

1/12/77 - 16/1/78

(325) Pol. trials
NM 1/12/77

COMBAT TRAINED

Witness taught to stab

Mercury Reporter

PIETERMARITZBURG — A witness in the terrorism trial yesterday told the Supreme Court here that he had been trained in rifle drill which included armed combat with fixed bayonets.

Mr. Ndweni Kopela Mngomezulu was warned as an accomplice, who would be freed from prosecution if he gave satisfactory evidence.

In the trial Mr. Stanley Pule (33), Mr. Issac Mhlekwa (49) and Mr. Nogaga Gxekwa (47), have pleaded not guilty to all the charges against them. These include the allegation that they underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia.

Training

Mr. Pule and Mr. Mhlekwa are also alleged to have given military training to others with the intent of endangering the maintenance of law and order in the Republic.

Mr. Mngomezulu said in evidence before Mr. Justice Hoexter and two assessors that four strangers had arrived in the Mkalamfene area. They included Mr. Pule and Mr. Mhlekwa.

They said that they had come to teach the people how to handle firearms which would enable them to defend themselves against an opposing faction and Whites

who were acting in concert with the opposition.

They were trained in shooting and also "how to stab with a fixed bayonet," he said.

Instruction

The State alleges that a piece of land was cleared in the bush and used as a training ground. Instruction was given in the use of different fire-arms but air guns were used for shooting practice in order to preserve secrecy.

The training also included physical training, foot-drill and hand-to-hand combat.

The trainees were also lectured on subversive propaganda aimed in fighting the White of the Republic, South African police and the overthrow of the tribal authority of the Mngomezulu tribe.

An elderly witness, Mr. Lusongo Mbhamali, said they were drilled and trained with air guns by Mr. Pule and Mr. Mhlekwa.

He and his son were arrested by police and he was told that unless he made a statement he would be imprisoned.

The trial continues today

325

Pol. trials

NM 1/12/77

Drinking led to talk of training'

Court Reporter

TALK on military training outside South Africa could have been just part of "drunken discussions," a young man told a Durban Regional Magistrate yesterday.

This was said by Mr. Jabulani Shange (23) when he was cross-examined during the hearing at which Mr. Bongani Emmanuel Ntsele (23) and Mr. Themba Samuel Xulu (25) have pleaded not guilty before Mr. E. B. Standen to contravening the Terrorism Act.

The State alleges that they recruited or incited 12 young men in Eshowe and Kwa Mashu to undergo military training outside the country.

It is alleged the training, in Swaziland, Tanzania or Russia, could have been of use to persons intending to endanger the maintenance of law and order in South Africa and that the recruitment took place between March 1 and April 30 this year.

Mr. Shange had earlier told the Court that he had met Mr. Xulu near Eshowe at the Easter weekend.

Mr. Xulu had told him he came from Swaziland and he was organising a "gang" to take there for military training.

He said there had been beer drinking the day he met Mr. Xulu.

On subsequent days during the weekend Mr. Xulu had raised the subject of military training after drinking liquor.

Pressed on this subject by Mr. T. L. Skweyiya, for Mr. Ntsele, Mr. Shange said he felt that the talk on military training had taken place during "drunken discussions."

The hearing was adjourned until today.

Priest 'hits' apartheid with Bible

STAR 2/12/77
325 Pol. Trials

Quoting from the Scriptures, a berobed priest yesterday told a Johannesburg regional magistrate of the "injustices of apartheid" and that apartheid was diametrically opposed to the Christian way of life.

Father Mashai Elia Tema said he and his fellow priests had to decide between the ways of the Christian faith and "obeying the rulers of this country and forsaking the Church."

Father Tema (50) was one of four priests who were yesterday convicted under the Riotous Assemblies Act by Mr H S van Heerden.

The other priests were: Father Kema Lucas Mabusela (38), Father Mashikane Montjane (43) and Father Benjamin Photolo (52).

INTIMIDATION

The four priests, all wearing clerical robes and all holding Bibles were fined R60 (or 60 days), with R40 (or 40 days) suspended for five years.

Constable J H Kotze said that on October 26, he and three riot-squad policemen had arrested the priests in Commissioner Street, Johannesburg.

All were holding placards, he said, and all were walking in the direction of John Vorster Square.

"They were intimidating bystanders," he said, because their placards may have instilled

"doubt" into the minds of these people.

Father Photolo said: "We have been praying about the situation in this country for a long time and we came to the point this year when we felt we must do more than just pray."

Mr S G Nel prosecuted, Mr J N Collabane appeared for the defence.

RDM 2/12/77
Bail for
(325 Pol. Trials)
newsmen

Staff Reporter

BAIL of R50 each was granted to 29 journalists charged under the Riotous Assemblies Act in the Johannesburg Regional Court yesterday.

The journalists were arrested on Wednesday during a protest march in central Johannesburg.

The march was in protest against the detention and banning of journalists, the detentions under security legislation of more than 700 people, and last March's banning of 18 black organisations.

The hearing was postponed to February 22.

The accused were Mr Harold Pongola, 44, Mr Zwelakhe Sisulu, 26, Mr Mandla Ndizi, 44, Mr Diago Segola, 35, Mr Monshiwa Moroke, 24, Mr Jon Quelane, 28, all of the Rand Daily Mail.

Mr Barry Levy, 24, of the Sunday Express; Mr Joe Moahlodi, 44, of the Sunday Times.

Mr Thami Mazwai, 33, Mr Nunka Mkhallpe, 32, Mr Shadrack Nkomo, 36, Mrs Mathilda Masipa, 30, Mr Ernest Shenyana, 22, Mr Jeffrey Masekwameng, 22, Mr Matthews Makobame, 22, Mr Bafana Fhezi, 23, Miss Suzette Nxumalo, 30, Mr Absalom Mhisi, 29, Mr McDonald Mogorosi, 31, Miss Pearl Luthuli, 24, Mr Moses Molada, 25, Miss Castalia Moleke, 22, Mr Force Khashane, 28, and Mr Isaac Motsoapi, 22, all employed by Post.

Mr Moroe Mosimane, 35, of the Star; Mr Michael Norton, 38, Mr Phillip Mtshkulu, 28, and Miss Zubaida Mayet, 40, of The Voice, and Mr Leslie Scott, 28, of Raven Press were also among the accused.

Guilty of march^{Rdm} 2/12/77 in Jo'burg

(325 Pol Trials)

Staff Reporters

A BLACK Anglican priest yesterday told a Johannesburg magistrate he decided to obey God's laws, rather than those of the country, when he and three other clergymen marched down Commissioner Street.

Benjamin Phatolo, 52; Mashikane Montyane, 43, an Anglican deacon; Kema Mabusela, 38, of the Mamelodi Nederduitse Gereformeerde Kerk, and Mashai Tema, 50, of the Orlando NGK, were found guilty in the Johannesburg Regional Court of holding an illegal march on October 26.

They were each fined R60, or 60 days, with a further R40, or 40 days, suspended for five years.

"God speaks to us and He said go out into the world to preach. He did not mean just go into Soweto. Our problem was whether to obey God or man," Phatolo said.

"The laws of this country are anti-Christ as we see people being torn asunder mercilessly uprooted."

W/ ARGUS

3/12/77

325 - Pol. Trials

INDEFINITE DETENTION - POLICE EVIDENCE

WINDHOEK. — Detainees held under Section Six of the Terrorism Act or its equivalent, Proclamation R17, were under an obligation to answer and make statements to the Security Police and could be detained indefinitely until they did so, the Supreme Court heard here yesterday.

Giving evidence before Mr Justice Badenhorst, Judge-President of South West Africa, in the Elifas murder trial was Captain G J Steyn of the Security Police at Oshakati.

A Swapo member, Mr Victor Nkandi, is charged with the murder of Chief Filemon Elifas, the former Chief Minister of Ovamboland, and alternatively in terms of the Terrorism Act. He has pleaded not guilty to both charges.

Cross-examined by Mr Bryan O'Linn, for the defence, Captain Steyn said detainees were under an obligation to answer and make statements to the Security Police.

In other words, if a detainee doesn't make a satisfactory statement or give you a satisfactory answer, you can detain him indefinitely? Mr O'Linn asked.

Captain Steyn said this was the case. — Sapa.

Refused to train in Tanzania

Court Reporter

AN 18-YEAR-OLD African had refused three times to leave South Africa with an alleged military-training recruiting agent to go to Tanzania, a Durban regional magistrate heard yesterday.

- (e) Company tax: (1) Extent.
(2) Discrimination
- (f) Personal tax: (1) Extent.
(2) "Problems".
- (g) Problem of lags: (1) Parliame
(2) Advantag
- (h) Recent developments.

III. FINANCING THE DEFICIT

A. Various sources of loan finance

- Domestic (1) Public debt commissioners
 - kind of financial intermediary
 - main holders of long-term government
 - function
- (2) Other holders of long-term government
 - insurance companies - "capitve mark
 - other private financial institution (non-banking)
- (3) The Banking Sector:
 - (a) Commercial banks - short - term government stock and Treasury bi
- legal minimum reserve requiremen
 - (b) Reserve Bank - hold approx. 2% g
- keep deposits of
stabilization acc
- (4) Loan levies - the tax paying public.
- Foreign (5) Overseas capital markets.

(Addendum: Some description of the workings of the and methods of obtaining loan finance by organisations.)

B. Major types of government accounts

- (1) Revenue
- (2) Loan
- (3) Exchequer (= Revenue plus Loan plus SWA plus

Mr. Linda Matiwani was giving evidence before Mr. E. B. Standen at the hearing at which Mr. Bongani Emmanuel Ntsele (23) and Mr. Themba Samuel Xulu (25) have pleaded not guilty to contravening the Terrorism Act.

It is alleged by the State between March 1 and April 30 this year they recruited, or incited, 12 youths from Eshowe and Kwa Mashu to undergo military training in Swaziland, Tanzania or Russia.

The training, it is alleged, could have been of use to persons intending to endanger the maintenance of law and order in South Africa.

Mr. Matiwani said he had talked with Mr. Ntsele earlier this year, in March or April.

Mr. Ntsele had told him . . . "We should leave and go to Tanzania."

Mr. Matiwani said he did not ask why Mr. Ntsele wanted him to go to Tanzania.

"I refused to go and left him," he said.

Mr. Ntsele had on two subsequent occasions urged him to go to Tanzania, but both times he had refused.

The hearing was adjourned until Monday.

Mr. B. Schonfeldt is appearing for the State, Mr. T. L. Skewyiya is appearing for Mr. Ntsele and Mr. P. Langa for Mr. Xulu.

'Detainees must answer police'

325 - Police Trials

WINDHOEK — Detainees held under section six of the Terrorism Act or its equivalent, proclamation R17, were under no obligation to answer and make statements to the Security Police and could be detained indefinitely until they did so, the Windhoek Supreme Court heard yesterday.

Giving evidence before Mr Justice F. H. Badenhorst, Judge President of SWA, in the summary Elifas murder trial was Captain G. J. Steyn, of the Oshakati Security Police.

A Swapo member, Mr Victor Nkandi, is charged with the murder of Chief Filemon Elifas, the former Chief Minister of Owambo, and alternatively in terms of the Terrorism Act. He has pleaded not guilty to both charges.

Cross-examined by Mr Bryan O'Linn, for the defence, Capt Steyn said that

detainees were under obligation to answer and make statements to the Security Police.

"In other words, if a detainee doesn't make a satisfactory statement or give you a satisfactory answer, you can detain him indefinitely?", Mr O'Linn asked.

Captain Steyn admitted that this was the case.

He denied under cross-examination having any knowledge of assaults on the detainees at Ogongo College during an investigation.

"There certainly were no assaults or threats on detainees during my period there. At the beginning of the investigation we were told to prevent using any method of interrogation which could result in any mudslinging about the Security Police," he said.

The hearing continues on Monday. — Sapa

Mar 6/12/77

Former (325) Pol. trials guerilla tells of training

MARITZBURG — A former officer in the Pan-African Congress guerilla army today gave details in the terrorism trial in Maritzburg of extensive military training he had received in five African countries over a four-year period.

The man, whose name cannot be used following a request by Mr Justice Hoexter, said he had been a member of the banned PAC in South Africa, but had decided to leave for military training to return and fight the South African Government.

He was giving evidence at the trial where Mr Stanley Pule (33), Mr Isaac Mhlekwa (49) and Mr Nogaga Gxekwa (47) have pleaded not guilty to participating in various terrorist activities, including leaving the country for military training.

Mr Pule and Mr Mhlekwa were arrested by members of the South African security police at the Swaziland border in 1976. Mr Gxekwa was arrested by police in the same area earlier this year.

The three accused showed visible surprise from the dock when the witness was brought into court today.

The witness, who has been warned as an accomplice, said he and two others had crossed the border into Botswana in April 1964.

He stayed in a refugee camp in Francistown with other members of the PAC, ANC and Swapo. All three accused were with him, he said. They were later taken to Livingstone in Zambia and then flown to Dar es Salaam in Tanzania and stayed at the Mgulane transit camp.

He said a few weeks later they went to Accra, Ghana, where their military training started.

Mercury Reporter

Pietermaritzburg
THE State yesterday requested that the terrorism trial here be held in camera to protect further witnesses from possible harm following the machine-gunning of a witness in his bed at a Durban township recently.

The prosecutor referred to the recent shooting of Sgt. Leonard Nkosi who testified at the lengthy terrorism trial of Harry Gwala and nine others.

Sgt. Nkosi was shot dead with a Russian-made weapon while asleep at his Kwa Mashu home.

Should the application be refused or opposed by the defence, the prosecutor requested that the Court ask the news media not to publish the names of further witnesses.

The defence has objected and the judge will give his decision today.

In the trial Mr. Stanley Pule (33), Mr. Isaac Mhlele (49) and Mr.

State move to protect witnesses

Nogaga Gxekwa (47) have pleaded not guilty to various charges of participating in terrorist activities.

It is alleged that the accused underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia and that Mr. Pule and Mr. Mhlele gave military training to others at Mkalame in the Ingwavuma district.

Mr. Justice Hoexter and two assessors have so far heard evidence on the training of witnesses at a secret training ground at Mkalame.

Mr. Peter Rowan, the prosecutor, said the State now intended to call evidence of people who ac-

companied the accused for military training at the various centres mentioned in the indictment.

Unrest

He said that it was common knowledge that unrest was presently being experienced in the country. When a witness testified against his former comrades there was every possibility that he might be intimidated in some way or suffer the same consequences as Sgt. Nkosi.

There was a likelihood that some harm might result to the witnesses the State intended to call.

However, should the application be refused or opposed by the defence, Mr. Rowan requested the Court to ask the news media not to publish names of the witnesses.

Mr. Andrew Wilson, SC, opposed the application and alternative suggestion.

Important

He said that he was opposed in principle to trials being heard in camera and submitted that it was important that the facts in "this sort of trial" be made known to the public.

He accepted the fact that Sgt. Nkosi was shot dead some time after giving evidence in the Harry Gwala trial but there hadn't been any prosecution or evidence to indicate that the shooting was actually a reprisal, he said.

The danger of a reprisal would have been present in respect of witnesses who had already testified because they were returning to an area where there have been numerous killings.

There was not sufficient evidence as to why the following witnesses should be treated differently, said Mr. Wilson.

There had been a number of similar trials and sabotage cases where witnesses had testified without reprisal killings, he said.

There should be very special circumstantial evidence before the Court prior to such an application being conceded.

Although the alternative suggestion was more common, Mr. Wilson also objected to the proposal.

It was important to the defence that the facts of the case should be published so that any person who could assist the Court by giving evidence relating to a witness could do so.

Mr. Justice Hoexter will give his decision today.

During yesterday's hearing a witness, Mr. Nogwaja Mngomezulu, told the Court that he had been to the training ground on two occasions but was not interested in learning to shoot and drill.

He had been approached to learn to fight against an opposition faction and the police and Whites who helped the Khathwayo supporters, he said.

Assaulted

After being arrested earlier this year he was taken to the Ingwavuma police station where he was assaulted.

He claimed that he had been blindfolded, punched and kicked after being made to undress.

An object known as a tokoloshe was applied to him and this "caught hold of me and I felt sudden pain which went through my body."

He said he had never been shocked by electricity and didn't know whether the effect was similar.

He was then questioned over the following two days and threatened with being locked up indefinitely unless he satisfied the police. Others in his cell had also mentioned that they had been assaulted.

Solitary

Mr. Mngomezulu said he had since been kept in solitary confinement. This had had an adverse effect on him and he thought it would be better for him to die as he knew of no offence that he had committed.

He denied under cross-examination by Mr. Wilson that he was confused and what he was saying in his evidence was something he had been told by somebody else.

In the trial, Mr. Peter Rowan assisted by Mr. Anton Ackerman appear for the State. Mr. Andrew Wilson, SC, assisted by Mr. Michael Daley appear for the defence.

The trial continues today.

Cape Times 6/12/77 325 points
Student's passport withdrawn

THE passport of the president of the University of Cape Town debating union, Mr. Humphrey Harrison, was withdrawn by the Department of the Interior yesterday.

Mr. Harrison, 20, said he would have to cancel a Christmas visit to his parents who have retired in Britain. "I

was only going for a month and would have come back."

He is studying law at UCT and was vice-president of the SRC last year.

No reasons for the withdrawal were given.

The Secretary of the Interior was not available for comment yesterday.

SA treason trial man dies in exile

Own Correspondent

LONDON. — Mr P J "Jack" Hodgson, a former treason trialist, listed communist and activist in South African exile politics, died in London on Saturday.

Mr Hodgson, 67, who had suffered a severe lung complaint for several years, was cited as a co-conspirator in many of the major political trials in South Africa since he fled the country in 1963.

It was revealed yesterday that since 1961 he had

been an adviser to Umkhonto We Sizwe, the military wing of the African National Congress.

It has been suggested by South African security sources that his experiences with the 1st South African Division during the last war, plus his work with explosives on the mines in South Africa and Zambia, were called into use by the ANC.

In 1956, Mr Hodgson, with 15 others, was charged with high treason, but was later acquitted.

RDM

6/2/77

325 - Pol. Trials

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2

manufacturing

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Population gr

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Mining limited

P 130-135

(3rd edn)

Houghton

Hobart

Refer

Qu. 3a

P-Ac relationship, whether Ac is a minimum,

equilibrium in terms of output, P-Ac relationship

+ Some statement contrasting the 2

Ac not a minimum

Probably $P > AC$ (supernormal profits)

Description: where $MR=MC$, $P > MC$

Diagram

sloping D curve

substitutes, etc; 1 firm facing downward

Assume high barriers to entry; no close rivals

Monopoly

$P = \text{minimum } AC$

$P = MC$

$MR=MC=MR$

Long Run AC

$P=MR=AR=D$

Description of equilibrium:

(If shows

diagram

correct labelled

perfectly elastic D curve (or equivalent assumptions)

Assume: ~~Easy entry/exit~~ Each firm has

Perfect competition

Escaped

His comrades escaped but he was held in a Portuguese prison until the middle of July when he was handed over to the South African Police.

After making a statement to police in Pretoria in February, 1969, the witness was released. There were no conditions involved, he said.

The three accused were arrested on the South African border in 1975/76.

The witness said he was giving evidence merely to assist the Court in reaching a decision.

Under cross-examination by Mr. Andrew Wilson, SC, for the defence, the witness denied that when he saw Mr. Pule at Mbeya he was working on the buses and said that the accused was never employed in his presence.

He also denied that his contact with all the accused transferred to Mbeya where they were to give refresher courses to members of PAC, were never discussed with him.

It was not true, said the witness, that he saw Mr. Mhlekwu only at the market while at Mbeya.

The witness insisted that he met the three accused in Zambia before infiltrating to Mozambique.

In the trial Mr. Peter Rowan, assisted by Mr. Anton Ackerman, appears for the State.

Mr. Andrew Wilson, SC, assisted by Mr. Michael Daley, appears for the defence.

The trial continues today.

Dr. Smuts gave refresher training courses to "freedom fighters."

In April, 1968, the witness was in a group of 12 which volunteered to infiltrate South Africa from Zambia. They later reached Mozambique where he remained for about two months before being arrested, said the witness.

WITNESS IS 'BITTER' ABOUT S.A.

Mercury Reporter

PIETERMARITZBURG — A former officer in the Pan African Congress (PAC) army told the Supreme Court here yesterday he still had a bitter feeling for most Whites and the South African Government which he would like to see overthrown "by any means."

The man was giving evidence at the first terrorism trial to be held in South Africa involving alleged members of PAC — a banned organisation.

In the trial, which is being heard before Mr. Justice Hoexter and two assessors, Mr. Stanley Pule (33), Mr. Isaac Mhlekwu (49) and Mr. Nogaga Gxekwa (47) have pleaded not guilty to participating in various terrorist activities.

On Monday an application was made by the State to have the evidence of a witness about to be called held in camera, or alternatively to request the news media that his name not be published.

It was feared that the witness could face possible harm in the light of the recent machine-gunning of a witness in his bed at a Durban township.

Asleep

Sgt. Leonard Nkosi, who testified in the terrorism trial of Harry Gwala and nine others, was shot to death with a Russian-made weapon while asleep at his Kwa Mashu home.

Mr. Justice Hoexter yesterday refused the application but made an informal request that the witness' name be withheld from all reports of the proceedings.

The witness, an African who testified in English, was warned as an accomplice who would be freed from prosecution if he answered all questions frankly and honestly.

He told the Court he became a member of the

banned PAC in 1963 as he felt he was oppressed, discriminated against and denied certain privileges.

The main objective of PAC was to overthrow the Government through an armed revolution, he said.

The witness told how he and three others left the country in April, 1964, for Francistown in Botswana. They stayed at a house known as the White House and normally used as a refugee camp.

Refugees

There he met Mr. Mhlekwu and Mr. Gxekwa as well as refugees from South Africa, South West Africa and PAC members.

A group of about 30 later crossed into Zambia, went to Dar-es-Salaam, Tanzania, where they stayed at the Mgulane transit camp.

There they met many different "freedom fighters" from Zambia, Angola, South West Africa and the accused, Mr. Pule.

After two weeks in the camp a group, including the three accused, went to Accra in Ghana where they underwent military training in the Havasini military camp.

They were instructed in the use of arms, military tactics, bayonet charges and physical training. The guns used included the Kalashnikov 7,62mm fully automatic rifle, the Seminoff

semi-automatic rifle, PPSH drum magazine rifles and Tokorev 7,62mm pistols.

After about three months they were taken to a military camp near Kumasi in Ghana and from there back to Accra.

Training

Six weeks later they were flown to Algeria where they were met by Mr. Patrick Duncan — an executive member of the PAC — and underwent further military training in the Boghari camp.

There they joined the Algerian Army and later Egyptian "freedom fighters."

Mr. Pule, the witness, and other PAC members were chosen to go to the Algerian military academy at Cherchele to be trained as officers.

Mr. Mhlekwu and Mr. Gxekwa remained in the Boghari camp.

The training at the academy included map-reading, telecommunication, the use of different guns and explosives.

On completion of the 18-month course they were promoted to the rank of lieutenant.

They then moved to the Skikda military camp — a commando camp in Algeria.

Their instruction included guerrilla warfare, the laying

of mine-fields, explosives and lectures on infiltrating South Africa.

Courses

After three months in the camp some officers, including Mr. Pule, were transferred to Mbeya where they were to give refresher courses to members of PAC, move through Zambia and ultimately return to South Africa.

The witness said he eventually went to the Mbeya camp where he again joined Mr. Pule and Mr. Mhlekwu. Mr. Mhlekwu drove Land-Rovers transporting trainees between Dar-es-Salaam and Mbeya and between Mbeya and Lusaka.

Mr. Pule, the witness and Mr. Mhlekwu later left Mbeya separately for Zambia.

The trio and other PAC members later met at a military camp in Livingstone. Mr. Pule, the witness and other officers gave refresher training courses to "freedom fighters."

In April, 1968, the witness was in a group of 12 which volunteered to infiltrate South Africa from Zambia. They later reached Mozambique where he remained for about two months before being arrested, said the witness.

4. A toilet situated next to the Open Shop on the ground floor has been made available to users.
5. A job status display has been implemented at the Reception desk. It was agreed that it was working well and served a useful purpose.
6. The changeover to the new system was completed on 12th April 1977.

Ex-PAC man tells court of training

Cape Times
7/12/77

325 - Pol. Trials

Own Correspondent

MARITZBURG. — A former officer in the Pan African Congress (PAC) army told the Supreme Court here yesterday that he still had a bitter feeling for most whites and the South African Government which he would like to see be overthrown "by any means".

The man was giving evidence at the first terrorism trial in South Africa involving alleged members of PAC — a banned organization.

The trial, is being heard before Mr Justice Hoexter and two assessors. Stanley Pule, 33, Isaac Mhlekwa, 49, and Nogaga Gxekwa, 47, have pleaded not guilty to participating in various terrorist activities.

An African witness told the court that he became a

member of the banned PAC in 1963 as he felt he was oppressed, discriminated against and denied certain privileges.

The main objective of the PAC was to overthrow the government through an armed revolution, he said.

The witness told how he and three others left the country in April 1964 and went to Francistown in Botswana. They stayed at a house known as the White

House and used as a refugee camp.

There he met Mr Mhlekwa and Mr Gxekwa as well as some refugees from South Africa, South West Africa and PAC members.

A group of about 30 later crossed into Zambia, went to Dar es Salaam, Tanzania, where they stayed at a transit camp.

After two weeks in the camp, a group, including the three accused, went to Accra in Ghana where they underwent military training in the Hayasini military camp.

In April 1968 the witness was in a group of 12 which volunteered to infiltrate South Africa from Zambia. They reached Mozambique where he stayed for about two months before being arrested, the witness said.

His comrades escaped but he was held in a Portuguese prison until the middle of July, when he was handed over to the South African Police.

After making a statement to police in Pretoria in February 1969 the witness was released. There were no conditions involved, he said.

In the trial, Mr Peter Rowan, assisted by Mr Anton Ackerman, appear for the State, Mr Andrew Wilson SC assisted by Mr Michael Daley appear for the defence. The trial continues today.

(4) Growth

(a) C

(b) F

C. OVERLA

e.g. (1)

(2)

(3)

* (1) Samuel
Ch. 1
Ch. 1
Ch. 1
Ch. 3

(2) Lips

Ch. 34: A, B, C ON FISCAL POLICY.

Ch. 45: Growth and Underdeveloped Economies
(Nothing on Allocative and Distributive functi

* (3) O. Eckstein: "Public Finance"

Ch. 1: The Scope of Government Activity

** (4) R.A Musgrave: "The Theory of Public Finance".

Ch. 1: A multiple theory of the public househ

(5) R.A. Musgrave: "Fiscal Systems"

Ch. 1: The Issues

(6) J. Robinson & J. Eatwell: "An Introduction to
Book II, Ch. 7.3: The Public Sector.

Note: Musgrave's "Theory of Public Finance", Ch. reference and students should consider organizing getting hold of the book proves too difficult.

Former PAC man 'resents whites'

(325 Pol. Trials)

RJM
7/12/74

Own Correspondent

MARITZBURG. — Former officer in the Pan African Congress army told the Supreme Court, Maritzburg, yesterday that he had a bitter feeling for most whites and the South African Government which he would like to see overthrown "by any means."

The man was giving evidence at the first Terrorism Act trial involving alleged members of the banned PAC.

In the trial, which is being heard before Mr Justice Hoexter and two assessors, Mr Stanley Pule, 33, Mr Isaac Mhlekwa, 49, and Mr Nogaga Gxekwa, 47, have pleaded not guilty to participating in terrorist activities.

An application made by

the State on Monday to hear the evidence in camera of a witness about to be called, or alternatively to request the news media not to publish his name was refused yesterday.

But Mr Justice Hoexter made an informal request that the witness's name be withheld from all reports of the trial.

The witness, was warned as an accomplice who would be freed from prosecution if he answered all questions frankly and honestly.

He told the court he had become a member of the PAC in 1963 as he felt he was oppressed, discriminated against and denied certain privileges.

The main objective of

the PAC was to overthrow the Government through an armed revolution, he said.

The witness told the court he had crossed the border and gone to Francistown in 1964. He then gave details of his "travels" in certain African countries, and how he had undergone military training in some of them. He said the three accused had also undergone military training.

The witness said he was caught in Mozambique in April 1968 and in July was handed to the South African Police. After a statement to the police in Pretoria in February 1969, he was released.

The hearing continues today.

Student jailed for

(525) Pol. trials Nov 8/12/77
false statement

Pretoria Bureau

PRETORIA — A 25-year-old student who made a false statement to the police was yesterday sentenced by a Pretoria Regional Court magistrate to two years' imprisonment for attempting to defeat or obstruct the course of justice.

Jarius Mpotseng Kgokeng, who is being detained at Modderbee Prison was also convicted of stealing a document relating to State security. The court heard he had handed it to his attorney, Mr Shun Chetty.

The court heard that on November 3, 1975, Kgokeng made a

statement to the police in which he alleged he stated facts he was told by a Security Policeman. He said the statement also contained figments of his imagination.

When consulted with by State advocates, he led them to believe the contents of his statement were true, but at a trial, his court evidence conflicted with his statement.

The document he stole, the court was told, contained information relating to the ANC and names of people about whom the Security Police thought he could give them more information.

On this count, he was fined R10 (or 10 days).

8/12/77

325 1st Trials

TERROR WITNESS 'LIED IN COURT'

Mercury Reporter

PIETERMARITZBURG — The judge and defence counsel in the Pan African Congress terrorism trial here yesterday praised the State prosecutor for "his very proper conduct" of informing the Court of various issues on which a State witness had lied.

After re-examination of the witness by Mr. Justice Hoexter, the State prosecutor, Mr. Peter Rowan, indicated to the Court that the witness had lied in certain respects regarding statements made by him and subsequent interviews.

The witness, whose name is being withheld following the informal request of the Judge, had given evidence of his participation in undergoing military training with the three accused in Ghana, Algeria, Egypt, Tanzania and Zambia.

The accused, Mr. Stanley Pule (33), Mr. Isaac Mhlekwa (49) and Mr. Nogaga Gxekwa (47) have pleaded not guilty to various charges under the Terrorism Act.

Under cross-examination by Mr. Andrew Wilson SC, for the defence, the witness denied having made any statements to the police since 1968 or having been interviewed in connection with this statement since then.

He said he had merely been asked to give evidence in the trial by the Security Police, and he was doing so in order to help the Court reach a decision.

He denied having had any further interviews with the police or prosecution for the State or reading over his statement to refresh his memory.

When asked by Mr. Wilson how it was that he referred to the accused by their numbers without having been instructed to do so in court, the witness replied that he had listened to a radio programme "consider your verdict" for many years in which he had heard that procedure.

Mr. Wilson claimed that this was most unlikely as the programme was a British one in which the accused were referred to as "The prisoner at the Bar."

The witness later added that he had attended previous court cases as a spectator.

Mr. Rowan informed the Court that the witness "has been untruthful in certain respects."

The State is aware, he said, that the witness has been interviewed by the police and had made statements on occasions since 1968.

The witness had also been handed his statement to read before giving evidence — which was normal procedure.

Mr. Rowan emphasised that these were the only points on which the State made a confession and it hadn't become necessary for him to hand over the witness's statement to the defence counsel.

Both the defence counsel and the Judge then praised him for his conduct.

At the start of yesterday's proceedings, the prosecutor indicated that the State could not immediately call any further witnesses.

As the previous witness, an African, had testified in English, the Court proceedings had been curtailed considerably and unexpectedly.

The witness the State had intended calling was ill in the Cape and doctors had refused to allow him to be moved. It was unlikely that he would be able to travel in the near future, said Mr. Rowan.

Unless alternative arrangements could be made he would make an application for the Court to proceed to the Cape.

Another witness was in Bophuthatswana celebrating the independence while a third had left three addresses throughout the country and was somewhere between them and could not be located. The trial continues today.

RAM 8/12/77

Two await recruiting judgment

DURBAN. — Judgment will be given on December 15 in the Durban Regional Court on two blacks charged with recruiting youths for military training in foreign countries.

Mr Bongani Emanuel Ntsele, 23, and Mr Themba Samuel Xulu, 25, appeared before Mr E B Standen yesterday on a charge that between March 1 and April 30 they recruited six youths from KwaMashu and six from the Eshowe area.

They pleaded not guilty.

The State alleges that the youths were to go to Swaziland, Tanzania or Russia to be trained as soldiers.

Ex-PAC

(325) Pol. trials
man lied

EDM 8/12/77
to court

Own Correspondent

MARITZBURG. — The judge in the PAC Terrorism Act trial in the Supreme Court, Maritzburg, yesterday praised the State counsel for "proper conduct" after he admitted that a State witness lied to the court.

The witness, whose name is being withheld, has given evidence about undergoing military training with the three accused in Africa.

Mr Stanley Pule, 33, Mr Isaac Mhlekwa, 49, and Mr Nogaga Gxekwa, 47, have pleaded not guilty before Mr Justice Hoexter to charges under the Terrorism Act.

The witness told the court he had not made statements to the police since 1968 and had not been interviewed on his statement since then.

Mr Peter Rowan, the prosecutor, said the witness had "been untruthful in certain respects."

The State knew the witness had been interviewed by the police and had made statements after 1968, he said.

The trial continues today.

Witness tells court he was beaten with sjambok

PORT ELIZABETH — Allegations of police brutality were made in a regional court here yesterday by a State witness called to give evidence about alleged incitement at a fund-raising concert during the October unrest in the black townships.

The witness, Mr Alcot Kibi, was testifying at the trial of Mr Monde Spier, 23, Mr Vysumzi Mahejana, 21, and Mr Tozamile Botha, 27, who are charged with incitement to public violence at a concert at a cinema in New Brighton on October 23.

Mr Kibi said he was a member of the association for Science and Technology. Mr Botha was the association's vice-

president. He attended a meeting at Mr Botha's house at which it was decided to raise funds for legal representation of pupils in custody.

At the concert, Mr Spier took the microphone, gave a black power salute and shouted "black power" to the 1 000 people in the audience.

The audience responded by shouting "power is ours." Mr Spier told the people they should boycott work and that the houses of people helping the police were in danger of being burnt.

He also told the people that if they wanted to burn shops, they should do so in the city, not in the townships.

He said that while Mr Spier was addressing the audience, alleged police informers were taken out of the cinema and beaten up.

Cross-examined by Dr W. E. Cooper SC (for the defence), Mr Kibi said that at about 3 am on October 24 police arrived at his home and dragged him by the scruff of his neck to a vehicle waiting outside.

He was taken to a gymnasium at the Algoa Park police station where he was questioned by a Mr Niewoudt for an hour and a half. Mr Niewoudt told him: "If I ask you a question, tell me all you know and tell the truth. If you don't I'll give you a hiding."

Mr Kibi said Mr Niewoudt, who had a sjambok, said that certain people had said things at the concert and he wanted to know who they were and what they said.

"When I said I didn't know what was said, he hit me across the back with the sjambok many times. It was very painful" Mr Kibi said.

At one stage of the interrogation, a Mr Fouche put him against a wall and threw darts at him. None hit him, Mr Kibi said.

He was then taken to the New Brighton police station where the questioning continued.

"When I told Mr Niewoudt that I saw a person on the stage but couldn't recall what he said, he hit me across the face and back with a piece of hosepipe. He said if I didn't tell him the truth, he might even kill me," Mr Kibi said.

He finally made a statement to the police, about ten days after his arrest, when he was told that if he did not take his "last chance" he would be detained under Section 6 of the Terrorism Act.

The trial continues today. — DDC.

Victim set alight

BUENOS AIRES — A man and a woman sprayed machinegun fire at a policeman guarding a suburban bank yesterday, killing him and a 3-year-old boy and wounding two adult passers-by, police said.

After the couple opened fire from a passing car, the woman jumped out, poured petrol over the policeman's body and set it alight. The two escaped in the car. — SAPA-AP.

Ex-Robben Island men in terrorism trial

JOHANNESBURG — Eighteen alleged members of the Pan African Congress appeared briefly in the Bethal magistrate's court this week on charges under the Terrorism Act.

In one of South Africa's biggest terrorism trials the men are charged with participating in terrorist activities or alternatively furthering the aims and activities of the banned PAC.

The case has been remanded to January 9 to set a trial date.

The accused include at least three ex-Robben Island prisoners.

There are also 87 co-conspirators — including Robert Sobukwe, president of the PAC — who have not been charged.

In an indictment running into 50 pages the State alleges that the offences were committed between 1963 and 1977 and all the accused were members or active supporters of the PAC.

While serving sentences on Robben Island three of the accused held secret meetings and lectures to reactivate and reorganise the PAC.

It is also alleged that some of the accused recruited people to undergo military training for the PAC abroad and that one of the accused received training in Libya and returned to South Africa.

The indictment further states that a religious organisation, the Young African Religious Movement, was used as a cover to further the aims

and objects of the PAC.

At least three of the co-conspirators allegedly committed suicide while in detention. They are: Dr Maboth Ntshuntsha, Mr Bonaventure Malazas, and Mr Aaron Khoza. A fourth man, Mr Samuel Malinga, allegedly died of natural causes while in detention.

A journalist, Mr Moffat Sungu from the banned newspaper *The World*, is one of the accused in the trial. Another journalist, Mr Mike Mzileni from *Drum* magazine, is listed as a co-conspirator.

The trial is the first major trial of people furthering the aims of the PAC. The overwhelming majority of terrorism trials since 1963 have involved people furthering the aims of the African National Congress. — DDC.

DD 9/12/77

144 guilty in security trials

325 Pol trials

JOHANNESBURG — A total of 144 people were convicted under security laws and sentenced to 898 years imprisonment during the first 11 months of this year.

Just over 400 people faced charges in 95 security trials between January and November according to figures collated by the Institute of Race Relations.

Of the 401 people charged under security laws ranging from the Terrorism Act through the Internal Security Act to the Sabotage Act, 198 were either acquitted or had charges against them withdrawn. Cases against 59 accused are proceeding.

The figures do not include the three accused in the current Pan Africanist Terror Act trial in Maritzburg or the pending trial in Bethal under the Terror Act of 18 alleged members of the banned Pan Africanist Congress.

The overwhelming majority of charges related to the activities or alleged activities of the banned African National Congress.

The most spectacular trial was the one in Pretoria under the Terrorism Act and Internal Security Act of 12 alleged members or sympathisers of the ANC.

The trial began in April but after the State had presented its case the presiding judge, Mr Justice Davidson, died and a retrial was ordered.

It is scheduled to begin early next year and will coincide with the Pan Africanist congress trial in Bethal.

Of the 95 trials 45 were under the Terrorism Act. These trials involved 975 accused, of whom 35 were sentenced to a total of 334 years imprisonment.

The next largest category relates to people accused of sabotage under the General Law Amendment Act of 1962. In 38 trials, 257 people were charged, of whom 88 were convicted and sentenced to a total of 524 years imprisonment.

The Terrorism Act and Sabotage Act both carry a minimum sentence of five years imprisonment. — DDC.

NM 9/12/77

Five attended an illegal meeting

Mercury Reporter

PIETERMARITZBURG — Five University of Natal students here were yesterday found guilty in the Magistrate's Court of attending an illegal gathering on the campus.

The gathering, on October 20, was to protest bannings and detentions by Minister of Police Mr. Jimmy Kruger.

The five students who were charged under the Riotous Assemblies Act and pleaded guilty before Mr. P. J. M. Venter were each fined R50 (or 25 days).

They are John Gultig (20), Fiona Henderson (19), Peter Maritz (21), Jamie Shepherd (26) and Arthur Lees-Rolfe (22).

No evidence was led.

Charges against two other students, Victoria Francis (20) and Alan Velcich (26) were withdrawn after they had paid R50 admission of guilt each.

The prosecutor also withdrew the case against Mr. Andrew Harrison (21) who was not present in court.

Another student, Mr. Desmond Kruger (22), pleaded not guilty to the charge and a separation of trials was ordered.

Mr. Kruger was remanded until January 26.

Cape Times 9/12/77
225 Ref. Trials

Terror trial: 16 witnesses heard, State closes case

Staff Reporter

MALMESBURY. — The State closed its case in the terrorism trial here yesterday after calling 16 witnesses during the past month.

The trial, which resumed in the Regional Court after a two week adjournment, is expected to end early next week.

Two Guguletu men, Mountain Qumbella, 47, and Mathews Lumko Huna, 26, pleaded not guilty to a charge under section two of the Terrorism Act and an alternative charge under the Internal Security Act.

They were alleged to have incited or encouraged people between August 3, 1976 and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Undergo military training

Alternatively, they allegedly incited or encouraged people during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960 — such as the African National Congress and its military wing, Unmkhonto We Sizwe.

Yesterday, Major J G van Tonder, of the security police in Cape Town, handed in copies of Sechaba, official organ of the ANC, printed in Tanzania.

He told the court that for the past five years he had dealt with ANC literature and was well versed in it. He was not attached to the investigation of the case in question.

He was not aware

He said that he felt Sechaba had a double purpose — to enlighten both the outside world and people inside South Africa about ANC's aims.

Questioned by Mr B M Kies, for the defence, about the detention of Elijah Loza, he said he was not aware that Mr Loza was detained in connection with the trial or that he was examined by doctors before being held.

Earlier, parents from Langa and Guguletu told the court how their sons had disappeared from their homes and had not been heard of since.

Mr Abel Seutloali, a Lesotho man who lives in Guguletu, said his son Johnny went missing in April.

Mrs Alice Maphitiza of Guguletu said her 17-year-old son, Benson also disappeared in April.

Mr Mountain Qumbella, is expected to give evidence for the defence today when the trial continues.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the state and Mr B M Kies, instructed by Mallinck, Ress and Richman appeared for the accused men.

450 460 470

GRAPH 1: MINES EMPLOYMENT AND OUTPUT
GOLD

output in '000 kg

'TERRIFIED' MAN TALKED COURT TOLD

Mercury Correspondent

325 Pol. trials

PORT ELIZABETH — Five out of six State witnesses who have given evidence about alleged incitement before a Port Elizabeth Regional Magistrate this week have been arrested by police on charges of perjury.

Yesterday on the third day of a trial, in which Mr. Monde Spier (23), Mr. Vusumzi Mahejane (21), and Mr. Tozamile Botha (27), appeared on charges of incitement to public violence, two state witnesses Mr. L. W. Mti (21) and Mr. L. T. Nyathi (27) were arrested after giving evidence.

Two other State witnesses were arrested after giving evidence on the opening day of the trial and a third was arrested on the second day.

All said they had made statements under duress after the police interrogation.

The State alleges that the three accused made inflammatory speeches at a fund raising concert at the Rio Cinema, New Brighton, Port Elizabeth on October 23.

Shebeens

The first witness yesterday, Mr. Mti, said that Mr. Botha, one of the accused, told the audience at the concert not to burn suspected shebeens in the township unless there was proof that liquor was being sold.

He also told the audience to leave the concert peacefully.

At a later stage another accused, Mr. Mahejane, told the audience to attend the trial of pupils appearing at the Algoa Park police station the next day.

Arrested

Cross-examined by Dr. W. E. Cooper SC, (for the defence) Mr. Mti said he was arrested at about 4 a.m. on October 24 and taken to the Algoa Park police station.

There in an office he was made to sit on the floor with his legs under a chair.

A policeman sat on the chair with his feet on his (Mr. Mti's) knees while other policemen surrounded him. Each had a piece of pipe in his hands.

"I was terrified. They asked me if I would talk or if I wanted to be interrogated.

"I talked and when I stammered I was hit on the head," Mr. Mti said.

The trial continues on Wednesday.

Cape Times 10/12/77 (325-Ref)
Trends

Man denies terror charge

Staff Reporter

MALMESBURY. — A Guguletu man denied in the Regional Court here yesterday that he knew 12 youths whom he was alleged to have sent for military training for the African National Congress.

Mountain Qumbella, 47, was giving evidence in the terrorism trial at which he and Mathews Lumko Huna, also of Guguletu, face charges of contravening the Terrorism Act and the Internal Security Act.

He also earned money by making stoeps part-time.

The hearing was adjourned to Monday.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State and Mr B M Kies, instructed by Mallinck, Ress, Richman and Co., appeared for the accused men.

They are alleged to have incited or encouraged people between August 3, 1976 and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Incited

Alternatively, they are alleged to have incited or encouraged people during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

Questioned by the defence counsel, Mr B M Kies, Mr Qumbella said he had never seen or met the 12 youths. The names were read to him in court.

Mr Qumbella denied being a member of the ANC or of its military wing, Umkhonto we Sizwe.

Member

He said he was a member of the ANC from 1958 to 1960, when it was banned in terms of the Unlawful Organizations Act.

In 1963 he appeared in a trial charged with being a member of the ANC and furthering its aims, together with Mr Elijah Loza, who died in detention on August 1 this year.

He denied that he had personal or political dealings with Mr Loza during recent years. He knew where Mr Loza lived, but had seen him only casually.

Mr Qumbella told the court he was married with seven children, aged between 20 and two.

He came to Cape Town from Transkei in 1953 and worked as a labourer and later as a crane driver for two large construction companies.

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325 - Pol. Trials

Toll of security in SA — 898 years in prison

Own Correspondent

JOHANNESBURG. — One hundred and forty-four people were convicted under security laws and sentenced to a total 898 years imprisonment during the first 11 months of this year.

Over 400 people faced charges in 95 security trials during the 11 month period January to November, according to figures collated by the Institute of Race Relations.

Of the 401 people charged under security laws, ranging from the Terrorism Act through the Internal Security Act to the Sabotage Act, 198 were either acquitted or had charges against them withdrawn.

Cases against 59 accused

are proceeding.

The figures do not include the three accused in the current Pan Africanist Terror Act trial in Maritzburg or the pending trial in Bethal, of 18 alleged members of the banned Pan Africanist Congress.

Both Pan Africanist trials fall outside the 11 months period but would bring the total number of security trials to 97 this year.

The accused in the first 95 trials were specifically charged with furthering the aims of banned organizations. However the overwhelming majority of charges related to the activities or the alleged activities of the banned African National Congress (ANC).

The most interesting trial was held in Pretoria under the Terror and Internal Security

Acts of 12 alleged members or sympathizers of the ANC.

The trial began in April but after the State had presented its case the presiding judge, Mr Justice Davidson died and a retrial was ordered.

The trial is scheduled to begin early next year and will coincide with the appearance in Bethal of 18 men accused of furthering the aims of the Pan Africanist Congress.

Of the 95 security trials in the 11 month period 45, or nearly half, were under the Terror Act. These trials involved 975 accused, of whom 35 were convicted to a total of 334 years imprisonment.

The next largest category relates to people accused of sabotage under the General Law Amendment Act of 1962. There were 38 trials involving charges of sabotage.

Private investigator in Woods T-shirt case tells of tampering with the mail



Investigator Donald Card: I have proof

Tribune Reporter

A PRIVATE investigator claims he has evidence that implicates a member of East London security police in the case of the T-shirt that burnt Donald Woods' daughter.

Investigator Donald Card was commissioned by Mr Wood, banned editor of the Daily Dispatch, to find out how his five-year-old daughter was burnt by a T-shirt impregnated with an acid-like chemical.

He says a security policeman removed the parcel containing the shirt from the main post office in East London.

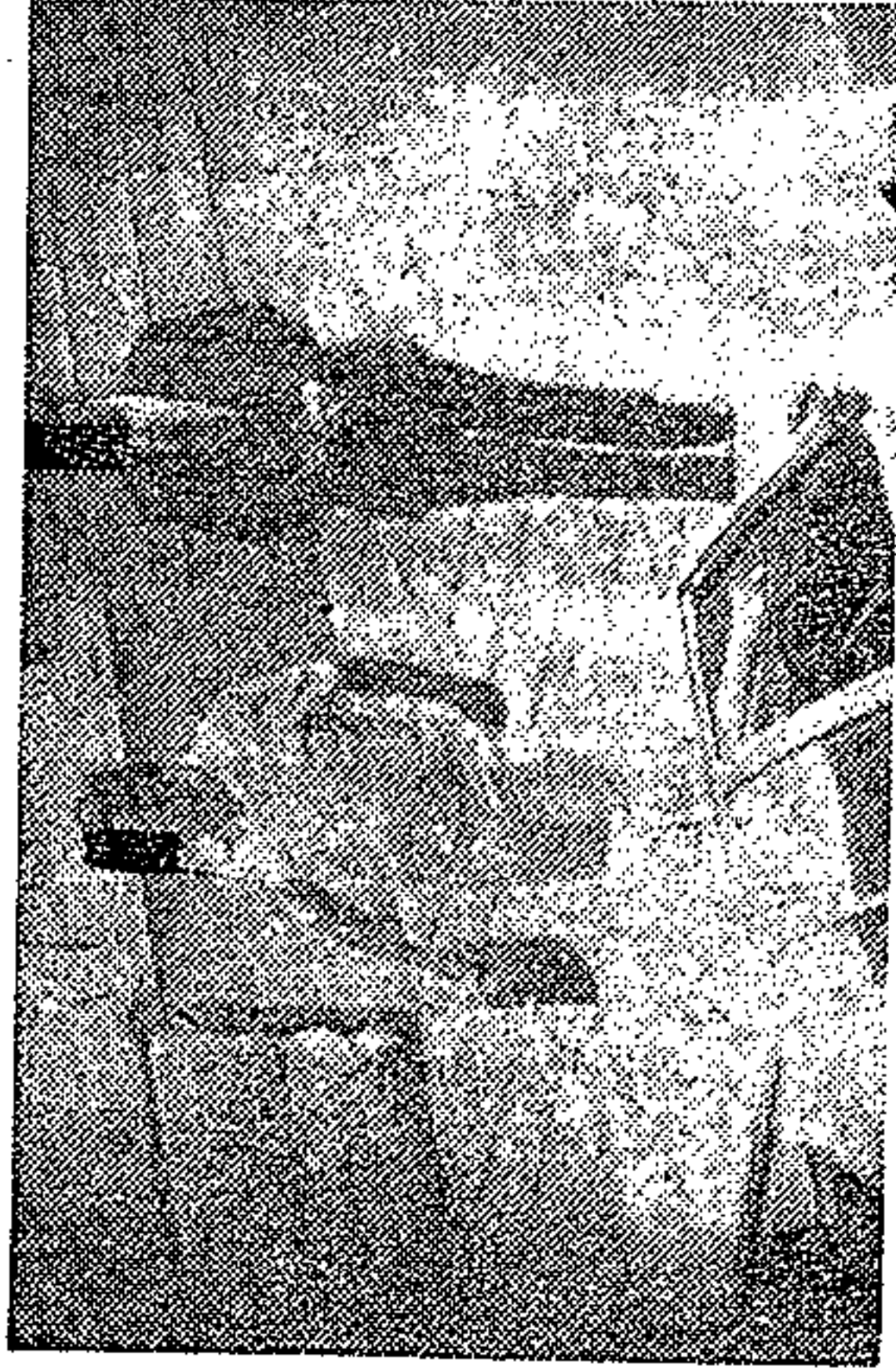
Mr Card, who worked for the security police for about 10 years until 1970, was one of the first policemen in South Africa to know about the Rivonia plot. He was also responsible for infiltrating a Pogo band of hundreds bent on taking over East London in the 1960s.

Mr Card claims he has conclusive evidence that should lead to a criminal charge being laid against the security policeman.

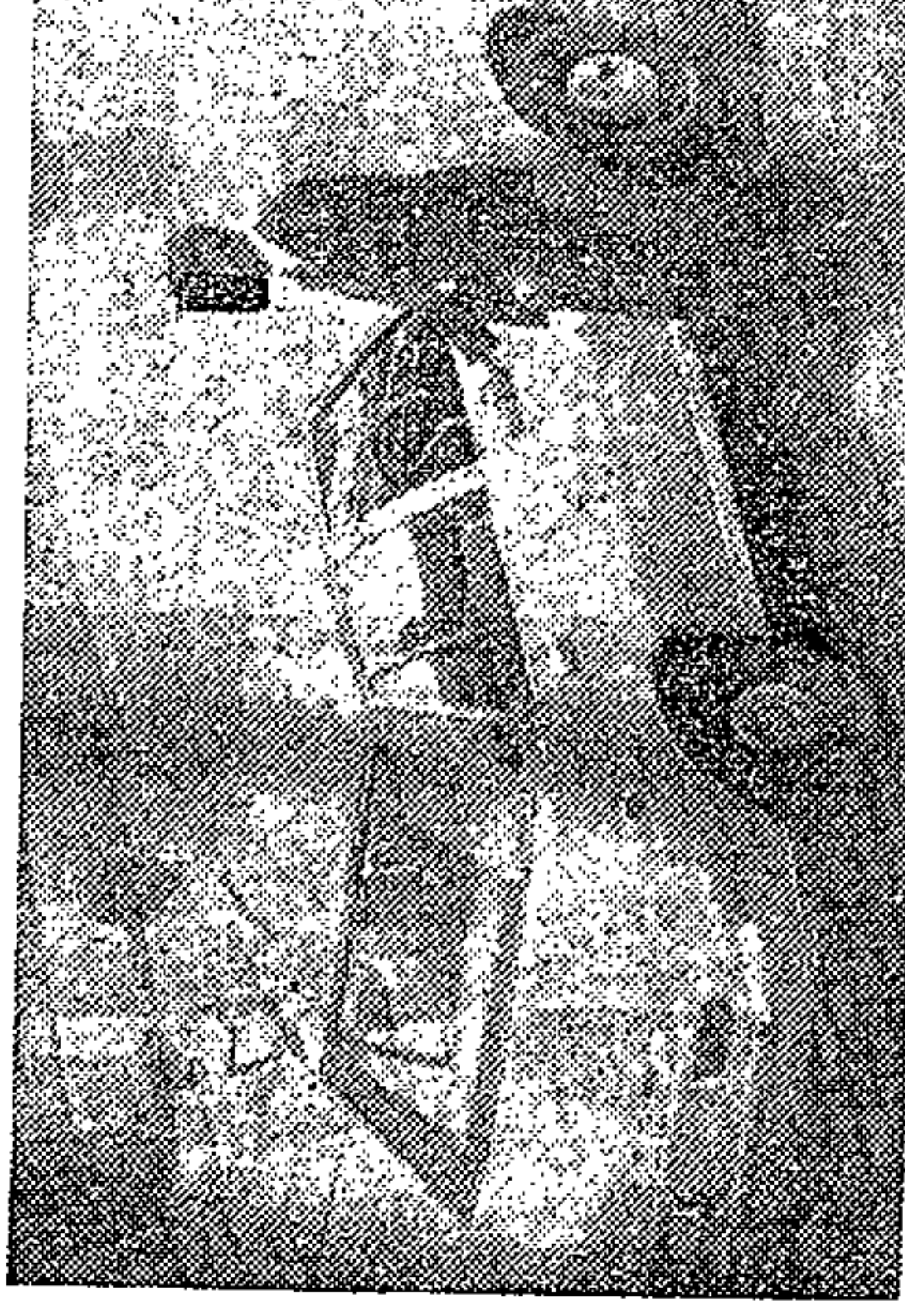
Mary Woods, younger daughter of Mr Woods, was injured by chemically treated Steve Biko T-shirts sent by a friend of Mr Woods in Pietermaritzburg, Mr Robin Holmes, through the mail.



Security police approach post office



Leaving with the mail



Collection over for the police

HOW I TRAPPED POLICE SECURITY POLICEMAN

Mr Holmes, who runs a factory, has said the T-shirts, when sent to Mr Woods on request, left the factory in normal condition. Somewhere between Pietermaritzburg and the home of Mr

Woods the T-shirts were impregnated with a powerful, acid-like chemical that burnt Mary when she put one on.

Mr Card, who has been helping the police in East London in their in-

Claim that stained hands and pictures

Mr Card claims he has enough information and proof to ensure that a criminal case is brought against the security policeman.

Mr Card has given his information to the divisional commissioner of police in East London, Brigadier P. Smal.

Mr Card said yesterday: "The police actually came to see me for advice about the T-shirt business. In fact it was Warrant Officer Magnus, the officer leading the investigation into the acid-impregnated T-shirt parcel.

"My immediate reaction to him at that stage was anybody in the world could have done it."

Vendetta

But once it had been established the parcel had been dispatched legally from a post office in Pietermaritzburg and had reached the home of Mr Woods via official post office channels, he was prepared to take on the case because it was a simple case to solve.

He said he was employed by the Woods family to investigate the case.

"I believe the security police have a vendetta against Donald Woods."

Mr Card said he had handed over all his information to the police and had named the security policeman involved in the T-shirt affair.

"I've got information about the whole story of how mail is tampered with by the security police at the East London post office.

"I have concrete evidence that the person who took the parcel containing the T-shirts is a member of the East London security police.

"My one informant told me that the parcel originally arrived at the

East London post office on Sunday afternoon, November 20.

"This security policeman, whose name I have now given to the police, took the parcel away to the security police offices. The parcel was removed from the post office on Monday and only returned on Tuesday, November 22. It was finally delivered to Donald's home on Wednesday, November 23.

"But the official postal stamp was put on the parcel only on the Wednesday as recording the official date of receipt by the Post Office," Mr Card said.

"There is no way the security policeman involved can get out of this. I told the police the investigation could be done and solved in one day and they could then be in a position to press charges.

"After my private investigation, all the information and proof of how the crime was committed was duly passed on to the police by me. It is evident the police now have to press charges against the security policeman involved."

Mr Card said he set up his trap to establish who tampered with the mail

Chemical

He posted four letters to Mr Woods and marked them as coming from an organisation called SPCLC, which he said stood for the Society for the Prevention of Cruelty to Little Children. All four letters were doctored with silver nitrate, a chemical that when touched leaves a black stain on the hand for several days.

the letters, the sticky flap that is, with potassium permanganate, which turns purple when a letter is steamed open.

"I then mailed the letters from different branches of the post office in East London all on the same day, but at different times."

He said all the letters failed to arrive at the home of Donald Woods and were later handed over to the police by the post office, three of them stained purple.

"I know through an informant that a number of security police at their offices had their hands covered in Condry's crystals and silver nitrate from tampering with Mr Woods' mail.

Black

"In fact the security policeman involved in removing the T-shirt parcel from the post office, I actually saw his hands, with another witness. They were black.

"He was standing last Friday near the Indian market talking to a person. He had his hands behind his back, as if he was ashamed of his dirty black hands."

Mr Card said that to prove the security police were tampering with the mail he also employed a professional photographer.

"This photographer was with me when I staked out the main post office and he took pictures of the T-shirt security policeman and another security policeman who arrived every day for the 'suspect' mail collection.

"I also arranged on my behalf for an East London attorney to be present when the security police

were handed over mail by the Post Office officials.

"I requested that this attorney walk up near the security police when the 'suspect' mail handover took place, and he actually witnessed the security police act."

Justice

He saw Brigadier Smal and told him the details of the investigations.

Brigadier Smal's first reaction was obviously that he felt very awkward and replied to me that he would have to inform security police headquarters in Pretoria of the whole incident.

"You could, in fact, see that he was embarrassed. We had a couple of flare-ups over the investigation.

"But as far as I'm concerned, after this investigation and the information and facts I have given to the police, if there isn't a case against this member of the security police, then there is no justice left in this country at all," Mr Card said.

Mrs Wendy Woods, the banned editor's wife, said yesterday she had suspected for about six months that their post was being interfered with. Envelopes had arrived with flaps curling up.

"It seems they were not terribly careful about getting them back down again," she said.

She also suspected their telephone is tapped. About 18 months ago, she said, she made two calls, one to her husband who was away for that night and one to her mother, whom she told about Mr Woods' absence.

An hour later she got threatening calls and shots were fired outside their home.

Bid to

star 12/12/77

revive

PAC

alleged

Pretoria Bureau
Charges of reviving the banned Pan Africanist Congress, recruiting people for overseas terrorist training, and burning buildings in Kagiso, Krugersdorp, during last year's riots, will be heard in the trial of 18 men in Bethal next year.

Botswana, Swaziland and Libya, as well as several cities in South Africa, are listed as places at which terrorist activities are all to have been committed by the 18 accused.

They appeared in the Bethal Magistrate's Court on December 5 when the hearing was postponed to January 9.

The main count alleges that between 1963 and 1977 the men, all active members or supporters of the Pan Africanist Congress, variously sought to revive the PAC and continue its activities.

Alternatively, they are charged with recruiting people to undergo training which could endanger law and order in South Africa, or of taking part in the activities of the PAC.

STONINGS ALLEGED

They are also alternatively charged with stoning and breaking the windows of and attempting to set fire to several buildings in the Roodepoort and Krugersdorp areas between 1975 and August 1976, as well as stoning buses and police vehicles.

Accused No 1, Mr Zephania Mothopeng, is alleged to have established contact with Robert Sobukwe, "the generally recognised leader of the PAC," at Kimberley on two occasions and to have issued specific instructions regarding recruitment for military training at Roodepoort and Kagiso,

Krugersdorp, in June and July 1976.

Accused No 2, Mr John Ganya, is alleged to have aided men — including a group of 15 municipal policemen in September 1975 and another group of 60 unknown men in June and July 1976 — to undergo military training abroad, and to have persuaded others to transport recruits to Swaziland and Botswana.

He is also alleged to have visited PAC headquarters in Botswana and/or Tanzania in March and April this year to solicit funds for the PAC in South Africa.

Accused No 3, Mr Mark Shinnars, is alleged to have revived the PAC and reactivated its members on Robben Island in mid-1970.

Accused No 12, Mr Jerome Kodisang, is alleged to have left South Africa in December 1975 to undergo military training abroad. He met people in Botswana, Tanzania and Uganda, and received training in automatic weapons, rockets, grenades, mortar bombs and map reading in Libya in 1975 and 1976 before returning to South Africa in the middle of that year.

URBAN UNREST

Accused No 13, Mr Michael Matsobane, is alleged to have convened and addressed meetings at Kagiso in 1976 "to discuss and organise the use of violent means during the anticipated urban unrest."

Other allegations against the accused include disseminating PAC propaganda material, conveying recruits for military training across the borders, carrying organisational funds from outside South Africa to this country, and taking part in riots during the urban unrest of 1976.

NATAL MERCURY

13/12/77

325 Pol. Trials

TERROR WITNESS CAN NOT BE FOUND

Mercury Reporter

PIETERMARITZBURG — The PAC terrorism trial here was adjourned for several weeks yesterday because a vital witness can not be traced.

The witness later proceeded to Cairo where he was trained in the use of various firearms, physical training, hand-to-hand combat, and the use of explosives.

He subsequently returned to Dar-es-Salaam where he assisted in the general running of the PAC offices at their headquarters.

While he worked at the PAC offices, Mr. Pule, whom he knew from Soweto, arrived with about 10 others.

The trial was adjourned until January 16.

After hearing the evidence of the seventh witness yesterday the State prosecutor, Mr. Peter Rowan, applied for the adjournment.

The State anticipated calling at the most two further witnesses, he said. The whereabouts of the missing witness were known to the Security Police until about three weeks ago. He was available to give evidence in the proceedings when they commenced in October. However, he had since moved from the area in which he was staying and the police "are unable to catch up with him" said Mr. Rowan.

The State regretted having to request the adjournment, he said, but their hands were tied and it was absolutely essential that the witness be called.

Condition

A second witness was ill in Cape Town and was unable to travel. Should the adjournment be granted his condition might be improved considerably at the end of the court recession, enabling him to travel to Pietermaritzburg, said Mr. Rowan in his application.

Mr. Andrew Wilson, SC, defence counsel for the three accused in the trial, opposed the application.

It should have been obvious that the witness would have been urgently required last week and every endeavor must have been made to obtain him. There was no evidence as to what efforts were made or if he could be located in the near future, he said.

Activities

Mr. Justice B. Hoexter granted the application but said it was highly unlikely that the Court would consider any further application for an adjournment.

In the trial Mr. Stanley Pule (33), Mr. Isaac Mhlekwa (49) and Mr. Nogoga Gxekwa (47) have pleaded not guilty to participating in various terrorist activities.

The judge made an informal request to everyone concerned with reporting the proceedings of the trial to withhold the name of a witness who gave evidence yesterday.

He earlier made a similar request in the trial, following an application by the State, because it was feared that there was a possibility that the witnesses, who are considered as accomplices, might be harmed.

The request was made in the light of the recent shooting of a witness in an earlier terrorism trial.

Yesterday's witness told the Court that he had joined the now banned PAC in 1960. In 1965 he left South Africa because of police intimidation and also to undergo military training.

Training

The purpose of undergoing military training was so that he could be well-trained when he returned to "free the country." This would be done with the use of arms should negotiations fail, he said.

The witness said he went to Botswana, Lusaka, Mbeya, Cairo, Dar-Es-Salaam and Nairobi. He returned to South Africa six years later when he was arrested.

At Mbeya, which was a stop-over point, he stayed in a private house in the town. While he was there other PAC members arrived from Dar-Es-Salaam.

Mr. Mhlekwa had also arrived with about 30 or 40 others.

Clerks win appeal

AN APPEAL by three clerks of the microfilm section of the Tygerberg Hospital against their convictions and fines under the Riotous Assemblies Act, was yesterday upheld in the Supreme Court.

The clerks, Miss Christine Abrahams, 24, Miss Ingrid Daniels, 19, and Miss Charmaine Hendricks, 23, were fined R50 or 30 days in the Regional Court, Bellville, in February this year for circulating a document urging workers in the hospital to "strike for freedom".

The State also alleged that if their actions had been successful in leading to a general strike, the lives of hospital patients would have been endangered.

In upholding the appeal, Mr Justice De Kock said that it was not enough for the State to prove that the three women had incited people to strike but the probable consequences of their actions had also been taken into account.

There was no evidence that the document had been widely circulated among the hospital staff.

Mr Justice Fagan concurred.

Mr H Klem appeared for the State and Mr G Scott, instructed by Omar and Co, appeared for the three women.

(325) fol trials

Never in the ANC, man tells court

Staff Reporter

MALMESBURY. — A Guguletu man said in the Regional Court here yesterday that he was never a member of the African National Congress or of its military wing, Umkhonto we Sizwe (Spear of the Nation).

Mathews Lumko Huna, 26, charges of contravening the Terrorism Act and the Internal Security Act. Both Mountain Qumbella, 47, face have pleaded not guilty.

They are alleged to have incited or encouraged people between August 3, 1976 and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively, they are alleged to have incited or encouraged people during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization, declared unlawful under the Unlawful Organizations Act of 1960.

Mr Huna told the court that all he knew about the ANC and its military wing, Umkhonto we Sizwe, was what he read in the papers.

Promised

He first saw copies of Sechaba, official organ of the ANC, while he was in the Malmesbury prison awaiting trial.

"Before that day, November 11, I had never heard of the existence of such a publication. I have not read any of the literature of these two organizations," he said.

Mr Huna denied allegations by State witnesses that he had told them about ANC plans and philosophy.

He also denied telling some of them that it was useless trying to fight white people with stones and that they had to undergo military training in Mozambique.

Questioned by his defence counsel, Mr B M Kiés, he told the court he was unmarried and had worked for a Cape Town publishing firm at the time of his arrest on July 12 this year.

Earlier Mr Qumbella said under cross-examination by the State that he had been promised freedom from prosecution under the Internal Security Act by a police major if he spoke the truth.

He said he had been questioned while in solitary confinement where certain suggestions were put to him. These same suggestions later emerged as State evidence given by the witnesses.

Mr J G Vermeulen was on the bench. Mr J P Vermaak appeared for the State and Mr B M Kiés, instructed by Mallinckrodt, appeared for Mr Qumbella.

Cape Times

13/12/77

325 Pol. Trials

Not ANC member, court told

AR603
13/12/77
2325 Pol. Trials

MR. MATTHEWS LUMKO HUNA, 26, of Guguletu yesterday denied being a member of the African National Congress and Umkhonto we Sizwe or talking to pupils about leaving the country to receive military training.

He was giving evidence in defence of himself and Mr. Mountain Qumbella, 47, also of Guguletu, in the Regional Court, Malmesbury. They have been charged with contravening the Terrorism and Internal Security Acts.

The State alleges they incited, encouraged or aided others in Guguletu between August 1 1976 and May 26 this year to receive military training which would assist those intending to endanger the law and order in South Africa.

Alternatively, this training is alleged to have aimed at furthering the objects of unlawful organisations, namely the ANC and its military wing, Umkhonto we Sizwe.

