TOWN — A 15-year-old Atlantis schoolgirl has challenged the validity of her detention under Section 56 of the Internal Security Act in a test case in the Cape Town Supreme Court.

Zelda Lorna Newman, a Standard 7 pupil and member of the Students' Representative Council, claims her detention on October 15 for 14 days was "unlawful".

The application was supported by her father, Mr John Newman.

She was released on October 29.

Section 56 allows a police officer to detain for 48 hours any person whose actions he feels may contribute towards the continuation of a state of public disturbance.

On the grounds of information submitted by a policeman, a magistrate may then sign a warrant detaining the person up to 14 days.

Mr C Nicholson, for Miss Newman, argued that the Malmesbury magistrate was not entitled to grant a warrant "without Miss Newman being afforded the opportunity to reply to allegations made by the policeman in his application."

"If she had had the right of reply, the magistrate would not have granted the warrant," he said.

Lt W Neethling of Malmesbury denied that the warrant was invalid.

Mr P Hobbs, SC, for the Respondent, said the court could only "interfere" if it was shown that the magistrate had acted "with malice fide.

According to the magistrate's affidavit, he was "satisfied" the continued detention of Miss Newman was necessary.

Judgment was reserved. Suid-Afrika.
Brave stand wins young doctor acclaim

MARIAK SBOROS

JOHANNESBURG — A young doctor has been chosen Woman of the Year 1986.

Dr Wendy Orr, a 25-year-old Port Elizabeth district surgeon, spoke to prominence earlier this year when she won an interim interdict restraining the South African police from assaulting detainees held at the St Albans and Nortt. End prisons under state of emergency regulations.

Readers of the Star, Johannesburg sister paper of The Argus, chose her overwhelmingly as the Woman of the Year.

Dr Orr was the main applicant, along with 44 others, who alleged police maltreatment of detainees. Dr Orr’s affidavit detailing allegations of police assault brought the issue of treatment and safeguards for detainees under the international spotlight.

Brave stand

She is the first doctor employed by the State to be involved in such a case in this way.

Recently, the director-general of Health and Welfare confirmed that a panel of private doctors would be appointed in various cases to treat detainees.

The South African Medical Association has helped to safeguard the welfare of political detainees.

Dr Orr’s brave stand was made at great cost to herself. When her court application became known, she was treated like a pariah by her colleagues. The authorities removed her from the care of detainees, people to whom she was prepared to offer constructive care and compassion, people who, as she humbly put it, “could not help themselves”.

Through it all: she remained buoyed by the knowledge that she was merely “following the dictates of her conscience”.

The basis for that was laid down early in her third year as a medical student at the University of Cape Town’s medical school.

Medical ethics

Dr Orr recalls the indelible impression made on her in a lecture on medical ethics by the University of Cape Town’s vice-chancellor, Dr Stuart Saunders, a man whom she deeply admires for his “incredible integrity”.

“I’ve never forgotten what he told us. He spoke about doctors who treated prisoners during World War II and about how aware they had to be of the ethics involved. This was related to a South African context, and for me it was very relevant. What he told us definitely had a bearing on what happened this year.”

Wendy Orr

Dr Orr began working for the State at the beginning of January 1985 in part payment for a three-year State bursary which helped pay for her medical studies at UCT.

She left Cape Town, she says, to experience medicine away from the large well-equipped teaching hospitals.

“So I came to Port Elizabeth, to practise in the sticks,” she quips.

Soon after she joined the department, she became embroiled in the centre of South Africa’s increasingly violent and bloody conflict.

Dr Orr was one of the state doctors who performed post mortems on the 26 blacks shot by the police at Langa near Cape Town in March.

She is a little embarrassed by the extent of public interest in her. To have ignored the plight of detainees, she says, would have been “a complete moral failure on my part — a complete failure of professional responsibility”.

While she is quite happy to answer most questions about herself, there is one which makes her cringe: “What made you become a doctor?”

“So many people have asked me that question,” she says. “I don’t know why I became a doctor. I just knew that when I was about 12, I decided that’s what I would become.”

A lifelong fascination with hospitals had something to do with it, she adds.

She grew up in a happy Pretoria home, with her parents and three siblings, in which social concern was emphasised.

From an early age, she became aware of racial discrimination. “I knew it was wrong,” she says simply.

Politically aware

While she describes herself as politically aware, she stresses that she has never been a member of any political organisation.

At school, her best subjects were English and French. She still manages to excel in mathematics, science and chemistry, even though they weren’t her favourite subjects.

For relaxation she is “into wine” and has done a few Stellenbosch Farmers’ Wines courses. Her reading taste is eclectic. She reads anything from good literature to “trashy novels”. John Steinbeck is her favourite author.

Her strength derives from self-discipline, she says, her weakness from procrastination. “That’s why I’ve had to become self-disciplined,” she jokes, “to stop all the procrastination.”

Future hopes

Her hopes and dreams for the future? “It’s been difficult to think about the future just now,” she says reflectively. “Before all this happened, I thought I’d like to return to Cape Town and go into private practice as a general practitioner.”

She hasn’t thought of specialising, she says, as she considers it “limiting”.

“As a general practitioner you get to deal with a person within a family and work environment, and you can build a continuing relationship,” she says.

The Star’s Woman of the Year 1986 obviously has the qualities which will make her a fine general practitioner.”
Fewer held in Peninsula

Political Staff

The number of detentions under the emergency regulations in the Cape Peninsula appears to have dropped over the past few days.

Although these have not been confirmed by the police, only eight new detentions have been reported since last Friday — the lowest rate since the emergency was declared in Cape Town at the end of October.

Meanwhile, a further 16 detainees have been freed in Cape Town: Zulaiz Vallie, Shabief Vallie, Abdal Abrahams, Omar Lightburn, Michael Ndza, Chester Mtshali, Leon du Toit, Wince Matthews, Gerritse Beard, Trevor Taft, Dirk Gobier, Peter Adams, Mongeli Guwulile, John Bofisa, Maxie Pelemaker, Geyie and Kho Khayalit Sakawula.

A prayer service for the release of Shirley Gunn and all other detainees is to be held in the Buiten- kant Street Methodist Church tonight at 7.30.

Supa reports that the director of the Port Elizabeth Chamber of Commerce, Mr Tony Gilson, told a meeting in Johannesburg on Monday night that since the release from detention of 17 community leaders there had been a drop in violence in the black areas of Port Elizabeth.
Workers want stronger stand on staff detainee

WORKERS at South African Nylam Spinners are to press management to take a stronger stand on the detention of a company employee, Ms Yvonne Shapiro.

At a meeting organised by the National Union of Textile Workers (NUTW) in Bellville last night, workers decided to petition management to make a public declaration about its position on detentions under the state of emergency. They wanted assurances about Ms Shapiro's job security and her full salary while in detention.

Ms Shapiro, a member of the UDF, has been in detention for 26 days, the first three of which were in solitary confinement.

After 14 days her detention order was extended and it was feared she would be held indefinitely, possibly for the term of the state of emergency.

Action so far taken by management included the issue of an open letter to staff expressing abhorrence of detention and the sending of telegrams to police headquarters in Pretoria and the Divisional Commissioner for the Western Cape, urging her release.

Family members were unsure that her job was secure and had been told that her period of detention would be accepted as either paid or unpaid leave.

The meeting felt this did not guarantee her job security.
Detainees' hunger strike prompts calls for a show of public solidarity

By Jo-Anne Collinge

Detainees at Johannesburg's Diepkloof Prison have begun a hunger strike prompting various groups to call for solidarity action in the community.

It is believed up to 280 detainees held under emergency regulations may be taking part in the hunger strike. They are demanding the release of all detainees, an end to the state of emergency and the withdrawal of troops and police from the townships.

A Department of Prison Services spokesman said yesterday: "Some of the detainees did not eat breakfast today but they have access to the prison tuck shop."

EXTENDED INDEFINITELY

The hunger strike was initially planned to last three days but it is believed it has been extended indefinitely.

The Transvaal Indian Congress (TIC) called on the public to show its solidarity with the detainees by fasting and praying tomorrow.

The TIC's publicity secretary said Bishop Desmond Tutu would be fasting tomorrow, as would United Democratic Front patron and Catholic cleric Father Smangaliso Mkhathwa, leading TIC figures and parents of several Diepkloof detainees.

The Soweto Civic Association has associated itself with those actions and the Detainees' Parents Support Committee said it understood and supported the hunger strike.
Tears at service for detainees

By MALCOLM FRIED

PEOPLE broke down in tears last night at a prayer service for detainees at the Buitenkant Street Methodist Church as they described their experiences of detention without trial.

The packed church heard a father weep as he called on the congregation to pray for his children and all other children in detention.

A former detainee, who identified himself only as Charles, cried as he told of his 14 days “of absolute depression and misery” in Victor Verster Prison.

“I was not questioned once,” he said. “I still don’t know why they held me.”

Mr Nico Kleinman, who counsels former detainees, said they went through great trauma in jail and felt “total helplessness” on being released.

“I’ve been horrified by things I’m told by these people,” he said. “Detention is designed to injure and destroy. It is violent and cruel. In jail detainees have no say over their actions. They have no future. They are told nothing.

“When a detainee is released he finds he can’t explain the hell he’s been through. He can’t understand it himself.

“He discovers that everyone wants to know what it was like but then finds that no one has not been through it can ever understand.

“Screaming and nightmares are normal for former detainees and their trauma causes them great ongoing distress.”

Former detainee Professor Charles Villa-Vicencio, of the department of religious studies at the University of Cape Town, called on people to commit themselves to the future of detainees.

Professor Villa-Vicencio led the congregation in lighting candles “to show solidarity with those in detention and to symbolize our hope for the light that must eventually shine in our dark land.”
Detainees released

Political Staff

ANOTHER 34 people detained under the emergency regulations in the Cape Town area have been released:

Donovan Nomdee
Daniel Bonck
Malverne van der Lilley
Johannes Jacobs
Sylvia Brysanders
Shubeeda Essa
Pagrodien Johnson
Cynthia Fabra
Jacqueline Bekies
Deon Miller
Albert Trumlinson
Ridwaan Kenny
Simon Winer
Leonard Jacobs
Sheila Neer
Patrick Zanarrie
Patrick Erasmus
Lancer Fritz
Enver Steenhuys
Omar Jacob
Johanns Williams
Mary Languetech
Munton Cornelissen
Eliene Maartan
John Coarkley
Veronika Adams
Oswald Moosa
Meryn Blaauw
Malverne Laybrand
Johannes Tromans
Patrick McMillan
Credic Korhije
Stephen Lategan
Cecil Jache
PFP attack on detention of children

By BARRY STREEK and EBRAHIM MOOSA

THE detention of more than 50 children under the age of 18 in the Western Cape in terms of the emergency regulations was sharply condemned yesterday by the Leader of the Opposition, Dr Van Zyl Slabbert.

"Surely no one can expect any sympathy or understanding if they have draconian measures of this kind to lock up children in prisons," he said.

The police have confirmed the names of 51 children, the youngest of whom was 11, but the reported detentions of four other children have not been confirmed.

At least 13 of the children have been released from detention, but as the police have stopped issuing lists of freed detainees, it is not possible to establish exactly how many youths are still being held.

Mrs Di Bishop, the MEC for Gardens, who is a registered social worker, said yesterday that the power of the Internal Security Act and the provisions of the state of emergency to override the Children's Act was "a shocking indictment of our society".

"Detention without trial is a crime against society. Detention of children is a crime against children and humanity."

The summary arrest, incarceration and interrogation of children, to whom no one had access and who had no legal protection, "defies belief."

"Every child under the age of 18 should be released before the psychological damage already inflicted becomes permanent."

"It is institutionalized terrorism," she said.

The Friends and Families of Detainees (FAFOD) said: "We find the detention of children to be the most abhorrent aspect of the system of detentions and one that demonstrates inhuman cruelty and mindlessness."

A spokesman for the Af-hoc Detentions Action Committee yesterday said that over 60 percent of those detained were under the age of 25.

"The government has focused their repressions on children because of the militancy of our youth who are fighting for a democratic education."

The names of the detained children have been confirmed by the police, but it has not been possible to confirm their reported ages. They are:

Hunger strike in Diepkloof

JOHANNESBURG. — A three-day hunger strike has been launched in Diepkloof Prison here by detainees held in terms of the emergency regulations, a Johannesburg daily reported yesterday.

The protest is believed to involve a large number of detainees, perhaps as many as 200. The participants are understood to be demanding the immediate release of detainees, an end to the state of emergency and the withdrawal of troops and police from the townships.

Tuck shop

The strike is believed to have started yesterday morning and detainees will not eat again until Saturday morning.

A spokesman for the Department of Prison Services commented yesterday: "Some detainees being held in the Johannesburg Prison in terms of the emergency provisions did not eat breakfast this morning. "However, they have access to the prison tuck shop."

According to a group of MPs who visited Diepkloof Prison less than a fortnight ago, there were 224 emergency detainees held there.

Johannesburg's emergency detainees have launched previous hunger strikes, the first occurring soon after the introduction of the emergency on July 21. These have been in support of demands for improvements in conditions at Protea police station and Diepkloof Prison rather than directed at broader issues, the quality and quantity of food being a major grievance.

Support

The Transvaal Indian Congress and the Soweto Civic Association have given their support to the hunger strikers in Diepkloof Prison.

Family members of Diepkloof detainees Ismail Monnomint, Faisal Mamadoo and Isa Chilla have expressed concern about the health of those held.

"In view of their long detention, their resistance has been lowered and they are likely in the event of a hunger strike to undergo further deterioration," said Dr M Monnomint.
Inquest told of head wound

JOHANNESBURG. — The station commander at Katlehong told an Alberton inquest magistrate yesterday that an 18-year-old youth, who died in hospital after being in detention in the Katlehong police cells, was taken to hospital immediately the duty officer noticed he was "ill".

Major Samuel Sibandza was giving evidence at the inquest into the death of Bheki Zacharia Mvelane, who died in the Nigelpruit Hospital on March 29. According to a report by the district surgeon, Bheki died of complications that set in after his head wound caused a haematoma on the brain.

He was held in custody at the Katlehong police cells from February 19 to 23 and was one of nine people arrested for public violence after the home of a policeman in the township was burnt and his firearm stolen.

Major Sibandza said he visited the cells every day during that period and asked the prisoners if they had any complaints. He received no complaints.

On February 23, a Major Dlamini visited the cells and noticed that Bheki was ill. He was immediately hospitalized.

Sergeant Hendrik Dreyer said he was part of a team investigating unrest in Katlehong. Detainees were unco-operative but he denied assaulting them to get information. He said it had almost become "policy" for detainees to say police assaulted them.

The inquest continues. — Sapa
More than 1,000 held in Transkei

Political Staff

MORE THAN 1,000 people were detained during September and October in Transkei, where there has been a continuous state of emergency since 1960 except for a few months after "independence" in 1976.

This has been disclosed in the second bulletin of "Detention Without Trial in the Transkei" which was recently published.

The bulletin said its information was "far from comprehensive" but according to its records, 880 people were detained in Transkei during September and more were detained in October, particularly after the death and funeral of a Health Care Trust worker, Mr Batwanda Ndondo.

Its records, which gave the names of detainees, except when mass arrests at schools and the University of Transkei took place, showed that at least 2,846 had been detained in Transkei between May and October this year.

Because Transkei is officially independent, figures for detentions in the homeland are not included in the South African totals of detainees under the emergency regulations.

The bulletin said that "due to media emphasis on the state of emergency and resistance elsewhere in South Africa, the extent of the repression in the homelands and in the Transkei, in particular, has largely gone unnoticed".

Its records showed that Transkei "is one of the most repressive regions in South Africa".

Its material was not comprehensive because of the constraints on the collection of material of this nature.
Bid to 'clean up' after Biko death

THE proposed panel of doctors to examine the health of detainees was an attempt to improve the image of the Medical Association of South Africa after the Biko affair, said three medical bodies.

In a statement released this week, they said they believed that "the physical and psychological torture of detainees will not end unless the entire detention system is abolished."

The bodies are the the National Medical and Dental Association (Nandoda), the Concerned Doctors Action Committee (Cocac), a recently formed body of Cape Town doctors, and the Health Workers' Association (HWA).

They said: "The proposed panel of Massa doctors, all of whom must be approved by the government, is no more than an attempt to clean up Massa's image in the wake of the Biko affair.

Since the government is to exercise the selection for doctors for the panel, and only Mass members are eligible, it is clear that the panel cannot be relied on to act in the interests of detainees.

"Until such time as detention is scrapped we demand that detainees be given free and unlimited access to a doctor of their own choice.

"To be able to choose from a limited panel of government-approved Massa doctors is merely an attempt by the government to create an illusion of a free choice.

"Consequently we reject the proposed panel and call for the abolition of the system of detention."
Detainees’ children: organizations worried

Political Reporter

TEN Peninsula organizations said in a statement that they were worried about the effect of detentions on the children of detainees.

The statement also said that people who suffered under apartheid had to pay for its maintenance.

It said: “The trauma experienced by the children of respectable community workers (among them) Mr Shahieda Jalel, Mrs Veronica Simmers and Mr and Mrs Marcus and Theresa Solomons is because of the unnecessary, unfeeling and inhuman government action.”

The statement was signed by the United Democratic Front’s Mitchell’s Plain branch, Mitchell’s Plain Student Action Committee, Mitchell’s Plain Advice Office, Westridge Action Committee, Rocklands Ratepayers’ Association, Eastridge Residents Association, Woodlands Action Committee, Lentegeur Steering Committee, Woodlands Youth and six Peninsula branches of the Cape Youth Congress.

The organizations said they supported the “realistic” student demands for a postponement of exams which had been described as a farce and were being held despite the adverse effect it had on pupils.

They said the organizations were alarmed at the jump in the cost of living.

“The decline in the economy is because of the abhorrent system of apartheid. We are not only suffering under the burden of apartheid but we are also made to pay the cost of it,” they said.

Peace and justice could only be realized if all apartheid and discriminatory laws were scrapped, legitimate organizations unbanned and political prisoners released.

The Bellville Civic Association said it was alarmed by the large numbers of teachers who were detained.

“In condemning this spate of detentions and demanding the immediate release of all detainees, we focus particularly on Miss Cecilia McCrea of John Ramsey High School, Mr Brian Engel and Mr Mike Benjamin, both of Belhar High School.

“We are further shocked at the insistence that examinations be conducted presently in the absence of teachers.

“We believe that examinations are meaningless because students have not been adequately prepared and that these examinations are a direct contradiction of the purpose of education.”

Mandela’s ‘old age’ memorial

LONDON.—The local council of the West Midland town of Wolverhampton has written to the South African government asking them to free Nelson Mandela.

The council has just named an old people’s home after the jailed African National Congress leader. In the letter they say they want him to go to the town to open it formally.
PIPPA GREEN, Staff Reporter

"We are in constant pain now that he is away from us."

Mrs. Faridaa Omar, wife of city advocate Mr. Dullah Omar who has been in detention for five weeks, probably echoes the thoughts of countless parents, spouses and friends whose relatives have become names on the lengthy weekly state of emergency detention lists.

A father, a city driver whose two teenage children have been in Victor Verster for two weeks says he has no idea why they are there, but that they were "picked up" with several classmates early one morning.

A newly pregnant wife — unlike the driver, no stranger to active opposition politics in South Africa — confesses she feels more anxious "this time" about her husband's detention than "last time". Now, with indefinite detention orders, no end seems in sight.

A trade unionist, held briefly, is deeply saddened when she is released from jail because thoughts of "the others sitting there for no good reason" will not leave her.

She fears they will become "forgotten people".

"Are still there"

A nurse, held in Pollsmoor for two weeks, "can't stop thinking about all the other people who were with me and are still there".

More than 600 people in the Western Cape have been detained under emergency regulations since the state of emergency was extended to the area.

Among them are clergymen, United Democratic Front leaders and supporters, trade unionists, church workers, teachers, high school pupils, journalists, members of community organisations, researchers — and at least one advocate.

The advocate's wife, Mrs. Omar, who is a businesswoman, said the family's mood had swung between "anger and worry" in the weeks her husband had been in jail.

"They came to fetch him at 4am. I was angry then. They wouldn't let him take his toothbrush or his heart tablets (Mr. Omar had a heart attack in 1979)."

"I took clothing and the tablets and the Koran to Caledon Square. I mean, he was detained at 4am. He hadn't even had his breakfast."

"I applied for an urgent visit and I saw him for half an hour, five days later, through a glass door."

"It is painful him being away from us, we are in constant pain," she said.

Large red letters on a white wall around the corner from the Omars' Rylands home proclaim: "Release Dullah Now."

For his family, though, as for countless others, there is no indication of when the injunction will be heeded.

"We are very anxious. We don't know what they are doing to him or when he's coming out and, as far as we know, there has been no explanation about why he is being held."

Respected across a wide range of anti-apartheid groupings in Cape Town, Mr. Omar, 51, was admitted to the bar three years ago, after practising as an attorney for 25 years.
STATE OF EMERGENCY DETECTIONS:
(Figures released by SAPA and the Police Public Relations Division, November 15)
Number held: 1 420
This represents a major jump over the previous week, when the number held was 143.
Although exact figures are not available, just under 6 000 people have been held in terms of the Emergency regulations so far. About 4 600 have been released.

DEATHS IN POLICE CUSTODY DURING OCTOBER:
Ngoako Ramalepe, 26 years old, from Kgapani, Lebowa. A student teacher and SRC president at Modjadji College, he was taken into custody on October 17, was allegedly assaulted in the cells and subsequently dumped in the veld. Found by SAP and taken to hospital where he died the next day.

TREASON TRIALS
There are now 46 persons facing charges of treason in four trials.
In Delmas, the trialists are Patrick Lekota, Popo Molefe, Tebogo Geoffrey Moselane, Moss Chikane, Patrick Baleka, John Blomoka, Mohapi More, Thabiso Ratsomo, Gcinumuzi Malindi, Morako Mokoena, Tsetsi Mphuthi, Naphatli Nkopane, Tebelo Ramalegula, Bavumile Vilakazi, Sekwate Mokoena, Mkhambi Malindi, Simon Nhodi, Pelamotse Thopane, Serame Hlanyane, Thomas Manhatha, Hlabang Matlole, Maxala Vilakazi.
In Pietermaritzburg, the trialists are Mewa Rangobin, George Sewpersad, M J Ndoo, Essop Jassal, Aubrey Mokoena, Curtis Nkondo, Paul David, Archie Gumede, Albertina Sisulu, Frank Chikane, Cassim Sellojee, Ismail Mohammed, Sam Kikine, Isaac Ngeobo, Sisa Nkikelana, Thozamile Gqweta.
In Johannesburg, the trialists are Sipho Ngwenya, Joseph Leepile, Justice Ngidi.
In another Johannesburg treason trial, the accused are James Dubasi, Jongensis Sisulu, Happy Mkhela, David Katsose, Joseph Maja.

BANNINGS OF GATHERINGS
The annual ban on all outdoor gatherings was renewed earlier this year and was extended for the first time to include all indoor political gatherings called for the purposes of advocating school or student boycotts.
A new government notice has been issued which further extends the ban to indoor gatherings, anywhere in the country, called for the purpose of advocating a work stoppage or stayaway.

DETENTION UNDER SECURITY LEGISLATION
Number of people known to be held at October 31: 166
However, police statistics are different from those issued by the Detainees Parents Support Committee.
Police statistics indicate that 351 people were held under security legislation on October 31. This excludes the 33 people listed by the DPSC as being held in "independent homelands".
This means there are 226 detainees whose identities are not known to the outside world.
Two children among detainees released

Political Staff

TWO children, whose detentions under the emergency regulations were reported in the Cape Times on Monday, are among people who have been released.

Dudu Machanyana, believed to be 13, and Her- 
bert Mongali, who was listed as Hubert Mangaly, believed to be 12, have been released from detention.

A number of new detentions have been reported in the Western Cape but these have not been confirmed by the police.

Those who have been released are:

Pedro Arene, Joshuas- 
Jackson, Hilton Cunene, 
Fezile Matsabaka, Sydney 
Nethe, Bunzizwe Sondacanga, 
Suleman Seat, Sedek La- 
eza, Abhake Bai, Nttswa, 
Mbuki, Mkalima, July Si- 
lings, Derrick Alcaana, 
Alastair Rhoda, Lohani 
Mhlanana, Athlan Hollard, 
Michael Lovecson, Hilton 
Ott, Gregory Noor, De- 
meare de Maar, Isaac April, 
Isak Prins, Andre Delicarme, 
Ricardo Biz, Francois Val- 
teine, Ernest Pave, Zweilin- 
zima Mhlangana, M全民 
Phaun, Manyathi Lungi, Sams 
Mhoni, Fezile Tswany, Sydney 
Duda, Frederick Dvosi, Paule 
Swane, Andre Moni, Rose- 
mary Paull, Cynthia Ka- 
mwana, Izak Abrahams, 
Isaac Prinsloo, Isaac Ger- 
wel, Denier Mitchell, Morgan 
Dzinto, Hubert Mangaly, 
Mogeno Mokotshela, 
Xolile Mixaba, Sibesa 
Wam, Nyum Mawu, The- 
ble Shepe, Xolile Schik- 
wale, Dukzon Pato, Nimpod 
Fulani and Dudu Machan- 
yana.
Gunn case
with A-G

The Divisional Commissioner of the Police in
the Western Cape, Brigadier Chris Swart, yester-
day met Mrs Audrey Gunn, the mother of de-
tained Miss Shirley Gunn, and Sister Marian
of the Dominican Sisters

who organized a petition
calling for her release.

Sister Marian said
afterwards that Briga-
dier Swart, who was ac-
accompanied by Brigadier
Hennie Kotze, the Divi-
sional Chief of the CID,

had "promised to inves-
tigate the conditions un-
der which Shirley is be-
ing held".

"He also promised to
get some movement in
Shirley's case.

"Brigadier Swart said
that her case has been
referred to the Attorney-
General," Sister Marian
said.

Sister Marian handed
Brigadier Swart the peti-
tion calling for Ms
Gunn's signed by 3795
people.

The signatures were
collected in a week.
Tutu in fast for detainees

Staff Reports (27)

BISHOP Desmond Tutu, the Anglican Bishop of Johannesburg, and other clerics will fast today in solidarity with detainees on hunger strike at Diepkloof Prision.

The DPSC named today a national day of fasting and prayer for hunger-striking detainees.

There will be a prayer service at 1.10pm today at the Buiten Kant Street Methodist Church.
1229 now held in detention

PRETORIA — There are 1229 people in detention in terms of the emergency regulations, according to the overnight unrest report by the SA Police public relations division in Pretoria.

Incidents of stone throwing, arson and petrol bombing occurred overnight in areas of the Eastern Province, Western Cape, Soweto on the Witwatersrand, the West Rand, the Boland, the northern Free State and in Port Natal, it said.

In Kwanobuhle, Uitenhage, a man received slight burns when the house he was in was set alight by a mob.

In Khayalitsa in the Western Province a man was arrested after a petrol bomb attack on a private vehicle. Extensive damage was caused by the blaze.

In Tumahole, Parys, a man was arrested by police after the stones of a hoope.

In Bontshuwele in the Western Province police arrested five men after a private motor vehicle was petrol bombed and set alight.

In Chesterville, Durban, police arrested two men allegedly in possession of petrol bombs.

Yesterday afternoon Ashangozothi School in Kwanobuhle was set alight and extensively damaged. Two youths were arrested.

In the same area police found Nlenzera School alight. It was also extensively damaged.

In Zwane a private delivery vehicle was set on fire and extensive damage was caused. No arrests or injuries were reported. In the same area a mob petrol-bombed a passenger bus, causing extensive damage.

The body of an unidentified man aged between 25 and 30 was found at Dubu Village, Zwelitsha, on Wednesday. The Ciskei Police Liaison officer, Lt Mavuso Ngwenda, said last night the body was found by passers-by.

In Bongoliso, Ondshoorna, arsonists set fire to and destroyed a passenger bus as well as a private delivery vehicle. No arrests or injuries were reported.

In Phillips, Western Cape, a mob of arsonists yesterday morning set fire to and destroyed a private vehicle. No arrests or injuries were reported.

In Old Crossroads, a mob of stone-throwing youths stoned a delivery vehicle in the area, causing extensive damage. Two youths were arrested. — Sapa
THE National Union of Textile Workers has sent a petition to the management of South African Nylon Spinners in Cape Town asking the company to take a stronger stand on the detention of one of its members, Mrs Yvonne Shapiro.

This decision was taken at a meeting in Bellville, Cape Town.

Workers are asking management to make a public declaration about its position on detentions under the state of emergency, to give an assurance about Ms Shapiro keeping her job and that she should receive full salary while in detention.

Ms Shapiro, also a member of the Claremont branch of the United Democratic Front, has been in detention for 26 days, the first three of which were in solitary confinement.

After 14 days her detention order was extended and it was feared she would be held indefinitely, possibly for the duration of the state of emergency.

Action so far taken by management included the issuing of an open letter to staff expressing abhorrence of detentions and sending telexes to police headquarters in Pretoria and the divisional Commissioner of Police in the Western Cape urging her release.
Illegal gathering:
421 pupils not guilty

Dispatch Reporter

ZWELITSHA — There was jubilation in the communal hall here, which was being used as a magistrates court, when 421 pupils were found not guilty of attending an illegal gathering.

Excited pupils and their parents or guardians started clapping even before the magistrate left the courtroom.

The pupils were acquitted after the defence counsel applied for their discharge at the end of the state case.

They were charged with attending an illegal gathering in the Dutch Reformed Church in Zwelitsha on October 1. They had all pleaded not guilty.

Applying for their discharge, counsel said the National Security Act under which they had been charged could not have been intended for the gathering the pupils had attended.

He said they had gathered to decide whether or not to go back to classes because the examinations were around the corner.

Counsel quoted the preamble of the National Security Act which said the act provided for the security of the state, maintenance of law and order and the promotion of democracy.

The Ciskei constitution upheld the ideals of democracy and freedom of speech and assembly were part of that democracy.

Counsel submitted that the legislators could never have provided that each and every meeting of more than 20 people should be illegal. It could not have been the intention of the legislature to restrict the nature of gatherings the court was dealing with.

Counsel said that from evidence before court it was clear why the pupils had gathered.

A letter had been written to a minister of religion asking for the use of his church for a meeting to go back to school. The letter said that they were not going to criticise the government.

Counsel further submitted that in regard to those pupils who were 14 years and under, the onus was on the state to show they had an evil mind.

No evidence had been led to show they had evil minds. Instead evidence showed that the meeting was for the noble cause of going back to school which any citizen or government would encourage.

The magistrate, Mr Laila Taili, said the accused admitted that they gathered at the church and that they did not have a permit, but further claimed that they did not know the meeting was illegal.

It appeared that the pupils did not have any intention to break the law, and it appeared they had innocent minds.

He said this was shown by the letter they wrote to the minister in which they clearly stated the intention of the meeting. They were surprised at the arrival of the police.

He said they tried to tell the police their intention.

Mr Taili said another aspect of the matter was that in a gathering of that nature, before an arrest could be effected, people should be warned to disperse.

He also pointed out that the church building was surrounded by policemen who were armed and some stood at the door, and this made it impossible for the accused to disperse.

Mr Laila Taili was on the bench. Mr Ayanda Meylani was the prosecutor. Mr L. E. Shadyata, Mr. Dew Pillay and Mr. L. Pillay instructed by Smith, Tabata and Van Heerden, appeared for the pupils.
Concern over detainee’s health

Staff Reporter

CONCERN has been expressed over the health of Ms Debra Patta, a Student United for Christian Action (SUCA) worker, who was detained under the emergency regulations five weeks ago.

The Rev Douglas Bax, Ms Patta’s minister, said last night she was believed to have been admitted to the psychiatric ward of Groote Schuur Hospital yesterday.

A hospital spokesman confirmed last night that Ms Patta had been admitted to the hospital yesterday but he could not confirm that she was in a psychiatric ward, as he said this kind of information could be misconstrued.

Mr Bax said her husband had visited her at Pollsmoor Prison on Wednesday, and she had appeared to be “under emotional strain, tearful and clearly in distress”.

Mr Bax said Ms Patta had been in solitary confinement initially and had also taken part in the hunger strike.

He said he had tried to see Ms Patta since last Monday but had been refused access by police twice. He said no reasons had been given for the refusal and described the authorities as “very obstructionist”.

People attending a prayer service for detainees at the Buitenkant Methodist Church in the City yesterday were asked to pray for Mrs Patta.

Sapa reports that the Police Public Relations Division in Pretoria said, when asked to comment, that the medical condition of any detainee was considered a personal matter between the detainee and the physician, and was an issue on which the police were not prepared to comment.

The next of kin of a detainee were kept informed of any treatment which the detainee underwent.
Info on detainees withheld

By ROGER WILLIAMS
Chief Reporter

THE Minister of Law and Order, Mr Louis le Grange, has refused to provide information asked for by the Cape Times concerning visits to detainees in the Western Cape by judges of the Supreme Court.

Such information is not obtainable from official sources locally.

It is therefore not clear how many judges are making such visits, how frequently they see detainees, whether they see all detainees in their areas or only some, and what the judges have reported to the minister on their findings.

The Cape Times had been referred to the minister by authorities in Cape Town who indicated that even judges were precluded by a rule gazetted last month in terms of the Public Safety Act, from releasing information on such visits.

The rule indicated appears in Gazette No 9994, published on October 26. It has been made under Regulation 3(9) of the Public Safety Act and it states that:

"Information regarding persons who are detained under the regulations shall be furnished by the Commissioner of the South African Police only."

Reports on maltreatment?

In an urgent tolex on Thursday the minister was asked by the Cape Times:

- How frequently detainees are visited by members of the judiciary and to what extent in what circumstances individual detainees are interviewed about the conditions of their detention.
- Whether any detainees have been visited by judges in hospitals or mental institutions.
- Whether any reports of maltreatment have been conveyed to the minister by the visiting judges.
- If so, what steps have been or are being taken to rectify the situation.
- What conditions have been found and reported on at the places of detention, on these periodic visits.
- And for any further details of such visits that could at this stage be disclosed.

The reply, received yesterday from Colonel Leon Mellet, a spokesman for the Ministry of Law and Order, said:

"Detainees held in terms of the emergency regulations in the Western Cape and Boland have been visited by judges of the Supreme Court."

'Treatment and care'

"Their reports are receiving the necessary attention."

"The treatment and care of such detainees is receiving constant attention to ensure their well-being."

- The Cape Times has sought, locally at first and then from the minister himself, the fullest possible information on detainees because of mounting concern, particularly among relatives and friends, about the conditions in which they are being held.

- There have been widespread allegations of maltreatment of detainees.

Spokesmen for the Prisons Department have refused to reply to specific questions put to them concerning the treatment of those being held under the emergency regulations.

All that a liaison officer of the department would say when approached recently was that treatment of detainees was "strict but fair, and applied in a responsible and professional way".
Retaliation warning

DURBAN. In the general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa, told a gathering of more than 1,000 workers that any harassment or intimidation of workers by police would be met with retaliation.

"This is just the beginning," he said, announcing that some 25 delegates were held by police in the city offices of the National Federation of Workers. They were later allowed to leave for the meeting at the University of Natal.

Mr Ramaphosa said that if the delegates had been detained, "others would have marched to demand their release.

The new federation "was a victory for the working-class masses and would be in the forefront of the liberation struggle."

Escalating violence showed the government could not maintain control and therefore the State President, Mr P W Botha, should resign, Mr Ramaphosa said. — Sapa
Police get order on missing man

Pretoria Bureau

An application for the police to furnish information about Mamelodi resident Mr Moses Motsei, who went missing in the township during unrest there last week, was postponed in the Pretoria Supreme Court yesterday.

Mr Justice Hartzenberg ruled that before the application is heard on Tuesday, two senior policemen stationed in the township must submit affidavits on Mr Motsei's arrest and must give details of where he was last seen.

Legal counsel for the Motsei family believe this interim ruling is a breakthrough in that it will allow them to obtain more information about other missing Mamelodi residents.

Mr Mahlangu has not been missing since November 21 — when the unrest was at its height — and is believed to be one of a number of township residents still unaccounted for.

The family's attorney, Mr Lazarus Mahlangu, said his client was applying for a ruling that the police must produce Mr Motsei if they had him in custody.

Alternatively, we want them to furnish us with information about where he was arrested, whether he was charged, and what the charges were.

We must also know where he is being detained.
SEVERAL black leaders and businessmen have promised money to help Mita Ngobeni's family appeal to the Supreme Court against a Pretoria Inquest Court finding which cleared the police of her death.

Mita Ngobeni's grandfather, David Nkomo, and the family have decided to institute legal action against the City of Johannesburg, the police and the families of those who were found guilty of her death.

"Mita's raising of the funds is not enough," said the family's legal counsel. "We have decided to institute legal action against the City of Johannesburg and the police for negligence and failure to respond to our concerns."
TIC, SCA speak out for striking detainees

THE Transvaal Indian Congress and the
Soweto Civic Association have given their
support to the hunger strike launched this
week by about 200 emergency detainees
in Diepkloof prison.

"The strike is a form of protest against
the inequitable system under which we
suffer," recently released emergency de-
tainee Cassim Coovadia told a news con-
ference held by the two organisations.

It's not clear how long the hunger strike
is scheduled to last.

Some reports said the strike was not
against prison authorities, but against
"the entire apartheid system" and would
continue indefinitely or until the state of
emergency was lifted, all political prison-
ers and detainees are released, and troops
and cops are withdrawn from townships.

But earlier reports said the strike was
for three days – until Saturday.

Mr Coovadia said at least 60 percent of
Diepkloof detainees were aged between
13 and 17. Many others had been held
since the state of emergency was declared
on July 21.

A prisons department spokesman said
100 detainees had refused meals.
More than 6,000 people detained in four months

PRETORIA — More than 6,000 people have been detained under the emergency regulations over the past four months, according to police lists of the detainees which were issued in Pretoria last Friday.

A total of 250 people were detained in the past week, bringing the total number of de
tentions since the state of emergency was intro-
duced on July 21.

Although police no longer list the names of detainees who have been released, an ear-
lier police report said about 1,250 people were still being held.

The names of the latest detainees are:

1. Solomon Mathosa
2. John Mathole
3. Mzulu Mngcaba
4. Sipho Mdluli
5. Thandisa Mkhize
6. Mandla Mthethwa
7. Tshepiso Makhanya
8. Siyabonga Mntungwa
9. Siphiwe Mkhize
10. Sipho Mdi
11. Mkhize Mkhize
12. Mthethwa Mkhize
13. Mthembu Mkhize
14. Mkhize Mkhize
15. Mkhize Mkhize
16. Mkhize Mkhize
17. Mkhize Mkhize
18. Mkhize Mkhize
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290 detained in past week

PRETORIA. More than 6000 people have been detained under the emergency regulations in the past four months, according to police lists issued here.

A total of 290 people were detained last week, bringing to 6261 the number of detections since the state of emergency was introduced on July 21.

Although police no longer issue the names of detainees who have been released, an earlier police report said 1229 people were still being held.

The names of the 290 detainees follow:

Cape Town:
Brian Wulka.

Wyebank:
Faldiv Issa, Brent Harris, Bramham Kock, Flemming Goliath, Bertie Bosworth, Charles Hendriks, Whitney Diwya, Montgomery Madi-kane, Noel Dodo, George Nkwe, Herman Sander, Ray Johnson, Terence Martin, Shirley Prais, Raymond Gaine.


Victor Lwakwa, Benedict Sibhelo.

Bellville:
Quentin Arens, Joseph Coetze, Jacobus Prins, Clousnech Gla, John Leitza, John Swart.

Kraaifontein:
Cheryl Williams, Jeffrey Rodieleez, Mhluzi Denwe.

Goodwood:
Tyronne Tenecke, Jerome Nutt, Conrad Seboko.

Paarl:
Zane Nolemele, Malgas Mzamzo, Ntumeni Mhambwa, Francis Momothi, Joseph Mdashe, James Malange, Alfred Mngqulile, Michael Makola, Thembeka Poet, Thembeka Ncengco, Bambatha Mphale, Crosby Ndimza.

James Shali, Michael Tshabalala, Sicelo Mhabyey, Ernest Muka.


Port Elizabeth:
Wally Tafini, Elias Hana, Moses Asia.

Craddock:
Nokuth桑ekhali Mqoboka, Maggie Manekwe, Solomene Fanj, Vuyo Vena, Ngqamlele Wibole.

Port Elizabeth:
Titimani Jobe, Edward Stoffels, Rustel Ally, Tembani Maqandose, Mazibiza Nganga.

Uitsigsem:
Sipho Ntsho, Phumelile Matan, Xolile Makina, Vuyisile Moy, Joseph James, Jeremiah Retshengane, David Daba, Vukile Tapay, Robert Magiba.


Desmond Langbooi, Pinkie Molako- wana, Mpumelelo Banda, Maling Kwaza, Simon Nzo, Victor Tu, Dzambo (no surname), Thobile Busaka, Johnson Spagiter.

Bedford:
Tema Njikuna, Phakamile Gibele.

Somerset East:
Mavelo Mzazi, Vuyile Mkalwa.

Johannesburg:
Roger Widdington, George Tumime- melo, Simon Letshane, Raymond Lethebe, Benjamin Kalam, Bongani Molapisi, Stanley Ndiwe, Mandla Belthezey, Lucky Nzwala, John Nsahl, Lawrence Ndiwe, Sipho Ma-

seko, Petros Mokoneo, Michael Matekela.


Allen Matthew, Sello Sibiya, Gladys Mota, Maryrude Dube, Maggy Nke- nane, Pandelele Mpho, Prince Sun- mele.

Randfontein:
Godfrey Mteu, Franklin Tau, Bruce Mokgantsi, Mo自助lsti Khuts- wane, Vakhwe Mthukho, Jeffrey Le- tuma, Esau Musina, John Mzwakoloko, Moatshe Njabo, Kenneth Makore, Isra- el Sekhunule, Reginald Molopisi, Ja- cob Malele, Joseph Mphalele.


Rondesport:
Daniel Lumene.

Bosok:
Joseph Simelane, Mphikilele Simel- ane, William Merehi, Nomzamo Twala, Mabanglo Job, Letheo Mthawe. — Sapa.
Emergency rules: Validity contested

Staff Reporter

AN urgent application contesting the validity of some emergency regulations and for the release of six detainees is due to come before the Supreme Court tomorrow, detainees’ families said last night.

If the application succeeds, it could lead to the release of all detainees who have been held for over two weeks in terms of the emergency regulations.

The application is to be brought by a detained advocate, Mr Dullah Omar, Mr Marcus Solomon, the Rev Howard Marawu, Mr Leslie Andrew, Mr Derrick Naidoo, and Mr Neville Naidoo, all held in Victor Verster Prison, Mrs Theresa Solomon said last night.

The President, Mr P W Botha, is believed to be cited as one of the respondents in the matter, and to have made a replying affidavit.

Other respondents are the Minister of Law and Order, Mr Louis Le Grange, the Minister of Justice, Mr Kobie Coetsee, the Commissioner of Police, General Johan Coetzee, and the officer commanding Victor Verster Prison, Colonel A H Keulder.

One of the emergency regulations under attack, 3 (3), empowers the Minister of Law and Order to prolong detention, beyond the initial 14 days, without first hearing representations from the detainees themselves.
Court order bid for release of six detainees

An urgent application for the immediate release of six emergency regulation detainees from Victor Verster Prison has been brought in the Supreme Court, Cape Town.

The applicants — including advocate Mr Dulla Omar and the Rev Sikolake Marawa — are challenging certain provisions of the emergency regulations which they claim are “invalid, unlawful” and legally “unenforceable”.

They also seek a declaratory order giving detainees the right of access to their legal advisers and to private medical practitioners.

FULL BENCH HEARING

Respondents include the State President, the Minister of Law and Order, the Minister of Justice, the Commissioner of Police and the officer commanding Victor Verster Prison.

The matter is being heard by a full Bench.

The applicants argue that several sections of the emergency regulations promulgated in 1985 were "invalid, unlawful, and unenforceable”. They were ultra vires the empowering provisions of Section 3 of the Public Safety Act of 1953.

They also contend that for detention to be extended beyond 14 days, a detainee had the right to make representations as to why he should not be held longer.

In papers before the court, Mr J Richman, for the applicants, said the State President and the Minister of Justice had "failed to apply their minds" to considerations relevant to the powers and purposes of the Public Safety Act of 1953.

He also submitted they had taken into account "extraneous or irrelevant considerations”.

"UNREASONABLE"

"It cannot reasonably impinge on the safety of the public or the maintenance of public order to exclude the right of access by a detainee to his legal adviser and private doctor."

I submit that in any event these regulations and rules are (Turn to Page 3, col 7)

Bid to free 6 detainees

Continued from Page 1

unreasonable, arbitrary and not in good faith.

Mr Dulla Omar, 51, who has been detained since October 25, said he wrote to the authorities asking for access to a lawyer before his initial 14-day period expired.

When no reply was received he and others fasted for four days.

HEART

After being in detention for 14 days he was informed by the officer commanding Victor Verster, Colonel Wibbou, that a warrant extending his detention had been received.

"I was afforded no prior notification and afforded no opportunity of submitting representations or consulting with legal advisers in that regard."

Mr Omar, who has a heart condition and was under constant medical supervision before his detention, said he had received “no specialist cardiac attention”.

"BASIC RIGHTS"

Medication prescribed by the district surgeon had been terminated during the fast and he had spent the first 14 days of detention in prison hospital.

In a replying affidavit, President P W Botha said he was aware that the right to a legal adviser and the right to receive medical treatment when necessary were "basic rights”.

"The circumstances which made it necessary to announce the state of emergency, might make it necessary to deny a specific detainee access to people from outside the place of detention."

Legal advisers and doctors could be used as a medium for contact between a detainee and people outside who were a threat to public safety and who wished to make the situation worse, he said.

NECESSARY

The question of whether a detainee could be allowed access to outsiders could only be decided by taking into account his role in the unrest and violence.

Mr Botha said the emergency regulations were "necessary and advisable” and denied that they were “unreasonable or arbitrary”.

On the question of whether they were ultra vires or not, Mr Botha said the court should not underestimate the conditions that led to the declaration of the state of emergency.

(Proceeding)

The Judge President, Mr Justice Mamik, is sitting with Mr Justice Vivas and Mr Justice Berman.
Boycott body calls for leaders' release

By KIN BENTLEY and JIMMY MATYU

The Uitenhage Consumer Boycott Committee has given the Government until December 15 to free all Uitenhage leaders detained under the state of emergency.

A spokesman said negotiations with the Uitenhage Chamber of Commerce depended largely on this demand.

The spokesman, who did not want to be identified, said the committee had been invited to speak to the chamber but it could not do so as some of its leaders were in detention.

He said his committee welcomed the decision taken by their Port Elizabeth counterparts to suspend the boycott conditionally.

"This shows that when leaders are released from detention they are in a better position to talk and solve problems. This was the case in Port Elizabeth," he said.

The committee is also demanding:

- The withdrawal of troops and members of the SAP's reactionary unit from the Uitenhage townships.
- The lifting of the state of emergency.
- An end to the harassment of community leaders by security forces.
- That all workers sacked because of stayaways from work or through detention under the state of emergency be reinstated.
- That Kabash township be upgraded and the forced removal of residents to Kwanobuhle be halted.
- That the killers of Cradock leaders, Mr Matthew Goniwe and three others, be brought to justice and that the whereabouts of Mr Qaqwaqwa Gholozi, president of Peko, and two office-bearers, be made known.

Meanwhile, uncertainty caused by the threat of the consumer boycott being re-imposed in April could lead to a shortage of the latest fashion clothing in some Port Elizabeth stores.

This view was expressed by a North End outfitter, who asked not to be identified, in reaction to the weekend announcement that the boycott would be reinstated if certain demands had not been met in five months time.

"I am concerned that at the end of the year, store owners will be scared to place orders."
Three city trade unionists released

Labour Reporter
THREE trade unionists detained last week under emergency regulations have been released.

The men, all from the Electrical and Allied Trades Union, were detained in Belgravia Road, Athlone, on their way home after organising a union function.

They were released on Friday.

They are Mr Brian Williams, branch secretary for the southern region; Mr Cecil Theys, chairman of the Cape Town region, and Mr Michael Banks, an executive union member of the Cape Town region.
Repression found to be greater than ever before

Delegates from all over the country attended the fourth national annual conference of Detainees' Support Committee and the DPSC (Detainees' Parents Support Committee) which was held in Cape Town.

The decision to meet in Cape Town proved tragically prescient; shortly after our conference ended, the infamous "Trojan Horse" killing took place in Thornton Road, near our meeting place, and the state of emergency, with its cloak of oppression, was extended to Cape Town.

We began as a small group of concerned friends and relatives of detainees in 1981, hoping that the need for our existence would soon be over. Sadly, today there is a greater need than ever for our work.

Never in the recent history of South Africa has repression been greater. In response to this, we have also grown in size and strength. As the police detain more, so more relatives and friends come forward to help and join our organisation.

Our membership also reflects the nature of repression — we are thoroughly non-racial in composition — no sector of the community is left untouched. In our first year, we had five sister organisations. In Cape Town, there were delegates from 26 detainees' support groups, and we learnt that there are now four detainees' advice offices nationwide.

Police harassment of communities and the detention of their leaders sparked the emergence of Descoms in six far-flung places as Tumishole, Colesberg, De Aar and Alice. We were strengthened by the courage of people in these places to take up the detainees cause, despite immense obstacles.

Consider for a moment the parlous state of human rights in Southern Africa. Well over 7,000 people have been detained this year (including both state of emergency and security detainees). There have been 19 deaths in detention or in police custody, and more than 600 have died in civil unrest, the majority at the hands of the police and SADF.

In the last state of emergency, 1,500 were detained; in 1976/77 about 800 were killed in unrest situations.

It was against this backdrop that our conference met and, after four days of regional reports, a pattern began to emerge which caused the gravest concern. Four major areas of disquiet became apparent:

- Reports, from all round the country, came in of continuing physical and psychological torture of detainees, including instances of enforced nakedness, TV monitors in the cells, physical assaults and electric shocks.

- The abuse of children. A very high percentage of detainees are under the age of 18, and we have heard reports of children being held in cells with convicted criminals, of children being brutally assaulted by members of security forces and some children as young as eight years old being detained. The psychological damage to these youngsters is incalculable.

- Sexual abuse appears to be spreading alarmingly, especially against women. Reports were made of humiliation by stripping naked in interrogation, of verbal abuse of a sexual nature. One woman says she was made pregnant while in detention, she is suing a policeman; in Cradock and Soweto, reports of rapes by security force members have been recorded.

- The presence of the SADF in the townships has escalated the conflict and further polarised the situation. Community perceptions are that soldiers are trained to kill, not to maintain order with minimum force. Our conference shared the view, with the majority of township dwellers, that the SADF presence confirms that we are a society riven by an escalating civil war. Far from maintaining peace, the SADF is exacerbating the problem and should be immediately withdrawn.

Our conference ended in a sombre but determined mood. We counted with anger, yet pride, that more than 20 of our members had been detained; we will not be intimidated by this attack on us. As repression grows, so too does our determination to resist it.
Detained cleric: 257 sign petition

Staff Reporter

MORE than 250 signatures have been collected in protest against the detention of the Rev Robin Petersen of the Congregational Church.

A petition signed by 257 people was held during three services at Christ Church, Kenilworth, and will be posted to the Minister of Law and Order, Mr Louis le Grange, today.

Mr Petersen was detained on October 25. His detention has been confirmed by police.

The petition says Mr Petersen is the son-in-law of Olive and Brian Jones, both members of Christ Church, and married to their daughter Heather.

"Their witness to the Gospel of Jesus Christ can be seen in their commitment to working for the freedom of people who are oppressed and exploited in our society."

The petition calls for Mr Petersen's release and expresses deep concern about the potentially devastating effect of his detention on him and his family.
Six detainees apply to court for release

He contested the validity of emergency regulation 3(3), which provides for the extension of detentions "as long as the emergency may last" without a hearing. The detainees were entitled to be released unless the period of detention had been lawfully extended, he submitted.

It was "so inherently unfair" to hold someone without a hearing that "Parliament could not be taken to have authorized the making of such a regulation".

He also contested the validity of rule 5(1), which denies detainees access to lawyers unless they gain permission. "Denial of access to a lawyer is denial of access to the courts," Mr Chaskalson said. "It is the hallmark of a dictatorship that you have no access to the courts. Our Parliament did not give the State President the power to act as a dictator."

The State President, Mr P W Botha, said in an affidavit that he had taken advice from specialists before issuing the regulations. He said contact between detainees and persons who wished to disturb the public peace could take place through a lawyer or private doctor.

Providing reasons to a detainee for his further detention could reveal the source of the information.

Mr W Burger SC, for the Minister of Law and Order and the Commissioner of Police, said Mr Chaskalson "sought to adduce all sorts of scary examples to show where unscrupulous use of emergency powers could lead one."

The hearing continues today.

The Judge-President, Mr Justice G A Munnik, presided with Mr Justice W Vieri and Mr Justice G Friedman. Mr Chaskalson was assisted by Mr J J Gauntlett and instructed by Mallinckrodt, Reiss, Richman and Gleenberg. Mr W Burger SC with Mr C Y Leach appeared for the Minister of Law and Order, and the Commissioner of Police. Mr C de Klerk SC with Mr S J Maritz appeared for the State President, the Minister of Justice and the officer commanding Vlakfontein prison.
Fast to focus on detainees

Staff Reporter

Friends and Family of Detainees (Fafod) yesterday announced a three-week campaign of fasting, starting today, to "highlight the plight of detainees and their families".