Mr Huna said he matriculated in Transkei and worked as a general labourer in Cape Town since 1971.

He was arrested at work on July 12 and was detained under Section 6 of the Terrorism Act in solitary confinement until October 7, when he was charged.

Mr Huna denied ever having been a member of the ANC or Umkhonto we Sizwe and had only read of the ANC in newspapers.

One State witness had said Mr Huna gave him a publication, Inkululeko. However, he had seen this publication for the first time in court, said Mr Huna.

HOUSE SEARCHED

He said his house was searched after his arrest and possessions confiscated.

Mr Huna said he befriended a pupil and went to his house a number of times to play cards, where he met the pupil's friends.

These friends gave evidence against Mr Huna earlier in the trial. Mr Huna denied, however, he told them he was a member of an underground organisation, that his name was 'Mr L' or that he had discussed military training or further studies abroad with them.

Mr J. G. Vermeulen was on the Bench. Mr J. P. Vermaak appeared for the State, and Mr. B. M. Kles, instructed by Mallinck, Ross, Richman and Company, appeared for both accused.

ANC denies link in SA bombings

RDM 14/12/77

(S25 Pol. Trial)

Own Correspondent

LONDON — The British Anti-Apartheid Movement yesterday vehemently denied what it claimed was an attempt by a Johannesburg newspaper to link the movement with recent bombings in Benoni and Germiston.

The movement secretary, Mr Mike Terry, said The Citizen had attempted to smear his organisation by claiming that wrist watches collected by the banned and exiled African National Congress through Anti-Apartheid News had been used in the bombings.

Mr Terry said: "It is stretching the imagination to link the wrist watches collected in London for

exiles by the ANC, with the bombings."

Opinion was that it would be far simpler to buy cheap watches in South Africa than to launch an appeal in Britain, send the watches to the Republic, and then channel them to someone wishing to use them in an explosive device.

Advertisements for donated watches had been placed in several publications in Britain.

A spokesman for Britain's crack Scotland Yard bomb squad, reckoned that it makes absolutely no difference what sort of time piece is used in the wiring of a bomb.

Police didn't ask, they told me, man tells court

Cape Times 14/12/77
325 Ad. Tids

Staff Reporter

MALMESBURY. — Security police told a Guguletu man facing terrorism charges that they would listen to him if he "told the truth", the man told the Regional Court here yesterday.

Mathews Lumko Huna, 26, said under cross-examination by the prosecutor that security police had never asked what he had done, but told him.

Mr Huna and Mountain Qumbella, 47, face charges of contravening the Terrorism Act and the Internal Security Act. Both have pleaded not guilty.

They are alleged to have incited or encouraged people between August 3, 1976 and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively, they are alleged to have incited or encouraged people during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization

declared unlawful under the Unlawful Organizations Act of 1960 — such as the African National Congress and its military wing, Umkhonto we Sizwe (Spear of the Nation).

Mr Huna was asked to make a written statement after his arrest on July 12 this year.

"They said that if I wrote down the truth, they would listen to me."

It appeared, Mr Huna said, that they (police) wanted him to say what they wanted to hear.

Mr Huna denied that he went to the Eastern Cape during the Easter weekend to assist Guguletu youths to leave the country for military training for the ANC.

He said he went with a friend who wanted to visit family and friends in Port Elizabeth and East London.

The following week he flew back to Port Elizabeth to visit his grandmother, who was not well.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State and Mr B M Kias, instructed by Mallinck, Ress and Richman appeared for the accused.

NM 16/12/77

325-Pol. Trials

'Military recruiting agents' sent to prison

Court Reporter

TWO "military training recruiting agents," Bongani Emmanuel Ntsele (23) and Themba Samuel Xulu (25), were both jailed for five years by Mr. E. B. Standen in the Durban Regional Court yesterday for inciting eight youths to undergo military training outside South Africa.

Ntsele and Xulu had pleaded not guilty to contravening the Terrorism Act between March 1 and April 30 this year by inciting the youths, in Eshowe and Kwa Mashu, to leave the country for training in Swaziland, Tanzania or Russia.

The State had alleged that the training could have been of use to persons intending to endanger the maintenance of law and order in South Africa.

Ntsele and Xulu claimed that all the State witnesses lied and that their evidence was concocted.

Mr. Standen rejected this and said there was no reason why the witnesses should have told lies.

He rejected the accused's claims that they had been drunk when military training discussions were held and said they had not impressed the Court as truthful witnesses.

He found that Ntsele and Xulu had "jointly and severally" incited the youths to undergo training which could have been used on their return to attempt to overthrow the Government.

Passing sentence Mr. Standen took into account that Ntsele and Xulu were first offenders and had not been shown to be members of any political organisation.

But he said an example must be set for others who had similar ideas.

Evidence in terror trial ^{325 Pol Trials} confessions — defence

Staff Reporter

MALMESBURY. — The counsel in the terrorism trial yesterday said it was important for the court to realize that State witnesses gave evidence while still in detention.

In final argument, Mr B M Kies, appearing for Mountain Qumbella, 47, and Mathews Lumko Huna, 26, said evidence by the witnesses were in effect confessions.

"When they gave evidence they showed they were very very worried about further detention. They were warned as accomplices and did not know if they were going to get off or not," Mr Kies said.

Mr Qumbella and Mr Huna have pleaded not guilty to charges under the Terrorism Act and the Internal Security Act.

They are alleged to have incited or encouraged people between August 3, 1976, and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively, they are alleged to have incited or encouraged people during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960 — such as the African National Congress and its military wing, Umkhonto we Sizwe (Spear of the Nation).

Fundamental distinctions had to be drawn, Mr Kies said, between what security police required for purposes of investigation and what constituted evidence for a court of law.

Witnesses thought they had to satisfy "someone outside of the court" and this was an "extremely different proposition", he said.

"If they gave evidence in order to regain their liberty then it becomes a very different thing."

Judgment was postponed to January 31 next year.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State and Mr B M Kies, instructed by Mallinck, Ress and Richman appeared for Mr Qumbella and Mr Huna.

Detailed allegations of torture in SWA on way to Rumpff

SUN EXPRESS

8/12/77

325 10. Trials

DETAILED allegations of electric shock torture by the Security Police will be handed to the Chief Justice of South Africa, Mr Justice Rumpff, tomorrow in support of a petition for leave to appeal against the ruling of a Windhoek Supreme Court this week.

If the petition is granted, there may be a renewed application for an interdict restraining the Security Police at Oshakati, Owamboland, from assaulting, applying unlawful pressure on, or administering electric shocks to a 21-year-old Terrorism Act detainee, Mr Bernadus Petrus.

The Security Police have denied the allegations of torture, and that Mr Petrus is in danger of being maltreated. The application for an urgent interdict was turned down by Mr Justice Hart and Mr Justice Badenhorst in Windhoek this week on the grounds that it was not urgent.

During the hearing, the court received affidavits from nine people who claimed to have been electrically shocked by the Oshakati Security Police.

All had been detained in the last year and were ultimately released without charges being brought against them.

In a dramatic development during the hearing, counsel for the father of Mr

'ELECTRIC SHOCK TREATMENT BY SECURITY POLICE'

By JENNIFER HYMAN

Petrus, Mr David Sogot, attempted to put fresh information to the court while judgment was being delivered.

He interrupted Mr Justice Hart to tell him he had just received a message from the magistrate who had visited Mr Petrus, and whose affidavit stated that the detainee had not complained of being assaulted.

Mr Sogot told the court that in a telephone conversation a few minutes previously, the magistrate reported that on a subsequent visit, Mr Petrus said he had been assaulted.

Among the affidavits before the court were claims that:

- Three men received electric shocks on their genitals;
- Six people, including a woman who claimed she was pregnant at the time, were shocked by the application of electrodes to the temples, hips and legs. The woman said she had later haemorrhaged in her cell.
- At least two witnesses claimed they were shocked while "strung up" suspended on a pole between two oil drums;
- An extract from the court record of another case in-

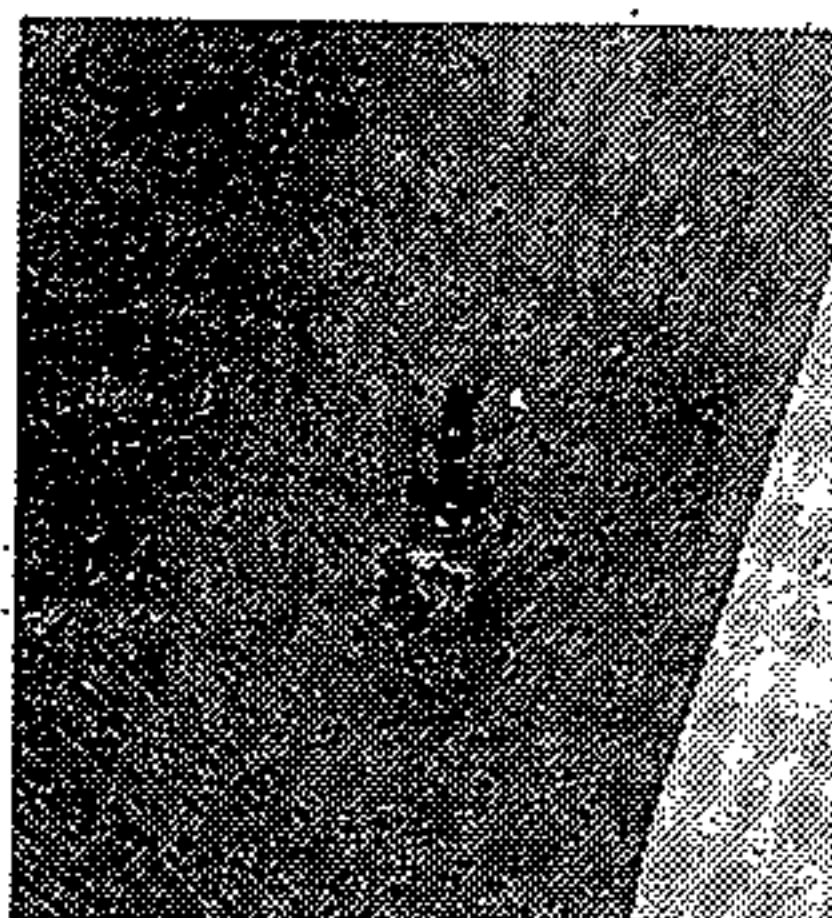
"Words are insufficient to describe the feeling of one's body being torn apart."

cluded the evidence of a woman who claimed she was shocked on the breast, after which she remembered the information her interrogators wanted.

Evidence included the statements of two doctors who said they had found burn marks on the bodies of former detainees, Mr Hosea Mbandeka and Mr Reinhold Ipinge.

Photographs of the legs, groin and private parts of Mr Ipinge were also submitted, clearly showing marks which Dr Johannes Wickens, a Windhoek general practitioner, said were "probably caused by a burn of an electrical nature".

Dr Wickens' affidavit also testified that the symptoms described by the former



• The left leg of former detainee Mr Reinhold Ipinge, showing a mark (arrowed) which a doctor claimed was probably caused by electrical burning.

detainees — involuntary jerking of the body, jaws snapping so that they bit their tongues and involuntary urinating — were physical responses to electric shock that were well-known to medical science.

The urgent interdict was brought by Mr Franciscus Petrus, the father of Bernadus Petrus who was detained on December 2 along with a group of young people travelling from Windhoek to Owamboland.

The respondents in the action are named as the Minister of Police and Colonel Willem Frederik Schoon, chief of the Security Police at Oshakati.

A friend of Bernadus Petrus, Mr Tauno Hatuikulipi, said in his sworn statement that he had been held with Mr Petrus and that before his release, he had seen Mr Petrus briefly at the Oshakati Security Police office.

"I was shocked to see his face," he stated, "as it was very swollen, especially about the eyes which were puffy and red, and it was obvious that he had been assaulted on his face."

Countering this claim, Colonel Schoon gave the court photographs he said had been taken of Mr Petrus in custody which showed him to be healthy and well.

Colonel Schoon also said he had seen Mr Petrus and had noticed no marks on his body, nor had he complained of any assault.

He denied that the Security Police at Oshakati had ever assaulted any

detainee or administered electric shocks in order to extract information.

An affidavit from a magistrate, Mr Clarence Pretorius, stated that when he visited Mr Petrus on December 10 — the day of the court hearing — the detainee had not complained of any assault.

However, while Mr Justice Hart was delivering judgment last Tuesday, a message arrived from Mr Pretorius to say that at a subsequent visit, Mr Petrus had complained of assault.

Counsel for Mr Petrus, Mr David Sogot, asked for judgment to be adjourned so that further evidence could be obtained from the magistrate but the judge ruled that the case was over and that he would complete his judgment.

He pointed out that Colonel Schoon had undertaken to have a magistrate visit Mr Petrus every week while he was in detention.

One of the people who claimed to have been electrically shocked a few times was a 50-year-old headman of an Owambo village, Mr Naftali Shigwedha.

His affidavit claimed that he was made to crouch with his hands between his legs,

One witness said she answered all questions in the affirmative: "I would do anything not to be burned again."

while an iron bar was inserted under his knees and above his elbows.

In this position his wrists and ankles were tied and he was suspended, naked, upside down between two 44-gallon petrol drums.

Water was poured over him and electric wires attached to each of his temples. "Owing to the indescribable pain of having been shocked, I cannot coherently describe the extreme pain I suffered, and words are insufficient to describe the feeling of one's body being torn apart," he said.

Others claimed the electric shocks "lasted for what seemed like an eternity", made their bodies "jump and jerk about" and made them think they would die.

One witness said that after being shocked she answered all questions in affirmative. "I would do anything not to be burned again".

A ruling from the Chief Justice on the application to appeal against the refusal to grant the interdict is expected early this week.

ARGUS 19/12/77

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Poet's trial evidence in KGB agent's plea to stay

The Argus Correspondent
PARIS. — Evidence disclosed at poet Breyten Breytenbach's first trial is being reviewed here by French authorities as they weigh the expulsion of alleged KGB agent Henri Curiel.

Stateless and a veteran communist Mr Curiel ran the so-called Solitaire Network which, during the Breytenbach trial, was labelled part of a conspiracy against South Africa.

French media charged later that Mr Curiel helped and encouraged Breytenbach to make his disastrous clandestine trip to South Africa in 1975.

The emphasis that the South African authorities put on the terrorist and conspiracy role of the Solidarite group worried French authorities.

the trial is part of the dossier on Mr Curiel being considered by a

board to which Mr Curiel has appealed to avoid expulsion.

The Ministry of the Interior ordered Mr Curiel

to be expelled on October 23 and put him under house arrest at Digne, eastern France. Mr Curiel appealed.

CAPE TIMES 19/11/77

Youth wanted to 'fight for blacks'

325 - POL. TRIALS

Staff Reporter

MALMESBURY. — A 20-year-old Guguletu youth whose late father was a member of the banned African National Congress told the Regional Court here yesterday that he intended to join the organization this year "to fight for my country".

ANC members "are the fighters of the country," he continued. "I would fight against the whites so that we blacks should get this country."

Warned as a accomplice, the witness testified in the trial of two Guguletu men, Mountain Qumbella, 47, and Matthews Lumko Huna, 26.

Both men pleaded not guilty to a charge under the Terrorism Act and an alternative charge under the Internal Security Act.

They were alleged to have incited or encouraged people between August 3, 1976 and May 26, 1977 in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively they allegedly incited or encouraged people during the same period in Guguletu to undergo military training to further the aims or any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

The witness, who may not be identified, said his father was an ANC member and died when the witness was 15 years old. He decided to join the organization and "I went to people who used to be with my father in the ANC", he said.

"They used to come to my home now and again when my father was alive." The first man he visited was "Father Loza" in Langa. "I asked him to help me" to leave South Africa to undergo training.

He went to "Father Qumbella's" house in Guguletu and asked him to try to arrange for him to go abroad. He identified one of the accused, Mr Qumbella. He did not tell him the reason.

Mr Qumbella allegedly told him he had no means to help him go abroad but that he knew somebody who might be able to help.

"He asked me why I wanted to go abroad. I told him I wanted to fight for my country."

Mr Qumbella told him to get four other youths to join him. The witness approached some friends and told them about the plan. Mr Qumbella told the witness that youths should not see him. A series of meetings followed.

The trial was adjourned to November 21.

Proceedings were held in camera. The two accused are in custody.

Mr J G Vermeulen presided. Mr J Vermaak appeared for the State and Mr B M Kies (Mallinck, Ress, Richman & Co) for both accused.

Incitement charge: *ARGUS* 20/12/77 Middleton testifies *325 Pol trials*

The Argus Correspondent

KIMBERLEY. — Mr Norman Middleton, 52, a member of the executive council of the coloured Labour Party, admitted in the Regional Court here yesterday that he had said at a political meeting in De Aar on April 29 1975 that if Jesus Christ were on earth and in South Africa today he would be on Robben Island.

He was testifying in a case where he is charged with inciting racial hatred arising from incidents which allegedly occurred at that meeting.

The case first came up in December last year.

In July 1977 application for discharge on the grounds that there was not enough state evidence was rejected by magistrate, Mr T E J O'Connell.

The case was postponed until yesterday when Mr St J A Mancktelow, counsel for the State, closed his case and Mr C R Mailer opened the case for the defence with evidence by Mr Middleton.

REAL INTENTION

Mr Middleton testified that the real intention of his speech was to bring across to his audience that South Africa belonged to everybody.

He said he attempted to preach a gospel of unity among all groups and added: 'I attack anything that smells of racial ill-feeling or discrimination.'

He explained what he meant to convey by his remark about Jesus Christ: 'Too many Christians hide behind the Cross instead of carrying it as Jesus did — Jesus Christ would not have tolerated laws which discriminate against the children of God on this earth irrespective of their colour or creed.'

OPPOSED TO POWER

He told the court he had spoken about black consciousness but denied mentioning black power. He said he was totally opposed to power in any form, black or



Mr Norman Middleton

He said there was a very strong white consciousness movement in South Africa and Afrikaners, Jews, Greeks and so on were not segregated but officially regarded as one group, and so coloured people, Indians and blacks all regarded themselves as blacks.

PARENTS

His mother was a Zulu and his father a Scotsman. He could speak English and Zulu, but not Afrikaans.

Mr Middleton said he had opened his speech in the best Afrikaans he could muster with the remark: 'My ma is wat julle sal noem 'n kaffir.' ('My mother is what you call a kaffir.')

He said he intended to indicate to the coloured people that they were sometimes worse discriminators than the whites...

He had heard this word used more by coloured people than by whites and his message to them was to 'stop this nonsense.'

He admitted he had said that if he woke up tomorrow morning with a white skin he would hang his head in shame. He said he meant the privileged white group were being unchristian in driving the blacks into group areas and practising job reservation.

(Proceeding)

Cape Times
20/12/77
325 pol trials

Middleton tells of remark about Christ

KIMBERLEY. — Mr Norman Middleton, 52, a member of the executive council of the Coloured Labour Party, and the former vice-chairman, confirmed in the Regional Court here yesterday that he had said at a political meeting in De Aar on April 29, 1975 that if Jesus Christ were on earth and in South Africa today he would be on Robben Island.

He was testifying in a case in which he is charged with inciting racial hatred arising from incidents which allegedly occurred at that meeting.

The case first came to court in December last year.

The case was postponed until yesterday when Mr St J A Mancktelow, counsel for the State, closed his case and Mr C R Mailer opened the case for the defence with evidence by Mr Middleton.

Mr Middleton testified that the intention of his speech was to convey to his audience that South Africa belonged to everybody. He said he attempted to preach a gospel of unity among all groups and added: "I attack anything that smells of racial ill-feeling or discrimination".

Singing

What he had meant to convey by his remark about Jesus, he said, was that "too many Christians hide behind the cross instead of carrying it as Jesus did... Jesus Christ would not have tolerated laws which discriminate against the children of God on this earth, irrespective of their colour or creed".

He said when his turn had come to speak he had asked the audience to join him in singing an old negro spiritual normally sung at the Labour Party's political meetings: "Freedom isn't free, you've got to sacrifice; you've got to pay the price, for your liberty."

He denied the words "fight for freedom" or "until freedom comes" were used at all.

Someone in the audience had shouted "Amendhla" and everyone had joined in. Mr Middleton explained that literally translated "Amendhla" meant "unity is strength".

White movement

He told the court he had spoken about black consciousness but denied mentioning black power. He said he was totally opposed to power in any form, whether black or white, and emphasized the difference between the two movements.

Under cross-examination, he said there was a very strong white consciousness movement in South Africa. As Afrikaners, Jews, Greeks and so on were not segregated, but officially regarded as one group, so coloured people, Indians and blacks all regarded themselves as blacks.

He testified that his mother was a Zulu and his father a Scotsman and that he could speak English and Zulu, but not Afrikaans.

Mr Middleton said he had opened his speech in the best Afrikaans he could muster with the remark: "My ma is what julle sal noem 'n kaffer".

He said he intended to indicate to the coloured people that they were sometimes worse discriminators than the whites. He said he had heard this word used more by coloured people than by whites and his message to them was to "stop this nonsense".

Pondokkies

He denied speaking in offensive tones of Mr Vorster. He denied he had said that "traitors, non-supporters and informers would be sent to the graveyard with their white fathers".

He denied saying whites must be wiped out because "that would be saying that my own father must be wiped out too".

He admitted he said that if he woke up tomorrow morning with a white skin he would hang his head in shame. He admitted speaking of the "pondokkies" which he had seen in De Aar and wondered if the people responsible for building them would like to live in them themselves.

Mr Middleton said his speech at De Aar had lasted about 30 minutes. He insisted that although the people of De Aar were mainly Afrikaans-speaking they were able to understand his speech. He said the four State witnesses who had had difficulty with understanding the English of the defence counsel were exceptions. The hearing continues tomorrow.

— Sapa

Cape Times 21/12/77

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No plan to drive wedge — CRC man

KIMBERLEY. — Mr Norman Middleton, 52, an executive member of the Coloured Persons' Representative Council, told the Regional Court here yesterday that the State had misunderstood him if it thought the purpose of black consciousness was to drive a wedge between coloured people and whites thereby creating unity between black and coloured people.

He was being cross-examined in a case in which he is charged with inciting racial hatred at a political meeting at De Aar on April 20, 1976. The charge was laid three months after an article headlined "Coloureds shocked by speech" appeared in the De Aar newspaper, the Echo, of April 23, 1976, describing the meeting.

Cross-examination, which began on Monday afternoon, lasted the whole of yesterday.

He said black consciousness tried to put across to people that they must be proud of what they were because they were created in the image of God whether they were black or white.

"We would welcome whites in the black consciousness movement too," he said.

Asked by the prosecution whether, if whites joined the black consciousness movement, they would be known as blacks, he answered: "What does it matter?"

Same ideology

He agreed that the word black was used not as a designation of colour but as an all-embracing term to denote people who shared the same ideology.

In South Africa one was either white or non-white. "We don't want to be non-persons, that's why we call ourselves blacks," he said.

"Black consciousness does not mean ganging up against the whites but follows the pattern of white consciousness, of being together . . . let us find ourselves together as the oppressed people."



Mr Middleton

He said the Labour Party would never accept the tactic of promoting unity among the coloured people by setting up the white man as a common enemy as this was "deplorable and unacceptable".

Mr Middleton and his counsel, Mr C Mailer, said the Labour Party was considering suing the Echo for defamation of character.

Mr Middleton said it was a matter of opinion whether the speech as reported in the Echo would lead to antagonism between blacks and whites as this depended on the type of person reading the article, and there had been no trouble in De Aar even after the meeting.

Surely a report like that would generate feelings of antipathy? — Yes, some parts of it.

I put it to you that you acted irresponsibly in not taking action against the Echo? — I was not aware that this was written in the Echo until I arrived in this court.

Mr Middleton said the writer of the report was not a journalist and the editor had previously admitted in court that he had not checked the story.

With reference to his statement about Jesus Christ, he said a true Christian could not fail to agree that Christ would be banned, silenced or imprisoned on Robben Island if he were alive in South Africa today. He could not

agree that this was a blasphemous statement.

He denied mentioning going through teachers' files. He said Mr D Curry, who had spoken before him, had discussed the appointment of teachers. Mr Curry had said many of the teachers should not be holding their positions as they were appointed on their political affiliations and the schools were suffering as a result of this.

History

He also said Mr Curry had said it was a pity South Africa did not want to learn from history and had asked who would have thought five years ago that Mr Smith would be prepared to talk to black Rhodesians.

Asked whether it was true that as president of the South African Soccer Federation and former president of the Sports Council of South Africa he followed a strong anti-government line, Mr Middleton replied that he was not anti-government but was opposed to its sports policy. He was in favour of international sporting ties on condition that there was no colour discrimination.

The case continues tomorrow. — Sapa

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90	422,77
70	30,00
85	11,873,69
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42	2,485,14
39	61,159,28
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Shocks 'choked' him — witness

Cape Times 22/11/77

From JANE ARBOUS 325 Pol. Trials

MALMESBURY. — Security police in Port Elizabeth interrogated a detainee this year by giving him electrical shock treatment known as "flying", the Regional Court heard here yesterday.

A witness, Mr Joseph Siyelana, 26, said he was assaulted at the security police headquarters at Sanlam Centre, Port Elizabeth, during his 40 days' detention there in connection with the unrest last year. He was being cross-examined by Mr B M Kies, appearing for two Guguletu men charged under

the Terrorism Act and the Internal Security Act.

Asked by the magistrate, Mr J G Vermeulen, if the alleged assault was relevant, Mr Kies said that it would show Mr Siyelana's state of mind when detained for a second time this year in connection with the case against Mountain Qumbella, 47, and Mathews Lumko Huna, 26. The two have pleaded not guilty to a charge under Section 2 of the Terrorism Act and an alternative charge under the Internal Security Act.

Training

They are alleged to have incited or encouraged other persons in Guguletu to undergo military training in the Republic or elsewhere which could be of use to any person intending to endanger the maintenance of law and order. The offences are alleged to have taken place between August 1, 1976 and May 26, 1977.

Alternatively, they are alleged to have wrongfully incited or encouraged persons in Guguletu to undergo military training which could be of use in furthering the achievement of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

Mr Siyelana said yesterday that the police had handcuffed him and made him lean against a wall. They covered his face with a small black sack and attached electrical wires to him.

The police told him they were going to let him "fly". "They shocked me with electricity," he said.

He told the court that he was detained again on June 15. After about a month he made a statement to the police.

Earlier, he told the court that in April he had accepted an offer of a scholarship sponsored by the banned ANC. This involved studying abroad and undergoing military training.

After his release from custody on March 30 he was visited by some friends at home. After the discussion that followed he became interested in the scholarship.

Not satisfied

He was not satisfied with the information given to him. He waited some time for more details. Just before the Easter weekend one of his friends told him to prepare to leave.

On April 24 he left Cape Town by train for Queenstown. He was given certain instructions the previous night. He travelled under a false name of Ivan Mbola.

On arrival at Queenstown he met a man who introduced himself as Max.

Both he and the witness identified each other by wearing a watch over the jacket sleeve on their right arms. Both also wore a white bandage around the right arm.

They were taken to Matatiele where a group of four youths joined them.

The witness and two others tried to cross the border into Lesotho but were arrested for not having their passes. Their fines were paid by an unknown person and they were released from police custody.

False

After more instructions the witness crossed into Lesotho. He was taken to Maseru where he received a false passport.

He and several others were arrested at the Ladybrand border post on June 15 while on their way to Swaziland where he was to receive further instructions.

In cross-examination Mr Siyelana said he was a member of the "Comrades". The name was taken from the book "Animal Farm" by George Orwell, he said.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State. Mr B M Kies, instructed by Mallinck, Ross, Richman and Co, appeared for both accused.

Cape Times
23/12/77

Banned books trial later

325
pet trials

Staff Reporter

MR KAREL HANEKOM, an employee of the South African Catholic Bishops Conference, appearing on seven charges of possessing banned documents, was "obviously politically involved and was aware his movements were being monitored", a magistrate was told yesterday.

The State alleges that Mr Karel 'Kalie' Hanekom, 28, of Oak Street, Observatory, was in possession of the following banned documents including Marx and Engels; Lenin and the Russian Revolution; Torture in South Africa; Apartheid Vol 1, No. 2, July 1977; five copies of Justice South Africa, Injustice South Africa; Young Voice, No. 6, April 1977; and National Student, No. 2, 1977, published by the National Union of South African Students.

He pleaded not guilty to all the charges.

The hearing was postponed until January 31. Bail was extended.

The prosecutor, Mr A D Sharp, said it "was obvious Mr Hanekom was politically involved. He was aware his movements were being monitored and after the banning of the Christian Institute he had realized he had moved closer to the top of the list".

He said he was an educated person and would have been aware he was in possession of certain banned publications.

Mr P Hazell, for the defence, said possession could only be proved in the first two exhibits. He said, however, that they were published in the 1940s and 1950s and it would be invidious for anyone to go through 676 Government Gazettes to find out if they were banned.

He said many books, pamphlet-type material and other documents published a long time ago were often sent to Mr Hanekom or given to him. He said Mr Hanekom had even got rid of documents that he knew to be banned.

Mr Hazell said Mr Hanekom knew he was in possession of

3-500 and 4-500 sq ft. The store, occupied between 1971 and 1972, was an adjunct to the Durban branch. It was a useful store, acquired retrospective to Maritzburg - the old Nagel's trading from new premises in In November the group began store.

percent more sales than the old

Court told of sabotage scheme

West Rand Bureau

A witness at the terrorism trial in the Krugersdorp Circuit Court said today that a spokesman for a group of youths told him they had a master plan to disrupt the running of trains.

Appearing before Mr Justice Le Roux are Mr Samuel Malepane (21) and Mr John Thabiso Moethudi (20) charged with terrorism or sabotage between June and December 1976 in the Johannesburg district.

The witness, who may not be identified, gave his evidence in camera because he said he was afraid of intimidation.

The judge allowed the Press to be present but ruled that anything that might positively identify the witness must not be published.

The witness said a group of youths arrived at his home in August 1976.

A spokesman for the group said they were representatives of Soweto schoolchildren and said

they were to stage a stayaway from work during the following week.

The youth said he did not want the taxi men to take people to work because this caused clashes with the police at the railway stations and resulted in casualties.

The witness said he told the group that he had no power over taxi men. They had the right to use their own discretion and he told them to approach the taxi men direct.

The witness said the spokesman told him, "We have a master plan whereby we will disable the running of the trains by demolishing power lines. We are going to set bombs so that the power will not work."

STUTTERED

The spokesman — who, the witness said, stuttered, told him the stayaway was being staged to bring industry to a standstill.

He maintained that this would give his people an opportunity of approaching the Government with their grievances.

The witness said the spokesman also told him that they were going to plant bombs in white areas.

"I got the impression that the spokesman was the leader of the group. The witness said that with the present situation in South Africa and Soweto in particular, Soweto people were not free from intimidation and that he himself was under some strain."

Mr J. W. van Jaarsveld is appearing for the State, Mr S. Spille for Mr Malepane and Mr D. Arcy Ussher for Mr Moethudi.

6. MONETARY AND FISCAL POLICY IN SOUTH AFRICA.



Alan Paton



Donald Woods

Liberals face a wave of attacks

RIGHT-WING terrorism against individuals, which has been going on since about 1962, was highlighted this week by the shotgun attack on the home of banned lecturer Mrs Fatima Meer.

The attack on Mrs Meer's home in Sydenham, Durban, on Monday night was the ninth known attack against liberals this year.

Few if any of these cases of right-wing terrorism against liberals have been solved.

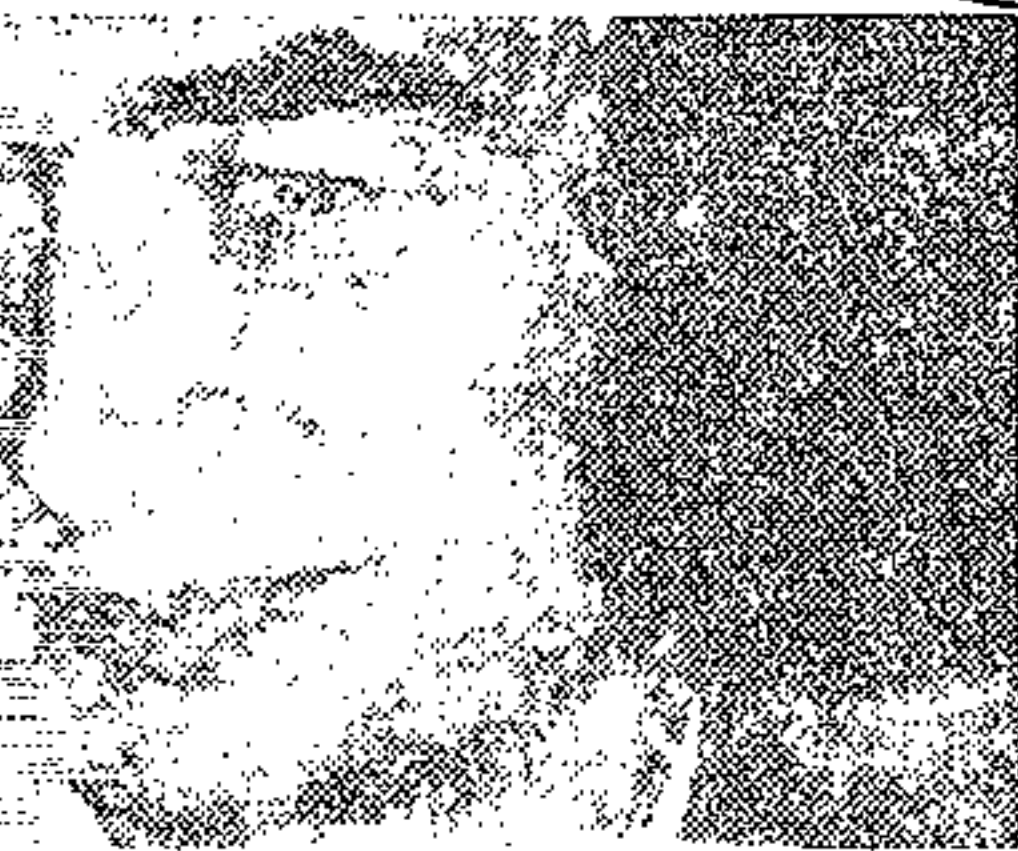
Some of this year's incidents were sparked by the emotionalism of the election.

Progressive Federal Party MPs Dr Alex Boraine and Dr F. van Zyl Slabbert had wreaths with threatening notes placed on the doorsteps of their homes.

Before going to a meeting one night Dr Boraine had a call from someone who threatened to get him with a machine pistol.

325 - Pol. Trials

SUNDAY TRIBUNE, DECEMBER 18, 1977



Geoff Budlender



Eric Abraham



Harriet Bolton

PFP committee member Mrs Daphne Wilson was told a bomb would be thrown into a meeting protesting at the death of black consciousness leader Steve Biko.

Five people were admitted to hospital in Cape Town after a tear-gas canister was fired into a protest meeting.

A T-shirt, sent to Mary Woods, younger daughter of banned editor Mr Donald Woods, was impregnated with an acid-based irritant after it was posted from Pietermaritzburg. The irritant hurt her eyes and caused a rash on her face, arms and shoulders.

Shots fired

The Woods family has had many threatening telephone calls and in June last year shots were fired at their home and slogans were painted on the walls.

The home of the editor of the banned newspaper The World, Mr Percy Qoboza — now detained under Section 10 of the Internal Security Act — was petrol-bombed at 1am on September 19, a month before he was detained. No one was injured and the damages was slight.

Mr Qoboza did not know whether the attack came from left-wing or right-wing fanatics.

The Rev David Russell, who was banned on October 19, received calls earlier this year warning him to keep off the University campus. The calls apparently came from the right-wing group Scorpio, which operates in the Cape.

In 1971 he received both threatening calls and letters and his car tyres were slashed.

Banned journalist Eric Abraham had a number of death threats from Scorpio. Police guarded his Mowbray cottage and a private bodyguard was hired. Mr Abraham fled South Africa soon afterwards.

By
MARIAN
SHINN

15 YEARS

Bricks were thrown through the windows of the home of Mr and Mrs Eli Weinberg in 1975 and in March this year.

In October last year it was the turn of Durban's Catholic Archbishop, the Most Rev Denis Hurley.

Petrol bombs were thrown at his home, setting fire to curtains and a side entrance hallway. Three bombs were thrown but two did not explode. A fourth bomb was discarded in the grounds of his home.

The Anglican Bishop of Port Elizabeth, the Rt Rev Bruce Evans, had calls threatening him with assault in September.

American writer Miss Shirley Deane had her flat broken into and had anonymous phone calls in May when she was working in Durban.

Mr Tim Wilson, son-in-law of the late Dr Braam Fisher, had his car damaged by two petrol bombs in 1976.

Skinned cat

One of the ugliest incidents of right-wing terrorism forced a banned Methodist minister, Dr Basil Moore, to leave the country with his family because he feared for the safety of his children.

In 1972 a cat that was the pet of the Moores' retarded child was skinned and its body, with a blue ribbon around the neck, was found on their doorstep. The children's plastic pool was found slashed in the garden of their Johannesburg suburban home.

Four attempts were made on the life of Durban trade unionist Mrs Harriet Bolton by tampering with the brakes and steering of her car.

Her lodger, Mr David Hemson, had

a brick thrown through his windscreen and the word "commie" was sprayed on his car. The tyres were punctured.

Banned Durban attorney Mr Mewa Ramgobin received a parcel bomb at his office. He opened it carefully because he was suspicious and escaped with shock and minor injuries when it exploded.

Petrol bombs

Attorney Geoffrey Budlender, who was president of the University of Cape Town's Student Representative Council, escaped with his life when his home was gutted by petrol bombs.

Mrs Helen Joseph, the first South African to be placed under house arrest, has had many threatening telephone calls in the past 15 years and once found a boobytrap explosive connected to her front gate.

Author Alan Paton has had many anonymous telephone calls and his car windscreen was smashed by a policeman 12 years ago.

Petrol bombs and shots have damaged the homes of university lecturers and the premises of liberal organisations.

The Deputy Commissioner of Police, Lieutenant General Mike Geldenhuys, said it had not been proved that any of these acts were terrorism.

"They were investigated by the Security Police," he said, and in one case two men from Scorpio were convicted. Taking them to court was an ordinary detective case.

Most of these acts were individual actions by people who were not connected to any political organisation, leftist or rightist, said General Geldenhuys.

SUNDAY TRIBUNE, DECEMBER 18, 1977



David Russell



Basil Moore

OF RIGHT-W



Mrs. Fatima Meer
Attacked before



Mr. I. C. Meer
Cars damaged



Soroya Goga

By DICK USHER

MEMBERS of the Meer family believe the terror attack on their home this week was an assassination attempt.

In the attack cars belonging to banned sociology lecturer Mrs. Fatima Meer and her listed husband, Mr. I. C. Meer, were set on fire and a friend, Mr. Zwelenye Gaba, was shot in the shoulder.

A neighbour has told the family that just before the attack a mustard-coloured Corona Mark II, with at least three white men in it, cruised slowly down Burnwood Road, where the family lives.

This information has been passed to the police, who are investigating the attack.

Mrs. Meer's daughter, Shameen, said the family was convinced it was an assassination attempt because of the way it was carried out.

"After the two cars were set on fire Zwelenye went to the door to see what was happening and was met by a shotgun blast that took him in the shoulder," she said.

"It is obvious that whoever did the attack was waiting for someone to come out of that door.

"Zwelenye was lucky because the blast took him in the shoulder. If my mother, who is a very short person, had gone to the door it would have blown her head off."

The Meer family was in an upstairs room when the attack started. Mr. Goba, who had just gone to bed in a downstairs room, heard a noise and went to a window to see the two cars burning.

He ran to the door, opened it, and the firing started. He was hit and fell inside the house, closing the door.

The family went downstairs and more shots were fired through the glass panels of the front door. They took refuge in the kitchen and the attackers fled.

The firing was so rapid it was impossible to count the shots.

The Meer home was attacked in



Mewa Ramgobin



Van Zyl Slabbert

ING TERROR

**This was
attempted
assassination
say the Meers**



Mr Zwelenye Goba: Would
shoulder

3/12/77
Mdantsane

2 in court

325 for trials
EAST LONDON — Two Mdantsane men appeared in the Regional Court here yesterday charged with belonging to an unlawful organisation — the African National Congress — and with taking part in the activities of such an organisation.

Appearing separately, Mr Temba Wellington Sobandla, 47, and Mr Tommy Ntoyakhe Charlimagne, 65, were not asked to plead and no evidence was led.

The case against Mr Sobandla was postponed until January 11 and that against Mr Charlimagne until January 4.

No applications for bail were made. — DDR.

ARGUS 21/12/77

Misunderstood says Middleton

328
Pol
Trends

The Argus Correspondent

KIMBERLEY. — Mr Norman Middleton, 52, told the Regional Court here yesterday that the State misunderstood him if it thought the purpose of black consciousness was to drive a wedge between coloured people and whites.

Mr Middleton, an executive member of the Coloured Labour Party, was cross-examined in a case where he is charged with inciting racial hatred at a political meeting held

in De Aar on April 20, 1976.

The charge was laid three months after the article headlined 'Coloureds Shocked by Speech' appeared in the De Aar

Newspaper, The Echo of April 23, 1976, describing the meeting.

Cross-examination, which began on Monday afternoon, continued the whole of yesterday.

He said that black consciousness tried to put across to people that they must be proud of what they were because they were created in the image of God whether they were black or white.

'WHITES WELCOME'

'We would welcome whites in the black consciousness movement too,' he said when asked by the prosecutor, Mr St J A Mancktelow whether whites, if they joined the black consciousness movement, they would be known as blacks, he answered: 'What does it matter?'

He agreed that the word blacks was used not as a designation of colour but as an all-embracing term to denote people who share the same ideology.

'In South Africa one is either white or non-white. We don't want to be non-persons, that's why we call ourselves blacks.'

(Proceeding)

325 Ad Trials /
Cape Times 22/12/77

Middleton counsel objects to tapes

KIMBERLEY. — Defence counsel for Norman Middleton said in the Regional Court here yesterday that tapes of certain speeches allegedly made by Mr Middleton were inadmissible as evidence.

This is the second time the tapes have been objected to by the defence in the trial of Mr Middleton, an executive member of the Coloured Labour Party. He is charged with inciting racial hatred arising from remarks he allegedly made at a political meeting in De Aar on April 20, 1976.

He is charged under Section One of the General Law Amendment Act of 1974. This makes it an offence to speak or perform any other act with the intent to cause or encourage feelings of hostility between different population groups in the Republic.

Questioned

Mr St J A Mancktelow, appearing for the State, re-introduced as evidence tapes of political speeches allegedly made by Mr Middleton in Graaff-Reinet on November 15, 1975 and in Port Elizabeth on November 16, 1975, five months before the De Aar speech.

Mr C R Mailer, for Middleton, objected to the admissibility of the evidence on the same grounds that Mr I Mohammed SC had objected at an earlier stage of the trial on February 15, 1977. He said Mr Middleton could totally deny that he had uttered these words and questioned the accuracy of the recordings.

After Mr Mohammed's argument, the court had ruled that the tapes were inadmissible as part of the evidence-in-chief.

However, Mr Mancktelow submitted yesterday that Mr Mohammed had conceded they could be used in cross-examination.

DD 5/1/78 325- Pol. Trials

Court told of ANC activities in Mdantsane

EAST LONDON — An Mdantsane attorney told a Regional Court magistrate here yesterday how he took part in the activities of the banned African National Congress by forming branches at Mdantsane.

He said the ANC's aim was to overthrow the South African Government by armed struggle.

Mr Lennox Mathemba Makapela was giving evidence in the hearing in which a former Robben Island prisoner, Mr Tommy Ntoyakhe Charlismagne, 65, is appearing on two counts that he unlawfully became or continued to be an office-bearer, officer or member of an unlawful organisation namely the banned ANC between February 1975 to June 1977 at Mdantsane;

That he took part in the activities of the ANC or carried on in the direct or indirect interest of the ANC; activities in which it was or could have been engaged during February 1975 to June 1977. He pleaded not guilty.

In an annexure attached to the charge sheet and giving full details of the charges it stated:

Mr Charlismagne did during October and November 1976 at Mdantsane recruit Mr Lennox Makapela as a member of the ANC and who later became a member;

He instructed or procured Mr Makapela to revive the ANC in Mdantsane in accordance with the new structure which made provision for "cells" consisting of four members; he promised to supply and did supply Mr Makapela with ANC literature, namely Sechaba;

In the pursuance of his instruction to revive the banned ANC at Mdantsane, Mr Makapela recruited Mr Temba Sobandla and Mr Eddie Ngqisha as members of the ANC on dates unknown to the State and then formed a new "ANC committee" to carry out the objects of the ANC;

On the instructions of the accused the progress of the revival of the ANC at Mdantsane was

reported to the accused by Mr Makapela and the accused received such reports on dates unknown to the State;

That during the period December 1976 to May 1977 and at Mdantsane Mr Charlismagne instructed, recruited or procured Mr Siphiso Batale to make a list of police informants, police stations and military installations at or near East London;

That during 1975 Mr Charlismagne recruited and or incited and or encouraged and or instructed or requested or conspired with Mr John Nkunzi to become a member of the ANC and or to organise an audience of workers from Cyril Lord factory for him to explain the ANC policy to them and to explain to them how to organise a strike at their factory; and or

To undergo military training abroad, or to recruit more men to undergo military training abroad.

That he recruited, incited, encouraged, instructed, requested or conspired with Mr Leonard Mpati to organise an audience of workers from Kenbow factory for him to explain to them how to organise a strike at their factory; and or to organise or recruit young men at Kenbow factory to go for military training abroad.

Mr Makapela said he was detained by the Security Police on August 25 last year. He had been introduced to Mr Charlismagne by Mr Temba Sobandla. They used to meet at the Rev H. Wagner's home during 1975.

Rev Wagner, of the German Lutheran Church, had since left South Africa in May 1976.

"We had numerous meetings either at Rev Wagner's residence, the Lutheran Church at Mdantsane or at my residence in connection with stimulating working committees at factories instead of the liaison committees formed by the factory managers.

"Up to and before Rev Wagner left the country we also discussed politics in general. After Rev

Wagner had left we continued to have meetings.

"These meetings were attended by myself, Mr Charlismagne, Mr Sobandla and a Mr Rufus Rwexu. The meetings were held at my house.

"During October 1976 because Mr Charlismagne said we should disband as there were something new to come we stopped having our meetings," Mr Makapela said.

"Later Mr Charlismagne told me the ANC network was revived at Mdantsane and that he had to find somebody trustworthy. He said he regarded me as that type of person.

"I agreed when he asked me to do some work for the ANC. He told me not to disclose his name to anybody no matter under what circumstances and he would in turn not divulge my name.

"He asked me to form a committee of four which had to include myself. He said I should find the other three members.

"Mr Charlismagne told me those men should not be ex-political prisoners. He further told me after I had found those men I should proceed to form 'cells' and to instruct the members to in turn recruit other members.

"I did as I was instructed and always reported back to him about my progress. Mr Charlismagne told me not to worry about my being inexperienced in ANC activities as he would supply me with a book and literature to keep me up-to-date.

"I was given a book and two pamphlets — one being Sechaba," Mr Makapela said.

Mr Charlismagne had also told him that members of these "cells" would be recruited for military training abroad, but that he did not say where.

He said the aim of the banned ANC was to overthrow the South African Government by means of armed struggle. Mr Charlismagne had also shown him a list of police informers, but did not say where he obtained the names.

The hearing continues today. — DDR

ANC trial told
of work bodies

EAST LONDON — The hearing in which a former Robben Island political prisoner is appearing on ANC charges was postponed until today for argument and judgment in the Regional Court here.

Mr Tommy Ntoyakhe Charlimagne, 65, also a former employee of the then Border Passenger Transport company, appeared on charges of unlawfully becoming or continuing to be an officer, office-bearer or member of the banned African National Congress between February 1975 and June 1977.

It was also alleged that he unlawfully took part in the activities of an unlawful organisation or carried on in the direct or indirect interest of the ANC, activities in which it was or could have been engaged during the said period.

Under cross-examination yesterday by Mr S. M. Tembeni, for Mr Charlimagne, Mr Makapela said he had known Rev Wagner of the German Lutheran Church prior to the first meeting they had and to his knowledge, Mr Charlimagne did not know him.

Rev Wagner had arranged the meeting with him and he was supposed to bring as many people as he could. He requested Mr Temba Sobandla to do the same.

Mr Sobandla then brought with him Mr Charlimagne. He said the meeting was supposed to be in connection with the formation of working committees for factory workers.

"I was the key man regarding these committees and I regarded myself as such because I had to canvass for it. I did not know Mr Charlimagne before I met Rev Wagner," he said.

Mr Makapela admitted that the workers committees never materialised, but he and others as officials intended stimulating these committees.

tree to express their opinions and grievances in their requests for improved conditions without being victimised.

He said those meetings they held were legal meetings as they were not part of the banned ANC. At that stage he knew something about the ANC and was fully aware it was a banned organisation.

"At that stage too I practised as an attorney and knew the aims of the ANC was to overthrow the Government by armed struggle and replace it with a People's Government.

"In spite of what I knew I still accepted assignments," Mr Makapela said.

He admitted he had acted as attorney for Mr Charlimagne who had asked him to handle his affairs.

Mr Makapela said he knew he had to give evidence when his detention order was changed from Section Six to Section 12 of the Internal Security Act on December 14.

Earlier in the hearing an alleged accomplice, Mr John Nkunzi, said while he was employed at Cyril Lord he met Mr Charlimagne during 1975 at a friend's house in Mdantsane.

Mr Charlimagne had asked him to try to get people at the factory and bring them to him. There were strikes at factories at the time.

When he did not succeed to get the people he decided to avoid Mr Charlimagne. During their conversation he was also told not to listen to Radio Bantu.

Mr Charlimagne had

also told him they would be taken for training abroad and these people would return later.

"The training was in order for us to fight for our freedom. I knew he was speaking on behalf of the ANC because I had previously been arrested for my activities in ANC affairs.

"Mr Charlimagne also said the ANC was the biggest organisation as it had members abroad. He told me we should encourage the unrest because we wanted our freedom," Mr Nkunzi said.

Another alleged accomplice, Mr Leonard Mpati, said he knew Mr Charlimagne since 1971. Mr Charlimagne had told him they should have young men as soldiers.

"He also told me we should organise and strike because our salaries would increase at the factories," he said.

Another alleged accomplice, Mr Siphiwo Bataala, said Mr Charlimagne had asked him to list the positions of all police stations, military installations and the names of all police informers.

Mr Charlimagne gave him a map on which to pinpoint these places. He was told by Mr Charlimagne that this information would be given to the freedom fighters once they got to South Africa as those were the points which would be attacked first, Mr Bataala said.

Mr Charlimagne did not give evidence in his defence.

The hearing continues today. —DDR

He said the working committees were more effective than the liaison committees established by factory managers as workers would have been

ANC man guilty on two counts

DD 7/1/78 325- Pol. Trials

EAST LONDON — A former Robben Island political prisoner, Mr Tommy Ntoyakhe Charlimagne, 65, was found guilty in the Regional Court here yesterday on two counts involving ANC charges.

Mr Charlimagne had pleaded not guilty when he appeared before Mr S. van Zyl on charges that he unlawfully became or continued to be an office-bearer, officer or a member of the banned African National Congress between February 1975 to June 1977; and that

He unlawfully took part in the activities of an unlawful organisation or carried on in the direct or indirect interest of the ANC, activities in which it was or could have been

engaged during the said period.

In his finding Mr Van Zyl said Mr Eddie Ngqisha corroborated the evidence of Mr Lennox Mathemba Makapela in the formation of the African National Congress, but that he did not connect the accused in any way with these activities.

"It can be safely accepted because Mr Makapela had admitted that he was engaged in these activities. The evidence of the other witnesses must be examined carefully because the ANC is involved.

"Yet although they are not true accomplices the evidence of Mr Leonard Mpati and Mr Siphiso Batala must be regarded on the same basis," Mr Van Zyl said.

"Viewing the evidence as a whole, they all implicate the accused who partook in ANC activities. They all gave evidence in a satisfactory manner and they gave the impression they were fair towards the accused.

In his argument, the prosecutor, Mr J. Bruwer, said the State set out to prove that by leading evidence of certain acts and conversations of the accused with various witnesses that these acts and conversations make out the basis of count two in that he did thereby unlawfully take part in the activities of the banned ANC.

"The defence closed its case without calling any witnesses. I submit it has been proved beyond any

reasonable doubt that the accused was actively working for the ANC since 1975 when he approached Mr Nkunzi and Mr Mpati as they testified.

"During October-November 1976 he approached Mr Makapela to reorganise and revive the ANC in Mdantsane and to introduce the new "cell" structure being to recruit ANC members for training as freedom fighters to overthrow the present Government by armed struggle.

"During December 1976 he approached Mr Batala to make a list of the police stations, Army camps and police informers so that when the freedom fighters came to East London they would know where to attack and I therefore ask for a conviction on both counts," Mr Bruwer said.

In reply, Mr S.M. Tembani, for Mr Charlimagne, submitted that the court had to consider whether or not Mr Charlimagne attended any meetings meant for the ANC.

"If he is a member it must be presumed and it must be proved he attended meetings of the ANC which no witness testified to that effect.

"Mr Ngqisha never saw the accused attending meetings with himself and the others. It is clear from the evidence that all witnesses were actively supporting the ANC.

The hearing was postponed for sentence to be passed on January 16. — DDR

DD 7/11/78
**Two ANC
trials** *325-Pol. Trials*
postponed

EAST LONDON — Three men appeared at two different hearings into allegations involving the African National Congress.

Mr Gladwell Mballi, no address given, appeared briefly in the Regional Court here that he unlawfully became or continued to be a member of the banned ANC.

The hearing against him was postponed to January 17.

In another hearing on similar charges, Mr Joseph Mayedwa, 55, and Mr McWilliam Simon, no addresses given, were remanded to appear again on January 19.

All three accused were not asked to plead and no evidence was led. — DDR

18 on PAC terror charges

STAR

9/11/78

325 Pot. Ready

Eighteen men alleged to have tried to revive the Pan Africanist Congress in South Africa, appeared briefly in the Magistrate's Court, Bethal, today on charges under the Terrorism Act.

Several South African cities are listed as places at which terrorist activities are alleged to have been committed by the men.

Among them are a journalist Mr Moffat Zungu (28) and Mr Sephanla Mopheng (65), a former national leader of the PAC. The others are: Mr John Ganya (48) of Soweto, Mr Mark Shinnars (37) of Pretoria, Mr Bennie Ntoele (38) of Pretoria, Mr Hamilton Keke (24) of East London, Mr Michael Khala (24) of Soweto, Mr Alfred Ntshali-Tshali (47) of Manzini, Swaziland, Mr Julius Landingwe (30) of Cape Town, Mr Jerome Kodisang (26) of Soweto, Mr Michael Matsobane (36) of Krugersdorp, Mr Johnson Nyathi (32) of Krugersdorp, Mr Mthlalegi Thlale (22) of Krugersdorp, Mr Rodney Tsoletsane (20) of Krugersdorp, Mr Daniel Motsobane (31) of Krugersdorp, Mr Themba Hlatshwayo (21) of Krugersdorp, Mr Zolile Ndingwa (26) of Cape Town and Mr Goodwill Moni (24) of Cape Town.

The men are accused under different sections of the Act. The 30-page indictment contains alternative charges.

Among co-conspirators mentioned in the indictment are Mr Robert Sobukwe, the PAC president, and Mr Potlako Leballo, general secretary.

No evidence was led today and the trial was postponed to January 17.

STAR 9.11.78
Ex-ANC man
325. Pal. Trials
honoured

Own Correspondent

AMSTERDAM — The University of Amsterdam is conferring an honorary doctorate on Robben Island prisoner Govan Mbeki at a ceremony here today.

The distinction honours Mbeki's work in social science. It is also seen as expressing the university's highest praise for anti-apartheid activities in general and for the banned African National Congress in particular.

Mbeki (67), who was an ANC leader and an architect of its sabotage wing, was sentenced to life imprisonment at the Rivonia trial 14 years ago.

Today's award arises from a study project marking the jubilee of Amsterdam University's Social Science Faculty — the study of racism and fascism.

STAR 10/11/78

325 pol Trials

Youth (18) on terror charges

Lowveld Bureau

NELSPRUIT—An 18-year-old youth, Mr. Elleck Magashe Nchabeleng appeared briefly before Mr W de Vos in the Regional Court here today on charges of terrorism.

At a previous appearance, Mr. Nchabeleng pleaded not guilty.

No evidence was led and the hearing was postponed to February 21. Mr Nchabeleng is in custody.

The charge sheet alleges that having received terrorist training, he personally trained and informed two men on terrorist activities during the period December 1976 to January 1977.

The following firearms were allegedly found in his possession:

- A defensive hand grenade.
- One machine pistol.
- One pistol.
- 21 rounds of 7,65 millimetre ammunition.
- seven rounds of Tokarev ammunition.

Mr Jan Saaiman prosecuted and Mr Nchabeleng was represented by Mr A Mendelow.

10/1/78

325- Pol. Trials

18 ACCUSED OF TERRORISM

Mercury Correspondent

BETHEL — Eighteen men accused of having taken part in terrorist activities, conspiring to overthrow the Government and trying to revive the banned Pan Africanist Congress, appeared in the Bethal Magistrate's Court yesterday on charges in terms of the Terrorism Act.

Among the co-conspirators mentioned in an addendum to the charge sheet are Robert Sobukwe, the PAC president and Robben Island prisoner and Mr. Potlako Leballo, the organisation's general secretary.

One of the accused is former Robben Island prisoner Mr. Sephania Mothopeng (65), the former national leader of the PAC. He is accused of having held secret meetings at the island fortress to re-organise the PAC and continue its activities after his release.

According to the lengthy indictment which constitutes 50 type-written pages, some of the accused received training in the use of automatic weapons, missiles and mortars in Libya.

Some of the men are also accused of having opened offices in Botswana, Transkei and Swaziland to recruit people for

military training.

Other charges related to the recruiting of men for military training outside South Africa, participation in terrorist activities in Krugersdorp, Roodepoort and Atteridgeville, arson and stoning in African townships and the distribution of propaganda pamphlets.

The hearing is expected to last several months. The men who appeared are: Mr. Moffat Zungu (28), a journalist; Mr. Goodwill Moni (24), of Cape Town; Mr. Sephania Mothopeng (65); Mr. Zolile Ndingwa (26), of Cape Town; Mr. John Ganya (48), of Soweto; Mr. Themba Hlatwayo (21), of Krugersdorp; Mr. Mark Shinnars (37), of Pretoria; Mr. Bennie Ntoele (38), of Pretoria; Mr. Daniel Motsobane (31), of Krugersdorp; Mr. Hamilton Keke (24), of East London; Mr. Michael Khala (24), of Soweto; Mr. Alfred Ntshali-Tshali (47), of Manzini, Swaziland; Mr. Julius Landingwe (30), of Cape Town; Mr. Jerome Kodisang (26), of Soweto; Mr. Michael Matsobane (36), of Krugersdorp; Mr. Johnson Nyathi (32), of Krugersdorp; Mr. Mothlageti Thlale (22), of Krugersdorp and Mr. Rodney Tsoletsane (20), of Krugersdorp.

DD 12/1/78 325- Pol. Trials

Two State witnesses jailed for 12 months

EAST LONDON — Two State witnesses were each sentenced to 12 months imprisonment yesterday after they refused to give evidence before a magistrate in the Regional Court here.

Mr Sam Gajula, of Mdantsane, an ex-Robben Island prisoner, and Mr Rufus Rwexu, also of Mdantsane, both refused to testify under oath and after being warned that they could face five-year jail sentences, again refused and were sentenced by presiding magistrate, Mr J. H. Jordaan, to 12 months in jail.

The two men were appearing as witnesses in the State case against Mr Wellington Temba Sobandla, 48, of Mdantsane, an ex-Robben Island prisoner who has been charged on six counts of participation in the activities of the banned African National Congress.

The charges are: That in April 1977 at Mdantsane he recruited Mr Rwexu to help form an ANC committee in the township; that Mr Rwexu became an office bearer of the com-

mittee; that Mr Rwexu attended banned ANC committee meetings and at one such meeting delivered lectures on the history of the banned ANC; that Mr Rwexu recruited Mr Sam Gajula as a member of the committee and procured him to recruit other members for the banned ANC; that in the pursuance of the object of reviving the banned ANC in Mdantsane, and on the instruction of Mr Sobandla, the witness, Mr Gajula, had recruited Mr Harry Mnika as a member of the Mdantsane committee.

And that on the instruction of Mr Sobandla the progress of the revival of the banned ANC was to be reported to him by Mr Gajula and that Mr Sobandla had received such reports on the progress unknown to the State.

Mr Gajula when called to give evidence before court, said: "I refuse to give evidence".

Warned by Mr Jordaan that he could face a jail sentence, Mr Gajula replied: "Mr Sobandla has children, and his children will not eat."

He said following his arrest he had been held in custody "although I was an innocent man".

Mr Gajula was jailed for 12 months. As he was led from the packed courthouse by police court orderlies, he fell down the steps leading to the cells.

Mr Rwexu refused to

testify under oath after telling the court he had been told by the Security Police what to say in court.

"I know nothing about this case except that I have been persecuted by the police. They suffocated and tried to throttle me."

"The police showed me a picture of Mr Biko and said that if I refused to make a statement then I would follow the way he went as they would suffocate me," Mr Rwexu said.

Warned that he could also face a five-year jail sentence and asked by Mr Jordaan whether he had anything further to say, Mr Rwexu said: "I have nothing to say, except how I was treated by the police."

Mr Rwexu was then sentenced to 12 months in jail.

In earlier evidence for the State, an Mdantsane attorney, Mr Lennox Makapela, told the court he had attended meetings which took place at the home of a Rev Wagner in East London.

There, he said, they had discussed the idea of forming "workers" committees, but after Rev Wagner left East London the idea was abandoned.

"I was told about the revival of the ANC by Mr Tom Charlimagne and that he had been instructed to revive the ANC network, look for trusted

men, and as such was regarded as a trusted man.

"Tom asked me if I was agreeable to such an idea and I said yes," Mr Makapela said.

The State witness told the court he had been instructed by Mr Sobandla to form an ANC committee of four members in Mdantsane.

"I had to find three suitable candidates, other than myself," he said.

Mr Makapela said he had experienced difficulty in recruiting a fourth person and Mr Sobandla had then assisted him.

"Mr Sobandla told me he had a person in mind who belonged to the Black People's Convention and I told him that I would inquiry if a BPC person could work for the ANC committee."

"I went back to my contact and he said there was nothing wrong about a BPC person working in the ANC committee. And that fourth person is Mr Rufus Rwexu," Mr Makapela said.

The State witness said a number of meetings had been held dealing with the formation of ANC cells and the training of members abroad.

"The object of this training was to overthrow the present Government by armed struggle," Mr Makapela said.

The case has been postponed today for further hearing. — DDR

Terrorists

NM. 12/1/78

losing

325 - Act. Finals

support

WINDHOEK — Terrorists were losing support both inside and outside South West Africa, Major-General Jan Geldenhuys, officer commanding the SWA command of the South African Defence Force, said here yesterday.

Gen. Geldenhuys said this was indicated by the greater co-operation being given to the security forces by the local population.

A result of the loss of support to terrorist fighters was an increased terror campaign. — (Sapa.)

Cape Times 13/1/78

Terror trial to begin again

325
Rel. trials

PRETORIA. — With nearly five long months of fruitless trial already behind them—and in custody for more than a year—12 people will appear on trial all over again in the Pretoria Supreme Court on Monday.

The twelve, one of them a 27-year-old woman, were arrested in the Johannesburg area on Terrorism Act charges over the Christmas season of 1976.

Their trial came to an abrupt end, after starting in June last year, with the sudden death in November of the trial judge, Mr Justice Davidson.

They were preparing for their defence when Mr Justice Davidson died in the intensive care unit of Pretoria's H F Verwoerd Hospital, after two heart attacks while on circuit court duties in the Northern Transvaal.

The 12 will now stand trial from the beginning. In the trial they have been charged with subversive and revolutionary activities aimed at overthrowing law and order and the Government of South Africa.



Cape Times 16/1/78

Breyten link: Man freed in France

325 fol
Trials

Own Correspondent

PARIS. — The French authorities yesterday released from a six-week period of detention Henri Curiel, the man who claims to have provided Breyten Breytenbach with a false passport to secretly visit South Africa.

Mr Curiel is the head of the organization Solidarity, alleged to organize international subversion for the Soviet secret police (KGB).

Mr Curiel, who is stateless, was arrested in November and escorted to the provincial town of Dione. There he stayed in a small hotel, free to go for walks in town but barred from meeting anybody or having any outside contacts.

His wife was not allowed to be with him, and she remained in their Paris flat.

Ten days ago Mr Curiel appealed to the Council of State, France's highest constitutional body, on the grounds that he was being illegally detained.

Friends of Mr Curiel said yesterday that he returned to Paris on Friday and seemingly will be allowed to go on living here as he has done for the past 20 years.

Mr Curiel told a news-magazine just after the first Breytenbach trial that he gave the Afrikaans poet a passport in the name of Christian Galeska to go to South Africa.

5 get life at terror trial

Political Trials

325

MARITZBURG — Five of the nine blacks convicted of participating in terrorist activities were yesterday sentenced to life imprisonment by Mr Justice J A Howard.

They are: Harry Gwala, Anton Xaba, John Nene, Matthews Meyiwa and Zakhele Mdlalose.

Truman Magubane was sentenced to 15 years' imprisonment, Azaria Ndebele, seven years, Joseph Nduli 15 years on one count of participating in terrorist activities and a further 10 years on another count, seven years to run concurrently.

Cleopas Ndhlovu was sentenced to 10 years' imprisonment on one count of participating in terrorist activities, and 10 years on a second count, five years to run concurrently.

Mr William Khanyile was acquitted on all charges.

Shortly after the sentences were passed the nine men stood up in the dock, turned to the crowded public gallery and gave the black power salute.

The men sang, Nkosi Sikelele Afrika as they were led out of the court to a police van.

A large contingent of uniformed and plain clothed policemen attended the final day of the marathon trial and spectators were frisked before being allowed into court.

In passing sentence, Mr Justice Howard said the nature of the crimes and the extent to which each of the accused participated in terrorist activities was in his judgment on July 15, but added that in his opinion the crimes were extremely serious ones.

He said none of the accused showed the slightest remorse for what they did or attempted to do.

He said that Gwala, Xaba, Nene, Meyiwa and Mdlalose had all admitted previous convictions for offences involving subversive activities.

"They have shown them-

revolutionaries and there appears to be little or no prospect of reformation in their cases," the judge said.

Mr Justice Howard said the remaining four accused had no previous convictions, but due to the nature of the crimes "They must be sentenced to long terms of imprisonment."

TERM

anything useful be said about such complicated situations? Well, sometimes.

Consider this case -- about the simplest game conceivable. Firms A and B make virtually identical products. Each spends \$1 million a year to keep its customers from deserting to the other. Actually, they could reduce their advertising budgets to \$200,000 without hurting their sales, and each would be \$800,000 better off. But if A cut sales to B c result of th by \$400,000 symmetrica'l

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A's decision is very very easy, and B's only two possibilities permitted, and If B maintains his current budget, then his. If B cuts his budget, then A is his than if he cuts. In short, A should expenditure, whatever B does, and B should spite of the fact that both would be be agree to cut back. (The analogy with

The game we just played was especially firms' profits were interconnected, the decision for each remained the same irr But another simple example will illustrate the case. Again there is a pair of oil industry custom to announce simultaneous season. They cannot communicate with because of mutual antipathy or for fear Demand is strong and inelastic, so that increases, both will enjoy profit increase. If, however, only one increases his price other and his profits will decline by ; pat will gain \$50,000. The situation

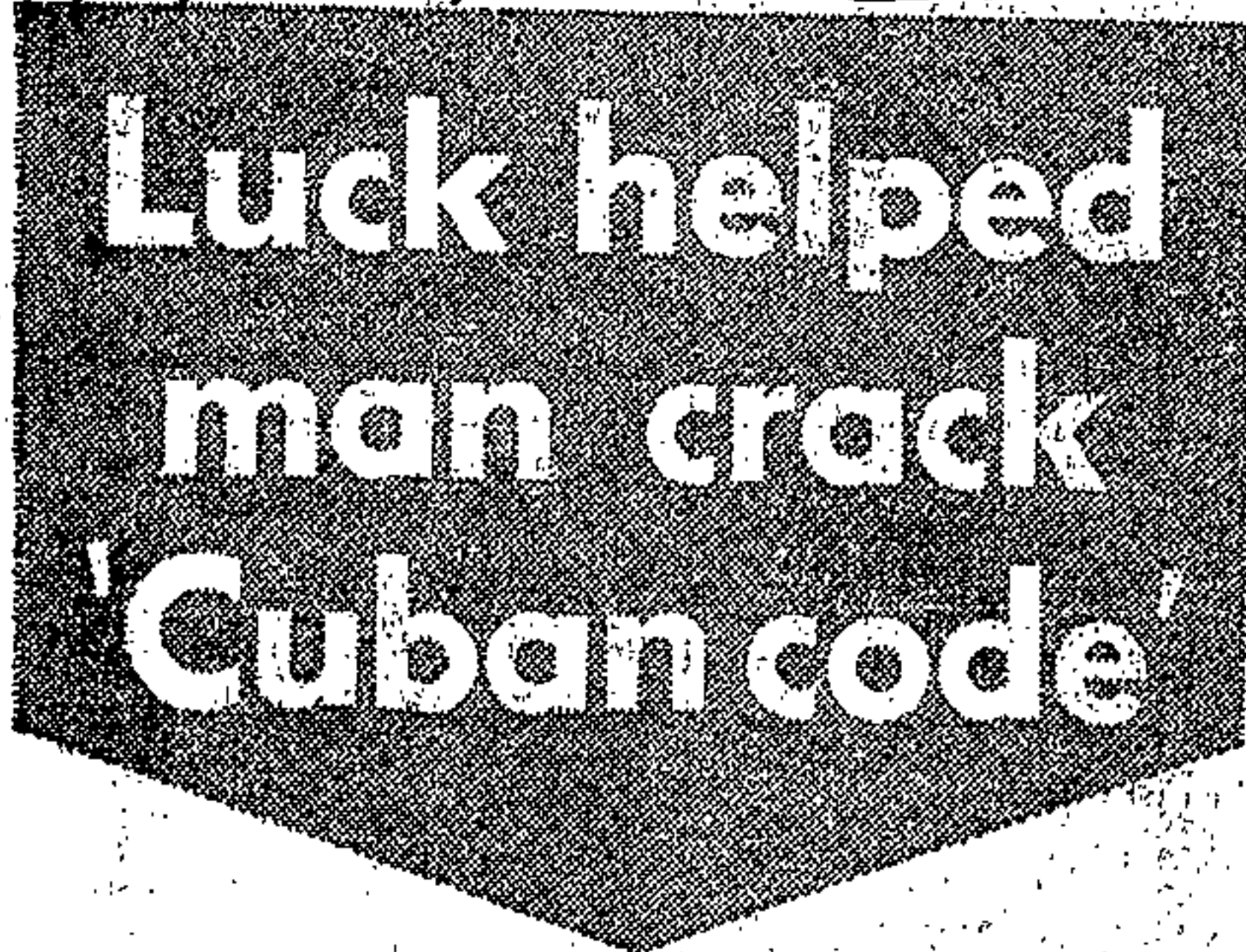
PAYOFF MATRIX FOR

(Entries shown A's gain/B's gain)

Firm B's
Choice

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Increase price	100/100	50/-50
Maintain price	-50/50	0/0

1/7/77 N/MERCURY (325) Pol Trib



Mercury Correspondent

JOHANNESBURG — Luck and deduction led a Pretoria electronics designer, Mr. Anthony Morris, to crack a coded letter exhibited in the Breyten Breytenbach trial, he claimed yesterday.

Mr. Morris (44), who works for the Atomic Energy Board, had handed his notes to the police.

In evidence before Mr. Justice Boshoff, former prison warden Pieter "Lucky" Groenewald alleged Breyten Breytenbach had handed him a coded letter.

Mr. Groenewald handed the letter to the Security Police.

Yesterday Mr. Morris said he tried his hand at the code after seeing an extract in a Sunday newspaper.

Assuming it was written in English, the letter "e" would appear most frequently and after applying the key words provided in the newspaper, an intelligible message started appearing, Mr. Morris said.

More than 150 people packed the Pretoria Palace of Justice yesterday to wait in vain for the resumption of Breytenbach's trial on charges under the Terrorism, Riotous Assemblies and Prisons Act.

State and defence counsel were still listening to tapes of alleged conversations between Breytenbach and warden Mr. Groenewald.

The hearing resumes today.

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I lied in court —terror witness

RDM

1/7/77

325

Political
Trends

Staff Reporter

THE chief State witness in the ANC Terrorism Act trial in Pretoria said yesterday that he had been repeatedly assaulted by police before making a statement, and that he had lied in evidence.

And after a full day in the witness box giving details of the alleged police brutality and coercion, Mr Ian "Inch" Rwaxa asked the judge, Mr Justice Davidson, to make an order protecting him from the police.

Mr Rwaxa is an alleged accomplice in the trial of 11 black men and a woman on charges under the Terrorism Act.

Shortly after stepping into the stand yesterday morning for cross examination by the defence counsel, Mr Arthur Chaskalson, SC, he asked to be allowed to address the judge directly in English as "there are a few things I would like to clear up."

"I want to tell the truth about certain untrue things I said in my main evidence," he said.

He then told the judge that after his arrest at



A handful of spectators trickle out of the Old Synagogue, Pretoria. Previously scores of people flocked to attend the terror trial.

the Oshoek border post with Swaziland on December, he was taken to John Vorster Square.

On December 30 he was interrogated by security policemen who threatened to kill him.

He was beaten and kicked until he bled from his nose and mouth and an attempt was made to strangle him with a cloth, he said. During the assault he lost consciousness twice, and when he recovered was told again by

a Security Policeman, Lieutenant Coetzee, that he would be killed unless he cooperated.

The next day he was taken to another cell where he saw one of the accused, Mr Mosima Sexwale, lying naked, bound and shivering. Later he saw Mr Sexwale with his face swollen. Mr Rwaxa said one night he had been forced to sleep naked without blankets.

He told of a number of trips to Security Police headquarters in Pretoria during which he was assaulted.

On one of these trips he was accompanied by another accused, Mr Lele Motaung, who could not sit because of pain in his buttocks.

He told the judge he had been assaulted by a white policeman for saying that a swelling on his face was caused by police assault. "He told me to say a bee stung me," he said.

Eventually he agreed to make a statement—"and I wrote what Lieutenant Coetzee told me to write."

Shortly afterwards he was taken to Soweto to visit his girl friend, he said, and was given R200

to give to her.

Some days later he met the State prosecutor, Mr N Gey von Pittius, who told him if his evidence was satisfactory, he would be given indemnity, but that he should not tell the court he had been told this.

He was taken over his statement five times "so I could rehearse it", he added.

His sister was allowed to see him twice after this, and on the first occasion offered to get him a lawyer, he said.

"But Lieut Coetzee said I did not need a lawyer as I was working for the Prisons Department.

"My sister said she had expected to find a corpse. Lieut Coetzee told her: 'What do you think we are—we are people'."

He told the court that before the trial started Lieut Coetzee took him to a room adjoining the court and told him that special counsel had been appointed for the witnesses.

"He said that I should say I did not want counsel," said Mr Rwaxa.

"Now I am being held in a nice cell, with four potted plants, three mats and am getting a good diet," he said.

After giving evidence, Mr Rwaxa asked the judge to make an order protecting him from the police.

Mr Justice Davidson told him he had no power to give such an order. Mr Chaskalson then told the court Mr Rwaxa had a degree of protection because he was appearing in open court.

The trial continues today.

The accused are: Mr Mosima Gabriel Sexwale, 24, M Naledi Tsiki 21, Mr Lele Jacob Motaung, 44, Mr Simon Samuel Mohlanyaneng 24, Mr Martin Mafelo Ramokgadi, 67, Mr Joe Nzingo Gqabi, 48, Mr Petrus Mampogoane Nchabeleng, 50, Mr Nelson Letsaba Diale, 41, Mr Micha Mpandeni Ngubeni, 42, Mr Jacob Goanakala Seatholo, 47, and Mrs Paulina Namgotla Mohale, 26.

Weather Mail

The Weather Bureau's forecast for today is:

TRANSVAAL: Partly cloudy and cold, but mild over the northern and eastern parts with showers.

FREE STATE and CAPE north of the Orange River: Partly cloudy and cold.

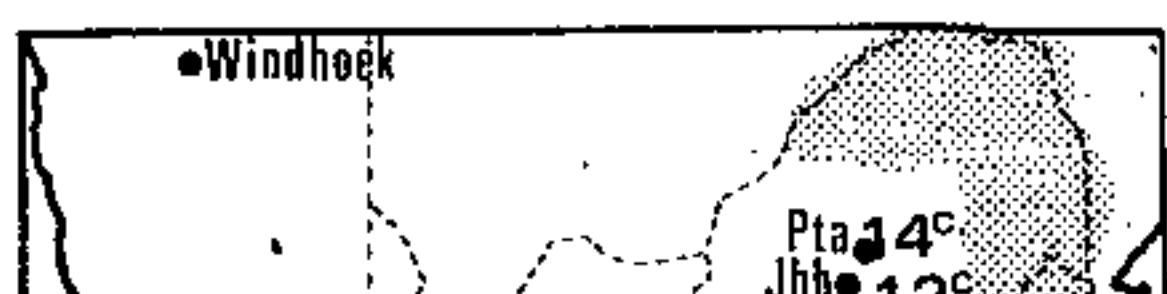
CAPE south of the Orange River: Partly cloudy and cold, but showers over the eastern parts with snow in the eastern Cape mountains.

NATAL: Cloudy and cold with rain and snow over the Drakensberg.

SWA: Fine and cold, but mild in the north.

Temperatures are Celsius maximums expected for each city.

Rand Daily Mail
Weather Station



RECOGNITION OF COURSES TAKEN AT OTHER UNIVERSITIES

FACULTY OF ARTS

State witness tells court that he lied

CAPE TIMES 1/7/77

325-

pol
Trends

PRETORIA. — The terrorism trial here took a startling turn yesterday when the chief State witness suddenly admitted having told the court lies in his evidence-in-chief.

Mr Ian "Inch" Rwaxo, an alleged accomplice terrorist of the 12 on trial before Mr Justice Davidson, said also that he had "confessed" after assaults and death threats by the police.

The dramatic turn came when Mr Rwaxo, while under cross-examination by Mr A Chaskalson SC, for the defence, asked to be allowed to talk directly in English to the judge.

He then, at length, spoke of pre-trial assaults, threats of coercion and death threats made to him by the police.

His evidence, he said, had been based on a 20-page statement signed by him but dictated to him by police investigators.

At this stage he wanted to put the record straight and "tell the truth about certain untrue things" he had said in his evidence, led by State counsel Mr N Gey van Pittius.

The African accused, one of them a woman, have pleaded not guilty to charges under the Terrorism Act, relating to alleged terrorist activities between 1962 and 1976.

Bleeding

Mr Rwaxo added: "In my evidence I didn't say everything that was in my original statement. I did this to see if the State counsel would tell me if I were correct or wrong."

He said that on December 30 when he was interrogated the police told him they would kill him. He was assaulted, beaten and kicked till he bled from the mouth and nose and an attempt was also made to strangle him with a cloth.

He lost consciousness twice and was told again that he

would be killed if he did not co-operate.

He was told this by a Lieutenant Coetzee and his colleague, and after this he decided to co-operate.

Next day he was taken to cells in John Vorster Square and shown accused Mosima Sexwale, naked, bound and shivering in the cell.

At security police headquarters in Pretoria he was again assaulted. Back in Johannesburg he was taken to the cells and told to strip naked. The cell blankets were taken away.

Taken to Nelspruit to take part in an identification parade, he was told on the way back that he was to be a witness.

Some days later he was taken over his statement and Mr Gey van Pittius told him that if he gave satisfactory evidence he would be given indemnity.

"He said I should not tell the court that I had been told this."

He was now being held in a "nice" cell with four potted plants and three mats and was getting good food.

Mr Gey van Pittius: My lord, this evidence is quite something new.

As the court adjourned, Mr Rwaxo asked Mr Justice Davidson to make some order to protect him from the police.

Mr Davidson said he had no power to make any such order. Mr Chaskalson said there was a degree of protection in that Mr Rwaxo would be back in open court again, that the authorities had been made known of what had happened — and that Mr Rwaxo was their responsibility.

The hearing adjourned to today.

325-

6. The law of increasing (relative) cost is incompatible with

1. A p.p. frontier going from NW to SE.
2. A p.p. frontier being a "bowed-out" curve.
3. The law of Diminishing Marginal Returns.
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Breytenbach's Yolande could face arrest

2/7/77 RDM

325 Pol. trials

Staff Reporter

SECURITY Police confirmed in Pretoria last night that Mrs Yolande Breytenbach could face arrest if she came to South Africa, but said the ultimate decision rested with the Attorney-General.

people who received letters from him and who sent letters to him in secret.

Breytenbach is on trial on one charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies and Prisons Acts.

Mrs Breytenbach's arrest could follow as a result of evidence led in court, the police spokes-

man said.

She was given a visa to come to South Africa from Paris, says a spokesman for the Department of the Interior. She was told the department could not interfere if she was arrested in South Africa.

The visa was issued to Mrs Breytenbach at the South African Embassy in Paris.

the system

actly alike.

awing up

● See Page 2

Mrs Breytenbach has been referred to in the indictment in her husband's trial as one of the

Prices.

5. Allocation of resources among alternate uses.

9. The law of diminishing marginal returns demonstrates that, as more and more of a variable input is put to work with a fixed amount of another input :

1. Total product will diminish because the extra units of the variable input will be less suited to producing that commodity.
2. A diminishing amount of the variable input will be needed in order to produce equal increases in total product.
3. Increases in total product will not be so great, because the extra units of the variable input will cost more.
4. The relative shortage of the fixed input will cause increases the total product to become progressively smaller.
5. Increasing costs will cause the rate of increase to diminish.

10. In an economy in which there are full employment, constant amounts of resources, and unchanging technology

1. To increase the production of capital goods requires an increase in the production of consumer goods.
2. To decrease the production of capital goods necessitates a decrease in production of consumer goods.
3. To increase the production of capital goods is impossible.
4. To increase the production of capital goods a decrease in the production of consumer goods is needed.
5. None of the above.

11. Price elasticity of demand is

1. Measured by the slope of the demand curve.
2. A measure of the responsiveness of the quantity demand to changes in price.
3. The ratio of the change in price over the change in income.
4. None of the above.
5. Two of the above.

Court told of trip to Russian camp

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2/7/77

325 Pol trials

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Staff Reporter

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AN alleged terrorist was sent from Russia, where he was being trained in urban guerilla warfare, back to Africa after he disagreed with his Russian instructor over communism, the ANC trial heard yesterday.

Mr Charles Buthelezi was giving State evidence before Mr Justice Davidson in Pretoria's Old Synagogue in the trial in which 11 men and a woman are charged under the Terrorism Act and alternative charges. They have pleaded not guilty to all the charges.

The offences are alleged to have taken place between 1962 and 1977.

Mr Buthelezi said that after he returned to Af-

rica he was rejected by the African National Congress and was arrested in Mozambique by Frelimo security police and tortured.

During his 386 days in prison in Maputo he once tried to commit suicide by slashing his stomach open with a bottle, he said.

Police reinforcements were called in yesterday afternoon as a large crowd sang outside the court while waiting for the accused to leave for prison.

When the hearing started yesterday the first witness, Mr Ian "Inch" Rwxaxa claimed he had said he lied in his main evidence because he realised the truth was coming out under cross-examination.

The main State Counsel, Mr N Gey van Pittius, denied he had told Mr Rwxaxa not to tell of alleged police assaults on him.

Mr Buthelezi said he went in March 1975 to a refugee camp in Maputo, where he met one of the accused, Mr Lele Motaung, 44.

Mr Buthelezi said he told the people at the camp, in the Avenida do Brazil, that he wanted to "fight the boers". "Boers" he said were all South African whites.

At the camp there were propaganda and singing sessions.

While there he saw Mr Motaung have a black called Thompson arrested after alleging Thompson was a South African informer.

He was selected to train in guerilla warfare, and with some others went to Tanzania on December 28, 1975.

The party included Mr Motaung, one of the accused, Mr Mosima Sexwale and Mr Naledi Tsiki, another of the accused.

From Daar es Salaam they went to a house where training started.

In history lessons, for instance, they learnt how the whites had killed off the Xhosas after taking the Xhosas' cattle.

He said he also learnt that the Communist Party in South Africa and the ANC had combined after their banning. The militant wing, Umkonto we Sizwe, was formed under the leadership of Abram Fischer and Nobel Peace Prize-winner Dr Albert Luthuli, he said.

They travelled to Russia on Tanzanian passports, arriving in Moscow on January 16 last year to find two Russian instructors, Viktor and Andrew, waiting for them.

They were shown armaments, ranging from AK-47 rifles to bazookas and landmines. They were told these were the weapons that would be used against the boers.

In one of the debates he disagreed with Viktor. He had said the blacks of South Africa did not want communism but only wanted to fight the whites for freedom.

Within three days he was ordered back to Tanzania.

He was sent on to Mozambique, where he was held by Frelimo.

Under cross-examination by Mr A Chaskalson, for the defence, he said that while in Russia he was called to book for allegedly trying to have a relationship with a woman in the group called Joyce.

Mr Motaung had then said he did not trust Mr Buthelezi and they came to blows. Early next morning he was taken to a Russian hospital, after it had been said he was a psychopath.

The hearing continues on Monday.

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The offences are alleged to have taken place between 1962 and 1977.

Mr Buthelezi said that after he returned to Af-

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Mrs Mandela
325 Feb 74 15 ROM
in court 2/7/74

* * BLOEMFONTEIN. — Mrs Winnie Mandela, wife of Nelson Mandela, who is serving a prison term on Robben Island, appeared briefly in the Bloemfontein Regional Court yesterday morning. No charges were put to her and no evidence was led. The trial was postponed to August 31. — Sapa.

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Mr Buthelezi said he told a Comrade Lifesea that Joyce had slept with Mr Sexwale, who was in the group, and that he also wanted to sleep with her.

Mr. Sexwale had said he was mad and that night a Russian instructor named Victor and two other men took him to hospital. He was later sent back to Tanzania, but denied this incident was the reason.

Mr A Chaskalson was assisted
by Mr D Kuny and Mr L G
Bowman, instructed by Mr R R
Baker. Mr N Gey van Pittius
appeared for the State, assisted
by Mr M J Dooen.

Mr A Chaskalson, SC, for the defence, suggested to State witness Mr Charles Buthelezi that he was sent back from Russia to Tanzania because he tried to sleep with a recruit named Joyce, and not, as he had claimed in earlier evidence, because he disagreed with his Russian instructor.

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e Persepolis, twise universally enjoined by
John Hall in 1533. The feast became
a specially important part in England, perhaps by its
association with St. Thomas Becket, who was
consecrated Bishop on that day in 1162. The
restriction of the feast to a single day by
the absence of an octave is appropriate to the
unity of the Godhead which the feast commemo-
rates. In the Sarum Missal and other rites,
Sundays and weekdays before Trinity

days are reckoned after Trinity, and not after Pentecost as in the Roman rite.

STAR 2/7/77

Police holding new Breyten tape: claim

The existence of a tape-recording of an alleged conversation between former detainee Mr James Polley and the prison warder who was poet Breyten Breytenbach's confidant was revealed yesterday.

Mr Johan Kriegler, SC, counsel defending the poet at his trial in Pretoria, told Mr Justice Boshoff he thought a transcript of the recording should have been put before the court with others handed in by the State.

He contended during cross-examination of Major Hein Olivier of the security police, who was at one stage the investigating officer, that in conversation the warder, Mr Pieter ("Lucky") Groenewald, went out of his way to "pull Mr Polley in."

Major Olivier disputed this.

CHARGES

Breytenbach is appearing on charges arising from his alleged Okhela group activities in jail, his alleged escape plans and alleged letter smuggling through Warder Groenewald.

The warder has said that after he turned police agent in June last year Breytenbach asked him to communicate with Mr Polley, an alleged Okhela "contact man." He found Mr Polley in Natal but he would not respond to the poet.

Mr Polley was detained at the time of Breytenbach's first trial.



Professor Andre Brink . . . was contacted.

of the recording of Mr Groenewald's and Mr Polley's alleged conversation, Mr Kriegler said Mr Polley was taped as saying his wife and daughter had been killed and his son had brain damage.

Mr Kriegler said Mr Groenewald had still persisted, by saying Breytenbach would be very sad if Mr Polley did not respond.

INTERVENED

When the prosecutor, Mr P M Jacobs, intervened, Mr Kriegler said he thought the recording should have been handed in. He said the defence had discovered only on Thursday, that the conversation was on a tape handed in but had not been transcribed.

Mr Kriegler also contended to Major Olivier that Mr Groenewald had indicated Breytenbach in



Breyten Breytenbach . . . "not guilty."

taped conversations, and that if police had instructed Mr Groenewald to continue dealings "as usual" with the poet, the warder had not followed orders.

Major Olivier disagreed. In his evidence in chief he had said the tapes had not been tampered with during the period he had them.

Major Olivier said when he was investigating, his primary task was to look into Breytenbach's alleged escape plans. His next interest was the Okhela group and other interests included contacts with people outside the group.

ATTEMPTS

He said it was not his impression that Mr Groenewald was a key figure in the escape plans.

He was aware that attempts had been made to investigate an address in



Mr A Morris . . . inspired guess.

Holland to which Breytenbach allegedly wanted letters to be sent.

Brigadier G J Visser, former head of Pretoria's prison command, said he had been aware of some visits to Breytenbach from BOSS (Bureau for State Security) and Security Branch men, between his jailing in 1975 and later 1976.

Mr Kriegler had said Breytenbach spoke of repeated and long visits.

A GUESS

Major-General M C Brink, Deputy Commissioner of Prisons, who gave evidence on a prison plan which, he said, had not been authorised, was asked about a section for "political prisoners."

There were no political prisoners in South Africa, he said. All had been convicted of offences.

Mr Anthony Morris, a

Pretoria electronics designer, told the court that with the help of an "inspired guess", he had found an intelligible message in an extract from a code letter allegedly written by Breytenbach.

Mr Morris said on Monday morning, when he was at home with an upset stomach, he had picked up the Sunday newspaper containing the extract.

He assumed the letter was written in English and assumed that the digit sequence 472, which appeared twice within the same category of alternate numbers in one row, was the letter "E". He then guessed at a grid size of 13.

From there he went on to work out "scrambler" or "defensive" number and chose key words.

MESSAGE

Parts of the message he decoded when the police gave him the full letter read: "Am still kept in isolation. Will break." "Someone outside split," and "Kak p new ok bef're an i of me from entry? khatted al bodes."

Cross-examined, he said breaking the code had not been difficult — any child with the key words could have done it.

Questioned by Kriegler on whether the police had not already

Mercury
Correspondent

PRETORIA—A Black man, in Russia for training in urban terrorist warfare, was packed off back to Africa after he had differed with his Russian instructor about Blacks and communism, the terrorism trial heard yesterday.

The witness, Mr. Charles Buthelezi, told Mr. Justice Davidson that, after his return to Africa, he was rejected by the African National Congress, arrested in Mozambique by Frelimo security police, and tortured.

At one stage during the 386 days he was kept in prison in Maputo he tried to commit suicide by slashing his stomach open with a bottle.

Under cross-examination he was questioned by Mr. A. Chaskalson, SC, for the defence, on whether he had in fact been sent back to Africa because he had attempted to rape a Black female "comrade."

Eleven African men

Reds sent him back, terrorism Court told

and a woman have pleaded not guilty in the Old Synagogue Supreme Court to charges under the Terrorism Act, relating to alleged terrorist activities over a 15-year period between 1962 and 1977.

Lies

When the hearing started yesterday the first witness, Mr. Ian "Inch" Rwaxa, was questioned further on why he had claimed, under cross-examination, telling lies in his main evidence.

He said he realised under cross-examination that the real truth was coming out, and decided to tell the truth. Differences in his evidence in chief related to details of trips to Swaziland with recruits.

The main State counsel, Mr. N. Gey van Pittius, said he wanted to place on record a denial that he had told Mr. Rwaxa not to tell the Judge about alleged police assaults on him.

Mr. Buthelezi said he left South Africa in March 1975, because of apartheid. He went to Mozambique to a refugee camp in Maputo, where he met one of the accused, Mr. Lele Motaung.

'History'

He and Mr. Motaung were among a party sent to Tanzania in December 1975, for guerrilla training.

From Dar-es-Salaam they went to a private house, where training started and news reports were discussed daily.

In history lessons, for instance, they learnt how the Whites had killed off the Xhosa's cattle for spoons, mirrors and trinkets.

The Xhosa's lost when a man sent by the Whites told them they would receive strength from heaven if they killed their cattle and burnt their crops.

They did this, and because they did not have food "the Boers fought and won."

Moscow

They travelled to Russia on Tanzanian passports, arriving in Moscow on January 16 last year to find two Russian instructors, Viktor and Andrew,

waiting for them.

Lectures were given on "useless things" such as not smoking in the house where they were quartered.

However, they were also shown extensive armaments, ranging from AK47 rifles to bazookas and land mines.

In one of the debates with Viktor he disagreed, and said that the Blacks of South Africa did not want communism, but just wanted to fight the Whites for freedom.

After this a statement was taken from him, and within three days he was ordered back to Tanzania.

He was sent on to Mozambique, and held by the Frelimo security.

Cross-examined, Mr. Buthelezi said his opposition to communism had already been well known to the people in the Tanzanian camp.

While in Russia he was called to book for allegedly trying to have a relationship with a woman in the group, a certain Joyce.

He and a recruit called Lifessee agreed to make advances to "Comrade Joyce" — but Lifessee testified against them.

Then Mr. Motaung said he did not trust him (Mr. Buthelezi) and called him a "tsotsi".

He came to blows with Mr. Motaung, but the fight was broken up. In the early hours of the next morning he was taken to a Russian hospital, after it had been said that he was a "psychopath".

After 15 days in hospital he returned to the training centre, and "everything was over" then as far as "Comrade Joyce" was concerned.

Mr. Justice Davidson: So that killed your desire?

Mr. Buthelezi: Yes, my Lord.

He denied that this was the reason he was sent back to Tanzania.

In Mozambique he was told he was being locked up. When he asked he was told that "I was one of the people who killed Mozambique people and set fire to buses."

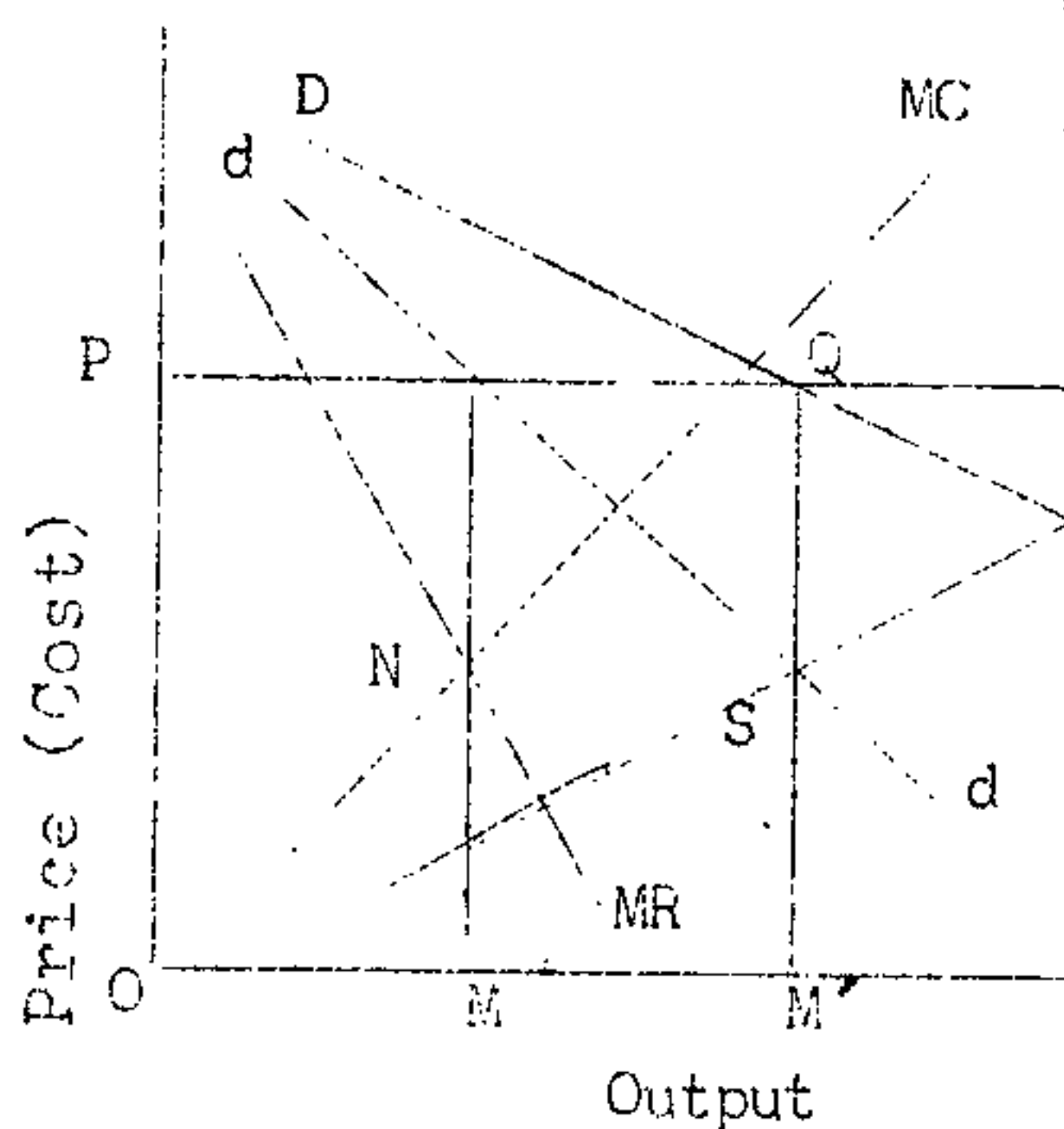
After his suicide attempt he was put back in prison, to be deported through Komatipoort on April 2 this year — for immediate arrest by the S.A. Police.

The hearing continues on Monday.

Assume 2 sellers - identical product
... Prices must be identical.

Price will be determined by the cost and demand curves.

- (a) ASSUME - Identical Cost Curves.
" - Market Divided Equally :



The total demand for the product is DD. The line dd shows the demand of a single firm (it is halfway between the DD curve and any line such as PQ). MC is the marginal cost curve of a single firm; it cuts each firm's marginal revenue curve. Therefore, produce the amount that maximizes profit. It can be shown that the total output of the two firms, at the price of their product, will in this situation be the same as if there were only one firm in the industry with a monopoly. M'C' is the marginal cost curve of a single firm twice as big as each of the two firms in the duopoly. It is drawn on the assumption that no

Cape Times 2/7/77

325 - Pol. Trials

Witness says he differed on communism

325 -

Pol. Trials

Own Correspondent

PRETORIA. — A black alleged terrorist, in Russia for training in urban guerilla warfare, was sent pellmell back to Africa after he had differed with his Russian instructor on the subject of blacks and communism, the terrorism trial heard yesterday.

The witness told Mr Justice Davidson that, after his return to Africa, he was rejected by the African National Congress and arrested in Mozambique by Frelimo security police and tortured.

At one stage during the 386 days he was kept in prison in Maputo he tried to commit suicide by slashing his stomach with a bottle, said Mr Charles Buthelezi.

He was cross-examined by Mr A Chaskalson, SC, for the defence, on whether he had been sent back to Africa because he had attempted to rape a black female "comrade".

Eleven African men and a woman are pleading not guilty in the Old Synagogue Supreme Court in Pretoria to charges under the Terrorism Act, between 1962 and 1977.

Police reinforcements, wearing bush camouflage dress, were called in yesterday afternoon as a large African crowd — in militant mood — gathered outside the court, singing, while waiting for the accused to leave for the prison.

Telling lies

When the hearing started yesterday the first witness, Mr Ian "Inch" Rwaxo, was questioned further on why he had claimed, under cross-examination, that he had told lies in his main evidence.

He said he realized under cross-examination that the real truth was coming out, and decided to tell the truth. Differences in his evidence — chief related to details of trips to Swaziland with recruits.

The main State counsel, Mr van Pittius, said he placed on record a statement that he had told Mr

about alleged police assaults on him.

Mr Buthelezi, a slim young baldheaded African, said he left the Republic in March 1975 because of apartheid. He went to Mozambique to a refugee camp in Maputo, where he met accused No 3, Mr Lele Motaung, 44.

Mr Buthelezi said he told the people at the camp, in the Avenida de Brazil, that he wanted to "fight the Boers".

"Boers" he defined later as all the whites in South Africa.

Propaganda

A certain routine was followed at the camp, including propaganda and singing sessions at which songs such as "Mandela wants his soldiers" were sung.

While there he saw Mr Motaung have another African called Thompson arrested after alleging that "Thompson was sent by the Boers to see what we were doing".

Selected to take part in training in guerilla warfare, he was with a party which went to Tanzania on December 28, 1975.

The party, in addition to Mr Motaung, including accused No. 1, Mr Mosima Sexwale, who was known as "Galauhnikov", and No. 2 Mr Naledi Tsiki.

From Dar es Salaam they went to a private house, where training started and news reports were discussed daily.

He learnt that the Communist Party in South Africa and the ANC had combined after their banning.

The militant wing, Umkonto We Sizwe, was formed under the leadership of Bram Fisher and Nobel peace prizewinner Dr Albert Luthuli.

The hearing continues on

Breyten -

2/7/77 ROM

'a better

325 Political trials

type of

the bad'

By MELANIE YAP

BREYTEN Breytenbach was placed in the category of prisoner described as "a better type of the very bad," Mr Justice Boshoff heard yesterday.

Major-General Marthinus Brink, Deputy Commissioner of Prisons, said in the Pretoria Palace of Justice yesterday that of the four categories of prisoner — A, B, C and D — the D group was "the absolute worst". They had a bad criminal record and tendency to escape.

"They are the worst element you can have in a prison. The C group is a better type among the very bad," he said.

He was giving evidence at the trial of the leading Sestiger poet, Breyten Breytenbach, on a main charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies and Prisons Acts.

SMUGGLING

Major-General Brink told the court there were no political prisoners in the Pretoria jail — only people sentenced for criminal acts.

Mr Johan Kriegler, for Breytenbach, asked why the poet had been subjected to long drawn-out interrogation by Security Police and members of the Bureau for State Security, both before and nearly a year after his trial in 1975.

Major-General Brink said the security section of the prison dealt with such matters. He denied that Breytenbach was in solitary confinement and said the poet was kept in a single cell.

It was not possible that orders had been issued forbidding anyone to speak to him, he said.

"There must be communication in the prison. The prisoners have needs such as writing paper, soap and toilet paper. How can a member of the prison service not communicate with the prisoner?" Major-General Brink added.

structed not to have unnecessary conversation with prisoners, he said.

Major-General Brink said he could not answer Mr Kriegler's question as to why Breytenbach was cut off from all other prisoners and was made to exercise alone as this was not under his control.

As a C-group prisoner Breytenbach was entitled to write and receive one letter and to have a half-hourly "no contact" visit each month.

Major-General Brink said there was no stipulated period for a prisoner to remain in a particular group. He knew of some who remained in the C group for eight or nine years.

A special arranging committee, helped by a social worker and a psychologist, if required, decided on a prisoner's grouping, he said.

Letters sent or received by prisoners were all read, censored and then signed by the authorities.

If a prisoner received more than his quota of letters a month, he was asked to choose the one he wanted.

The others would be kept and he could ask for them later if his quota for a particular month was not filled, Major-General Brink said.

SENTENCED

The smuggling of letters out of the prison by warders was a criminal offence. The authorities have had to deal with such matters from time to time at Pretoria jail, he said.

He identified a sketch, alleged to have been sent by Marius Schoon to Breytenbach, as the ground plan of the Pretoria local prison.

This building was about a kilometre away from the maximum security section where Breytenbach was kept.

Major-General Brink said he gave no-one permission to draw, send or receive such a plan.

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38. Consider the following diagram :

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Why Breyten was probed

2/7/77 RDM

(325) Pol Trials

Staff Reporter

SECURITY Police started investigating Breyten Breytenbach because of reports of his planned escape from prison and their interest in Atlas-Okhela. Mr Justice Boshoff heard yesterday.

Major Hendrik Olivier, of the Security Police at John Vorster Square, said that after hearing of the escape plan he gave instructions to prison warden Mr Pieter Groenewald.

Asked by Mr Johan Kriegler, for Breytenbach, if a planned escape was not under the jurisdiction of the Prisons Department, Major Olivier said it was a criminal action.

Mr Kriegler: Was it necessary for the commanding officer of the Security Police to be called in? — That depends on who was involved.

Major Olivier denied that providing a residential address for Mr Groenewald to give to Breytenbach's contacts was "a bait".

He agreed that the purpose of a visit to Mr James Polley in Durban — Mr Groenewald was ordered to tape their conversation — was to establish whether Mr Polley would be an accomplice.

Major Olivier said the Security Police wanted to investigate possible members of Atlas-Okhela. He denied that Mr Groenewald had tried to draw Mr Polley out. He had only asked him to contact Breytenbach.

Major Olivier said he had given Mr Groenewald instructions on the task involved because he had not had much experience in such work.

Mr Groenewald was told how to operate a tape recorder and to use the microphone to cut out background noise as much as possible.

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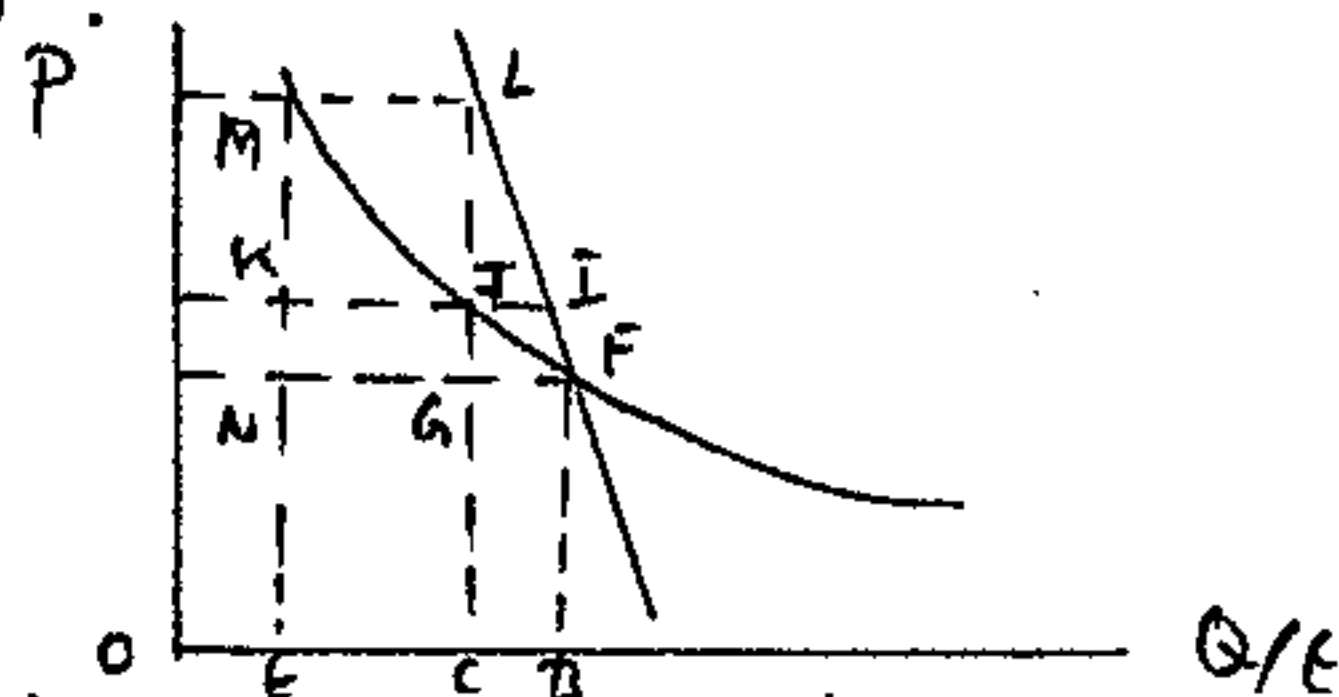
1. Buy
2. Buy
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4. Sell
5. Sell

39. Given th
if it s

1. The government scheme would certainly not be self financing.
2. The government's scheme might or might not be self financing depending on whether over the period crop surpluses were equal to crop shortfalls.
3. The government would inevitably accumulate vast surpluses.
4. It is theoretically impossible to stabilise incomes.
5. None of the above.

40. In the diagram below (where $PQ = K$ is a rectangular hyperbole and DD is the demand schedule for wheat) income stabilisation in a bad year, where output was OC instead of the expected OB, would require the government to :

1. Sell JI wheat.
2. Sell LM = EC wheat.
3. Buy LM = EC wheat.
4. Buy GF = CB wheat.
5. Sell GF = CB wheat.



41. Given the diagram shown above (Q.40) one can see that over a ten year period, if it started with no stocks -

1. The government scheme would certainly not be self-financing.
2. The government would inevitably run out of wheat.
3. The government's scheme might or might not be self-financing depending on crop fluctuations during the year.
4. The scheme whilst stabilising incomes would make prices paid by consumers more unstable.
5. None of the above.

Bevaaersse nagtelike

13 July 77

Pret met pruik...

EEN bewaarder met 'n langhaarpruik onder sy gevangenispet, 'n ander bewaarder het 'n pers pruik: nagtelike pret in Pretoria se maksimum-veiligheidsgevangenis om mekaar en die gevangenes mee te vermaak, vertel Lucky Groenewald met seunsige pleister.

Ná sulke manewales gesprekke tussen hom wat hy in opdrag van sy is daar verwysing in die en Breyten Breytenbach hoofde op band vasgele in vrag weer...

are the levels of realised use the concept of urban adjustments toward equilibrium levels of AS.

5. Assume the consumption schedule that $C = 50 + 0.8Y$.

$I_0 = 30$.

(a) calculate equilibrium level of income (Y) check by putting the C and I schedules in tabular form and determining the equilibrium income.
(b) what will happen to Y if $I = I_0 = 10$? what does this tell you about the size of the multiplier?

... variable for households

"Dan loop jy soos ou Brazil rond met 'n swart pruik," val Breyten weg in die eerste gesprek op band vier, wat voor die hof as bewysstuk gedien het.

Op band twee, reeds, toe hy en Lucky planne beraam het vir Lucky se besoek aan die Kaap om James Polley te gaan nader, het Breyten gevra: Het jy nog jou pruik?

Lucky het gesê hy het. Dieselfde langhaar-pruik. En dié keer sou die pruik dan volgens Breyten se instruksies moet dien om die jong bewaarder te vermom vir geval die

polisie Polley dophou en 'n foto neem van diegene wat hom besoek.
'n Man lyk vreeslik snaaks met sulke lang hare onder jou pet, sê Lucky. Nie dat lang hare vir hom heeltemal ongewoon is nie: syne het hy een tyd self goed lank gedra.

Humor

Ons twee sal 'n goeie sin vir humor in 'n fliek hê, sê Lucky nadat hy en Breyten gepraat het oor 'n sekere bakgat outjie wat flieke vir die televisie en so aan maak en met Breyten hulle sou saamwerk, -het Breyten gesê. En uit die vooruitsig van fliekrolle volg dan:

Breyten: ... In die fliekmakers sit die ouens 'n verskillike klomp kaal meisies, jy

weet, daar word die meisies afstand(?) Ons hou hulle aan om die plek warm te hou, jy weet, ons hou hulle aan om die plek skoon te maak. Ons hou hulle (geraas) ... ons maak 'n studie van sê nou maar van

Groenewald: Ek sal nooit by die studie ... (lag)

Breyten: Maar die die ... dis vreeslik, jy weet, die goed is altyd in jou pad, onder jou voete, jy weet. Ons wil net hê dat hulle ons wil nie hulle vry(?) nie

Groenewald: En wat van Switserland?
Breyten: ... skiklubs daarbo op die berg; die nagklubs. Ja nee, Switserland is so internasionaal. Dit is. Daar's nie fout nie. Ek het eenkeer ... vroumens, meisie,

sy's van Portugese afkoms ... (geraas). Haar pa was 'n hertog, jy weet.

Groenewald: Mhm

Breyten: Sy is maar vreeslik ... mooi, mooi en ... deurmekaar gewees. Toe vra sy hoekom gaan ons nie weg vir so 'n paar dae (?) nie. Ek sê ja ek moet juis so 'n bietjie-Amsterdam toe gaan. Enne die volgende dag toe kom sy daar aan, toe sê sy haar pa het twee kaartjies gekoop Amsterdam (?) toe. En toe van Amsterdam Switserland toe en van Switserland Nigerië toe. Die hotel-onkoste alles ... 'n groot jag gehad. Lughawe toe, sy kon my net sowel ... klim by die heel beste hotel anderkant af. En ... sien jy wat sal vroumense ... (geraas).

Leliker

Groenewald: Jaa. Ja Nee. Daar eindig die eerste kant van die band.

Wanneer die geraas van helikopters tussendeur die nagtelike gesprekke deur op die band gehoor word, sê Lucky: Ek wil nou hier gepad. Dingeraaknetleiker ... Almal dink die stories is oor, maar hier in Soweto man. Kyk die vliegtuie elke aand en die helikopter wat hier oorheen. Elke aand Army Bedfords vol ouens met FN's

sak hulle hier af ...
Maar uit dié dan weer:
Breyten: ... helikopt hierso? ja. Breyte, is jy ool hiero? ja. Van nou af i jy 'n Kommunis. Nou vai hierdie oomblik. Is jy of i jy nie een nie? Dan maal ons die deure oop. Nee nee ek is een, ek is een. O, nou maar man, in die haak! Mak like manier om ouens te werf Jaat!

Groenewald: Alles in orde. Breyten: ... alles in orde.

Groenewald: Alles verder in orde. Alles verder in orde. (lag) Nee, ons laat o Ben (?) ook inklim, dan s ons vir hom kyk, dis di Army, maar ons gaan 'n joy ride oor Pretoria vat. Da sit hy langs jou en kyk hierso? ja. Breyte, is jy ool hiero? ja. Van nou af i jy 'n Kommunis. Nou vai hierdie oomblik. Is jy of i jy nie een nie? Dan maal ons die deure oop. Nee nee ek is een, ek is een. O, nou maar man, in die haak! Mak like manier om ouens te werf Jaat!

Kolonel

Kort daarna weer:

Groenewald: Wat's jou, wat's jou rang gewees?

Breyten: Myne? ... Kolonel.

Groenewald: Aitsa ...

Breyten: ... Kommissaris.

Groenewald: Is jy 'n kommissaris?

Breyten: Ja. Jy weet 'n kommissaris is verantwoordelik vir 'n sekere ...

Groenewald: Waar's jou pips? (lag).

Breyten: Ek het hulle vir ou Visser geleen.

Groenewald: O, jy't hulle vir brig. Visser geleen?

Breyten: Ja.

Groenewald: Ek het al gewonder hoekom dra hy dié goed!

(325) Political
trends

RAPPORT 3/7/77

is grof, is mai word —
die moraal hang so laag dat
ek wydsbeen moet dink.
Aan prof. André Brink
skryf hy ook heelwat oor
literêre sake — onder meer
van sy pogings om Brink se
boek deur die gevangenisbi-
blioteek te lese te kry. Ons
kry elke week biblioteekboeke
(die Engelse keuse is verras-
send goed) en ná ek herhaal-
delik om Brink se boeke gevra
het, kry ek toe (drie maal!)
Klap van die Windmeul, afge-
wissel met Wyn van Bowe
en Oom Kootjie Emmer.
Laasgenoemde het ek nog nie
gelees nie en ek het hierdie
treurige en diep boekie baie
geniet. Jy gee ons Afrikaans
darein ten minste 'n geskiede-
nis — of agtergrond. (As ek
hom so om die mond mag
smeer en indien jy mooi sien
wat ek wil sê, meen ek dat
jou een manier van skrywe
waardige voortsetting van
Mikro is). Waarby ek wou
uitkom, is dat Brink maar
skraal op ons gevangenisrak
staan".

Gedigte

Hy vra dan aan sy „broer”:
„As ek — skelm — 'n paar
gedigte by jou kan kry, wat
is die kans vir verspreiding?”

Ook aan James Polley wou
hy, volgens getuienis, ses verse
stuur om anoniem te versprei.
Die verse is nie onder die
stukke wat die staat as getuie-
nis ingedien het nie, en die
publiek het hulle dus nie te
lese gekry nie. Hulle is waar-
skynlik by die ander skryf-
werk wat die staat van Breyten
in bewaring hou en wat nie
sonder toestemming gepubli-
seer sal kan word voor sy
ontslag nie.

Op 'n keer verwys Breyten-
bach ook na verse wat aan
Jakes (Gerwel) gegee sou kon
word om in Doga te publiseer
— Gerwel was vir een uitgawe
genooide redakteur van die
nuwe literêre tydskrif vir jon-
ger werk. „Any good?” vra
Breyten dan van die tydskrif.

Boodskap vir 'n ou leermeester

BREYTEN waardeur dit „besonder baie” dat prof.
Dirk Opperman vandeeweek by sy verhoor was.
Die boodskappe het een van sy advokate Vrydagmid-
dag by verdagting aan prof. Opperman kom oordra.

*Die doyen van Afrikaanse
digters, op wintervakansie in
die Noorde nadat hy pas ná sy
lang en ernstige siekte sy werk
by US hervat het, was
vandeeweek etlike dae by die
hofsitting.*

Hy en Deirdré, sy jongste
dogter, het ook die hele gedul-
dige Donderdag en Vrydagog-
gend in die hof gesit en wag
terwyl die regspanne na die
bandopnames tussen bew.
Groenewald en die besk. luis-
ter en oor tegniese besonder-
hede ooreenkom. Breyten was
in sy Afrikaans-Nederlandse
klas aan UK.

Die saak trek heelwat skry-
wersaandag. Benewens prof.
Ernst Lindenberg, dr. Anita
Lindenberg, dr. Ampie Coet-
zee en mnr. John Miles van
Wits, van wie die een of ander
feitlik altyd in die hof is,
was daar ook heelwat ander
literêre figure soos die uitge-
wer Marcus de Jong, skry-
wers Pieter Haasbroek, Marie
Blomerus, Welma Odendaal
(in die persbank, vir die
S.A.U.K.).

Opvallend afwesig, was
prof. André P. Brink, wie
se briefwisseling met die aan-
gehoue Breyten tydens die
verhoor ter sprake gekom het.
Prof. Brink hou by familie
op Potchefstroom vakansie.

Van literêre kant is daar
uiteraard groot belangstelling
vir die getuienis wat in die
hof na vore kom in verband
met Breytenbach se skryfwerk
in die gevangenis. In briewe
en bandgesprekke is daar ver-
wysing na:

* 'n Bundel, *Lewendood*,
wat reeds voltooi is;

* 'n Klompie kortverhale
en ook essays: „Oor die ont-
staan van 'n gesig, oor die
posisie en funksie van die
skrywer in die samelewing
— 'n poging tot klasse-analise
(oor groei na 'n Suid-Afri-
kaanse identiteit, en een op
die weg van gevangene wees
het Breyten self aan Marius
Schoon geskryf).

In dieselfde brief sê hy ver-
der: „'n Bietjie van 'n penar-
rie, want ek waag dit nog
nie om die opstelle te voltooi
nie en probeer dit voorlopig
maar tussen my studiewerk
verdoesel.”

Opgewonde

In 'n brief aan dr. Ampie
Coetzee (nooit afgelewer)
skryf hy verder oor sy nuwe
bundel *Lewendood*. Soos die
papperige *Voetskrif*, sal dit
miskien eendag apart ver-
skyn, maar dit word ook ge-
sien as onderafdeling van

die Rand, is gisteraand op sla-
puk naby Kippiesdorp, 47, d
GERT POTGIETER, 47, d

LES VIR SY KOLLEGAS

Rapport 3/7/77

325 Polit. trials

Deur Ons Pretoriase Redaksie

BEWAARDER Pieter Groenewald se wedervarings kan 'n besliste les wees vir sy talle jong kollegas wat daaglik in die uitvoering van hul taak aan allerlei versoekinge blootgestel word. Dis soms ulters moeilik om met die regte oordeel op te tree.

So reageer genl. W. M. du Preez, Kommissaris van Gevangenis, by navraag aan **RAPPORT** oor die jong bewaarder se beweerde optrede in sy departement.

Wat die werkomstandighede van bewaarders betref, sê genl. Du Preez daar moet in die eerste plek in ag geneem word dat die gemiddelde ouderdom van sy personeel maar 23 is, met 40 persent twintig jaar en jonger.

Bedwang

Die departement het altesame 13 608 lede van alle range. Daarvan is 3 970 blanke bewaarders en 4 727 nie-blankes. Hierdie klein groepie mense het daaglik, volgens die syfer vir Mei vanjaar, altesame 102 379 gevangenes in aanhouding bewaak.

Die daaglikse gemiddelde gevangenisbevolking vir die verslagjaar 1 Julie 1975 tot 30 Junie verlede jaar was 94 861. Hierdie gevangenes

word in 255 gevangenisinrigtings deur die land aangehou, sê genl. Du Preez.

„Daar moet ook onthou word dat die gemiddelde werkdag vir ons mense bykans elf uur is. By die groter gevangenis kan dit twaalf uur en selfs langer word. Hierbenewens werk ons manne ook elke tweede naweek. In tye van nood moet almal hulle aanmeld en aan diens bly totdat die situasie, ontsnapping of selfs oproer, in bedwang gebring is.

„Ons probeer deurgaans verseker dat ondergeskiktes met vertroue met probleme soos hierdie van bewaarder Groenewald na vore sal kom.

Ons het verskeie vlakke van beheer om te verseker dat wanpraktyke betyds geïdentifiseer word voordat dit te ver vorder.”

Genl. Du Preez sê dat die bewaarder sy taak noodwendig agter hoë mure en gewoonlik uit die openbare oog verrig. Hy meen dit is van die redes waarom daar nie altyd begrip van die bewaarder se beskermingsdiens is nie.

„Maar die probleme van die bewaarder se werk moet nie onderskat word nie. Gevangenes is nie hier omdat hulle blomme in die park gepluk het nie,” sê genl. Du Preez.

OM/SEL

OWEN MORTAL

11/11/77

My thanks go also to the WF Hockey Association Executive for the trust they showed in appointing me coach to the Colts - I thoroughly enjoyed the experience. My thanks go especially to Louis Venter for his ready advice and criticisms which I appreciate and value immensely.

Finally, my thanks go to the Colts for playing the game in a spirit to which I wholeheartedly subscribe; for being tough but clean on the field and a good example off; and for lending me their full support, without which we would not have enjoyed the success we did.

SUNDAY TRIBUNE, JULY 3, 1977

Top Nats among personalities named in new Breytenbach terror trial

Tribune Reporter

THE NAMES of top Nationalists, including the Prime Minister, and other world figures have been drawn into the new Terror Act trial of jailed Afrikaner poet, Breyten Breytenbach.

Well known personalities who get a mention before the acting Judge President of the Transvaal, Mr Justice Wessels Boshoff, in exhibits in the case are:

- Dr Henry Kissinger, former American Secretary of State.

- President Leopold Senghor of Senegal, prominent African poet and philosopher.

- President Valéry Giscard d'Estaing of France, who has vowed to make his country a cultural haven.

- Mr Jimmy Kruger, South African Minister of Justice, Police and Prisons.

More than 100 pages of documentary exhibits in the case also contain an apparent reference to Afrikaans Press chief, Mr Marius Jooste, managing director of Perskor.

Influence

The French and Senegalese presidents as well as Dr Kissinger have been named as people with "influence" who could put pressure on the South African Government for a reduction in the nine-year Terrorism Act sentence the poet received in November 1975.

Mr Vorster is said in

with publication of Breytenbach's works by one "Jooste" through "Bartho" — understood to be Afrikaans writer and Perskor employee Bartho Smit.

And Mr Kruger is said to have personally made the decision on Breytenbach's conditions of imprisonment.

In a letter apparently smuggled to Breytenbach by 20-year-old warder, Mr Pieter "Lucky" Greonewald, Afrikaans author Professor Andre Brink allegedly wrote that he was busy with a "lengthy diagnosis" of the poet which would "create a climate which will make a reduction of your nine-years sentence possible at some time or another."

And the Rhodes University academic allegedly added: "I am trying to have pressure exercised via people with 'influence'."

Depressed

In a letter to his wife in Paris Breyten refers to his brother, newspaper photographer, Cloete Breytenbach's attempts to look after his literary interests and continues:

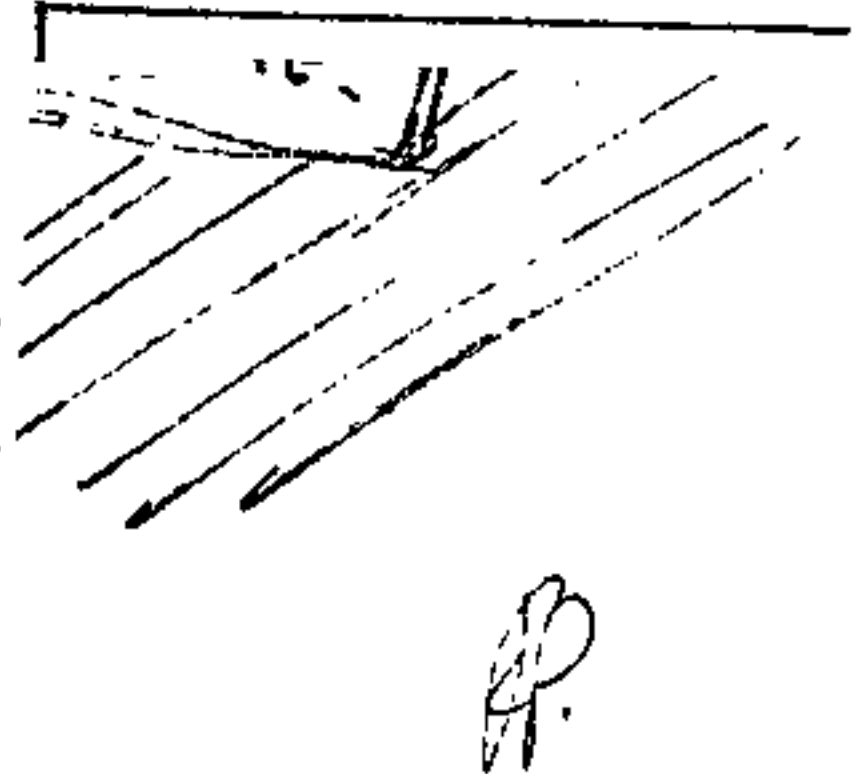
"We will just have to continue relying on the services — as intercessor with the Prime Minister — of Bartho's boss, one Jooste."

In another admitted letter to fellow maximum security prisoner Marius Schoon, a depressed Breytenbach writes of his loneliness in his cell and the stringency of his conditions of imprisonment, and he adds:

"It looks as though they aren't going to be changed because, according to Brig du P., all decisions affecting me are made by the Minister."



Breyten Breytenbach
... letter to his wife.



Uitgewers **free op oor** **Breyten**

DIE twee Nederlandse uitgewers De Bezige Bij en Van Gennep het vandeeweek die Suid-Afrikaanse boekhandel formeel in kennis gestel dat alle lewerings van hul boeke aan Suid-Afrika gestaak word „solank die skrywer Breyten Breytenbach in u land in die gevangenis gehou word”.

In literêre kringe word die stap as niksseggend beskou. Dit sal nie boeke van die uitgewers uit Suid-Afrika hou nie en moet maar gesien word as lippediens aan die heersende beheptheid met die internasionale sosialisme se beleid van solidariteit wat byvoorbeeld op die oomblik veral in die kommunistiese lande met groot baniere teen staatsgeboue uitgebasaan word.

Die grootste handelaar in Nederlandse boeke in Suid-Afrika, mnr. Marcus De Jong van Johannesburg, se „n mens kan die besluit bloot as „n gebaar sien wat in die praktyk nie gevoel sal word nie. Dit is geen probleem om die betrokke uitgewers se boeke deur ander kanale te kry nie.

**Witness
denies
rape claim**

STAR
4/7/77
325
POT THOES

Pretoria Bureau

A State witness in the ANC terror trial today denied having said he was jailed in Mozambique because of the rape of a woman during 1975.

Mr Charles Buthelezi was the second witness to give evidence in Pretoria's Old Synagogue in the trial of Mr Mosima Sexwale, who is charged with the hand grenade attack near the Swazi border last November, and 11 others who allegedly conspired to overthrow the Government.

Under cross-examination, Mr Buthelezi said he lived with Frelimo soldiers for nine months in Mozambique after leaving South Africa in 1975. He was given a Frelimo uniform and had the same rights as the soldiers.

Mr A Claskalson SC, defending, put it to the witness that one of the soldiers he went about with had attacked a woman. Mr Buthelezi denied this.

ADMITTED

He admitted having fled from soldiers during a strike in December 1975, and to having enlisted with the African National Congress during the same month.

According to his earlier evidence Mr Buthelezi was then sent for training in Tanzania and Russia, but was sent back to jail in Mozambique after he disagreed with his Russian instructor.

Mr Claskalson put it to the witness he had told Mr Elias Masinga one of the accused while in jail that he had been imprisoned due to involvement in the rape of a woman in Mozambique during 1975. Mr Buthelezi denied this.

(Proceeding)

325 Pol Trials

The Star Tuesday July 5 1977

3

ANC court hears of secret messages

Pretoria Bureau

The ANC trial court today heard how cigarettes from a box containing a secret message could be offered to police if they stopped the courier.

The evidence was given in Pretoria's Old Synagogue by Mr Victor Sithole, the fourth State witness in the trial of Mr Mosima Sexwale and 11 others.

He said a Mr Peter Mohlala told him of secret messages contained in cigarettes procured in Alexandra from Mr Martin Ramokgadi, alleged head of the African National Congress central structure in Johannesburg.

"Mr Ramokgadi is a very clever man," the witness said. Mr Mohlala had told him the cigarettes could be offered to police who stopped the bearer.

Mr Mohlala also allegedly told him how the lining of a suitcase could conceal money. Anybody delivering the money could say if he was stopped that the suitcase was for his child.

MEMORY

Cross-examined concerning his evidence of trips with several accused in the trial, a 72-year-old State witness said he suffered from loss of memory.

Mr Theophilus Thangane yesterday told Mr Justice Davidson in Pretoria's Old Synagogue that he made trips to Sekhukhuniland, Nelspruit, Vosloorus and Pietersburg, as the paid chauffeur of Mr Martin Ramokgadi (67), one of the 12 accused who is charged with being a head of the ANC central structure.

The 12 are charged with conspiring with the African National Congress, the South African Communist Party and the Government.

the Government.

Under cross-examination today by Mr D Kuny, for the defence, the witness said the trips had been made a long time ago, he was not well and suffered from loss of memory. He remembered some, but not all, of the trips.

In his evidence-in-chief he had not mentioned an additional trip to Pietersburg with Mr Ramokgadi because State counsel had not asked him about it.

(Proceeding)

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Pamphlets in court claim sell-out to communists

Mercury Correspondent

PRETORIA—Alleged African National Congress pamphlets—strongly anti-communistic and claiming that the congress had been sold out to the South African Communist Party—were found in Pretoria's Old Synagogue Supreme Court yesterday.

The pamphlets were found stuffed under the main doors of the court, under seats and in the toilets. A total of 41 was found.

State counsel Mr. M. J. Donen led evidence on the finding of the pamphlets—in spite of objections from the defence, headed by Mr. A. Chaskalson, SC—when the trial of 12 Africans on Terrorism Act charges continued.

The 12, 11 men and a woman, are appearing before Mr. Justice Davidson on allegations of having taken part in terrorist activities aimed at overthrowing the White Government between 1962 and 1977.

Investigating officer Major S. Booysen of the Security Police told the Court of finding the pamphlets after a defence objection to the testimony had been overruled.

Mr. Chaskalson said the defence objected to the leading of ANC propaganda at the trial.

Training

When the hearing continued yesterday Mr. Charles Buthelezi, who told the Court last week of a trip to Russia allegedly for urban terrorist warfare training, was cross-examined.

He said he had lived with Frelimo soldiers in Lourenco Marques for nine months in 1975 after slipping into the country from northern Natal and

before going on to Tanzania.

From Tanzania he went to Russia. He was quickly returned to Tanzania and sent to Mozambique where he was detained by the Frelimo Security Police.

He admitted having become involved in a fight in Russia with his colleagues after he had been "falsely accused" of trying to rape a female "comrade."

Back in Mozambique he was taken first to an hotel in Maputo and then arrested.

In prison he met accused No. 5, Mr. Elihu Mauingo.

Deported

He was deported to South Africa and detained at Komatipoort by the police who told him they knew he was an ANC recruiter.

Cross-examined by Mr. D. Kuny, for accused 8, 9 and 10—Mr. Petrati Nchabeleng, Mr. Nelson Diale and Mr. Michael Ngubeni—Mr. Buthelezi said he was 21 years old and grew up in Soweto.

He left the country after he had heard about Frelimo and of its plans to fight the Whites of South Africa after fighting the Portuguese in Mozambique.

He was told after his return to Mozambique from Russia that he and other Frelimo soldiers had raped a woman and then killed her.

His release came after a year and 21 days in prison in Maputo, during which time he tried to commit suicide by slashing open his stomach with glass from a broken bottle.

During his period in prison, he said, he was tortured by Frelimo.

The hearing continues today.—(Sapa.)

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THE BREYTENBACH TRIAL

NATAL MERCURY 5/7/77 (325) Pol Trial

Mercury Correspondent

PRETORIA — Breyten Breytenbach will give evidence in the Pretoria Palace of Justice today on the 18 charges he faces under the Terrorism Act, Riotous Assemblies Act and Prisons Act.

The State closed its case yesterday after leading evidence from prison warder Pieter "Lucky" Groenewald, police and prison authorities.

Breytenbach, gaoled in 1975 after his conviction under the Terrorism Act, faces a further charge relating to furthering the aims of Okhela, the White wing of the ANC, by recruiting warder Mr. Groenewald as a member of the organisation. The alternative charges are under the Riotous Assemblies Act and Prisons Act.

Defence counsel yesterday admitted that nine tapes handed in as exhibits were recordings of conversations between the poet and Mr. Groenewald, made between June 25 and October 31 last year.

Transcripts before the Court were said to be substantially accurate.

Letters

In a 14-page list of admissions, the defence acknowledged that certain letters were handed by Breytenbach to Mr. Groenewald for delivery to particular people or for posting abroad.

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Defence evidence will start today

The defence also admitted that Mr. Groenewald received R300 from Professor Andre Brink in Grahamstown on August 16 last year.

Detective Warrant Officer Carel van Rensburg said he took two statements from Mr. Groenewald. The first related to documents placed before Court and the second filled out the details.

He said Mr. Groenewald did not listen to the tapes while making his second statement.

Mr. van Rensburg said his relationship with Mr. Groenewald was that of two officials working on an investigation. He admitted Mr. Groenewald called him "Oom Natie."

'Selected'

Mr. Johan Kriegler QC, for Breytenbach, asked why the Council for Scientific and Industrial Research had issued a certificate stating that seven cassettes had been given to them for transcribing, but only four were before the Court.

Mr. van Rensburg said he knew of five cassettes, of which one was inaudible. He said he could not tell whether there were electronic sounds on the tapes indicating that they had been switched off during recording.

Later he told the Court that another two cassettes had been transcribed that had not been placed before the Court. These were

recordings of conversations between Mr. Groenewald and other people, not Breytenbach.