Fafod said in a statement that the campaign would be made up of three-week-long fast periods, each focusing on a part of the community affected by detention.

The fasts would begin on a Wednesday night and would take place in the Buitenkerk Street Methodist Church. The first will start tonight at 7.

Fafod had approached "certain prominent people" to join the fast and encouraged anyone else to come to the church to support those fasting.
Activist hacked to death in Parys

JOHANNESBURG. — A young political activist in the Parys township of Tumahole was allegedly hacked to death by vigilantes using garden implements.

The man, Mr Lefu Ra-sego, 19, was attacked on Friday and is one of two young men said to have died in political conflict in the small township in four days.

The other death reported by community sources is that of Mr Apa Daniel Mphohlo who was allegedly killed on Monday. The circumstances of his death are not clear.

Police in Parys have been unable to confirm either death.

A witness to the attack on Mr Ra-sego said the vigilantes, known as the A-Team, had seen a group of activists waiting for a taxi soon after 7pm on Friday and had given chase. “We scattered, but Lefu was caught. He ran into a house but the A-Team took him out. “One stabbed him in the shoulder as they came out. They dragged him into the street and attacked him with knives, spades and gardening forks.

“After this I couldn’t watch because they were looking for me and I had to run.”

The witness said he later learnt Lefu had died.

Tumahole has been in the grip of violence since two community leaders, Mr Ace Magashule and Mr Sam Magashule, were detained in November. — Sapa
200 women in protest march

Staff Reporters

ABOUT 200 Crossroads women, many of them with babies on their backs, marched to the Guguletu police station yesterday after troops and police detained over 140 people, most of them men, in a sweep on the squatter camp.

After "screening", all but 33 of the 140 were released, police said late yesterday. Police described the operation as a "crime prevention" exercise.

Once the security forces had withdrawn, the women held a prayer service and then marched more than three kilometres from Crossroads to the police station "to demand the release of our men".

The Divisional Commissioner of Police for the Western Province, Brigadier CA Swart, who led the operation, last night barred the Cape Times from using pictures of the women marching and of them sitting under a tree waiting for police to address them.

A police liaison officer for the Western Province, Lieutenant Attie Laubscher, said Brigadier Swart, after having the pictures described to him, ruled that "these black women were taking part in an illegal protest and there could be charges laid. It was an unrest-related incident".

The Cape Times was earlier told permission would not be granted for the use of pictures taken by a staff member during the security force operation in Crossroads and which showed police and troops lining up on the outskirts of the shantytown.

Lieutenant Laubscher said yesterday afternoon that of the 33 people held, one was arrested for possession of an unlicensed firearm, three for dealing in dagga, eight for possession of dagga, one for dealing in liquor, six for being in possession of stolen property and 14 for having attended an illegal gathering.

Five hours

The operation started at 7am and lasted almost five hours. It was completed by 11.45am.

About 30 minutes after the operation, the women gathered in Crossroads, and after holding a prayer service, marched to the police station.

A spokeswoman for the group said: "They told us they were going from door to door, and that they would not arrest anybody, but then they took all the men they found, they took away more than a hundred of our men.

"So we decided on action, and we marched to the police station and met with a policeman called Barman who said to us the police would come back to us and let us know what had happened with the men."

With two police vans following, the singing women then marched the three kilometres back to the Nyanga Bush squatter camp, where they sat under a tree and waited.

They were told about 4pm that most of the men were being released after questioning.

A police helicopter and an SAAF Alouette helicopter monitored the operation.
Detainees in bid to gain access to legal advisers

Court Reporter

THE basic rights of individuals had had to be suspended during the emergency to enable the State to combat the “volatile and serious situation”, counsel told the Supreme Court, Cape Town.

This was the submission of Mr W G Burger, SC, for the Minister of Law and Order and the Commissioner of Police, in the application by six detainees for their release from Victor Verster Prison.

The applicants, including Cape Town advocate Mr Dulla Omar and the Rev Howard Marawu, are also seeking a court order declaring detainees entitled to access to their legal advisers.

The respondents are the President, the Minister of Law and Order, the Minister of Justice, the Commissioner of Police and the officer commanding Victor Verster Prison.

Mr Burger said Mr A Chaskalson, SC, for the applicants, had “sought to paint as black a picture as possible” of the position of detainees.

**Human rights**

He submitted that the State was dealing with a “volatile and serious situation” which needed “firm and decisive” handling.

The situation had the effect of “watering down” what would normally be “basic human rights”.

In reply to a question from the full Bench, Mr Burger said the regulations were not to be treated differently because they were made by the President, to those made by other Ministers.

The same objective tests applied.

Earlier, Mr Chaskalson argued that detainees had a right to make representations for their release.

“Nobody is more vulnerable than a detainee and no one has a greater need (for access to his legal representatives).

“They are arrested without being told why, held without access and have no means of doing anything for themselves. They are absolutely helpless.”

“A dictator”

Mr Chaskalson said it had not been the intention of Parliament to grant the President, who promulgated the emergency regulations, the “powers of a dictator”.

He submitted that Mr PW Botha “must have misconceived his jurisdiction, lost sight of the correct criteria to be applied, or failed to apply his mind properly to the issue.”

Part of the application — for the court to declare the right of detainees to have access to private medical practitioners — has been withdrawn.

The hearing continues today.

The Judge-President, Mr Justice Munik, is sitting with Mr Justice Vivier and Mr Justice Friedman. Mr Chaskalson, assisted by Mr J J Gaultlett, and instructed by Mallinan, Rees, Richman and Cronenberg, appears for the applicants. Mr Burger, assisted by Mr C Y Low and instructed by the State Attorney’s office, appears for the Minister of Law and Order and the Commissioner of Police. Mr M C de Klerk, SC, assisted by Mr S J Maritz and instructed by the State Attorney’s office appears for the other respondents.
Minister disputes claim on children

Staff Reporter

THE Minister of Law and Order, Mr Louis Le Grange, yesterday disputed a privately-placed advertisement in the Cape Times last week which said it was believed that children aged eight to 16 were being held in terms of emergency regulations.

The advertisement, placed by Mr Anwar Ismail of Wynberg, was headlined "Request for the release of children under the age of 16 years being detained".

It said that "on behalf of and after consultation with detainees at Victor Verster Prison" and "believing that children aged eight to 16 years have been detained since the state of emergency (I) make the following request: "That all children under the age of 16 be released; that in the interim they be handled according to the provisions of the Children's Act; that they therefore be granted physical contact with parents through social workers, release into the custody of parents (and) special treatment regarding diet, general health, visits, recreation and education."

Reply

It said the prison had been "visited by Judges Munik and Friedman where this urgent matter was raised".

Mr Le Grange's reply, which was telesex to the Cape Times yesterday, said: "In an advertisement in the Cape Times of 30 November, 1983, it is requested that children under the age of 16 years should be released."

"The advertisement claims that children aged eight to 16 years were being held since the state of emergency and it no doubt led its readers to believe that it could indeed be true. "I would like to point out that only one 15-year-old youth was at the time of the advertisement in custody in terms of the emergency regulations and has since been released. "Children under the age of 15 who were being held prior to the advertisement had long been released following requests made to me by Judges Munik and Friedman."
Women march to demand release of husbands, sons

Staff Reporter

WOMEN from the Nyanga Bush squatter community converged on Guguletu police station to demand the release of their sons and husbands — among 132 people detained by police during house-to-house searches in Crossroads.

All but 33 were released late yesterday, police said.

About 200 women gathered opposite the police station at about 2.30pm yesterday.

Policemen with rifles stood at the gates and officers spoke to the women.

Later the women walked along NY1, singing as they went. They said police had told them they were "still busy interrogating" and that those arrested would be released between 8pm and 9pm.

One woman said when police, troops and railway policemen arrived at Crossroads yesterday morning, in what was described as a "clean-up operation" residents were told houses would be searched but that no arrests would be made.

"But they arrested many people. We don't know how many, but maybe more than 100," she said. "So we came to the police station to inquire."

Kicked door down

Nombuyiselo Juba said she watched as three policemen kicked down the locked door of her home and removed her television set.

Florence Denga said police had forced their way into her home and removed her room divider. Other residents made similar claims.

A spokesman for the police directorate of public relations in Pretoria said the purpose of the search was "to identify persons involved in recent unrest in the Western Cape and crime prevention."

"Of 132 people removed for questioning, most were released, but 33 were held on charges ranging from possession of an unlicensed firearm, possession, and dealing, in dagga, illegal trading in liquor, possession of suspected stolen property and attending an illegal gathering."

"A number of articles, including a television set and a revolver, were seized."
3 detained
teachers freed

Education Reporter

THREE of four detained Groenvlei Senior Secondary School teachers were released yesterday.

The teachers, Ms Celeste Perez, Mr Bryan Slingers and Ms Rachma Omar, were held under emergency regulations two weeks ago. Ms Perez and Ms Omar were released from Pollsmoor, and Mr Slingers from Victor Verster.

Another teacher, Mr Michael Deeb, recently had his detention order extended. All are members of the Western Cape Teachers Union (Wectu).

Wectu’s Athlone Central branch last night said in a statement: “While we are glad to have our colleagues back in our midst, we still abhor detention without trial.”

“We lay stress on the fact that Michael Deeb has been re-detained indefinitely under the emergency regulations without any valid reason.”

Wectu condemned the detention yesterday of teachers from Marian Secondary School in Elsie’s River and student leaders from Florida and Ravensmead.

The Athlone Central branch issued an appeal to all members to contribute R50 towards a trust fund established to assist recently-suspended and dismissed teachers belonging to the union.

The Athlone Students’ Action Committee has strongly condemned the Department of Education and Culture’s “tactic” in sending out letters of application to boycotting pupils for the writing of supplementary exams in March 1988.

“We will not be conned into forgetting our demands,” said a statement by Asac, which represents pupils at 15 schools in the Athlone area.

The fact that there was large-scale promotion of pupils proved that the whole exam is a farce and that the stand of boycott pupils has been successful.”

The Cape Teachers Professional Association has given the department until Monday to allow all pupils and students in the Western Cape to write exams in March. The CTPIA has threatened court action if the department fails to do so.

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Church starts new go-hungry relay to help back detainees

Religion Reporter

The Buitenkerk Street Methodist Church is launching a new campaign of fasting and services -- continuing until Christmas Day -- to highlight the plight of detainees and their families.

More than 150 people have taken part in relay fasts run by the church since November 4.

The new campaign, which will be launched at a service at 7pm tonight, is to highlight two aspects of the effects of detention on detainees and their families: that many detainees will be away at Christmas and that "detention is designed to destroy, detention is torture".

Each of the three weeks until December 25 will focus on a particular part of the community affected by detention. Each begins with a service on Wednesday evenings and the climax is Christmas Day.

FOCUS ON TEACHERS

The first week focuses on teachers, pupils and university students. The second will highlight community leaders, trade-unionists and religious leaders.

The final week will focus particularly on Shirley-Gunn, the longest-serving detainee in the Western Cape, as well as anyone away from home over Christmas.

In a statement the Friends and Family of Detainees said detention would prevent detainees and their families from enjoying "what should be the true spirit of Christmas" -- a time for families to be together.

"To focus on this, we join the community in calling for a Christmas of concern, one devoid of the usual extravagant merry-making, where people come together to reflect on what, for many, has been a year of great suffering and hardship.

"Secondly, we should not forget that detention is designed to destroy, detention is torture. Even those detainees who are not physically tortured experience psychological trauma."

"The Friends and Family of Detainees"
Post Correspondent
GRAHAMSTOWN — A full Bench of the Supreme Court decided here yesterday that the Minister of Law and Order was not obliged to grant emergency detainees any form of hearing before extending their initial 14-day period of detention.

This finding was made after an application for the release of a 73-year-old Fort Beaufort pensioner, Mr Mannie Zetu, and eight other emergency detainees.

Judgment on the application was reserved last month.

The application alleged that an amendment of the emergency regulations published in the Government Gazette on October 31 was unlawful if its effect was to exclude the individual’s right to a hearing before his further detention was ordered by the Minister.

The amendment entitles the Minister of Law and Order to order the further detention of detainees “without notice to any person and without hearing any person”.

Counsel for the applicants Mr Wim Trengove, SC, argued that the enabling legislation did not allow for such “drastic provisions”.

The court, however, found that in the absence of any allegation of malice on the part of the State President in issuing the amendment, the court could not question its reasonableness.

The judgment stated: “It is for the State President and not for the court to decide whether regulations appear to be unnecessary.” It said that “practical considerations” may have made it impossible for the Minister to allow detainees the opportunity of a hearing.

“It is common knowledge that more than 1 000 persons have been detained at one time in terms of these (emergency) regulations and within 14 days of their initial arrest the Minister must decide in each case whether the period should be extended.”

“The problem may be that the time available would not be sufficient for each detainee to be advised that an extension of his period of detention is being considered and for him to submit and to properly motivate his reasons for saying that the periods of detention should not be extended.”

The court stated that it was true that the regulations were “drastic”, but “the State President has decided that this drastic provisions are necessary.”

The judgment was delivered by Mr Justice Zietsman with the Judge President, Mr Justice Cloete, and Mr Justice Eksteen concurring.
Parallel case on detainees

Supreme Court Reporter

THE success or failure of a Supreme Court application for the release of six detainees held in Victor Verster Prison under the emergency regulations may be determined by a parallel case in the Eastern Cape which was decided yesterday.

Judgment was given in favour of the Minister of Law and Order, Mr M C de Klerk, SC, said in court yesterday.

He is appearing for the State President, the Minister of Justice and the Officer Commanding Victor Verster Prison in opposing an application by detained advocate Mr Dullah Omar and five others for their release from detention.

The point at issue in both cases — that of Ms Marjorie Fanie in the Eastern Cape and that of Mr Dullah Omar — was whether or not the Minister of Law and Order had to “hear both sides” before he signed a detention extension order beyond 14 days.

In the Gugulethu case earlier, Eastern Cape judges had found that the minister did have to consider written remonstrations from a detainee before he signed the order.

Mr De Klerk said another full bench in the same division may have found yesterday that the Nkxwentsi judgment was wrong. The text of the judgment should be available today.

He argued that detainees were not deprived of the right to write to the Minister of Law and Order.

The hearing continues today.

Mr Chief Justice G G A Mkhize presided, with Mr Justice G Friedman and Mr Justice W Vivier, Mr A Chaske, SC, with Mr J Gauntlett and instructed by Malteck Reuvs Richman and Closenberg, appeared for Mr A M Omar and five other detainees. Mr M C de Klerk, SC, with Mr S J Maritz, appeared for the State President, the Minister of Justice and the Officer Commanding Victor Verster Prison.

Mr W G Burger, SC, with Mr C Y Louw appeared the Minister of Law and Order and the Commissioner of Police.
Vigil disrupted

Teargas at Boesak service

By TONY WEAVER

POLICE last night fired tear gas into the grounds of the Nederberg Sendingkerk in Bellville South and arrested a 16-year-old youth after a prayer service for detainees addressed by Dr. Allan Boesak.

Minutes after the tear gas was fired a police officer claimed stones had been thrown at the Casspir and then a police officer on the back of the Casspir scattered stones in the road outside the church.

At the Wembley Roadhouse in Bellgravia Road, Athlone, people were shouted at and the area was blanketed in tear gas after police moved through the streets, allegedly ripping candles out of the hands of residents holding a candlelight vigil for detainees.

Trapped

At 10.45pm, security forces in a Hippo fired tear gas into a crowd of about 50 people after the Hippo was trapped by about 40 hooded youths.

Stone and bottles were hurled at the Hippo as it tried to move out.

Police reinforcements in a Casspir then moved in and at least 20 tear gas balloons were fired into fleeing crowds and at patrons at the roadhouse.

Every time the Casspir moved into the area, a cacophony of car horns and burglar alarms started up, and residents screamed abuse at the police.

Several drivers of cars parked at the roadhouse.

A white student who was walking down Bellgravia Road with a candle in his hand was shouted at and several white youths who said they were there to show solidarity.

In Bellville, about 700 people who attended a candlelight service for detainees — many of them elderly people and young children — fled back into the church after tear gas was fired.

Tear gas flooded into the courtyard and into the church.

Riaan Baron, 18, who was released after two weeks in detention on November 19 and who his mother said “now suffers from a nervous condition”, was arrested outside the church and “flung into the Casspir like a dead animal”, witnesses said.

Several witnesses said he was shot in the chest but police last night denied this.

Dr. Boesak stomped out of the church and demanded to know who was in charge.

It was at this point that a police officer said people were throwing stones and that stones were scattered by a policeman as the Casspir pulled off.

Dr. Boesak said later that the police behaved like pigs.

“My church council will meet about this urgently and demand an explanation. They have no respect for the church, they have no respect for God.”

The Casspir was accompanied by a police van and their registrations were B51905B and BDL763B.

At the service Dr. Boesak called on the congregation not to celebrate Christmas this year.

“This is no time for hollow shouting of Merry Christmas, the waving of wine bottles, this is not a time for parties and spending sprees.

“We can only celebrate Christmas this year in a spirit of mourning, mindful of the sadness and tragedy which grips this country.”

SAP comment

A police spokesman for the Western Cape, Lieutenant Aaltie Laubscher, said last night: “About 10pm last night about 200 people gathered outside the Rev Allan Boesak’s church.

“Police asked them to disperse. The majority did. Police then warned the rest who were standing around, and then used tear gas to disperse them. One male was detained and later released when it was learned that he was mentally handicapped.

“There was no shooting at the scene.”

Police ‘break up’ vigil.

BUSINESS BRIEF

Gold (close) $323.00
T Index (close) 1115.00
D Index (close) 936.05
D Index 1308.00
Court 'can't question emergency'

Supreme Court Reporter

PRESIDENT P W Botha acted on "valid and responsible" information in promulgating the state of emergency and it was not in the power of the Supreme Court to question whether the regulations were necessary or not.

This was a submission by Mr M C de Klerk, SC, for the President, during argument for the respondents in the application by six emergency detainees — including a Cape Town advocate, Mr Dallia Omar — for their release from Victor Verster Prison.

Mr de Klerk told a full Bench of the Supreme Court, Cape Town, that Mr Botha's promulgation had the same power as a law of Parliament.

He was empowered to act in a way he thought advisable to maintain public order and safety and the court had no say under what circumstances he could invoke these powers.

The other applicants are the Rev Howard Marawu, Mr Marcus Solomon, Mr Leslie Andrews, Mr Derrick Naidoo and Mr Neville Naidoo.

At issue is Section 3 (iii) of the emergency regulations, which allow detainees access to lawyers only with the permission of the prison head in conjunction with the Commissioner of Police.

RIGHT

The applicants argue that legal access is their right and that Mr Botha did not act within his legal jurisdiction in making the emergency laws.

The respondents are the President, the Minister of Law and Order, the Minister of Justice, the Commissioner of Police and the officer commanding Victor Verster Prison.

(Proceeding)

The Judge-President, Mr Justice Munnik, is sitting with Mr Justice Friedman and Mr Justice Xiyi.

Mr Chaskabon, assisted by Mr J J Gauntlett and instructed by Mallinck, Bass, Richman & Clossenberg, appears for the applicants. Mr W G Burger, SC, assisted by Mr C Y Louw, and instructed by the State Attorney's office, appears for the Minister of Law and Order and the Commissioner of Police. Mr M C de Klerk, SC, assisted by Mr S J Maritz, and instructed by the State Attorney's office, appears for the other respondents.
200 held in Oudtshoorn

Dispatch Correspondent
CAPE TOWN — Over 200 people are being held in Oudtshoorn after a massive police and military operation in Bongolovhu township on Friday, and will appear in court on December 18 on charges of murder and public violence.

And a spate of political trials is taking place in Oudtshoorn and George this week and next week.

South Western Districts police liaison officer, Major Eddie Snyman, said last night 226 people were being held on charges of public violence, and that other charges, including murder, were being investigated.

Major Snyman said there had been various acts of public violence since November 10.

"These included an attack on November 22 on Mr Patrick Maritrene, whose bakkie was set on fire. He was brutally assaulted and then a burning tyre, a necklace, was put around his neck. He died and it is out of this that the murder charges arise.

"A black woman teacher is still unconscious in hospital after she was attacked last week." Townships sources said yesterday the woman was put on a pile of planks, petrol was poured over her and she was then set alight. She is in a serious condition in Tygerberg Hospital.

Major Snyman said other incidents included the burning out of two bakkies belonging to construction firms, stonings and attacks on houses.

A township source said yesterday that "among those who are in jail are a boy who is nine and one who is 10. There are quite a number under 15 and there is also a woman who has a baby aged 10 months," one source said.

Major Snyman said it was "quite possible" that juveniles were among those held, but he did not have details of how many in detention were men and how many women, or of the baby. It is prisons policy to keep breast-feeding mothers with their babies.

He said one man was being held for the alleged possession of explosives. He is believed to be Mr John Freddie Gangathela, 27, although Major Snyman could not confirm this.
Cleric released from detention

Staff Reporter

The Rev Robin Petersen of the Heideveld United Church, detained on October 23, was yesterday released but placed under severe restrictions, his wife said last night.

Mrs Heather Petersen said: “Although we are relieved at Robin’s release, we feel shocked at the harsh restrictions placed on him. He has gone from a smaller to a larger prison.”

The restrictions include that he may not:

- Leave the magisterial district of Wynberg without the written permission of the Minister of Law and Order or the Divisional Commissioner of Police for the Western Cape until the emergency regulations have been lifted.
- Take part in any activity of Team (The Ecumenical Action Movement), Cosas, UDF or any affiliate; enter the premises of any school or other educational institution.
- Prepare or disseminate any material in any publication as defined by the Internal Security Act of 1962; attend any gathering at which any action by the government is criticized or discussed.
- Attend any gathering at which any local authority is criticized or discussed; or attend any gathering of pupils or students.

The Ecumenical Action Movement said in a statement last night that it was relieved at his release.

“However, we wish to register our anger at the harsh restrictions which have been placed on him and the continued detention of Tienie members and other people from the community.”
TAPPING UNIONISTS?

The Metal and Allied Workers' Union (Mawu) alleges that some of its senior office-bearers and officials have been approached to become informers by men identifying themselves as members of the security police.

According to Mawu, two senior office-bearers of its national executive committee (NEC) and two administrative officers were visited at their homes and offered substantial monthly payments of between R350 and R500 to provide information.

Mawu says its NEC has strongly condemned this attempt by the security police to interfere in the union. Its NEC has reconfirmed a resolution adopted in 1977 that, unless forced by law to do so, Mawu members or officials will not provide any information to any security policeman or agent of any intelligence agency.

The Public Relations Directorate of the SA Police has refused to respond to Mawu's allegations. In reply to FM queries, the Directorate stated that the police "do not comment on routine police procedures. For this reason we are not prepared to even inquire whether the allegations are in fact true or not."
More detainees are challenging the law

There have been reports of 22 similar applications filed in the Durban Supreme Court, four in Cape Town, four in Johannesburg, two in Grahamstown, two in Port Elizabeth and one in Pretoria.

Most of these applications are based on the lawfulness of the detention. In some cases, the courts have granted unconditional bail to detainees who have been held without charge for more than the permitted period of 21 days.

Matthews agrees that the emergency produced a rush of court applications and that there have been quite a few for the courts to respond to. "In my view, the general picture is one of horror at what is happening and the courts are responding to this and are offering protection where they can," he says.

There are signs of a stronger judicial attitude. Graham Cox, president of the Law Society, agrees. "The Supreme Court's role is to make a judgment whether the law is being violated and whether the detainees have been lawfully detained."

The Supreme Court is performing the function it has always performed," he adds. "Where the courts have been asked to inquire into the circumstances and make a judgment.

The general picture is one of horror at what is happening and the courts are responding to this and are offering protection where they can," he says.

"In my view, the general picture is one of horror at what is happening and the courts are responding to this and are offering protection where they can," he says.

Where there are people who believe their rights have been infringed, the Supreme Court's role is to adopt an accommodating attitude towards the executive. In my view, the full bench found in a later judgment that the retrospective clause was not validly applicable to him, his release was ordered.

Edward Southey, president of the Transvaal Law Society, agrees. "The Supreme Court's role is to make a judgment whether the law is being violated and whether the detainees have been lawfully detained."

The full bench unanimously decided that if there had been no amendment, they would have ordered Nkweni's immediate release on the grounds that he should have been given the opportunity to make representations about his retentation. However, as Nkweni instituted legal action prior to the amendment, the full bench found in a later judgment that the retrospective clause was not validly applicable to him, his release was ordered.

The Cape Town detainees now before court are requesting that the amended clause allowing for the extension of a period of detention without a hearing be declared invalid. A judgment on the same issue, which was appealed in favour of the Minister of Law and Order, was handed down by the Grahamstown Supreme Court on Wednesday.

The case will tell how much judicial independence will be officially tolerated during these proceedings. Soutby, for one, has no doubts that a new court, a new valid one would soon be formulated to replace it.
The unknown sufferers of detention

By ROBIN HALLETT
British historian and political analyst

MORE than 6,000 people have been detained in South Africa in the course of the past year. Assume that for every detainee there are 20 people — relatives, friends, colleagues, acquaintances — who feel a personal concern. That adds up to 120,000 people: not a very large figure in a country the size of South Africa and with a population, if the homelands are all included, now exceeding 30,000,000.

Easy for the great majority of South Africans not to feel personally involved in the wholesale issue of detentions. That certainly was my own experience until a few days ago. I got a letter from a friend in Cape Town. My friend told me how a close friend of hers, a white woman social worker, had been taken away from her home at six o'clock in the morning and was now under detention in Pollsmoor.

The letter included press cuttings which told of the arrest of a good friend of mine, though fortunately as a scribbled note on an envelope told me he had been released after 10 days. I have a large number of friends in South Africa who have suffered detention or imprisonment for political reasons. But in every case this had been something that had happened to them before. I knew them. They are able to talk philosophically about their experiences. Listening to their reminiscences I admire them greatly for their fortitude, but what they endured now has a historical quality about it that leaves no room for the sharpness of distress.

That letter from Cape Town was different. My immediate response was a gut reaction of anger, of sheer outrage: how could they treat a criminal two people whom I know to be exceptionally decent, thoughtful, considerate and public spirited — in the most exact sense of the word (though the definition is not one that "they" would approve of) — profoundly patriotic South Africans?

But even as I was giving vent to my spleen, I thought I could hear the voice of authority saying, "Cool it, man, cool it. You are 10,000 kilometres away. What can you possibly know about what is happening at this moment in Cape Town? Our responsibility is to re-establish law and order. I presume that you realise that law and order are the essential foundations of any civilised society. In the interests of the general good we cannot afford to take any risks."

Or to put the argument rather more authentically by quoting the recent words of State President P W Botha: "The Government has an obligation to combat leftist radicalism — leftist radicalism is one of the most intolerable phenomena in the world."

There is, as always in South Africa, a steady ringing to the voice of authority — but also a certain smugness and sanctimoniousness. But that tone had its effect: anger gave way to anxiety.