He said it had not occurred to him that Mr. Groenewald could have selected sections of conversations for taping, or that he had enticed Breytenbach to talk on the tapes.

Mr. van Rensburg said Mr. Groenewald was instructed to continue a normal relationship with Breytenbach and there were no instructions for him to sound the poet out for information. He said Mr. Groenewald played a double game successfully in giving Prof. Brink the impression at three meetings that he was Breytenbach's confidante.

By the end of October last year the investigation had been completed. Mr. van Rensburg said he could not tell whether a letter from Prof. Brink at that time had warned Breytenbach of police involvement in the case.

Congress

Leading evidence on Johnny Makathini and Oliver Tambo, State advocate Mr. P. B. Jacobs said an extract from taped transcripts and letters written by Breytenbach showed his active support for the African National Congress.

Mr. Kriegler acknowledged that Makathini was the ANC's representative in North Africa and that Tambo was

the acting chairman of the ANC.

Brigadier Petrus Coetzee, second in command of the Security Police in South Africa, said he found a blank sheet of paper in an envelope addressed to A. Vandis of Beethoven Street, Amsterdam.

When this paper was placed under ultra-violet light figures became visible. After it had been copied, the letter was sent on overseas, he said.

Flummoxed

Under cross-examination, Brig. Coetzee said the police were not in a position to decipher the code which appeared in this letter. After it had been published in a newspaper, police received many garbled interpretations, which indicated other people had also been flummoxed by it.

Mr. Kriegler said Breytenbach had explained the code fully to Col. Broodryk. Brig. Coetzee replied that Col. Broodryk was not involved in this investigation.

Captain John William Harding, head of Pretoria's maximum security prison, said he could not give details on how the electronic gates at the entrance to the gaol worked, since this would jeopardise security precautions. These gates came into operation after June 7 last year, he said.

Today's hearing resumes at 2 p.m.

level of gold and foreign assets is taken to be exogenous for this purpose. Arnon Hurwitz in his accompanying paper shows how the level of foreign exchange reserves may be endogenised, (22) If the banks are short of cash, given the demand for and supply of BC, they will acquire cash via NDA. The private sectors demand for bank credit (P_{BC}) is assumed to depend upon a number of interest rates, the overdraft rate (i), the corporate debenture

availability of domestic and foreign interest rates and credit will influence the demands for and supplies of foreign capital.

RDM 6/7/77

I couldn't forget SA — Breyten

(325) Pol links

By MELANIE YAP

BREYTEN Breytenbach told Mr Justice Boshoff in the Pretoria Palace of Justice yesterday that he could not turn his back on "the tragedy of South Africa."

The Sestiger poet said Afrikaans was seen as the language of the oppressor, and he could understand what blacks meant when they said they did not want to speak it.

Afrikaans writers had a special role to play in the South African political world — to become involved and to communicate all they saw, Breytenbach said.

He said they had a serious responsibility in a country ruled by a minority to use their influence through the written and spoken word.

Breytenbach who was jailed in 1975 is facing a charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies and Prisons Act.

He told the court police led him to understand his sentence and treatment in prison depended on his co-operation when he first faced Terrorism Act charges in 1975.

He said he talked after his arrest because it was clear that the police had a great deal of information.

Breytenbach said the Security Police indicated they would discuss his case with the State prosecution in an attempt to see he received the minimum sentence.

The poet said he had been betrayed before his arrival in South Africa as police knew of all his movements. He said he had been interrogated since his arrest in 1975 until very recently.

A frail and gaunt Breytenbach spoke softly, at times inaudibly, in reply to questions by his counsel, Mr Johan Kriegler, SC.

Breytenbach said he could not write off his South African background. Professionally he would have been able to remain in Paris but the solution did not lie there.

He said he could not accept what his own people were doing to the majority.

He questioned whether he had been cut out for any political work since activists and militants needed to have a measure of discipline. He had thrown himself totally into his involvement.

South Africa was at the stage where the Afrikaans language had become fully identified with a specific policy. It was seen as the language of the oppressor, Breytenbach said.

Breytenbach told of his home life in Bonnievale in the Cape where he was brought up in a normal Afrikaans family.

He spent 18 months at the University of Cape Town before going overseas in 1960. He married a Vietnamese woman in Paris in June 1962.

Breytenbach said he had been aware of the race problems in South Africa but only after his marriage "I became aware on a personal level of the nature of my position as a white South African."

He could not then get a visa for his wife to visit his homeland, he said.

Breytenbach said he became more politicised as a result of his friendships with black writers and his environment in Paris. There he looked "from the left side at the South African reality".

Breytenbach said he visited South Africa in 1973 with his wife.

During this stay he met James Polley, Gerry Maré, Dr Ampie Coetzee, Horst Kleinschmidt and Peter Randall.

During this visit he did not recruit anyone for any illegal organisation.

The hearing continues today.

● See Page 2

in lion

E LA MONT

herself among the lions at the on Sunday.

the safety of a game ranger's. The lions should eat me up." one of the rangers, said yesterday couple in a light green Volvo camps at about 2 pm on Sun-

arguing. Suddenly the passenger woman, an attractive blonde, nning to where the lions were mpanion slammed the door and

was patrolling in a vehicle.

RDM 5/7/77
(325) Pol. trials

Breyten gives evidence in court today

By MELANIE YAP

LEADING Sestiger writer, Breyten Breytenbach, will give evidence in the Pretoria Palace of Justice today on the 18 charges he faces under the Terrorism, Riotous Assemblies and Prisons Acts.

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Breytenbach, jailed in 1975 after his conviction under the Terrorism Act, is charged with furthering the aims of Okhela, the white wing of the African National Council, by recruiting warder Mr Groenewald.

The 17 alternative charges are under the Riotous Assemblies and Prisons Acts.

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In a 14-page list of admissions, the defence said letters were handed by Breytenbach to Mr Groenewald for delivery to particular people or for posting abroad.

The defence also admitted that Mr Groenewald received R300 from Professor Andre Brink in Grahamstown on August 16 last year.

Detective Warrant Officer Carel van Rensburg said he had taken two statements from Mr Groenewald.

The first related to documents before court and the second gave details.

WO Van Rensburg said his relationship with Mr Groenewald was professional but he admitted Mr Groenewald called him "Oom Natie".

Mr Johan Kriegler, SC, for Breytenbach, asked why the CSIR had said seven cassettes had been given to them for transcribing, but only four were before the court.

WO Van Rensburg said he knew of five cassettes, one of which had been inaudible.

Later he said there were two more tapes that had not been given to the court. These were recordings of conversations between Mr Groenewald and



BREYTEN BREYTENBACH
... evidence today

other people, not Breytenbach.

WO Van Rensburg said Mr Groenewald had been instructed to continue a normal relationship with Breytenbach. He was not told to sound out the poet for information.

He said Mr Groenewald had succeeded at three meetings with Prof Brink in giving the impression that he was Breytenbach's confidante.

By the end of October last year the investigation was completed.

WO Van Rensburg said he could not tell if a letter from Prof Brink at that time had warned Breytenbach of police involvement.

Leading evidence of Johnny Makathini and Oliver Tambo, the State advocate, Mr P B Jacobs, said an extract from taped transcripts and letters written by Breytenbach showed his support for the ANC.

Mr Kriegler agreed that Makathini was the ANC's representative in North Africa and Tambo was the acting chairman of the ANC.

Brigadier Petrus Coetzee, second in command of the Security Police Force in South Africa, said he found a blank sheet of paper in an envelope addressed to A Vandis, of Beethoven Street, Amsterdam.

When this paper was placed under ultra violet light, figures became visible.

Under cross-examination Brig Coetzee said police could not decipher

After it had been published in a newspaper, police received many garbled interpretations.

Mr Kriegler said Breytenbach explained the code to Colonel Broodryk. Brig Coetzee said Col Broodryk had not been involved in the investigation.

Captain John William Harding, head of Pretoria's Maximum Security Prison, said he could not give details about electronic gates at the entrance to the jail as this would jeopardise security.

The gates came into use after June 7 last year.

Capt Harding said he asked Mr Groenewald to keep him informed of Breytenbach's escape plans. Security measures were changed when authorities heard the plans.

Capt Harding said warders' duty rosters had not been changed to facilitate Mr Groenewald's contact with Breytenbach.

Today's hearing resumes at 2 pm.

Black leaders arrested

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P. J. Fuchs

22 5/7/77

EAST LONDON — Three prominent black consciousness leaders — Mr Steve Biko, Dr Mamphela Ramphele and Miss Thenjiwe Mtintso — were arrested in King William's Town last night by the Special Branch.

The arrests were ordered and carried out by the head of the King William's Town Security Branch, Maj E. Hansen, together with a Lt Nel and a Sgt Bower.

Miss Mtintso, a Daily Dispatch reporter who has been confined to Orlando East, Transvaal, in terms of her five-year banning order, is one of the witnesses appearing in the Mapetla Mohapi inquest which resumes again in King tomorrow.

Dr Ramphele, who was banished earlier this year to the magisterial district of Ntshunono, Tzaneen, in the Northern Transvaal, represented the Mohapi family at the post-mortem on Mr Mohapi who died in Special Branch custody in August last year.

According to a Black Community Programme's spokesman last night, Lt Nel and Sgt Bower first arrived in Security Branch vehicles at the home of Mr Biko in Zweitscha.

Mr Nel confronted Mr Biko and informed him he was going to arrest all three because they had contravened their banning orders.

Lt Nel, the spokesman said, told the three leaders they were prohibited from communicating with each other, and could not occupy the same house.

The spokesman said all three leaders had been in different rooms and had not communicated with each other.

The spokesman said Lt Nel and Sgt Bower left Mr Biko's home after a conversation with him, but after a half-hour returned with Maj Hansen, five other Security Police, and two police vans with a squad of uniformed police.

"Maj Hansen then confronted Mr Biko on the verandah in front of the home and repeated what Lt Nel had said about contravention of the banning orders."

After repeating to Mr Biko that he was to arrest him, Miss Mtintso and Dr Ramphele, the spokesman said Maj Hansen informed the other two leaders he was going to arrest them.

Uniformed police were then instructed by Maj Hansen to arrest all three, he said.

rested

"Two uniformed policemen were seconded to each person and they were taken from Mr Biko's home and put in the back of the police vans.

"The Security Police and vans headed in the direction of the Security Branch offices in King," the spokesman said.

The police, he said, arrived at 6 pm and the three were arrested at 7.15 pm. — DDA.

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political trials.

Pamphlets cause stir at trial

By KEITH ABENDROTH

ALLEGED African National Congress pamphlets — anti-communist and claiming that the ANC had been sold out to the South African Communist Party — were found yesterday in the Supreme Court at Pretoria's Old Synagogue.

They were stuffed under the main doors, under seats and in the toilets. Forty-one were found.

The prosecutor in the trial of 12 on Terrorism Act charges, Mr M J Donen, led evidence on the finding of the pamphlets after objections by the defence, headed by Mr A Chaskalson, SC, had been overruled.

The 12 accused, 11 men and a woman, are alleged to have taken part in terrorist activities between 1962 and 1977 aimed at overthrowing the Government.

Mr Chaskalson objected to the leading of ANC propaganda, but Mr Donen argued that the evidence was covered by the indictment and opening address, which emphasised alleged infiltration of the ANC by the SA Communist Party.

The accused were members of the ANC, he claimed, and evidence was intended to show that black nationalism had been subjugated to aim for a Marxist-Leninist revolution.

It would be argued that the real effect of a successful ANC revolution would be a Russian-Marxist government to replace the present Government.

This was part of the "selling out" process which



MR DONEN, SC
... pamphlet evidence

the State was alleging, Mr Donen said.

Yesterday Mr Charles Buthelezi — who last week told the court that he had gone to Russia for urban guerilla warfare training — was cross-examined.

He said after slipping into Mozambique from Natal, and before going to Tanzania, he lived with Frelimo soldiers in Lourenco Marques for nine months in 1975.

From Tanzania he went to Russia, but returned soon to Tanzania, and was sent on to Mozambique where he was detained by the Frelimo security police — called "Peki".

He admitted he had been in a fight with colleagues in Russia after being "falsely accused" of trying to rape a woman "comrade".

In Mozambique he was taken first to an hotel in Maputo, then arrested. In prison he met Mr Elias Masingo, one of the accused.

Mr Buthelezi said he was deported to South Africa and detained by the police at Komatipoort. They told him he was an ANC recruiter, but this was not true.

Mr Buthelezi said Mr Naledi Tsiki, an accused, told him once that he was "going away to do military training to come back to fight the Boer."

Cross-examined by Mr D Kuny — appearing for Mr Petras Nchabeleng, Mr Nelson Diale and Mr Michael Ngubeni — Mr Buthelezi said he was 21 years old and grew up in Soweto.

He said he left South Africa after hearing about Frelimo and its plans to fight South African whites.

"I had a desire also to become a soldier and fight, so I decided to join Frelimo," said Mr Buthelezi.

When he returned to Mozambique from Russia he was told that he and Frelimo soldiers had raped and killed a woman. "They wanted me to point out the soldiers."

He was released after a year and 21 days in a Maputo prison. In that time he tried to commit suicide by slashing his stomach with a broken bottle, he said.

He was also tortured by Frelimo, he said.

Mr John Thamgolane, 72, told the court that he drove Mr Martin Ramokgai, an accused on trips to Sekukhuneland, the Northern Transvaal and Johannesburg. On the trips he got to know five of the accused.

The hearing continues today.

Leninism, we call on you ANC members and parents to close your ranks and rally behind the African nationalist leadership of the ANC in order to disengage the organisation from the clutches of the white-led SACP.

Our children are in the dock!!!!

Where are children of the Communist Party members??????

Editorial address
PO Box 25044
Dar es Salaam.

ANC hits at Marxists

THE following is the text of the ANC newsletter found in the Old Synagogue, Pretoria, yesterday. The newsletter was read into the court record by Mr M J Donen, SC.

(Newsletter of the African National Congress of South Africa. (African Nationalists). 26 June 1977.

1. We appeal to our brothers and sisters, to the mothers and fathers of our innocent youth who stand trial in the dock in the Pretoria Supreme Court charged with the crimes of sabotage and terrorism. When you sit listening in court you will once again

come to the conclusion that your child is actually charged with the crimes committed by the white-dominated Communist Party. He did not sacrifice his life and liberty for the ideals he believed in. He will perish in gaol as a defenceless tool of the South African Communist Party like many hundreds before him.

2. It is now more than 15 years since Oliver Reginald Tambo left South Africa and established the ANC mission abroad for purposes of preparing for guerilla warfare inside South Africa. Yet Tambo has nothing to show for

all the material support that the outside world has given him. Not a shot has been fired in defence of the defenceless black people of South Africa. These are the direct results of surrendering the leadership of the ANC to the Slovos of the SACP. The judgment of history will be that Tambo sold his soul to the SACP white leadership and in the process betrayed the struggle of the African people of South Africa.

3. In the light of the manipulation of the true ANC and your child by the white communist in

ANC pamphlets found in court toilets

325
Pol. Trials

6/7/77

PRETORIA — Police found 41 copies of a propaganda newsletter — ostensibly from the African National Congress in Tanzania — in the Supreme Court here yesterday, the ANC terror trial court was told.

Appearing before the court are Mr Mosima Sexwale — charged with a hand grenade attack near the Swazi border last November — and 11 others charged with allegedly conspiring to overthrow the Government.

The pamphlets were found stuffed under the main doors of the court, under seats and in the toilets.

State Counsel, Mr M. Donen, led evidence on the finding of the pamphlets — despite objections from the defence.

The contents of the newsletter was read out by Mr Donen, who submitted that if the document was published by the ANC, it was admissible as evidence against other members of the organisation. The accused in fact belonged to a front organisation of the South African Communist Party, he said.

The newsletter said: "We appeal to our brothers and sisters, to the mothers and fathers of our innocent youth who stand trial in the dock in the Pretoria Supreme Court charged with the crimes of sabotage and terrorism.

"When you sit listening in court you will once again come to the conclusion that your child is actually charged with the crimes committed by the white - dominated Communist Party.

"The judgment of history will be that Tambo (leader of the ANC abroad) sold his soul to the SACP white leadership and in the process betrayed the struggle of the African people of South Africa. We call on you ANC members and parents to close your ranks and rally behind the African Nationalist leadership of

the ANC to disengage the organisation from the clutches of the white-led SACP. Our children are in the dock. Where are the children of the Communist Party members?"

The defence advocate, Mr A. Chaskalson, said the document had nothing to do with the trial. The State was reading an unsigned propaganda document which claimed that the ANC had been betrayed by the Communist Party. The claim seemed extraordinary.

When the hearing continued, Mr Charles Buthelezi, who told the court last week of a trip to Russia, allegedly for urban guerilla warfare training, was cross-examined.

He admitted having become involved in a fight in Russia with his colleagues, after he had been "falsely accused" of trying to rape a female comrade.

The case continues today. — DDC.

Solitary cell a wall

STAR 6/7/77 (325 PPT TMS)

From Page 1
guilty on enough of them to make the plea.

He said his statement to the court at that time was a genuine expression of his feelings. After consultations with his defence, the prosecution and the security police he had decided not to make a political case of it and, "my statement was not a complete account of my position and convictions."

Breytenbach said he had made this move because he had hoped for a minimum five-year sentence under the Terrorism Act — which the State had asked for but which was not given — or for support from the prosecution for an early release.

"Also, I was not mandated to make statements for any organisation."

PROTECTION

Breytenbach said he also felt bad at landing the people who were arrested at the time of his arrest in trouble. He still did not know how many were arrested, but thought there were about 15.

He felt there was no justification for the arrest of some — he had only their addresses and did not contact them.

"I had to protect them to a certain extent and make sure they were not further involved."

His nine year sentence at the first trial, "was a tremendous shock. I felt that the crimes I was charged with did not justify that sentence."

HUMILIATING

"I felt the case was a humiliating experience . . . I was manipulated."

After the trial, he returned to the maximum security section at Pretoria Central Prison, where he had been held before his arrest.

"From the time I was arrested, I was completely isolated," he said.

Others were clearly not meant to have contact with him. In the corridors the cleaners turned their faces away. When they brought food, it was placed in front of his cell door.

He was aware of other prisoners being held — he heard them.

At one stage when he was taken out to bathe or to exercise, he passed a cell in the C-3 section holding black prisoners. The cell door and the window were papered over.

White prisoners were also held in his C-3 section. He understood they were meant to be isolated, but there was reasonable contact between them.

They exercised together. But he exercised alone and never met others from the cells.

More recently, he some-

times met a cleaner in the corridor or was handed food by the man, but he was always with a warder.

He said he told the prison psychiatrist at one stage the isolation was very difficult to take. He felt it affected him physically and mentally.

It was disorientating and took away "reference points."

Breytenbach said it was clear he fell under the jurisdiction of the local prison where other political prisoners were held, in spite of detention in the Central Prison.

Shortly after he had been sentenced, a warder had told him there was a notice outside his cell forbidding warders from speaking to him, and from letting him know that another political prisoner, Raymond Suttner, was there.

A similar notice was apparently on Suttner's cell. He discussed this with Brigadier Du Plessis, who was in charge of political prisoners, and the notice was removed.

Breytenbach said after the prosecution in his first Terrorism Act trial had undertaken to ask that he not be kept with the political prisoners in Pretoria Local prison, he had signed a note before General Nel, former Commissioner of Prisons, asking that he be imprisoned away from the political.

He had been given to understand his conditions of imprisonment would be better.

NO RESULTS

He was told that he would be moved from his isolated cell in Pretoria Central Prison. But his persistent questioning as to when this would happen, yielded no results.

He had heard that the Minister of Prisons, Mr Kruger, did not want him to be exposed to the "hard political," but he did not know if this was the only reason for the Prisons Department wanting him to be kept apart from the political.

His understanding was that ordinary prisoners had better payroll and privileged conditions than the political.

MUSIC, CHESS

He said, however, that he had since found out that the political prisoners were allowed to eat together, had exercise facilities, could listen to music and play chess together.

"But in Pretoria Central Maximum I was in complete isolation. The design of the prison makes recreation impossible," he said.

"I definitely hoped I would get something better than the political."

Questioned by his coun-

sel, Mr Kriegler, on his state of mind in his isolation, Breytenbach said the shock of his nine-year sentence was tremendous.

He had accepted prosecution undertakings that he would get five years.

SMALL WORLD

Breytenbach said: "In prison a person's world becomes small because it is limited by the four walls of one's cell."

"I felt I was getting physically weak. For example, my eyes are no longer as strong as they were, I think."

"But psychologically a person becomes completely introspective. I found this very difficult to bear because in the past I have had very active contact with other people."

STRANGE ANIMAL

"I had the feeling of being in a cement pit and the warders on the catwalk overlooking my cell seemed to look on me as though I was a strange animal."

Mr Kriegler referred BrJeytenbach to a letter he had written in his cell to Mr James Polley. In it, being kept in total isolation and was suffering from "the most abominable depression."

Breytenbach said his description of his "ups and downs" being "very steep" was "exactly how I felt."

He said: "If you have access to other people you can speak to them and release these extreme feelings of depression. But I had no-one to speak to."

NORMALITY

"I began to wonder about my sanity."

Questioned by Mr Kriegler on the visits by members of the security police and BOSS to him after his conviction, Breytenbach said that he almost looked forward to these visits.

"It was like a glimpse of normality . . . to have any contact with the outside world was a relief, even though these people from BOSS and the security police visited me for their own very specific reasons."

WRITINGS

Breytenbach said even before he had gone to jail he had had a great need for communication. In jail he was given permission to write, but not to draw, on condition he did not smuggle out his writings. He handed them in when they were completed and did not allow them to hear up and also did not destroy them.

He was allowed an hour's exercise a day.

He said many of the prisoners in his C-1 section of maximum security

were those awaiting execution.

A week before the execution date they were told the date — this had happened this morning.

ECSTASY

When they heard, they began singing with a sort of "ecstasy or hopelessness."

The poet said he heard prisoners walking to the death cell and, although he had perhaps imagined this, he heard the trap doors swinging open.

Afterwards he could see the doctor who had been present at the hanging and sometimes warders went to wash their hands.

"The whole atmosphere is that of a functional place . . . the moral degradation that it means, not only for those being executed, but for those carrying it out, is revolting."

"LEKKER FLIEK"

He said the warders had developed a "coldness" about executions, which they perhaps had to do to be able to bear them.

Warders sometimes said after executions: "This morning we saw lekker fliiek" (a good show) or at lunchtime referred to the food being parts of the bodies of those executed.

Breytenbach said he was mainly affected by "the fact that it doesn't matter if a person is executed . . . the fact that it is a normal function."

NIGHTMARES

Executions remained on his mind day and night. "I often had nightmares about it. It's a dulling of human senses . . ."

He said after his wife, Yolande, had left after a visit in March last year, "I don't think I have ever felt myself at such a low point."

"I realised I could do nothing for her and that it would be a long time before I could see her."

"I could do nothing for myself either."

Breytenbach said he had met Mr Pieter Groenewald — the prison warder who has been the key State witness in the case against him — after his wife had left. One morning when Mr Groenewald had impressed himself upon his (Breytenbach's) mind when he had said he could take his time with his bath.

"It was surprising . . . it happens very seldom that a warder you don't know goes out of his way to give the impression he is on your side."

Breytenbach said he felt Mr Groenewald sided with him, unlike the other warders.

The second time they met was on a morning in his cell. Mr Groenewald asked him what he was

ed pit, says Breyten

doing and he said he was studying — Zulu, among other subjects.

"He spoke to me in a very friendly manner..." He learnt Mr Groenewald's name at the third meeting. The warder was apparently called "Lucky" because he was a "happy-go-lucky person".

This conversation was not ideological or political, Breytenbach said.

"I remember that I was amused by the stories that he told me because they were so obviously fantasies, obviously untrue."

Mr Groenewald had told him he had been a big-game hunter and had fought with hyenas and shot lion.

Mr Groenewald said he had been to the Canary Islands, had been a deep-sea diver and had been jailed and then escaped.

Mr Groenewald had said he had been in Central Africa.

"I asked him what language they spoke in Central Africa and he said Afrikaans."

Breytenbach said he had not taken Mr Groenewald seriously. "I think he wanted to make an impression on me. I don't think he was aware of making a bad impression. I think in the beginning he was being serious."

Mr Groenewald indicated that he was unhappy as a warder and it appeared he was not on good terms with his colleagues as he had heard him being called "Lucky the pimp."

Mr Groenewald had not been interested in his art or writing. He said he had once read Breytenbach's short book, "Om te Vlieg" (To Fly) but had apparently confused it with another book.

Breytenbach said it appeared that Mr Groenewald knew a lot about the charges he had faced in his first trial and the names of the people involved in his case after perusing a file kept on him by the Prisons Department.

He said Mr Groenewald

had asked him about his activities which had led to those charges.

It was clear from Mr Groenewald's questions about Okhela that he thought the organisation was the same as the Communist Party.

"Mr Groenewald was not well informed about various political groups," Breytenbach said.

In his discussions with Mr Groenewald on his activities, it was clear the warder had "an admiration" for him, Breytenbach said.

The tone of these discussions was "wild and woolly."

"I told him things about myself which were not true."

Breytenbach said Mr Groenewald had no "ideological knowledge" and

did not have the "political background" which would make this possible.

"We discussed adventures, people who did things they were not supposed to do, and people, who had challenged authority."

As far as he was concerned, Mr Groenewald was "a right-winger with a basically racist attitude", Breytenbach said.

"I did not see him as material for a leftwing group."

Breytenbach said he doubted his judgment of Mr Groenewald because he had been locked up for a long time without company and his relationship with Mr Groenewald was the only communication he had had with people.

He became suspicious of Mr Groenewald because

the warder asked him so many questions and the thought occurred to him that Mr Groenewald could be inquiring on somebody else's behalf.

The poet illustrated his conclusion that Mr Groenewald was a racist with a story about several prisoners, believed to be from the "Azanian Liberation Army", who Mr Groenewald said he could include in a possible escape plan by Breytenbach.

Mr Groenewald had told him that he would load all these ALA black prisoners in his bakkie but, when they were outside Pretoria, he would offload them because "he didn't allow kaffirs in his car".

(Proceeding)

● Breyten looks at "SA tragedy" — Page 19.

Breyten on 'walled pit'

STAR 6/7/77

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Pretoria Bureau

Breyten Breytenbach spoke today at his Terrorism Act trial of his "abominable depression" in total isolation in the "walled pit" of his maximum security Pretoria Central prison cell.

He was giving evidence in his own defence against charges under the Terrorism, Prisons and Riotous Assemblies Acts, arising out of his alleged activities while serving a 9-year sentence under the Terrorism Act passed on him in November 1975.

Breytenbach described how he had opted for imprisonment away from the political prisoners held in Pretoria Local prison, thinking that he would have more privileges.

However, he was now convinced that his total isolation in the maximum-security section of Pretoria Central was worse than if he had served his sentence with the politicals.

He spoke of his "dis-orientation" and isolation and the way this led him

to "doubt my sanity" on occasions.

Resuming his evidence before Mr Justice Boshoff today, Breytenbach dealt first with his 1975 trial and the conditions of his detention.

Led by his defence counsel, Mr Johan Kriegler, SC, Breytenbach said the amended charges sheet presented at his first Terrorism Act trial did not include some

charges he believed he was not guilty of.

He pleaded guilty to the amended charges. He thought he was innocent of some charges, but was

To Page 3, Col 3



Poet talks of politics

PRETORIA — Poet Breyten Breytenbach told a packed court here yesterday that, after becoming involved in anti-apartheid activities in Paris in the 1960s, he was asked at the end of 1972 by an African National Congress representative to become involved with the Atlas organisation.

The approach, he said, came from a friend, Mr. Johnny Makatini, the ANC representative for North Africa and France.

Speaking rapidly and nervously, he told Mr. Justice W. G. Boshoff his feelings about being an Afrikaner and about his language.

He related how he became aware of the "specifically South African race problem and how he became known in newspapers as the man with the Vietnamese

wife. After giving a lengthy exposition of how he regarded the position of an Afrikaner writer in society, he asked his defence counsel, Mr. Kriegler, to stop him if he tended to make speeches.

Minority

He said South Africa was ruled by a minority and "that minority is unfortunately Afrikaans."

He said: "We are at the moment in a position

in which Afrikaans is fully identified with a specific policy, a race policy, a power policy."

The White man was regarded as an Afrikaner and the Afrikaner was regarded as an oppressor. Reaction to the power policy of the country from Black people meant reaction against Afrikaans.

Referring to Afrikaner writers, he said: "Our striving is greater than to be identified with what is going on now."

Describing his development as a politically aware person, he told Mr. Justice Boshoff that before he left South Africa for Paris he was aware of certain race problems in the country.

While he was at the University of Cape Town in 1959 there was "a lot of tension" among students when apartheid was forced on universities.

"I was not involved politically before I left South Africa," Breytenbach said.

Exiles

While he was overseas the Sharpeville incident occurred, and he found it difficult to put it in perspective whilst being out of the country.

"While I was in Paris I became more aware of my South Africanism and the fact that I was White."

Breytenbach described how in the early 1960s he wanted to return to South Africa with his Vietnamese wife but she was refused a visa.

"I met a lot of South Africans overseas, most of whom were Black exiles."

March sequel

JOHANNESBURG — More than 140 people aged between 16 and 28 appeared briefly in a special Court at John Vorster Square yesterday in connection with the march last month by hundreds of students on police headquarters. They were all remanded to July 19. — (Sapa.)

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The author themselves with of payments had the balance of interest rates to expenditure adjustment is developments officially re banks and the improving the had become a this in turn indicates that independent of the balance

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availability of domestic and foreign interest rates and credit will influence the demands for and supplies of foreign capital.

A further influence on the money base, again ceteris paribus, is the government's fiscal deficit. The difference, over any period of time, between government spending and tax revenues requires financing. One such method of finance is via money base creation. This in the Treasury balance might alternatively, overdraft facilities more government sector money base creation is lending to the dis encourage them to inc As the proceeds of th Treasury the money b to increase the money government spending c insufficiently attrac lending.

The authorities themselves with the s of payments has been the balance of paymer interest rates and a to expenditure. A adjustment is to be

developments between 1975 and 1976. The fiscal deficit was officially recognised to be stimulating credit creation by the banks and therefore was adversely affecting the balance of payments. Improving the balance of payments had become a prime objective of monetary and fiscal policy and this in turn demanded a more conservative fiscal policy. This indicates that fiscal and monetary policy cannot be regarded as independent of each other. Nor can they be seen as independent of the balance of payments.

Students

remanded
Pol. trials
again

Staff Reporter

THE 143 Soweto students arrested at John Vorster Square after marches in Johannesburg last month appeared again yesterday in a special court at the police headquarters.

No evidence was led and a police spokesman said they had been remanded in custody till July 19, when they will appear in the Johannesburg Magistrate's court.

About 200 relatives and friends stood outside John Vorster Square yesterday after police told them the public and Press were barred from the special court.

Application for bail will be heard in the Rand Supreme Court on Friday.

Relatives and friends who wanted to give prisoners food and clothing yesterday, were told they could deliver parcels only at 8 pm.

POLITICAL comment in this issue by Allister Sparks and Chris Day; newsbills by Trevor Bliseker; headlines and sub-editing by John Leask; all of 171 Main Street, Johannesburg.

the form of decreases e Bank. The Reserve Bank ct on the money base, grant or borrowers or take up less obvious form of ed by the Reserve Bank banks on terms that nding to the public sector. otained are spent by the e fiscal deficit is likely eipts fall relatively to the government is with other kinds of ticularly concerned deficit when the balance atisfactory. Correcting o require increases in vernment revenues relative ion of this process of examination of monetary

availability of domestic and foreign interest rates and credit will influence the demands for and supplies of foreign capital.

A further influence on the money base, again ceteris paribus, is the government's fiscal deficit. The difference, over any period of time, between government spending and tax revenues requires financing. One such method of finance is via money base creation. This can take place in the form of decreases in the Treasury balance with the Reserve Bank. The Reserve Bank might alternatively, with the same impact on the money base, grant overdraft facilities to government sector borrowers or take up more government sector debt issues. A less obvious form of money base creation that may be initiated by the Reserve Bank

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Breyten and Okhela

Staff Reporter

THE External Mission of the African National Congress was for all practical purposes the same as the South African Communist Party, Breyten Breytenbach said in the Pretoria Palace of Justice yesterday.

Giving evidence of his activities with a group known as Atlas, and later Okhela, Breytenbach said he had become involved in anti-apartheid activities overseas through his writing and his friendships.

When the ANC was banned and forced underground, the SACP began to play a greater role.

The ANC was the organisation which claims to represent all black people in South Africa, but for

all practical purposes its overseas section, the External Mission, had now become the same as the SACP, Breytenbach said.

He said he became involved in the May demonstrations in Paris in 1968 where all international occurrences were discussed throughout the sixties.

Breytenbach said Johnny Makathini, the ANC representative in North Africa, who was not a member of the SACP, asked him to join Atlas in 1972. This group was established to support white political activists.

Atlas attempted to recruit French, Italian and Dutch members. Among the South African members were Barendt Schuitema and Donald Moordyk.

Atlas died out in 1973 and a group called Okhela emerged from discussions among Breytenbach, Schuitema and Moordyk.

Okhela was not intended to be merely a support organisation.

It was a militant organisation which attempted to find ways for white South Africans to contribute towards the transformation of the South African situation, Breytenbach said.

At the beginning of 1975, Moordyk withdrew from the organisation and was replaced by a pastor named Morton.

Breytenbach said he and Schuitema came to South Africa in 1975 with false passports. He was arrested in August.

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developments between 1975 and 1977. The 1975-1977 period was officially recognised to be stimulating credit creation by the banks and therefore was adversely affecting the balance of payments. Improving the balance of payments had become a prime objective of monetary and fiscal policy and this in turn demanded a more conservative fiscal policy. This indicates that fiscal and monetary policy cannot be regarded as independent of each other. Nor can they be seen as independent of the balance of payments.

DIE BREYTENBACH-VERHOOR

STOELE INGEDRA

Hof oorvol toe Breyten praat

„U volle name asseblief?” „Breyten Breytenbach”. Daar het gister in die Paleis van Justisie ’n doodse stilte geheers terwyl die digter-skrywer die eed geneem het om die volle waarheid te praat.

Meer as dertig koerant- en tydskrifte het na hulle penne gryp toe adv. J. Kriegler die man in die liggroen en hemp met ’n rooi streepie das sê:

„Mnr. Breytenbach, u is ’n spanning en die hof is oorvol mense, maar vergeet nie. Praat na Sy Edele en geet die skare in die hof.”

Breytenbach het sy kop geknik en met albei-hande uitstrek op die kante van die hofbank in die oorvol hof op die vrae geantwoord.

GALERY

Mense het buite die hof die gange hul nekke gerek en ’n blik van die beskuldigde te kry. Binne die hof is geen sitplek nie — op minste stoele het twee stoele gesit. Die galery was oorvol en net voordat die hof begin het, is ’n klomp stoele afgehaal.

Toe Breytenbach by die hof geleë is, het hy omgedraai na sy skrywersvriende geknik. Onder hulle was dr. Ample Coetzee, mnr. John Miles, die uitgewer mnr. J. de Jongh en prof. Dirk Opperman met sy dogter Diederé. Die akteur Carel Trichardt, Nusas-man Gerry Maré, wie se naam gister weer dikwels

genoem is, en Breytenbach se broer, Cloete, was ook daar.

Hof D in die Paleis van Justisie was teen eenuur reeds stampvol.

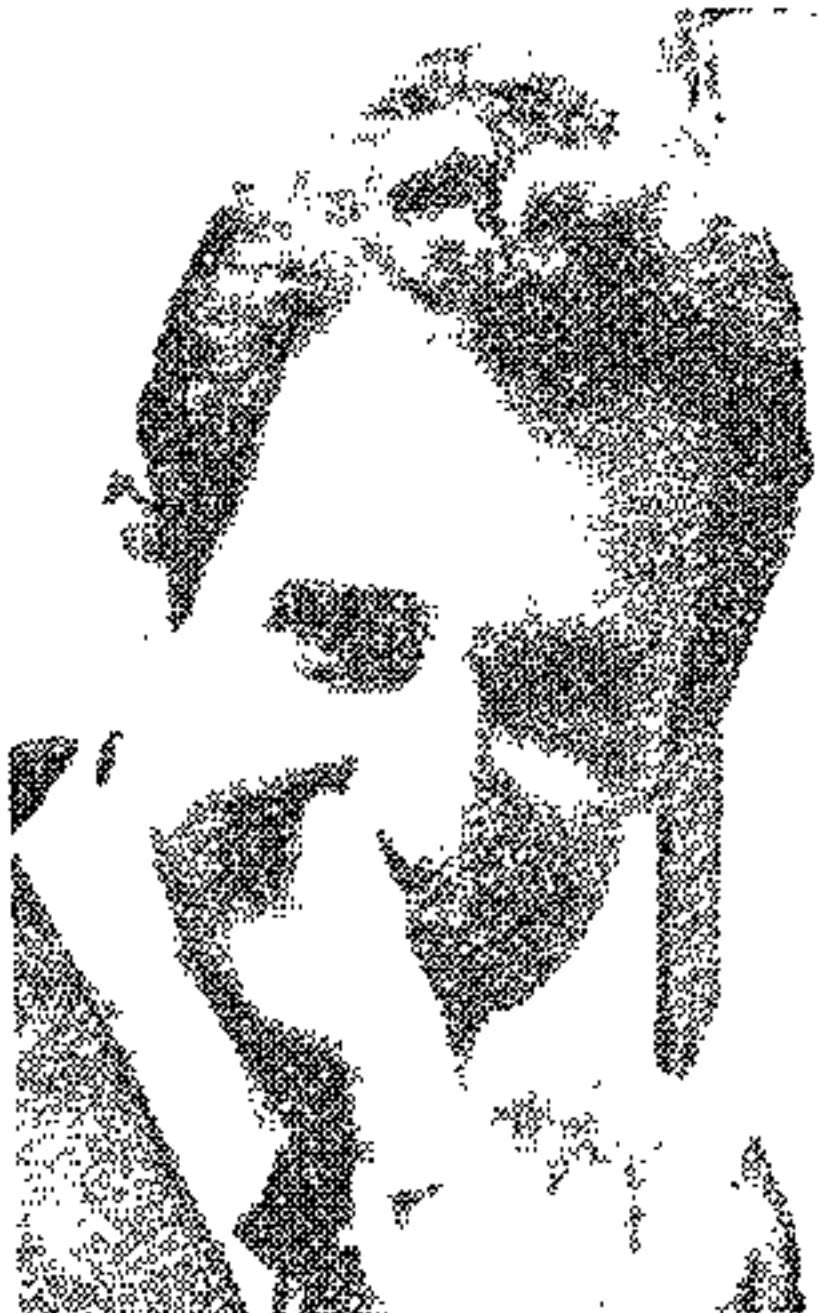
Terwyl Breytenbach met sy een hand in sy sak en die ander op die getuiebank gestaan en praat het, het almal aandagtig gesit en luister.

Die twintigjarige bewaarder Pieter Groenewald, die hoofstaatsgetuie, het saam met familie uit Worcester gesit, terwyl verskeie van sy kollegas in gewone klere agter in die hof was.

BETEKENIS

Breytenbach het omtrent die hele middag getuig. Hy is net soms deur adv. Kriegler en regter W. G. Boshoff onderbreek. Breytenbach moes dikwels die betekenis en strekking van woorde en terme wat hy gebruik het, verduidelik.

Toe die hof ’n paar minute voor vier verdaag, het Breytenbach uit die getuiebank voor die persbank verbygestap, waar hy sy broer Cloete gegroet en ’n kort woordjie gewissel het. Hy is daarna na die hofselle geleë, van waar hy na die Sentrale Gevangenis vertrek het.



BREYTENBACH



REGTER BOSHOFF

Twee mense moes in S.A. gewerf word

HULLE wou twee mense in Suid-Afrika werf om ’n vakbondkommissie op die been te bring en hy wou die Okhela-manifes met mense in Suid-Afrika bespreek om te sien of dit hier wortel kan skiet, het Breyten Breytenbach gister getuig.

Om dié twee redes het Breytenbach en Barend Schuitema in 1975 na Suid-Afrika gekom. Breytenbach is deur die Veiligheidspolisie op die lughawe Jan Smuts by Johannesburg in hegtenis geneem terwyl hy weer die land wou verlaat.

Breytenbach het getuig dat daar die moontlikheid was om ’n groot som geld te kry waarmee vakbonde in Suid-Afrika gehelp kon word. Daarvoor moes twee Suid-Afrikaners na die buiteland gaan sodat hulle deur internasionale vakbonde geëien kon word.

„Ons het gemeen dat, om dit te doen, ons ’n blanke en ’n swart werker moes kry. Ons het gevoel Gerry Maré

sou dit baie goed kon doen,” het Breytenbach getuig.

Maré was lid van Nusas en belas met vakbonde. Hy het ook in die lonekomitee gedien. Dit was baie belangrik dat hy ’n Afrikaner is, het Breytenbach getuig.

Hy het voorheen artikels van Maré gelees en was baie geïmponeer.

Breytenbach het gesê hy sou met Maré onderhandel, terwyl Schuitema meer betrokke sou wees by die stigting van ’n vakbondkommissie.

BREYTEN BREYTENBACH het gister in die Paleis van Justisie in Pretoria vir die eerste keer in die huidige saak getuigenis afgeleë. Die verhoor duur vandag voort. Alle berigte op dié blad is van ons korrespondent in Johannesburg.



EERW. POLLEY

PARYS IS NOU NOG SY HUIS

„EK kom uit ’n baie normale Afrikaanse huisgesin en albei my ouers is kerkgaande Christene,” het Breyten Breytenbach gister in Pretoria met

Breytenbach het met Karel Tip en Moss kennis gemaak, maar kon Maré nie ontmoet nie. Hy het eerw. James Polley opgesoek as ’n persoonlike vriend. Hy wou met hom die stigting van ’n tydskrif, Trap-suijtes, bespreek.

Op 13 Augustus 1975 het hy bewus geraak daarvan dat die Veiligheidspolisie op sy spoor is. Hy het hom na Polley gewend om uit die Kaap te kom.

Daarna het hy met dr. Ample Coetzee van die Universiteit van die Witwatersrand en van sy kollegas by dieselfde departement kontak gemaak.

Op 19 Augustus is hy op die lughawe Jan Smuts by Johannesburg in hegtenis geneem. Na enkele ure op die lughawe is hy na die Compolgebou in Pretoria gebring, waar hy 36 uur lank ondervra is.

In die eerste drie maande van sy aanhouding het die Veiligheidspolisie hom by sy sel kom haal om ondervra te word.

„Polisie ken hom beter as hyself”

HY het nou nog die gevoel dat polisie meer van sy private lewe weet as hyself, het Breyten Breytenbach getuig.

Hy het nadat hy in 1975 in Suid-Afrika in hegtenis geneem is, agtergekom dat die polisie baie goed oor sy bedrywighede ingelig is. Hy het tot die gevolgtrekking gekom dat hy verraaai is.

Dit was ’n fiasko, dit was absoluut onbesonne dat iemand so bekend soos hy die land binnegekom het om die dinge te doen, afgesien van sy persoonlike swakhede, het besk. gesê.

Op ’n vraag van regter W. G. Boshoff watter persoonlike swakhede dit is, het Breyten-

bach gesê hy weet nie of hy goed uitgeknap is vir dié soort werk nie. Hy reageer op mense en onregte.

Hy het gesê hy dink die politiek behels altyd dat mense ander probeer manipuleer. Hy kon hom nie heeltemal in die politieke bedrywighede werp nie.

Sy ondervraging het tot taamlik onlangse geduur. Dit was vir hom duidelik dat dit uiters moeilik sou wees om die polisie ’n rat voor die oë te draai. „Wat ek geweet het, het ek hulle vertel.”

Die Veiligheidspolisie het dit aan hom voorgedra dat hy ’n veel slegter sel sou kry as hy nie saamwerk nie, het Breytenbach beweer.

Hy is produk van dubbele kultuur

„ONS staan voor ’n oomblik waar Afrikaans volledig vereenselwig word met ’n besondere mags- en rassebeleid. Ek kan verstaan wanneer ’n swartman vir my sê hy weier om Afrikaans te praat,” het Breyten Breytenbach gister voor regter W. G. Boshoff getuig.

„Afrikaans is die taal van gesag en verdrukking. Ons word regeer deur ’n minderheid en hulle is ook ongelukkig Afrikaans.” Afrikanerskap is nie iets wat ’n mens kies nie en hy beskou ’n Afrikaner as iemand wat Afrikaans as huistaal of as eerste taal praat, ongeag sy etniese agtergrond, het hy gesê.

Hy sou graag wou sien dat Afrikaans „met sy wonderlike soepelheid” anders beskou moet word.

STREWES

„Ek bly absoluut geheg aan my taal, dis ’n voortsetting van myself.” ’n Taal kan volgens Breytenbach net bestaan in dié mate waarin hy uiting gee aan die strewes van sy mense.

Dit was nie sy bedoeling om uit Suid-Afrika te wyk nie. Dit het egter later deur sy huwelik noodsaaklik geword. Intussen het hy kontak behou met vriende soos Uys Krige, Jan Rabie en prof.

André Brink.

Vandag is hy die produk van ’n dubbele kultuur: sy Afrikanerskap en die feit dat hy oor vyftien jaar in die wêreldstad ’n Parysenaar geword het.

STROMINGE

Hy beskou Parys as die internasionale fokuspunt van ideologiese strominge. Daar tref ’n mens bannelinge uit alle dele van die wêreld aan en oorloë, revolusies en staatsgrepe het almal ’n aanklank in Parys.

Hy was betrokke in die opstand van die studente en arbeiders teen die Franse regering in Mei 1968, het hy getuig. Die rol van die kunstenaar in die politiek is toe baie meer gedebatteer. Hy het homself in groot mate met die mense daar vereenselwig, het Breytenbach gesê.

„Ek sal my sekerlik op die oomblik baie meer tuis voel in Parys as in Suid-Afrika.”

Dié „seermaak altyd daar”

„EK kan nie my rug keer op die tragedie van Suid-Afrika nie, en die seermaak van Suid-Afrika kan ek nie van my afskuif nie.”

Só het Breyten Breytenbach gister in die Paleis van Justisie geantwoord op ’n vraag hoekom hy Suid-Afrika nie die rug toegekeer het ná sy besoek aan die land in 1973 nie.

Breytenbach het getuig dat die Okhela-organisasie ontstaan het ná samesprekings tussen Donald Moerdijk, Barend Schuitema en homself. Later het nog twee Suid-Afrikaners bygekom, ene Martens en Lewis.

Op ’n vraag wat die doelstellings van die organisasie was, het Breytenbach gesê dit was ’n probleem tot met sy inhegtenisneming in 1975. Toe hy daardie jaar na Suid-Afrika gekom het, het hy die Okhela-manifes saamgebring.

Breytenbach het gesê Okhela was nie as bloot steunorganisasie bedoel nie. Dit was ’n organisasie met politieke doelstellings. Dit was ’n militante organisasie wat sou probeer om maniere te vind om in wit Suid-Afrika ’n doeltreffende hervorming te bewerkstellig.

Die Okhela-manifes is opgestel ná samesprekings tussen ene Morton, ’n gewese Metodisteleraar van Suid-Afrika wat in Switserland vir die Wêreldraad van Kerke gewerk het, Schuitema en Breytenbach. Moerdijk het hom onttrek.

Breytenbach het getuig dat Schuitema die manifes opgestel het. Lewis en Martens het hulle by Okhela aangesluit. Daar was egter so baie waaroor hulle verskil het dat die twee nie weer kontak gemaak het toe hulle terug is na Suid-Afrika nie.

„AFRIKANER GEDWING IN DWANGBUIIS”

DIT was vir hom duidelik dat die Afrikaners al hoe meer in ’n dwangbuis gedwing word dat hulle al hoe meer afstuur op ’n rassekonflik en dat daar bitter min was wat die gevaar gesien het, het Breyten Breytenbach getuig.

Breytenbach het getuig dat sy vrou in 1972 ’n visum gekry het om na Suid-Afrika te kom. Op 31 Desember van daardie jaar het hulle in Suid-Afrika aangekom nadat hy dertien jaar uit die land was.

Suid-Afrika was vir hom ’n seerplek. Hy wou sy vrou die land wys. „Ek wou iets herontmoet wat vir myself so ontsettend belangrik is.” Hy wou sy ouers en ou vriende weer sien.

Breytenbach het getuig dat hy aanvaar het dat hy dopgehou word, en dit was so. In Maart was dit vir hom baie duidelik. Hy is gevra om ’n onderhoud te voer met twee offisiere van die Buro vir Staatsveiligheid. Hulle was „volkome” bewus van sy

bedrywighede buite Suid-Afrika.

Breytenbach het getuig dat hy eerw. James Polley vir die eerste keer ontmoet het toe dié hom in Februarie 1973 genooi het om deel te neem aan die Sestiger-somerskool wat aan die Universiteit van Kaapstad gehou is.

Hy en eerw. Polley goed leer ken. Daar was baie „raakpunte” tussen hulle. Hulle het besluit om in die Sederberge ’n staptog te onderneem. Op die tweede dag het hulle by ’n klein plekke met die naam Eselsbank gekom.

Breytenbach het gesê die woord Eselsbank het nooit enige politieke betekenis gehad nie. Dié naam is in

getuigenis teen hom genoem.

Breytenbach het gesê hy het eerw. Polley vir geen politieke organisasie gewerf nie. Hy het Gerry Maré baie vlugtig by die Somerskool ontmoet. „Ek was toe reeds drie jaar ere-ondervoorsitter van Nusas.”

Maré het homself voorgestel en gesê hy is 'n lid van Nusas.

GEDIGTE

Breytenbach het getuig dat hy ook dr. Ampie Coetzee van die Universiteit van die Witwatersrand ontmoet het. Hulle het voorheen 'n suiwer literêre korrespondensie gevoer. Dr. Coetzee het hom gevra om 'n opname van sy gedigte vir Wits te maak.

Hy het Peter Randell in Johannesburg ontmoet. Randell was lid van Sprocas, 'n sosiaal-politieke kerkgroep. Randell het hom gevra om geldelike steun vir Sprocas in die buiteland te ondersoek, het Breytenbach getuig. Hy het beloof om daarna te kyk.

Breytenbach het getuig dat hy Horst Kleinschmidt van die Christelike Instituut ontmoet het. Hulle het ooreengekom om met mekaar kontak te behou.

BENOUD

Hy was oortuig dat die korrespondensie van so 'n organisasie onderskep sou word en dat sy eie pos ook ondersoek sou word. Daarom het hy 'n „dekkingsadres” gegee, het Breytenbach getuig.

Hy het met Kleinschmidt op 'n dak van 'n gebou gepraat omdat hulle gemeen het dat hulle in die kantoor afgefluister word. Dit is 'n beklemmende teken van die benoudheid waarin die mense werk, het Breytenbach gesê.

Daar was nooit sprake dat hy prof. André Brink vir 'n geheime organisasie gewerf het nie. Toe hy terug was, was hy veel meer pessimisties oor die toekoms van Suid-Afrika.

die aanvang van sy getuigenis in die Paleis van Justisie gesê.

Breytenbach het getuig dat hy op 16 September 1939 op Bonnievale gebore is. Later het sy ouers na Wellington verhuis. Daar is niks in sy agtergrond wat 'n volksvreemdheid aandui nie.

Hy het nie juis op skool gepresteer nie en het op Wellington gematrikuleer. Hy is daarna na die Universiteit van Kaapstad, waar hy agttien maande lank gestudeer het. Hy het 'n B.A. in tale en een in die skone kunste probeer verwerf, maar het meer in praktiese skilderkuns belang gestel.

Hy het 'n woonstel gedeel met Marius Schoon, wat onlangs uit die land gevlug het en wat saam met hom in die gevangenis in Pretoria aangehou was. Later het hulle saam in 'n ou huis in Langstraat, Kaapstad gewoon.

GEES

Breytenbach het verduidelik waarom hy in sy briewe aan Schoon in die gevangenis hom „Hollandse robbies” genoem het. Dit was nie 'n kodenam nie.

Dit was 'n baie ou huis waarin hulle gewoon het en hulle het 'n gees daarin probeer opspoor. Die gees het Schoon die „Hollandse robbies” genoem.

Breytenbach is in Januarie 1960 oorsee. „Soos vir die meeste jong skilders was Parys die stad waar jy moes uitkom.” Hy wou graag alles sien.

PARYS

Twee jaar nadat hy uit Suid-Afrika was, het hy hom in Parys gevestig en hom verder as skilder bekwaam. Dit was moeilik, want in daardie stadium was daar 60 000 skilders in die stad.

Op 15 Januarie is hy met sy Viëtnamese vrou, Yolande, getroud. „Ons het Parys ons huis gemaak, wat dit nou nog is.”

availability of domestic and foreign interest rates and credit will influence the demands for and supplies of foreign capital.

A further influence on the money base, again ceteris paribus, is the government's fiscal deficit. The difference, over any

'ANC duped me with promises'

RDM 6/1/77

(325)

Pol. trials

Staff Reporter

A YOUNG black man eager to study further was duped with promise of a scholarship into becoming a courier for the banned African National Congress, the Pretoria Supreme Court was told yesterday.

Mr Victor Sithole told of letters hidden in cigarette boxes, money smuggled in the lining of a suitcase, and of a mystery "lady from London."

Mr Sithole was giving evidence before Mr Justice Davidson at the trial of 12 Africans — one a woman — on charges under the Terrorism Act.

The 12, including the alleged kingpin of the ANC movement in Johannesburg, Mr Martin Ramokgadi, 67, have pleaded not guilty to various terrorist activities between 1962 and 1977.

Mr Sithole, a former employee of the South African Council of Churches, said he met Mr Peter Mohlala and Mr Keith Makwale in Mbabane, Swazi-

land, in December 1975.

"They were former colleagues of mine from the University of the North, and were very excited to see me," Mr Sithole said.

They told him about the possibility of scholarships abroad, and when he showed interest, took him to a shebeen at Manzini where he was questioned about links with Saso and the Black People's Convention.

He said he made it clear that he was a dormant member of Saso and not a member of the BPC.

He was told that money for bursaries from the United Nations was administered by the ANC in a fund called the International University Exchange Fund.

In January last year he went with Mr Mohlala to the home in Alexandra Township of the "old man" — Mr Ramokgadi.

He said Mr Ramokgadi and Mr Mohlala greeted each other as "comrade" and Mr Mohlala handed Mr Ramokgadi what seem-

ed like a new suitcase.

Later he learnt that the lining of the suitcase had been lifted to hide R500 in ANC funds. Mr Sithole said.

"Mohlala said the old man was very clever. He showed me a cigarette box which had a message on its bottom layer of tissue paper.

"If you were stopped, you simply said: 'I bought this suitcase for my child', and could even offer the policeman stopping you a cigarette from the box."

Mr Sithole said he met a Mr Nkadimeng in Diepkloof.

Then followed a succession of trips to Swaziland, and one to Botswana, supposedly in connection with inquiries about his scholarship.

In Botswana he met Mr Thabo Mbeki. There was a secret meeting under a tree, and Mr Mbeki said his house was "marked" by South African Security Police.

Mr Sithole said he told Mr Mbeki he wanted a legal scholarship — to leave and return to South Africa legally.

Mr Mbeki told him a "lady from England" was expected with news of scholarships.

When he met the "London lady" she turned out to be a Mrs Quabe, who told him that her husband, Seretse, would be able to help him with a scholarship.

Mr Sithole said she also

spoke of a clash among ANC members in London and said he and others were expected to recruit replacement members with administrative experience, such as teachers.

Mr Sithole said he then became suspicious.

At a meeting in Swaziland attended by Mr Ramokgadi and a Swazi official, plans were discussed to buy a farm in the Northern Transvaal or Swaziland for use for military training.

Mr Sithole said he realised he was being dragged into politics, and dissociated himself from the meeting.

Later he had an argument with Mr Nkadimeng and told him he did not believe in communism.

On another visit to Swaziland he met Mr Seretse Quabe, who told him the scholarship abroad had really been held out to him to get him to undergo military training.

Mr Sithole said: "I told him I was through with him."

He performed one last service for the organisation — returning to South Africa with R2 000 in funds to be handed to Mr Ramokgadi.

"I told him he could keep his scholarship. I told him he had been beating around the bush, and should have told me he had really wanted me for a soldier. He gave me R60, which I took."

The hearing continues today.

officially recognised to be still banks and therefore was adverse. Improving the balance of payments had become a prime objective of this in turn demanded a more co indicates that fiscal and money independent of each other. Nor of the balance of payments.

7/7/77

N/MERCURY

(325)

Pol. Trial

THE BREYTENBACH TRIAL

Our plans laughable says poet

PRETORIA — Breyten Breytenbach said yesterday the escape plans he discussed with Warder Pieter Groenewald in his maximum security cell had been unrealistic "prison talk."

Giving evidence in his defence on the Terrorism Act, Prisons Act and Riotous Act charges, the poet said escape was a general topic of conversation in prison among both warders and prisoners.

It was possible that in his "mental ups and downs" he had considered escaping.

But some of the possibilities he discussed with Mr. Groenewald were laughable and "if he had come with the keys and opened the door, I don't know what I would have done. I had very little trust in him."

Breytenbach also said he did not regard Mr. Groenewald as suitable material for Leftist political work. The warder remained "basically racialistic" and even if he had been interested in recruiting he would not have chosen him.

Isolation

He spoke of his "abominable depression" in total isolation in the "walled pit" of his maximum security Central Prison cell.

He described how he opted for imprisonment away from the political prisoners held in Pretoria Local Prison, thinking he would have more privileges. However he was now convinced that his total isolation in the maximum security section of Pretoria Central was worse.

Resuming his evidence before Mr. Justice W. G. Boshoff, Breytenbach dealt first with his 1975 trial and the conditions of his detention.

Led by his defence counsel, Mr. Johan Kriegler, SC, Breytenbach said the amended charge sheet presented at his first Terrorism Act trial did not include some charges he believed he was not guilty of.

He pleaded guilty to the indictment as amended. Though he thought he was innocent on some charges, he was guilty on enough of them to make the plea.

He said his statement to the Court at that time was a genuine expression of his feelings. But after consultations with his defence, the prosecution

and the Security Police he decided not to make a political case of it and "my statement was not a complete account of my position and convictions."

Breytenbach said he made this move because he hoped for a minimum five-year sentence under the Terrorism Act — which the State asked for but which was not given — or for support from the prosecution of an early release.

Shock

His nine-year sentence at the first trial "was a tremendous shock."

"I felt the case was a humiliating experience. I was manipulated."

After the trial he returned to the maximum security section at Central Prison where he had been held before his arrest.

"From the beginning when I was arrested I was completely isolated," he said.

Others were clearly not meant to have contact with him. In the corridors the cleaners turned their faces away and when they brought food it was placed in front of his cell door.

More recently he sometimes met a cleaner in the corridor or was handed food by the men, but he was always with a warder.

He said he told the prison psychiatrist at one stage that the isolation was very difficult to take. He felt it affected him physically and mentally.

It was disorientating and took away "reference points."

Shortly after he was sentenced a warder told him there was a notice outside his cell forbidding warders from speaking to him, and from letting him know that another political pri-

soner, Raymond Suttner, was there.

A similar notice was apparently placed outside Suttner's cell. He had discussed this with Brigadier du Plessis who was in charge of political prisoners and the notice was removed.

Animal

Breytenbach said: "In prison a person's world becomes small because it is limited by the four walls of one's cell."

"I had the feeling of being in a cement pit and the warders on the catwalk overlooking my cell seemed to look on me as though I were a strange animal."

He said many of the prisoners in his section of maximum security were those awaiting execution.

The poet said he heard prisoners walking to the death cell and, although he had perhaps imagined this, he heard the trap doors swinging open.

"The whole atmosphere is that of a functional place. The moral degradation that it means, not only for those being executed but for those carrying it out, is revolting."

Breytenbach said he was mainly affected by "the fact that it doesn't matter if a person is executed . . . the fact that it is a normal function."

He met Mr. Pieter Groenewald — the prison warder who has been the key State witness in the case against the poet — after his wife left early one morning. Mr. Groenewald impressed himself upon his mind when he said he could take his time with his bath.

"It was surprising . . . it happens very seldom that a warder you don't know goes out of his way to give the impression he is on your side."

"I remember that I was amused by the stories that he told me because they were so obviously fantasies, obviously untrue."

As far as he was concerned Warder Groenewald was "a Right-Winger with a basically racist attitude," Breytenbach said. "I did not see him as material for a Left-wing group."

Breytenbach said Warder Groenewald had smuggled out a number of drawings, notes and poems on his behalf. These had been given to the poet's brother, Cloete.

"There was nothing political about these letters to Cloete."

He denied Mr. Groenewald's evidence that he had sent a letter to Mr. Adriaan van Dis in Amsterdam before the warder turned police agent in June last year. The only letter he smuggled out through Mr. Groenewald in this period was one to his wife, Yolande.

Breytenbach said the staff at Pretoria Central's maximum security section were very proud of its security and asked prisoners how they would go about getting out.

This was the basis on which escape talks with Mr. Groenewald first started, the poet alleged. It continued when Mr. Groenewald said he did not want to stay in South Africa. Escape possibilities the two discussed included using a jack to bend open the bars and "laughable" methods like using a blow torch or a laser beam.

Escape plans cropped up regularly throughout their relationship but there was never any attempt to realise them. — (Sapa.)

Burger 7/7/77
325 1st Tr 05
Breyten laat hof lag

* VERVOLG VAN BL. EEN *

het gesê Afrikaans. Groenewald sou vertel het dat hy ook 'n diepseeduiker by die Kanariese Eilande was.

Breytenbach beweer dat Groenewald gesê het hy sal 'n paar swartes help ontsnap. Hy sou 'n bakkie kry en hulle buite Pretoria aflaai, want hy „laat nie kaffers in sy kary nie“.

'n Ander keer het Groenewald daarvan gepraat om die tralies voor Breytenbach se sel met 'n blaasvlam oop te brand. Later het hy van 'n laserstraal gepraat.

Breytenbach beweer dat Groenewald beslis uitgesien het na die roem wat sou volg op die ontsnapping. Een van

die gedagtes was om gevangenisdiensuniforms saam te neem en dan saam met mooi meisies oorsee te poseer. Die foto's moes dan aan die gevangenis gestuur word.

Volgens Breytenbach het Groenewald met misnoeë oor die werk van bewaarder gepraat. Hy sou gesê het dit is 'n manier om nie militêre diensplig te doen nie.

Op 'n vraag waarom hy sy vrou, Yolande, in 'n brief wat uitgesmokkel is, Mevrouw die Generaal noem, het Breytenbach gesê dis 'n jarelange grappie tussen hulle dat hy haar fiktiewe range soos veldmaarskalk, kaptein ens. toeken.

Sy vrou het nie tot Okhela of enige ander politieke organisasie behoort nie.

Die verhoor duur voort.

Adv. Johan Kriegler, S.C. bygestaan deur adv. E. A. Wentzel, verskyn in opdrag van Bouman, Gilfillan en Blacklock in Johannesburg vir Breyten. Adv. Flip Jacobs kla aan. Adjt.-off. Carel van Rensburg is die ondersoek-beampte.

1325 1st Trade
KAAPSTAD. DONDERDAG, 7 JULIE 1977. TWEE-EN-SESTIGSTE JAARGANG. PRYSTWAALF SENT.

BREYTENBACH SE VERHAAL LAAT H

Van Ons Korrespondent
JOHANNESBURG.

DIE twintigjarige bewaarder "Lucky", Groenewald gister geskets as 'n groot-ildjagter in Middel-Afrika, iepseeduiker by die Kana-iese Eliande, iemand wat swartes wou help ontsnap maar dan buite Pretoria af-aaai omdat "hulle nie in sy kar mag ry nie" en die man wat 'n laserstraal wou gebruik om tronktrailes oop te kry.

Breyten Breytenbach se vertelling oor sy jeugdige bewaarder-vriend, wat die enigste was met wie hy kon gesels en wat verskeie maande lank 'n dubbele spel gespeel het, het die gehoor in die Paleis van Justisie in Pretoria telkens laat uitbars van die lag.

Die verhoor het wipplank gery tussen Breytenbach se beskrywing van "Lucky, the Pimp" en sy sombere waarne-

mings in die "dodehuis", waar sy sel enkele tree van die galgkamer was en waar hy hom verbeel het dat hy selfs die galgdeur hoor klap.

Breytenbach het met 'n strakke gesig getuig dat hy later aan sy eie oordeel, aan sy eie verstand begin twyfel het.

"'n Mens beweeg min. Ek het die gevoel dat my oë swakker geword het omdat die gesigsveld beperk is."

Die oorvol hofsaal het vas-gevang gesit en luister toe Breytenbach van sy beweerde eensame opsluiting begin vertel het. Hy verskyn op 'n hoof-

**Nog berigte
op bl. 4**

"'n Mens se wêreld klein, word verskriklik klein, 'n Mens het gevoel sit in hierdie sementput dat jy deur die mense die loopvlak as 'n vrees-soortige dier beskou word."

Hy was van die begin heeltemal afgesonder. Waneer hy in die gang geleë het, het selfs die skoonmaak-

het, het selfs die skoonmaak-oek 'n gevangene, sy geafgewend om nie met hom te praat nie. Daar was

UNITA, een van die drie swart mededi-beweging om 'n republiek in die suide sa-beweging se woordvoerder oor buitelandse sa-Volgens die Diario de Noti-cias, 'n koerant in Lissabon, het mnr. Jorge Sanguinba, verteenwoordiger van Unita, dr. gesé die leier van Unita, dr. Jonas Savimbi, het hom op 'n sending gestuur om van die gematigde Afrika-state steun vir die nuwe republiek te werf.

Die republiek sal bekend staan as die Swart-Afrika-en Sosialisiese Republiek van gumba geantw

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Those tall stories... by Breyten

By MELANIE YAP

BREYTEN Breytenbach met prison warder Pieter "Lucky" Groenewald during a period of deep depression when he had become eager to communicate with anyone.

He said they had many joking, teasing conversations — fantasising about their backgrounds and telling "woolly stories neither of us could believe".

Breytenbach was giving evidence in his trial at Pretoria Palace of Justice on a charge under the Terrorism Act and 17 al-

ternative charges under the Riotous Assemblies and Prisons Acts.

The main charge relates to his furthering the aims of the revolutionary group, Okhela, by recruiting Mr Groenewald.

Breytenbach said he met Mr Groenewald in April last year. He could not recall ever being at a lower point.

He was in the bathroom when he heard the warder telling him not to hurry but to take his time.

"I was surprised. It's seldom that a warder goes

out of his way to give the impression he is on your side."

Breytenbach said that later he spoke briefly to Mr Groenewald. From their third meeting they started having longer talks.

Some of the stories Mr Groenewald told him were clearly fantasies — tales of having been a big game hunter in Central Africa, fighting a hyena and deep sea diving in the Canary Islands.

Breytenbach said he knew the stories were made up when he asked what language was spoken in Central Africa and was told it was Afrikaans.

Mr Groenewald told these stories because he wanted to make an impression. "He saw the prisoners as tough guys and I got the impression he wanted to create an image of his personality for me."

Many conversations were joking. Mr Groenewald showed no ideological interest in Breytenbach but only wanted to hear of adventure. He said he appreciated people who had the guts to stand up against authority.

Mr Groenewald was also under the impression that Breytenbach was a karate expert. This might have arisen from Breytenbach's interest in Chinese shadow boxing after he asked the warder to smuggle a book on the subject into the prison for him.

Mr Groenewald told Breytenbach he did not enjoy his work at the prison and did not get along with the other warders, but he could avoid army service by being there.

Breytenbach said he also told Mr Groenewald about his own background. Often his stories were also embroidered.

"This relationship operated in a vacuum. Perhaps I was susceptible to his appreciation of me," Breytenbach said.

He tried to make himself appear more than he was to the warder and so told stories which were not true.

Breytenbach said he would place Mr Groenewald on "the right side" of the political scale.

He was uncertain of his evaluation of people after being in isolation for so long. He had been suspicious when Mr Groenewald questioned him and thought he might be probing for a Rightwing organisation.