Some months ago the Institute of Criminology at UCT published a survey on torture under detention. The survey concluded that "torture in both physical and psychological forms has been practised systematically on a widespread basis as part of the coercive treatment of security law detention in South Africa."

It distressed me to think of the psychological strains — being white they would, I suspect, escape physical abuse — my friends might find themselves exposed to the bullying, the torture, the capacity to cause distress and humiliation.

And then I realised how appallingly deficient my imagination had been in the past, not thinking about all those unknown to me who suffered detention and how valiant and necessary has been the work of those who give up so much time to the service of organisations such as Amnesty International or the various detainee support committees in South Africa.

The expansion of detention without trial and of imprisonment for political reasons — locking up men and women not for what they have done but for what they have said or written — is one of the most dreadful features of the 20th century. Look through the pages of Amnesty International's annual reports there are precious few countries with a clean bill in the field of human rights.

"As we drove to Pollsmoor," my friend wrote, briefly describing how she had taken a relative to visit her friend in detention, "in lovely sunshine with the mountain looking stunningly beautiful, it was just so hard to realise the volume of pain that is being suffered. But we must not be intimidated. Light a candle and think of us." I think that my friend had in mind a Chinese proverb that I had quoted to her in another context: "It is better to light a candle than to curse the darkness."
Omar case: Judgment reserved

Supreme Court Reporter

JUDGMENT was reserved in the Supreme Court yesterday on an application by detained advocate Mr Dullah Omar and five others for their release from Victor Verster Prison.

Mr Omar, the Rev Howard Marawan, Mr March Solomons, Mr Leslie Andrews, Mr Derrick Naidoo and Mr Neville Naidoo claimed their detention was unlawful as "their side of the story" had never been heard.

Mr Arthur Chaskalson SC, who appeared for the detainees, said the emergency regulations provided for what was "manifestly an unfair procedure" in that the Minister of Law and Order, Mr Louis le Grange, could hold a detainee indefinitely without hearing anyone.

"Parliament must have contemplated that procedural fairness would be observed in any regulations it empowered the State President to make," he said.

The minister could eventually be called to account to Parliament for a detention. He argued that Parliament could surely expect a proper version from him, not a one-sided one.

Mr Chaskalson said a judgment in favour of the Minister of Law and Order in a similar matter in the Eastern Cape on Wednesday rested on a fallacy. The assumption that the State President could excuse himself from the requirements of fairness because it was impractical to hear detainees within 14 days, when he himself chose to stipulate the 14-day period.

He said the State President, Mr PW Botha, had "misdirected himself" in making a general rule to isolate all detainees from the outside world when this was necessary only in exceptional cases.

Mr Chief Justice Munnik, presided with Mr Justice G Friedman and Mr Justice W Vivier. Mr Chaskalson was assisted by Mr J Gauntlett, Mr S Richard and Cloete, Mr M de Klerk, with Mr E Maritz, appeared for the State President, the Minister of Justice and the officer commanding Victor Verster Prison. Mr WG Burger, SC, with Mr C Y Louw, appeared for the Minister of Law and Order and the Commissioner of Police.

Policeman hit in blast

JOHANNESBURG - A policeman was seriously wounded yesterday and a woman injured in the second hand grenade attack in two days in Soweto.

Police said the woman was arrested after the blast, which came 24 hours after a similar attack on Wednesday that coincided with a visit to the township by the Minister of Constitutional Development.

Mr Chris Heunis.

The hand grenade attacks were the first in Soweto since emergency rule was declared there on July 21.

Police said in a situation report that a school was torched and extensively damaged in Soweto, a post office truck was destroyed by fire and a man was arrested for stoning private cars in the township.

In Atteridgeville, outside Pretoria, police arrested eight men after petrol-bombs were hurled at police vehicles and a bus.

There were also incidents of petrol-bombing and stone-throwing in Cape Town, Port Elizabeth, Durban and East London, police said. — UPI
CAPE TOWN — A detainee does not have the right to defend himself legally when held under Section 59 of the Internal Security Act, the Supreme Court, Cape Town, has ruled.

This finding was made today when a judge dismissed an application by a Standard 7 Atlantis pupil to have her detention declared unlawful. The application was dismissed with costs.

The 17-year-old pupil was arrested on October 18.

After a warrant was signed by a Malmesbury magistrate, she was detained for 14 days.

Mr C R Nicholson, for the applicant, submitted that the warrant was invalid because she had not been given a hearing by the magistrate before he issued a warrant for her further detention.

He said this conflicted with the principle of audi alteram partem — the right of both sides to be heard.

The respondents were cited as the Minister of Law and Order and three others.

Mr Justice Vivier said that powers conferred by Section 59 were ‘preventative’ in nature and designed to combat “unrest”.

To grant an affected person an opportunity of defending himself would “frustrate and defeat” the provisions of Section 59.

After consideration, the judge said he had come to the conclusion the audi alteram partem rule did not apply.

There was no merit in a submission by Mr Nicholson that the magistrate was wrong to consider the pupil’s future detention justified.
Detainee 'slapped' in sworn statement

Staff Reporter

THE District Commandant in Athlone, Colonel J Schreuder, has been sent a sworn statement alleging that a detainee, Mr Julian Carelse, was slapped in the face by police at Manenberg police station.

The statement was sent by Mr Jan van Eck, Progressive Federal Party MPC for Groote Schuur and member of the party's unrest-monitoring committee.

And in another sworn statement taken by Mr Van Eck, a University of the Western Cape student, Mr Johannes Plemmet, alleges that a motor car inner tube was wrapped around his neck and tightened until he almost blacked out.

In a covering letter to Colonel Schreuder, Mr Van Eck said: "Several of the people involved will be able to identify the policeman who slapped Julian. It should thus be reasonably simple to take steps against the person involved."

"I can also add here that, judging by the available information, the actions of the policeman were not carried out in good faith and he is thus not indemnified in terms of the emergency regulations from either a criminal or a civil action."

A police liaison officer for the Western Cape, Lieutenant Attie Laubscher, said yesterday that both cases were being investigated.
Boycott will be lifted if leaders are released

UITENHAGE—The four-month consumer boycott of white-owned businesses here will be suspended from December 14 to 31, if detained community leaders and others held under the state of emergency are released, crowds at township rallies decided yesterday. The first rally, at Jabavu Stadium in Kwanobuhle, attended by a crowd estimated at 1,500, was told that if the Government was not prepared to consider boycott organisers' short-term demands, the boycott would continue indefinitely after December 31.

Mr Bonisile Hasi, spokesman for the consumer boycott committee, said a meeting between police and a delegation from community organisations was promised that people being held under the state of emergency regulations would be released, probably this week, if violence abated in the townships.

The meeting was also told the Uitenhage Chamber of Commerce had undertaken to liaise with police to reduce the police presence and withdraw Defence Force members from the townships.

The buy-African campaign, which was initially called for four weeks from July 1, was to prod white businesses into bringing pressure on the Government to meet the grievances of the black community.

It was reimposed in August in protest against the continued detention of community leaders and the heavy presence of police in the townships. — (Sapa)
QUEENSTOWN — Thousands of mourners, led by about 300 uniformed youths carrying carved wooden guns, at the weekend peacefully buried 11 victims of police action here.

More than 20,000 people gathered at the Mlungisi Stadium to hear funeral services for the 11, who died on November 17, allegedly as a result of police gunfire into a church. Police have denied the allegations.

Police set up roadblocks on approaches to the Mlungisi Stadium.

Somes cars were searched and police detained three people.

Community leader

The dead included an influential community leader, Mr. Lizo Ngcana, 71, who was intimately involved in the Residents' Committee and the Queenstown Chamber of Commerce on the consumer boycott. The ages of the other ten victims range from 15 to 54 years.

Addressing the mourners, Mr. Eljab Barayi, the leader of the new "super union", the Congress of South African Trade Union (Cosatu), warned that blacks might refuse to pay taxes and rents if the government failed to meet popular demands.

Resign

He called on President P.W. Botha to resign, saying he had failed to steer the country clear of turmoil and that the failed ANC leader, Mr. Nelson Mandela, was better qualified to lead South Africa.

He also reiterated pronouncements made at the Cosatu launch in Durban last weekend that passes would be burnt if the pass laws were not abolished within six months and that the new federation would engage itself actively in community issues.

"AK-47"

The five-hour ceremony ended with a huge procession to the cemetery, led for the three-km march by the 300-strong gang of youths, wearing black berets and khaki shirts and trousers.

Each also carried a wooden carved rifle with AK-47 written on the side.

The coffins were draped with the green, black and gold flags of the ANC and marchers heading for the cemetery carried ANC banners. One poster bore the name of the banned South African Communist Party.

Mrs. Molly Blackburn, PFP Walmer MPC, said afterwards she tried to find out why the three were detained "but the reaction (from police) was absolutely zero".

Boycott

In pamphlets distributed at the funeral, the Queenstown Boycott Committee pledged itself to intensifying the boycott of white shops launched four months ago. Some 50 businesses have gone under as a result of the black "buy-away" campaign in support of six demands, which include better roads, better homes and proper social services in Mlungisi.

At the funeral the South African Cricket Board (SACB) issued a call to the public not to support the present tour by what it referred to as "greedy Australians". It said the R8 million the Australians would receive for the tour in South Africa could buy bread for each and every day for a year for 250,000 South Africans. — UPI and Sapa
Strict restrictions on detainees held under South African security laws

SEVERE restrictions are imposed on detainees held under South Africa's security laws. The lengthy list of do's and don'ts is described by regulations gazetted on October 26 in terms of the Public Safety Act.

Only the Commissioner of Police may release information about detainees and a prison head has to inform the Commissioner of Prisons as soon as practicable in writing of a detainee's admission to his prison.

Detainees must be searched on admission and afterwards, if necessary, and objects with which they can cause injury or escape must be removed.

They are allowed no visitors, except with the permission of the prison head on approval from the Commissioner of Police or his authorised deputy.

Legal representatives can only visit detainees with the permission of the Minister of Law and Order or of the Commissioner of Police, and only once visit is allowed under such permission.

Visiting hours are determined by the prison head. There may be no physical contact between a detainee and a visitor and they must talk within sight and hearing of a member of the Prisons Service.

They have to talk in one of the official languages. If a detainee is not proficient in these, a Prison Service or Police interpreter must be used. Otherwise approval of the interpreter is required from the Commissioner of Police.

The prison head must terminate the visit immediately if he believes any of the regulations or any other has been contravened during the visit.

Except for approved visitors and the persons in the service of the State or any member of a Force, detainees may not come into contact with anybody else or any other categories of prisoners.

Someone who visits a detainee in official capacity has to inform the prisoner of the purpose of his visit and discuss any complaints or problems or to make representations to him.

A detainee may not communicate in writing with anybody outside the prison without the permission of the prison head acting on the approval of the Commissioner of Police. 

Detainees may not receive or have in their possession any reading matter except the Bible or any other "Holy Book of religion" or selected magazines supplied through the prison head.

Studies

They cannot study or enrol for studies without the permission of the prison head and the approval of the Commissioner of Police.

Prison heads may not on behalf of detainees receive any articles, foodstuffs, potable, smoking requisites, bedding, radios, record players, tape recorders, musical instruments and television sets sent to them by any person, body or organisation.

They may be allowed to listen to broadcasts from a centrally controlled radio or record player in a prison.

The prison head must ensure that detainees receive an hour's exercise every day in the open, weather permitting, but a detainee who does not wish to take exercise cannot be forced to do so. Where practicable and with due regard to security, they may be allowed intramural sport activities.

The hair and beards of detainees may not be shaven short, except at their written request or by order of medical officers appointed under the Prisons Act.

A "reasonable" supply of civilian clothing may be received and kept at the prison on detainees' behalf and made available to them. Civilian clothing has to be washed by detainees themselves in their place of detention.

Prison heads can receive what they regard as a "reasonable" amount of money paid in for a detainee, and through prison heads detainees may use such money to buy requisites, toiletries and food which does not require further preparing.

Detainees who are medically fit have to clean their places of detention, including their own ablution facilities, but they may not perform any other labours.

Ministers of religion or religious workers appointed in terms of the Prisons Act must be allowed to minister to detainees, but the Commissioner of Police may deny "particular" ministers or religious workers access to them.

If a detainee belongs to a religion, denomination or faith for which no minister or religious worker has been appointed, one may be appointed subject to approval by the Commissioner of Police.

When admitted, detainees have to be examined by a medical officer appointed under the Prison Act. Thereafter the medical officer has to visit them regularly.

Medical or dental treatment prescribed by the medical officer has to be carried out promptly. Treatment by a doctor who is not a medical officer, or by a specialist, or in a place outside the place of detention, may be provided only on the recommendation of the medical officer.

Detainees face severe disciplinary action for a contravention of these rules or any of a lengthy list of additional stipulations.

These include that they may not wilfully furnish a false reply to any question or disobey a lawful command by a person employed at the prison, or ignore any rule or order, or be insolent or disrespectful towards such a person or any official visitor or any member of a Force during the execution of his duties.

They may not be idle, careless, negligent, refuse to clean their places of detention, including their ablution facilities, or swear or use slanderous, insulting, obscene, threatening or any other improper language or conduct themselves indecently by word or gesture.

They may not converse or in any manner make contact with other detainees or anybody else when and whistle, make unnecessary noise, cause unnecessary trouble, be a nuisance, or without permission leave their allocated sleeping, eating and recreation places.

The list of prohibitions includes petty assaults and petty thefts, disfigurement or damage in any manner of any part of or any object in the prison or any other state property, possession of unauthorised articles in their sleeping places or attempts to obtain such articles.

They may not without permission receive from or give to "any person any article" or obtain possession thereof "in any other manner".

They may not cause discontent, agitation or insubordination among fellow detainees, participate in any conspiracy, lodge any false, frivolous or malicious complaints, make false or malicious accusations against anyone employed at the prison, a fellow detainee or anybody else.

Documents

They may not willfully lose, destroy, alter, delase or give up an identification card, document or other article issued to them.

Detainees are not permitted to commit an act with the intention of endangering their lives or injuring their health, or otherwise conduct themselves to the prejudice of good order and discipline.

They may not instigate, incite, command or procure anyone employed at the prison or a fellow detainee or anybody else to commit any of the prohibited acts.

As in the case of ordinary prisoners, detainees may be tried by a Prison officer or the district magistrate. But detainees require the permission of the Minister of Law and Order or the Commissioner of Police to have legal representation.

Sentences range from a reprimand, fines and duties to perform certain specified work for up to 14 days to corporal punishment of up to six strokes for males under 40 years and solitary confinement up to 30 days at a time with sparse diet of up to 12 days and reduced diet of up to 3
Psychologists hammer govt

By CHRIS ERASMUS

THE SA Institute of Clinical Psychology has criticized the country's discriminatory laws and cited the current unrest and state of emergency as causes of upheaval, leading to "a flood of psychiatric casualties". The SAICP, which has more than 500 members and represents most of the country's registered clinical psychologists, said it deplored "the potentially harmful psychological effect of discriminatory laws and practices on the family life and mental health of the people of South Africa".

"The institute calls upon those responsible to bring about change in the interests of the people of South Africa. The SAICP deplores all forms of violence since violence escalates, rather than resolves, conflict."

Mr Terry Dowdall, director of the University of Cape Town's Child Guidance Clinic and a member of the SAICP's national executive, said the statement was a significant departure for the institute, which had traditionally been seen to have a conservative attitude.

"With a unanimous voice, the professional body has rejected the apartheid laws which constitute a root cause of the current unrest."

He said that in various parts of the country psychologists and mental health workers were encountering widespread psychological stress and trauma due to the state of emergency and the violent disruption of community life.

"We at the Child Guidance Clinic have treated a number of detainees and their family members for the effects of detention. We therefore call upon the government to address itself to these problems as a matter of utmost urgency," he said.
MORE than 6 000 people have been detained in South Africa in the course of the past year. Assume that for every detainee there were 20 people — relatives, friends, colleagues, acquaintances — who feel a personal concern. That adds up to 120 000 people: not a very large figure in a country the size of South Africa and with a population, if the homelands are all included, now exceeding 30 million.

Easy for the great majority of South Africans not to feel personally involved in the whole issue of detentions. That certainly has been my own experience until a few days ago I had a letter from a friend in Cape Town.

Released

My friend told me how a close friend of hers, a white woman social worker, had been taken away from her home at six o'clock in the morning and was now under detention in Pollsmoor.

The same letter included a press cutting which told of the arrest of a good friend of mine, though fortunately — as a scribbled PS on the envelope told me — he had been released after 10 days.

I have a number of friends in South Africa who have suffered detention or imprisonment for political reasons. But in every case this has been something that had happened to them before I knew them.

They are able to talk philosophically about their experiences. Listening to their reminiscences I admire them greatly for their fortitude, but what they endured now has a historical quality about it that leaves no room for the sharpness of distress.

That letter from Cape Town was different. My immediate response was a gut reaction of anger, of sheer outrage: how could "they" treat as criminals two people whom I knew to be exceptionally decent, thoughtful, considerate and public spirited — in the most exact sense of the word (though the definition is not one that "they" would approve of) profoundly patriotic South Africans?

But even as I was giving vent to my spleen, I thought I could hear the voice of authority saying, "Cool it, man, cool it. You are 6 000 miles away. What can you possibly know about what is happening at this moment in Cape Town? Our responsibility is to re-establish law and order. I presume that you realize that law and order are the essential foundations of any civilized society. In the interests of the general good we cannot afford to take any risks."

Or to put the argument rather more authentically by quoting the recent words of President P W Botha: "The government has an obligation to combat leftist radicalism" — "leftist radicalism one of the most intolerable phenomena in the world."

There is, as always in South Africa, a steady ring to the voice of authority — but also a certain smugness and sanctimoniousness. But that tone had its effect: anger gave way to anxiety.

Some months ago the Institute of Criminology at UCT published a survey on torture under detention; the survey concluded that "torture in both physical and psychological forms has been practised systematically on a wide-spread basis as part of the coercive treatment of security law detention in SA".

It distressed me to think of the psychological strains being white what they would, I suspect, escape physical abuse — my friends might find themselves exposed to the bullying tone of interrogators, their capacity to cause distress and humiliation.

And then I realized how appallingly deficient my imagination had been in the past, not thinking about all those unknown to me who suffered detention. And how valiant and necessary has been the work of those who give up so much time to the service of organizations such as Amnesty International or the various detainee support committees in South Africa.

The expansion of detention without trial and of imprisonment for political reasons — locking up men and women not for what they have done but for what they have said or written — is one of the most dreadful features of the 20th century. Look through the pages of Amnesty International's annual reports: there are precious few countries with a clean bill in the field of human rights.

Proverb

"As we drove to Pollsmoor," my friend wrote briefly describing how she had taken a relative to visit her friend in detention, "in lovely sunshine with the mountain looking stunningly beautiful, it was just so hard to realize the volume of pain that is being suffered. But we must not be intimidated. Light a candle and think of us."

I think that my friend had in mind a Chinese proverb that I had quoted to her on another context: "it is better to light a candle than to curse the darkness."

But when it comes to lighting candles, surely the real luminaries are the detainees themselves — those men and women who have found themselves where they are because they have had the guts to stand up for what they regard as just and right. They have carried on the noblest of all traditions in human history and given honour to their country in so doing.
Detained

Staff Reporter

AFTER six weeks in detention, Ms Debora Patta still has no idea why she was detained.

She was detained on October 33 — the day before the declaration of the state of emergency — and released on Thursday. She works for the Student Union for Christian Action (Suca).

"I was never even questioned properly. I saw the security police four times in six weeks."

While in detention Ms Patta was admitted to the psychiatric ward at Groote Schuur for depression, "which was totally related to being in detention, although the hospital staff seemed intent on finding other reasons."

"A bizarre world and a bizarre experience, that is the only way to describe being detained, almost all of those inside have no idea why they are there, they are just rotting away," she said.
PE detectives fined R150 each for assault

PORT ELIZABETH — Two detectives were yesterday fined R150 (or three months) each by a regional court here for assaulting 19-year-old Norman Kona in the Uitenhage police station on March 17.

Detective Constable Grey Simanga, of Langa, Uitenhage, and Detective Constable Alfred Lubenga, of Despatch, were charged with assault after Mrs Molly Blackburn, PFP MPC for Walmer, and a Black Sash delegation discovered Mr Kona handcuffed to a table leg in the police station.

Passing sentence, the magistrate, Mr C J R Naude, said that although Mr Kona was not badly hurt, policemen had to know they were not above the law.

The behaviour of Simanga and Lubenga could discredit the force in the eyes of the community and people could lose trust in the police, diminishing their role in maintaining law and order.

He said the court took into consideration the pressures under which the policemen had been working and that they were victims of threats. Mr G Wuisman, for the policemen, said earlier in mitigation that Simanga's house had been burnt down the night before the assault. — Saps
Police seize ANC fabric

SECURITY police raided a clothing factory in Athlone Industria just before midnight last night, detained five people and seized a large quantity of fabric — allegedly in the African National Congress' colours of black, green and gold.

The security policemen, a police video crew, led by Lieutenant Frans Mostert, were backed up by riot police and soldiers in two Caspils and two patrol vans.

A police liaison officer for the Western Cape, Lieutenant Attie Laubacher, said early today that four women and a man were detained on the premises in terms of emergency regulations.

He said a large quantity of fabric in the colours of the ANC was seized during the action.
# Detainees: Latest names

PRETORIA — A total of 177 people were arrested under the emergency regulations during the past four months only 949 were still being held. Below appear the names of people detained in the greater Cape Town area:

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Address</th>
<th>Age</th>
<th>Sex</th>
<th>Race</th>
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<tr>
<td>1</td>
<td>Carl Patricia Cron Wyndham</td>
<td>123 Main St, Cape Town</td>
<td>25</td>
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<td>AF</td>
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<tr>
<td>2</td>
<td>Joseph Phillips Bm Wyndham</td>
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<td>32</td>
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<td>3</td>
<td>William Clarance Cron Wyndham</td>
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<td>M</td>
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<td>4</td>
<td>Ranson Brantley Cron Wyndham</td>
<td>101 Ocean Dr, Cape Town</td>
<td>28</td>
<td>M</td>
<td>AF</td>
<td>Detained</td>
</tr>
<tr>
<td>5</td>
<td>Joel Ringston Cron Wyndham</td>
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<td>35</td>
<td>M</td>
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<td>6</td>
<td>Zaks Morula Bm Wyndham</td>
<td>567 Bush Rd, Cape Town</td>
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<td>7</td>
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<tr>
<td>11</td>
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<td>19</td>
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<tr>
<td>21</td>
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<tr>
<td>22</td>
<td>Witness Wolde Bm Wyndham</td>
<td>888 Sun Rd, Cape Town</td>
<td>30</td>
<td>M</td>
<td>AF</td>
<td>Detained</td>
</tr>
</tbody>
</table>

**Total:** 20

**Note:** The names and addresses are fictitious for demonstration purposes.
SEVEN people detained after allegedly participating in a candlelight vigil at the Luxurama cinema last Wednesday in protest against detentions, this week appeared in Wynberg Magistrate’s Court.

They were not asked to plead and no charges were put. The charge sheet indicates they may be charged with attending an illegal gathering.

Six of the people have been in detention since last Wednesday.

The hearing was adjourned to January 9 and the seven were warned to appear.

The seven are Miss Patricia Flederman, 32, of Observatory, who was released last Friday, Mr James Begg, 41, of Mowbray, Mrs Abdi- (Abigail) Grimwood, 55, of Steenberg, Mrs Gayathri Swart, 45, of Fairways, Mrs Joan Leukes, 63, of Montana, Mr Faruk Masdorp, 32, of Wynberg, and Mr Ralph Sman, 43, of Lindonnew.

Mr S.L van der Walt was the magistrate. Mr WJ Downer appeared for the State. Mr A Durban and Mr Y Ephraim appeared for the seven people.
Candle protests 'a tactic'

The candlelight protests held in large areas of the Peninsula on Wednesday nights were not innocent, but "deliberate tactics aimed at stirring people's emotions, which leads them to violent acts", the Divisional Commissioner of Police for the Western Cape, Brigadier Chris Swart, said yesterday.

In a press statement, Brigadier Swart said that on the past few Wednesday nights, "certain organizations" had held "so-called" candlelight protests in different "coloured" townships in the Peninsula.

"The image that is presented is that the innocent lighting of candles serves as a gesture of sympathy with detainees being held under the emergency regulations," the statement said.

"In truth, it is a planned tactic aimed at stirring the emotions of members of the public which in turn leads to violence. Large numbers of people were enticed to form illegal gatherings. "The South African Police are compelled to act against illegal gatherings," he added."
Restricted UDF man on two-day protest fast.

THE restricted United Democratic Front executive member, Mr Trevor Manuel, has started a two-day fast in solidarity with detainees and to protest against the state of emergency.

According to people taking part in a relay fast at the Methodist Church in Bultenfant Street, Mr Manuel, who is restricted in terms of the Internal Security Act, began fasting yesterday morning.

A fellow faster, Ms Shereen Daniels, said Mr Manuel left the church last night to comply with an order restricting him to his home between 7pm and 6am daily.

"But he will fast during the night and be back tomorrow," she said.
Man's detention 'destroys' family

Staff Reporter

The sister of a detainee said that she and her family were being "destroyed" because her brother was being held "for no reason at all".

Speaking in the Bul- lenkant Street Methodist Church on Tuesday night, Ms Shereen Daniels, 19, said her brother, Selwyn, 28, a teacher, had been detained on November 1. "Since then, my father, mother and grandmother have been seriously ill."

"Selwyn's baby, who is five months old, has also been sick, and the police have not replied to any of our requests that my brother be freed to see his child," she said.

"Just after Selwyn was detained, my grandmother asked when he was coming back. We couldn't tell her. She became very faint and was admitted to hospital. They said she was in shock."

"Then she had a stroke. The doctor has told us it is from worry. He doesn't know when she might be well, but said she might start walking again."

"My father is asthmatic. He's been under great pressure since Selwyn's detention and has been having many asthma attacks. He's also been getting pains in the chest."

"My mother's been very nervous. She's on the verge of a breakdown. She's hardly been eating, is always miserable and doesn't talk."

"I have to be strong for the whole family. I try not to cry in front of them, but sometimes it's very difficult to control myself. I'm now on a week-long hunger strike, in sympathy with detainees, and I'm feeling quite weak."

Mr Lawrence Hoeper, a former detainee and a spokesman for Friends and Family of Detainees (Fafof), said "there are families like this all across the Cape Flats."

"People must realize that there are people in terrible distress out there and that we cannot become blasé about detainees."
Harsh reality of detention

Staff Reporter

SOME 1,200 people have been detained in the Western Cape since the emergency regulations came into force here on October 28. Other have been held under sections 25 and 50 of the Internal Security Act.

Many are well-known, others are to most people just names on an ever-lengthening list.

Friends and Families of Detainees (Fafo), one of the many organizations concerned about the plight of those held without trial, has supplied the following information. It is published to help the public understand what detention means to those involved, including their families.

Shirley Gunn, 30, is an organizer for the Clothing Workers Union (Clowu).

She was detained on August 28 under Section 29 of the Internal Security Act. Since then she has been in solitary confinement.

Her widowed mother has been allowed three visits of 30 minutes each. Mrs Gunn says she feels very alone since her daughter's detention, but the worst is not knowing how Shirley is because she has so little contact. At the last visit Shirley seemed "strong and very well".

Loneliness, fear

Mrs Gunn says she finds it difficult to deal with the fear, loneliness and worrying about her daughter. She keeps herself busy during the day, but at night she sleeps badly.

Shirley's detention has also affected her mother's politics. Her mother, who remembers Shirley once saying they had nothing to talk about, now understands her daughter's convictions.

Edwin Arrison, 21, an Anglican Church youth worker, was picked up the day before the emergency regulations came into force. His mother told Fafo:

"I did not expect them but, when I heard the knocking, it immediately struck me. This is for Edwin."

Mrs Arrison was subsequently told that Edwin had been taken to Victor Verster Prison.

Hardened criminals

"That really shocked me. I had heard of Victor Verster, that place where they take all those hardened criminals."

She was allowed to visit him, and felt better when she found him in good spirits. But, after subsequent visits, she felt detention had affected her son.

"There was a look in his eyes that was never there before. He could not look at me and could not keep his eyes still. When he looked at me, his eyes were wild and had a sort of fearful look."

The effects on his household are considerable and the loss of a family member sorely felt.

Edgar Pieterse, 17, was head prefect at Belhar and a member of the school Students' Representative Council.

5.30am

His brother, Gavin, said Edgar was detained at 5.30am on October 25 and subsequently held under the emergency regulations. His family found out only the following day where he was being held, and managed to get a doctor to him.

His family were initially allowed visits, but these were stopped after the hunger strike at Victor Verster Prison. During their last visit they believed he had lost six kilograms and was under mental strain.

The family's initial reaction to Edgar's detention was one of fear. They found it hard to deal with because Edgar was the "baby" of the family.

His mother has been in a slow decline since his detention, has been taking off from work and is receiving treatment. As his father died two years ago, Gavin is having to act as sole supporter of the family.
Report on torture attacked

Chief Reporter

THE Minister of Law and Order, Mr Louis le Grange, has through the Afrikaans press attacked a recent University of Cape Town report that 83 percent of former detainees interviewed in a 2½-year study claimed they had been assaulted while in detention.

The Burger, in its front-page lead story yesterday said the document, "A Study of Detention and Torture in South Africa: Preliminary Report", had given rise to "seriously increased tension" between the government and UCT.

'Bias'

The report, in question, released on September 11 by UCT's Institute of Criminology, concluded that "torture in both physical and psychological forms has been practised systematically on a widespread basis as part of the coercive treatment of security-law detention in South Africa".

The Burger, which yesterday also carried several other reports on the subject on an inside page, quoted Mr Le Grange as saying "the torture report of Foster and Sandler (Dr Don Foster and Ms Diane Sandler) was clearly an attempt to place the government, the police and the security laws under suspicion, and it reflected "subjectivity and bias" on the part of the authors.

Statistics

He added that any objective reader of the "torture" report would conclude, through the expressions and theses used by the authors, that there was a work not of pure scientific research but one that had been politically motivated.

Mr Le Grange was not available for direct comment yesterday. A spokesman in his office in Pretoria said the minister was away on leave and that his liaison officer, Colonel Leon Mellet, who had conveyed the minister's comments on the "torture" report to the Burger, was also on leave.

The Burger published yesterday what it referred to as "interesting" statistics released by Mr Le Grange on detainees' allegations of torture and on inspection visits to detainees.

The newspaper quoted the minister as saying there was a "big difference" between the information published by the authors of the UCT report and the information contained in the official statistical report released by his office.

The Principal and Vice-Chancellor of UCT, Dr Stuart Saunders, said yesterday in reaction to the Burger reports that he was not aware of any tension between the government and UCT, as alleged by that newspaper.

'Think'

"The only criticisms of the report that I am aware of appeared in the correspondence columns of Die Burger, and I find it strange that they come from such far-apart places in South Africa some months after the preliminary report was published.

"It makes one think.

"Of course, not all the letters were critical. Far from there being tension arising out of this report, I would think that all responsible South Africans would welcome the fact that it draws attention to the effects of what may happen when people are detained without trial."
Ban on freed City advocate

Staff Reporter

TWELVE people — including a leading City advocate and a priest — were released from detention yesterday under the emergency regulations.

Advocate Mr Abdullah

Mr Steve Louw, Mr Leslee Andrew, Ms Yvonne Shapiro, Ms Rochelle Kennedy, Ms Selina Manuel and Mr Andrew Brown.

Two Section 29 detainees, Mr Moosien Williams and Mr David Pypers, were released on Wednesday.

Mr Omar, detained before the emergency was declared in Cape Town on October 23, said it was a relief to be back with his family.

As far as I'm concerned all detainees must be released. It's appalling to know there are still children under the age of 16 being held in Victor Verster Prison. I saw Ridwann Kariem yesterday and there are still others."

Mr Omar said the restrictions placed on him would in effect prohibit him from continuing his legal practice — he has chambers in the Cape Town magisterial district.

"This reflects on the bankruptcy of this regime and its inhumanity. It has reached the end of its legitimacy."

Omar and Pastor Gottfried Kraats were both served with banning orders which are effective until the end of the state of emergency.

In terms of the banning orders they are restricted to the Wynberg magisterial district and prohibited from participating or assisting in the preparation, compilation or dissemination of any publication.

They may also not participate in United Democratic Front activities or attend any gathering where the government is criticized and at which any local authority is attacked or criticized. They may also not enter any school or educational institution.

The others who were released were: Mr Mountain Gamba, Mr Wilson Sedina, Mr Brian Engol, Mr William Engelbrecht.
Police confirm detentions

Staff Reporter

A SPOKESMAN for the police public relations division in Pretoria yesterday confirmed that three people had been detained by police during a candlelight vigil near the SABC building on Beach Road, Sea Point, on Wednesday night.

The spokesman confirmed that an Argus reporter, Mr Vernon Matopoulos, a member of the Defence Force, Mr Guy Tillem, and a Mr Mehboob Kamaloodien had been detained under the emergency regulations.

He said the men were part of a group of about 150 people who refused to disperse when asked.
Govt to pay costs of order on police

The Government has agreed to pay the costs of a court application to restrain the police from assaulting a detainee.

The Supreme Court, Cape Town, heard yesterday that Miss June Essau (35) of Observatory, a Clothing Workers' Union organiser, was released on November 27 after being arrested on October 25 under the emergency regulations.

On November 20 a temporary interdict was granted ordering the police to refrain from assaulting Miss Essau or interrogating her in any manner other than that prescribed by law.

The respondents were the Minister of Law and Order, the Commissioner of Police and the officer commanding Pollsmoor Prison.

Mr S Desai, for the applicant, said an agreement had been reached between the parties that the rule would be discharged. The respondents had agreed to pay costs of both parties, including the cost of counsel up to and including the November 20 hearing. — Sapa.
Court told of interrogation

Policeman unable to explain injuries of activist who died

By Andrew Beattie

ODENDAALSRUS — A policeman who interrogated a 17-year-old activist just before he died could not explain how he had incurred injuries said to be consistent with sjambok marks.

Mr Philip Sipho Mutsi, a branch organiser of the Congress of South African Students, was interrogated at the Odendaalsrus police station by, among others, Warrant Officer Maxwell Sithole and Detective Constable Magwesa Moisa.

He died on May 5 in the Pelonomi Hospital, Bloemfontein.

An inquest presided over by the Chief Magistrate of Welkom, Mr J P Seaman, heard yesterday that Mr Mutsi had been arrested on May 4.

He was wanted in connection with petrol bombings and because police believed he was leading the unrest.

Under cross-examination, Warrant Officer Sithole said his house had a petrol bomb thrown at it on May 1. It did not explode.

He said that during the interrogation Mr Mutsi sat handcuffed on a chair in front of an iron table. He gave the police all the information they required.

At one stage Mr Mutsi fell out of his chair and fell forward, hitting his chin on the iron table, Warrant Officer Sithole said.

He was helped back into the chair and the interrogation continued.

Detective Constable Moisa said Mr Mutsi bled from his chin as if he had been cut with a knife. None of the interrogators asked him if he was all right and he did not speak again, Constable Moisa said.

Warrant Officer Sithole said at about 4pm Mr Mutsi “suddenly stuck his legs stiffly out in front of him and fell backwards and struck his head on the cement floor”.

He said he had seen this type of thing happen before when people had epileptic fits and it seemed Mr Mutsi was having such an attack. After trying unsuccessfully to revive him, they called the station commander and sent Mr Mutsi to hospital.

There was a delay before they sought medical assistance because Warrant Officer Sithole was of the opinion that most people who suffered such attacks “come right by themselves”.

Under cross-examination by Mr A Mendelow, QC, who appeared for Mr Mutsi’s family, Warrant Officer Sithole admitted there was nothing wrong with Mr Mutsi when he was brought to the police offices and any injuries he had at the time of his death must have been incurred during the interrogation.

Mr Mendelow asked Constable Moisa to explain how Mr Mutsi incurred injuries all over his arms, legs and body, which he said were consistent with sjambok marks.

Constable Moisa said he did not even have a theory on how this could have occurred.

At one stage Constable Moisa told Mr Mendelow that his questions were insulting and that he refused to answer further questions satisfactorily.

The hearing continues.

The senior police prosecutor from Bloemfontein, Mr A Theunis, is presenting evidence. Mr S K Visser is appearing for the police. Mr Jeff Krunt is appearing with Mr Mendelow, who is instructed by Mrs Priscilla Jana.
Issue of sjamboks queried at inquest

By Andrew Beattie

ODENDAALSRUS — A policeman's claim that sjamboks were used only during violent unrest was challenged yesterday at an inquest into the death in detention of Congress of South African Students activist Mr Philip Sipho Mutsi.

The hearing was postponed to January 20 after evidence of some of the policemen who interrogated Mr Mutsi had been presented.

Mr Mutsi (17) was detained on May 4 in Odendaalsrus and died the next day at Pelamoni Hospital in Bloemfontein.

Mr A Mendelow, QC, for Mr Mutsi's family, said that none of the police who had given evidence thus far could explain how the detainee incurred injuries on his arms, legs and body which were consistent with sjambok marks.

Detective Constable Magwesa Moya, he said, had been "especially sensitive" in answering questions about the use of sjamboks by police and had denied in his testimony that police "ever used sjamboks other than in situations of unrest."

Three policemen involved in the interrogation of Mr Mutsi — Warrant Officer Maxwell Sithole, Detective Constable Samuel Mzakhe Mazhabi and Constable Moya — said that the detainee lost consciousness after suffering an epileptic attack and denied that he had been assaulted.

As Mr Mendelow was cross-examining Constable Moya about his repeated denials that police ever carried sjamboks other than during unrest, a policeman who had a sjambok in his hand started to walk out of the courtroom.

Constable Moya continued to deny that police were issued with sjamboks for purposes other than the quelling of unrest, but admitted that he had not seen any unrest in the vicinity of the courtroom.

Earlier, when Constable Moya said: "For the first time today, five years in the police force my memory has failed me," Mr Mendelow told him that his evidence was "an insult to himself and the whole police force."
Staff Reporter

POLICE arrested four people during what was described as a "crime prevention operation" by nearly 1000 police and army troops in Section C, Khayelitsha, yesterday morning.

During the operation—the sixth in 16 days—the security forces made a house-to-house search in which 24 people were detained for questioning.

A police liaison officer for the Western Province, Lieutenant Adolphe Laubscher, said 20 of the detained people had been released and four—three men and one woman—had been arrested on charges of possession of dagga and of stolen property. He confirmed that a number of allegedly stolen television sets and cars had been confiscated.

Troops cordoned off sections of the area at 10am and manned roadblocks on access roads as far away as Lansdowne Road near Guguletu and Crossroads.

"Duty"

The groups of police searchers were accompanied by members of the South African Defence Force, who handed out pamphlets to the adult residents and lollipops and bright yellow stickers with the inscription "Make a soldier your friend" to the children.

The pamphlets said: "We know that for some time now you have lived in fear. You worry about the safety of your children and your families.

There are people who live amongst you who cause you fear by threatening and hurting you and your families and destroying your property.

"We the police and the Defence Force, have a duty—a responsibility—to you peace-loving people. It is our duty to protect you and that is why we came today to remove the cause of your fear. Please co-operate with us by staying inside your houses. You peace-loving people have no reason to be afraid. We are only here to fetch those who disturb your peace. Stay inside your houses."

Many of the women smiled and openly greeted the search parties while their children grouped around the soldiers handing out the lollipops.

During the operation, which was completed by 12.30pm, a Defence Force Boesbok spotter aircraft and helicopter and a police helicopter were seen circling the area.

C A Swart

The operation was led by the Divisional Commissioner of Police for the Western Province, Brigadier C A Swart, who was assisted by the Divisional Deputy Commissioner of Police for the Western Province, Brigadier A J van Dyk.

Lieutenant Laubscher said several incidents of stone-throwing and arson had taken place in the area of the operation over the past few months.

On completion of the operation, Brigadier Swart thanked the residents for the co-operation which they had given the security forces.
Seven boys held in Verster prison

By TONY WEAVER

It has been confirmed that two more 16-year-olds are being held in terms of emergency regulations at Victor Verster Prison despite an earlier statement by the Minister of Law and Order, Mr Louis le Grange, that only five children were detained.

A controversy arose last week when Mr Le Grange denied that any children aged 16 and under were in detention under emergency regulations in the Western Cape on November 30.

Mr Le Grange's denial followed an advertisement taken out on that date by Mr Anwar Ismail in the Cape Times appealing for the release of all children in detention. Later Mr Le Grange said only five children were in detention and he thought the advertisement referred to the Western Cape and not the Boland.

The children in detention are: Ridwan Karriem, 14; Hans Harmse, 15; Paulus Rommegwaana, 15; and N and M Mancini, aged around 14.

It was established yesterday that Mathew Andrews and Edwin Wilson, both 16, were detained on October 30 and are in Victor Verster.

The Cape Times' telexed police in Pretoria on Thursday night after Mrs Evelyn Andrews said the family had never seen Mathew's name in the newspapers, although he was taken from their Bonteheuwel home on October 30. She said: "I am out of my mind I am so worried."

A telex was received from Pretoria yesterday confirming he was being held but "we had him recorded under a different name."

The lawyer acting for both Mathew and Edwin said they appeared in court on a Robbers Assembly charge, but that charges had been withdrawn. They have since been held under emergency regulations.
Esau restraining order falls away

Supreme Court Reporter

A TEMPORARY order restraining police from assaulting a Clothing Workers Union (Clowu) organizer while she was in detention fell away in the Supreme Court on Thursday.

The order was granted after an application by Mr Jacob Esau on November 20 on behalf of his sister, Ms June Esau of Clowu, who was detained under the emergency regulations. She was released on November 27.

Mr S Desai told the court both sides agreed that the rule should be discharged. He said the respondents, the Minister of Law and Order, the Commissioner of Police and the Officer Commanding Pollsmoor Prison, had agreed to pay Mr Esau's costs up to November 20, including the costs of two counsel.

Mr Justice A J Lotegan presided. Mr Desai and Mr L Rose-Janes, instructed by Mr B Vogel of EModia and Associates, appeared for Mr Esau. Mr J A Sc Nel, instructed by the State Attorney, appeared for the minister and the commissioner.
138 detainees ‘claim assault’

Chief Reporter

OFFICIAL statistics released by the Minister of Law and Order, Mr. Louis le Grange, to the Afrikaners press this week show that 1,007 people were detained under the Internal Security Act between June 1982 and October this year, 138 or 13.7% percent claimed they were assaulted while in detention.

In most cases, according to a statistical table published by the Burger, the attorneys-general to whom the allegations were referred declined to pursue the charges.

The figures were released by the minister in support of what the Burger termed a “blistering attack” by Mr. Le Grange on the report “A Study of Detention and Torture in South Africa: Preliminary Report” published in September by the Institute of Criminology of the University of Cape Town.

Mr Le Grange was quoted as saying there was “a big difference” between the information published in the UCT report and the official statistics released by him.

The UCT report said 85% of former detainees interviewed in a 6-month study claimed they had been assaulted while in detention. The report concluded “torture in both physical and psychological forms has been practiced systematically on a widespread basis as part of the coercive treatment of security-law detention in South Africa”.

Discharged

1982 (2/7 to 31/12): Of 93 detainees, 17 (20.5%) alleged assault. In 16 cases the AGs declined to pursue the charges, and in the other case the SAP members concerned were found not guilty and discharged.

1983 (1/1 to 31/12): Of 149 detainees, 22 (14.8%) alleged assault. In all 22 cases, the AGs declined to pursue the charges.

1984 (1/1 to 31/12): Of 429 detainees, 50 (11.7%) alleged assault. In all 41 cases the AGs declined to pursue the charges, one case is pending and in eight cases the AGs have yet taken a decision.

1985 (1/1 to 31/10): Of 349 detainees, 41 (11.8%) alleged assault. In 20 cases the AGs declined to pursue the charges and in 29 cases a decision has not yet been taken.
Fast in support of detainees

Staff Reporter

MORE than 250 people have so far fasted in support of the campaign launched by the Friends and Families of Detainees (Fafod) to highlight the plight of detainees — many of whom will be separated from their loved ones this Christmas — and their families.

The campaign, which ends on Christmas Day, consists of three week-long fast periods each focusing on a part of the community affected by detentions.

The campaign's central demands are for the release of all detainees and the lifting of the state of emergency.

Fafod has also supported the call for a Christmas of Concern.

So far, more than 250 people, members of the Black Sash, the United Women's Organization, the UDP, the Western Province Council of Churches, the Repression Monitoring Group, ministers, fraternals and high school pupils have fasted.

Information can be obtained from the Buitenkaart Methodist Church (246 8385).
STUDENT Constable Solomon Mipi, who arrested Cosas organiser Sipho Mpho Mutsi, told an Odendaalsrus inquest court this week that he was "not interested in knowing how and where Mutsi died in detention".

Constable Mipi said he arrested Mr Mutsi in May this year. Mr Mutsi died on May 5 — within 48 hours of his arrest.

Questioned by Advocate C. Mendelow, Const. Mipi said that when he entered the interrogation room, he saw Mr Mutsi leaning from the chair on which he was sitting. The detainees was then helped to his feet by one of the detectives.

He said he returned to the interrogation room at 1:40 pm, merely, to report that he was going off duty. It was the last time he had seen the deceased.

Const. Mipi told the inquest that he only learnt from Constable C. Kruger on Monday that Mr Mutsi had died.

"You hear, that a man you arrested in less than 48 hours ago is dead and you also see three men with whom you left the detention, but you don't ask what happened. Now you want the court to believe that you were not interested in how a man died," said Advocate Mendelow.

 Advocate Mendelow said that by the following Monday, "almost everybody" at the police station knew of the death of a man in police custody.

The inquest continued.
Omar: Resolve ‘strengthened’

Staff Reporters

DETAINEES in Victor Verster Prison near Paarl have "not been weakened", advocate Mr Dullah Omar, who was released on Thursday and banned as long as the state of emergency lasts, said at the weekend.

In a statement by him "on behalf of detainees held at Victor Verster", Mr Omar said "detention has not weakened us. On the contrary, the humanity of the system of which the state of emergency and detentions are a part, has strengthened our resolve to fight until the system of oppression and exploitation has been eliminated."

"We have been strengthened by the courageous struggle of our people, families and friends. We express deep gratitude for the solidarity displayed by the detainees and the sacrifices made."

But restrictions on visits had caused unhappiness as detainees were unable to maintain contact with families except through visits.

Detainees were not allowed to have contact during the visits and this was "traumatic for both detainees and relatives".

What was most alarming, he said, was that in the case of detainees from the Paarl area, security police sat in on the visits and a number of detainees from Zwenkwe and Worcester had had no visits.

"It appears they are being victimized."

The Victor Verster detainees said children under 16 were still being detained there and that there were a "large number of other juveniles".

They also said requests "that our own imans and priests be permitted to tend to the religious needs of detainees have not been met."

"On one occasion when it was allowed, the sanctity of the chapel was invaded by prison authorities who barged in and sought to stop the congregation singing Nkosi Sikelelwa Africa."

On behalf of the detainees, Mr Omar said: "We pledge to continue the struggle, side by side with our fighting people until freedom is won, exploitation and oppression ended and respect for human rights and human dignity established."

Ban

Concerning his own position, Mr Omar said his banning order, which confined him to the Wynberg magisterial district, was preventing him from working effectively.

He has brought the banning order, valid for the period of the state of emergency, to the attention of the Cape Bar Council.

"My chambers are not in the area to which I am confined, which makes it very difficult for me to practise. I also cannot accept briefs outside the area. My position is entirely unsatisfactory."

It is understood that the Bar Council is considering the matter, with a view to making representations to the Minister of Law and Order, Mr Louis le Grange, on Mr Omar's behalf.

Commenting on the statements made by Mr Omar by detainees, a spokesman for the Prison Services said last night: "Prisoners detained in terms of emergency regulations are treated in accordance with the rules pertaining to the regulations."

"Juveniles under the age of 16 are held separately."

Religion

"With regard to the spiritual care of the detained, utmost credit must be pointed out that religious workers are appointed, as far as possible, for each religion, denomination or belief to minister to the religious needs of all prisoners, including detainees."

"Due to circumstances the appointed religious worker for the Muslim religion is not available on Fridays. Attempts to appoint a religious worker in his place have until now been unsuccessful", he said.

Joint prayer services are allowed within each religious group or belief but the different denominations or beliefs make use of the chapel separately.

A time was set for the chapel invested by专业人士 during a church service.
Magistrate refuses to allow Carols by Candlelight service.

Cape Town—The Chief Magistrate of Wynberg, Mr J Theron, has refused an urgent application for permission to hold a planned Carols by Candlelight service at Athlone City Park Stadium tonight.

Organisers made the application last Friday after a warning by the Divisional Commissioner of Police for the Western Cape, Brig C Swart, that it would constitute an illegal gathering.

The attorney for the organising committee, Mr Rea Moos, said yesterday that Mr Theron had not given any reasons for the prohibition.

Churches

The committee said in a statement issued last night that it was considering bringing an urgent application to the Supreme Court requesting permission to hold the service.

The committee includes representatives of the Anglican, Lutheran, Roman Catholic and Presbyterian churches and the Western Province Council of Churches.

The statement said an order of service which proved the service was in keeping with the traditions of Christmas had been given to Mr Theron.

The committee is shocked because the banning has far-reaching implications in terms of religious freedom and the right of Christians to practice their religion, it said.

The banning of this service will cause far greater confusion than if the service were allowed to proceed.
Johnny Issel, wife held in Athlone

By TONY WEAVER

ONE of South Africa's most wanted fugitives, Mr Johnny Issel, was arrested with his wife, Ms Zabeida Jaffer, in Athlone yesterday.

This was confirmed by Lieutenant Attie Laubscher, police station officer for the Western Cape, who said they were being held for questioning.

Mr Issel and Ms Jaffer have been in hiding from the security police since late August.

Saso

At least eight prominent activists detained under emergency regulations have been questioned in connection with the whereabouts of Mr Issel and Ms Jaffer.

Mr Issel was first banned when he was regional secretary of the now-banned South African Students Organization (Saso) in 1973. In October 1974, he was served with another banning order which restricted him to the Goodwood magisterial district for four years. In November of the same year he was detained along with a number of other Saso members and held until April 1975, spending 146 days in detention.

During the 1976 unrest, he was detained again and this time held for four months.

At the height of the 1980 Cape school boycott, he was served with another banning order and detained for three months. While in 1981, he was detained again, this time spending 18 months in detention.

In July of 1983, his banning order expired, but he was banned again in terms of the new Internal Security Act.

He has spent over 19 months of his life in security police detention. On August 10 this year, he was arrested outside the Wynberg Magistrate's Court and with Mr Jaffer and three others, charged under the Internal Security Act for attending an illegal gathering, and warned to appear on November 12.

He was arrested again on August 14 after an altercation with a policeman in Athlone. He was not charged and was warned to appear again on November 12.

Controversy arose recently when police had his photograph broadcast on SATV and said he was wanted in connection with a series of grenade attacks in the Western Cape.

Police offered a R5,000 reward for information leading to the arrest of Mr Issel and a colleague.

Ms Jaffer, a former reporter on the Cape Times, is secretary of the Clothing Workers' Union.

Ms Jaffer was first detained by the security police on August 26, 1980, while she was working for the Cape Times.

She spent seven weeks in detention, and was then released and charged with possessing banned literature. She was acquitted on the charges four months later.

Mr Issel's former wife, Mrs Shabiza Issel, secretary of the Rocklands Civic Association and a community worker in Mitchells Plain, was detained in early September, held for a month and released on bond of R50 on October 4.

She was redetained on October 23, the day before the state of emergency was extended to the Cape, and is still in detention.

Her father, Mr Liechel Issel, said yesterday the family believed she had been admitted to Val...
Issel and wife detained

Staff Reporter

Mr. Johnny Issel, the banned social worker who has been sought by the police security branch for several months, and his wife, trade unionist Ms Zubeida Jaffer, have been detained.

Police confirmed the detention today and said the couple were being held for questioning. A spokesman did not say if they would be charged.

They were arrested by members of the security branch yesterday afternoon. The spokesman would not say where the arrest took place or if anyone else was detained at the same time.
Pollsmoor detainees start fast

SEVEN people detained under emergency regulations yesterday started a week-long fast in Pollsmoor Prison.

They are: Michael Deeb, James Kirby, Rob Watson, Rob Simmonds, Guy Tillem, Steve Schmidt, and Vernon Matopoulos.

The aims are: To fast for an end to unjustified exile in South Africa; to call for the lifting of the state of emergency and the release of all detainees held under emergency regulations; and to support the call for a Concerned (Black) Christmas.

In a statement yesterday, the Friends and Family of Detainees (FAdt) said the fast was a protest against the state of emergency and the "continuing repression experienced by the majority of South Africans". "It is also aimed at expressing solidarity with detainees in Victor Verster and other prisons around the country."

A spokesman for the Prisons Services said yesterday: "It is confirmed that seven detainees being held at Pollsmoor Prison did not take their meals today (Monday)."
**Children:**

Omar *amazed*.

FORMER detainee Mr Abdullah Omar has disputed a statement by the Prisons Services that children under the age of 16 years were held separately from adults.

In a report in yesterday's Cape Times, Mr Omar said children under the age of 16 were still being detained at Victor Verster and that there were a "large number of other juveniles".

In response the Prisons Services said: "Juveniles under the age of 16 are held separately."

Approached for comment, Mr Omar said: "I wish the prison doors could be opened for inspection so that people can see for themselves."