"I would definitely not have thought of him as possible material for recruitment," Breytenbach said.

His own attitude to black people made no impression on Mr Groenewald.

When Mr Groenewald spoke of escaping from prison with blacks from the "Azanian Liberation Army" which were in a nearby cell, he spoke to Breytenbach about them as "kaffirs".

Breytenbach said Mr Groenewald's basic racist stand had not modified or changed during their relationship.

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Escape talk 'just day dreaming'

Staff Reporter

BREYTEN Breytenbach's plans for escaping from Pretoria Central Jail were castles in the air which he never expected to materialise he said in evidence yesterday.

The subject was constantly discussed by prisoners and warders. Escape had been a talking point between himself and a warder, Mr Pieter Groenewald. They had no common ground to discuss literature and indulged in games on how to escape.

Mr Groenewald told him how impressed he had been by "Papillon," the story of an escape from a prison island in South America.

Breytenbach said he thought the prison authorities were proud of the security measures at the maximum security section and often asked jokingly how prisoners thought they could escape.

Mr Groenewald would stand on the catwalk above his cell and suggest that a jack could be used to widen the louvered bars.

Other suggestions were laughable. These included the use of a blow lamp or laser beam to weaken the bars of the cell.

No attempt was made to put these plans into effect.

Mr Groenewald once suggested they leave on a particular day and told Breytenbach to write a farewell note saying he had stayed long enough at the prison and was taking his leave.

Later Mr Groenewald said the escape could not be carried out that day. It was never mentioned again. They also fantasised on what they would do after

their escape. There was talk of going overseas.

Mr Groenewald knew he had been given a lot of publicity and said that after their escape they could give TV and newspaper interviews abroad. He also suggested they make a film of their escape.

"He saw himself in the role of an adventurer," Breytenbach said.

He said he could not know more about the security precautions at the prison than Mr Groenewald. His knowledge was limited to his cell and the area in which he was allowed to move.

Asked about Mr Groenewald's references to passports, Breytenbach said it was a cardinal principle of his organisation never to enter or leave a country with a false passport from that country.

He had used a French passport when he came to South Africa in 1975.

Breytenbach said he continued playing a game with Mr Groenewald about writing overseas for passports to ensure that the warder carried out important favours for him.

These were smuggling his drawings and writings from prison.

Breytenbach said there had been no swearing-in ceremony, as Mr Groenewald alleged, in which he became a member of Okhela.

They had never discussed Mr Groenewald going to Russia for terrorist training. Breytenbach said he personally would not have used the term "urban terrorist".

Referring to a coded letter which Mr Groenewald said was sent to Mr A Vandis in Holland, Breytenbach said the letter was intended for Barend Schuitema.

The address on the envelope was incorrect. Mr Vandis did not live in Beethoven Street.

He did not know why he had written the letter in code. It might have been part of the whole boy scout background he had

Groenewald.

Breytenbach wanted to give Mr Groenewald the impression that it was a highly secret letter asking for false passports, but told him he did not expect to get a reply.

He could not understand why the police could not decipher the letter. He had explained the system to Colonel Broodryk and it had arisen at his first trial two years ago.

He agreed with evidence by Mr Anthony Morris earlier this week on the contents of this letter. There were several words he himself could not decipher. They might have been incorrectly transcribed into code.

Asked why he had wanted to contact Mr James Polley, Breytenbach said Mr Polley had been in trouble two years ago because of their friendship.

When Mr Groenewald said he was going to Cape Town and wanted to meet an important contact in the organisation, Breytenbach built up an image for Mr Polley and asked Mr Groenewald to contact him.

Leg iron 22 7/77 protest at trial

PRETORIA — Defence counsel at the terrorism trial at the Palace of Justice here yesterday protested when the 12 accused were brought into the courtroom shackled together with leg irons.

Before Mr Justice Davidson came into court, Mr A. Chaskalson SC demanded to know why the men were in leg irons.

Mr Justice Davidson was approached in chambers by Mr Chaskalson, the other defence counsel, Mr D. Kuny, and the two counsel for the state, Mr Gey van Pittius and Mr M. Donen.

The irons were removed.

Earlier in the trial the judge had expressed disapproval of the accused being brought into court in leg irons.

After the irons were removed the number of policemen on duty was increased. It was agreed that in future the accused would be taken in and out of court in pairs.

Mr Mosima Sexwale and 12 others are charged with conspiring with the ANC, the South African Communist Party and Spear of the Nation to overthrow the Government.

The trial continues today. — SAPA.

325

Pol. Trial

Terror charge 12 shed leg shackles

Staff Reporter

DEFENCE counsel reacted angrily at the terrorism trial in Pretoria yesterday when the 12 accused were brought into court wearing leg irons.

Mr A Chaskalson SC, before Mr Justice Davidson came into court, demanded to know from Security Police why the accused were wearing irons.

After consultation with State counsel and Mr Justice Davidson in his chambers, the irons were removed.

The judge had previously expressed disapproval of the accused being brought into court in leg irons.

A senior Security Police officer had apparently expressed a wish for greater security at the court and the number of police on

duty in court was increased when the shackles were removed.

The accused will now enter and leave court in pairs.

Mr Chaskalson did not wish to discuss the matter and he denied any clash over the incident.

Mr Chaskalson yesterday cross-examined Mr Victor Sithole, a witness who alleged he was duped with offers of a scholarship to become an African National Congress courier.

CONTENTED

An African woman and 11 men have pleaded not guilty to charges relating to alleged terrorist activity over the past 15 years.

Mr Sithole said he became involved with the ANC after meeting two

former student friends.

He said in court he was a law-abiding citizen who wanted to leave South Africa legally for overseas study.

"I am a reasonably contented member of the community who wants to continue living in the country," he said.

Promises were made by the ANC to send him to any university in Africa or Europe, but not America, on a scholarship.

Cross-examined about his meeting with one of the accused, Mr Martin Ramokgadi, 67-year-old alleged Kingpin of ANC activity in Johannesburg, he said he met "the old man" for the first time while with a friend.

Cross-examined about his meeting with Mr John Nkomo, another alleged

ANC executive, he said that Mr Nkomo had been eager to get him to administer a bursary fund for "affected people".

"Affected people" were the relatives of people who had suffered at the hands of the police for political reasons.

BOX

He had not thought he was breaking the law by taking a message from Mr Ramokgadi, smuggled in a cigarette box to a contact in Swaziland.

Sent to Botswana to learn more about his "scholarship", he was asked by Mr Mbeki to canvass support from Saso exiles there for a bursary scheme. He denied the support was for military

training.

He failed with the students, and refused to name them "to protect them and for their own safety".

Pressed, Mr Sithole still refused to name the five students: "To give a reason why I won't name them would be to give their names."

He had continued with his activities because he was keen to study. Pressed about why he was prepared to sell up everything to take a scholarship overseas, but not in South Africa, he said his wife was still at university.

He would have sold his car and other possessions to keep her at university while he studied overseas. The hearing continues today.

325 P.P. Trials

CAPE TIMES 7/7/77

Objection to shackling of 12 terror trial accused

Own Correspondent

PRETORIA. — Defence counsel objected at the terrorism trial here yesterday when the 12 accused were brought into the courtroom shackled together with leg irons.

Before Mr Justice Davidson came into the court, Mr A Chaskalson SC demanded to know why the accused were wearing irons in court.

With the other counsel, Mr D Kuny, and the two counsel for the State, Mr N Gey van Pittius and Mr M J Donen, Mr Justice Davidson was then approached in chambers.

The irons were later removed.

Earlier in the trial the judge had expressed disapproval of the accused being brought into court in leg irons.

It is understood that they

were brought in leg irons yesterday after a senior security police officer had expressed a wish for greater security measures in the court.

After the irons were removed, the number of police on duty was increased.

It was agreed that in future the accused would be taken in and out of court in pairs, as an additional security measure.

The 12, who have pleaded not guilty to terrorist activities between 1962 and 1977, are M G Sexwale, N Tsiki, L J Motaung, S S Mohlanyaneng, E T Masinga, M M Ramokgadi, J N Gqabi, P M Nchabeleng, N L Diale, M M Mgubeni, J G Seattholo and P M Mohale.

There was extensive cross-examination by Mr Chaskalson yesterday of Mr Victor Sithole, a witness who

alleged he was duped with offers of a scholarship to become an African National Congress courier.

Mr Sithole said he became embroiled in ANC activities after meeting two former student friends from University of the North study days.

He said he was a law-abiding citizen who had wanted to leave the country legally to study and to return legally.

"I am a reasonably contented member of the community who wants to continue living in the country," he said.

Cross-examined about his meeting with Mr John Nkajimeng, an alleged ANC executive, he said Mr Nkajimeng had been eager to get him to administer a

bursary fund for "affected people".

"Affected people" were the relatives of people who had suffered at the hands of the police for political reasons.

Sent to Botswana to learn more about his "scholarship", he was asked to canvass support from Saso exiles there for a bursary scheme.

He denied that the support was to be canvassed for military training.

He failed with the students and declined to name them in court, "to protect them and for their own safety".

Pressed, Mr Sithole continued to refuse to name the five students to whom he spoke, saying: "To give a reason why I won't name them would be to give their names."

The hearing continues today.

Court told of bid to blow up line

CAPE TIMES 8/7/77
PRETORIA. — Alleged terrorist attempts to blow up the main railway line between Pretoria and Pietersburg were described at the terrorism trial here yesterday.

Three patrolmen told Mr Justice A.D. Davidson that they found explosive canisters under the line at one spot, a shattered rail line at another, and a crater and line damage at a third spot.

The sabotage attempts were allegedly

(325-1st Trial)
made on the main passenger line, between Munnik and Digale and near Solomondale.

Mr Ephraim Ramphela said he went along the line, waving a red flag, to slow down a train as it approached a damaged section. The train then went successfully over the section, he said. He identified the section as an exhibit in court.

The hearing continues today. — Sapa

Die enigste Afrikaner wat hy kon vertrou

„DIE enigste Afrikaners (wat ek ken) vir wie ek op dié gebied kan vertrou, is jy en Ampie en John en Lindenbergh. Maar asseblief tog, laat dit net tussen julle bly, skryf Breyten Breytenbach in 'n brief aan prof. André P. Brink wat gister hier as 'n bewysstuk in die Paleis van Justisie ingedien is.

Die brief lui:

Broer Malroux:

Het jy nou klaar geglobe-trot? En is jy nou weer trot-trot ingespan in die waentjie en die tug — seker met 'n noute in die strot — tot jy weer die pad vat, of soos 'n Skot uit die skaamte die bloupad? Wot?

En hoe lyk my huis? En hoe gaan dit regtig met Hup-sydase (Yolande)? Ek het darem 'n brief van haar gehad, geskryf nogal op die lode, waarin sy sê dat sy jou verwagting is, ek bedoel dat jy binne die daaropvolgende dae sou kom, ek bedoel — maar ek hoop self ook darem om haar binnekort te sien. Weet jy dalk wanneer?

Wandelaar (bewaarder G. Groenewald) het weer die kans (of die gier) om op 'n wandeling te gaan — hy is 'n lewende uitbeelding van jou tipiese staatsdiensamptenaar, kan nie afgedank word nie. Goddank, en soos tant Siëna Visser wat nog wou sit toe sit sy al — en ek maak dus weer misbruik met jesse, asook met 'n stoeltjie gedigte, soos jy kan sien.

Hier gaan dit nog soos mmer, net bietjie erger. Soos n ou nou-die-dag gesê het: „Nee dankie. As jy alles oor-jen, gaan dit seker goed.“ Ek is verskuf van my vroeëre uime kou na 'n hol hokkie — volgens verskoning op Rooi Kruis se aandrang, want die

vorige het nie 'n spoelbak gehad nie. Nou kan ek darem weer na hartelus k... — net jammer ek moet op dieselfde troon sit om te kan skryf en slaap, as 't ware met my voete daarin.

Voordele is daar seker — bv. die gang voor my sel loop uit op 'n muniskule binneplasje tussen hoe mure en onder 'n staalsif (die voëltyes bo-op kyk af na die snaakse voël), maar daar is vier strokies grond rondom 'n sakdoekie gras waar ek darem tydens oefenperiodes kan probeer om 'n hotstutintjie aan die gang te kry: tans een afoor aalwyn, 'n varkblom wat nie wil blom nie, 'n kakiebos wat deurgaan vir 'n Afrikaner (gepas) twee roosbome vol plantuise en 'n saadbed-dinkie met onbekende planties wat nie wil groei nie. Verder miljoene miere. Nadele noem ek lewers nie — ek was in ieder geval al vroeër hier gewees — harde matras op plankryf in die muur.

GALGAAS

Die eerste aand ná die inhegenisname, is nou ná 'n eerste skof van sowat 36 uur se ononderbroke interrogasie, was ek ook hier. Ek onthou nog hoe ek skielik aan die bewe geraak het in die bed.

Verder sien mens min uitwerking van die gebeure daar buite op die lewe hier — behalwe dat ons sedert twee maande geen teregstellings gehad het nie. (Dank die Here van alle galgaas). Dink jy daar's 'n verband? Gevolg is dat die plek tot oorlopens toe vol is — nou nie ons seksie nie, ons is tans vier ter dood veroordeeldes (een 'n haas wat blykbaar seunijes

vertrag en vermoor het): 'n Chinese wat tydelik hier aan-gehou word omdat al die ander tronke teen hom diskrimineer, maar hy vertrek die naweek Paarl toe — die „Suidelinge“ is mos glo iets minder rassities, arme ou malmagart-telde Tsafendas, en ekself. Ek is, soos altyd natuurlik heeltemal afgesonder van enige besoeidelende kontak — nog meer as voorteen. Ek het uitgewerk dat ek nou 'n maksimum van 10 woorde per dag wissel — vanselfsprekend net met die aasvoëls aan diens, behalwe nou wanneer Wandelaar homself hier kan inwerk

POLITICALS

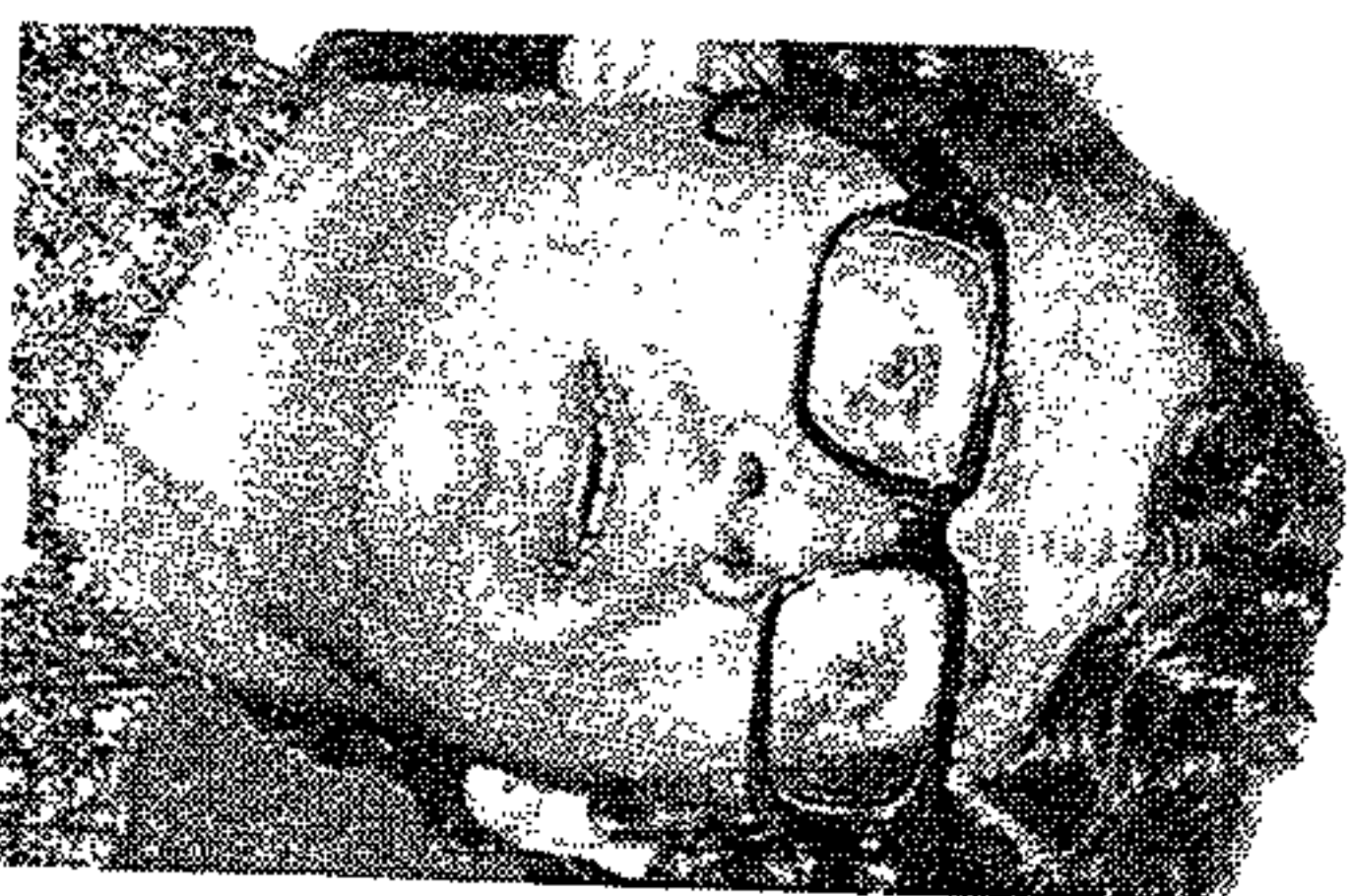
Dis 'n val in 'n put sonder wande. Ek was voor die „raad“ (Gevangenisraad) wat voor-gee dat hulle oor my

en hulle het my vol Afri-kaanse outortiteit meegeedel dat ek nou amptelik ingedeel is waar ek nog altyd was — laagste groep: C (behalwe nou D-groep wat „strafdisi-pline“, dwanghuis ens. bete-ken) d.w.s. met f... „voor-regte“ om van te skinder, ook dat ek hier aanbly — m.a.w. isolasie.

Die ander tronke, selfs vir die politicals, het darem ten minste musiek en werkwin-kels en sportgeriewe — hier natuurlik niks. Dus stilt, stil-sit. Nie heeltemal so nie, want mens hoor sleutels en deure en saans die veroordeeldes wat sing. Ek verstaan al die tronke is tans oorvol. Twee politicals sou onlangs deurge-kom het, maar het toe nie en is direk „lokaal“ toe.

KISS-MY-FINGER

Ek verneem deur die bestel-graaf dat dit twee Franse is, voorheen van Ikeys, dat die een se vrou ook gestraf is, dat hulle 'n drukkerij op tou gesit het, dat hulle A.N.C. waslis — enige details? Beves-tiging? En hoe lyk dit verder buite? Wanneer kom die rooi-dag? Zimbabwe is seker eersdaags vry (?) — Daarna Namibië. Wat was die uiteinde van Kiss-my-Finger (Kissinger) se besoek toe?



PROF. BRINK

beskik, maar eintlik in my geval geen seggenskap het nie, want die minister/mistas-ter besluit selfs maar hy speel seker deesdae viool in Soweto)

sal dan gekies word vir die eerste afdeling.

Saam met Stergang gaan dit beslis my hoed-afhaal-buig-en-vol-staan-vat-of-laat-le-totstiens-alle-heil-en-patats-wees. Ek hoop om hulle stuk-stuk by jou te kry. Jammer dat ek jou nou moet opsaal met die literêre eksekusie. Ek het vir Hupblom, via die Wandelende Afrikaner (my contact in die Staatsdiens) laat vra dat sy hom in kontak moet bring met Ampie —



BREYTENBACH

want, al kan ek ook miskien soms van my goed hier wegstry (en dit word al hoe moeiliker) kan dit nie altyd by jou kom verlore. Ek dink daarom dat jy, as jy dit goed dink, so die verse wat jy het vir Ampie kan laat sien, en andersom. Die enigste Afrika-

ners (wat ek ken) vir wie ek op dié gebied kan vertrou, is jy en Ampie en John en Lindenbergh. Maar asseblief tog, laat dit net tussen julle bly. Indien daar wel literêre waarde steek in die verse, kan ons miskien by voltooiing dink aan 'n anonieme of klandestiene publikasie — mis-kien in Holland. Of wat dink jy? Dit lyk my Bartho het my, soos voorsien kon word, verneuk met Seisoen. — Ek het nog niks self gesien nie, uiteraard geen proewe hoege-naamd nie — maar ek verstaan hy het verder gesny as John en Ampie, en sonder hulle medeweete. Wanneer ek aan hom (Bartho) dink, het ek net die grys beeld van 'n suwwe waterdraer voor oë, en die spreekwoord: versigtig-tigheid is die moeder van versig-tigheid. En ongelukkig kan ek hom nie eens kritiseer nie, want Perskor se grootbaas is glo dik pëlpe-pëlpe met k... wa, en ek het hom nodig. Maar 'n dag sal kom. Hou

Die werklike straf (onna-tuurlik wreed) vir 'n skrywer is om met sy skrywe opgesluit te word, bobbejaan ryg eie derms uit op soek na die seermaak, skrywe is 'n spieël op wat jy lewer nie wil sien nie: is verminderende profyt van sigself-uitbuit: is outoka-nibalisme.

Reg, ek hoor sleutels klin-kel. Mens se ore word fyn in hierdie „duikboot“. Skryf. Laat Wandelaar wag en skryf vir my 'n antwoord, vertel my van jou nuwe roman, die een wat jy nou gaan begin. Laat dit jou goed gaan. Lief-degrote vir almal, al kan jy dit ook nie vir hulle sê nie. Hoe gaan dit met jou dogter? Sterkte ou broer — ligloop vir die grysk... — deurbyt — en skryf vir ons nog 'n paar are (van albei soorte) oop. So kom ons ten minste om in klaarte en met 'n redelike akkurate weer-gawe van die hoekom, maar veral die hoe. En 'n handvol groete uit die Tamkanberge. Ns. Het jy altemit enige idee hoe ek met Gerry Maré kon-tak kan maak? Mooi bly. Bird.

Breytenbach sê hy wou nie ontsnap

HY het geen ontsnappingsplan gehad voordat hy bewaarder Groenewald ontmoet het nie en was ook in geen stadium daarop ingestel om te ontsnap nie, het die Afrikaanse digter Breyten Breytenbach gister in die Pretoriase Hooggeregshof getuig.

Bewaarder Groenewald het in 'n stadium na hom gekom en gesê Marius Schoon het 'n plan van 'n gedeelte van die gevangenis aan hom gegee en het gevra wat hy daarmee moet maak. Breytenbach het aan hom 'n nota gegee met A. Vandis se naam en adres in Nederland daarop.

Hy het Schoon die plan nie gevra nie, maar het bewaarder Groenewald nogtans gevra om dit aan Vandis te pos, hoewel hy in daardie stadium nie baie aandag aan die saak gegee het nie. Bewaarder Groenewald het hom soms probeer imponeer met sy kennis van gevangnisse en het aan hom vertel dat Robbeneiland hol is en dat daar potplante in die vensters en op die geboue se dakke is sodat vyandelike vliegtuie die geboue nie kon sien.

Bewaarder Groenewald het ook aan hom vertel hoe om by 'n wapen-opslagplek by die gevangenis in Kroonstad in te breek. Wanneer hulle na die ontsnapping oorsee sou gaan, sou Groenewald drie meestersleutels saamneem. Die sleutels sou byna enige gevangenis in Suid-Afrika kon oopsluit.

Die plan dat bewaarder Groenewald hom moes verge-

sel na die buiteland, was een van die eerste aanknopingspunte in hul gesprekke, want Groenewald wou graag die land verlaat en oorsee gaan.

Bewaarder Groenewald het hom ook gevra of hy in die buiteland sou reël dat hy 'n graadsertifikaat of ander universiteitsdokument in die hande kon kry, het Breytenbach getuig.

Breytenbach het twee volle dae getuig. Hy is gister om 3.20 nm. in kruisverhoor geneem deur adv. Flip Jacobs, wat vir die staat verskyn. Breytenbach staan tereg op 18 aanklagte ingevolge die Wet op Terrorisme.

Breytenbach het getuig dat hy sy en bewaarder P. G. Groenewald se ontsnappingsplanne as „fiksie” beskou het, maar ook as 'n moontlikheid, hoewel hy nie kon insien dat dit werklikheid sou word nie.

Hy was heeltemal daarvan bewus dat sy briewe wat by die verhoor betrokke

is, onwettig geskryf en uit die gevangenis gesmokkel is. Hy het nooit geprobeer om enige ander bewaarder oor te haal om hom te help nie. Hy sou dit ook nie met bewaarder Groenewald gedoen het as Groenewald hom nie so openlik aan sy kant geskaars het nie.

Breytenbach het gedink bewaarder Groenewald is taamluk ligsinnig, met 'n „scattered” brein. Hy het egter baie inisiatief getoon. Hy was duidelik jonk en saggeaard en het Breytenbach jammer gekry. Hy het deurgaans 'n swak siening van bewaarder Groenewald gehad, het hy getuig.

SEL DEMP NIE SY „DIERBARE SONDE”

„EK is bevrees jou dierbare sonde is steeds agtelosigheid en selfs 'n jaar in die sel het dit nie gedemp nie,” skryf Yolande Breytenbach,

Viëtnamees vrou van die Afrikaanse digter Breyten Breytenbach, in 'n brief aan haar man in die gevangenis.

Sy praat hom ook moed in en skryf dat duisende mense aan hom dink en dat die Europese pers nog oor hom skryf.

Die brief, wat deur bewaarder Pieter Groenewald na Breytenbach in die maksimum-afdeling van die Sentrale Gevangenis in Pretoria gesmokkel is, is gister by Breytenbach se verhoor as bewysstuk ingedien.

In die brief waarsku sy hom ook om bewaarder Groenewald nie te veel as stuurjong te gebruik nie en spoor sy hom aan om geduldig te wees.

In die brief, in Frans, skryf sy: „Tot my verligting, maar kommer, sien ek jy het nog nie verander nie. Ek sien dat jy nie my gevoel vir versigtigheid (wanneer ek van geduld praat) deel nie. Ek tree nie net op weens 'n blinde vrees vir dinge nie. Inteendeel, ek is bevrees jou dierbare sonde is steeds agtelosigheid en selfs 'n jaar in die sel het dit nie gedemp nie.”

Sy betig hom omdat hy wil hê ander mense moet seker maak dat sy sy briewe gekry het, terwyl hy weet dat sy reeds het.

Dit help glad nie om vir jouself agterna te sê ek het reg om met jou te raas

nie. Ek sal meer verseker wees die dag as ek weet dat jy vooraf sal dink.

„Jy moet dit in jou groot dop kry dat, as ek jou verseker dat die vriende aan jou dink, dit meer as net hul gedagtes en simpatie beteken. In daardie geval kan 'n mens sê dat honderde, duisende mense aan jou dink...”

Sy skryf hy moet vertrou in sy vriende hê en dat hy homself nie hoef te regverdig nie. Die familie vergeet hom nie.

„Jy is bekend en kan daarom voordeel trek uit dinge wat ander nie kan nie (soos die pers, ens.). Ek gaan verskeie mense spreek oor die politieke temperatuur vir toenadering op hoe vlak. Dit is duidelik dat so 'n toenadering op 'n gunstige tydskip moet geskied en sorg gedra moet word dat die poging slaag.

„Moenie ongeduldig raak nie. Ek besef wat 'n dag, 'n week, 'n jaar beteken en ek stem volkome saam dat dit altyd te veel sal wees om te verduur (of te erken). Maar bewaarder jouself met geduld. (Leer Zen nie geduld nie?)

„Daar is in elk geval geen moontlikheid om iets te onderneem voordat ons daartoe gedwing word nie. Intussen moet jy versigtig wees en nie te veel klets nie.”

Sy skryf dat hy nie te veel van bewaarder Groenewald gebruik moet maak nie. As hy betroubaar is, neem hy groot kans en as hy nie vertrou kan word nie, spreek dit vanself, skryf sy.



YOLANDE

Breyten se verhoor

Hy het probleme ondervind met kontrakte met sy uitgewers en sê: „Mens bly die les vergeet wat mense jare gelede al geleer het — dat Suid-Afrikaanse uitgewers gewetenlose boewe is.”

Hy skryf verder dat hy voor die Gevangenisraad verskyn het, maar dat sy posisie nog geensins verander het nie en dat hy moontlik 'n rekord hou deurdat hy meer as 'n jaar lank in afsondering aangehou is.

„Die ander politicals het ten minste musiek, kan private boeke aankoop, het 'n werkwinkel, eet beter, is bymekaar. En die moordenaars hier lewe lekker — kan soetgoed en blikkieskos, ens., bestel.”

Al sy samewerking het hom

„Afrikaner het sy chips gehad”

„DIE Afrikaner het sy chips gehad en dis nie die Kommies se skuld nie, want ons kon iets daaraan doen as ons maar wou,” het die Afrikaanse digter, Breyten Breytenbach, verlede jaar in 'n brief aan sy broer Cloete geskryf.

Hy skryf: „Ek is bevrees ons het ons g... gesien. Daar's net nie genoeg mense wat besef hoe ernstig sake regtig is nie. Die Afrikaner het sy chips gehad en dis nie die Kommies se skuld nie want ons kon iets daaraan doen as ons maar wou.”

„Maar ons sal tot op die laaste op ons g... in die skaduwee van die ossewa bly sit en sê: „alles sal oorwaai. Ons hoef nie te worry nie.” (Dis natuurlik wat die mense in Kenia gesê het, in Algerië, in Mosambiek en Angola, in Rhodesië en in Suidwes — wat seker eersdaags Zimbabwe en Namibië sal wees — en wat die Amerikaners in Viëtnam ook beweer het.)

„En as ons dink Kissinger (Kiss-my-finger) stel belang in die voortbestaan van die blankes hier, dan is ons nog dommer as wat ons onnosself is.”

Hy skryf ook oor sy vrou, Yolande: „Ek stuur vir Bob (bewaarder P. G. Groenewald) met nog vier sketse en 'n brief vir jy-weet-wie. Laat sy dit asseblief kry sodra sy aankom en kan jy dan asseblief met Bob reël dat hy die een of ander tyd 'n antwoord by haar kry? Mens kan nie anders nie, want tydens die besoeke kan mens maar min gesê kry.”

Hy sê ook dit sal die beste wees om die sketse aan sy vrou te gee om saam te neem na die buiteland en dat hulle maar moet vergeet van publikasiemoontlikhede van die bloemlesing „lewendood”

Hy vertel aan Cloete dat hy nog nie sy bundel Seisoen in die Paradys gesien het nie — „maar ek is meer as skrikkerig vir Bartho se versigtigheid. Ek waardeer die kans wat hulle gevat het (hoewel hulle geldelik slegs kan score op die deal). Ek wil hom geensins in die harnas jaag nie — maar daar is darem 'n punt waar dit beter sal wees om glad nie te publiseer nie, as om sulke koue straal-tjies te p...

dus niks in die sak gebring nie, „behalwe dat ek 'n g... van myself gemaak het”.

„Daar is eenvoudig geen aansporing vir goeie gedrag of wat ook al nie — al wat bietjie verskil maak, is wanneer die Rooi Kruis druk uitoefen. Met ordentlikheid kom mens nêrens met die Afrikaners nie.”

Hy meld ook dat hy gedruk is, dat hy graag sy voormalige regsvertegenwoordigers sou wil sien en hoop dat die klimaat sal verbeter sodat vertoë namens hom tot die owerheid gerig kan word, hoewel hy daarvoor ook pessimisties is.

Hy spreek die hoop uit dat soveel besoeke moontlik aan sy vrou toegestaan sal word.

„Reg, dit lyk my ons sal nou na 'n kant toe moet staan met daardie huis in die suide van Frankryk, of hoe? Ek het 'n voorstel vir 'n titel vir die Parys-boek: Daar is Nooit 'n Einde aan Parys nie.”

„Miskien moet ek maar begin werk aan die Parys-verse en hulle so stuk-stuk vir jou via Bob laat kry. — jy kan mos altyd sê dis ou goed wat lankal geskryf is.”

Hy onderteken die brief met die naam tronkvoël en sê in 'n naskrif: „Hoe lyk dit met 'n tjoklit. En hel, mens is darem party dae lus vir 'n dop.”

Railmen tell of line sabotage

325
Political Trials

Staff Reporter

ATTEMPTS to blow up the railway line between Pretoria and Pietersburg were described at the terrorism trial in the Supreme Court, Pretoria, yesterday.

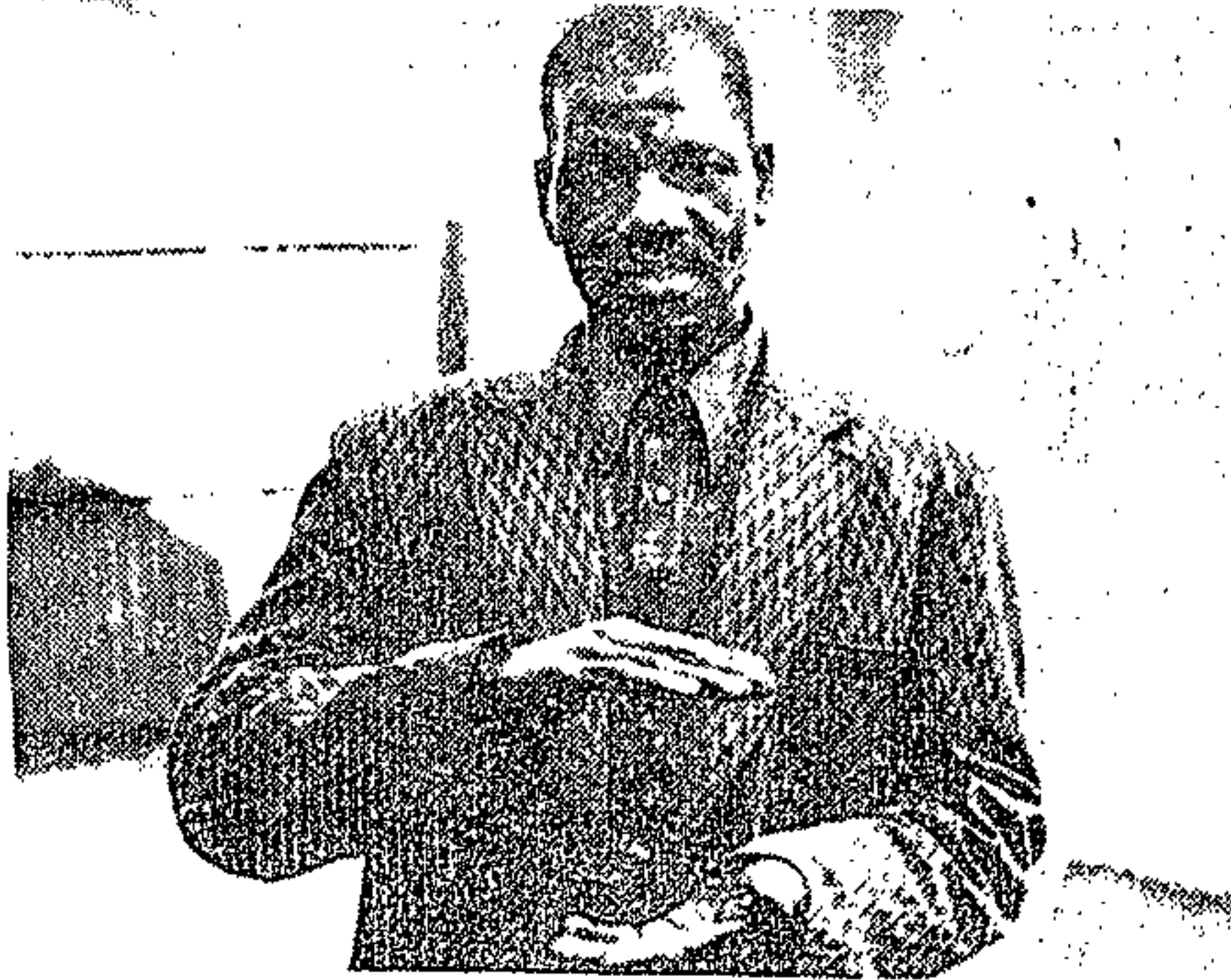
Twelve Africans, one of them a woman, have pleaded not guilty to charges of terrorist activities between 1962 and last year.

An SAR patrolman, Mr Ephraim Ramphela, said that on October 26 last year he found the line had been damaged near Solomondale. Part of the base of the rail had been torn out by an explosion.

He waved his red flag to slow down an approaching train. It went over the damaged section without mishap.

Another patrolman, Mr George Chabalala, said that on the same day he found a crater in the line between Munnik and Digale. Bolts holding down the rail had been blown out and a concrete sleeper shattered.

A third patrolman, Mr Magate Thema, said that on the morning of October 26 he was walking along the line near Digale when he saw two wires protruding



A patrolman, Mr Magate Thema, indicates the size of the explosive canisters he found on the line.

from under the line.

He wrenched at them. One came free, bringing with it "a funny red dottle." He found canisters about the size of large instant coffee cans under the line.

Cross-examination continued earlier of Mr Victor Sithole, who alleged in evidence that he had been duped into becoming a courier for the banned African National Congress with promises of a study

scholarship.

He said he decided to break with people who had made the promises in about May last year.

He said one of them, Mr John Nkadameng, with whom he had clashed earlier, had told him he was "kidding himself" if he thought the ANC worried what he might do. Mr Nkadameng told him the police would get him wherever he went.

Mr D Kuny, for three of

the accused: You paint yourself as a very gullible person.

Mr Sithole: If you think so.

Mr Kuny: You have been in the witness box a long time and you give the impression of being not gullible but an astute man well able to look after yourself.

Mr Sithole said he made his break, "with tears in my eyes," in a talk in Swaziland with an ANC leader, Mr Seretse Quabi, after he realised there would be no scholarship for him.

Mr Quabi told him he had been duped and that the ANC had really wanted him for a soldier.

Mr Sithole denied that he had fashioned his evidence to satisfy the police and so be released.

He insisted that another of the accused, Mr Martin Ramokgadi, alleged kingpin of the ANC structure in Johannesburg, had told him of plans to buy a farm in the northern Transvaal or Swaziland for short-term military training.

Mr Ramokgadi had told him that R52 000 was available for the project.

The hearing continues today.

SOUT

TELEPHONE 69-85

My only link with outside, says Breyten

By MELANIE YAP

BREYTEN BREYTEN-BACH said yesterday he had not trusted warder Pieter Groenewald but this go between was his only contact with the outside world.

The poet said he valued the relationship because Mr Groenewald would carry out tasks important to him — the smuggling of letters, writings and drawings.

to his furthering the aims of a revolutionary group, Okhela, by recruiting Mr Groenewald.

Breytenbach said he could not readily trust Mr Groenewald because of the tall stories he told.

It was clear that Mr Groenewald was unsure of his identity but as their relationship developed "he was my only possible contact with the outside world."

Breytenbach referred to a specific occasion when Marius Schoon sent him some sweets from the local section of the prison. Mr Groenewald ate these himself, he said.

Another time, Mr Groenewald visited him saying someone named Proust had

been asking after the poet at the prison gates.

Groenewald said the man, a journalist, and his wife had hurriedly left the grounds when asked why he was asking after Breytenbach.

Breytenbach said Mr Groenewald seemed eager to find out if this man was a member of Okhela.

"And he was in a great hurry to get the name Proust out of his mouth," Breytenbach said, smiling.

Breytenbach said he had been surprised by Groenewald's French pronunciation of the name, since he would have expected an Afrikaans version like "Prowst". Proust was a French writer and Groenewald must have read it on the cover of a book.

He said he trapped Mr Groenewald when they talked of tracing Lawrence Dworkin. Mr Groenewald became very uncomfortable when Breytenbach asked how he had found Dworkin's address since the poet had not given it to him.

Breytenbach said he continued to present different images to his family, friends and Groenewald about their escape plans.

In a letter to his wife, Yolande, he said he had dropped such plans, but he kept up the game of talking about the possibilities of breaking out of jail with the warder.

Breytenbach said he had to continue this game since it was the product stemming from his relationship with Mr Groenewald.

Asked by Mr Justice Boshoff what he would have done if their plans showed signs of materialising, Breytenbach said: "I actually don't know what I would have done if Warder Groenewald appeared with the keys one day," he said.

Half an hour before the close of yesterday's hearing, Mr P B Jacobs, began cross-examination.

Put this into your great nut'

BREYTEN Breytenbach said in evidence yesterday that his wife Yolande wrote one letter to him which was smuggled into prison by Mr Groenewald.

Defence counsel yesterday placed the letter, written in French during Mrs Breytenbach's last visit to South Africa in October last year, before the court.

Extracts from the letter, which Breytenbach translated in court, read:

"To my relief, but especially to my uneasiness, I see you have not changed.

"I see that here again you don't seem to share my feelings for prudence (when I talk of patience).

"I don't act only because of a blind fear of things. On the contrary, I

am afraid that your 'lovable sin' remains carelessness and even a year of life in the cell hasn't calmed it . . .

"Why do you want other people to make sure that I received letters which, if I understand you, you will already know that I had received," she wrote.

The letter added, "I want you to put it into your great nut that when I assure you that friends are thinking of you that implies more than just thoughts of condolences.

"You needn't worry about justifying yourself . . . I realise what one day, one week, one year of the cell must represent and I agree completely that it will always be too much to bear . . ."



N. 3. Breytenbach admitted to illegally corresponding with Schoon while they were both in jail and to writing a coded letter to Barend Schuitema, another Okhela member.

He said he had not asked Schoon for a plan of the Pretoria local prison, one of the exhibits now before the court.

Schoon was due to be released within a matter of weeks and they could have kept their patience in hand until then.

He said Mr Groenewald must have obtained this plan on his own initiative. Breytenbach said Groenewald thought the poet would be pleased if he showed initiative.

He said Mr Groenewald had told him that Robben Island was hollow underneath. He had the impression Mr Groenewald was a scatterbrain, and denied that he (Breytenbach) had first started talks of escape.

He denied they had seriously planned an escape. The cross-examination continues today.

EDM 8/1/77 (325) Pd Ticks

'Yolande said no to escape plans'

By MELANIE YAP

BREYTEN Breytenbach told Mr Justice Boshoff in the Pretoria Palace of Justice yesterday that he abandoned ideas of escaping from prison after a letter from his wife, Yolande, opposing his suggestions.

He said Yolande did not involve herself in any of his escape plans.

Breytenbach is appearing on a charge under the Terrorism Act and on 17 alternative charges under the Riotous Assemblies and Prisons Acts.

Asked why in a letter to his wife he used cloak-and-dagger references in speaking of their friends, Breytenbach said the main purpose had been to amuse his wife.

The French descriptions were perhaps more amusing than their Afrikaans translation, Breytenbach said.

He said he had also been caught between two worlds.

He had to continue pretending to warder Pieter Groenewald he was writing secretive letters overseas to arrange their escape, while he knew his wife would laugh at the whole affair.

About writing to Professor Andre Brink to borrow R300 for an alleged escape plan, he said he did not have the courage to refuse the warder, Mr Groenewald.

He did not see the money after Prof Brink gave it to Mr Groenewald, he said.

Breytenbach said no concrete attempts were made to formulate plans for escape but Mr Groenewald had urged the need for money.

He continued playing a game on escape plans, Breytenbach said, because

Top Rand Daily Mail writer John Ryan and leading South African artist Anne Pogrund have been covering the Breyten Breytenbach trial. Ryan's in-depth report of the trial and Pogrund's impressions of the leading personalities will appear in Inside Mail tomorrow.

he did not have the courage to refuse Mr Groenewald.

"We were caught up in the impetus of this building castles in the air," he said.

Mr Groenewald told him they should have a nest-egg of about R1 000, but Breytenbach said he could not ask for this amount from his friend.

"It was almost like a sort of auction," he said.

Breytenbach said he was afraid Mr Groenewald would use the money himself.

Breytenbach's intention had been to keep the money for a while and when it was clear their "escape plans" would come to nothing, Mr Groenewald should return the money to Prof Brink.

Asked about his relationship with Prof Brink, Breytenbach said they were old friends and colleagues.

"He is someone I love very much. I could open my heart to him and say how things were really going."

Breytenbach said he kept up an illicit exchange

of letters with Prof Brink through Mr Groenewald because it was important for him to be in contact with someone who was interested in his work and who would look after his writings from prison.

References in both their letters to pumpkins was an old joke.

Years ago in Paris, Prof Brink gave Breytenbach a pumpkin for his birthday.

Breytenbach wrote to Prof Brink, addressing him as Malraux, but called him Aap when he spoke to Mr Groenewald. Breytenbach said this arose from Prof Brink's initials, A P Brink.

Letters between Breytenbach and Marius Schoon in jail were discussions on the South African Communist Party and the African National Congress, the judge was told.

About his contact with Schoon last year, Breytenbach said he was excited to find that an old friend from 15 years before was in a cell scarcely 20 paces away.

He wrote to Schoon with news of his own trial and about mutual friends like Jan Rabie and Uys Krige.

Breytenbach said Okhe-la was not necessarily a Marxist organisation but a movement which aimed to give people basic training in a non-violent way through the use of secret writing, codes and camouflage.

Asked by Mr Justice Boshoff why he did not join an effective organisation if he felt so strongly about change, Breytenbach said he had no interest in getting weapons into South Africa or to be violent.

He said he wanted to find a way for himself and other white South Africans to become involved in change.

● See Page 3



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THE BREYTENBACH TRIAL

NATAL MERCURY 8/2/77

'NO SERIOUS PLANS' FOR GAOLBREAK

325

Pt. 1
Trade

Mercury Correspondent

PRETORIA—Poet Breyten Breytenbach denied in the Palace of Justice, Pretoria, yesterday that he and warder Mr. Pieter Groenewald had seriously planned an escape from prison.

His denial came under cross-examination after he had concluded his evidence in chief.

Breytenbach, facing a charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies Act and Prisons Act, admitted he had indulged in illegal correspondence with Marius Schoon while they were both in gaol, and that he had written a coded letter to Barend Schuitema, another Okhela member.

He said he had not asked Schoon for a plan of the Pretoria local prison, one of the exhibits now before the Court.

Schoon was due to be released within a matter of weeks and he said they could have kept their patience in hand until then.

He said Mr. Groenewald must have obtained the plan on his own initiative.

Scatterbrain

Mr. Groenewald, he said, had told him that Robben Island was hollow underneath. He had the impression that Mr. Groenewald was a scatterbrain, and denied that he (Breytenbach) had first started talks of escape.

Talks about getting passports arose out of the emphasis which Mr. Groenewald placed on the subject.

Mr. Groenewald had urged their need for money.

Mr. Groenewald told him they should have a nest-egg of about R1 000, but Breytenbach said he could not ask for this amount from his friend.

"It was almost like a sort of auction," he said. After they had cut the figure down to R300 he wrote to Prof. Brink asking for a loan for a "cavale" which in Afrikaans was a "gallop" (break or run), he told the Court.

Breytenbach said he was afraid Mr. Groenewald would use the money for his own purposes. Breytenbach's intention was to keep the money for a while and when it was clear their "escape plans" would come to nought, Mr. Groenewald should return the money to Prof. Brink.

He said he did not see the money after Prof. Brink had given it to Groenewald.

Colleague

Asked about his relationship with Prof. Brink, Breytenbach said they were old friends and colleagues. "He is someone I love very much. I could open my heart to him and say how things were really going."

Breytenbach said

In a letter to his wife, Yolande, he said he had dropped such plans, but in front of Mr. Groenewald he kept up the game of talking around the possibilities of breaking out of gaol.

Breytenbach said he had to continue this game since it was the product stemming from his relationship with Mr. Groenewald.

Asked by Mr. Justice Boshoff what he would have done if their plans showed signs of materialising, Breytenbach said he could not answer.

"I actually don't know what I would have done if warder Groenewald had appeared with the keys one day," he said.

backed Polisario Front, which is fighting both Mauritania and Morocco for control of the former Spanish Sahara, quickly denied that it had any connection with the attack on Mr. Ahmed Ould Jannallah.

Mauritanian nationalists in the West Sahara. The attack was the responsibility on behalf of a hitherto unknown terrorist group claimed to France here yesterday

My darling talks of a machine pistol

NTL Mercury 9/7/77 (325) Pt. Trial

Mercury Correspondent

PRETORIA—A State witness — named as "My darling friend" by an earlier witness — yesterday told the terrorism trial in Pretoria how a Scorpion machine pistol was demonstrated to him by one of the 12 accused.

Mr. Alfred Mohlala told Mr. Justice Davidson that he was also

shown a hand grenade by Mr. Simon Mhlaneng (24) when his enlistment was sought of the military wing of the banned African National Congress.

In Court on Thursday, Mr. Victor Sithole, a previous State witness, told of Mr. Mohlala being his

"Darling" friend and urging him to seek a "scholarship" via the ANC.

The 12 before Mr. Justice Davidson in the Pretoria Supreme Court, one of them a woman, have pleaded not guilty to Terrorism Act charges relating to alleged subversive activities over a 15-year period between 1962 and 1977.

Mr. Mohlala said that he was approached by Mr. Mhlaneng and Mr. Naledi Tseki, accused No. 2, in Vosloorus in November 1976.

Mr. Tseki asked him if

he knew anything about the ANC and he said he knew of the organisation and that it was banned. He told Mr. Tseki as far as he knew the body was no longer functioning.

But Mr. Tseki told him that he and Mr. Mhlaneng were members of the military wing of the ANC — and that the ANC was still active.

On the following Tuesday Mr. Mhlaneng and he met again. Mr. Mhlaneng was late because the car in which he was travelling had been stopped by traffic police.

"He told me that they had to beg the traffic police not to be locked up," said Mr. Mohlala.

Mr. Mhlaneng showed him a Scorpion machine pistol and how it worked.

He also showed him a hand grenade — and referred to an incident at the Swaziland Oshoek border post when a grenade was thrown at the police.

Mr. Mhlaneng said that the weapons had come from Russia.

The hearing continues on Monday.

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Francis Wilson

FRANCIS WILSON

I would have dealt with the devil - Breyten

By MELANIE YAP

BREYTEN Breytenbach would have dealt with the devil himself to smuggle his writing and drawings out of Pretoria maximum security jail, Mr Justice Boshoff heard in the Pretoria Palace of Justice yesterday.

In his second day under cross examination, the leading Sestiger poet said he maintained a relationship with prison warden, Pieter Groenewald although he distrusted him. "I believe he was the only possibility I had for taking things out," Breytenbach said.

Breytenbach who was jailed in 1975 is facing a charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies and Prisons Act.

Breytenbach said he kept up a game of talking about escaping because this was the basis of their relationship.

"It is my desire to com-

municate and I believe that I would have dealt with the devil himself to get some of my work out," he said.

Mr P B Jacobs examined him closely on phrases he used in his letters and notes, now exhibits before the court. Mr Jacobs referred to the poet's expression "until the Red Day (rooidag) comes", which Mr Groenewald told the court was the day of freedom when everyone would dance in the streets.

Breytenbach said he picked this phrase up from Marius Schoon, a prisoner who completed a 12-year sentence at Pretoria jail last year.

"I am not blind to the political connotations of this but it is not undermining or arousing, or identifiable with any organisation", Breytenbach said.

He believed a day would come when South Africa had a majority government, but it was not essential that it should be a black government.

Breytenbach said he did not see Mr Groenewald as an inexperienced man, but as a young untrustworthy man, who believed he had many adventures behind him.

Mr Jacobs asked why, then, he had lied in letters to James Polley and Professor Andre Brink by describing Mr Groenewald as young and inexperienced "but a man who had heart in the right place". Breytenbach had told the court he saw Mr Groenewald as a thief, a liar and a pimp who told on others, Mr Jacobs said.

Breytenbach said Mr Groenewald insisted on being described as trustworthy because he would be contacting these people for the first time and did not know how they would react to him.

Mr Jacobs referred to a passage in Breytenbach's letter to Mr Polley which read: "Also it is very hard to have to keep on swallowing the filth - not so much the food, but the crude prejudices, the beatings of the blacks..."

He asked how a man in prolonged solitary confinement could know about the beatings. Breytenbach said all the warders who looked in on him out of curiosity spoke about these. He refused to name them, saying they would be in trouble with the prison authorities.

He said Mr Groenewald had also told him how De-

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Pol. Trials

ESCAPE SUGG WARDER'S: BREYTEN

PRETORIA — Poet Breyten Breytenbach, charged with planning a prison break, said in the Supreme Court, sitting in the Old Synagogue here yesterday, that he wrote notes on escaping at the request of warder Mr. Pieter Groenewald, the man who had played a "double game" with him.

Breytenbach was explaining under cross-examination by the prosecutor, Mr. P. M. Jacobs, escape notes which have been handed in to Mr. Justice W. G. Boshoff.

Breytenbach said he considered escaping and discussed proposals with Mr. Groenewald, but that the initiative for plans which were mooted came from the warder.

Codes

Breytenbach faces Terrorism Act, Prisons Act and Riotous Assemblies Act charges arising out of his activities in his maximum security cell in Pretoria Central Prison.

Breytenbach said that in a letter to his wife, delivered through Mr. Groenewald he gave his wife the impression that he had worked out an escape plan.

That impression was not correct, however.

"The planning and talk was not my idea. Instead, it was something that resulted from my conversation with Mr. Groenewald."

Breytenbach said he was sure Mr. Groenewald was aware of his ability to use codes before he sent a coded letter in which he asked for passports to assist in a possible escape bid.

The idea to ask for South African passports was the warder's, but a request in a coded letter intended for Mr. Barend Schuitema for Senegalese passports was his idea, the poet said.

Breytenbach said Mr. Groenewald wanted to

get a South African passport and "seemed to think for some reason that he couldn't get one normally."

Breytenbach agreed with Mr. Jacobs that much of his letter to his wife asking her to help in getting passports was written in serious vein. But there was also joking and teasing in the letter. He was aware, however, that his wife was not in a position to get him passports.

Breytenbach emphasised again yesterday that he did not expect the letter for Mr. Schuitema to reach its destination.

Referred to notes on escape handed in to Court, Breytenbach said he wrote them at the request of Mr. Groenewald.

During discussion on escape possibilities, both he and the warder made various proposals.

The warder asked him to write these down so he could study them. Mr. Groenewald handed the notes to police, with whom he started working in June last year.

Beatings

Breytenbach told Mr. Jacobs in further cross-examination that numerous warders in Pretoria's Central Prison had told him that Blacks were beaten up.

"I also heard Blacks being beaten but I never saw it happening."

Asked by Mr. Jacobs to name these warders, Breytenbach said he did not want to as it would get them into trouble.

Pressed by Mr. Jacobs, Breytenbach said that Mr. Groenewald had told him about these assaults, and also that Dimitrio Tsafendas, assassin of Dr. H. F. Verwoerd, had been beaten up.

Addresses

Questioned by Mr. Jacobs on a letter he had written to Mr. James Polley, in which he asked if Mr. Polley had a "safe address", Breytenbach said "hundreds of people in South Africa" wanted to have safe addresses to which overseas post could be sent. This did not imply that these people were involved in undermining activity.

Questioned by Mr. Justice Boshoff, Breytenbach said he knew of only four such people.

Mr. Justice Boshoff commented: "There are lots of generalisations of this kind with which we do ourselves a lot of harm. Frequently, no-one has done investigation into these generalisations before they are made."

The trial continues on Monday. — (Sapa.)

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Staff Reporter

A STATE witness yesterday told the terrorism trial in Pretoria how a Scorpion machine pistol was demonstrated to him by one of the accused.

Mr Alfred Mohlala told Mr Justice Davidson he was also shown a hand grenade by Mr Simon Mohlanyaneng, 24, when he was asked to join the military wing of the banned African National Congress. In court on Thursday Mr Victor Sithole, also a State witness, referred to Mr Mohlala as "my darling friend".

The 11 men and a woman appearing in the Pretoria Supreme Court have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive activities between 1962 and 1977.

Mr Mohlala said he was approached by Mr Mohlanyaneng and Mr Naledi Tseki, another accused, in

Vosloosrus last November.

He said Mr Tseki asked for a meeting in a quieter place. They met two days later at the home of a friend.

Mr Tseki asked him if he knew anything about the ANC.

He said he knew of the organisation and that it was banned. He told Mr Tseki he thought it no longer functioned.

But Mr Tseki told him he and Mr Mohlanyaneng were members of the military wing of the ANC — and the ANC was still active.

The next Tuesday he and Mr Mohlanyaneng met.

Mr Mohlanyaneng was late for the meeting because the car in which he travelled was stopped by traffic police.

"He told me they had to beg the traffic police not to be locked up," said Mr Mohlala.

Mr Mohlanyaneng showed him a Scorpion machine pistol and how it worked.

He also showed him a handgrenade — and referred to an incident at the Swaziland border post at Osmoer when a grenade was thrown at police.

"He told me every member of the military wing of the ANC would have a gun like the Scorpion," he said.

Mr Mohlanyaneng said the weapons came from Russia.

Cross-examined by Mr A Chaskalson, SC, for the defence, Mr Mohlala said he knew the previous witness, Mr Sithole, from the University of the North at Turfloop.

He knew of a pro-Frelimo rally in 1974 which was broken up by police. After this some students were expelled.

The hearing will continue on Monday.

Paris group trained us, says Breyten

By MELANIE YAP

MEMBERS of Leftwing organisations were trained to use court cases as political platforms, Breyten Breytenbach said in the Pretoria Palace of Justice yesterday.

Under cross-examination by Mr P B Jacobs, for the State, he said Lawrence Dworkin was an Okhela member who was to have undergone training. Okhela did not have training facilities but these were provided by an organisation in Paris called Solidarite.

Mr Justice Boshoff asked about the training for court cases and Breytenbach said it was to use them as political platforms and to bring members'

opinions into prominence.

He said there was no specific training for the undermining of law and order. His organisation learned from Solidarite about smuggling documents, secret writing, codes and double-meaning messages.

Mr Jacobs asked why Breytenbach had wanted to find a safe address to remain in touch with James Polley.

Breytenbach said Mr Groenewald suggested this and it was also at his request, that Breytenbach gave him the code name "Louis Swart".

Breytenbach said "hundreds of South Africans" were trying to find safe addresses for their com-

munications. These people were not necessarily involved in "undermining" activities.

Mr Justice Boshoff asked who he meant. Breytenbach said he was thinking of his friends — Andre Brink, Peter Randall, James Polley — and himself.

Breytenbach denied that he told Mr Groenewald he had brought 500 passports to South Africa. He said that, when he was arrested, he had two false passports which had been made by Solidarite.

The African National Congress had ordered 500 passports which were given to Breytenbach in Paris for delivery to Johnny Makathini, the ANC's representative in North Africa. Breytenbach told the court that he did not bring these to South Africa.

He denied that he had sworn Mr Groenewald in as a member of Okhela. There were no formalities attached to joining. A member would talk to the possible recruit, outlining the purposes of the organisation. If the recruit agreed with these, he became a member.

Leaving the organisation was similarly informal. A member "took his hat and walked," Breytenbach said.

By the time of his arrest, the Okhela members he knew were Barend Schuitema, co-founder of the group with Breytenbach; a man called Morton; two South Africans, Martens and Lewis; and Lawrence Dworkin.

Breytenbach said a recruit's training did not involve much apart from basic security procedures. Members were taught not to be caught with documents on them and Solidarite showed them the

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Breytenbach said he did not know the real names of the members of Solidarite. Those he dealt with had several pseudonyms. It seemed that the organisation consisted of French citizens but he did not know who was behind them or the activities in which they were involved. The hearing continues on Monday.

RDM 9/7/77 (325) Pol. Unit.

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Inside Mail

NO BLACK-CAPPED SPECTRES lurk about the benches of B Court, in Pretoria's Palace of Justice. However sordid its past associations, with bloody murder and scandalous sedition, it remains essentially a cold, drab place.

Cold as a duck, as Breyten might say. And so drab that even a Breytenbach talent would be extended to find poetry or graphic inspiration in its blotched curlicues.

About the trial itself there is a Kafka greyness. It lacks flagrant villains, booming rhetoric from the dock, colourful witnesses, disclosures to set a crowd gasping.

It's a low-key drama, typically Kafka, of one man against the state. Indeed the key of the principal character is so low that the court must hush to hear it.

Many in the public gallery give up in frustration. The majority seem to be academics of one sort or another, tweeded lecturers and shaggy undergraduates, who have come to draw from the font of the literary demi-god. They listen and frown and go away, to read with surprise the next day the mumbled, beautiful idioms they missed from the witness box.

Too often, anyway, the sheer poetry is lost in translation. South Africans, says the poet at one point, tossing the line away, are people "gedwing in 'n dwangbuis". Constrained in a straitjacket. The phrase dies on the language line.

Breytenbach speaks not only too softly for public consumption, but too quickly. And his attention is confined to the judge and the stern advocates below him in their sombre gowns.

The tone of his answers is earnestly apologetic. He smiles rarely, when there is a flash of teeth under that hawk nose. Between questions, he leans the fist of his left hand on the witness box, the knuckles tight as old knots.

Presented with copies of the letters he has admitted smuggling out of jail through warder Groenewald, the lean fingers of his other hand follow the words as though intent on plucking them from the page.

Physically, Breytenbach has shrunk considerably. Even since his last trial. That great maned head, once so reminiscent of a young J G Strijdom, seems almost too heavy for his narrow shoulders.

It's a problem that Breyten worries openly about, as he has fretted in his letters over what he calls "the slow rotting of the spirit".

He feels he is shrinking all the time, that his eyes are getting weaker. He is moved to tell that to the judge. He blames it all on solitary confinement.

The idiom from the dock, pure and expressive, contrasts strangely with the lavatory images in some of his letters. He chides Groenewald for having allegedly lost some of his smuggled poems — "as though I can write out of my arsehole". He refers to jail as "die kakhuis".

"Cold as a duck" is, in fact, a Breytenbach phrase, used in a letter to his wife. "It's as cold as a duck in this balloon," he tells her, "or, as our friend the Swiss tubercular plumber would say, as cold as peeing in your pants".

Cold though it is in the courtroom, Breyten seems to feel it less than the rest of us. Between sessions in the witness box, he tunes in eagerly to any idle conversation, basking in the simple warmth of human contact.

Even in the huge dock that was built for the Rivonia trial, long as a bowling alley, he appears content as part of the general company.

Back in his cell, it will be different. Breytenbach writes to a friend, in one of the illicit letters before court "I only exchange about ten words a day. And then, naturally, only with the vultures on duty."

Unless BOSS men or security policemen happen to call. "My enemies with a very friendly smile," Breyten calls them. At least, they are able to discuss rugby or the weather.

Something else is missing from this trial. Uniformed policemen. A lone constable guards the steps to the cells beneath the court as though expecting, incredibly, that the prisoner might try to escape back that way. The policeman disappears once, for some minutes, and Groenewald takes his place, looking very much at home.

For the rest, security is left to the "vultures". They lounge about the legal benches in their dun tunics, like so many traffic cops.

At their head is the captain in charge of the maximum security wing where Breyten has spent most of the past two years. A large

Breyten Breytenbach on trial — as

Poet in the Cold Stone Jug

The great maned head seem:

young man, he seems far too callow to be part of the grim goings-on in his prison, as Breytenbach has described them to the court.

As the case proceeds, with the poet in the witness box, three elements surface from the subtle Kafka undertow. One is the tremendous literary quality of the evidence, spoken and written. Another is the comic interplay between the unlikely pairing of poet and warder. The third element is life in jail.

Breytenbach, clearly, hates and fears it with an abiding passion. He describes his cell, with warders catwalking past at head level, as a cement pit and himself as an animal in it.

He tells of his early days in solitary, when no other prisoner was permitted to have contact with him, when even the cleaners were obliged to avoid him and his food was left outside his cell. He felt his ego slipping away.

"As a writer, I must have contact with people," he says. "That is what communication is all about. By yourself you get tremendous changes of mood, and the downs are very steep. There are so many things you

dare not think about and other things you can't help thinking about."

Not just the gallows room, but the entire prison he refers to constantly as "the death house" — "because it's a functional place where people are killed and where humanity is blunted".

In his low monotone, he goes on to tell how condemned men sing day and night for a week before their execution — "in a strange ecstasy, or desperation or an attempt at spiritual flight".

"A man's voice changes when after he's been told he is going to be hanged. You can always tell. It has happened this week already, so there'll be some hangings next Tuesday or Wednesday. They usually hang on Tuesdays."

On these occasions, he imagines he can hear the trap-door opening. And afterwards, warders talking clinically about the event as they might about a film they'd just seen. And after that, he says, the other prisoners are free to take their ailments to the doctor who supervised the executions.



seen by JOHN RYAN Sketches by ANNE POGRUND



THE JUDGE

THE DEFENCE



THE ACCUSED

THE CROWD

THE WARDERS

almost too heavy for his narrow shoulders

At one stage in his evidence, Breytenbach is asked how well he knows the location of his cell in relation to the rest of the prison. He describes it as he would approach it from the outside coming in — through the main gate, through another gate in the entrance hall, down a corridor with two more gates, left through another gate into a smaller passage and left again into his cell.

And his eyes close briefly, as though he can hear in his mind the clanging of all those gates.

Gradually, in his evidence, Breyten enumerates the other restrictions of this world in solitary. One visitor a month. One letter of 500 words, sent and received. Permission to write, his writings to be kept by the authorities until his release; but not to draw, because that would contravene a law forbidding graven images of prisons.

Though that changed for a while when Pieter Groenewald came along.

Breytenbach insists that he availed himself of the Groenewald connection principally to

smuggle out his drawings and poems and to establish a covert correspondence with relatives and friends.

With people like his wife and fellow-Sestiger Andre Brink, who would have been able to appraise his jail writings.

Though escape was a frequent talking point in prison, he himself never seriously expected to be in a position to escape.

"Although," Breyten admits to the judge, "had Groenewald come along with the keys to the prison, I don't know how I would have reacted."

Mr Justice Boshoff smiles into his robes. "Then you would have had to be a strong man," he says, "and I'm not saying which way."

But most of the escape talk — the "fantasies" of laser beams to bend the cell bars, of charter planes to Botswana and forged passports — was started by a warder, the poet maintains.

"He seemed desperately to want a South African passport. In fact, at times he seemed more interested in a passport than in me."

Despite the way he was deceived by the man he called Bob in his letters ("short for bobbejaan") Breytenbach is able to talk about Groenewald with a sardonic animation that sometimes becomes open amusement.

He recounts some of the warder's stories during their first real conversation: how he had been a big game hunter in Central Africa and a deep sea diver in the Canary Islands. ("I asked him what language they spoke in Central Africa and he told me Afrikaans.")

Breyten tells how friend and fellow-prisoner Marius Schoon had tried to smuggle a sweet to him via Groenewald but the sweet had gone missing. ("How do I know he took it? Well, he looked like a man who's just eaten a sweet.")

Laughter rumbles through the courtroom. The poet joins in fleetingly, then turns to look at the clock. His grin slowly fades. He pulls at the knot of his tie and straightens his shoulders.

It is four o'clock. Time to be moving on to that other cold place.

Verrassende wending in Breytenbach-verhoor

'VARS' BRIEFWE ONTHUL

Deur Martin Welz

SEWE addisionele gesmokkelde briewe waarvan afskrifte in die Veiligheidspolisie se besit was, maar wat nie in die staat se saak teen Breyten Breytenbach vermeld was nie, is dié week op aandrang van sy verdediging as bewysstukke in die Paleis van Justisie in Pretoria ingedien.

Adv. Flip Jacobs, wat vir die staat optree, wou hieroor genader, maar niks hieroor sê nie, behalwe om daarop te wys dat dit by die Prokureur-generaal berus om te besluit waarvan 'n beskuldigde aangekla word en watter bewysstukke in dié verband gebruik sal word. Die Prokureur-

generaal is Vrydagmiddag hieroor genader, maar was nie vir kommentaar beskikbaar nie.

Die verdediging moes die staat oortuig dat die betrokke stukke vir hul kliente se saak relevant is, het adv. Johan Kriegler SC op navraag aan die Prokureur-generaal gese.

Al sewe briewe is deur

Archaeological research study of the Karoo and Roggeveld

SPARCO, P.E. Education

1. Science teaching

2. Curriculum development

Black schools.

3. The participation of

schools.

STERN, D.

SRC Office

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STEVENS, P.E.

Jagger Library

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REGTER BOSHOFF

bewaarder P. G. (Lucky) Groenewald na of van Breytenbach in die maksimumveiligheidsafdeling van die Pretoriase Gevangenis gesmokkel in die tydperk toe die jong bewaarder 'n dubbelrol gespeel het as sowel polisie-informant as Okheia-lid.

'Vars' brief

Breytenbach word aangekla van die onwettige versending van nege en die ontvangs onder meer van ses

briewe. Die sewe wat nou bygekom het, tel nie hieronder nie.

Volgens getuienis is twee van die sewe gesmokkelbriewe van sy vrou, Yolande, en twee van prof. Andre P. Brink. Ander is aan Marius Schoon, aan sy broer, Cloete Breytenbach, en sy Nederlandse uitgever Van Krevelen.

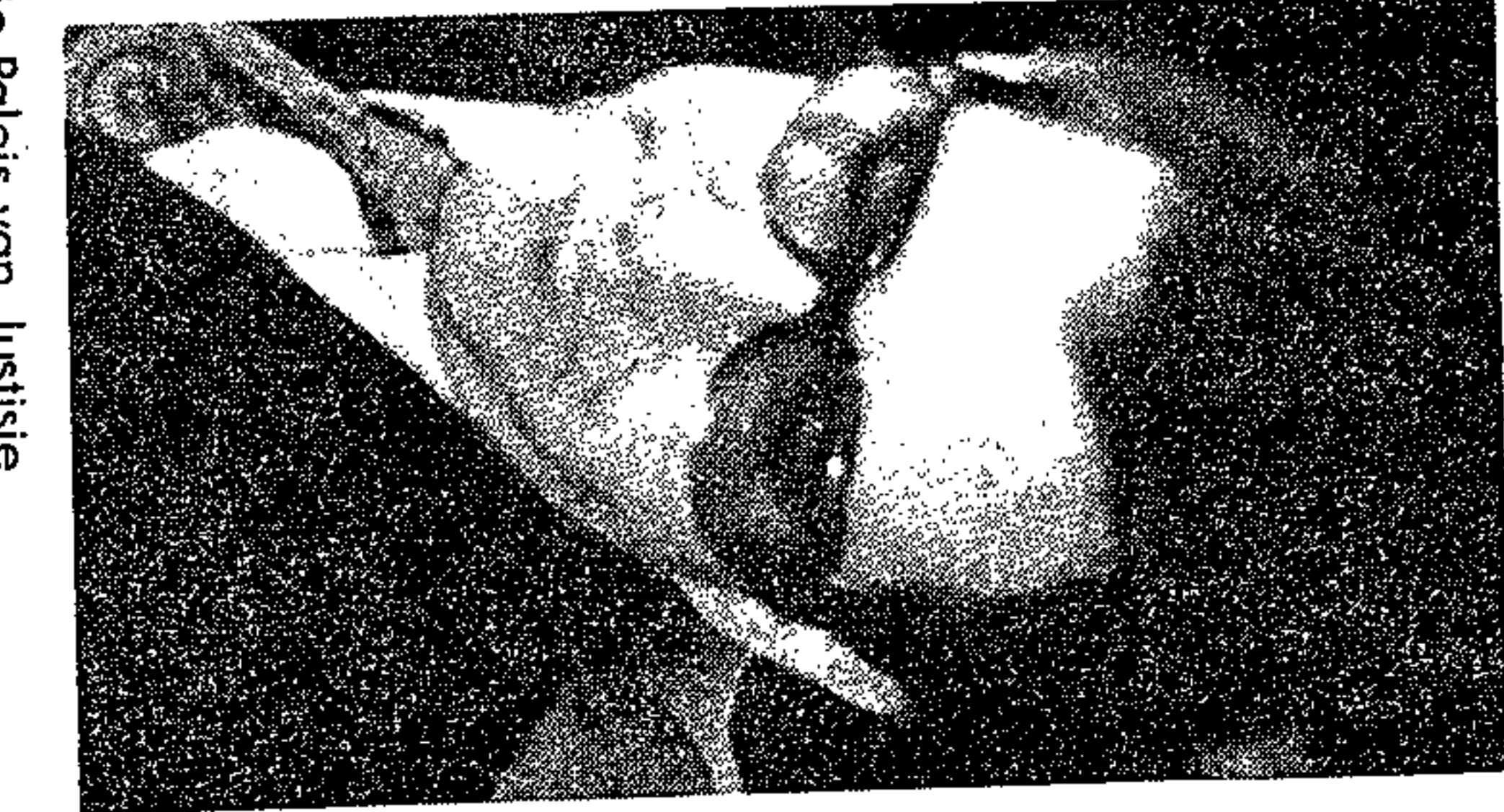
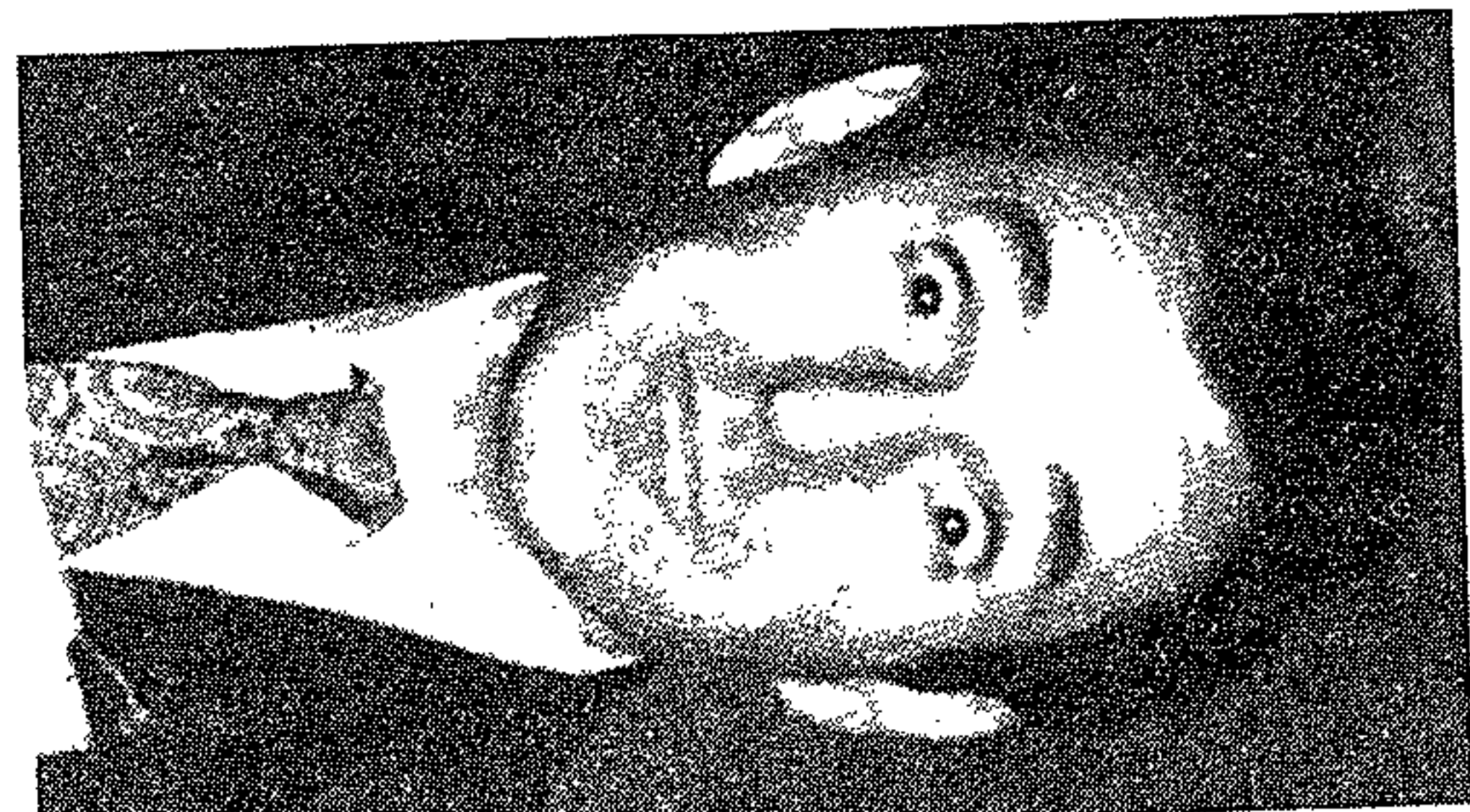
Daar is dié week ook in getuienis, aangevoer deur die verdediging, verwys na 'n agtste "vars" brief — 'n brief waarin mev. Breytenbach haar man waarsku dat sy Groenewald verdink. Die brief is ook deur die staat onderskep, maar nie as bewysstuk ingedien nie.

Breytenbach word daarvan aangekla dat hy die Wet op Terrorisme oortree het deurdat hy na bewering bewaarder Groenewald as lid van 'n ondermynende organisasie, Okheia, gewerf het terwyl hy in die maksimumveiligheidsafdeling in Pretoria was. Verder word hy onder die Gevangeniswet daarvan aangekla dat hy beplan het om te ontsnap; en dat hy briewe onwettig ontvang en versend het.

Die verdediging se getuienis oor die sewe bykomende briewe wat deur Groenewald gesmokkel was, maar wat nie in die klagstaat vermeld is nie, was:

* Dat hulle nie-politiek van aard was;

* Dat daar in die briewe van Breytenbach aan Brink en aan sy Nederlandse uitgewer Van Krevelen steeds langtermyntuisselings getref was vir die publikasie van gedigte wat



Op die saamgestelde foto: Aansig van die beskuldigde Breyten Breytenbach soos hy by die Paleis van Justisie aangekom het vir 'n hofsitting wat mōre sy vierde week ingaan. Van links na regs: Doordie bekende innemende skaam glimlaggie; groot-oog van verbasing — of prelf? portret van 'n vasberiede man; en, agter die donkerbril, die afgetrokkenheid wat 'n besef van die erns van die aanklagte teen hom weerspieël.

hy van tyd tot tyd sou probeer uitsmokkel;

* Dat daar steeds in sy briewe aan sy vrou en ander gepraat word van wettige ver-

toë na die owerhede om versagting van sy vonnis.

Teenstelling

Adv. Kriegler het getuienis oor laasgenoemde twee punte aangevoer in teenstelling met die planne vir spoedige ont-

snapping wat, volgens die handopnames as bewysstukke voor die hof, tussen Breytenbach en bewaarder Groenewald bespreek is.

Breytenbach het in kruisverhoor gesê dat hy geheel en al van die beplan van 'n ontsnapping afgesien het vandaat hy in Oktober 'n brief aan prof. Brink gekry het waarin hy (in bedekte pam-poentaal) vir hom daarop attent maak dat Groenewald vir die polisie werk en dat sy vrou, met wie prof. Brink in Parys in aantaking was, ook agterdoctig is oor Groenewald. Prof. Brink maan hom om versigtig te wees en nie voort te gaan met sy plan

Speletjie

Hy het hom gevra waarom hy ondanks die waarsku-

nie. Die laaste brief van sy vrou, onstreeks einde Oktober, het dieselfde waarskuwing bevat, berig Coenie Slabbert.

Op die teenstrydigheid dat Breytenbach volgens eie getuienis vroeër reeds nie meer van plan was om te probeer ontsnap nie, maar tog voortgegaan het om, volgens die gesprekke op band, met Groenewald planne te smee, het regter W. G. Boshoff self in vroeë aan Breytenbach ingegaan.

wings wat hy oor Groenewald gekry het, besluit het om „aan te gaan met die speletjie“ en selfs daarna nog 'n brief deur Groenewald aan sy vrou gestuur het.

Breytenbach: Dit was deel van die speletjie. Ek het geglo dit is die enigste moontlikheid dat Groenewald byvoorbeeld my tekeninge sou uitneem. En my begeerte om te kom-munikeer met die buitewêreld. Ek sou miskien met die dui-wel self onderhandel het om dit te kan hê. Maar dis nie al nie, ek was self vasgevang in die speletjie, in die lugkastie. Deur hom kon ek niks van buite kry en ek was baie nuuskierig wat buite gebeur-

want ek mag nie koerante kry enige inligting nie. Regter Boshoff: Maar waarom was dit nodig dat jy daarmee saam met die ontsnappingsstorie aangegaan het? Breytenbach: Dit was van die begin af die basis van die verhouding tussen my en Groenewald. Ek moet dit ook eerlik aan u stel: Ek het so gedink: Ek weet dis onrealisties, maar sê nou maar net, sê nou maar net hy kom eendag met die bosseutels in die hand aangestap. ... Ek hou die hoop lewendig.

Regter Boshoff (met 'n skud van die kop en 'n glimlag): Dobbelaar!

Weapons 'in bag behind old car tyre'

Mercury Correspondent
PRETORIA — The State applied yesterday for the recall of its first witness in the Pretoria terrorism trial — a witness who claimed that he had told a different story in the witness box from his original confession to the police "to test the State."

State counsel Mr. N. Gey van Pittius told Mr. Justice Davidson that he had received correspondence from prison from witness Mr. Ian "Inch" Rwaxa.

The contents of the correspondence had a direct bearing on the testimony he had earlier given to the Court.

"It is important in the interests of justice that he be recalled," said Mr. Gey van Pittius.

Mr. A. Chaskalson, SC, for the defence, asked that the application

stand overnight so he could study the authorities on such a recall.

He will argue this morning and a ruling by the Judge is expected then.

Twelve Africans, one of them a woman, have pleaded not guilty before Mr. Justice Davidson to charges under the Terrorism Act of engaging in terrorist activities between 1962 and 1977.

In evidence yesterday Mr. Carl Rebotho told the Court that he had met Mr. Rwaxa in

January last year and he described various trips taken by them to Lesotho and Swaziland.

Politics

Until his meeting with Mr. Rwaxa he had not been interested in politics, but Mr. Rwaxa started to talk to him about the African National Congress.

Mr. Rwaxa asked him to recruit people for military training.

On his return from one trip to Lesotho he had noticed that Mr. Rwaxa had a Lesotho passport in his possession. One trip was made to Swaziland in his employer's company car.

During his relationship with Mr. Rwaxa he had come to know accused No. 1 Mr. Mosima Gabriel Sexwale "Tokyo."

On one occasion he had gone with Mr. Sexwale to a house in Alexandra Township where Mr. Sexwale fished out a white plastic bag from behind an old car tyre.

Weapons

Mr. Sexwale took three weapons out of the bag and showed him how they worked.

He described one as a pistol, the second as a Scorpion machine-pistol and the third as a "coloured hand-grenade which looked like a pineapple."

Mr. Sexwale showed him how to pull the

"He said he had got the weapons in Russia."

Mr. Sexwale had also told him about differences between the ANC and the Pan African Congress.

A big difference was that the ANC numbered Whites among its members while the PAC was dedicated to killing all Whites in South Africa.

Mr. Sexwale had said that the weapons were for "when the revolution starts."

He urged the witness to go to Russia for military training "but I objected and told him that I didn't think I was fit to become a soldier," he said.

The hearing continues today.



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WETA

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RAND DAILY MAIL, Tuesday, July 12, 1977.

Okhela took credit for others' work—Breyten

By MELANIE YAP

OKHELA never functioned as an organisation, although it claimed credit for the work of overseas anti-apartheid organisations, Breyten Breytenbach said yesterday.

In his third day under cross-examination in Pretoria's Palace of Justice, the leading Sestiger poet spoke of the group he founded with Mr Barred Schuitema in Paris three years ago.

Breytenbach is facing a main charge under the Riotous Assemblies and Prisons Acts. The main charge relates to his furthering the aims of Okhela, a revolutionary group, by recruiting a prison warder, Mr Peter Groenewald.

Mr Justice Boshoff asked Breytenbach if the organisation had in fact been

established or whether it was in the process of evolving.

Breytenbach said it had not functioned apart from attempting to set up a trade union commission. The organisation was, at the time of his arrest in the process of evolving, he said.

Breytenbach said the German Anti-Apartheid Movement stole secret documents from the South African Embassy in Bonn which they handed to the Dutch Anti-Apartheid Movement.

Through Mr Schuitema, who was also secretary of the Dutch Anti-Apartheid Movement, this action became attributed to Okhela, Breytenbach said.

These stolen files recorded meetings between

West German and South African scientists. Breytenbach said he did not think they were connected with atomic secrets.

Breytenbach said the Trade Union Commission, a project of Okhela, also originated from the Dutch Anti-Apartheid Movement. He agreed with Mr Justice Boshoff that Okhela's status had been boosted by claiming responsibility for these actions.

He said Okhela would find it difficult to recruit members had it not built up some standing abroad. Breytenbach said he came to South Africa with a draft proposal of the Okhela manifesto to see to what extent the document corresponded with local needs. It was important to find

people prepared to form an organisation with a South African basis, he said.

Breytenbach said his own personal use to Okhela stemmed from his contacts in Nusas as the organisation's honorary vice-president.

The State advocate, Mr P B Jacobs, re-examined Breytenbach on his use of specific words in letters and notes exhibited in court.

Breytenbach said when he referred to "we" and "us" in a note to Mr Groenewald outlining guerrilla strategy, he used the words very generally in the sense of the impersonal "one".

He said although sabotage targets like the Taal Monument at Paarlberg

were mentioned, he did not think it was possible to attack them.

It was "very unrealistic" to imagine that large-scale sabotage and kidnapping VIPs for political advantage could be achieved in two weeks, he said.

Breytenbach denied he said the "time was ripe" for all this work because of the Soweto unrest last year.

Breytenbach said he had not recruited Mr Groenewald, even jokingly, as a member of Okhela. He said the reasons given in the note were not his real objection to Mr Groenewald's talking to people he contacted.

He said all these people, apart from Mr Lawrence Dworkin, were not members of Okhela.

'I shared same anti-apartheid beliefs'

Staff Reporter

BREYTEN Breytenbach's political convictions followed the line of all those who were against apartheid, Mr Justice Boshoff heard yesterday.

Under cross-examination Breytenbach said his convictions were "perhaps the same as the South African Communist Party and the ANC, even the PAC." He said he could also be-

long to organisations which were not revolutionary.

On his letters to Marius Schoon, who completed a 12-year sentence in Pretoria last year, Breytenbach said they had been interested in exchanging views.

He told Mr Groenewald he and Schoon worked for the same purposes since the SACP, to which Schoon

belonged, was an integral part of the ANC.

Okhela, he said, worked with the ANC under the same umbrella.

He also told the court that from his long interviews with the Security Police, whom he referred to as the "gryses" (shadow figures), he could have let the ANC and other organisations know what the Security Police were aware

of and what they were not aware of. He said it was general knowledge overseas that he had been betrayed two years ago.

Breytenbach denied that Gerry Mare and Karel Tip were members of Okhela.

He said he wanted to contact Mare to continue a political dialogue they had started during Breytenbach's visit to South Africa in 1973 and to recruit

him for a trade union commission as part of the work of Okhela. But Mare had not wanted to become involved.

Breytenbach said he brought two false passports to South Africa in 1975 because he hoped to recruit one white and one black to carry out the trade union commission's work abroad.

No recall for 'turnabout' witness

Pretoria Bureau

Mr Justice Davidson today refused a State application for the recall of a witness in the ANC terror trial who earlier alleged torture by police.

Before the judge's ruling in Pretoria's Old Synagogue, State advocate Mr N Gey van Pittius submitted that the court had a duty to recall Mr "Inch" Rwaxa.

He was not entitled to disclose what the contents were of certain letters received by State counsel in this connection, but submitted that Mr Rwaxa's recall would be in the interests of justice in the case.

On June 30 State witness Mr Rwaxa reversed his four-day account of ANC activities by claiming police had forced him to make a statement and that State counsel had instructed him not to tell the court about the alleged assaults. Mr Gey van Pittius denied the second allegation.

CHARGES

The evidence, which the witness later rejected, involved many of the 12 people who face charges of conspiring — with the ANC, the South African Communist Party and Spear of the Nation — to overthrow the Government.

Today defence advocate Mr A Chaskalson SC opposed the State application. He said the witness had already been questioned in detail as to why he had given false evidence and it would be prejudicial to the accused if a discredited witness was recalled and rehabilitated.

The State had impeached Mr Rwaxa when he made his turnabout and at the time he (Mr

Chaskalson) said he had no objections to the State impeaching their own witness.

Mr Gey van Pittius submitted that the witness should be granted the opportunity to explain why he had changed his mind.

EXPLANATION

Mr Justice Davidson recalled that he had provided Mr Rwaxa with the opportunity to provide an explanation.

The judge said it was not the function of the court to recall a witness who had changed his evidence. He was not prepared to rehabilitate Mr Rwaxa.

He was, however, not "closing the door" on his recall, which might become relevant at a later stage.

Earlier today Mr Chaskalson admitted to the truth of a statement made in court yesterday by Mr Carl Rabotho that one of the accused, Mr Mosima Sexwale, had shown him certain weapons — a pistol, a scorpion machine-gun and a hand-grenade.

(Proceedings)

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Pol trials

Regional

Recall witness, asks the State

Staff Reporter

THE State applied yesterday for the recall of its first witness in the Pretoria terrorism trial — a witness who claimed he had told a different story in the witness box to his original confession to the police "to test the State".

Mr Gey van Pittius, for the State, told Mr Justice Davidson that he had received correspondence from prison from the witness, Mr Ian "Inch" Rwaxa.

The contents of the correspondence had a direct bearing on the testimony he had given earlier to the court.

Mr A Chaskalson SC, for the defence, will argue on the application this morning.

Twelve Africans, one of them a woman, have pleaded not guilty to charges under the Terrorism Act of engaging in terrorist activities over a 15-year period between 1962 and 1977.

In evidence yesterday Mr Carl Rebotho told the court he met Mr Rwaxa in January last year and he described various trips taken by them to Lesotho and Swaziland.

Until his meeting with Mr Rwaxa he had not been interested in politics, but Mr Rwaxa started to talk to him about the African

National Congress.

During his acquaintance with Mr Rwaxa he came to know accused number one, Mosima Gabriel Sexwale, as "Tokyo".

On one occasion he went with Mr Sexwale to a house in Alexandra township where Mr Sexwale fished out a white plastic bag from behind an old car tyre.

Mr Sexwale took three weapons out of the bag and showed him how they worked.

One he described as a pistol and the second was a machine pistol he described as a Scorpion. The third was a "green coloured handgrenade which looked like a pineapple".

"He said he had got the weapons in Russia," he said.

Mr Sexwale said that the weapons were for "when the revolution starts."

He urged the witness to go to Russia for military training "but I objected and told him that I didn't think I was fit to become a soldier."

Earlier Mr Rebotho said that Mr Rwaxa had also urged him to join the ANC claiming that through membership he could get a bursary to enable him to study further.

"I was very tempted," he said. The hearing continues today.

N. Mercury 12/7/77

BOOSTED OKHELA CLAIMS 'BID FOR STATUS'

Mercury Correspondent

PRETORIA — Okhela never functioned as an organisation although it claimed credit for the work of overseas anti-apartheid organisations, Breyten Breytenbach said yesterday.

Under cross examination for the third day in the Palace of Justice, Pretoria, the leading Sestiger poet spoke of the group he founded with Barent Schuitema in Paris three years ago.

Breytenbach is facing a main charge under the Terrorism Act and 17 alternative charges under the Riotous Assemblies and Prisons Act. The main charge relates to his furthering the aims of Okhela, a revolutionary group, by recruiting prison warder Mr. Pieter Groenewald.

Mr. Justice Boshoff questioned Breytenbach on whether the organisation had in fact been established or whether it was in the process of evolving.

Breytenbach said it had not functioned apart from attempting to set up a trade union commission. The organisation was, at the time of his arrest in 1975, still in the process of evolving.

Breytenbach said the German anti-apartheid movement stole secret documents from the South African Embassy in Bonn which they handed over to the Dutch anti-apartheid movement.

Through Barent Schuitema, who was secretary of the Dutch anti-apartheid movement as well as co-founder of Okhela, this action became attributed to Okhela, Breytenbach said.

These stolen files had copies of meetings held between West German and South African scientists, but Breytenbach said he did not think they were connected with atomic secrets.

Breytenbach said the trade union commission, a project of Okhela, also originated from the Dutch anti-apartheid movement. He agreed with Mr. Justice Boshoff that Okhela's status had been boosted by claiming responsibility for these actions.

He said Schuitema had also been involved with a clandestine group in Holland which had approached a tobacco business opposing trade between Rhodesia and Europe.

Breytenbach said he came to South Africa with a draft proposal of the Okhela manifesto to

of the local situation.

It was important to find people prepared to form an organisation with a South African basis, he said.

Earlier the poet said he had wanted to keep up the impression for Mr. Groenewald that he was working for an organisation to carry out work important to Breytenbach — smuggling out of letters and poems.

Breytenbach said security precautions discussed with Mr. Groenewald were general principles used in all underground organisations. They were not rules used by Okhela alone.

The hearing continues.

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Pot. Trials

PRETORIA — Gaoled poet Breyten Breytenbach spoke of the dangers of a communist-inspired bloodbath in southern Africa in a letter he wrote from his maximum security cell in Pretoria Central Prison to Lieut.-General Mike Geldenhuys last year.

Gen. Geldenhuys, now Chief Deputy Commissioner of Police, was then head of the Security Police.

The letter was quoted at Breytenbach's trial in Pretoria yesterday.

He also expressed concern at the "writing off" of young Afrikaner intellectuals and writers as "long hairs," "underminers" and "potential fifth columnists," which could do inestimable damage to South African society and the future.

Offer

The letter also contained an offer by the poet to infiltrate the South African Communist Party as a Security Police agent.

Breytenbach wrote: "I am convinced that in my own way I can also contribute — in whatever direction — to the solution of some of the prob-

BREYTEN LETTER ON RED DANGERS

lems which are to my mind busy confronting South Africa."

He went on: "I hope that what I am now writing here does not spring from a misplaced big-headedness and I want to assure you that the reasons for this are not only my personal unhappiness but also a concern, as we all feel these days, about the future that is staring us all in the face."

Breytenbach warned of a "bloodbath" being promoted in southern Africa by the forces of communism. He added that the interests "of Moscow" were against the interests of South Africa, a country trying to solve her own problems.

Disturbing

"The most disturbing recent development is the blatant way in which

Russia and other pro-Moscow forces have begun to show their face in Africa.

"Looking back, it looks as if part of a long-planned pattern has developed. The tracks of this plan lie through Vietnam, Cambodia, Laos, South America and the Middle East. And it is also apparent that there is no effective Power that can any longer scare them off.

"In South Africa itself it means that a more favourable climate for terrorism and sabotage has been created and that a stronger pro-Moscow sentiment has taken root."

The anti-Russian and thus anti-South African Communist Party feeling, Breytenbach said, no longer existed.

The USSR was now regarded as a hero by poor countries and by many of the dissenting groups in South Africa.

Intellectuals

He was convinced that anti-South African Government forces would pull tighter the rope it

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Natal Mercury 13/7/77

Arrested after drive to training

Mercury Correspondent
PRETORIA — An elderly African told the Pretoria terrorist trial yesterday how he was persuaded to take a van load of military trainees to Swaziland — only to be arrested in a police road block near Amsterdam in the eastern Transvaal.

Mr. Edward Dube said in evidence before Mr. Justice Davidson that the police refused to accept an excuse that the group was on its way to put a tombstone on a grave in Nylstroom. The occupants of the combi were detained.

Earlier yesterday the Judge refused an application by the State to recall the first witness in the trial, Mr. Ian "Inch" Rwaxa.

Mr. N. Gey van Pittius, for the State, said that certain letters had now been received relating to Mr. Rwaxa's evidence and it would be in the interests of justice to recall him.

Mr. A. Chaskalson SC, for the defence, opposed the application and said Mr. Rwaxa had already been questioned in detail on why he had given false testimony. To recall him could be prejudicial

to the accused, he said.

Mr. Justice Davidson said it was not the function of the Court to rehabilitate a witness who had been discredited.

However, it was possible that Mr. Rwaxa's evidence could give an insight into some other evidence before the trial, and he would therefore "not close the door entirely" on the application but simply refuse it at this stage.

Mr. Dube said that he met Mr. Rwaxa in September last year, and Mr. Rwaxa asked him if he could use his (Mr. Dube's) combi on some trips to Swaziland and Durban.

He was told that the trips to Swaziland were described by Mr. Rwaxa as "Black Power people."

Mr. Rwaxa, after hiring the combi and making trips, persuaded him to take a group of recruits to Swaziland. He told Mr. Rwaxa he did not even know where Swaziland was, but he made the trip and fell foul of the police.

The hearing continues today.

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Pot. Trials

CAPE TIMES 13/7/77
**Court asked to
 view evidence
 with scepticism**

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to what he calls non-directive
 memes in that region.

Miss Carol EAST LONDON. — A Regional Court magistrate here was asked to scrutinize with caution and scepticism the evidence given by state witnesses in the trial of black consciousness leader, Mr Steve Biko.

AC. We have noted that
 already heard something
 ringing out a handbook

relating t
 farming in
 Ciskei.

Dr W E Cooper, SC, was delivering his argument for Mr Biko who is charged with obstructing the course of justice, alternatively with subornation to perjury.

"My submission is, apart from the risks in relying on their evidence, that their evidence is of such a nature that it is unsatisfactory and that from it a conviction is out of the question."

ment, investigating fish
 weaving project in the

Professor
 Department
 that have
 zoologist
 example.

The prosecutor, Mr J Bruwer, called for a verdict of guilty because the evidence given by the state witnesses all pointed to the fact that the primary interest of Mr Biko was to counteract "what the police were doing in their efforts to establish the circumstances surrounding the burning of the Forbes Grant Secondary School."

The case continues today.

It is clear that his

models of
 what is g
 water, whe
 or whether
 the nuclea
 They are
 with the
 can also
 of the We
 course is
 moment.

The state alleges that prior to a sabotage trial in Grahamstown earlier this year, Mr Biko instructed seven witnesses to change their evidence, to say they were forced to make false statements to the police and to say they knew nothing about a meeting at Forbes Grant Secondary School in Ginsberg where it was agreed to set fire to the school.

Applied Mathematics. It is clear that his

Members of the Department are working with ecosystem, and with archaeologists, for building quantitative models and computer models. They are looking at the problem of

ing to sa
 that all
 He has a
 problem a

Mr Bruwer asked the court to accept the evidence and said it was his view that Mr Biko had sympathized with the "boys who had been charged with the burning of the school" and was prepared to go to great lengths to have them acquitted.

the nuclear power stations discharging hot come down the coast and do nasty things to us and continuously raise the temperature in ends on how the currents run, I should think, computer model of the Western Cape having to do ing and transport and asking whether this areas although the empirical information is that ge model has to do with migration which of matter in this country. Especially at the rarified atmosphere Professor Ellis is try- concept of the quality of life and what it is jects are really meant to be trying to achieve, erest, as he calls it, in the local squatter

Unpleasant

Towards t
 of the in
 cussion c
 sewerage.

Dr Cooper said the evidence of the state witnesses had to be viewed and scrutinized with "great caution and scepticism" because the youths "who had in fact departed from their statements" at a trial in Grahamstown, already knew how "unpleasant" the experience was.

to police" on the night of September 29 and taken to the police station.

o draw together several
 rselves in a dis-
 kei/Transkei using a
 tical solution.

Professor
 we talke
 the Xhos

Dr Cooper said there were factors which clearly revealed that the case was unique. "The witnesses called by the state are exceptional — the first factor being they are all accomplices."

There was evidence that the police had arrived at the school two weeks later and made witnesses stand under a tree and made them swear to statements they had not seen and had not read.

ambia on this level and
 taboo against fish, but

The second factor was that all the state witnesses had been detained till the time they testified, except for one who "had been rounded-up by

Dr Cooper said it was fair to say the prospect of their release from detention depended on the extent to which they adhered to the statements made to the police.

Black leader found not guilty

The Argus Correspondent
EAST LONDON. — The regional court here today found black consciousness leader Mr Steve Biko not guilty of inciting witnesses to commit perjury.

Mr Biko was alleged by the State to have instructed seven witnesses appearing at a sabotage trial in Grahamstown earlier this year to change their

evidence and say they had been forced to make statements by the security police.

Giving judgment, Mr F. van Zyl said Mr Biko's evidence under oath was more satisfactory than that of the State witnesses.

'There must be grave doubt in the mind of the court as to the accused's

guilt. In the circumstances he must be given the benefit of that doubt and accordingly found not guilty.'

CAUTIOUS

Mr van Zyl said the court had to be cautious in accepting the evidence of State witnesses, most of whom were accomplices.

The court also had to bear in mind that the

witnesses were in detention and hoped to be released after they had testified, as they expected some advantage from doing so satisfactorily.

However, Mr van Zyl rejected suggestions made during the trial that the security police 'could have been the originators or creators' of the evidence by the witnesses.



Terror trial told of arrests at police block

RDM

13/7/77

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Pol Tracks

Staff Reporter

AN elderly black told the Pretoria terrorism trial yesterday how he tried to take a combi load of military trainees to Swaziland, but was caught and arrested at a police roadblock near Amsterdam in the Eastern Transvaal.

Mr Edward Dube told Mr Justice Davidson in the Pretoria Supreme Court that the police refused to accept an excuse that the group was on its way to put up a tombstone on a grave in Nylstroom. The occupants of the combi were detained.

Earlier yesterday Mr Justice Davidson refused an application by the State to recall the first witness in the trial, Mr Ian "Inch" Rwaxa.

Mr Gey van Pittius, for the State, said certain letters had been received relating to clashing evidence which Mr Rwaxa gave under cross-examination and it would be in the interests of justice to recall him.

Mr A Chaskalson SC, for the Defence, opposed the application because Mr Rwaxa had already been questioned in detail on why he had given false testimony. To recall him could be prejudicial to the accused, he said.

Mr Davidson said he would not recall Mr Rwaxa. It was not the function of the court to rehabilitate a witness who had been discredited.

However, it was possible that Mr Rwaxa's evidence could give an insight into some other evidence before the trial, and he would therefore "not close the door entirely" on the application.

Twelve blacks, one of them a woman, have pleaded not guilty to charges under the Terrorism Act of engaging in terrorism between 1962 and 1977.

Mr Dube said he met Mr Rwaxa in September last year, and Mr Rwaxa asked him if he could use his Combi on some trips to Swaziland and Durban.

After hiring the Combi and making trips, Mr Rwaxa persuaded him to take a group of recruits to Swaziland. He told Mr Rwaxa he did not even know where Swaziland was.

He eventually decided to make the trip but ran into the police roadblock. Another witness, Mr Silas Ketsi, told the court he was a tailor in Pietersburg last year when he was approached by a Mr Pecky Killen who asked about buying denim jackets.

He went with Mr Killen to his car where he met a Mr Thabo. They went to his house and he was asked "to become one of us".

He was told that Mr Thabo and Mr Killen were looking for recruits to leave the country for Zambia, Swaziland or Mozambique for training as soldiers.

At a later meeting he was urged to recruit three people unknown to each other to set up cells of the ANC. The three would each recruit three more people, and so on. He was told that the people recruited would be sent away for training as soldiers to return to South Africa "to fight the whites".

The hearing continues today.

Where is the ^{ROM} evidence—judge ³²⁵ _{Pol. Trials}

Staff Reporter 14 July 77

MR JUSTICE Boshoff said in the Breytenbach trial yesterday that he could not convict a man on evidence the State did not have.

He was questioning State advocate Mr P B Jacobs on Okhela's existence and Breytenbach's power to recruit members.

Mr Jacobs said his argument was not on the actual existence of Okhela but on Breytenbach's belief that it existed. The State could not provide more evidence on the organisation than that placed before the court.

Mr Jacobs was questioned by Mr Justice Boshoff for nearly an hour at the opening of his argument.

Mr Jacobs said it was strange that Breytenbach should plan and contact members of the organisation if it did not exist.

The judge said Breytenbach had perhaps thought that to give an organisation a name meant it did exist.

Mr Justice Boshoff said the tapes of conversations before the court seemed to show that warder Mr Pieter Groenewald had incited Breytenbach to talk.

He felt sorry for Mr Groenewald, who was a

talkative lad with a soft heart.

For the court to accept Mr Groenewald's evidence he had to be a totally objective witness. He might not have told the whole truth about his relationship with Breytenbach for fear of incriminating himself. His sentence would then be five years.

Mr Jacobs said Mr Groenewald had been instructed to continue normally in his dealings with Breytenbach.

The judge said that looking at the case from the facts, Mr Groenewald had tried to incite Breytenbach into telling him whom to contact in Cape Town.

Mr Groenewald was a young man who saw the poet as "pathetic" and wanted to help him.

The judge asked Mr Jacobs if he thought any organisation would have been interested in Mr Groenewald, a man with no ideological leanings, only a sense of adventure.

Mr Jacobs said Mr Groenewald became scared when Breytenbach told him of the future facing South Africa and believed he would be saved if he joined Okhela.

The judge replied: "He was scared they would kill him and then he goes for the most dangerous work — to become a terrorist."

Convict Breyten on all counts — State

ROM
14 JULY 77

325

Pol. Truk

By MELANIE YAP

STATE advocate Mr P B Jacobs yesterday asked for Breyten Breytenbach's conviction under the Terrorism Act.

In an argument lasting more than three hours in the Pretoria Palace of Justice, he said the State case proved Breytenbach's guilt on the main Terrorism Act charge and on the 17 alternative charges under the Riotous Assemblies Act and the Prisons Act.

Breytenbach's plans would definitely have endangered the maintenance of law and order in South Africa.

Mr Jacobs said Breytenbach had tried to convince the court that he was against violence, but his letters showed his political views and aspirations. In these he had said that revolution was essential and that when the Red Day (Robidag) came, peo-

marked that Breytenbach had totally depended on the warder to carry out any of the escape plans.

Mr Jacobs said Breytenbach's evidence on his seriousness in planning an escape had changed during cross-examination. It was highly unlikely that he would have endangered the safety of his wife and friends if the plans had been a joke.

The request for R300 from Professor Brink could not have been a joke either.

The court could not believe the plans were "woolly" stories or that Mr Groenewald had initiated them. Breytenbach admitted making suggestions.

Breytenbach had wanted to get out of prison at all costs. He had even deceived the police by offering to work with them.

Mr Jacobs said the court should weigh Mr Groenewald's evidence in the

front during such an elec-
hale to present a united
sed to enable the Turn-
chinery would be discus-
It was possible that ma-
be held.
proposed free elections to
consider strategy in the
by Mr Dirk Mudge, chaired
Turnhalle said the consti-
Sources close to the
ment.
towards a peaceful settle-
on the international front
ABOUT LATEST DEVELOPMENTS

Nothing further had,
however, been done about
the initiative taken by the
Commissioner-General for
the indigenous peoples of
South West Africa, Mr
Jannie de Wet, for the
Africa.
between Swapo and South
church as a mediator be-
ers he saw the role of the
Dr De Vries told report-
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parties concerned inform-
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that the Government was
territory. Mr Brouha ques-

Pol. trials.
'Amandla'
cries as
Biko is
acquitted

Own Correspondent

EAST LONDON: — There were cries of "Amandla" coupled with Black Power salutes in an East London Regional Court yesterday when black consciousness leader, Mr Steve Biko, was found not guilty and discharged on a charge of obstructing the course of justice.

Mr Biko was also found not guilty and discharged on the alternative count of subornation to perjury.

The magistrate, Mr S van Zyl, gave his verdict to a court crowded with friends, relatives and supporters of Mr Biko.

In his judgment, Mr Van Zyl said there had been "grave doubt" in the mind of the court as to Mr Biko's guilt.

Mr Van Zyl said he could not fault the evidence given by Mr Biko and "his evidence was certainly far more satisfactory than that of the State witnesses."

He said a salient feature of the case was the lengthy cross-examination of all the witnesses by both the State and defence.

Five State witnesses had clearly collaborated with each other on many aspects, he said, and they were all "accomplices" in the case.

B

Mineworkers guilty of carrying explosives

Pal. finds.

325

14 JULY 77

By JOHAN BUYS

TWO Bracken mineworkers found in possession of explosives in June during the country-wide commemoration of the Soweto riots, were sentenced to a fine and corporal punishment in the Evander Magistrate's Court yesterday.

The men, Moloantoa Tokwane, 26 and Mziyabanwa Nkambule, 18, appeared before Mr J C M Roets on charges of being in unlawful possession of explosives.

Tokwane was accused of being in possession of a dynamite stick and Nkambule of being in possession of five fuses with starters and an electrical explosives igniter.

The accused who appeared in separate trials, pleaded guilty and declined to give evidence.

Tokwane was fined R60 or 90 days jail, of which 60 days were suspended for three years.

Nkambule was sentenced

to five strokes with a light cane.

The prosecutor, Mr J P Potgieter, asked the magistrate to take into consideration the fact that the explosives were found on the accused at the time of the commemoration of last year's Soweto riots.

The Bracken mine's chief security officer, Mr Bart Oosthuizen, told the court that Tokwane was standing in a queue to be searched during a routine inspection on June 22 after coming up from underground duty.

"I saw him flip something away and I drew the mine captain's attention to it. We picked up the dynamite where we saw it fall."

He added that there were several instances of blacks being found in unlawful possession of explosives at the mine during June.

According to evidence, the fuses and starters were found on a cushion in Nkambule's hostel room on June 21.

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Natal Mercury 14/7/77

Judge, counsel argue on Breyten

325

Pol. Trials

Mercury Correspondent
PRETORIA — Mr. Justice Boshoff said yesterday he could not convict a man on evidence the State did not have.

He was questioning state advocate Mr. P. B. Jacobs on the legality of the existence of Okhela, and what power poet Breyten Breytenbach had to recruit members for this organisation.

Mr. Jacobs said his argument was not on the legal existence of Okhela but on Breytenbach's belief that it existed. He said the State could not provide more evidence on

the organisation than had been placed before the Court.

Mr. Justice Boshoff questioned Mr. Jacobs for nearly an hour at the opening of his argument in the Palace of Justice, Pretoria.

Mr. Jacobs said it was a strange situation if

Breytenbach was busy planning and contacting members of the organisation and it did not exist.

The Judge said Breytenbach had thought if one gave an organisation a name, this meant it existed.

Mr. Jacobs said Breytenbach gave instructions on terrorist training to warder Mr. Pieter Groenewald and identified specific targets for sabotage such as Du Toit's Kloof and the Paarl Monument.

A note given to the warder to study on terrorist methods had not been written jokingly by Breytenbach, Mr. Jacobs said.

"If that's not training, I don't know what is," he said.

The Judge asked whether he did not think the South African forces were given such training.

Incitement

Mr. Justice Boshoff said the tapes of conversations before the Court seemed to show that Mr. Groenewald had incited Breytenbach to talk.

For the Court to accept Mr. Groenewald's evidence he had to be a totally objective witness. He might not have told the whole truth about his relationship with the poet for fear of incriminating himself, and his sentence would then be five years, the Judge said.

325 Political Trends

'Mandela planned trainees escape routes'

15/1/77 RDM

Staff Reporter
THE PRETORIA terrorism trial yesterday heard evidence on African National Congress "anti-Boer" propaganda, explosives disguised as cakes of soap, detonators hidden in cigarettes, and a secret escape route to Swaziland for military trainees.

Twelve blacks are appearing before Mr Justice Davidson in the Pretoria Supreme Court on charges under the Terrorism Act. All have pleaded not guilty to the charges, which relate to alleged terrorist activities from 1962 to 1977.

One of the witnesses, a teenager, who may not be named, claimed to have heard proof that the route to training in Swaziland had been planned by Nelson Mandela, the banned and imprisoned ANC leader.

He said he had heard Mr "Inch" Rwaxa, the main State witness, tell a friend he had seen proof in a book belonging to the ANC that Mandela planned the route.

Mr Rwaxa asked him if he would like to go to Swaziland, and after he had seen a number of ferry loads of recruits leaving for Swaziland he went on a trip in September last year, he said.

But he never reached Swaziland. The Kombi carrying the recruits was stopped before it reached the border.

Another witness, Mr Hope Jamba, told the court that Mr Rwaxa was his brother-in-law.

He became interested in politics in 1968. Mr Rwaxa gave him a publication called "Sechaba" — produced by the ANC — which he said reflected what was truly happening in South Africa.

He knew also that Mr Rwaxa was involved in a scheme transporting politically frustrated people out of the country for military training.

In 1976 he decided to leave South Africa permanently because he was politically frustrated, but his scheme to leave in a hired car with Mr Rwaxa backfired when the Avis Rent-a-car company checked on his previous employer — by whom he had been fired.

Mr Jamba said although he had travel documents, he would have left the country by a secret route described by Mr Rwaxa.

On one occasion Mr Rwaxa showed him what appeared to be two normally

wrapped bars of soap — but the soap contained TNT explosive. He was also shown four cigarettes which contained hidden detonators.

"Inch" said he got the stuff in Swaziland and that it was easy to smuggle in to South Africa because of the way it was wrapped," he said.

A 17-year-old youth told the court he knew one of the accused, Mr Mosima Sexwale, from his days in Dube township.

Mr Sexwale had spoken to him of Government policy and how the blacks "really have something to cry about".

Mr Sexwale was then studying at Roma University in Lesotho, on a United Nations Development Fund bursary. His own efforts to obtain a bursary were fruitless, the witness said.

He went to Manzini in Swaziland to try to get a bursary, and there met a Mr Keith Kopoape, who said he could handle scholarship arrangements for him.

But they differed, when he said he saw hope for South Africa in the light of the growing verligte-verkrampte division among the Nationalists.

"Comrade Keith, as he said he must be called, told me this was rubbish and would never happen. He said the only way to go ahead was to form cells for action."

Mr Kopoape told him that the ANC programme was for an invasion of South Africa and asked him to become a soldier. "I declined. All I wanted was a scholarship," he said.

In January last year, when back in Soweto, he was approached by a man called "Bricks" and told he had been made a member of Bricks' cell in Swaziland.

Bricks, who always travelled with a bodyguard, gave him extensive anti-boer propaganda, claiming among other things that the coloured people were founded by Ryk Tulbagh, that the whites robbed the blacks' forefathers of their cattle and attacking the concept that the Zulu chief Chaka was "the Napoleon of Africa" as a military general.

Later Bricks gave him tuition on how to use TNT explosive, hidden in a soap wrapping, showed him how to use detonators, informed him on explosive mixtures and told him how a small cake of TNT could cut a railway line.

Bricks also showed him how to make a Molotov cocktail. Eventually he was tested on the techniques and passed by the bodyguard.

The hearing continues today.

D. D. 15/7/77

Emerging resistance:

Suzman warns State

325

P. J. Trevelyan

JOHANNESBURG — Black radicalisation would increase unless the Government introduced fundamental changes, Mrs Helen Suzman said last night.

Delivering her silver jubilee report back speech to the Houghton constituents she has represented in Parliament for 25 years, Mrs Suzman slated the National Party for misjudging the mood of Soweto. "They thought a quick, tough approach would do the trick — and the townships would settle down into their old submissive pattern again. What has happened, of course, is that a very real spirit of resistance has emerged among the young of Soweto. They have been radicalised."

Mrs Suzman said the

trend would continue to grow unless fundamental changes were introduced that would alter the quality of life for urban blacks. Instead of pumping money into Soweto, the Government had opted for a war footing by increasing expenditure and extending military service, she said.

Mrs Suzman said she hoped the Government had realised that the West would not intervene to aid white South Africa when the chips were down, despite the country's strategic value and mineral wealth.

Unfortunately, there were few signs that the Government intended making the meaningful changes that could stave off further confron-

tations.

The internal security situation would be better served by saving on one submarine and making it possible to electrify Soweto and avoid problems of increased rents.

Mrs Suzman said the West was not concerned with South Africa's claims to be the bulwark against communism in Southern Africa, nor with the importance of the Cape sea route, nor with the country's strategic mineral resources.

"Furthermore, it has to be accepted that if all the petty apartheid disappeared tomorrow, and grand apartheid remained, we would still be the main target of attack overseas."

— SAPA.

Court told of explosives hidden in soap

325
Pet. Trials

PRETORIA — Explosives hidden in bars of soap and detonators inserted into cigarettes were shown by an ANC member to a man "disgruntled with the status quo" in Soweto, a witness told the Supreme Court here yesterday.

The witness, Mr Hope Jamnda, was giving evidence in Pretoria's Old Synagogue, where Mr Mosima Sexwale and 11 others face charges of conspiring — with the African National Congress, the South African Communist Party and Spear of the Nation — to overthrow the Government.

Mr Jamnda told Mr Justice Davidson he was given copies of an ANC publication called Sechaba by Mr "Inch" Rwaxa, who was involved in "carting politically frustrated people out of the country."

He allegedly brought them into contact with the ANC and offered them scholarships and training abroad.

Being politically frustrated himself, Mr Jamnda asked Mr Rwaxa to take him out of the country together with his wife, who was Mr Rwaxa's sister. The trip fell through, however.

In December 1974, Mr Rwaxa had showed him two bars of soap containing TNT explosive and cylindrical aluminium detonators inserted into cigarettes. Mr Rwaxa allegedly said the explosives were easily smuggled into the country in this manner.

Commenting on their discussion at the time, Mr Jamnda told the court: "If we were so disgruntled with the status quo in the township we could become involved in activities like sabotage."

Mr Rwaxa had said the explosives were obtained in Swaziland, but would not give the exact location for fear of Mr Jamnda disclosing his source in the event of being arrested. Mr Jamnda presumed he meant that members of the ANC would be endangered.

The witness said his

political frustration ranged as far back as 1968 when he was expelled from the University of Fort Hare.

The second of two State witnesses — who cannot be identified because of his youth — said one of the accused, Mr Mosima Sexwale, told the witness he had obtained a United Nations Development Fund bursary and promised to arrange for the witness to meet the bursary people.

Later the Soweto youth met Mr Keith Mokoape in Fairview, Swaziland. Questioned about his political views, he said the situation in South Africa was promising because of the verligte-verkrampte split in the ruling party. Mr Mokoape told him that was rubbish — nothing would happen while the "Boers" governed.

The young man was not given a chance to ask about his scholarship. Mr Mokoape allegedly said: "We, the ANC are planning an invasion of South Africa, and need people like you." The youth declined, saying he had come to Swaziland in connection with a scholarship.

Back in Johannesburg, a man called Bricks approached him and said Keith from Swaziland had incorporated him into Bricks' underground cell. He was to be the "explosives man."

During a discussion on history, Bricks said it was difficult for the Afrikaners to accept that Chaka was the greatest general. Napoleon should be described as the Chaka of Europe.

At a later meeting in Meadowlands, Bricks allegedly said something had to be done about the ungrateful whites. The city had been built with the blood of the blacks and this bloodshed would not be forgotten. They as young people were in a position to combine speaking with action.

Urban guerilla warfare was the only solution, Bricks said.

The trial continues today. — SAPA.

Natal Mercury 15/7/77

COURT IS TOLD OF TNT IN THE SOAP

PRETORIA — Details of people sent to Swaziland by Nelson Mandela were contained in a book kept by the African National Congress, the ANC terrorism trial Court heard yesterday.

A 17-year-old State witness in Pretoria's Old Synagogue said he overheard a man called "Inch" telling Mr. Wellington Phetla last year in Dube, Soweto, that "Mandela was no fool when he organised people to go to Swaziland."

Mr. Phetla allegedly asked "Inch" how he knew this as Mandela had been arrested a long time ago.

"Inch" said he had seen this in a book kept in the ANC offices.

In December 1974, Mr. Ian ("Inch") Rwaxa had showed him two bars of soap containing TNT and cylindrical aluminium detonators inserted into cigarettes.

Mr. Rwaxa allegedly said the explosives were easily smuggled into the country in this manner.

SABOTAGE

Commenting on their discussion at the time, Mr. Hope Jamnda told the Court: "If we were so disgruntled with the status quo in the township we could become involved in activities like sabotage."

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Mr. Mokoape told him that was rubbish — nothing would happen while the "boers" governed.

The young man was not given a chance to ask about his scholarship. Mr. Mokoape allegedly said: "We, the ANC are planning an invasion of South Africa and need people like you."

The youth declined, saying he had come to Swaziland in connection with a scholarship.

Back in Johannesburg a man called "Bricks" approached him and said Keith from Swaziland had incorporated him into "Bricks's" underground cell. He was to be the "explosives man."

During a discussion on history "Bricks" said it was difficult for the Afrikaners to accept that Chaka was the greatest general. Napoleon should be described as the Chaka of Europe.

At a later meeting in Meadowlands "Bricks" allegedly said the city had been built with the blood of the Blacks and this bloodshed would not be forgotten.

"Urban guerrilla warfare is the only solution," "Bricks" said.

The hearing continues today. — (Sapa.)

D.D. 16/7/77

Breytenbach acquitted

325 - Bot Trawls

On terrorism charge

JOHANNESBURG —
Poet Breyten Breytenbach shut his eyes, smiled, shook his head and hugged his defence counsel after he was acquitted on charges under the Terrorism and Riotous Assemblies Acts in Pretoria's Palace of Justice yesterday.

The leading seistiger writer, whom Mr Justice Boshoff described as a man "intensely deprived in a situation of isolation", was fined R50 (or 30 days jail) on 15 charges under the Prisons Act.

Signs of relief rippled through the packed court room as several women wept and Breytenbach's friends from Afrikaans academic circles smiled broadly.

In a two-hour long judgment, Mr Justice Boshoff said the State had not shown that Mr Breytenbach, 37, through his relationship with warder Mr Pieter Groenewald, took part in terrorist activities with the intention of undermining law and order.

Pleading in mitigation after Mr Justice Boshoff found Mr Breytenbach guilty on the 15 charges under the Prisons Act, Mr Johan Kriegler said the judge had grasped the human situation, making it unnecessary for him to add to this.

He said that although Mr Breytenbach had written illegal letters

These charges related to a "trap situation" and the smuggling of the letters out of the jail could be said to have been done with the support, assistance and approval of the authorities, Mr Kriegler said.

Earlier, delivering judgment the judge said there had been no evidence on the main charge and the first alternative charge on the existence of an organisation called Okhela, aiming for the violent overthrow of the Government in South Africa.

The unnamed organisation referred to by Mr Groenewald was not more than a red herring used by Mr Breytenbach to make Mr Groenewald continue with the secretive smuggling out of letters.

Mr Justice Boshoff said the alleged training given to the warder in guerrilla tactics had not been training, but merely an explanation of methods which were freely obtainable.

Mr Breytenbach had also put out a red herring on the question of Mr Groenewald's going to Russia for training in urban terrorism. These facilities were obtainable from the French organisation Solidarite, the judge said.

From Mr Groenewald's evidence it could not be established whether this point had been discussed seriously.

The judge said Mr Groenewald's evidence had to be approached cautiously as his version could be coloured

in their relationship before June 22 — when the authorities were made aware of the situation — depended on his evidence.

The judge said he could not come to the conclusion that Mr Breytenbach had incited Mr Groenewald to assist in an escape. According to the poet's evidence, there had been no incitement and Mr Groenewald had first suggested escaping.

He said the warder had been clearly sympathetic and talkative. When he went to his superiors, he had to put himself in a favourable light. He had to help the authorities on aspects relating to the existence of Okhela, and had to ask necessary questions to persuade Mr Breytenbach to write letters to people he (Groenewald) wanted to contact in this organisation, the judge said.

Reading an extract from transcripts of taped conversations between the warder and Mr Breytenbach, the judge said Mr Groenewald had wanted to know who people in the organisation were.

Nothing in Mr Breytenbach's letter to Prof Andre Brink indicated the existence of an organisation called Okhela.

It could not be regarded as pure chance that Mr Groenewald told Mr Breytenbach he was going to Cape Town and asked whether there would be anyone he could contact there. The judge said there were other examples of this.

Under cross-

Groenewald said he agreed to become a communist within four or five days of resuming a relationship with Mr Breytenbach in April last year. In his evidence in chief he had not told the court this, the judge said.

Mr Groenewald's evidence had not been satisfactory on drawings which had gone missing after he smuggled them out of the prison to the poet's brother, Mr Cloete Breytenbach.

Mr Groenewald had not been able to recall anything about the documents except that they bore a crest with the name Botswana. He told the court he had destroyed these documents.

The judge said it was untenable that a map of an escape route could have been included with these documents, since Mr Groenewald had told the court he had only smuggled one letter out of the prison for Mr Breytenbach. This letter had gone to the poet's wife.

The subject of escape had been a general talking point in prison and during the early part of their relationship, Mr Groenewald told Mr Breytenbach how he wanted to leave South Africa and asked about conditions overseas.

Seen against the background that their talks had been joking, these developed into discussions of plans. Mr Groenewald had had no interest, only a taste for adventure, and admitted they had often joked together.

The judge said there was no doubt that Mr Breytenbach and Mr Groenewald had discussed plans for escape. Steps were taken to try to get passports and to borrow R300 from Prof Brink in Grahamstown.

These steps were however, only related to plans on what they would do after they were out of prison. Nothing concrete had been done about their physical escape from the prison.

During his summing up Mr Justice Boshoff said Mr Breytenbach married a Vietnamese woman in Paris in June 1962. This made it difficult for him to come back to South Africa with his wife. He became embittered and through circumstances made contact with exiles from South Africa, including black South Africans.

He became politicised and looked at the South African reality "from the left corner", the judge said.

He saw the Afrikaners as the white minority group which ruled over blacks, and had their own race policy and power policy. — DDC.

Three jailed

WINDHOEK — Three men were yesterday sentenced to 12, five and eight years' imprisonment each by Mr Justice Strydom after being found guilty of Terrorism Act offences. The three men are Ruben Itengula, Michael Shikongo and Carl Guiteb. Shikongo and Guiteb aided Itengula, a guerilla, enter SWA/Namibia illegally. — Sapa.

John Allen and
Howard Barrell

Breyten Breytenbach probably kept up a front with his prison-warder friend about his secret political group and guerrilla training to keep open his contact with the world outside his cell.

Meanwhile, the victim of the poet's deception, Warder Pieter "Lucky" Groenewald, not only put himself in a favourable light with his superiors by turning police agent, but also asked Breytenbach the right questions for the police investigations into the Okhela group and got him to write the necessary letters.

These findings were made by Mr Justice Boshoff in a two-hour judgment in a crowded Supreme Court in Pretoria yesterday.

He fined the poet R50 (or three months' jail) after convicting him on 15 counts under the Prisons Act covering letter smuggling.

MITIGATION

Breytenbach had been enticed to write as many letters as possible to help the police probe into his suspected Okhela contacts and this was a strong mitigating factor, the judge said.

He acquitted Breytenbach on:

- The main Terrorism

Act charge alleging that Breytenbach's dealings with Mr Groenewald in the maximum security section of Pretoria Central Prison between April and October last year had amounted to terrorist activities.

● An alternative Terrorism Act charge alleging that the poet had instructed Mr Groenewald in guerrilla warfare and had persuaded him to go to Russia for training.

● Another alternative charge — under the Prisons and Riotous Assemblies Acts — alleging that Breytenbach had persuaded the warder to help him with a prison break.

The judge said aspects of the evidence of both the warder and the poet were unsatisfactory. He added that Mr Groenewald's testimony had to be considered with caution.

In the main charge it was alleged Breytenbach

had acted in furtherance of the aims of Okhela and/or got Mr Groenewald to help him with his activities.

But the judge found there was no evidence that Okhela — an organisation allegedly dedicated to the overthrow of the Government — existed in South Africa.

The unnamed organisation Mr Groenewald spoke of in evidence amounted to nothing more than a deception by Breytenbach to ensure that he could secretly send poems, letters and sketches out of jail and receive letters from outside.

OUTSIDE CONTACT

The guerrilla-warfare instruction was only an explanation of what was generally meant by the concept and was of no use to anyone wanting to endanger the maintenance of law and order.

Even on Mr Groenewald's evidence, the judge

found, it could not be said the proposed training was fully or seriously discussed.

It was probable that Breytenbach had maintained a front about Okhela and guerrilla training to keep up outside contact and possibly to ensure Mr Groenewald's help with an escape if the chance arose.

The State had not proved that the poet — a prisoner who had to sit for nine years in jail — took part in terrorist activities.

CAUTION

There was no doubt that escape plans were discussed, said the judge. But no preparations for the initial prison break were ever made. Preparations related only to what would be done once the poet and warder were outside the prison walls.

Mr Groenewald's evidence on Breytenbach's alleged enticement to help

with an escape had to be approached with caution.

The warder sympathised with Breytenbach to the extent that he might have jokingly spoken to the poet about getting him out of jail.

Earlier the judge said Mr Groenewald's explanation of missing drawings — given him by the poet for delivery to his (Breytenbach's) brother, Cloete — had been "uncomfortable."

Mr Groenewald's evidence of a visit by a mysterious threatening foreigner, who had apparently warned him on what happened to "traitors" had been "unconvincing," the judge added.

ESCAPE PLAN

The warder had claimed the mysterious man had given him documents and a sketch of an escape route he and the poet had mooted.

This story seemed to be

Why Breyten kept up a front—judge

based on the belief that the poet's first and only illegal letter smuggled out before the warder turned police agent had dealt with an escape plan and passports.

This letter had been handed in to court and did not deal with an escape. It was thus "completely incredible" that someone outside the prison could have had the intimate knowledge the warder claimed he had, the judge said.

VISITOR

It was also "strange" that, while the warder had questioned Breytenbach at length about other alleged Okhela members, he did not inquire about his remarkable visitor.

In spite of assurances that he had continued their relationship "normally" after turning police agent, Mr Groenewald had

BREYTEN BREYTENBACH

visited the poet armed with a tape recorder on occasions when he was not on duty, the judge said.

Tape transcripts showed the warder had turned conversations around to "the organisation" and had been persistent when Breytenbach was reluctant or unable to answer the warder's questions.

SUSPICION

The poet had said in evidence he had suspected the inquisitive Mr Groenewald on occasions.

The judge said that while Breytenbach had benefited from the smuggled letters by renewing old friendships, the security police had also in that they had established that all Breytenbach's alleged Okhela contacts rejected the organisation.



'Soweto SRC would not join ANC'

325 Pol. Trials 16/7/77

STAFF REPORTER

A FRUITLESS effort by the banned African Nationalist Congress to get the Soweto Students' Representative Council to work under it—or even with it—was described in the Pretoria terrorism trial yesterday.

Mr Justice Davidson was told in the Pretoria Supreme Court that Mr Khotso Seatholo, former president of the SSRC, rejected an approach shortly before Christmas last year from one of the 12 people standing trial on Terrorism Act charges.

The 12 have pleaded not guilty to taking part in terrorist activities between 1962 and 1977.

A witness, Mr T N A Mthenjane, told the court he was present when Mr Seatholo and a Mr Easy Gxuluwe were met by one of the accused, Mr Naledi Tsiki, 21.

He said Mr Tsiki introduced himself by his real name, after saying that ANC members normally operated under code names.

"He told us he wanted the SSRC to work under the ANC, but Khotso disagreed," Mr Mthenjane said.

Nor did Mr Seatholo agree to a further suggestion that the SSRC work with the ANC while retaining its own identity and autonomy.

Mr Tsiki then asked if they were interested in becoming members of the ANC, and showed them a Scorpion machine pistol and a hand grenade.

They handled the firearm, and Mr Tsiki told them they could kill many of "the enemy", meaning the police, with the pistol and grenade.

They said they would not become members of the ANC as they were still members of the SSRC.

Under cross-examination by Mr A Chaskalson, SC, for the Defence, Mr Mthenjane said Mr Tsiki had spoken of the aim of the ANC to cripple the country's economy and to commit sabotage.

Mr Tsiki said the arms available to them should not be indiscriminately used, but used in a disciplined way on instruction only.

Earlier a teenage witness who testified on Thursday was cross-examined on his meetings with an ANC leader from Swaziland, called "Bricks".

Replying to a question by Mr D A Kuny, for the defence, he recalled a discussion with "Bricks" in which he said, "most of the time Bricks did the telling".

He said in December 1975 he had been trying to get himself a scholarship. He had not intended to link up with the ANC or talk to ANC members.

It was clear to these members that he was not interested in volunteering for military training.

Bricks, always approached him; he never went to Bricks, he said when pressed for an explanation about their continued relationship after he had given up hope of a scholarship.

Mr Kuny said he would like it placed on record that the witness was hesitant when answering questions under cross-examination although he had answered questions rapidly when giving his main evidence.

The witness, who may not be named because he is a minor, said he was "not so much hesitating as delaying the answers".

Mr Justice Davidson said it appeared to him that the witness was thinking out his answers carefully before making them.

Pressed again about his continued meetings with Bricks, he said it was an African custom to receive a visitor with hospitality.

When Bricks demonstrated explosives to him, he did not stop the demonstration because it was "something that was new to me."

He would not say it was dangerous to know about explosives. He said he was told they could be used to destroy bridges and walls.

Mr Kuny: "You led them on to get a scholarship."

Mr Justice Davidson: "Well Mr Kuny, one knows how people get scholarships to American universities."

Mr Kuny: "Well, my Lord, this appears to be a scholarship in explosives."

The hearing continues on Monday.

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UMTATA. — A top official of the Transkei Department of Foreign Affairs, Mr Allan Socikwa, has threatened to take up at

D.D. 16/7/77

BPC pair fined for distributing pamphlets

325 Pol. Trials

EAST LONDON — Two members of the Black People's Convention, Mr Fikile Mlinda and Mr Mzwandile Mbilini, were found guilty of distributing pamphlets which were aimed at causing racial incitement when they appeared in the regional court here yesterday.

Mr Mlinda, 25, and Mr Mbilini, 27, residents at Ginsberg, near King William's Town, were appearing for sentence before Mr S. Van Zyl in a trial which was first heard in King William's Town on June 16 this year.

The two men, who were defended by banned Durban attorney, Mr G. Mxenge, pleaded not guilty to the charges against them.

Mr Mlinda and Mr Mbilini were found not guilty and discharged on the alternative count of distributing pamphlets titled "Heroes of Yesterday, Martyrs of the Struggle" without having first obtained permission from the King William's Town Town Council.

The two BPC members, who had been granted R250 bail each, were sentenced to a fine of R200 each or 100 days jail, of which R150 or 75 days imprisonment was suspended on condition that they did not distribute pamphlets during the three-year suspension period.

Delivering sentence, Mr Van Zyl said the court agreed the men had not distributed the pamphlets for a personal gain.

Mr Van Zyl said in 1927 the Act made provision for a maximum fine of 100 pounds, but that today a R2 000 fine or two years imprisonment was imposed as a maximum sentence for a person who con-

tinued to distribute undesirable literature.

"Nevertheless, it shows the legislature now views this is a very serious light," he said.

Mr Van Zyl said the court, however, had taken into account the personal circumstances of Mr Mlinda and Mr Mbilini, that they were married and supported families, and therefore a sentence of which three-quarters was suspended was imposed.

Immediately after sentence was passed, Mr Mxenge told the court he had been instructed by the two men to appeal against the conviction.

A notice of appeal was then lodged with the chief magistrate which read: "Grounds for appeal are; the magistrate erred in holding that the court did prove beyond reasonable doubt that the appellants had the necessary intent to encourage and foment feelings of hostility between the different population groups in South Africa through the distribution of pamphlets".

— DDR

D.D. 16/12/77 325 P.T. 16/12/77

Verdict brings joy to family and friends

CAPE TOWN — The news of Breyten Breytenbach's acquittal on charges of taking part in terrorist activities was received with elation by his parents and friends yesterday.

His mother, Mrs J. S. Breytenbach, was "delighted" at the news of her son's acquittal.

"I believed from the beginning that he was innocent," she said.

She and her husband had made no immediate plans to visit him in prison.

Mr Breytenbach's close friend, Prof Andre Brink, of Rhodes University, said he was "overjoyed" at the verdict.

"This has restored one's fullest confidence in the South African judiciary."

He said it had been a tragedy that the State had not viewed the poet's actions in the same light as the judge clearly had — "with at least some poetic licence."

"One simply has to accept a large measure of naivete in all creative persons — they are not all that logical and rational in so many matters. Breyten lived in, and through his fantasy," Prof Brink said. Another friend, Mr

James Polley, said the acquittal was a "bittersweet victory but I drink to the greatest living Afrikaner poet and patriot."