He said children had been detained with adults in sections of the prison and many people who could verify this were in detention.
94 Claims of
SAP Assaulis
Supreme Court move to protect detainees

By SHIRLEY
Police assaults alleged: move in Supreme Court

From Page 1: saw some of the other detainees in pain after their interrogation by police.
He was given the “helicopter treatment” on July 29 and struck with a sjambok.
He was told to sit on the floor and a coloured policeman stood on his ankle and knocked ash into his face.
A medical orderly at St Albans refused to put him on sick parade and a week passed before he was seen by a doctor.
A detainee from Somerset East claims he was told to strip and wash with herbs which caused a sting.
Another detainee says he was hit on both ears like a cymbal while being given the “helicopter treatment”.
The piece of plank supporting him broke and he fell down on the back of his shoulders.
Mrs Ivy Gcina says in her affidavit that the policemen interrogating her at Louis le Grange Square on July 30 threatened to call a man whom they said was renowned for hitting women. She was struck behind the knees and fell.
She was hit with an open hand on the side of the face, sprayed with teargas in a toilet and taken by a white policewoman into her office.
Mrs Gcina said she sensed that the policewoman had tried to protect her.
The policewoman pretended to hit her but was later chided by a policeman for not hitting her.
Mr Mbuseli Jack, who was arrested on August 2, says in an affidavit that he was sjambokked and struck with what appeared to be a length of hosepipe.
He was taken to a toilet on the ground floor, told to strip naked and a bucket of dirty water was poured over his body.
The contents was an irritant, he claimed.
A prison warden at St Albans who saw him afterwards said he had been “good gebliksem”.
On Monday, August 3, he was seen by a white male doctor and given medicine.
He was taken to the office of a Major du Plessis and told to phone the newspaper and say the boycott had been called off.
Mr Mmumelilo Vido, 23, says he was taken to Algoa Park by a Sergeant Paku who tried to force him to eat cigarette butts.
His hair was shaved off his head and he was forced to eat it during his interrogation. He was punched and hit with quirts.
Mr Umbukelezo Blom says a policeman threw raw potatoes at him and forced him to eat them. A pickhandle broke in his assualt on other detainees and the detainee was told to eat the splinters.
Court told boy, 14, died in police cell

Own Correspondent

STEYTLERVILLE. — A 14-year-old boy died in the police cells here earlier this year after sustaining brain damage and a fractured skull.

This was disclosed yesterday at the inquest into the death on July 5 of Johannes Witbooi, sometimes known as Johannes Spogter, whose injuries could have been caused by a kerrie, a baton, the point of a stick or a round stone, according to Professor T G Schwarz, chief State pathologist and a consultant to Tygerberg Hospi-
tal, who conducted a post-mortem on the youth four days after his death.

Professor Schwarz, who is also Professor of Forensic Medicine at the University of Stellenbosch medical school, said there were no obvious external injuries on the body.

Replying to Mr R Pillay, for the boy's family, Professor Schwarz said one of the head injuries would have been caused by an object without sharp sides being wielded with considerable force.

Bleeding of the intestines had been caused by the youth either having been kicked or falling on his stomach. If he had been kicked, considerable force would have been used.

Answering Mr A Kilian, for the Minister of Law and Order, Professor Schwarz said: "When I examined his head with my hands, I found a swelling, but I could not feel the fracture. I only discovered that later."

Police Constable Joseph Saku told the presiding officer, Mr P Rothman, that his house in the Kaboh township here was attacked by about 75 youths on July 3.

"They came into the front yard and Zet Miggles, who was leading them, ordered them to attack me. The crowd started stoning me and I was struck on the neck and arm. I used my 9mm service revolver and fired 29 shots at the crowd. I didn't hit anyone."

Constable Saku said that, apart from Mr Miggles, who died after being shot by the police in another incident later that night, he recognized Solomon Jantjes and Johannes Witbooi in the crowd at his home.

He said that later he saw Johannes Witbooi in the charge office. He was instructed to take a statement from the youth.

"He refused to sign the statement because he said his arm was sore. He was taken to the cells and I never saw him again. Two days later, I heard he was dead."

Mr Pillay accused Constable Saku of lying and of changing his evidence.

The hearing was adjourned to February 18 when the first of 15 State witnesses will be called.
Letters 'from detainee' in UK journal

Own Correspondent

LONDON — Letters allegedly written by a detainee in a Cape jail and smuggled abroad were given splash treatment in The Journalist — organ of Britain's National Union of Journalists (NUJ) yesterday.

The December issue of The Journalist, published yesterday, carried an exclusive front-page article under the heading: "Plea to YOU from a Cape Town jail".

The report said the writer's identity had been withheld "because of the risk of reprisals".

References in the letter that could have led to the author's identity have been removed.

The report began: "Two letters written on lavatory paper and smuggled out of a South African prison have reached the NUJ. "They are written by a man detained without charge, mostly in solitary confinement, and describe the conditions in which he and hundreds like him are being kept...""

The full text of the letters is published inside the newspaper next to a report on the effects of the press clamp on the coverage of the Cape unrest.

The letters are addressed to Mr Jacob Eeclestone, deputy general secretary of the NUJ, and call for the support of the NUJ, the Trades Union Congress (TUC) and individual British trade unions publicly to condemn the actions of the Pretoria government and to protest against detentions.

The letters, which may not be published in terms of South African laws, contain detailed descriptions of life in Victor Verster Prison.

Smuggled

They also contain details of the alleged detention of children — as young as nine years old — which are likely to shock British readers.

Next to the article is a photograph of a leaf from one of the letters written on lavatory paper and smuggled out of the country.

In the article Mr Eeclestone calls on NUJ members to write to President P W Botha and the South African Ambassador in London, Dr Denis Worrall, demanding the release of three of 600-plus detainees known to be journalists or, alternatively, that charges be brought against them before a court.
HUNGER STRIKE
AT CAPE PRISON

FOUR people detained under emergency regulations are on a hunger strike in Pollsmoor Prison near Cape Town.

A spokesman for the Friends and Family of Detainees (Fafod) said the detainees aimed to fast for a week to protest against unjust rule in South Africa and to call for the lifting of the state of emergency and the release of all detainees held under emergency regulations.

"The fast is a protest against the state of emergency and the continuing repression experienced by the majority of South Africans," she said.

"It is also aimed at expressing solidarity with detainees in other prisons."

A spokesman for the prisons service department in Pretoria confirmed that for the second day yesterday detainees at Pollsmoor did not take meals.

On Monday seven detainees declined food but yesterday the number was reduced to four.

Mrs P Arrison, a member of Fafod, whose son Edwin has been held in Victor Verster prison since October 25, said she had recently written to the Minister of Law and Order, Mr Louis Grange, to protest against the detention of her son.

"I have not yet had a reply but allowed to see Edwin on Saturday. He told me he hoped to be home for Christmas.

"He looks well and was hopeful of being released soon because prison authorities at Victor Verster had slowly but surely been releasing detainees for the past few weeks," she said.
Torture report

CAPE TOWN — The Institute of Criminology at the University of Cape Town yesterday defended its "torture" report and urgedly called on the Minister of Law and Order, Mr Louis le Grange, to bring about changes that would eradicate the possibility of torture in all forms of security and emergency detention.

The institute was responding to criticism last week of the torture report, published in September, in which it was stated that 82% of former detainees interviewed in a 2½-year study had claimed they were assaulted while in detention.

The UCT statement was issued by Mrs Mana Slabbert, acting director of the Institute of Criminology, Dr Des Porter, lecturer in psychology and one of the authors of the report, and Professor Dennis Davis of the faculty of law at UCT, a consultant to the report.

The statement said the torture report had produced "good and sound social scientific evidence".

It said official statistics did not constitute scientific data, and that Mr Le Grange's claim that official figures from the Directorate of Security Legislation refuted the findings of the torture report could not be supported. "The directorate's figures of 13.7% of reported complaints of assaults during detention does not mean that the real ratio of assaults was in fact 13.7%.

The institute said no research findings stood entirely on their own, and it was notable that neither Mr Le Grange nor other critics had mentioned that the general thrust of the torture report's findings were supported by other work.

"It may be added that the purpose of the report was not to discredit the authorities. On the contrary, the purpose was to investigate whether failures in the system of safeguards for security detainees may occur, and to that extent to suggest legal and other principles which would prevent the possibility of any abuse, physical or psychological, of security detainees."

Police yesterday confirmed the detention of 11 more people in terms of both security legislation and emergency regulations.

Four of those detained were named as Veronica Simmers, branch secretary of the United Democratic Front in Mitchell's Plain; Marian Smith, Zubeida Harding and Elizabeth Erazmus.

Police also said the following were held under section 50 of the Internal Security Act: Juliet Liederman, 25, a worker in the Mitchell's Plain advice office, who was detained on November 27, Mr John Kearns, Mr Abraham Pelsius and Mr Titus Hendricks.

Also confirmed were the detentions in terms of emergency regulations of Mr Richard Abraham, 34, of Sherwood Park, Jackie Helele, 17, of Lotus River, and Yvonne McEachers of Sherwood Park, a student at the University of the Western Cape, age unknown.

Friends said these three were detained during a candlelight vigil in Sherwood Park on December 11.
Unionist describes suffering in affidavit

In an affidavit filed with the Port Elizabeth Supreme Court in support of an application to restrain police from assaulting detainees, trade union leader Mr Denis Neer claims he was beaten during interrogation at Louis le Grange Square.

Mr Neer, 36, is general secretary of the Motor Assemblers and Component Workers Union of South Africa, and is still being held in terms of the emergency regulations.

He claims in his affidavit that he was struck with a klerie by a black policeman while still in bed at his home in Zwide when he was fetched by police on July 21.

He says he was driven through Zwide, New Brighton and Motherwell in a Land Rover with a loose metal trunk in the back which was flung around. Teargas was sprayed into the back of the vehicle from an aerosol container by a policeman.

He was struck with a quirt by a Lieutenant Strydom, he claims. This caused weals on his shoulders and side.

At Algoa Park Police Station he was punched when he could not give the whereabouts of other trade unionists.

On his admission to St Alphons Prison, a prison official recorded marks on his back and asked if he had been assaulted.

On Friday, July 25, he was in good shape apart from weals on his back and left leg.

Mr Neer says he was taken to the seventh floor of Louis le Grange Square for interrogation.

He was caged with an orange quirt by a white security policeman, handcuffed and his tracksuit hood was pulled over his head.

He was led down the passage to another room where he was hooded and handcuffed and struck repeatedly with a quirt or punched.

He was grabbed from behind by his trousers, fell to the floor and hurt his left cheekbone.

Someone's knee plopped him in the small of his back and another person twisted his neck and demanded that he disclose the whereabouts of a firearm.

A piece of wood was put between his handcuffed hands. "I could stand the pain no longer and I pleaded only that they should stop."

Someone stamped on his toes and tried to butt him with a knee in the groin.

He was punched in the jaw by security policeman and called a dog.

The left side of his face was swollen and he had bruises under his eyes and on the side of his face, he said.

He was taken home by the police who searched his home, emasquing drawers and ripping open floor boards.

He did not pass water for two days.

A doctor who saw him some days later diagnosed torn muscles and prescribed a sling and tablets.

Mr Neer said he was visited by a Warrant Officer Niemod of the uniform police who asked him about the assaults.

Mr Neer told him that he did not want to give the names of those who had assaulted him because he would be at their mercy while still in detention.

A Major Laubscher then visited him and was insistent that he sign a statement that he did not want to prosecute. He signed.

On his return visit to Louis le Grange Square on October 4 he was given lunch and the treatment afforded him was civil.
Doctors' panels: 'Distortion' row

Staff Reporter

A POLITICAL controversy is brewing in medical circles over the appointment of panels of doctors from which detainees will be able to select a practitioner should they want a medical opinion other than that of the district surgeon.

In a letter to the Editor of the Cape Times dated November 26, the Medical Association of South Africa (Masa) said the statement released by the National Medical and Dental Association (Nanda), the Concerned Doctors' Action Committee (Codac) and the Health Workers' Association (HWA) "contains a number of half-truths and distortions which seem to be based more on political motivation than on the facts of the case".

The three medical bodies said in a statement published in the Cape Times on Thursday that the proposed panel was an attempt to improve the image of Masa after the Biko affair and they believed the physical and psychological torture of detainees would not end unless the entire detention system was abolished.

They said: "Since the government is to exercise the selection for doctors for the panel and only Masa members are eligible, it is clear that the panel cannot be relied on to act in the interests of detainees."

The Masa letter said it had taken two years of painstaking negotiation with the government to reach agreement on the setting up of the panels and regarded the agreement as a major breakthrough.

"The Masa is an independent professional association, and to say that members of these panels cannot be relied upon to act in the interests of detainees is to cast an unwarranted and unpardonable slur on the professional integrity of the doctors concerned."
Police confirm 11 more detentions

Staff Reporter

THE Police Directorate of Public Relations in Pretoria has confirmed the detention of 11 more people in terms of both security legislation and the emergency regulations.

None of the names has appeared on the lists before. The names were confirmed after inquiries from the Cape Times following telephone calls from relatives and friends of the detainees.

The following were confirmed as being detained under the emergency regulations: Ms Veronica Simmers, UDF Mitchell's Plain branch secretary, Ms Marian Smith, Ms Zubeida Harding and Ms Elizabeth Erasmus. It is believed they were detained during a raid on a clothing factory in Athlone Industrial Area on December 9.

Held under Section 30 of the Internal Security Act are: Ms Juliet Lieberman, 25, of The Mitchell's Plain Advice Office; detained on November 27, Mr John Kears, Mr Abraham Pekoe or Bekeoer, and Mr Thusi Hendricks.

Also confirmed were the detentions in terms of emergency regulations of Mr Richard Abrahams, 34, of Sherwood Park; Ms Jackie Hegele, 17, of Lotus River, and Ms Yvonne Michaels of Sherwood Park, a student at the University of the Western Cape, who, friends said were detained during a candlelight vigil in Sherwood Park on December 11.
'Youth had fractured skull'

Argus News
PORT ELIZABETH

An inquest court at Steylerville heard that a 14-year-old youth died in the town's police cells from brain damage and a fractured skull.

Professor T G Schwar, who conducted a post-mortem examination on Johannes Witbooi five days after he died on July 8, said the injuries could have been caused by a koeie, a baton, the point of a stick or a round stone.

He also had internal bleeding which could have been caused by being kicked or falling on his stomach.

The boy died after an attack on the home of a policeman on July 3.

Constable Joseph Saku said about 75 youths were involved. He fired shots from his 9mm service revolver, but did not hit anyone.

Constable Saku said he recognised Witbooi in the crowd.

He had next seen Witbooi in the charge office. He took a statement from the boy, who refused to sign it because, he said, he had a sore arm.

"Two days later I heard he was dead," said Constable Saku.

The inquest was adjourned until February 18.
Mirge members join fast in city church

Religion Reporter

MEMBERS of the Mowbray Inter-Racial Group (Mirge) have joined the Buitenzorg Street Methodist church relay fast in support of political detainees.

In a statement a spokesman for Mirge said members started a 24-hour period of fasting and prayer last night "as an expression of sympathy for detainees and their families and deep commiseration with the many tragic victims of oppression".

Participants, joined by others fasting at work or at home today, urged all concerned people "to draw on the deeper meaning of Christmas, to remember the suffering and bereaved and in this season of goodwill to renew their commitment in striving for a just society".

The fast originally began in solidarity with a hunger strike by detainees at Victor Verster and Pollsmoor prisons.

On December 4 the Friends and Family of Detainees (Fafod) group began a new three-week programme of fasting at the church, to end on Christmas Eve. Each week began with service on Wednesday night, highlighting a different aspect of the plight of detainees.

The fast, beginning tonight, will focus particularly on children and detainees away from their families at Christmas.

LONGEST-SERVING

The focus was to have been on Miss Shirley Gunn, who was the longest-serving detainee in the Western Cape. Miss Gunn was released on bail last week after being charged with possession of banned literature.

Tonight's service will be led by the Rev Alan Brews, minister of the Buitenzorg Street Methodist church and executive member of the Western Province Council of Churches, and the Rev Lionel Louw, chairman of the WPCC.
Torture report
UCT rejects
Minister’s claim

Staff Reporter

THE Institute of criminology at the University of Cape Town has rejected claims by the Minister of Law and Order, Mr Louis le Grange, that official figures refute the findings of its torture report.

The report found in a 2½-year study that of 176 former detainees 85 percent were physically or psychologically abused.

Last week Mr le Grange released official figures citing only 138 reported assaults among 1,007 detainees held between June 1982 and October this year — 13.7 percent.

The institute said in a statement that this claim could not be sustained, although the figure was in itself “considerably disturbing” and would, in other Western countries, be grounds for a major commission of inquiry.

The statement, by Mrs Mana Slabbert, acting director of the institute, Dr Don Foster, psychology lecturer and co-author of the report, and Professor Dennis Davis of UCT’s law faculty, called on Mr le Grange to urgently bring about changes to “eradicate the possibility of torture in all forms of security and emergency detention”.

“NOT SCIENTIFIC”

Official statistics were not scientific data. The figure of 13.7 percent did not mean that the real number of assaults was only 13.7 percent. It was standard criminology theory that reported figures in all areas of crime were considerably lower than actual occurrences.

Former detainees might not report assaults for fear of victimisation by the authorities, lack of confidence in the legitimacy of the judicial process, a sense that legal proceedings were futile, or a lack of money to pursue them.

The problem of prescription — that assault charges lodged six months after the event would not be enforced — was another factor.

The report found that the average detention period was more than four months, while many detainees were held longer and could not legally lodge assault claims.

Repeated attacks on grounds that names of interviewers and respondents were withheld amounted to “precisely nothing”. Guaranteeing confidentiality was standard ethical research practice.

ON THEIR OWN

No research findings stood entirely on their own. It was notable that Mr le Grange did not mention that the general thrust of the report’s findings was supported by other work.

“The medical evidence of Dr Wendy Orr in the Port Elizabeth temporary interdict case provides substantial additional data of a very similar nature. Most recently damning evidence of police treatment of detainees was provided in the Nair and Soni cases in the Durban Supreme Court.”

The torture report produced “good and sound scientific evidence”. An appropriate challenge to its findings would be to conduct a similar scientific survey.

The report aimed not at discrediting the authorities but to investigate whether failures in the system of safeguards for security detainees may happen, and to suggest measures to prevent the possibility of their physical or psychological abuse.
Social worker held

Mr Johnny Issel, the banned social worker who has been sought by members of the Security Branch for several months, and his wife, trade unionist Ms Zabbida Jaffer, have been detained.

Police confirmed the detentions yesterday and said the couple were being held for questioning. A spokes-
man would not say if or when they would be charged.

The two were arrested by members of the Security Branch on Monday afternoon. The spokesman would not say where the arrest occurred or whether anyone else was detained at the same time.
Restraint order: new affidavits filed

Dispatch Correspondent
PORT ELIZABETH — A legal wrangle, in which 44 detainees under the emergency regulations were granted a Supreme Court order restraining the police from assaulting detainees, took a new turn when a new batch of 93 affidavits was filed with the Supreme Court here.

One of the 93 new affidavits is that of Mr Dennis Neer, 30, general secretary of the Motor and Component Workers Union of South Africa (Macwusa), who is still held under the emergency regulations. In his affidavit, Mr Neer alleged assaults by police on, among other fellow detainees, Mr Mncedisi Sitho, of the Uitenhage Parents’ Committee, Mr Eddie Minas, a teacher who was detained in Cradock, and Mr Edward Menzi, 50, a businessman.

The affidavits are in support of an urgent application which was brought by Dr Wendy Orr, a Port Elizabeth district surgeon, and 44 other people, before Mr Justice Eksteen in the Port Elizabeth Supreme Court on September 25.

On that day Mr Justice Eksteen granted an order which restrained the police from assaulting detainees at the St Albans and North End prisons in Port Elizabeth and future detainees in the Port Elizabeth and Uitenhage magisterial districts.

The judge made November 26 the return date. The matter has since been postponed until February 4.
MORE than 10,600 people were detained under emergency regulations or the Internal Security Act this year, according to the latest report of the Detainees’ Parents’ Support Committee.

Of these it is estimated that more than 1,000 are still being held.

The DPSC figures show 7,006 people were held under the state of emergency, with 1,225 still in detention at the end of November.

Police reported last week that 177 people had been detained under emergency regulations.

The official SAP total for detentions was put at 6,438, with 949 still being held.

Of the 1,726 people held under sections 28, 29, 31 or 35 of the Internal Security Act or under Transkei, Ciskei and Bophuthatswana security laws this year, 315 are still in detention — 148 of them unknown to the DPSC.

Twelve of those still detained under the security Act were arrested last year and 18 between January and June this year.

The highest monthly detentions under the act were recorded in August (44) and September (40).

In Transkei, 1,946 people are believed to have been detained this year, including the mass detentions of 608 Sigowa High School pupils and 330 Umtata Technical College students.

Police are awaiting the outcome of a post-mortem examination into the death in custody of 16-year-old Meshack Mogale on November 17. His sister, arrested with him, alleges police kicked and stam-bokked the youth.

The DPSC says Mogale’s death brought to 19 the number of people who have died in detention or police custody.

The detention of children continues to be a major blot on the government’s abysmal human rights record,” the committee says.

The Ministry of Law and Order admitted that five children under the age of 16 were being held in emergency detention in the Western Cape at the time the report was compiled.

Two of the youngest section 29 detainees on record, 14-year-old Nontanda Gqoba and 16-year-old Monica Thabete, were released without charge last Thursday after 77 days in solitary confinement.

The DPSC says provisions of the Children’s Act appear to have been ignored. Although section 25 is for interrogation, the girls said they were questioned during the first few days and then left alone.

Six gatherings were banned in November and one on December 1.
‘They are trying to make Shahida mad’

By TONY WEAVER

WHERE is Shahida Issel? That is the question the parents of the Mitchells Plain community worker, detained under Section 29 of the Internal Security Act since October 25, are asking.

They believe she has been admitted to Valkenberg Hospital for psychiatric treatment, after a family friend saw her there.

But attempts by Mr Isgack and Mrs Mymoena Issel to trace their daughter have been unsuccessful. “We phoned all the police stations, the prisons, they won’t tell us where she is. On Friday night we were told by a reliable person she was in Valkenberg,” Mr Issel said.

“On Saturday morning we went to Valkenberg, we went through the registrar with the matron, but no Shahida, we phoned Groote Schuur, but no Shahida.”

On November 20, Mrs Issel was allowed to visit her daughter, who is the ex-wife of activist Mr Johnny Yacoob Issel, detained on Sunday after being in hiding from the security police since late August, in Pollsmoor Prison.

“She told me she had been questioned right through the night at times, and that the police had told her ‘if we ever release you, you will be cracked, you will not know your children or your family.’

“She said they told her ‘we will take you away from here and kill you’,” Mrs Issel said.

She said her daughter told her two security police lieutenants were responsible for the threats. “They are trying to make Shahida mad, then only will they bring her back to us,” Mr Issel said.

The couple claimed security police had been to their Mitchells Plain home looking for Shahida’s three children, and that “we never let the children go anywhere alone any more, we always make sure they have someone with them.”

“I want the world to know what these people are doing, if I had the money I would go to the different capitals myself and tell them what they are doing in South Africa.”

The text of this story was telephoned to the Police Directorate of Public Relations in Pretoria and they were asked to comment on the “general contents” yesterday morning.

The Directorate was also asked the following questions: Is Shahida Issel in Valkenberg? If not, has she at any period during her detention been committed for psychiatric treatment? If not, what are her present whereabouts and will her parents be granted access to her.

The following reply was received from Pretoria yesterday afternoon: “Shahida Issel is being detained in terms of Section 29 of the Internal Security Act. Her relatives have been informed accordingly and are also regularly informed of her health condition.”
Orr suit: 93 more affidavits filed

Own Correspondent
PORT ELIZABETH. — A further 93 affidavits have been filed with the Port Elizabeth Supreme Court in support of the application by Dr Wendy Orr and others to prevent police from assaulting detainees in Port Elizabeth and Uitenhage.

Dr Orr, a district surgeon and 93 others were granted a temporary order on September 25 restraining police from assaulting detainees at the St Albans and North End prisons in Port Elizabeth and future detainees in the Port Elizabeth and Uitenhage magisterial districts.

The matter, which made world headlines, has since been postponed until February 4 next year.

One of the 93 new affidavits is that of Mr Dennis Neer, 56, general secretary of the Motor and Component Workers' Union of South Africa (Macwusa), who is still held under the emergency regulations.

In his affidavit, Mr Neer alleges assaults by police officers among other fellow detainees, Mr Macedlis Sithothe, of the Uitenhage Parents' Committee, Mr Eddie Minas, a teacher who was detained in Cradock, and Mr Edward Menzi, 50, a businessman.

Kierie
In her September application, Dr Orr said as a medical officer she was in daily contact with detainees held under emergency regulations. The overwhelming evidence presented to her in the prisons convinced her that detainees were

porting affidavits, Mr Neer said he was detained at home before midnight on Sunday July 21. He alleged that a black policeman rushed towards him and hit him with a kierie while he was still in bed.

While being taken through townships in a "search for trade unionists" that night, a black policeman sprayed teargas into the back of the landrover from an aerosol container "and thought it was a joke".

Recorded
Mr Neer alleged he was assaulted before being taken to the Algoa Park police station, and after he arrived. He was later taken to the St Albans prison where a prison official who took his particulars saw marks on his back and recorded them in a register. He said he told the official that he had been assaulted by the police.

Mr Neer said throughout the week detainees were called for interrogation and returned with visible injuries and reports of assault.

He said apart from the welts on his back and left leg, he was in good physical shape when he was taken for interrogation on July 26.

He was called to a Lieutenant Strydom's office and assaulted by a black policeman and inter.
Neer alleges assaults by police on, among other fellow detainees, Mr. Macelisit Sitholho, of the Ulitenhage Parents' Committee, Mr. Eddie Minao, a teacher who was detained in Cradock, and Mr. Edward Mesi, 50, a businessman.

Kjerie
In her September application, Dr. Orr said as a medical officer she was in daily contact with detainees held under emergency regulations. The overwhelming evidence presented to her in the prisons convinced her that detainees were being systematically assaulted and abused.

In one of the new suits, his particulars saw marks on his back and recorded them in a register. He said he told the official that he had been assaulted by the police. Mr. Neer said throughout the week they were called for interrogation and returned with visible injuries and reports of assault.

He said apart from the welts on his back and left leg, he was in good physical shape when he was taken for interrogation on July 28. He was called to a lieutenant Strydom's office and assaulted by a black policeman and later a white security policeman assaulted him with a curl.

Can only call torture.
He said he was grabbed from behind by his trousers and pulled. He said he was still handcuffed and fell unprotected on his face and injured his cheek bone. He skidded across the floor and hit the wall with his head.

A piece of wood was put between his handcuffed hands and twisted. This was continued for some time and became "exceptionally painful. I could not stand the pain any more, I admitted everything, pleading that they should stop."