He believed the verdict corroborated his view that Mr Breytenbach had been manipulated by the Security Branch ever since his first arrest and that the way they handled the investigation "exposes their attempts politically to eliminate him and some of his friends for good in

this country."

Author Jan Rabie said he was "very glad for the man who dreamed so much to get out."

"Breytenbach made up dreams to get out of prison and why should he pay the penalty for that?"

Mrs Helen Suzman, PRP spokesman on justice, called for a thorough review of the "pathetic" conditions under which Mr Breytenbach is serving the nine-year prison term

imposed on him in November 1975.

"Although I have it on good authority that Breyten originally asked to be kept apart from other political prisoners, I wonder if he realised that this would mean that he would virtually be in solitary confinement," she said.

"His descriptions of the conditions of his confinement are pathetic beyond words. You simply cannot leave a man sitting in virtual solitary confinement next to the gallows."

Mrs Suzman said Mr Breytenbach's acquittal yesterday was a favourable comment on the country's legal system. — DDC.

DD, 16/7/77

325
Poh. Mutho

Court told: no ANC deal

PRETORIA — The Soweto Students' Representative Council refused to work under the African National Congress at the end of last year, the ANC terror trial court heard yesterday.

Mr Justice Davidson heard that Mr Khotso Seatholo, as president of the SSRC, rejected an approach shortly before Christmas last year from one of the 12 people standing trial on Terrorism Act charges.

The 12, one of them a woman, have pleaded not guilty to Terrorism Act charges over a 15-year period between 1962 and 1977.

In evidence yesterday, Mr T. N. Mthenjane said he was present when Mr Seatholo and a Mr Gxuluwa were met by one of the accused Mr Naledi Tsiki, 21.

He said Mr Tsiki introduced himself by his real name, after saying that ANC members normally operated under code names. "He told us that he wanted the SSRC to work under the ANC, but Khotso disagreed."

Mr Tsiki then asked if they were interested in becoming members of the ANC, and demonstrated to them a scorpion machine pistol and a hand grenade.

They handled the firearm, and Mr Tsiki said that with the two pieces of armament "you could kill many of the enemy."

They said they would not become members of the ANC as they were still members of the SSRC.

The trial continues on Monday. — DDC.

Suzman on 'pathetic' gaol life

N. Mercury

16/7/77

325

Pol. Trials

Mercury Correspondent

JOHANNESBURG—Mrs. Helen Suzman, PRP spokesman on justice, yesterday called for a thorough review of the "pathetic" conditions under which poet Breyten Breytenbach was serving his nine-year prison term.

Breytenbach must still serve seven and a half years of his sentence, passed after conviction under the Terrorism Act by Mr. Justice Cillie in November, 1975.

Following Breytenbach's acquittal on further charges under the Terrorism Act yesterday, Mrs. Suzman said: "Although I have it on good authority that Breyten originally asked to be kept apart from other political prisoners, I wonder whether he realised that this would mean virtual solitary confinement."

"His description of the conditions of his confinement are pathetic beyond words. You simply cannot leave a man sitting in virtual solitary confinement next to the gallows."

Mrs. Suzman said Breytenbach's acquittal by Mr. Justice Boshoff on charges under the Terrorism Act in the Palace of Justice yesterday was a favourable comment on the country's legal system.

Breytenbach was fined R50 (or 30 days) on charges of breaching prison regulations by smuggling letters in and out of gaol.

Describing the case as a "pretty hopeless one from the word go," Mrs. Suzman said it had involved an enormous amount of time and energy and "must have been a blow for the Security Branch."

D.D 16/7/77
Death: no finding

325

*Political
Trial*

PIETERMARITZBURG — The court is satisfied the injuries on the body of Mr Joseph Mdluli were not self-inflicted and that only a small percentage of them could have been caused accidentally, Mr Justice Howard said in his judgment in the ANC terrorism trial yesterday.

Mr Mdluli was arrested on March 19, 1976, by Security Police investigating the case. Within 24 hours he was dead.

Mr Justice Howard said the most plausible inference was that most, if not all, of the injuries were inflicted by one or more unidentified

members of the Security Police.

He said there was no evidence how Mr Mdluli suffered the injuries or in what circumstances.

"One can only speculate about whether they were inflicted unlawfully in the course of an assault, or in circumstances where the use of force was justified -- for example to prevent an escape.

"We do not think the evidence excludes the reasonable possibility that the police assaulted Mdluli in the course of interrogation, but we cannot make any positive finding in that regard," he said. — SAPA.

N. Mercury 16/9/77

'Tragedy of Breyten' by a friend

325 Pol. Trials

Mercury Correspondent
JOHANNESBURG—For Prof. Andie Brink, the verdict on Breyten Breytenbach contained an element of "tragedy."

It *had* been a tragedy, said Breytenbach's close friend yesterday, that the State had not viewed the Afrikaner poet's actions in the same light as the Judge clearly had — "with at least some poetic licence."

If this had been done, Prof. Brink said, Breytenbach would probably never have been charged.

"One simply has to accept a large measure of naivete in all creative persons," he explained. "They are not all that logical and rational in so many matters. Breyten lived in and through his fantasy."

Prof. Brink said it was shattering to think of all the man hours and months that went into the investigation and trial.

N. Mercury 19/2/77

Poems may be banned

Mercury Correspondent

JOHANNESBURG—There is a move afoot to have Breyten Breytenbach's poems banned from Afrikaans schools—so that a "hero cult" does not develop around the convicted seditious poet.

Certain Afrikaans cultural circles plan to ask just this of education departments. Randburg taal champion, Mr. Robert van Tonder, writes in the latest issue of Die Stem, newsletter of the Afrikaanse Wen Aksie movement.

"Afrikaners regard Breytenbach works as worthless, rhymeless prose that contributes much to influencing young Afrikaners against their literature and causes them to develop an inferiority complex about their background, resulting in a breakaway from their Afrikanership (Afrikanerskap)," the report reads.

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Pol. Fred

N. Mercury
**Write a
'very
long
novel'**

Mercury

Correspondent

CAPE TOWN — The news of the Afrikaner poet Breyten Breytenbach's acquittal on charges of taking part in terrorist activities was yesterday received with elation by his parents and friends.

Andre Brink, poet and close friend of Breytenbach said he was "overjoyed" at the verdict.

"This has restored one's fullest confidence in the South African judiciary again," he said.

Another close friend, author Jan Rabie said he was "very glad for the man who dreamed so much to get out."

"Freedom is born to man," he said.

"Breytenbach made up dreams to get out of prison and why should he pay the penalty for that?"

"He invented it all and my advice to him to help pass the time in prison is to write a very long novel."

His mother, Mrs. J. S. Breytenbach, was "delighted" at the news of her son's acquittal.

"I believed from the beginning that he was innocent," she said.

She said she and her husband had made no immediate plans to visit Breytenbach in the Pretoria Central Prison.

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Pol. Trial

N. Mercury

VERDICT PLEASES POLLEY

16/7/77

Mercury Correspondent
CAPE TOWN — Mr. James Polley, a close friend of Breyten Breytenbach said last night that his acquittal on Terrorism Act charges was a "bittersweet victory but I drink to the greatest living Afrikaner poet and patriot."

In a statement he said he was delighted with the verdict not only for Breytenbach but also for his wife, Yolande, parents and "all he stands for in Afrikaans literature."

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Pol. Trial

N. Mercury 16/7/77

Tears and hugs for finding in poet case

Mercury Correspondent

PRETORIA — Poet Breyten Breytenbach shut his eyes, smiled, shook his head and hugged his defence counsel after he was acquitted on charges under the Terrorism Act and Pietermaritzburg Assembly Act in the Palace of Justice here yesterday.

The leading Sestiger writer, whom Mr. Justice Paskoff described as a man "intensely deprived in a situation of isolation" was fined R50 (or 20 days) on 15 charges under the Prisons Act.

Sighs of relief rippled through the packed courtroom and several women went. Breytenbach's friends from Afrikaans and academic circles greeted him.

In a two-hour judgment, Mr. Justice Paskoff said the State had not shown that the 37-year-old prisoner, through his relationship with warder Mr. Pieter Groenewald took part in terrorist activities with the intention of undermining law and order.

Reading in mitigation

after the Judge had found Breytenbach guilty on the charges under the Prisons Act, Mr. John Kriegler, SC, said the Judge had grasped the human situation, making it unnecessary for him to add to this.

Understandable

He said although Breytenbach had written illegal letters from prison, this was "so understandable."

These charges related to a "trap situation" and the smuggling of the letters out of the gaol could be said to have been done with the support, assistance and approval

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newald had antly busy o get inform Breyten- the organisa- ple involved nt of the or- work in a. in Breyten- to Professor ik indicated e of an orga- ed Okhela, or ple the poet were busy work of this the Judge

Page 13

on his evidence.

The warder had been sympathetic towards Breytenbach and allowed himself to be led round the bush so that the poet could use him for smuggling out letters and drawings.

The Judge said he could not come to the conclusion that Breytenbach had incited Mr. Groenewald to assist in an escape. According to Breytenbach's evidence there had been no incitement, and Mr. Groenewald had first suggested escaping.

He said the warder had been clearly sympathetic and talkative. When he went to his superiors, he had to put himself in a favourable

■ FROM PAGE 1

BREYTEN: THE SUMMING UP

of the authorities, Mr. Kriegler said.

Sentencing Breytenbach, the Judge said the maximum sentence the Prisons Act charges involved was R400 or two years' gaol, or both. Mitigating circumstances in this case included the fact that the police had been investigating it for over four months, and letters smuggled out should be considered in this light.

Although Breytenbach had benefited from this situation temporarily, the nature of his gains could be disputed. For purpose of sentence all 15 charges would be taken together, the Judge said.

Okhela

Earlier, delivering judgment, he said there had been no evidence of the main charge and the first alternative charge on the existence of an organisation, called Okhela, aiming for the violent overthrow of the Government in South Africa.

The unnamed organisation referred to by Mr. Groenewald was no more than a red herring used by Breytenbach to make Mr. Groenewald continue with the secretive smuggling out of letters.

Mr. Justice Boshoff said the alleged training given to the warder in terrorist tactics had not been training, but merely an explanation of methods which was freely obtainable.

Breytenbach had also put out a red herring on the question of Mr. Groenewald's going to Russia for training in urban terrorism. These facilities were obtainable from the French Organisation, Solidarite, the Judge said.

From Mr. Groenewald's evidence it could not be established whether this point had been discussed with serious intent. On all the evidence, the Judge said, it was probable that Breytenbach held these talks as a means of keeping up the situation in which Mr. Groenewald kept him in contact with the outside world.

The Judge said Mr. Groenewald's evidence had to be approached cautiously. There were various reasons why his version could be coloured. Everything that occurred in their relationship before June 22 — when the authorities were made aware of the situation — depended on his evidence.

The warder had been sympathetic towards Breytenbach and allowed himself to be led round the bush so that the poet could use him for smuggling out letters and drawings.

The Judge said he could not come to the conclusion that Breytenbach had incited Mr. Groenewald to assist in an escape. According to Breytenbach's evidence there had been no incitement, and Mr. Groenewald had first suggested escaping.

He said the warder had been clearly sympathetic and talkative. When he went to his superiors, he had to put himself in a favourable

light. He had to help the authorities on aspects relating to the existence of Okhela, and had to ask necessary questions to persuade Breytenbach to write letters to people that he (Groenewald) wanted to contact in this organisation.

Reading an extract from transcripts of taped conversations between the warder and Breytenbach, the Judge said Mr. Groenewald had wanted to know who people in the organisation were.

Mr. Groenewald had been constantly busy attempting to get information from Breytenbach about the organisation, the people involved and the extent of the organisation's work in South Africa.

Nothing in Breytenbach's letter to Professor Andre Brink indicated the existence of an organisation called Okhela, or that the people the poet contacted were busy with the work of this organisation, the Judge said.

● See Page 13

Court told: ³²16/1/77 no ANC deal

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Rel. Trials

PRETORIA — The Soweto Students' Representative Council refused to work under the African National Congress at the end of last year, the ANC terror trial court heard yesterday.

Mr Justice Davidson heard that Mr Khotso Seatholo, as president of the SSRC, rejected an approach shortly before Christmas last year from one of the 12 people standing trial on Terrorism Act charges.

The 12, one of them a woman, have pleaded not guilty to Terrorism Act charges over a 15-year period between 1962 and 1977.

In evidence yesterday, Mr T. N. Mthenjane said he was present when Mr Seatholo and a Mr Gxuluwa were met by one of the accused Mr Naledi Tsiki, 21.

He said Mr Tsiki introduced himself by his real name, after saying that ANC members normally operated under code names. "He told us that he wanted the SSRC to work under the ANC, but Khotso disagreed."

Mr Tsiki then asked if they were interested in becoming members of the ANC, and demonstrated to them a scorpion machine pistol and a hand grenade.

They handled the firearm, and Mr Tsiki said that with the two pieces of armament "you could kill many of the enemy."

They said they would not become members of the ANC as they were still members of the SSRC.

The trial continues on Monday. — DDC.

Isolation deprived Breyten

By MELANIE YAP

BREYTEN Breytenbach was a man intensely deprived in a situation of isolation. Mr Justice Boshoff said yesterday while acquitting Breytenbach on charges under the Terrorism and Riotous Assemblies Acts.

The leading Sestiger writer was instead fined R30 or 30 days' jail in 15 charges under the Prisons Act in Pretoria's Palace of Justice.

In a two-hour long judgement Mr Justice Boshoff said the State had not shown that the 37-year-old prisoner, through his relationship with warder Mr Pieter Groenewald, took part in terrorist activities.

Pleading in mitigation after Mr Justice Boshoff found Breytenbach guilty on the 15 charges under the Prisons Act, Mr Johan Kriegler, SC, said the judge had grasped the human situation, making it unnecessary for him to add to this.

He said although Breytenbach had written illegal letters from prison, this was "so understandable," and the smuggling of the letters out of the jail could be said to have been done with the support, assistance and approval of the authorities, Mr Kriegler said.

Sentencing Breytenbach the judge said the maximum sentence for the Prisons Act charges involved was R400 or two years' jail, or both. Mitigating circumstances in this case included the fact that he police had been investigating it for over four months. Letters smuggled out should be considered in this light, he said.

Although Breytenbach had benefited from this situation temporarily, the nature of his gains could be disputed. For purposes of sentence all 15 charges would be taken together, the judge said.

Earlier, delivering judgment, he said there had been no evidence on the main charge and the first alternative charge on the existence of an organisation called Okhela, aiming for the violent overthrow of the Government in South Africa.

The unnamed organisation referred by Mr Groenewald was not more than a red herring used by Breytenbach to make Mr Groenewald continue with smuggling letters.

Mr Justice Boshoff said the alleged training given to the warder in guerilla tactics had not been training, but merely an explanation of methods which are freely obtainable.

Breytenbach had also put out a red herring on Mr Groenewald's going to Russia for training in urban terrorism. These facilities were obtainable from the French organisation Solidarite, the judge said.

From Mr Groenewald's evidence it could not be established if this point had been discussed with serious intent. On all the evidence the judge said it was probable that Breytenbach held these talks so Mr Groenewald would continue to keep him in contact with the outside world.

The judge said Mr Groenewald's evidence had to be approached cautiously. There were various reasons why his version could be coloured.

Everything that occurred in their relationship before June 22 — when the authorities were made aware of the situation — depended on his evidence.

The warder had been sympathetic towards Breytenbach and allowed himself to be used for smuggling out letters and drawings.

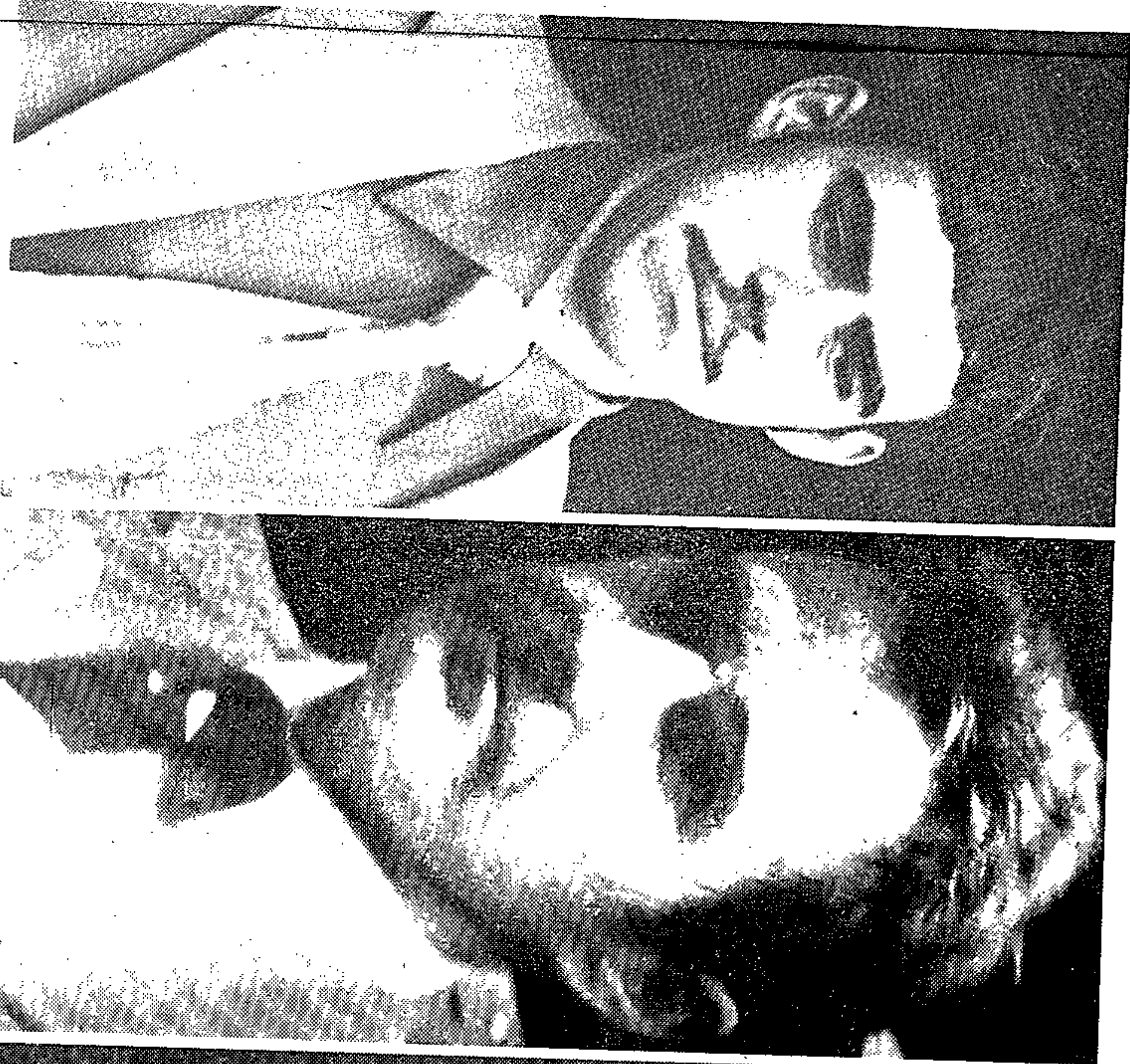
The judge said he could not come to the conclusion that Breytenbach had incited Mr Groenewald to help in an escape. The poet's evidence was that there had been no incitement and Mr Groenewald had first suggested escaping.

He said the warder had been clearly sympathetic and talkative.

When he went to his superiors, he had to put himself in a favourable light.

He had to help the authorities on aspects relating to the existence of Okhela, and had to ask necessary questions to persuade Breytenbach to write letters to

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THE WARDER

Mr Groenewald

THE ACCUSED

Breyten Breytenbach



THE DEFENCE

Mr Kriegler, left, and Mr Wentzel



THE JUDGE

Justice Boshoff

people that Groenewald wanted to contact in this organisation, the judge said.

Reading an extract from transcripts of taped conversations between the warder and Breytenbach, the judge said Mr Groenewald had wanted to know who people in the organisation were.

Mr Groenewald had been constantly busy trying to get information from Breytenbach on the organisation, people get involved and the extent of the organisation's work in South Africa the judge said.

Nothing in Breytenbach's letter to Professor Andre Brink indicated the existence of an organisation called Okhela or that the people the poet contacted were busy with the work of this organisation, he said.

It could not be regarded as pure chance that Mr Groenewald told Breytenbach he was going to Cape Town and asked if there, would be anyone he could contact there.

The judge said there were other examples of this. Breytenbach himself had not been able to name any of the organisation's members in Cape Town, but had put forward the name of Mr James Polley, suggesting to Mr Groenewald that he was a member.

Breytenbach exploited Mr Groenewald's sense of adventure by talking to him, the judge said.

Under cross-examination Mr Groenewald said he agreed to become a communist within four or five days of resuming a relationship with Breytenbach in April last year because the poet had told him how good their life of adventure would be. In his evidence-in-chief he had not told the court this, the judge said.

Mr Groenewald's evidence had not been satisfactory on drawings which had gone missing after he smuggled them out of the prison to the poet's brother, Mr Cloete Breytenbach.

The judge said he had told the court of a strange man with a Dutch accent who gave him documents and threatened him with the words "You know what happens to those who turn against us".

Mr Groenewald had not been able to recall anything about the documents except that they had a crest with the name Botswana. He told the court he had destroyed these documents.

The judge said it was untenable that a map of an escape route could have been included with these documents, since Mr Groenewald had told the court he had

only smuggled one letter out of the prison for Breytenbach. This letter had gone to the poet's wife.

The judge said it was striking that Mr Groenewald had not tried to ask Breytenbach about this secretive visitor or to establish who he was. In later talks, the warder had inquired about the identity of other people.

The subject of escape had been a general talking point in prison. During the early part of their relationship, Mr Groenewald told Breytenbach how he wanted to leave South Africa and asked about conditions overseas.

Seen against the background that their talks had been joking, these developed into discussions of plans. Mr Groenewald had had no ideological interest, only a taste for adventure, and admitted that they had often joked together.

The judge said there was no doubt that Breytenbach and Mr Groenewald had discussed plans for escape. Steps were taken to try to get passports and to borrow R300 from Professor Brink in Grahamstown.

These steps were however, only related to plans on what they would do after Breytenbach was out of prison. Nothing concrete had been done about his physical

escape from the prison, the judge said.

Unsatisfactory aspects in Breytenbach's evidence could be ascribed to the fact that he had entangled himself in stories he told Mr Groenewald to maintain their relationship.

Breytenbach had not been in the same favourable position as Mr Groenewald to take note of and to recall everything that happened a year ago, the judge said.

During his summing up Mr Justice Boshoff said Breytenbach married a Vietnamese woman in Paris in June 1962. This step made it difficult for him to come back to South Africa with his wife. He became embittered and through circumstances made contact with exiles from South Africa, including black South Africans.

He became politicised and looked at the South African reality "from the left corner" the judge said. He saw the Afrikaners as the white minority group which ruled over blacks and had their own race policy and power 201

The judge said Mr Johnny Makathini, ANC representative in North Africa, had approached Breytenbach to form a group called Atlas. This organisation died when no white South African political activists approached it for support.

Both Breytenbach and Makathini were not communists, although the ANC was under the control of communists.

This was supported by Breytenbach's letters to Mr Marius Schoon, a known communist, the judge said.

He said Breytenbach was a writer, poet and artist. The circumstances of his nine-year imprisonment permitted him to write one letter and to receive one letter of 500 words a month.

It was clear that Breytenbach wrote a lot. The poet's nine-year sentence had been crushing because he had been given reason to believe that if he worked hard he would receive a shorter sentence.

Tears, Breyte

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RDM 16/7/77

By MELANIE YAP

POET Breyten Breytenbach stepped from the dock in Pretoria's Palace of Justice yesterday almost at a loss for words after he was acquitted on charges under the Terrorism and Riotous Assemblies Acts.

Seconds after Mr Justice Boshoff, Acting Judge President of the Transvaal, sentenced him to R50, or 30 days' jail, on 15 counts under the Prisons Act, he shut his eyes, glanced at the stained glass windows of the court and shook his head.

The hushed courtroom, hanging on the judge's every word, erupted when sentence was passed.

Warder witness holds his post

By WALLY KARBE

MR Pieter Groenewald, the chief State witness in the Breytenbach trial, will keep his post as a prison warder, a spokesman for the Department of Prisons said yesterday.

Moreover, he will be based in the same prison as previously — the jail where he met Breyten Breytenbach. But it is not known when the poet's former link with the outside world will resume his duties.

Department of Prisons officials would not comment on his moves. "If Mr Groenewald wants to go on holiday it is his own personal affair. All the department can say is that there will be no departmental inquiry into his activities," the spokesman said.

Women wept and Breytenbach's friends from Afrikaans academic circles smiled broadly.

Breytenbach was overcome, his eyes shining as he flung his arms around his defence team, Mr Johan Kriegler, SC, Mr Ernest Wentzel and Mr Andrew Williamson.

Then after 15 tension-filled days, he seemed bemused as warders hustled him to the cells below the court to continue his nine-year jail term passed on him in 1975.

He snatched a second to grasp a hand of a woman reporter, saying: "Thank you for smiling."

During yesterday's two-hour-long judgment, Mr Justice Boshoff allowed the leading Sestiger writer to remain seated.

Standing for sentence, Breytenbach kept his head bowed, shoulders hunched and occasionally clenched his fists over the side of the dock.

Wearing a lime-green suit, ill-fitting over his thin frame, he stared almost incomprehendingly at the judge as sentence was passed.

Mr Justice Boshoff found him not guilty on the main Terrorism Act charge and two alternative charges under the Riotous Assemblies Act.

He said the State had not produced evidence that an organisation called Okhela, which aimed to violently overthrow the South African Government, existed.

Breytenbach was convicted on 15 alternative charges under the Prisons Act for smuggling letters out of Pretoria's maximum security jail through prison warder Mr Pieter Groenewald from June to October last year.

The judge also said he could not conclude that Breytenbach had incited Mr Groenewald to assist him in escape from the prison.

Reacting to Breytenbach's acquittal on the main charges, Professor André Brink yesterday said the verdict contained an element of tragedy.

Friend

Prof Brink, a central figure in the case and a close friend of Breytenbach said the State had not viewed the poet's actions in the same light as the judge — "with at least some poetic licence."

If this had been done, Prof Brink said, Breytenbach would probably never have been charged.

"One simply has to accept a large measure of naivete in all creative persons," he explained. "They are not all that logical and rational in so many matters. Breyten lived in and through his fantasy. But it's shattering when you think of the months that went into the investigation and trial."

"The verdict has restored one's confidence in the judiciary," he added.

His mother, Mrs J S Breytenbach was delighted at the news of her son's acquittal. "I believed from the beginning he was innocent," she said.

Mr James Polley, another close friend of Breytenbach's who was also named in the trial said last night the acquittal was a "bittersweet victory but I drink to the greatest living Afrikaner poet and patriot".

Breyten nie meer alleen

Deur Ons Pretoriase Redaksie

SKRYWER Breyten Breytenbach sal in die toekoms op eie versoek saam met ander gevangenes aangehou word. Hoewel hy ook nooit in „eensame opsluiting” was nie, was hy wel in die verlede op sy eie versoek apart van ander gevangenes aangehou.

Só reageer kol. Hennie Botha, skakeloffisier van die Departement van Gevangenis, vandeeweek by navraag aan RAPPORT oor die skrywer se aanhoudingsomstandighede; veral nou ná sy skuldigbevinding aan oortredinge ingevolge die Wet op Gevangenis.

Op 'n vraag het kol. Botha ook daarop gewys dat Suid-Afrika nie op die oomblik sogenaamde politieke gevangenes het nie. Gevangenes wat vonnis weens oortredinge teen die veiligheid van die staat uitdien, word wel as sekerheidsgevangenes bestempel, maar het niks met die gebruikelike opvatting oor politieke gevangenes te maak nie, het hy gesê.

Op 'n vraag het kol. Botha voorts bevestig dat Breytenbach gedurende en ná sy verhoor presies dieselfde behandeling as

in die voorafgaande maande van sy aanhouding ontvang het.

Wat die skrywer se gevangenisstraf van nege jaar betref, is daar nie sprake van parool of vroeë vrylating nie. Sekere groepe oortreders, onder wie sekerheidsgevangenes, oortreders in sogenaemde harde dwelmiddels en groot daggasmokkelaars, word nie vir paroolvrylating oorweeg nie, het kol. Botha gesê.

Hy het ook uitdruklik beklemtoon dat Breytenbach se getuienis in die hof en sy skuldigbevinding op aanklagte ingevolge die Wet op Gevangenis geen uitwerking op sy behandeling in die gevangenis sal hê nie.

• Dit is bekend dat die skrywer, sy familie en sy vriende herhaaldelik gevra het dat hy nie langer alleen aangehou moet word nie.

Reykne 17/7/77

(325)

Polit. Trans

Tronkmense kyk só

Rapport
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trials

HOE dit is om gevangene te wees, het Breyten Breytenbach aangrypend beskryf in 'n brief aan André P. Brink wat wye aandag gekry het tydens sy verhoor. Die naweek sê Gevangeniswese se eie tydskrif Nexus hoe amptelike oë dié toestand sien.

Die beleweniswêreld van die gevangene word gekenmerk deur 'n verlies aan vryheid, ontbering van status en heteroseksuele verhoudings en 'n verlies aan outonomie en sekuriteit. In dié wêreld moet die gevangenis-amptenaar 'n gesonde balans vind tussen oorbetrokkenheid aan die een kant en uiterste professionalisme aan die ander kant.

Oor die gevangene se verlies aan vryheid, lui die artikel:

„Jou vryheid van handel en wandel, jou vryheid van beplanning en keuse, jou outonomie en kreatiwiteit, kortom, jou werklike menswees word jou ontnem.

„Jou klere is hulle klere en lyk soos almal s'n. Daar word vir jou besluit hoeveel jy per maand mag bestee en waaraan. Die kos is goed en voedsaam, maar op groot skaal voorberei. En jy kan

maar net droom oor die afwisseling van roostergerigte, skaapboud en aartappels soos deur vroulied voorberei — en wat nog van die nodige rooiwyntjie daarby.

„Maar die ergste is dat jy nie 'n keuse het nie, alles word vir jou besluit — 'n marionet?

„Buite kan jy binne redelike perke jou ding doen soos jy wil, waar jy wil en saam met wie jy wil. Nou is nie alleen jou grense ingeperk nie, maar word hulle ook gedwonge geskend en gedeel deur ander. Dikwels ander wat jy in normale omstandighede nie eers sou of wou ken nie.

„Jy is prakties afgesny van familie en vriende, jy vrees hierdie bande gaan verswak of moontlik selfs verbreek word deur die beperkte kontak via briewe en maandelikse besoeke — 'n emosionele isolasie wat jou met magteloosheid vervul omdat jy niks daaraan kan doen nie. Boonop is die kontak wat daar wel is, nie intiem joune nie. Jou briewe word gesensor en met besoeke is die lid of ander maar altyd daar,” aldus die skrywer.

NUWE LIG OP BREYTEN

Rapport 17/7/77 (325) Polit. trials

Deur MARTIN WELZ
Ná regter W. G. Boshoff se opstienbarende uitspraak dié week in die Breytenbach-verhoor, word nou wyd bespiegel oor die gewig wat die uitspraak sou kan verleen aan nuwe vertoë ter versagting van sy eerste vonnis. In sy vorige terrorisme-verhoor het regter-president Piet Cillie hom tot nege jaar veroordeel.

Veral word gewys op die verskil in die bevindings oor die sogenaamde Okhela-organisasie en dié se verhouding met die verbode ANC, en ook op die verskil in getuienis oor Breytenbach se beweerde ondermynende bedrywighede tydens sy besoek in 1973 aan Suid-Afrika.

Die digter is in November 1975 skuldig bevind op 'n aanklag ingevolge die Wet op Terrorisme, nadat hy skuld bekén het.

Die verdediging in daardie saak het geen getuienis aangevoer nie, en Breytenbach het ná die uitspraak net ter



BLYDSKAP in boei: vriende se laaste sien (as niks voorval nie) van Breyten Breytenbach vir die volgende sewe jaar. Jeannette Krynauw het die foto geneem toe hy Vrydagmiddag van die Paleis van Justisie na die vangwa en sy verdere gevangenisstraf weggeneem word. Aan sy pinkie: Yolande se ringetjie.

* VERVOLG OP BL. 23 *

Vrae oor Breyten se straf

* VERVOLG VAN BL. EEN *

versagting van die vonnis getuig. Sy advokaat het hom spesifiek gevra om aan die hof te bevestig dat hy nie deur die regsverteenvoorders in die saak of deur die Veiligheidspolisie daartoe oorreed was nie.

Skuld bekén

Maar in die dramatiese verhoor van die afgelope drie weke in die Paleis van Justisie het hy by herhaling getuig dat hy in die eerste verhoor alleen skuld bekén het aan wat in die uiteindelijke klagstaat gestaan het, en „saamgewerk” het omdat die Veiligheidspolisie en die Staatsaanklaer, dr. Percy Yutar, hom deur sy regsverteenvoorders laat verstaan het dat hy so die minimum-vonnis van vyf jaar sou kan verwag.

Regter Boshoff het Vrydag bevind dat die destydse straf van nege jaar „verpletterend” vir Breytenbach was „omdat hy rede gehad het om te glo dat sy straf nie meer as vyf jaar sou wees nie”.

In die 1975-verhoor het regter Cillie bevind dat Okhela op aandrang van die ANC gestig is, en net „'n aanhangsel van die ANC” was. Die regter het verwys na die „selstruktuur” van Okhela, en die moontlikheid van nog selle van die organisasie wat aan die polisie onbekend was, en ook na die geweld en lyding wat sou kan volg op optrede deur die ANC waarmee Okhela saamgewerk het.

Faktore

Al die faktore is deur regter Cillie as strafverswarend beskou.

Vrydag het regter Boshoff

bevind dat Okhela nog nie as organisasie bestaan het nie, maar volgens al die getuienis net 'n voorgenome organisasie was, en dat die betrokkenes nog nie oor sy finale oogmerke ooreengekom het nie.

In die kruisverhoor van Breytenbach het regter Boshoff opgemerk dat die digter duidelik geen begrip het van die juridiese betekenis van 'n organisasie stig nie. Die „Okhela-manifes” wat deur die staat as bewysstuk ingedien is, het grotendeels bestaan uit stellings en onderwerpe vir bespreking, het regter Boshoff gesê.

In vier maande se intensiewe ondersoek deur middel van bewaarder P. G. Groenewald, wat as skyn-medewerker van Breytenbach al sy „kontakte” probeer opspoor het, kon die Veiligheidspolisie geen enkele Okhela-lid in Suid-Afrika vind nie.

Die „organisasie” wat Breytenbach aan Groenewald voorgehou het, was 'n versinsel om die jong bewaarder se avontuurlus te bevredig, en die „lede” na wie hy met smokkelbriewe gestuur is, was maar skrywers en ander vriende met wie die digter gewone kontak gesoek het, het regter Boshoff bevind.

„Die beskuldigde het inderdaad baat gevind by die briewesmokkelary, maar die Veiligheidspolisie het ook daarby baat gevind,” het die regter gesê.

Skadelik

Hulle kon so vasstel dat Breytenbach nie daarin geslaag het om 'n enkele Okhela-lid in Suid-Afrika te werf nie.

Regter Boshoff het voorts bevind dat Breytenbach nie lid van die Kommunistiese Party was nie, en daarop

gewys dat Breytenbach, selfs nie in sy smokkelbriewe aan Marius Schoon — 'n erkende Kommunist — na die bestaan van Okhela verwys het nie.

In die 1975-saak was een van die „dade van terrorisme” waaraan Breytenbach skuldig bevind is, die oorreding van verskeie mense, onder andere amptenare van die Christelike Instituut, om Okhela van inligtinge te voorsien wat vir Suid-Afrika in die buiteland skadelik kon wees.

Dié daad sou Breytenbach in 1973, tydens sy besoek saam met sy vrou, gepleeg het.

Die afgelope week het hy in kruisverhoor gesê dat hy op daardie besoek nie met Okhela-bedrywighede doenig was nie. Wel het hy destyds vir Horst Kleinschmidt en eerw. James Polley versoek om hul publikasies na hom in Parys te stuur.

'n Knik, 'n gl hy's 'n and=

DIT was 22 minute voor 12 toe regter Boshoff sy kykbril afhaal en sy leesbril opsit.

Breyten Breytenbach staan op en klem sy hande gespanne om die rand van die beskuldigdebank. Hy lyk afgetrokke. Hy is nog bleek en moeg, maar die afgelope drie, vier dae se verkoue lyk beter. Die kakie-tronksakdoek is nie meer kort-kort nodig nie.

Adv. Johan Kriegler (vir die beskuldigde) kyk soos gewoonlik rustig af op sy dokumente, sy regterhand teen sy voorkop. Ook adv. Jacobs sit vooroorgebuk.

By die deur links van Breyten, stil, peinsend in sy netjiese uniform met die drie sterre op elke skouer, sit kaptein Harding, hoof van die maksimum-veiligheidsafdeling van Pretoria se Sentrale Gevangenis — die plek waar die beskuldigde die afgelope negentien maande deurgebring het.

Die hof is gepak. Mense staan in die deure en gange. Dis weer oorwegend jongmense, soos elke dag van die vier weke. Is 'n hofsak al so gereeld deur soveel jongmense bygewoon? Ook skoolkinders dag na dag, elke middag na skool?

Oor sy regterskouer, in die ry die naaste aan die beskuldigdebank, sit sy vriende wat elke dag van Johannesburg af oorgery het vir die verhoor, dié wat hy, soos hy dit in een van die bewysstukke voor die hof gestel het, weet hy kan met sy gedigte vertrou: prof. Ernst Lindenberg en dr. Ampie Coetzee. Mev. Stella Coetzee, Gerry Maré. John Miles kon dié keer nie daar wees nie.

Regter Boshoff in die helderrooi toga met die grys moue lees die lywige klagstaat voor.

Breyten kyk lang rukke roerloos af na sy skraal, blas hande en na die vloer voor hom. Dis net wanneer iemand die hof binnekom of uitstap dat hy vlugtig opkyk om te sien of dit 'n bekende is.

Ná die donker kleurbaadjie van die vorige dae is dit vandag weer die bleekgroene van dun ferweel, selfde kleur broek daarby — dit wat al sinoniem geword het met beskrywings van Breyten Breytenbach. Sy baadjie se

daarby 'n gestreepte grys en wit hemp met 'n bloueriee, perserige das.

Die sonbril wat 'n mens van foto's leer ken het, is soos altyd in sy bo-sak gestee. Hy het vertel hoe hy dink sy oë het in die tronk begin swakker word.

Die donkerbruin kuif hang effe vorentoe.

Twintig joernaliste — vyf vroue en vyftien mans — sit in die persbanke weerskante van die hof. Behalwe die regter en die hofklerke is hulle die enigste mense wie se gesigte Breyten uit die beskuldigdebank kan sien.

Van die familie het net sy broer Cloete, koerantfotograaf, die verhoor bygewoon op 'n gereelde plek in een van die persbanke. Elke dag het hy gegroet wanneer Breyten uit die selle onder die hof boontoe gebring of teruggeneem is. 'n Woord of drie.

„Die oumense stuur groete, hoor,” Breyten staan vir 'n oomblik stil. Met sy kenmerkende skaam glimlag soos dié van 'n goedgemanierde seun: „Dankie. En sê asseblief die selfde van my af.”

Altyd die gemaak ongeërgde houding van broer teenoor broer in die kort sinne tussen hulle.

Ná 35 minute lees die regter nog steeds voort aan die klagstaat — terrorisme, ontsnapping, briewesmokkeling. Breyten lyk baie, baie vermoeid — meer uitgeput as op elke ander tydstop in die vier weke.

Vir 'n oomblik rus die regter se oog op hom: „Mnr. Kriegler, u klient kan maar sit.”

Kort daarna gaan regter Boshoff oor tot behandeling van die wetsartikels waarop die klagstaat berus. Die beskuldigde kyk met byna toegeknypde oë na die regbank. Drie plooi frons op sy voorkop. Hy roer nie. Net die oë knip af en toe.

Dis nodig om taamlik breedvoerig na die agtergrond van die saak te kyk, sê die regter. Hy vertel van die kunststudent wat op twintigjarige leeftyd na Parys is om verder te studeer, van sy huwelik met 'n meisie van Viëtnamese afkoms, van sy verbittering oor sy nie saam met hom na sy land mog terugkeer nie, van hoe hy die Suid-Afrikaanse realiteit vanuit 'n linkerhoek begin bekijk het.

rika was vir hom nie in belang van die Afrikaner nie... Die minderheidsgroep word gesien as die Afrikaner en die Afrikaner word gesien as die onderdrukker...

Hy het in 1968, toe die studente en die jonger werkers teen die Franse regering in opstand kom, betrokke geraak omdat dit in die buurt



REGTER W. G. BOSHOFF

was waar hy woon, die Latynse buurt, sê die regter. Hy behandel die kennismakings met aktiviste wat hulle vir politieke verandering in Suid-Afrika beywer.

„Die beskuldigde het getuig dat hy nie 'n kommunis is nie en hierdie getuienis van hom vind steun in sy briewe aan Schoon, wat wel 'n kommunis is en weier om, soos die beskuldigde versoek het, met Makatini te skakel...”

Die regter behandel die noodlottige sending van 1975 na Suid-Afrika om reëlings te tref i.v.m. die geld wat die ICFTU beskikbaar gestel het vir 'n swart vakbond in Suid-Afrika.

Op 26 November van daardie jaar word hy gevonnissen tot nege jaar gevangenisstraf.

Breyten sit steeds roerloos en kyk stip af voor hom.

„Vir hom was die straf van nege jaar verpletterend omdat hy rede gehad het om te glo dat sy straf nie meer as vyf jaar sou wees nie. Uit die aard van sy werk as skrywer en skilder moet hy kommunikeer met mense en hy vind die aanhouding in isolasie demoraliserend...”

Breyten maak sy oë 'n ruk lank toe.

Regter Boshoff behandel die geskiedenis van bewaarder Lucky Groenewald. Die klaarblyklike doel waarvoor die beskuldigde die jong bewaarder voorberei het, was om sy skryfwerk en sy tekeninge uit die tronk te smokkel, sê hy.

Die hof begin 'n aanduiding kry in watter rigting die regter met sy uitspraak beweeg en die spanning neem toe. Maar by die beskuldigde is daar geen teken dat hy daarvan bewus word nie.

Die atmosfeer verander 'n oomblik toe die regter se vroulike klerk merk dat 'n bejaarde man in die agterste ry aan die slaap geraak het. Sy staan op en vra die jong konstabel om hom te gaan wakker maak.

Die beskuldigde sit steeds moeg en mismoenig voor hom op die grond en staar.

„Bewaarder Groenewald is simpatiek, geselsierig, knoop onwettige praatjies met die beskuldigde aan en bespreek ontsnappingsmoontlikhede... Indien hy dit nie opsetlik gedoen het nie, het hy nogtans dit reg gekry om al die vrae te vra wat nodig was vir die polisie-ondersoek na 'n moontlike onwettige organisasie...”

„Die rol word gespeel tot Oktober 1976. Toe waarsku André P. Brink en die beskuldigde sê vrou hom teen Groenewald...”

Breyten kyk vir die eerste keer in 'n lang ruk op na die regter toe hy hierdie woorde hoor.

Dis kwart oor een en regter Boshoff is reeds langer as anderhalfwe uur besig met sy uitspraak. Hy wend hom nou tot die afsonderlike aanklagte en bevind:

* Daar is geen getuienis wat die ontstaan van Okhela in Suid-Afrika bewys nie;

* Die organisasie waarvan Groenewald praat, was niks meer as 'n truuk van Breytenbach om Groenewald te gebruik om briewe en sketse te smokkel nie;

* Die opleiding in guerrilla-oorlogvoering waarvan die staat praat, was geen opleiding wat van nut kon wees nie, maar net 'n verdere bewys dat die beskuldigde besig was om Groenewald te flous, en so ook die storie oor Rusland toe gaan.

* Selfs op Groenewald se getuienis kan nie gesê word...

Glimlag—en per mens

breed, op sy gesig.

Nou bly kyk hy op.

Regter Boshoff vervolg:

Die hof kan nie bo alle redelike twyfel tevrede wees met Groenewald se getuienis nie. Die staat het die terroriste-klag nie bewys nie.

Die beskuldigde begin 'n ander mens word in die beskuldigdebank. Dit word 'n spel van glimlagte tussen hom en bekendes.

Die ontsnappingsklag is nie bo redelike twyfel bewys nie. Oor die uitsmokkel van briewe is daar wel onteenseglike getuienis, sê die regter, en die beskuldigde is dus skuldig daaraan.

„Ek bevind die beskuldigde onskuldig op die hoofaanklag, op die alternatiewe aanklagte...”

Verder het regter Boshoff nie gekom voordat Breyten se prokureur, mnr. Andy Williamson, na die beskuldigdebank omkyk, knik en glimlag nie.

Breyten straal.

Adv. Kriegler staan op om die regter te bedank „vir die begrip vir die menslike wat u getoon het; dit was onwetig, maar tog so verstaanbaar wat beskuldigde gedoen het.”

Breyten sit skielik weer stil, vorentoe gebuig, met sy oë toe.

Die oortreding het met die hulp en eintlik goedkeuring van die owerheid plaasgevind. Hy vra 'n opgeskorte vonnis . . . opgeskort vir drie jaar. Hy glo dit sal die gewenste afskrikking-effek hê.

Adv. Jacobs sê die staat het niks te sê nie.

Die regter vra die beskuldigde om op te staan. Dis halftwee.

Die wet sien hierdie soort oortreding in 'n ernstige lig, maar omdat die polisie besig was met 'n ondersoek wat veiligheidsake raak, is die beskuldigde in alle waarskynlikheid uitgelok om soveel as moontlik onwettige briewe te skryf. Hy bevind versagtende omstandighede, maar hy moet die beskuldigde afskrik om nie weer briewe te smokkel nie. Vyftig rand of drie maande.

Net 'n knik van die kop vir die regter, 'n dankie sê, en 'n stralende gesig wat nie weet waarheen om te kyk nie.

Toe omhels hy mnr. Williamson, adv. Kriegler, adv. Wentzel. Hy druk hulle styf teen hom vas. Cloete kom gee hand. Baie mense kom vorentoe.

Maar voor die samedromming groot kon raak, neem flinke bewaarders hom vinnig af by die trappe na die selle. Voor die laaste tree by die onderpunt kyk hy vir oulaas op na die groepie vriende bo by die reling.

Die skaam glimlag is breër en langer dié keer: „Baie dan-



YOLANDE BREYTENBACH

SO HET YOLANDE GEHOOR

DIT was met groot toeval dat Yolande Breytenbach Vrydagmiddag omstreeks vyfuur haar man se vonnis gehoor het . . . en dadelik het sy met reëlins begin om hom in Pretoria te kom besoek. Maar sy sal eers môre van haar prokureur hoor of dit gerade is om nou al te kom.

Drie dae lank het sy geen nuus oor Breyten se verhoor gehad nie. Toe, laat Vrydagmiddag, skakel sy 'n getroue vriendin in Suid-Afrika.

En die vriendin is met die grootste toeval juis op daardie oomblik vir die soveelste keer die middag besig om van haar kant af Yolande per telefoon te probeer bereik om haar van die uitspraak te vertel.

Yolande kom eerste deur.

Die vriendin dink nie anders nie as dat sy reeds gehoor het, want Yolande klink so opgeruimd.

Vriendin: What now, Yolande?

Yolande: What? What? (baie opgewonde oor wat die vriendin kan bedoel).

Didn't you get the news? — What? What? (Op die tipiese Yolande-maniër).

Toe sy hoor, is sy totaal oorstelp. Sy het glad nie die uitspraak nou al verwag nie en kon nie glo dat alles verby is nie.

Die vriendin, 'n jong Afrikaanse vrou aan die Rand, vertel hoe beïndruk regter Boshoff in die hof was met die verstandige vrou van die beskuldige na aanleiding van die brief wat Yolande aan Breyten geskryf het.

Yolande, eg vrou en baie in haar skik met die regter se komplemente, wil dadelik dit weet: And what did Breyten say about that?

Sy is nog te oorstelp om werklik te kan glo wat sy pas gehoor het . . . en dan weer eens die vrae wat altyd haar gesprekke met die vriende in Suid-Afrika oorheers: Hoe gaan dit met Breyten? Is hy gesond? Hoe het hy Vrydag in die hof gelyk? Wat was sy reaksie toe hy regter Boshoff se uitspraak hoor?

Vyf uur later — Vrydagaand om tienuur — het sy die nuus gehoor wat haar die blyste gemaak het: Breyten se versoek om nie langer in eensame aanhouding opgesluit te word nie, is toegestaan . . .

Glister was sy besig met haar planne om na Pretoria te kom . . . I am so happy! I can't wait to see Breyten!

325 P. J. K.

EEN DOAARRIE

André het Lucky

adadelik verdink

IN ONGEMAKLIKE oomblik vir prof. André P. Brink in sy betrekkinge met Breyten se afgesant „Louis Swart” (bew. Lucky Groenewald) was die Vrydagmiddag verlede Oktober toe Louis sy stiplek in Brink se motor agteruitstoot „omdat sy bene so lank is”, en daar, oop en bloot, lê en draai die bandopnemer waarmee prof. Brink hul gesprek wou opneem. *Altwee maak toe maar of hulle dit nie sien nie. So kom dit dat daar van die betrokke gesprek waarskynlik twee opnames in die besit van die Veiligheidspolisie is: die wat bew. Groenewald in opdrag van die Veiligheidspolisie self gemaak het, en die van prof. Brink, waarop die Veiligheidspolisie op 31 Maart vanjaar saam met ander bande by sy huis beslag gelê het (daaronder ’n band van sy twee kindertjies wat in die bad sing.)*

Hy het Louis Swart van die heel eerste dag nie vertrou nie, skryf prof. Brink in ’n verklaring wat hy in April vanjaar by die Minister van Justisie, min. Jimmy Kruger besorg het. Hy het toe pas op die Skrywersberaad in Goudsbaai, se hy, uit ongesproke bron verneem dat die optrede teen Breyten beplan word en: het die verklaring oor sy betrekkinge met Swart aan die Minister gestuur „in die oortuiging dat dit Breyten net goed kan doen deur die saak in die regte perspektief te stel”.

Brink vertel ook aan die Minister hoe dit gekom het dat hy Breyten die R300 gestuur het wat, so het

Breyten belooft, twee maande „ná die breek” aan hom terugbetaal sou word. Hoewel Breyten van „die breek” praat, het hy nie beset die geld word vir ’n ontsnappingsgevera nie, sê prof. Brink.

In die verlede het hy Breyten dikwels met geld uitgehelp — ’n keer toe sy telefoonrekening in Parys onmoontlik groot was, ’n keer toe hy en sy vrou in Swaziland was om daar sy ouers te ontmoet. „In die brief waarin hy om ’n lening van R300 vra, het Breyten nie gespesifiseer waarvoor dit is nie, skryf prof. Brink aan die Minister. Hy het wel in die verband „’n Franse” slangwoord gebruik wat ek nie geken het nie”.

„Ek wou dit memoriseer om later na te slaan, maar ek was in ’n toestand van

Berigte oor die Breytenbach-saak deur:

RYKIE VAN REENEN
COENIE SLABBER
MARTIN WELZ

LE BOND!

baie groot emosionele verbystering oor die brief en het weer die woord vergeet."

Kort nadat hy die briewe gelees het, en terwyl hy nog steeds in 'n toestand van verslaenheid was, het hy en Louis op die grondpad na Port Alfred uitgery en dáár het Louis uitgeklim en die briewe verbrand, sê hy.

Galoppie

Eers maande daarna, toe 'n afskrif van die brief as bewysstuk in die saak teen Breyten ingediën is, het hy weer gesien die woord is *cavalle*. Dit beteken 'n galoppie, en Breyten skryf in die brief hy wil 'n klein *cavalle* probeer.

Prof. Brink skryf dan verder aan die Minister dat hy Louis ná die verbrand van die briewe by sy „oom” se huis in die Grahamstadse woonbuurt Hill 60 gaan aflaai het. Hy het — „nog steeds nie in 'n toestand om baie helder te dink nie” — die saak begin oordink en een van sy eerste gedagtes was dat „Louis” 'n agent van die Veiligheidspolisie moet wees.

„Ek het besef dat dit 'n uiters delikate situasie was. Wat ek moes oorweeg, was hoe ek my boesemvriend Breyten in 'n byna onverduurbare situasie kon help.

Prof. Brink sê hy het Breyten tot „geduld en aanvaarding aangespoor” o.m. deur te vermeld dat hy van plan was om invloedryke mense oorsee soos Kissinger en Giscard te nader om vir hom voorspraak te doen.

Pakkies note

„By alle ander oorwegings was dit ook vir my belangrik dat korrespondensie my in staat sou stel om van sy nuwe gedigte vir die Afrikaanse letterkunde te help bewaar. (By 'n volgende besoek het Louis inderdaad twaalf of dertien nuwe gedigte van Breyten na hom uitgesmokkel; die oorspronklikes is nou by Yolande, het hy gister aan RAPPORT gesê).

Dieselfde Vrydagmiddag het prof. Brink „Louis” weer by sy oom se huis gaan oplaai en die brief en die pakkies tienrandnote aan hom gegee.

„Ons het 'n kort rukkie gesels,” skryf prof. Brink aan min. Kruger. „Hy het telkens gepraat van die „beweging” en klaarblyklik gemeen dat ek presies weet waarna hy verwys. Om hom geen agterdog te laat kry

daarom moes ek met „Louis” bly saamspeel en hom nie laat agterkom hoe geskok ek was nie.”

Nadat „Louis” nog 'n keer by hom kom besoek aflê het om briewe te bring, is prof. Brink in September verlede jaar oorsee, waar Yolande hom ten sterkste aangeraai het om in Breyten se eie belang die korrespondensie te staak. Hy het Breyten toe op 30 September met 'n deursigtige allegorie teen die agtergrond van sy verhaal oor die Fascistiese pampoen gewaarsku dat hy Louis nie moes vertrou nie.

„Louis” het verbasend vinnig gereageer, en op 5 Oktober geskakel om te sê hy kom weer die naweek Grahamstad toe, sê prof. Brink.

Bandopnemer

„Op dié tydstop,” skryf hy aan min. Kruger, „sou enige swaap kon besef dat 'n junior tronkbewaarder nie so gereeld en so maklik vakansie kry nie. Ek het besluit om konkrete getuigenis van sy manier van optrede te verkry deur 'n bandopnemer in my motor te versteek wanneer ek hom weer gaan oplaai . . .

„Opvallend genoeg het hy dadelik toe hy gaan sit, sy hand onder die sitplek ingestee en toe gesê hy wil die stoel terugskuif omdat sy bene so lank is. As gevolg hiervan het die opnemer oop en bloot op die vloer gelê waar sowel hy as ek dit kon sien.

„In 'n sin was ek teleurgesteld. Andersyds, het ek gedink, was dit die beste ding wat kon gebeur: want nou kon hy oop en bloot sien dat ek hom wantrou. Daar was geen sin meer in om die toneelspel voort te sit nie.”

Nadat hy „Louis” die vol-

dat ek toe reeds agterdogtig was oor sy rol in die saak, het ek niks gedoen om die indruk te probeer uit die weg ruim nie.

„Net voordat ek „Louis” weer . . . gaan aflaai het, het ek hom gevra of hy dalk weet waarvoor die geld bedoel was. Hy het geantwoord dat Breyten beoog om te ontsnap.

Waarsku

„Dit was vir my 'n ontsettende skok,” skryf prof. Brink aan min. Kruger, „en seker die moeilikste oomblik in die hele geskiedenis van Louis se rol in my lewe.

„Bowendien,” skryf hy verder „nou was dit nodiger as ooit tevore dat ek Breyten moes waarsku en hom oorreed om niks onsin nigs aan te vang nie. En



PROF. ANDRÉ P. BRINK.

gende oggend na die King William's Town-pad geneem het waar hy wou ryloop, het hy, soos hy ook verwag het, sê prof. Brink, niks weer van of Breyten of van Louis gehoor nie.

In die brief by sy verklaring vra prof. Brink min. Kruger se medewerking „om die Veiligheidspolisie te beweeg om my tikmasjiene terug te besorg. Ek werk aan 'n roman, en vir 'n skrywer om sonder sy tikmasjiene te wees, is soos die verlies van 'n hand,” sê hy.

Op sy twee tikmasjiene is beslag gelê toe vyf man van die Veiligheidspolisie sy huis in Grahamstad op die middag van 31 Maart vanjaar besoek het en o.m. sy bandopnames en legger oor Breyten ook weggeneem het. Hy het Vrydag verneem dat daar waarskynlik nie moeilikheid in verband met die terugkry van sy tikmasjiene sal wees nie.

In sy brief aan die Minister het prof. Brink ook 'n onderhoud gevra, maar dit is nie aan hom toegestaan nie.

B. D. 18/7/77 (325) P. I. Truth

Breyten wasn't denied contact says official

JOHANNESBURG — Breyten Breytenbach's 20-month sojourn in Pretoria Central Prison has been no "Papillon" set-up of complete isolation, according to the Prisons Department.

But for Mr Breytenbach — though he wasn't kept in a dark, damp cell, hearing but never seeing a soul — his internment was solitary enough.

"I must not have contact with other prisoners, must not know of them and they must not even see or hear me," he wrote in a letter smuggled to Prof Andre Brink.

His frustration and need for contact with the outside world emerged clearly during his 15-day trial which ended last week.

However, Col H. Botha, chief liaison officer for the Department of Prisons, said yesterday that Mr Breytenbach was at no stage in solitary confinement.

And solitary confinement did not mean sensory deprivation and complete denial of human contact as was generally believed, he added.

Mr Breytenbach was kept separate from other prisoners jailed for offences against the security of the State at his own request. He was therefore held in a single cell in the maximum security section of Pretoria Prison.

But while the poet had no contact with other prisoners, his single cell confinement did not mean any loss of privileges such as letters, visits or smoking.

Neither did it mean that he only had contact with prison warder Pieter Groenewald.

"He has had daily contact with various other staff members in the section and also daily contact with the head of the prison or another officer," Col Botha said.

"The commanding officer and other senior officers visit him regularly and he receives weekly visits from the prison chaplain."

The services of psychologists and social workers for counselling, as well as the services of doctors and hospital personnel, had been at his disposal all the time.

In addition to the normal privileges of one visit and writing and receiving one letter a month, Mr Breytenbach had been granted the extra privilege of writing and receiving a second letter every month. Library facilities were also at his disposal.

Col Botha confirmed that Mr Breytenbach's request to be transferred to the section where other security prisoners are held had been granted. — DDC.

Youths protested in city, court told

By JOHN MOJAPELA

SEVENTEEN blacks — 14 students and three workers — who allegedly demonstrated in a Pretoria street last month, yesterday pleaded not guilty in the Pretoria Regional Court to a charge of public violence.

Mr Molotlegi Mokgatle, 19, Mr Abram Mokoena, 19, Mr Louis Masolo, 18, Mr David Shakoane, 18, Mr Michael Moulane, 18, Mr Francis Machacha, 19, Mr Kgabo Sebata, 19, Mr Wellington Mchunu, 24, Mr

Isaac Rakubu, 22, and eight youths aged between 14 and 17 appeared before Mr C F Klopper.

They pleaded not guilty to the charge of public violence and alternatively taking part in an illegal gathering. The State alleged the accused demonstrated in Paul Kruger Street on June 28.

Lieutenant W C Muhlenbeck, of the Pretoria Riot Squad, testified that on the morning of June 28 he went to the corner of Paul Kruger and Visagie streets. He found a group of about

70 youths which then increased to about 80 to 90.

The youths were shouting slogans and making the black power salute. Some of them were giving the "V" peace sign. The group was disrupting traffic and pedestrians.

Lieutenant Muhlenbeck said some of the youths were shouting "away with Bantu Education," "kill Vorster's dogs" and "we do not want to fight, we want peace".

Five policemen then arrested 17 youths.

Under cross-examination, Lieut Muhlenbeck said it was not possible that the police arrested people who were on their way to work.

Sergeant A J van Tonder, who was among the five policemen who arrested the demonstrators, said he arrested Mr Sebata and three youths. All four took part in the demonstration.

Under cross-examination, Sgt Van Tonder admitted that his evidence concerning the arrest was vague.

The hearing continues today.

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ANC trial told of revolution and rail blasts

RDM 19/1/77

323

Pol. trials

Staff Reporter

SABOTAGE attempts on the main Pretoria-Pietersburg railway line and African National Congress plans for revolution in South Africa were described in the Pretoria terror trial yesterday.

Twelve blacks have pleaded not guilty before Mr Justice Davidson in the Pretoria Supreme Court to charges under the Terrorism Act.

They are charged with taking part in terrorist activities between 1962 and 1977 and conspiring to overthrow the South African Government.

Mr Jonas Machibani, the first witness yesterday told the court he was present at a meeting in

December last year between one of the accused, Mr Naledi Tsiki, 21, the chairman of the Soweto Students Representative Council, Mr Khotso Seatsho and another SSRC executive member, Mr Easy Gxuluwe.

There was a general discussion on how to cripple South Africa in economic ways and through sabotage.

Mr Tsiki showed them a Scorpion machine pistol and a hand-grenade and said both weapons had been made in Czechoslovakia, Mr Machibani said.

Mr Michael Nkabinde told the court another accused, Mr Tieho Masinga, told him he was working for an underground move-

ment.

"He asked me what change in the Government I would prefer and when I said I could not understand him very well he told me there were two ways of change.

"The first was reform change and the second revolutionary change. Reform change meant holding discussions and negotiating. Revolutionary change was when you used force."

He said Mr Masinga told him they would go over to armed change if reform change did not succeed.

He told Mr Masinga he did not want to become a member of the movement because he was the only provider in his home.

"But he said I mustn't worry about that. The organisation would look after things like that. He said he was himself not working but that the organisation supported his family," Mr Nkabinde said.

He was told the organisation wanted to open offices in Soweto and that if he did his work well he would be sent out of the country to study.

Mr Masinga gave him a book called "The Thoughts of Karl Marx". He explained the definitions of "political" and "economic".

Captain L. Thomas and Warrant Officer J. J. van Jaarsveld of the Railways Police told the court that on January 18 this year Mr Naledi Tsiki pointed out a place on the main Pietersburg railway line near Munnik where he said explosives had been planted.

A section of the line had been blown up in October last year.

The hearing continues today.

Sabotage alleged on rail line

N. Mercury

12/3/77

325

Peter Tshis

Mercury Correspondent

PRETORIA — Sabotage attempts on the main Pretoria-Petersburg railway line and African National Congress plans for revolution in the country were described in evidence at the terrorism trial in the Pretoria Supreme Court yesterday.

Twelve Africans pleaded not guilty before Mr. Justice Davidson to charges under the Terrorism Act.

The 12, one of them a woman, are alleged to have taken part, as mem-

bers of the banned African National Congress, in terrorist activities over a 15-year period between 1962 and 1977 and aimed at overthrowing the Government.

Mr. Jonas Machbani said he was present at a meeting in mid-December 1976 between the second accused Mr. Naledi Tsiki (21) and the chairman of the Soweto Students Representative Council, Mr. Khotsiso Seatholo and another SSRC executive member, Mr. Easy Gxuluwe.

Mr. Tsiki asked Mr. Seatholo to get the SSRC

to work together with the ANC — but he refused because the ANC was banned but the SSRC was not.

Mr. Tsiki showed them Scorpion machine-pistol, and demonstrated how it worked. He also showed them a hand grenade and said both were made in Czechoslovakia.

There was general discussion of how South Africa could be crippled, through sabotage.

Mr. Michael Nkabinde said accused No. 5, Mr. Elias Tjeho Masinga (24),

said he was working for an "underground movement."

Mr. Masinga said there were two ways to bring change. "The first was reform change and the second revolution change. Reform change meant holding discussions, talking about it and negotiating. Revolutionary change was when you used force."

Mr. Masinga had said that "they" would go over to armed change if reform change did not succeed.

Mr. Masinga told him that the organisation

wanted to open offices in Soweto, and that if he did his work well he would be sent out of the country to "study further."

Mr. Masinga gave him a book entitled The Thoughts of Karl Marx.

Captain L. Thomas and Warrant Officer J. J. van Jaarsveld told of being present on January 18 on the main Pretoria-Petersburg railway line near Munnik when accused No. 2, Mr. Tsiki, pointed out a place where he said explosives had been planted.

The hearing continues today.

Sedition trial is postponed

RDM 20/7/77

(325) Political Trials

Staff Reporter

PARENTS, students, relatives and friends packed the corridor outside a Johannesburg Magistrate's Court yesterday when 142 Soweto students had sedition cases against them remanded.

The cases are a sequel to a march on John Vorster Square on June 23 when the students allegedly demanded the release of detained students.

The main charge is of sedition. Alternative charges include public violence, taking part in an illegal march and addressing an illegal gathering.

The students were not asked to plead. One case was adjourned to September 19, another to September 21, three to September 22, five to September 26 and 11 to September 26, all in the Johannesburg Magistrate's Court. The other 121 students will appear at a special court in Soweto on October 3.

The students are charged with carrying placards reading "Away with Bantu education", "Vorster, we want to be free", "This continent is ours", "Please release our black Azanians".

They are also said to have shouted, "Vorster will



A youth is led away by the police protesting that he had done nothing. He was handed to the police by a traffic officer after a brief chase.

never go to heaven".

It is also alleged they obstructed traffic, banged on the roofs of cars, rode on the bonnets of some cars, hit parked cars and refused to disperse.

Two students are alleged to have addressed an illegal gathering in Harrison Street.

There was a moment of drama when a white traffic policeman chased a youth and roughly handed him to the police. The youth was driven to John Vorster Square.

The students dispersed after briefly consulting with their lawyer.

They are on R50 bail

and must report at their nearest police stations between 2 and 5 pm on each day. When some said they would be writing examinations, they were told that there would be no change in the conditions of bail.

Mr L M G Hawkins was on the bench.

Court Reporter N. Mercury 21/7/77
PROMISES of a good job and a house in Newcastle had been made to a State witness in the University of Zululand trial by the Security Police, provided he added certain things to his statement, a Supreme Court Judge was told yesterday.

Those allegations were made by a witness, who may not be named, when he gave evidence before Mr. Justice Milne and two assessors at the hearing at which 19 students from the university are appearing on counts of sabotage, arson, malicious injury to property and assault

Judge told of 'offers' by SP

with intent to commit murder.

Their appearance follows disturbances and rioting at the university in June last year. They have all pleaded not guilty.

The witness said he was not prepared to give the incorrect evidence

the Security Police had told him to give.

He claimed that when he was being interrogated in detention, promises had been made to him about a good job and a house.

He asked for the earliest notes he had written to be read to the Court so it could see the many stages added to his statement because of the promises made to him.

The hearing was later adjourned until Monday to allow Mr. D. Brunette, SC, appearing for the the allegations.

Mr. Justice Milne ordered that the witness, and two others still to be called, have no further communication with the Security Police before giving evidence.

CAPR TIMES 21/7/77
**Professor in exile
may return to SA** 325-
Passports

Own Correspondent

JOHANNESBURG. — Prof Ezekiel Mphahlele, South African-born author and educationist who has lived in exile for the last 20 years, has been allowed to come home permanently on condition that he relinquish his British passport.

Professor Mphahlele, Professor of English at the University of Pennsylvania is a banned person and may not be quoted.

Last year he was given permission to come back, temporarily, to participate in the inaugural conference of the Institute of Black Studies at Wilgespruit, near Roodepoort.

According to a spokesman for the South African Embassy in Washington, Professor Mphahlele could not be given a South African passport but could apply for a visa.

The spokesman said his application for South African citizenship would be considered after he had surrendered his British passport on his return.

During their 20 years of exile the Mphahlele family have lived in Nigeria, Kenya, France, Zambia and the USA.

CT 22/7/77

Witness tells of six months alone

Own Correspondent

PRETORIA. — A witness at the Supreme Court terrorism trial said yesterday that he had been kept in solitary confinement since his arrest in January.