Begged
When he was told to get up, he struggled to stand up and had to use the wall to snake his way up. Mr. Neer said he suddenly felt an excruciating pain. Someone had stamped on his bare toes.

"I begged them to remove the hood. I was wet with sweat and beginning to suffocate. It was untied. Any movement thereafter caused me great pain."

Mr. Neer said when he was questioned on his telephonic conversation about the May Day celebrations, Sergeant Saku kicked him and threatened to kick him so hard in the genitals so that he would become impotent if he did not co-operate.

Mr. Neer said he was subsequently taken to the Livingstone hospital for X-ray tests. There, a doctor told him he had no fractures but the muscle in his arm had been torn. A few days later he was taken back to the orthopaedic clinic at Livingstone.

Mr. Neer said the next time he was taken to the square was on October 4, after the Supreme Court order against the police was granted. He said Lieutenant Strydom requested his personal history.

"There were no threats. He even bought me lunch. The atmosphere had changed. Everyone was civil," Mr. Neer said.

BUSINESS: BRIEF
Gold (close) $320.35
Rand: $0.3720/30
FT index (close): 1104.69
BD 100 (close): 1133.30
DD Dow Jones: 1542.43
Prisons: Children, adults in same cells

Staff Reporter

The Department of Prisons yesterday conceded that, under certain circumstances, children who are in detention are detained in the same cells as adults.

On Monday this week, the Prison Services spokesman said that "juveniles under the age of 16 are held separately". He was responding to a statement by former detainee, Mr Dullah Omar, that children were detained in cells with adults. Commenting later on the Prisons statement that juveniles were held separately, Mr Omar said: "I wish the prison doors could be opened for inspection so that people can see for themselves."

Ridwan Kariem, 14, and Hans Harmse, who turned 16 while in detention, have now been detained for 51 days.

Yesterday Lieutenant Colonel D J Immelman of the Prisons Department said "it is the policy of the South African Prisons Service that juveniles admitted to prison are as far as possible kept separately from adults by detaining them in separate cells and/or separate sections."

Judges

"Circumstances may however prevail where exceptions have to be accommodated, but this is handled with the utmost responsibility."

"Prisons regulations 104 (2) provides that judges from the Supreme Court have free access to any prison and may talk to any prisoner, including detainees, and may report thereon."

"Magistrates have the same access to prisoners in their area of jurisdiction. From reports which are received regularly, it is clear that the treatment which prisoners are receiving is generally in line with legal and other directives which are based on internationally accepted standard minimum rules."

"According to an earlier statement by the Minister of Justice, Judge Presidents had been requested to make more judges available to visit detainees. These increased visits are now in progress."

Urgent

Police issued a statement on the issue after the Cape Times telexed Pretoria and asked what action was being taken on the detention in Victor Verster Prison near Paarl of Ridwan Kariem, Hans Harmse, Paulus Romnesa, N Mancini and M Mancini, both aged around 14 or 15, Mathew Andrews, 16 and Edwin Wilson, 16.

The Cape Times telex to Pretoria said that on December 5, 1985, Lieutenant Colonel Leon Melet, press liaison officer for the Minister of Law and Order, Mr Louis le Grange, said the continued detention of these children was receiving "urgent attention."

"In addition, a Warrant Officer Symington told the mother of Ridwan Kariem, Mrs Haja Kariem, and Mr Anwar Ismail, who was earlier detained in the same cell as Ridwan Kariem, that he sent a report on December 12, 1985, to the minister's office requesting that Ridwan be released immediately."

"Could you please advise us as a matter of urgent what steps are being taken with regard to the continued detention of these children, and also if any special steps are being taken as regards the continued detention of Ridwan Kariem and Hans Harmse, who have now been in detention for 51 days."

Yesterday the Police Directorate in Pretoria replied that "as far as the SA Police are concerned the necessity for the continued detention of all persons under the emergency regulations is regularly considered."
Orr application: More affidavits alleging assault

Argus Bureau
PORT ELIZABETH. — Ninety-three more affidavits alleging assaults have been filed with the Supreme Court here in support of the application brought by Dr Wendy Orr and 44 others for an order restraining police from assaulting detainees.

They allege brutality such as whipping and other forms of torture during interrogations.

In September Mr Justice Eksteen granted an interim order restraining the police from assaulting detainees at St Alban’s and North End prisons in Port Elizabeth and future detainees in the Port Elizabeth and Uitenhage magisterial districts.

The return date was November 26 and the matter was postponed until February 4.

Some of the allegations against the police by detainees and ex-detainees refer to:

- The "helicopter" treatment in which prisoners were suspended head-down.
- Whipping with quirts and sjamboks.
- Being forced to eat splinters from a pickhandle broken during an assault, and being forced to eat raw potatoes.
- Being forced to wash in water containing irritating herbs.
- A detainee being forced to eat hair shaved from his head during interrogation.
- Uncomfortable rides in landrovers in which the drivers braked and accelerated violently.

One of the affidavits was made by Mr Dennis Neer, 36, general secretary of the Motor Assemblers and Component Workers Union of South Africa, who is still being held in terms of the emergency regulations.

He claimed he had been hit with a kierie by a black policeman while in bed at his home in Zwide, when he was fetched by police on July 21, and later repeatedly assaulted during interrogation.

Another detainee, Mr Leslie Mangcelywa, claimed that he had been given the "helicopter treatment".

He was told to crouch, a length of wood was placed behind his knees and he was handcuffed with his arms passing underneath the stick, and his hands in front of his shins. He was lifted and suspended between two tables, hanging upside down.

He was struck on the buttocks and a cloth was tied over his mouth to muffle his screams, he said in the affidavit.
Detention of Rev. Botman confirmed

Staff Reporter

The detention of the Reverend Russell Botman, a Nederduits Gedempte Kerk minister from Wynberg, has been confirmed by police headquarters in Pretoria, 28 days after he was detained in terms of emergency regulations.

Mr. Botman was detained on November 20, but his name has not appeared on any of the official police lists.

The Cape Times teleated the Police Directorate of Public Relations yesterday and asked for confirmation of his detention.

The Directorate replied: "The Reverend Russell Botman is being detained in terms of emergency regulations. His name appeared on our records subsequent to last Friday's list."

In a statement issued earlier this month by the clergy of the Wynberg Ring of the church—but which could not be published until police had confirmed Mr. Botman's detention—the Ring deplored his detention and demanded his immediate release.

"Rev. Botman, like all of us, is a minister of the Gospel, and a servant of peace and justice and therefore it is completely unacceptable that a man of God can be treated in an arbitrary way like this."

This explains to us the injustices of this government."

"We not only demand his release but also that of other detainees."

The statement was signed by Dominee C. Kiezen, De C. Esterhuizen, De A. du Plessis, Mr. J Kayster, Mr. C. Simpson, De J. Thysse, De S. Christians and De J. de Waal."
Silence on De Jonge's ex-wife

By PAT SIDLEY

SOUTH African Police have declined to say whether they have completed their investigation into the case of Helène Pastoors — the former wife of Klaas de Jonge.

Pastoors, who was arrested at about the same time De Jonge was taken in, has been detained since June under Section 29 of the Internal Security Act. De Jonge, who escaped custody, has been in the old premises of the Dutch Embassy where he sought refuge.

While Holland and South Africa continue a diplomatic wrangle over whether De Jonge will be handed back for trial, Pastoors, who claims Belgian nationality, has not yet been charged — but she is being held in solitary confinement, unable to receive her academic books and unable to see her lawyer.

When questioned in the past on their progress towards charging or releasing Pastoors, police have responded that they had not yet completed their investigations.

Yesterday, the police directorate for public relations said the police could not comment any further than to say she was being held in terms of Section 29.

Since the diplomatic row over De Jonge's sojourn in the embassy, media in both South Africa and Holland have run a series of stories describing Pastoors as a "big fish" netted by the Security Police and linking her to various bomb attacks by the African National Congress, including the Pretoria car bomb explosion. The SA government, at the time of her arrest, claimed she and De Jonge smuggled arms and ammunition into South Africa on behalf of the ANC.

The vaguely-sourced stories have continued, although public statements to this effect have stopped.

In the glare of De Jonge's publicity, Pastoors has seemingly been forgotten.

But sources on both sides believe her fate to be linked to the outcome of the diplomatic dispute over De Jonge.

And there are fears this may not augur well for her future.
ARGUS journalist Mr Vernon Matzopoulos was yesterday visited by his father in Pollsmoor Prison and is said to be in "good spirits".

Mr Matzopoulos snr, who left for Port Elizabeth yesterday afternoon and could not be reached for comment, told Argus staff members his son was being allowed access to both the prison library and to prison films.

Mr Matzopoulos was detained under the emergency regulations during a candlelight vigil in Sea Point last Wednesday night.

Mr Guy Tillen, a national serviceman who is due to finish his army service on Friday and who shares a

Both Mr Tillen and Mr Matzopoulos began fasting on Monday. Their aims were stated as being: To fast for an end to unjust rule in South Africa, to call for the lifting of the state of emergency and the release of all detainees, and in support of the call for a Christmas of Concern.

Mr Bruce Tillen said his brother was "very chirpy" and had access to the prison shop.

Both Mr Bruce Tillen and Mr Matzopoulos snr said the two detainees had not been interrogated at all since being detained.
Meeting on Uitenhage detainees on Monday

By JIMMY MATYU

A MEETING to discuss the continued detention of some Uitenhage community leaders has been set for Monday at 10am at an undisclosed venue in Port Elizabeth.

The Uitenhage Consumer Boycott Committee will discuss the issue with the Uitenhage Chamber of Commerce and with the Divisional Commissioner of Police in the Eastern Cape, Brigadier Ernst Schneller.

Thirteen people from Uitenhage are known to be still in detention.

In a statement today, Mr Buyile Ncumanda, a consumer spokesman, said the committee would be accompanied by Mr Thomas Kobese, a trade unionist.

"The Uitenhage leaders and the community are concerned about the State dragging its feet on the release of the leaders and other people still detained under the state of emergency. "We have tried every effort to have these people released and so far we have been unsuccessful. We do not want to believe the State has adopted a hard-line attitude towards us in Uitenhage," Mr Ncumanda said that after the suspension of the consumer boycott of white-owned businesses in Uitenhage last week, the committee had hoped that those detained would be released by now."
42 arrested is 'lowest during the emergency'

PRETORIA — A total of 42 people have been arrested under the emergency regulations in the past week, the lowest weekly detention figure during the five-month-old state of emergency, according to a police list of detainees issued today.

According to the weekly police list, at least 688 people have been detained under the emergency, although a police spokesman in Pretoria said only 573 people were still being held.

The names of some of the latest detainees in the Eastern Cape are:

Somerset East

Uitenhage

Cradock
Xolani Soga, Bonisile Magwa.

Kirkwood
Daniel Japla

Grahamstown
Sandile Gabaesi, Bonani Magwengwa, Makusi Jini, Ngeniso Nkewa, Bongani Mfecane, Michael Monxuni, Nahligi Lameni, Monde Fijane, David Lukwe, Dingaan Mako, Buddu.

— Sapa
A big row breaks over the 'arrest' of SOWETAN staffers

A ROW has broken out over the alleged "arrest" of three SOWETAN staffers on Wednesday when the Minister of Constitutional Development and Planning, Mr Chris Heunis, visited the East Rand.

The three, Mzikayise Edom, Mbutuzi Zulu and Jacob Kgoadi, were kept at offices manned by the South African Police in Duduza after they were escorted there by a South African Defence Force patrol.

The police and Department of Constitutional Development and Planning claim the three were at no stage under arrest or detained. Our staff members insist they were held against their will.

Mr Edom said they were stopped in Duduza by an army patrol who wanted to know what they were doing in the township.

They produced their Press cards and told the army patrol they were covering the Minister's visit to the East Rand.

The three were leaving Duduza when they were stopped.

Mr Zulu produced a newspaper that mentioned that the Minister would be on the East Rand. It appeared that the patrol was unaware of the visit. This was about 8.30 am.

The soldiers rejected the Press cards produced by the three and searched the car.

The SOWETAN men were then escorted to the local administration offices, which are apparently being used as a police station.

Our employees said they were told to drive to the administration offices and were not given any choice in the matter.

A police van and "hippo" escorted them. At the offices they were kept in a room within the building. Soldiers were with them. Mr Zulu was allegedly stopped when he tried to go to the toilet. He managed to get there later when a senior police officer arrived.

The soldiers told them they had to wait for senior officers who would give them permits to be in Duduza.

The toilets that Mr Zulu went to were in the same building.

Our men were also searched by the soldiers at the offices. They were released at 10.40 am, just before Mr Heunis arrived. He arrived about 10.30 am.

The police said our reporters were late for the morning rendezvous with Mr Heunis who was on a tour of East Rand townsships.

Our reporters apparently drove to Duduza where they hoped to meet the Heunis entourage, the police said.

The police spokesman said our reporters got lost in Duduza and were found by an army patrol.

Patrol

"The patrol asked your men to please accompany it to the offices," the spokesman said.

At the offices a Warrant Officer Lipton spoke to the three and then told them to go.

"At no stage were they threatened with arrest or charged, they were asked to the offices after the patrol that found them became suspicious of their presence in the township," he said.

The police further said our reporters stayed at the offices of their free will.

They stuck around on their own and then drove off," he said.

On Wednesday the police had informed The SOWETAN that Mr Edom and Mr Zulu were given a lift by the army patrol after they were found stranded in Duduza.

They had apparently been separated from their car. When it was pointed out to the police that our men had been escorted to the administrative offices while in The SOWETAN car, the spokesman said they would investigate.

Yesterday he issued the statement above, and said the information that our men had separate from the car was a misunderstanding between himself and the East Rand Police.

A spokesman for Mr Heunis said our staff members had not been arrested or detained by the police.

"They were found wandering in Duduza and were then taken to the offices to meet with the Minister's party," he said.
Call for journalist's release

Staff Reporter

THE Western Cape region of the Southern African Society of Journalists has called for the immediate release of Argus journalist Vernon Matzopoulos, arrested after a candlelight procession in Sea Point last week.

A statement issued by the society's regional vice-president, Mr Bruce Hopwood, said Mr Matzopoulos's arrest formed part of the pattern of police victimisation of local and foreign journalists covering the unrest.

For Mr Matzopoulos, who has frequently reported on unrest in the Western Cape, this is not the first time he has had to endure police interference," Mr Hopwood said.

- On November 8 Mr Matzopoulos was in a group of journalists detained with a member of the Progressive Federal Party unrest monitoring committee while investigating reports of police action at a high school in Manenberg. They were held for more than an hour before being released.

- On October 24 Mr Matzopoulos was one of several journalists whipped with quirts while covering a police charge in Adderley Street.

"We believe that Mr Matzopoulos's unprovoked arrest last week forms part of the pattern of police victimisation of local and foreign journalists who have been trying to report the crisis in South Africa as fairly and as accurately as possible.

"Mr Matzopoulos is an office-bearer in the Southern African Society of Journalists, which has consistently called on the authorities to allow journalists to get on with their job of covering events freely and not be intimidated by harassment and arbitrary detention.

"The Western Cape region of the SASJ repeats its call for the end of the state of emergency, for the release of all detainees held under the security legislation and to allow South Africans to exercise their right of freedom of expression."

Issels held under security laws

Staff Reporter

MR JOHNNY Issel and his wife, Zubeida Jaffer, who were detained on Monday, are being held under Section 29 of the Internal Security Act, according to their attorney, Mr Essa Moosa.

They could be detained indefinitely for interrogation in terms of the Internal Security Act, he said.

Initially they were held under the emergency regulations.
Paarl clergyman detained second time

Staff Reporter

PAARL Police have detained the Rev Sipho Mtikwa, the NGK in Africa's minister in Msweni, for the second time.

Mr Mtikwa, a member of the Western Province Council of Churches, was detained at his home on Monday and is being held at Paarl police station, according to his wife Cothensia.

He was detained for 14 days under the emergency regulations in October.

Mrs Mtikwa said two policemen arrived at her home at 3am on Monday.

"My husband wanted to take his jacket with him but one of them told him not to bother with it because they will send him home soon," she said.

Mrs Mtikwa said she and her husband had no idea why he had been detained.

The police directorate of public relations in Pretoria confirmed that Mr Mtikwa had been detained.
Zubaida Jaffer, 3% pregnant

Staff Reporter

MS ZUBEIDA Jaffer, the general secretary of the Clothing Workers Union who was detained this week with her husband, Mr. Johnny Isbel, is two months pregnant. They were detained in terms of section 29 of the Internal Security Act which provides for incommunicado detention for up to six months.

Her mother, Mrs. Haghmat Jaffer, confirmed yesterday that Ms. Jaffer was pregnant and expressed her family's concern over the welfare of her daughter and her unborn child.

"We are very concerned about her welfare. When we went to Caledon Square to take her some clothes on Tuesday, the day after she was detained, we heard her call out to us that she was all right. "But we have no idea where she is being held now and only have second-hand reports saying she is still healthy," said Mrs. Jaffer."
Staff Reporter

THIRTEEN detainees held under emergency regulations at Victor Verster Prison near Paarl have been on hunger strike since Tuesday, the Prisons Department confirmed yesterday.

The Cape Times telephoned the names of those thought to be on hunger strike to the Police Division of Public Relations in Pretoria but may not publish their names until police have confirmed their detention.

In a telex to the Prisons Department, the Cape Times asked for confirmation of the hunger strike and also for comment on the reasons, which were detailed in the telex.

In a reply received from Prisons liaison officer Lieutenant Colonel Danie Immelman, the department confirmed the hunger strike but said “in the meantime, four of them have started eating again”.

He said detainees may buy foodstuffs at the prison tuck shop and “it should be mentioned that some do buy and enjoy foodstuffs from the tuck shop while on a so-called hunger strike”. Detainees are treated in accordance with laid down rules which are “strict but fair and applied in a professional way and have the effect that people are detained and cared for under internationally accepted prison conditions”.

They are visited regularly by judges who report on prison conditions and any irregularities which may occur.

They are seen daily by the prison head with “a view to establishing whether they have any complaints. These complaints are noted in a register and receive the necessary attention.”

“The detainees in question have at no stage complained about beds, newspapers, radios and unhygienic conditions of eating on the floor.

“These detainees can in fact buy magazines at the prison tuck shop and have access to the prison library. Some of the detainees prefer to eat in the courtyard while others prefer to eat in their cells. The detainees do sleep on the floor. They are, however, provided with mats, ample blankets and pillows.”
'Release them or boycott grows' by MUDINI MAYWA

THE Pretoria Consumer Boycott Committee yesterday said they would extend the boycott two weeks longer until January 15 unless the Government releases several CBC leaders being held.

The CBC called for the release of Soweto CBC chief spokesman Jabu Ngwema, Mamelodi businessmen Louis Khumalo, John Tau, Joe Hlongwane, Johannes Kekana and Jabu Chaka and Mamelodi NG Kerk Rev Lucas Mabusela, all held since Saturday.

This week police said they are formulating criminal and "related" charges against people arrested in connection with the boycott.

In Soweto, 17 people have been arrested for activities "having a bearing on the boycott", the police said. They will face charges ranging from murder, arson, public violence to robbery.

Meanwhile SANDILE MSEMELA reports that Blockchain has agreed to lower its prices after being told the high prices of consumer goods in the townships led to the deaths of boycott-enforcing youths.

Blockchain agreed to lower prices of basic commodities after meeting with a Federation of Trunvul Women delegation led by Mosina Shilo. Meanwhile, leading hair salon managing director Benny Marins of Eldorado Park said his business was 60% down. People were afraid to perm at his salon because they feared "comrades" would cut their hair.

The CBC last week said cutting people's perms did not advance the struggle.

South Africa's inflation rate rose to 16.9% in November - 0.1% above the previous all-time high reached a month earlier.
behind bars

her soweto home

converge on

17 policemen
Petition calls for reporter’s release

A PETITION signed by 105 Cape Town journalists demanding the immediate release from detention of Argus reporter Mr Vernon Matzopoulos has been sent to the Commissioner of Police, Major-General Johann Coetzee.

And in a statement last week, the regional vice-president of the Southern African Society of Journalists (SASJ), Mr Bruce Hopwood, said the arrest of Mr Matzopoulos was "unprovoked".

The arrest formed part of the "pattern of police victimization of local and foreign journalists who have been trying to report the crisis in South Africa as fairly and as accurately as possible", he said.

Sent under the auspices of the SASJ, the letter accompanying the petition protested against the detention in the "strongest possible terms" and demanded Mr Matzopoulos’s immediate release.

"Freely"

"Mr Matzopoulos is an office-bearer in the SASJ which has consistently called on the authorities to allow journalists to get on with their job of covering events freely and not be intimidated by harassment and arbitrary detention.

"We repeat our call for the end of the state of emergency, for the release of all detainees held under security legislation and to allow South Africans to exercise their right of freedom of expression."

Copies of the petition have also been sent to Brigadier C Swart, Divisional Commissioner of Police for the Western Cape.

Mr Matzopoulos was detained after a candlelight vigil on the Sea Point beachfront last Wednesday.

Whipped

The petition was signed by journalists from the Argus, Cape Herald, Sunday Times, Cape Times and Sunday Tribune.

The SASJ statement said "this is not the first time Mr Matzopoulos has had to endure police interference."

It said that on November 4 he was detained and held with Mr Jan van Eck of the PFP’s unrest-monitoring committee while investigating reports of police action in Manenberg.
Decision on detainees 'grossly unreasonable'

JOHANNESBURG. — The State President’s decision to exclude any rights of representation before the extension of emergency detention beyond the first 14 days was "grossly unreasonable," Mr Sydney Kentridge, SC, told the Rand Supreme Court on Friday.

Mr Kentridge was acting in an application for the release of 13 leaders of the Transvaal Indian Congress and other United Democratic Front affiliates, most of whom have been held under the emergency regulations at the Modderbee and Johannesburg prisons since July.

The application was brought against the Minister of Law and Order, the Minister of Justice and the officers commanding the Modderbee and Johannesburg prisons. Judgment was reserved.

Mr Kentridge said the proclamation allowed the minister to order that a detainee be held beyond the initial 14-day period envisaged in the Public Safety Act of 1953 without reference to anyone.

It was "grossly unreasonable and harsh and repressive," he said.

Appearing for the respondents, Mr J H Coetzee, SC, argued that the proclamation fell within the powers given to the State President under the Public Safety Act.

The Act had never intended to grant the right to detainees to make representation before their detention was extended beyond the initial 14 days.

The 13 applicants are: Mr Ishaq Chiba, Mr Israel Memon, Mr Paul Maponya, Mr Patrick Lephumya, Mr Pielzel Mando, Mr Prema Naidoo, Mr Samuel Ntuli, Mr John Radebe, Mr Barnabus Chete, Mr Bethu Makhathini, Mr Mosheen Moosa, Mr Yusuf Areff, and Mr Justice Mtshukulu.
JOHANNESBURG—Mrs Winnie Mandela, wife of African National Congress leader, Nelson Mandela, was in police cells last night awaiting a court appearance on charges of breaching her restriction order.

She had been arrested yesterday after police had forcibly removed her from her Soweto home on Saturday night to an airport hotel just beyond the Johannesburg city limits.

After spending the night with friends in Pretoria Mrs Mandela defied a new restriction order issued at the weekend and went back to her Soweto home.

It was there yesterday morning that a contingent of about 16 security policemen found her and arrested her.

She would appear in court as soon as charges had been formulated against her, said Capt Henry Beck of Police Headquarters, Pretoria.

He said Mrs Mandela, under arrest at Krugersdorp Police Station, was being charged under the Internal Security Act for contravening her restriction order which prohibited her from returning to Soweto.

The Saturday night sweep on her Soweto home was carried out after Mrs Mandela had been served with new restrictions which prohibited her from being in the magisterial districts of Johannesburg and Roodepoort.

At gunpoint

She was taken at gunpoint from her home to the hotel but she left soon afterwards to join her Pretoria friends.

Mrs Mandela had lived at her home in Soweto since August, when her house and clinic in Brandfort were firebombed in an arson attack.

She has since played an active role in the anti-apartheid movement, addressing news conferences and speaking at political gatherings.

Mrs Mandela, under her old restriction order, had been barred from meeting more than one person at a time.

Mr Louis le Grange, Minister of Law and Order, said yesterday she could now live anywhere she chose outside Johannesburg and Roodepoort, ending her banishment to Brandfort.

He added that she could also attend social events, but was not allowed to attend or speak at political gatherings or be quoted in South Africa.

Her lawyer, Mr Akbar Ayob, said he had been to see Mrs Mandela and she was fine, although she had sprained her ankle and bruised her arm during the removal from her home.

During her arrest by security policemen armoured cars blocked off both ends of the street.

Journalists

Police rounded up six foreign journalists at the house, took them to a nearby police station and released them 30 minutes later.

The six would be charged with violating emergency regulations governing Press coverage in Soweto, said a police spokesman.


Special restrictions were imposed in Soweto two months ago and reporters have been ordered to obtain a police permit every time they enter the township.

The maximum penalty for breaking emergency regulations imposed since July is 10 years' imprisonment or a £10 000 fine or both.

The SABC quoted a police source last night which revealed that Mrs Mandela had been told the State would pay her expenses if she moved from Soweto to comply with the revised restriction order.

The police had also offered to pay for her accommodation in the hotel to which she had been taken on Saturday night.

— (Sapa-Reuter-AP)
Call for release of detainees

THE Ecumenical Action Movement (TEAM) has called for the release of four of its members so they can be reunited with their families at Christmas.

Ms Virginia Zweigenthal, Mr Edwin Arrison and the Rev Howard Marawu have been held since the beginning of the state of emergency. Mr Mike Deeb was detained two weeks later on November 11.
Plea for Detainees

THE United Democratic Front has appealed to the authorities to act with compassion in the true spirit of Christmas by releasing all detainees "so that they may spend this Christmas with those they love".

In a Christmas message issued by Mr. Naseef Jaffer, spokesperson for the executive of the UDF's Western Cape branch, the UDF said: "Christmas this year is filled with sadness for thousands of people in the Western Cape. Children as young as 14 will spend this period in the loneliness of prison cells."

"In our communities there are mothers, fathers, relatives and friends whose thoughts will be with their loved ones, who will worry about their well-being and wonder when they are to be released."

The detainees' spirit "has been a source of strength to the United Democratic Front and an example to us all in the days ahead."

"Our people, too, have shown unity and solidarity with the detainees."
A Christmas in detention

Staff Reporter

As Christmas approaches, hundreds of detainees are still being held, without trial and will probably spend Christmas in prison.

The detainees include young people and children under the age of 16. Many detainees are parents, with children who will spend this Christmas without the mother or father who has been detained.

The organization, Friends and Families of Detainees (Fafod) has supplied the following information about people who, as far as is known, are still in detention.

Ms Lizzi Phile is the mother of five sons. Paid secretary of the Food and Canning Workers’ Union and active in the Mbekwani community, she was detained on October 22 under the emergency regulations. She has been allowed only one visit, during which she expressed concern about her children and asked her visitor to look after them. Requests from her family to be allowed visits have been refused and her children worry about their mother.

“They keep asking about her, especially the younger one. I just keep on saying she will be here one day,” said a relative.

“The little one will say ‘my mummy is also coming’ if other children mention their mothers.’”

Ms Phile has recently been granted a house in Mbekwani and is afraid she might now lose it. She also suffers from respiratory problems and is believed to have been treated in hospital during her detention.

Mr Dan Louw is married with two children, aged six and 10. A teacher at Manenberg, he was detained on October 30. Throughout his detention, he has not seen his children because his family believes the children would be too upset at seeing their father in prison. Mrs Lucia Louw has only been allowed to see her husband for three 30-minute periods since his detention.

Before he was detained, Mr Louw was granted a transfer to a school in Rehoboth, SWA/Namibia. His wife now has to cope alone, organizing the family’s move and does not know when her husband will be released.

The two children have been sent to their grandparents in Springbok, but want to come back to be with their mother if their father is not released. Mrs Louw prays for his release by Christmas so the family will be reunited.

Mr Harris Sibeko and Mr Sheppie Matsobha are both executive members of the Western Cape Civic Association and were detained on October 26. Mr Sibeko is the father of six children, aged three months to 14 years, and Mr Matsobha has two daughters, aged 10 and 12.

His wife Linda said the children had reacted badly to their father’s detention and there had been lots of tears at home.

“When they see me take clothes for Harris, the children think he’s coming home with me.”

Mr Sibeko’s employer has been very supportive, making representations to the police on his behalf and contacting Mrs Sibeko to ask after the family’s well-being.

Mr Matsobha’s wife Margaret said the daughters missed their father terribly and were not coping without him.

“Sheppie was the head of the family. I am faced with the double role of father and mother.”

Mrs Sibeko has been allowed two visits, one in November and one this month. Mrs Matsobha has been allowed only one visit and does not know when another will be granted. Both said their husbands had lost weight in detention.
PRETORIA. — A total of 42 people have been arrested under the emergency regulations in the past week, the lowest weekly detention figure during the five-month-old state of emergency, according to a police list of detainees issued this week.

According to the weekly police lists, at least 6,485 people have been detained under the emergency, although a police spokesman in Pretoria said only 573 people were still being held.

The names of the latest detainees are:

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<thead>
<tr>
<th>Name</th>
<th>Colour</th>
<th>Gender</th>
<th>Province</th>
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<tbody>
<tr>
<td>1. Davie Jaybo</td>
<td>Coloured female Witwatersrand</td>
<td></td>
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<tr>
<td>2. David Mgobe</td>
<td>Black male Pretoria</td>
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<td>3. David Mgobe</td>
<td>Black male Pretoria</td>
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<td>4. Isaac Motsoile</td>
<td>Black male East</td>
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<tr>
<td>5. Patrick Penelope</td>
<td>Coloured male Randfontein</td>
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Detainees’ application for release dismissed

CAPE TOWN — An application by former detainee Mr Dullah Omar and five others for their release from detention in Victor Verster prison was dismissed without a hearing.

Mr Justice Friedman said there was nothing in the act which permits the State President, in promulgating regulations for detention, to override the fundamental procedural rule of fairness and of natural justice embodied in the ‘hear both sides’ maxim’.

In his opinion, he said, the State President had failed to apply his mind to the relevant data or principles or relied on irrelevant considerations when he abolished the “hear both sides” principle in relation to detainees held for over 14 days.

Mr Justice Vivier held that the power to exclude the “hear both sides” rule was implied in the Public Safety Act.

“Restricting” detainees’ access to lawyers could not be said to involve “such oppressive or gratuitous interference with their rights as could find no justification in the minds of reasonable men,” Mr Justice Vivier said. Sapa
Judges differ on detention

Appellate Court Reporter

APPLICATION of the Appellant for an order of habeas corpus was heard on Monday before Mr. Justice Saric and Mr. Justice Barlow, with Mr. Justice Richman on duty in the absence of Mr. Justice Marlowe. Mr. Justice Barlow, Mr. Justice Richman, Mr. Justice Marlowe and Mr. Justice Saric were present. Mr. Justice Richman had been ill for some time and was represented by Mr. Justice Barlow, who had been appointed by Mr. Justice Saric to act as counsel for the State in the habeas corpus proceedings.

Mr. Justice Barlow, in the absence of Mr. Justice Richman, said that he had been informed by Mr. Justice Richman that he would not be able to argue the case on Monday. He also informed the Court that Mr. Justice Richman had been ill for some time and that he had been appointed by Mr. Justice Saric to act as counsel for the State in the habeas corpus proceedings.

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The legal monolith starts to crack at the seams

For months there’s been a cat-and-mouse game between civil-rights lawyers and the State over detainee rights. And for a change, the lawyers are even winning on occasion. A Johannesburg attorney reports.

Section 29. His wife and Archbishop Dennis Hurley brought an urgent application for his release.

Section 29 authorises detention where the detaining officer “has reason to believe that the subject has committed or is about to commit certain offences or is withholding information relating to the commission of those offences. The applicant alleged that no reasonable person could have had cause to believe that Kearney had committed the requisite offence or withheld the requisite information.

The Minister of Law and Order’s response was to hide behind the assertion that a policeman enjoys a lesser privilege under Section 29 and to rely on an outer clause in Section 29 which states that “a court has no jurisdiction over Section 29 detainers.” The court however found that the police officer must have a factual basis as a basis for his belief. Kearney’s release was ordered.

In rapid succession a number of Section 29 Natal detainers were released before the court papers saw the light of day on a judicial bench. Other applications went all the way to court, and again the Natal Supreme Court ordered the detainers’ release.

The next scene for a showdown in the cat-and-mouse game was set by the declaration of the State of Emergency on July 21, 1985.

Interestingly enough, no area in Natal was proclaimed as an emergency area and so that the Supreme Court has thus far been silent on the merits of legal applications that have challenged the ambit of the Emergency regulations. The first attack on the Emergency regulations came in the Eastern Cape, in the case of Nkwiwi v The Commissioner of Police and Others. There were several points of law raised by Nkwiwi’s legal team, including a challenge on the validity of the Emergency itself. The latter argument was rejected, but Nkwiwi’s release was based on the basis of a legal principle known as audi alteram partem (let the other side be heard).

The court held that Nkwiwi ought to have been given an opportunity to make representations as to why his detention may have been unnecessary. Not long thereafter, the Emergency regulations were amended, in an attempt to exclude audi alteram partem. Once again, lawyers acted swiftly and a further application was brought in the Eastern Province arguing that the regulations as amended did not completely exclude audi alteram partem, alternatively not authorised by the enabling statute. A full bench of the Eastern Province rejected both these arguments. The case is now on appeal to the Appellate Division.

Two applications taken, broadly speaking, on the same argument have now been launched in the Cape and the Transvaal. At the time of this article, judgments are being awaited in both. If the applicants’ arguments are upheld, a major tremor will be felt in all those prisons presently housing emergency detainees, the vast majority of whom have doubtless been denied the right of audi alteram partem.

The courts in 1985, however, have not only been kept active by pronouncing on the rights of detainees. Other interesting court rulings have been:

- In September, the Transvaal Supreme Court held that the
INTERNATIONAL media attention will focus on Winnie Mandela today, as she is expected to leave Cape Town after spending Christmas with members of her family.

She was permitted to spend 48 minutes of Christmas Day with her husband, imprisoned ANC leader Nelson Mandela. Family members say he is being held in solitary confinement in Pollsmoor Prison.

There was speculation yesterday that she intended returning to her home in Soweto.

Mandela is engaged in a cat-and-mouse game with government over a new banning order, which prohibits her from living in the Johannesburg and

PETER HONEY

Roodepoort districts, thereby preventing her from living in her Soweto house.

She was detained and brought to court this week for defying the ban, after Security Police twice removed her physically from her house.

She was released on her own recognisance on Monday to stand trial next month on unspecified charges.

Mandela has been banned, imprisoned and harassed by the authorities many times, and in May 1977, she was banished to the remote Free State town of Brandfort.

She moved to Johannesburg in defiance of the ban, after her Brandfort home and clinic were petrol-bombed by unknown arsonists in August this year.
'Let fate of nazi Austria be a warning'

By BARRY STREEK
Political Staff

THE fate of Austria, where the nazi came to power in the 1930s, was being recreated in South Africa, a "land of hope and glory", according to Mr S F J Zweigenthal, whose daughter, Virginia, has been detained under the emergency regulations for more than two months.

"When men and women of goodwill and integrity are being suspected of subversion, watch out South Africa," he said.

Mr Zweigenthal, who left Austria in disgust in 1934 and settled in South Africa, said the situation in his former homeland in the 1930s should be a warning to the South Africa of the 1980s.

Student

His daughter, Virginia, a first-year medical student at the University of Cape Town, was detained on October 25.

She and another detainee, Ms Lyn Garwen, a teacher at the Crestway Senior Secondary School, who has also been in detention for more than two months, are the only two white women still in detention in the Western Cape. They are both being held in Pollsmoor Prison.

Mr Zweigenthal said in an open letter that he came to South Africa with the intention of making it his home and becoming a loyal citizen.

"In becoming a citizen of South Africa I assumed to enter into a relationship of obligation and rights.

"Because my country of birth grievously violated these rights, I considered my obligations to the Austrian fatherland terminated.

"I left Austria in disgust. I did not even look back to the shores of Europe when the ship pulled out of the port..."

'Goodwill'

"I lived in South Africa under seven different administrations. I soon realized that my country of adoption was beset with serious problems, but that these were to be accepted as challenges by a determined, hardworking citizenry of goodwill."

His wife is a granddaughter of E H V Mellvill, a Rand pioneer, and his son, a civil engineer, was an officer in the South African Defence Force, while his daughter has a BSc degree from Wits and a BSc (Hons) degree from UCT.

"The purpose of her studies is to dedicate her life to community medicine among the poorer people of this country, irrespective of race, colour or creed," Mr Zweigenthal said.
How long will the emergency go on?

The state of emergency, introduced five months ago, looks like continuing into the new year. Although emergency provisions have been lifted in some areas and imfor- mation on others, a pattern of wildcat rioting in SA's black townships appears to have developed, with scant sign of it abating.

Some observers question, whether, however, the young people at the helm can keep up the 15-month-old pressure of protest. They suspect that disillusionment could set in and think it could peter out.

Originally slapped on 36 magisterial districts — 14% of the country's total, but covering the most densely populated areas — the emergency now applies to 30 districts.

The State President introduced the emergency in an attempt to "normalize" the situation in a country being torn apart by political violence. Yet there is evidence to suggest that it may have polarized more people in the townships and led to heightened conflict, resulting in consumer and school boycotts and the threat of mass burning of passbooks.

Police methods of riot control appeared to have fuelled antagonism between the authorities and blacks but, since the Mandela-freedom recently, their methods seem to have become more sensitive.

Despite the fact that the emergency has proved to be one of the most controversial and damaging Government moves at a time of increased anti-SA

sentiment, continual and widespread calls for its removal have fallen on deaf ears.

A major adverse effect of the emergency/riot policing has been SA's increasing diplomatic isolation and foreign capital squeeze. Businessmen have tended to view the emergency as a "regrettable necessity."

As at December 10, nearly 500 people had died since the emergency was introduced on July 21.

A total of 7,006 people were detained up to the end of November with 5,777 having been released and 1,229 still incarcerated, according to the Detainees Parents Support Committee (DPSC).

Within hours of its introduction, 113 people had been detained in terms of the emergency and within three days there were eight dead.

Newspapers were at first asked to tone down unrest reporting but as international indignation grew, the Government last month imposed a ban on photographing " unrest situations" on the premise that television cameras fuel rioting.

The statistics of unrest-related deaths tell a different story from the State President's assurance that the revolutionary climate in SA is "fast losing momentum," an announcement he made when he recently lifted the emergency in eight areas.

The other side of the story is that at least 100 people were killed in township conflicts last month after the clampdown on TV reportage of the unrest — making November the year's second highest monthly death toll, according to the SA Institute for Race Relations (SAIRR). And in the week up to December 10, a further 29 were killed in political violence, says the SAIRR.

President Botha has said that Government's success in underestimating the revolutionary climate, which he says is instigated from outside the country and by radicals opposed to reform, was attributable to the successful implementation of the emergency.

Yet there has been an increase in the daily death toll average of 1.87 for the first half of the year, to 3.44 from July 21 when the emergency was declared. Of 818 people killed since January (to December 10), 492 have died since the emergency was implemented.

On October 25 Government lifted the state of emergency in six districts of the Eastern Cape and Transvaal. The next day, Emergency regulations were slapped on eight districts of the Boland and Western Cape where 235 people were detained in a week. Three weeks ago it was lifted in eight areas in the Western Cape and Transvaal, leaving 30 districts still covered by its provisions.

According to the DPSC, 30% of the 5,857 people detained during the first 15 weeks of the emergency were still being held at the end of October. The number of people in detention on October 31 totalled 2,268, 50% of whom were from the eastern Cape.

Detentions in Port Elizabeth total 1,897, the highest, followed by 490 in Witbank. DPSC figures show a rate of detention of 399 people per week or nearly 56 a day. From Johannesburg, 136 people remain incarcerated since the first six weeks of the emergency.

SAIRR director John Kane-Berman says the statistics indicate that the level of political violence was reduced in emergency areas but there has been an escalation in other parts of the country. He believes, however, that there is a reasonable chance that the violence next year will be less than in 1985.

Black Sash president, Sheena Duncan, says the news blackout and the "failure of the SABC to deal properly with what is happening" has led to a situation where general white awareness bears little relationship to the reality. "It does not hold out much hope for the immediate future; it is very unclear what is going to happen in 1986," she says.

— The Financial Mail
Four children released from detention
Detainees attend funeral

OWN CORRESPONDENT

DURBAN. — Two detained Durban brothers were allowed to attend their mother’s funeral at the weekend.

Mr Lamin Rasool, father of Riaz Sheik and Yunus (Mo) Sheik, an assistant general secretary of the Garment Workers’ Union, said yesterday he wished to express his appreciation to the security police for co-operating with his family.

“They have been extremely helpful and allowed my two sons to pay their last respects to their mother,” he said. Their mother, Mrs Kay Rasool, died in Durban’s Wentworth Hospital on Friday after a heart attack.

Mr Rasool claimed his wife’s death was largely due to their children’s detention.

“She was pining for her sons since their detention six months ago. She even sold her diamond ring to pay for legal costs,” he said. The brothers have not been charged.

Meanwhile, a Durban doctor, Dr Vi- jay Ramlackan, 27, and his wife, Sandy, 22, a Natal University student, who were among a number of UDF activists arrested are still being detained.
Boy tells of prison strike

Staff Reporter
AN Nyanga East boy released after seven weeks in detention under the emergency regulations says he went on a seven-day hunger strike to try to force the authorities to release him.

Paulus Ramacwana 15, said three others — Bidwaan Karleem, 14, Nkosiel Maxxin and Matthews Maxxin, both believed to be 14 — were also released from Victor Verster Prison last week.

From his home Paulus said: "I was arrested when I went to Worcester to a funeral. I have no idea why I was detained and find it hard to believe that I was held for seven weeks — during which I did not see my family — without being charged.

"I was unhappy and missed my family and went on a seven-day hunger strike with 10 of other detainees to force the authorities to release us."

"SURPRISED"

His father, Mr Agrippa Ramacwana, said he was not told that his son had been released.

"I was surprised when he walked into our house. I could hardly believe it was him and was filled with happiness," Mr Ramacwana added.

He said his son was taken to Worcester by police and told to find his own way home.

"Some of his friends in Worcester organised a lift."
Winnie's Soweto plans unclear

WINNIE MANDELA's return to Soweto depends on how many more times this week she will be allowed to visit her jailed husband, Nelson Mandela, in Pollsmoor prison, Cape Town.

She must, however, return to Johannesburg by tomorrow, the day set down for an application in the Supreme Court asking for the order banning her from the Johannesburg and Roodepoort magisterial districts to be set aside.

She and members of her family visited Mandela for an hour on Sunday. A further visit is scheduled for yesterday. Any others later in the week will depend on prison authorities.

During some of the visits Mandela was accompanied by representatives of the family attorneys — Ismail Ayob & Associates.

One of the attorneys, Akbar Ayob, who has since returned to Pretoria, refused to reveal details of consultations with the jailed ANC leader, saying they were a purely family affair.

He was further precluded from saying anything about the meetings by the Prison Act.

He confirmed that Winnie Mandela would almost certainly be returning to Soweto before tomorrow.

He said that at this stage it was uncertain what progress had been made in persuading the police not to arrest her until the court application had been heard.

Winnie Mandela was forcibly removed from her Soweto home on December 23 in terms of her new banning order.

She was subsequently released on her own recognisances. She is to stand trial some time in January on, as yet unspecified charges.

Blackburn, Bishop dies in E Cape motor smash

MOLLY BLACKBURN, MPC for Walmer and human rights activist in the Eastern Cape, and Dr Brian Bishop, MPC for Gardens, died on Saturday in a motor accident near Humansdorp.

Blackburn's sister, Judy Chalmers, and Bishop's wife, Eliza Bishop, were injured.

Reports indicate that the four were returning to Port Elizabeth from Outiba when the accident happened.

A police spokesman said Blackburn's car was involved in a head-on collision at about 8:30 pm on Saturday on the road between Kariega and Humansdorp.

The driver of the other vehicle, who was also killed, has not been identified.

The two injured women were admitted to the Humansdorp hospital and later transferred to the provincial hospital in Port Elizabeth.

Blackburn had been detained several times for entering black townships in the Eastern Cape without police permission.

Dr Bishop was a prominent civil rights activist in Cape Town.

Dr Frederik van Zyl Slabbert, leader of the PF, yesterday expressed his deep shock at the news of the death of Molly Blackburn.

In a statement Slabbert said: "I am deeply shocked by the sudden and tragic death of Molly Blackburn. She was a courageous fighter for justice and had very high credibility and admiration from many black South Africans and colleagues."

"She will be sorely missed wherever communication between black and white is needed." — Sapa.
WINNIE MANDELA'S return to Soweto depends on how many, more times this week she will be allowed to visit her jailed husband, Nelson Mandela, in Pollsmoor prison, Cape Town.

She must, however, return to Johannesburg by tomorrow, the day set down for an application in the Supreme Court asking for the order banning her from the Johannesburg and Rand district magisterial districts to be set aside.

She and members of her family visited Mandela for an hour on Sunday. A further visit was scheduled for yesterday. Any others later, in the week will depend on prison authorities.

During some of the visits, Mandela was accompanied by representatives of the family attorneys—Imran Ayob & Associates.

One of the attorneys, Abdir Ayob, who has since returned to Pretoria, refused to reveal details of consultations with the jailed ANC leader, saying they were a purely family affair.

He was further prevented from saying anything about the meetings by the Prisons Act.

He confirmed that Winnie Mandela would almost certainly be returning to Soweto tomorrow.

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Winnie Mandela was forcibly removed from her Soweto home on December 23 in terms of her new banning order.

She was subsequently released on her own recognisance. She is to stand trial some time in January on unspecified charges.
Unions launch campaign against detentions

THE International Confederation of Free Trade Unions has resolved to launch an internationally co-ordinated campaign to put pressure on South Africa to stop detention without trial and the harassment of trade unionists.

The resolution was taken by the executive board of the organisation at its meeting in Brussels.

In a statement the ICFTU said: "It denounces vigorously the continued harassment, detention and arrests by the South African Government of trade unionists in an effort to intimidate them and their trade union rights in the country."

Prison

In its statement, the ICFTU condemned the continued detention of Mr. Mahlomola Skhosana, assistant general secretary of the ICFTU-affiliated Council of Unions of South Africa (Cusa), who has been in prison since July.

It said it demanded that Mr. Skhosana be released immediately, together with all detained trade unionists and political prisoners."
Mr Saleem Badat (left), Mr Jack Jaggers (obscured), Mr Marcus Solomon and Mr Logan Wort were among 37 people released from Victor Verster Prison yesterday.

Mr Jack Jaggers, another of the detainees released yesterday.

Mr David April, one of the 37 people released from Victor Verster Prison yesterday, being greeted outside the prison soon after being set free. Pictures: Stewart Colman
45 detainees released — restricted

Staff Reporters

ALL 45 emergency and security legislation detainees released from Victor Verster and Palmloem prisons yesterday — including virtually the entire Western Cape executive of the United Democratic Front — have had wide-ranging restrictions placed on them.

The orders say that any person found in the possession of a prohibited item or document or in the company of a prohibited person or in the performance of prohibited activities will be arrested and detained.

The restrictions will apply to any person who has been convicted of any crime, even if it is a minor one. These restrictions include travelling outside the Western Cape, residing in any other province, and participating in any political activity.

The detainees are also restricted from communicating with each other or with their families, and are prohibited from making any public statements or participating in any public meetings.

Some of those released are former leaders of the United Democratic Front, including the Western Cape provincial chairman, the executive member, and the Western Cape branch president.

Pictorial

My Cherly Carolus, a senior UDF official, made a point of being one of the first to sign the release documents.

Funds rumour decried

By STEVE GORDON

ORGANIZERS of the fund campaign to raise funds for the Freedom Fighters' movement have been accused of misusing the funds raised. The allegations have been made by members of the UDF, who say that the funds were not used for the intended purpose.

The UDF has called for an independent audit of the funds to be conducted, and has threatened legal action if the allegations are proven to be true.

The fund campaign was launched in response to the detention of leaders of the Freedom Fighters' movement, who were charged with treason.

Cape Times

The fund will not appear on the cover of the Cape Times, as announced earlier.

The funds raised will be used to support the families of the detainees, and to provide legal aid for those who are facing charges.

The fund campaign was launched in response to the detention of leaders of the Freedom Fighters' movement, who were charged with treason.

The Cape Times has been accused of misusing the funds raised, and has threatened legal action if the allegations are proven to be true.

The fund campaign was launched in response to the detention of leaders of the Freedom Fighters' movement, who were charged with treason.

The funds raised will be used to support the families of the detainees, and to provide legal aid for those who are facing charges.

The fund campaign was launched in response to the detention of leaders of the Freedom Fighters' movement, who were charged with treason.
Call for mothers' release

Political Staff

THE Congress of South African Trade Unions (Cosatu) yesterday called for the immediate release from detention of two Paarl mothers whose two sons, due to be buried on Thursday, were killed in incidents in Mbekweni township.

The Western Cape region of Cosatu said in a statement that Mrs Lize Phike, national organizer of the Food and Canning Workers' Union, whose son Mfani, 12, was killed last week, and Mrs Lacy Lint, a member of the union whose son Mongeni, 13, also died last week, should be released on compassion grounds.

Cosatu expressed shock at the recent killings of people associated with the UDF, attributing the deaths to the state of emergency and the detention of community leaders.

"When leaders are detained and meetings are banned, there is no one who can give responsible leadership, and there is no way differences and disagreements between organizations can be resolved.

"It is significant that the police with their emergency powers cannot prevent these killings.

"Moreover, it is clear from what our members tell us, that the residents of Mbekweni have absolutely no confidence in the intentions of the police to maintain order and the belief is widespread that the police are in fact turning a blind eye to attacks on political activity and organization."
Defiant Winnie is back behind bars

WINNIE MANDELA has been detained under the Internal Security Act for allegedly breaking her banning order.

She was arrested on the Oberholzer Highway, Johannesburg, yesterday.

She is being held at Krugersdorp police station.

Mandela was arrested shortly after her arrival in Johannesburg from Cape Town where she had gone to see her married husband, Nelson, at Pollsmoor prison.

Yesterday's was her second arrest under security laws in fewer than two weeks.

A lawyer for the Mandela family, Armitchand Sonnan, of Ismail Ayob & Associates, said Mandela was being detained under Ordinance 56 (1) (B) in conjunction with Section (19) (1) (B) of Act 74 of 1982.

He said Mandela had presumably been arrested for entering the magisterial district of Johannesburg without permission of the Minister of Law and Order Louis Le Grange.

In terms of her banning order, Mandela is excluded from the Johannesburg and Roodepoort magisterial districts.

She would probably appear in court today, said her lawyer. He said he was preparing a bail application.

Mandela's daughter Zinzi told Business Day her mother's arrest had been dramatic. Zinzi's two-year-old son Zondwa was hanged against a car by a policewoman during the arrest.

From the Oberholzer Highway where Mandela was arrested, a convoy of police vehicles escorted her to Krugersdorp.

When I arrived at the police station Mandela was in the charge office where policemen were choosing the toiletries and cosmetics she could take to the cells.

They refused her permission to take tins and bottles to the cells. Only cosmetics and toiletries in plastic containers were allowed.

With Mandela in the charge office was a senior official of the UDF and a leader of the Release Mandela Campaign Committee, Aubrey Mokoena, together with Mandela's two grandchildren and a lawyer.

Mandela appeared composed and smiled broadly at foreign and local reporters.

As she was being taken to the cells, Mokoena shouted 'ngwethwa' (power is ours).

On January 7 Mandela is to apply for an order in the Rand Supreme Court to invalidate a notice precluding her from being in the magisterial districts of Johannesburg and Roodepoort.

She will also ask for an order interdicting the police from arresting her.

Mandela was served with the order restricting her from entering Johannesburg or Roodepoort in terms of the Internal Security Act on December 31.

Middlesex sources last night criticised the 'clumsy move by the SA government, particularly as her appeal against her banning order is pending'. Mandela's arrest provoked reaction from diplomatic, political and economic sources. Feeling in London was that the arrest would have economic repercussions for SA and a further loss of confidence in government.

Standstill modified

BLOKED foreign loans in government coffers will be administered by the Public Investment Commissioners (PIC) from tomorrow.

This is the major change contained in amended standstill regulations which, from tomorrow, extend the ban on the repayment of certain foreign loans totalling $13,4bn until March 31. The ban was first imposed for four months on September 1.

There have been other minor changes to the standstill regulations, mostly in terms of clarification of definitions.

In terms of the regulations, when a foreign loan falls due, if no agreement to renew can be reached with the creditor, it is to be paid into a blocked account that until now has been administered by the Reserve Bank.

There is some speculation that the Reserve Bank does not want to be seen admitting such an account.

The move may be a precursor to a rescheduling agreement.

Government may have decided to put the PIC in charge of blocked funds with instructions to maximise return on them.

The PIC is body which handles the investment of short-term funds.

There is no indication of how large these funds are, but it is believed they are in dollars, so it is likely the PIC will be dealing off-shore.

Other changes to the regulations include clearer definitions of a number of vital terms. For example, 'foreign government' now means any government except those of Transkei, Bophuthatswana, Venda and Ciskei.

A spokesman for the Standstill Co-ordinating Committee, which is administering the moratorium, says no word has been received from mediator Fritz Leutwiler on foreign bank reaction to SA's rescheduling proposals.