"What is more I don't know if my wife and children are still in this life," Mr Stephen Morepye Lekgoro said before Mr Justice Davidson in the Pretoria Palace of Justice.

Twelve African people have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive and terroristic activities between 1962 and 1977.

Mr Lekgoro who gave evidence for the State after being warned as a possible accomplice, earlier told the court he was shown the workings of a communist-made pistol, machine-pistol and hand-grenade by the first accused, Mr Mosima Sexwale, 24.

Under cross examination from Mr D Kuny, for the defence, he admitted that the evidence he had given earlier was incorrect in a certain aspect.

River demonstration

He had told the court that accused number eight, Mr Petrus Nchabeleng, 50, had carried the bag containing the weapons to a river, where Mr Sexwale demonstrated them. This was not so. He — the

witness — had in fact carried them.

I said originally that accused number eight took the case. I said this because he told me to take it to the river," he said.

He admitted "liking" the idea of being trained in the weapons because he foresaw using them against marauding tribesmen from a neighbouring state.

He was told about the African National Congress by Mr Nchabeleng, but had never heard about the movement before that.

"He told me that the ANC was something that must help us black people in connection with jobs. We would get jobs if they took over the government," he said.

Solitary

He said he had been kept in solitary confinement since his arrest.

Asked if he had seen his wife and children since his arrest he said: "I am the sole support of my wife. Now there is no money coming in so there is no way for her to come and see me. What is more I don't know if they are

still in this life."

Replying to a question from Mr Justice Davidson, he said that Mr Nchabeleng had told him that the white government would be "taken over by weapons".

Mr Matali Mantati, another witness, said under cross-examination that he was also present when Mr Sexwale demonstrated the weapons in December, in bush near the Olifants River at Apel.

Karate

He had been, under the impression, when he went for the demonstration that Mr Sexwale was to have instructed him in "German karate". He later changed "German karate" to "Japanese karate".

Nevertheless he was not much surprised when he was shown weapons.

Mr Sexwale warned him that he would be injured by the gun if he were not prepared to learn how to use it. "He said he would use the same gun on me because I would go about telling people I had seen it," said Mr Mantati.

The hearing continues today.

I was held in solitary, says State witness

By KEITH
ABENDROTH

A WITNESS in the terrorism trial being held in the Pretoria Supreme Court said yesterday he had been kept in solitary confinement since his arrest in January.

"I am the sole supporter of my wife. Now there is no money coming in. What is more I don't know if they are still in this life," Mr Stephen Mosepele Lekgoro told Mr Justice Davidson.

Eleven men and a woman have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive and terror activities between 1962 and 1977.

Mr Lekgoro, who gave evidence for the State after being warned as a possible accomplice, told the court he was trained to use a Communist-made pistol, machine-pistol and hand grenade by one of the accused, Mr Mosinma Sexwale, 24.

The training took place near his home in Apel, Sekhukhune land, in December last year.

When cross-examined by Mr D Kuny for the defence, he admitted that evidence he gave earlier this week was incorrect.

He had told the court that one of the accused, Mr Petrus Nchabeleng, 50, carried a bag containing the weapons to a river where Mr Sexwale demonstrated them. He now admitted carrying them himself.

I originally said Mr Nchabeleng took the case because he told me to take it to the river.

He was told about the African Nationalist Congress by Mr Nchabeleng. This was the first time he had heard of the movement.

He told me the ANC would help black people with jobs. We would get jobs if they took over the government," he said.

The hearing continues today.

DD. 22/7/77

South African trials a sham — US attorney

(325)

Political Trials

JOHANNESBURG — An international observer at the Breyten Breytenbach trial, who has made a scathing attack on South African judges, last night denied his failure to understand Afrikaans affected his findings.

American attorney, Mr Martin Garbus, said in a telephone interview from New York last night he stood by the truth of his report describing South African trials as "elegant facades covering one of the most vicious police states in the world."

Mr Garbus represented the International League for Human Rights at the Breytenbach and African National Congress trials in Pretoria.

He maintains both trials were stage-managed political "show trials" and accused South African judges of never meting out the justice their procedures permit.

Proceedings in the Breytenbach trial were held in Afrikaans and last night Mr Garbus said although there was a language barrier, he believed "it had been adequately resolved."

At the trial which ended in Pretoria last week, Mr Garbus was reading notes as taken down in English by two reporters.

Mr Garbus denied an allegation that he only sat in on the Breytenbach trial for five hours, but refused to say exactly how long he had been present. Other observers at the trial only saw Mr Garbus on two days during the 15-day hearing.

In an article for the New York Times this week, Mr Garbus claimed prison warders said during cross-examination in the Breytenbach trial that blacks were discriminated against even in their "last moments."

They testified that "if a white man was hanged, he would get a new rope, but for the blacks the same ropes were used over and

over again," Mr Garbus claimed.

No such evidence was given by any of the witnesses.

He said his findings were "based on observation, and conversations with different people" during his two-week stay.

Reacting to criticism from South Africa, he said legislation such as the Terrorism Act and abuses such as the use of torture made the legal system little more than a political tool. "That is not a system of justice," he added.

In his report to the Human Rights League, he said South African justice "will soon be a relic of the past." The most ominous development the trials revealed was the "uncrossable gulf" which now threatened to divide all whites from blacks.

The facade of black-robed lawyers and red-robed judges, addressed as "your lordship" was very persuasive, said Mr Garbus. "It's very difficult to believe it's all nonsense."

Mr Garbus also attended a session of passbook court sessions and was scathing on what he saw — 320 cases at faster than one a minute, without a single defence lawyer, or one plea of innocence and a prosecutor who doubled as an interpreter. — DDC.

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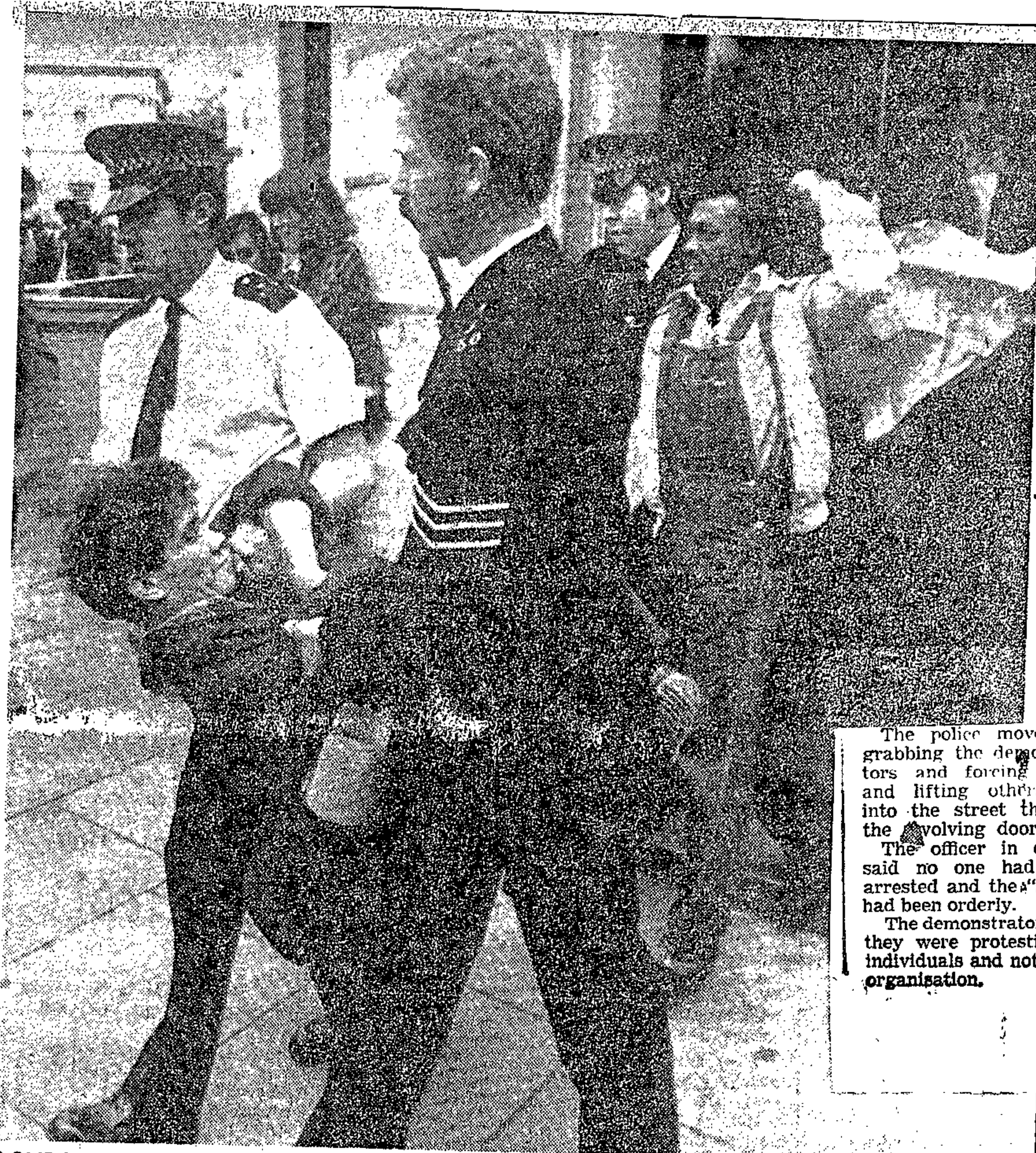
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The police moved in, grabbing the demonstrators and forcing some and lifting others out into the street through the revolving door.

The officer in charge said no one had been arrested and the "sit in" had been orderly.

The demonstrators said they were protesting as individuals and not as an organisation.

LONDON — Two South African demonstrators are forcibly removed from South Africa House in Trafalgar Square after a 30-minute sit-in to protest the Pietermaritzburg terrorism trial. — (Cablecast.)

N. Mercury 22/7/77

S.A. embassy is demo target

325 Pol. Trials

Mercury Correspondent

LONDON — A group of 16 White and Black anti-apartheid demonstrators yesterday occupied the south-west library and visitors' section of the South African Embassy in Trafalgar Square.

For 30 minutes they sat on the floor, refusing to move. They sang "freedom" songs, held placards aloft and chanted slogans, until they were forcibly ejected by police.

They were protesting the terrorism trial in Pietermaritzburg, which will be resumed on Monday.

At 12 noon scores of Blacks and Whites converged on South Africa House in small groups. They surveyed the main entrance leading to the lobby but decided they could not occupy this section because of the security guard posted there.

They wandered along the pavement, crowded with tourists, to an unguarded entrance and unobtrusively walked through the revolving doors in ones and twos. Once inside they startled assistants in this area by pulling posters out from under their clothing, raising clenched fists and singing.

Two senior embassy officials ordered the protesters, mainly young and Black, to leave. They refused to do so.

Crowds gathered at the windows but no one was allowed to enter the room and embassy officials chased reporters and photographers away from the entrance.

When the police arrived they ordered the group to leave, pointing out that they were trespassing. The demonstrators refused to move.

More protesters had meanwhile lined the pavement outside the embassy holding posters which read: Release The Nine, No More Political Prisoners and Free Detainees.

'Terror van used as an ambulance'

RDM 23/7/77

By KEITH ABENDROTH

A KOMBI used to carry alleged terrorists and communist-made weapons later took two policemen injured in a hand grenade blast to hospital.

This emerged in evidence in the Pretoria Supreme Court yesterday in the trial of 12 alleged terrorists, one of them a woman.

The 12 have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive and revolutionary activities between 1962 and 1977.

Earlier evidence was that two white policemen were injured when a grenade was thrown by one of a number of blacks detained in November last year.

They were detained after allegedly transporting arms from Swaziland to South Africa.

The court was told that they disembarked from their Kombi on the Swaziland side of the border and crossed the border on

325 Pol trials
...and police were the passengers

foot when they were arrested.

They allegedly escaped after throwing a hand grenade into the cab of the police van, severely injuring two policemen.

Under cross-examination from Mr D Kuny, for the defence, Mrs Martha Tselo, of Alexandra Township, yesterday told how her husband had hired out Kombis.

She heard from him about trips made by Kombis to Swaziland and elsewhere.

Her husband, Joe, was detained on December 13 and she had seen him only twice since then.

"I don't know if he will ever be released," she said. His detention came as a

surprise and a shock to her. She had no idea that the police had any reason to detain him and knew of nothing illegal in which he might have been involved.

She knew of his friendship with one of the accused, Mr Martin Ramokgadi, 67 — the man alleged by the State to have been the kingpin in the banned African National Congress structure in Johannesburg.

She had spoken to her husband about his friendship with Mr Ramokgadi, who lived with them for a while, but her husband had become angry with her.

He said he considered Mr Ramokgadi "to be like a father" and threatened

to assault her.

She knew that Mr Ramokgadi had spent a period of imprisonment on Robben Island as a political prisoner.

She kept her distance from him, working in the day and running a shebeen at her home at night and at weekends.

On November 29 last year a Mr Phineas Thabalala took one of her husband's Kombis away and returned it on November 30. That day Mr Ramokgadi showed her a Rand Daily Mail report telling of a grenade blast near the Swaziland border.

Mr Ramokgadi said he believed the people concerned in the incident were those he had sent to Swaziland to fetch funds.

He told her after the return of the Kombi that an effort must be made to hide Mr Thabalala, and told her of blood in the Kombi from policemen carried to hospital in it.

Shown a photostat copy of the "Mail" of December 1, she said she was not sure if this was the report Mr Ramokgadi had shown her.

She insisted that Mr Ramokgadi showed her the report on November 30, the day the incident took place.

"It seems to me the report I read was on the other side of the newspaper. But it was the Rand Daily Mail," she said.

Mr Kuny said she could not have seen such a report in the Rand Daily Mail of November 30.

"I still say it was shown to me then by the accused," she said.

She denied that she had "said all this" to incriminate Mr Ramokgadi and get her husband out of prison.

"If Joe is guilty that is his own matter. I did not tell this story about the Kombi because I wanted to exonerate him," she said.

She said she had seen another of the accused, Mr Mosima Sexwale, 24, in October although it was put to her that Mr Sexwale was out of the country then. He returned in November.

The hearing continues on Monday.

A drama behind Breyten brouhaha

BEHIND the brouhaha of the Breytenbach trial a lesser but highly significant drama — what Die Burger has called “the polarisation between the Afrikaans writers and the Afrikaans people” — has been smouldering steadily.

Whether it is not more truly a polarisation between writers and politicians, particularly verkramppte politicians, is an interesting question, but what is certain is that the second Breytenbach trial, extensively and dramatically covered as it was in the Afrikaans Press, has blown the embers of conflict into open flame.

A selective literary “establishment”, Die Burger continued, had been created by a group of rebels who had struck out in a certain direction with great intolerance and in the process had attacked and belittled the Afrikaner, his institutions, his authority, and even his language, which ought to be the writer's medium for the word of prophesy to their people.

Professor Frans van Rensburg, of RAU, writing in Rapport, complained that literature had been turned into a “social-technical instrument”; that the literary activism of post-war Europe had been swallowed hook, line, and sinker; that young writers had been tyrannised into conforming with the ruling group, and that the constant vilification of the authorities showed the alleged sympathy with the underdog to be “nothing but false pathos”.

Professor Dirk Opperman, himself a leading writer, took a more philosophical line. He reminded Rapport readers that “elements of treachery and subversion” had been inherent from the earliest times in the nature of art.

In the haste to destroy the traitor, “our own OB and Stormjaer activities and clandestine organisations of yesterday and today are conveniently forgotten and forgiven”.

Beeld columnist Chris Barnard (the writer, not the surgeon) roundly condemned extremists at both ends of the literary spectrum, but he went on to say that a people who demanded of their writers that they soothe them, become their apologists, praise them even in their wrongdoing, did not understand the role of the writer.

“A state,” declared the columnist, “that wants to treat its thinkers like naughty boys, that seeks to muzzle its most loyal critics, and would like to restrict the great debate about our existence to what schoolchildren can digest, must expect rebellion. Indeed, it invites rebellion.”

NOT only the literary aspects of the Breytenbach affair stirred the Afrikaans Press this week.

Die Vaderland asked, in the light of the sentence eventually passed, why such serious charges, possibly involving the death penalty, had been preferred against the poet in the first place — particularly as it appeared to have been contrary to the advice of the police.

The outcome had damaged the image of South Africa and its security police.

One of the ironies of the affair was underlined in a letter to Rapport by Mr M van Vuuren, of Gillitts, Natal, who contrasted the Government's refusal to let the poet's Vietnamese wife enter the country with the reported intentions of Mr Donald de Kieffer, South Africa's highly-paid

NADERE KENNIS



JAMES MCCLURG
reviews the
Afrikaans
Press

American lobbyist, to retire in Sea Point with his Oriental wife.

He called for the repeal of “such dangerous abominations” as the Mixed Marriages Act.

Perhaps, he added, the churches might be induced to kick up the same kind of row about this unChristian legislation as about a relatively insignificant question, morally speaking, as the Defence Bonds.

Calling attention to Mr Van Vuuren's letter, Rapport commented editorially that by granting Mrs Breytenbach residence rights we might be able to add a bit of lustre to our dented credibility.

MEANWHILE, on the same issue, columnist Pollux reported Mr De Kieffer as pointing out to him that, in South Africa, his wife has one advantage over him — she can travel in buses and taxis for both Whites and Blacks.

He can only use the ones for Whites.

SEVERAL Afrikaans papers continue to show concern about the situation in Soweto, particularly in the light of the recently-enacted Community Councils Act.

H J Grosskopf, writing in Die Burger and Beeld, quotes Black leaders on their feelings of hopelessness in the absence of effective power over their own local affairs.

Charl Thom says in Die Vaderland, after an investigation, that “one cannot fail to be deeply worried about Soweto”.

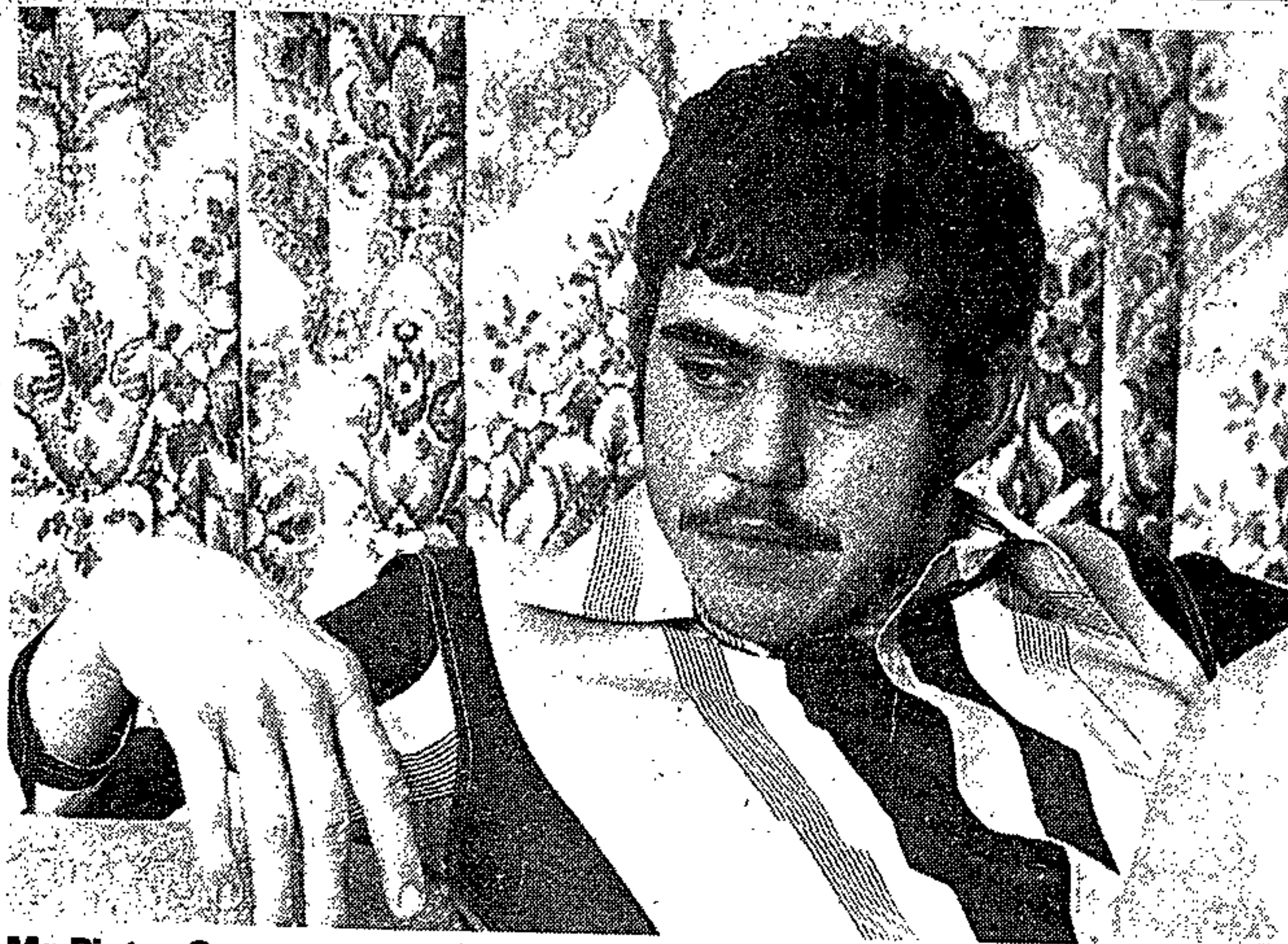
And, he adds, the situation in other Black urban areas is unlikely to be very different.

Rapport, too, calls attention to the situation in an article headed “Law's new name bluffs nobody”. It quotes Mr Hannes Mentz, a senior Unisa lecturer who has made a special study of the subject, as saying:

“At a time when it has become so urgently necessary to remove the grievances of these people and give them a greater say over their own affairs, there appears once again legislation that places all effective say over matters of local government in White hands . . . when one looks at the history of the share that the Black man has been granted in the handling of his own affairs, one almost despairs.”

SMILES are rare in the Afrikaans papers these days — as they are elsewhere for that matter. So my breakfast was distinctly brightened by Transvaler columnist Morkel van Tonder's collection of institutions with way-out names.

My favourites (translated): The Breakthrough Maternity Home, The Heartbreaker Marriage Bureau, and The Stork Home for the Aged.



Mr Pieter Groenewald, key State witness in the trial of Breyten Breytenbach, relaxes at his mother's Bellville flat.

CAPE TIMES 25/7/77
Breytenbach
 'a nice guy'

325

Pol. Fr.

Staff Reporter

"BREYTENBACH is a nice guy and I bear no grudge against him, but his politics are all wrong and detrimental to South Africa," Pretoria prison warden Mr Pieter Groenewald said yesterday.

Twenty-year-old Mr Groenewald, who was the chief State witness in the 3½-week trial of Sestiger poet Breyten Breytenbach which ended in Pretoria recently, spoke to the Cape Times at his mother's Bellville flat.

Mr Groenewald leaves for Pretoria on August 9 after

spending three weeks' leave with his father, Mr Piet Groenewald, a Worcester builder.

He said the Breytenbach trial had been an experience for him, and admitted that he had been "upset by certain aspects of the whole experience".

Asked whether he would apply to join the security police, he replied: "There is no such possibility. I have no dealings with them."

Mr Groenewald confirmed that he had been transferred to the dog unit of the Department of Prisons where his duties included the training of puppies as patrol dogs.

"I love dogs and will be very happy in the dog unit," he said. "I have absolutely no intention of leaving the Department of Prisons."

He declined to comment on threatening telephone calls which he received in Pretoria, but admitted that some of the callers had made threats on his life.

Five get life imprisonment

RDM 26/7/77 (325) Political trials

Own Correspondent

MARITZBURG. — The accused, members of their families and friends were visibly stunned when five accused in the Maritzburg Terrorism trial were sentenced to life imprisonment by Mr Justice Howard in the Supreme Court yesterday.

The men who received life sentences for participating in various terrorist activities are:

- Themba Harry Gwala, 55, who admitted a previous conviction of eight years' imprisonment, served on Robben Island, for recruiting people who left the country to undergo military training abroad.

- Anton Ndoda Xaba, 42, previously sentenced to two years for leaving the country without a permit and eight years for taking steps to undergo military training abroad.

- John Vusimusi Nene, 32, who admitted similar previous convictions to that of Xaba's.

- Matthews Mokholeka Meyiwa, 51, who previously served eight years for sabotage.

- Zakhele Elphas Mdla-lose, 51, who previously served 10 years for sabotage.

Sentences of the other accused are as follows:

- Vusimusi Truman Magubane, 32 — 15 years;
- Azaria Ndebele, 40 — seven years;
- Joseph Nduli, 35 — 15 years on one count of participating in terrorist activities and 10 years on a second count for a similar offence, seven years of the second count to run concurrently with the first count;
- Cleopas Ndhlovu — 10 years on one count of participating in terrorist activities and 10 years on a second count, five years of the second count are to run concurrently.

A tenth accused, Mr William Khanyile, 40, was earlier found not guilty and discharged.

All 10 accused originally

and friends are stunned

pleaded not guilty to various charges under the Terrorism and Suppression of Communism Acts.

In passing sentence Mr Justice Howard described those sentenced to life imprisonment as dedicated revolutionaries.

"Although they served their previous sentences in full, this did not deter them from participating in terrorist activities within a comparatively short time after their release," he said.

"There appears to be little or no prospect of reformation in these cases and the interests of society require that they should be removed from the scene permanently," Mr Justice Howard added.

There were two effective ways of doing this — execution or life imprisonment.

The judge said he had been persuaded by considerations of mercy to choose the latter.

In regard to the other accused, Mr Justice Howard ruled that they should be sentenced to long terms of imprisonment. The function of such a sentence would be to reform as well as to prevent and deter, he said.

He found that the accused were moved by a strong sense of grievance and frustration to do what they could to improve the lot of the black people of the country but they deliberately chose criminal means to achieve this.

None of the accused has shown the slightest remorse for what he did or attempted to achieve, the judge said.

"However, I've tried to

maintain a fair balance in each case between the crime, the criminal and the interests of society."

After the sentence, the accused rose to face the gallery and gave black power salutes. Some of the spectators joined them in the singing of Nkosi Sikelele Afrika as they filed out of court.

In mitigation of sentence, the accused spoke of their family backgrounds and their involvement with trade unionism.

They also expressed their discontent about the Nationalist Government's policies, the oppression of blacks, racial and wage discrimination, apartheid, the homelands, pass laws, exploitation by employers, prevailing social conditions, lack of Government-financed schooling for blacks, the expropriation of property by the Government, the creation of townships, job reservation, influx laws and poor working conditions.

Mr Muller, for the defence, added that the accused had been in custody for up to 20 months with the exception of Nduli and Ndhlovu who were arrested on March 25, 1976.

Until they appeared in court, they were detained in solitary confinement "which is a rigorous form of punishment," he said.

The accused sought no personal gain and should not be regarded as ordinary criminals. The offences they had committed were motivated by political considerations.

The accused had given evidence of many grievances felt by black people in

South Africa and Mr Muller submitted that their feelings were genuine and that they were motivated throughout their actions by a desire "to do what is best for South Africa."

He requested that a distinction be made between the accused and their relative contributions to the charges.

"The essence of the charges against the accused is their participation in a campaign to recruit persons for military training outside South Africa."

"The mere fact of military training is innocent and the fact of importance is the mental attitude of the accused, which is that their intention was for recruits to return and endanger the maintenance of law and order."

"Though some of the recruits might return to engage in fighting with South African forces, there are many factors which might supervene and dissuade them from such a course. The decision to engage in fighting with South African forces would still have to be made by each individual returning to South Africa," said Mr Muller.

At the outset of the trial Nduli and Ndhlovu lodged an interdictory plea contesting the court's jurisdiction to try them.

They claimed that they were kidnapped from Swaziland by members of the South African Police and that their arrest was a violation of international law.

Mr Justice Howard dismissed their pleas.

Nduli was found guilty of unlawfully undergoing training at Das es Salaam and Kongwa, Tanzania and Odessa, Russia.

The training was such that it would be of use to any person intending to endanger the maintenance of law and order in the Republic.

Court asked not to name ex-ANC official

Staff Reporter

THE prosecutor in the Terrorism Trial, Mr Mike Donen, yesterday battled for a judicial order to hear a key witness — a former top African National Congress executive member — in camera.

"The witness is not only frightened of prejudice if his name is disclosed, he is scared stiff of what could happen," Mr Donen told Mr Justice Davidson at the Pretoria Criminal Sessions.

But Mr A Chaskalson, SC, for the defence, opposed the application saying it could prejudice the accused.

The witness, in a sworn affidavit to the court, pleaded for anonymity to protect his wife, children, home and himself from possible revenge if it became known who he was.

Mr Donen, applying for an in camera order, argued that it was his duty to argue the application in the interests of the witness and of justice.

The witness was not prepared to testify if his identity became known to the audience in court — and "if the audience knows they will tell their friends and then everybody knows," he said.

A public hearing in this instance could stand in the way of the interests of justice. Courts should not become a place of moral torture. Even if held in camera, the proceedings — minus identification of the accused — would still be public, he said.

The witness said in his statement that he had given evidence, as a former very senior official of the ANC, in previous trials. As a result threats had been made to burn down his home and his wife and children were endangered.

In the present trial, in which 12 Africans have pleaded not guilty under the Terrorism Act to alleg-

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(VII) Church, Civil and Bohadi

(VI) "I am not prepared to endanger my family and my possessions by giving evidence in the open," he said. Mr Chaskalson said that to have evidence taken in public was a very important matter in many cases. One of the reasons was that publication could, and had, resulted in information reaching the defence which could be valuable in cross examination. In addition, the willingness of a witness to speak out publicly was a safeguard of the truth being told.

If the factors of prejudice to the witness were considered in relation to the interests of the accused, the interests of the accused were of greater importance, he said. Mr Justice Davidson will give his ruling on the application today.

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RDM 26/7/77

(325) Political Trials

Police told me who to name, says student

DURBAN. — A University of Zululand student claimed at the criminal sessions in Durban yesterday that bribes, threats and promises by Security Policemen caused him to use names they had given him in a statement he made incriminating colleagues.

The student, who cannot be named, was giving evidence before Mr Justice A J Milne and two assessors at the trial of 19 students on charges of sabotage, arson, malicious damage to property and assault with intent to murder.

The charges arise from disturbances at the University of Zululand on June 18 last year when R500 000 damage was caused.

All have pleaded not guilty.

In evidence last week the student witness said he had been promised a house and a job at Newcastle if he gave evidence for the State.

The trial was adjourned to allow Mr D Brunette, SC, leading the prosecution, to consult the attorney-general about the allegations.

When the trial continued yesterday, Mr Brunette said his instructions were to continue leading relevant evidence.

The witness recalled, told the court that Security Policemen told him he had been seen running from a church which had been damaged. He denied this, but was told the evidence against him would be believed and he would be jailed for five years. He was also accused of stoning houses.

Security Policemen said they would help him by making him a State witness, and he would be freed, he claimed.

The student said he had been unable to identify people who took part in various incidents and the Security Police had given him names of students, saying they were involved. He added these names in his statement.

Some of the incidents in the statement were about events he had not seen himself, but had been told about by others. He could not give evidence according to the statement because his conscience troubled him, he said.

The hearing continues

— Sapa.

CAPE TIMES

26/7/77

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Life for 5 in terror trial

Own Correspondent

MARITZBURG. — Five of the accused in the terrorism trial in the Supreme Court here were sentenced to life imprisonment by Mr Justice Howard yesterday.

The men, convicted of participating in terrorist activities are:-

- Themba Harry Gwala, 55, who admitted a previous conviction for recruiting people who left the country to undergo military training abroad;

- Anton Ndoda Xaba, 42, who admitted previous convictions for leaving the country without a permit and for taking steps to undergo military training abroad;

- John Vusimusi Nene, 32, admitted similar previous convictions to those of Xaba's;

- Matthews Mokholeka Meyiwa, 51, who admitted a previous conviction for sabotage;

- Zakhele Elphas Mdlalose, 51, who admitted a previous conviction for sabotage.

The sentences of the other accused are:-

- Vusimusi Truman Magubane, 32, — 15 years;

- Azaria Ndebele, 40, — seven years; and

- Joseph Nduli, 35, — 15 years on one count and 10 years on a second count. Seven years on the second count are to run concurrently with the first count.

Cleopas Ndhlovu, was jailed for 10 years on one count and 10 years on a second count. Five years on the second count are to run concurrently, with the first count.

A tenth man, Mr William Khanyile, 40, was earlier found not guilty and discharged.

Revolutionaries

All 10 originally pleaded not guilty to various charges under the Terrorism and Suppression of Communism Acts.

Passing sentence, Mr Justice Howard described those sentenced to life

imprisonment as "dedicated revolutionaries."

"Although they served their previous sentences in full, this did not deter them from participating in terroristic activities within a comparatively short time after their release.

"There appears to be little or no prospect of reformation in their cases, and the interests of society require that they should be removed from the scene permanently," Mr Justice Howard said.

There were two effective ways of doing this — execution or life imprisonment. He was persuaded by considerations of mercy to choose the latter, he said.

He found that the men were moved by a strong sense of grievance and frustration to do what they could to improve the lot of the black people of the country, but they deliberately chose criminal means to achieve this.

None had shown the slightest remorse for what he did or attempted to achieve.

After they had been sentenced the men rose to face the gallery and gave black power salutes. Some of the spectators joined them in singing as they filed out of court.

Discontent

In mitigation of sentence, the men addressed the court and spoke of their family backgrounds and their involvement with trade unionism.

They also expressed their discontent for government policies, the oppression of blacks, racial and wage discrimination, apartheid, the homelands, pass laws, exploitation by employers, prevailing social conditions, lack of government-financed schooling for blacks, the expropriation of property by

the government, the creation of townships, job reservation, influx laws and poor working conditions.

Nduli was found guilty of unlawfully undergoing training at Dar-es-Salaam and in Kongwa, Tanzania, and Odessa, Russia.

Guerilla

It included training in communism, methods of bringing about revolution, subversive propaganda, guerilla warfare, the preparation and manufacture of explosives, and the use of fire-arms and radio communication.

Ndhlovu was found guilty of taking steps to undergo training in guerilla warfare, the preparation and manufacture of explosives, methods of bringing about a revolution, communism and subversive propaganda.

The others were all found guilty of various terrorist activities which were committed with intent to endanger the maintenance of law and order in South Africa.

The offences included the distribution of subversive literature, the forming of an ANC cell for the purpose of recruiting people for military training, the planning of a route by which recruits for military training could cross the border into Swaziland, and the transporting of recruits out of the country to undergo military training.

Mr Justice Howard dismissed claims by the men and by witnesses that they had been subjected to assaults and maltreatment while in the hands of the security police as being fabricated and grossly exaggerated in most cases.

After passing sentence, Mr George Muller for the defence, asked for an adjournment till Thursday when he will present grounds for an appeal and argument on the application.

N. Mercury 28/7/77 (325)

Witness on *Pol. Trials* 'worrying' statement

Mercury Correspondent

PRETORIA — A Pretoria terrorism trial witness said yesterday he had spent the past six months in solitary confinement worrying about two things — his statement to the police and his children.

Mr. Joseph Tseto told Mr. Justice Davidson in Pretoria Palace of Justice he had thought incessantly about the statement since his arrest in January.

He was speaking under cross-examination at the trial of 12 Africans who have pleaded not guilty to Terrorism Act charges relating to alleged subversive and revolutionary activities over a 15-year period from 1962.

Mr. Tseto said he had known accused Mr. Martin Ramokgadi (67) — named by the State as the kingpin of the banned ANC in Johannesburg — for about 20 years.

Mr. Ramokgadi had returned to Alexandra township in 1974 and he knew he had been in prison on Robben Island for a time. But he did not know why Mr. Ramokgadi had been imprisoned.

Questioned by Mr. D. Kuny for the defence, on why he had worried about his statement he said he knew he would have to appear in court and give evidence based on it.

"I knew that if I forgot it I might get into trouble," Mr. Tseto said.

He remembered clearly particular dates given by him and relating to certain events.

He had told the truth about these dates.

"All I know is that if I give my evidence satisfactorily I might go free," he said.

The hearing continues today.

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p21 trials

Witness 'worried' while in solitary

By KEITH ABENDROTH

A PRETORIA terror trial witness said yesterday he had spent the past six months in solitary confinement worrying about two things — his statement to the police and his children.

Mr Joseph Tseto, a State witness told Mr Justice Davidson in the Pretoria Supreme Court that he had thought incessantly about the statement since his arrest in January.

He was being cross-examined in the trial of 12 people who have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive and revolutionary activities between 1962 and 1977.

He was questioned at length on his business as a Kombi-hire operator whose Kombis are alleged by the State to have been used to ferry weapons from Swaziland into South Africa.

He had worried about his statement because he knew he would have to appear in court and give evidence based on it, he said.

"I knew that if I forgot it I might get into trouble."

He remembered clearly particular dates in the state-

ment relating to certain events and had told the truth about these dates, he said.

He did not know what happened to his Kombis. The police had told him they would take possession of them and keep them at John Vorster Square in Johannesburg.

But he did not know if this had been done, or if he would ever get them back.

"All I know is that if I give my evidence satisfactorily I might go free," he said.

Mr Tseto said he had known one of the accused Mr Martin Ramokgadi, 67, who has been named by the State as the kingpin of the banned African National Congress in Johannesburg, for about 20 years.

Mr Ramokgadi returned to Alexandra township in 1974 after a period of imprisonment on Robben Island, Mr Tseto said.

He did not know why Mr Ramokgadi had been imprisoned.

"I don't even know on which side of the world Robben Island is," he said.

The hearing continues today.

Witness

denied

counsel

Pretoria Bureau

A state witness detained under the Internal Security Act, was denied access to legal counsel today by the judge presiding over the ANC terror trial.

In the Supreme Court in Pretoria, Mr Justice Davidson explained to the witness, Mr Motitane Elias Tsimo, that as a detainee in terms of section 12b (1) of the Internal Security Act, no one could have access to him save Government authorities and those granted access by the Attorney General.

The judge rejected an application by Mr T Cullabine for permission to explain the legal position to Mr Tsimo before he gave evidence in the trial of Mr Mosima Sexwale and 11 others charged with conspiring against the State.

Mr Cullabine said he had been instructed to make the application by Mr Shun Chetty, the instructing attorney, who in turn was believed to have taken instructions from relatives of Mr Tsimo, a self-confessed member of the African National Congress.

State advocate Mr Michael Donen, a representative for the Attorney General, said he would not allow consultation unless further reasons were given by Mr Cullabine. The court could explain Mr Tsimo's right to him.

Mr Tsimo then said he was prepared to give evidence.

Mr A Chaskelson, SC, Mr D Kuny and Mr L G Bowman appeared for the 12. Instructed by Mr R Tucker, Mr N Gey van Pittius and Mr M J Donen appeared for the State.

(Proceeding)

Terror trial told of alleged torture methods

D.D. 29/1/77
325 Political Trials

PRETORIA — A Pretoria terror trial witness, a former Robben Island political prisoner, claimed yesterday he had been subjected to third-degree torture methods in prison after his arrest last December and after he had given up political activities.

The witness, Mr Elias Tsimo, made his torture claim after he had been challenged by the State on differences between his testimony in court and his initial statement to the police.

This followed successful argument by State counsel, Mr Mike Donen, blocking an attempt by an outside counsel to consult Mr Tsimo before he gave evidence.

A tense afternoon of evidence and cross-examination followed the legal clash between Mr Donen and the counsel, Mr J. Cullabine.

Twelve people appearing before Mr Justice Davidson in the Pretoria Supreme Court have pleaded not guilty to a variety of Terror Act charges over a 15-year period between 1962 and 1977.

When Mr Tsimo was called to testify, Mr Cullabine asked permis-

sion to consult him before he testified.

Mr Donen objected and a legal wrangle ensued.

Mr Donen said as the representative of the Attorney-General he would let Mr Cullabine consult the witness.

Mr Cullabine said he wished to explain to Mr Tsimo what his rights were. Mr Donen said the court could do this.

Mr Tsimo told the court he knew five of the accused — Mr Martin Ramokgadi, 67-year-old alleged African National Congress kingpin in Johannesburg Mr Joe Gqabi, 48, Mr Petrus Nchabeleng, 50, Mr Nelson Diale, 41, and Mr Michael Ngubeni, 42.

He said he and Mr Ramokgadi, who had told him he was an ANC leader, had conferred in March last year on going to the South African Council for Churches in connection with getting money to

Robben Island prisoners for Christmas.

Otherwise, he said, he was not politically active in 1976.

Mr Donen then put to him the original statement allegedly made by him to the police after his arrest.

In this statement Mr Tsimo said Mr Ramokgadi had spoken to him about recruiting people for military training; training in the making of bombs; plans to blow up post offices and other Government buildings; and training of black nurses to attend "to our fighters injured in battle with Government troops."

Challenged by Mr Donen, he said what he had said in court yesterday was actually the truth.

"What was read out was not the truth. It was made under torture, in pain, and not when I was in my proper full senses," he said.

He said he was arrested on December 12 last year and had been in solitary confinement ever since.

For two months he had been locked up without exercise. Eventually he made the false statement, incriminating Mr Ramokgadi and reporting things he had heard other people say about him.

He claimed he was made to stand for a full day and night handcuffed behind his back, and received shock treatment.

"I felt as if my eyes were jumping out of my body. For four days I could not eat because of cuts on my tongue."

He thought the cuts were made when he bit into his tongue in pain. "Even now my front teeth are loose."

The trial continues today. — DDC.

Terror trial witness says he was tortured

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By KEITH ABENDROTH

A WITNESS in the Pretoria Terrorism Act trial — a former Robben Island political prisoner — yesterday claimed he was given third-degree torture after his arrest last December.

The witness, Mr Elias Tsimo, said he had been tortured after being challenged by the State on differences between his evidence in court and his statement to the police.

This followed successful argument by the State counsel, Mr Mike Donen, blocking an attempt by an outside counsel, Mr J Cullabine, to consult with Mr Tsimo before he gave evidence.

Eleven men and a woman have pleaded not guilty before Mr Justice Davidson to charges under the Terrorism Act. The offences are alleged to have taken place between 1962 and 1977.

When Mr Tsimo was called to testify, Mr Cullabine requested permission to consult with him before he testified. Mr Donen said Mr Tsimo was being held under the Internal Security Act and could only be seen by an officer of the State or by a person approved by the Attorney-General.

He would not, as the representative of the Attorney-General, allow Mr Cullabine access to the witness.

In refusing the application, Mr Justice Davidson said the effect of Mr Cullabine's presence might be to dissuade the witness from giving evidence.

Mr Tsimo told the court he knew Mr Martin Ramokgadi, the 67-year-old alleged leader of the African National Congress in Johannesburg, and four of the other accused.

He said he and Mr Ramokgadi, who had told him he was an ANC leader, had in March last year discussed going to the SA Council of Churches to get money to Robben Island prisoners for Christmas.

Otherwise, he said, he was not politically active in 1976.

Mr Donen then read the statement allegedly made by Mr Tsimo to the police after his arrest.

In this statement, Mr Tsimo allegedly said Mr Ramokgadi told him to recruit people for military training, training in bomb-making, plans to blow up post offices and other Government buildings, training black nurses to attend to guerrillas, and to recruit troops.

738

10. Illud ut ex vo-
placuit, non solum per
nem habendam esse fecit
sed eo amplius, quicquid
pore damni nobis illatum
tunc heredem ab aliq-
derit, quam is ipse tuo
hereditatis quoque anti-
dum constat. Item, si ex
ex quadrigis equorum
ex comadus unus servus
occisi sit asinus, si
computatur, quanti d-
sum.

C O M M E

N On ex verbis legis
affirmatione per-
videtur: ceterum illud
tionem venire placet, e-
poris in re alia patim-
stratur. l. ait lex. 21. §.
tem Justinianus id per-
mirum quia, legistae
tes existimaverunt: r-
tentia hanc controversi-

ambiguitate. ut bene iudicantur
quoque damno directam ex lege actionem compete-
re, verius est. vid. §. ult. inf.

Quicquid praeterea extra
rem principalem nostra interest. d. h. ait lex. 21. §. ult.
Nam omnia commodata, quae intra annum, quo verbi
causa, si servus interfecit, est, pretiosiores hunc servum
ficerent, ad actionem eius accedunt. d. h. in se Na-
ratius. 25. §. in summa. 6. col. Damnum autem intel-
ligit praetorianum: nam affectionis ratio non habetur.
Ut ecce, si filium tuum naturalem quis occiderit, quem
tu magno capto velles, non parvis aestimabitur,
quam quanti omnibus valet. Quippe pretia rerum
non ex affectu nec utilitate singulorum, sed ex commu-
niter signatura l. si servum. 33. h. de i. l. pretia. 63.
ad l. fidei.

Si servum tuum herodem] Si servus heres institu-
tus, antequam iura domini hereditatem adiret, occi-
sus sit, etiam hereditatis amissa damnum in restitu-
tionem venit. d. h. in se Noratius. 23. h. de i. l.

Item, si in partimularum] si i. proinde. 22. §. 3. col. Ubi
Paulus scribit, etiam omnes corpori coherentes assi-
mari. Itaque, si quis ex comadus, aut ex fratre, aut ex
aut gemellis, aut quadriga, aut ex partimularum, u-

culpa
Schma-
liberati
dixi sub

12.

67.

C

Secun-

ditur

autem hoc

proditum

horandum

man. Cu-

bis utilita-

17.C

Itaque, si

pecuniam

drupeden

In Institut

nam, aut feram lestem, vulneraverit, aut occi-
dit capite adito condemnatur. In ceteris quoque pecu-
lis animalibus, non in omnibus rebus, quae a-
sistent, damnum per iniuriam datum verbo
si quid enim asinus, aut capra, aut fuscus
ut, adito ex hoc capite condemnatur, quoniam
poterat sola rapti appellatus in omnes istas co-
fiscare. Raptum enim intelligitur, quod quo-
modo corripit. Unde non solum fuscus, et
ista, sed etiam fuscus et colica, et fuscus, et
quo modo percipit, atque dicitur facta,
verbo condemnatur. Damnum raptum est, si
in alienum vinum aut oleum in miferent, quo-
turalis bonitas vini aut olei corrumperetur, ex
parte legis Aquilia cum tenari.

COMMENTARIUS.

1. Caput tertium legis Aquiliae declaratur variis
causis.
2. Quid juris si liber homo vulneratus, et quid eo
si laedat.

Tertio capite aut eadem lex Aquilia. Ceterum
A raptum, praeferendum est per eadem caput. si
aliter damnum factum, quod a fuscis, fuscis, raptis, et
ria, quanta ex re erit in dubio, tripartita praesumitur, et
as domino dare damnum est. l. si servum. 33. h. de i. l. pretia.
h. de i. l. Si quis igitur non occiderit hominem vel
eudem, sed ulcens, frangens, raptus, sine dubio ex
1 verbis legis agendum est. Proinde si faciem servorum
obsecris, et cum adulteris, raptis, et milibus. Idem
silens, vel virgis, vel pugnis, vel telo occideris, ut e-
pus eisdem, vel tumorem faceres. d. l. 27. §. 1
Item, si quis mulum meum plus iusto oneraverit,
aliquid membri ruperit. d. l. 27. §. 23. Sed & si
bustum meum vel villam meam incederis, Aquiliae
actionem habebis. d. l. si servum. §. aut si. 7. Aequum si
vinum effuderit, sporcaverit, vitaverit, vestimenta
feciderit, inquinaverit, milium aut frumentum meum
in flumen effuderit, ex hoc capite tenetur. d. l. 27.
cum eo. 15. §. si quis. 18. cum §. si. 4. col. Hic quoque
actione ex hoc capite de omnibus animalibus laedi-
gendum est, quae pecudes non sunt, puta, de cane. Si
& de apro & leone, ceterisque feris & avibus idem e-
rit dicendum. l. quoniam modum. 29. §. hanc actionem. 1
col. In summa, hoc capite servorum & pecudum vul-

Challenged by Mr Donen, Mr Tsimo said what
was read out was not the
truth and was made under
torture when he was not
in his full senses.

Cross-examined by Mr
Chaskalson, SC, for the
defence, he said he was
arrested on December 12
last year and held in soli-
tary confinement. Event-
ually he made the false
statement.

In the alleged torture,
he was made to stand for
a day and night with his
hands cuffed behind his
back. Then he was shock-
ed.

The trial continues to-
day.

328
Pol. Trials
Room
29/7/77

736

N Cron
Neere
occidentis
Sudius ver
rethig. 17
S. de 17.
stratum,

4. I
citatur,
guntur.
est ex
tellegim
est. Ide
qui ad
miserit.
5.
vum in
bham
marit
prechi
fiam est
tur fise
h. e. n.
jus fac.

The State did not appear to be in a position to ask

In the rioting — which came soon after the Soweto

Mr Louis de Klerk appeared with Mr Brunette for the State. Appearing with Mr Mahommed were Mr A Wilson SC and Mr Themble Skweyiya, instructed by Mr A Nyemba.

[illegible]

8. *Impetu quoque mulierum, quas nullo propter imperitiam retinere non potuit, si servus tuus oppressus fuerit, culpa tua est nulla. Sed et, si propter infirmitatem eas retinere non poteris, quam alius firmior eas retinere potuisset, aequè culpe tenetur. Eadem placuerunt de eo quoque, qui cum equo vehitur, impetu: ejus aut propter infirmitatem, aut propter imperitiam suam, retinere non poterit.*

Si medicus qui ferrum tuum secuit] Qui medicus
ferrum

mulatum, &c. Mulio, cujus ob-
tinam remittitur, impetum mulatum servus
nus obtinuit est. hac actione tenetur. Idem juris
persens ejus, qui impetum equi, quo vehabatur,
per impetum vel infirmitatem retinere non potest.
Neque iniquum est infirmitatem culpe a laqueo
Quippe cum nemo tenere astrictare debeat, in eo
intelligit vel intelligere debet, infirmitatem suam
periculosam futuram. l. 2. §. 1. *cod.*

T E X T U S.

9. *Iis autem verbis legis, Quanti id eo anno plurimi fuerint, illa sententia exprimitur, si quis hominem tunc, qui hodie claudus, mancus, aut lusus erit, occiderit, qui in eo integer, aut pretiosus fuerit, non tanti temerarij hodie erit, sed quanti in eo anno plurimi fuerint. qua ratione creditum est penalem esse istius legis actionem; quia non tanti quisque ob-*



"IF I HAD wings I would fly," said ecstatic former detainee Mr. Kholi Sambo as he embraced Miss Rose Richmond.

Ecstasy of acquittal

325 General

N. Mercury

29/7/77

Court Reporter

AMID scenes of wild jubilation, singing and cheering, 19 students of the University of Zululand filed from the dock of the Supreme Court, Durban, yesterday having been acquitted of charges arising from rioting on the university campus in June last year.

A 13-month ordeal ends

Mercury Reporter

ABOUT 200 Africans yesterday crowded the entrance of the Durban Magistrate's Court to greet the 18 men and one woman who had been acquitted of their charges under the Terrorism Act.

The former detainees' close relatives wept as they hugged and kissed their loved ones who had been set free only minutes earlier.

For the students, the joyous reunion ended a 13-month detention which included a long spell in solitary confinement, Security Branch interrogations

and separation from their families.

"I can't believe it is true," said Miss Nombulelo Kobus (23), a second-year law student and the only woman who stood trial.

She was also the only student who spent the entire period of detention in solitary confinement.

Another freed student, 23 year - old Mr. Wiseman Kehuzwayo from Hammarsdale, said: "I knew my family was worrying about me and the thought made me feel sick."

He and the other students attended a celebration in a beachfront hotel which had been arranged by the legal team which defended them.

Their acquittal came after the State had said they could not ask for convictions on the evidence heard.

Black Power salutes were interspersed with hugs and kisses as the packed public gallery of friends and relatives surged forwards to the dock after the Court had risen.

The students, Penuell Mpapa Maduna, Reuben Jabulani Dumaane, Nhlanhla Victor Eyelid Ngidi, Bongamusa Emhrai Nkabinde, Mkonto Ben Mthembe, Jeremiah Buti Shongwe, Wilson Mangisi Gule, Agnes Nombulelo Kobus, Michael Kholiwe Sambo, Wiseman Derrick Khuzwayo, Bongani Winston Ngcobo, Phinda Victor Mhlongo, Sipho Vincent Molefe, Hosea Themba Tshongwe, Isaiah Mandlenkosi Nkosi, David Jikijela Khumalo, Mkhalelwa Augustinus Mazibuko, Manquoba Nyembesi and Bonka Clayton Dumisa, were acquitted by Mr. Justice Milne of three counts of sabotage, one of arson, one of malicious injury to property and two of assault with intent to murder.

Another student, Carl Sisa Msomi, was acquitted on July 18. They had all pleaded not guilty.

The hearing, before Mr. Justice Milne and two assessors, followed rioting at the university during which damage estimated at R500 000 was caused.

Mr. Don Brunette, SC, the Deputy Attorney General of Natal, who led evidence for the State, yesterday closed the State case shortly after proceedings had begun.

He said the State case rested substantially on the evidence of accomplices who had been students at the university.

He told the Court he conceded that the accomplices who had given evidence were not satisfactory witnesses and that at this stage the Court could come to a just decision without further evidence being led.

Mr. I. Mahommed, Mr. A. Wilson, SC, and Mr. Thembile Skweyiya, instructed by Mr. A. Nyembezi, appeared for the defence.

MAIN SUB-DIVISIONS OF THE C

A CLIMATES

Average temperature of e

f : moist, driest month

m : monsoon)

w : dry winter) for p

i : range in temperature

Boundary between Aw

r = 250

p is the precipitat

If actual rainfall >

If actual rainfall <

B CLIMATES

Boundary between S and W c

f r = t +

w r = t +

s r = t

where r = m

t = m

If actual rainfall

If actual rainfall

h = h

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C CL

Co

him, a DT NISnunsha hanging in a cell.

His wrists had been hurt in the torture — so much so that he was unable to use his left hand for three months. He also suffered cuts on his tongue and inner cheek.

He admitted making a statement to a magistrate on March this year, but claimed he was forced by a Major Cronje to do so. The hearing continues on Monday.

2

RAND DAILY MAIL

325

Pol

TRIALS

Police

ROM 30/1/77

showed

pictures

of cell

death'

ics see below

Staff Reporter

A WITNESS in the Pretoria Terrorism Act trial claimed yesterday that Security Police had tried to frighten him by showing him pictures of a man hanging from a grill in a cell.

Mr Elias Tsimo told Mr Justice Davidson in the Pretoria Supreme Court, that he was also forced to make a confession by a police officer who told him "you will see something" if he refused.

Mr Tsimo was giving evidence in the trial of 11 men and a woman charged under the Terrorism Act. The 12 have pleaded not guilty to taking part in subversive activities between 1962 and 1977.

Under cross-examination yesterday by Mr D Kuny, for the defence, Mr Tsimo said he was no longer a member of the banned African National Congress (ANC) when he met accused No 6, Mr Martin Ramokgadi, 67, in March last year. Mr Ramokgadi has been named by the State as the head of the ANC in Johannesburg.

In his main evidence on Thursday, Mr Tsimo denied statements that he had allegedly made to the police claiming knowledge of subversive activities by Mr Ramokgadi.

Mr Tsimo, who was a political prisoner on Robben Island for 10 years, said yesterday that when he again saw Mr Ramokgadi last year, he did not know if the ANC was still operating. But Mr Ramokgadi claimed he was one of the ANC's executives.

Re-examined by Mr Mike Dönen, for the State, he said he had agreed with the police on Tuesday this week to testify only on certain parts of his original statement which were "the truth".

This was the portion relating to sending money to Robben Island, that Mr Ramokgadi had told me he was a leader of the ANC, and that he told me to recruit young men for military training.

He said he was tortured for a day and night on February 11 and 12 this year. He was shown a

7.

D.D. 30/7/77

David Russell

325

fined

Pol. Trials

CAPE TOWN — Four members of the Ministers Fraternal of Langa, Nyanga and Guguletu, by producing an undesirable publication, had harmed race relations with a narrow-minded, indiscriminate casting of blame, a regional magistrate said here yesterday.

The four were the Rev David Russell, 38, an Anglican priest formerly of King William's Town; the Rev Monwabisi Matolengwe, 39, Anglican Suffragan Bishop of Cape Town; Fr Dick O'Riorden, 32, a Catholic priest; and Fr Moses Moletsane, 35, an Anglican priest of Langa.

They were found guilty of producing an undesirable publication (two counts) and they were each fined R200 (or 50 days), with a further 90 days suspended for three years.

Mr Russell was also found guilty on two counts of distributing and possessing an undesirable publication and was fined R150 (or 50 days), with a further nine months suspended for three years. — SAPA.

Trial hears of trip to Swaziland to fetch guns

RDM 1/8/77

325 POLITICAL TRIALS

Staff Reporter

A YOUNG woman said yesterday she was told by one of the accused in the Pretoria terror trial that it would be her task to fetch guns in Swaziland.

Miss Georgina Mhlabane, who was warned as an accomplice, told Mr Justice Davidson in the Supreme Court, Pretoria, about the comings and goings of various accused at her parents' home, at Aasvoëlboom, Brits, last year.

Twelve people have pleaded not guilty to charges under the Terrorism Act relating to alleged subversive activities from 1962 and 1977.

Miss Mhlabane said she knew four of the accused men, Mr Mosima Sexwale, 24, Mr Naledi Tsiki, 21, Mr Lele Motaung, 44, and Mr Simon Mohlanyaneng, 23, and said that another accused, Mr Elias Masinga, 24, looked like a person she knew.

She met Mr Mohlanya-

neng when he came to a braai at her parents' home last year. She also met a certain David.

David and Mr Mohlanyaneng visited the home on five occasions, and on one occasion Mr Sexwale was there, as the driver of a car.

Once she saw a gun on the kitchen table. Mr Motaung and Mr Mohlanyaneng were sitting at the table, while David was at the door. David told her the gun was for shooting birds.

He told her to get a passport because she was to be sent to a festival in Swaziland.

After she got the passport, she was told to wear a black dress, and she set off in a car, with Mr Mohlanyaneng and Mr Sexwale.

Mr Sexwale told her a woman would recognise her by the black dress in Swaziland — where she was being sent to fetch "their" guns, she said.

RDM 1/8/77

325 POL
TRIALS

Jailed 'rabbi' gives a blessing

Staff Reporter

A SOWETO "rabbi" blessed the judge and prosecutor after he was jailed for five years in the Rand Supreme Court yesterday for contravening the Terrorism Act.

"Rabbi" Vuyisile Joshua Msitshana, 50, of Dube, was found guilty by Mr Justice le Grange of taking part in terrorist activities from June to October last year. He had pleaded not guilty.

The judge found that, by distributing a pamphlet entitled "The Voice of the Black People in South Africa", the "Rabbi" had exhorted blacks to commit acts of violence against the Government, its properties and its personnel.

After the judge passed the minimum compulsory sentence of five years jail Msitshana said: "Would the Lord bless the courtroom, the judge, the prosecutor, the defence and the audience."

He greeted the public with a raised hand and was led out of the courtroom.

Mr D Soggot, for the defence, argued in mitigation of sentence that, according to the new Criminal Procedure Act, the court had power to suspend part of the mandatory sentence.

But the judge said: "I am precluded from ordering that any part of the mandatory sentence of imprisonment be suspended."

325 POL TRIALS

Three acquitted in terror trial

EDM 1/8/77

Staff Reporter

TWO MEN and a 17-year-old youth — the brother of self-exiled former Soweto student leader Tsietshi Mashinini — were yesterday acquitted by a judge in the Supreme Court, Pretoria on charges of attempting to recruit students for military training in Tanzania.

Mr Paul Fakuda, 33, Mr Garnet Mlangeni, 32, and Mr Vincent Mashinini, 17, were greeted by a large crowd when they left the court. "It's over at last," they said as friends and re-

latives rushed to embrace them.

They had all pleaded not guilty to the charges.

Their discharge was granted after Mr Justice Esselen found that a key State witness, a 17-year-old youth who has been under detention for six months, had been "totally unreliable in his evidence."

Acquitting the three, the Judge said the witness, who gave evidence in camera, had become completely susceptible to suggestions because of his prolonged period in detention. He added that

such a long term could make witnesses fearful of deviating in evidence from their police statements.

At previous hearings three State witnesses, Mr Johannes Ramohlaba, Mr William Tshimong and Mr Francisco Netwe, who had deviated from their police statements in court were arrested and will face charges of perjury.

Mr Justice Esselen added that the evidence of Mr Vincent Mashinini's mother, Mrs Virginia Mashinini, and the evidence of Mrs Louisa Marunyane had been insufficient to convict the men.

The State alleged in the trial that the men had transported 22 Soweto students to a house belonging to the Pan African Congress in Manzini, Swaziland. It was alleged that from there they were to be sent to Tanzania for military training.

Mrs Mashinini told the court in a previous hearing that she had visited the house to see her son. She said she was satisfied that he would be sent to further his education and was not being sent away to undergo military training.

Mrs. Mashini said she was told at the house that "only older and bigger men would be sent for military training. The younger ones would be sent to school."

it not only an offence (born outside Rhodesia) (the main urban areas) ready in employment.

y to men, but the Minister women. The 69 000 foreign would appear to be those

They constitute 35 male workers in 1975.

YEAR	Foreign		
	Male	Female	Total
1972	203 658	18 130	221 788
1973	201 987	18 461	220 448
1974	199 333	18 418	217 752
1975	195 725	18 296	214 021

total
1 840
2 984
3 428
3 640

TABLE 7.

FOREIGN AFRICAN

191

Year	Number	% of Total
1956	309 775	50,8
1961	278 373	45,4
1969	229 154	34,0
1972	221 788	27,7
1975	214 021	23,0

Source: Rhodesia, Final Report on the September 1961 Census of Employees, C.S.O., Salisbury; Rhodesia, 1969 Census of Employees, C.S.O., Salisbury, (mimeo); C.S.O., African Employees By Country of Origin, DL/978/15, Salisbury, (mimeo)

As an

D.D. 1/8/77 (325) Political Trials

Inquest on detainee

JOHANNESBURG — An inquest into the death of the detainee who allegedly fell to his death from the sixth floor of a Kimberley police station will be heard at the Kimberley Magistrate's Court today.

Mr Phakomile Mabija, 27, of Vergenoeg, near Kimberley, died on July 7 — a day before he was due to appear in court on charges under the Riotous Assemblies Act.

Mr Mabija, a full-time Anglican youth leader,

was detained in Kimberley on June 27 after an incident involving the stoning of buses.

He had been held under the General Law Amendment Act, which provides for the detention of people for questioning for up to 14 days.

Mr Mabija — who was due to be married soon — was a keen youth leader, sportsman and church activist.

Mr Jack Unterhaltey instructed by Mr Roberg Sobukwe are representing the family. — DDC.

Shortest terror trial

D.D.
2/8/77

(325) Political Trials

40
23
16
9
3
1

Page

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PIETERMARITZBURG —
Sentence on four men
charged with par-
ticipating in terroristic ac-
tivities will be passed to-
day following a 15-minute
hearing in what is believ-
ed to be the shortest
Terrorism Act case ever
held in South Africa.

The four pleaded guilty
to having attempted to un-
dergo training which
could be of use to anyone
intending to endanger the
maintenance of law and
order in South Africa.

The men, Mr Issac Zimu,
28, Mr Veli Mthembu, 22,
Mr Themba Khumalo, 18,
and Mr Walter Mtshali, 29,
appeared before Mr
Justice Kriek.

Three of the accused —
Mr Zimu, Mr Mthembu
and Mr Khumalo — also
pleaded guilty to having
incited people to undergo
terrorist training.

The State accepted all
the pleas, including Mr
Mtshali's plea of not guilty
to the second count. —
DDC-SAPA.

Competition for
Unemployment, U
Growth of Farm
Growth of Non-F
Growth of the I
Introduction ..

325 10. Trials

The Star Tuesday August 2 1977

3

Terrorism trial takes 21 minutes

MARITZBURG — In the quickest terrorism trial in South Africa, four men were today found guilty by the Supreme Court here within 21 minutes of entering their plea to the charges of participating in terrorist activities.

In terms of the new Criminal Procedure Act introduced on July 22 all the evidence against the men was led in 15 minutes yesterday before Mr Justice Kriek, sitting with two assessors. Today the judge took six minutes to give his judgment on charges to which the men had pleaded guilty.

Sentence will be passed later today.

The four men are Isaac Sithembiso Zimu (28), Veli Sandile Timothy Edward Mthembu (22), Themba Khumalo (18) and Walter Buhlebuyeza Mtshali (29).

In terms of new procedure, the charges were read out to the men and

their legal counsel, Mr W Menge, replied to questions from Mr Justice Kriek about what the men accepted or denied in the allegations set out in the 10-page indictment.

Where accused people plead guilty, it is not necessary for the State Prosecutor to lead evidence.

requirements (rr) in the manner indicated, again after the fashion of Brunner-Meltzer.

The interest rates to be determined by the model are the policy determined Treasury Bill rate (i), the bank overdraft rate (i_o) which is fixed by the bank cartel and is simply i plus and the credit market determined bankers acceptance rate i_{BA} . The other interest rates are exogenous. The treasury bill rate is assumed as indicated to fall with the real level of Reserves (R^*). R^* is established by valuing gold reserves at its market price and after subtracting accommodating foreign borrowing undertaken by the reserve bank or the treasury. The treasury bill rate is also assumed to respond to the measured excess reserves (EXR) of the banking system. That is to say it responds to the state of the credit markets. The supply of and demand for money are also given a Brunner-Meltzer type specification.

$$MB = R + NDA \quad (1)$$

$$R = R_o \quad (2)$$

$$NDA = a \left(\frac{BC_s}{R} \right) \quad (3)$$

$$BC_d = P_{BC} + G_{BC} \quad (4)$$

$$G_{BC} = G - T - OB + LC \quad (5)$$

$$P_{BC} = b(i_o, i_{CD}, i_f, P^*, X, E, P, Y) \quad (6)$$

$$BC_s = c(i_o, i_{BA}, P, rr, \dots) MB \quad (7)$$

Lawyers

RDM 2/8/77

clash

(325) POL TRIALS

in court

MARITZBURG. — There were heated exchanges between counsel for the State and the defence in the Maritzburg terrorism trial yesterday.

The Attorney-general of Natal, Mr Cecil Rees SC, was warned by an advocate for the defence that he was being defamatory.

The incident occurred during cross-examination of Walter Mtshali by Mr Rees.

Mtshali's counsel, Mr Ashmail Mohamed SC, objected to the way Mr Rees put a question to Mtshali about his alleged involvement in recruiting people to undergo military training abroad.

He warned Mr Rees that if he repeated his suggestion that Mr Mohamed's argument was not bona fide but was made to help the witness, this would be "defamation that is not protected."

Four men who have been found guilty of participating in terrorist activities are seeking to have their pleas of guilty reversed.

The hearing continues today.

2/8/77

1000

T E X T U S.

modum autem non precise de quadrupede,
tantum, quia pecudum numero est, cave-
runt, ut neque de feris desinas, neque
cautum esse intelligamus; sed de istum-
gregatim proprie passu dicuntur, qua-
equi, muli, asini, oves, boves, caprae. De
quoque idem placuit. Nam & si quae quoque
pecudum

TEXTUS.

T E X T U S.

3. *Ac ne is quidem hac lege tenetur, qui casu*
occi-

[illegible]

Pupils tell of attempt to burn

(325) Pot Trins
School
Rom 2/8/77
Staff Reporter

A STUDENT from the Phahamang Secondary School in Evaton, near Vereeniging, gave a friend petrol so he could burn down the school. A Meyerton regional magistrate heard yesterday.

Mr Paul Malefetse, 18, Mr Edward Mogorosi, 18, and Miss Maria Mogokeng, 19, all Form 1 students at the Evaton school pleaded not guilty to a charge of attempted arson.

Four classmates of the accused gave evidence but they cannot be named because they are under age.

One of them told the court that on August 12 they had been summoned to another room by the headmaster about posters in their classroom, Room 3. "When I returned to Room 3, I saw a bottle of petrol in the corner of the room. Mr Mogorosi then poured some of it on the floor and Miss Mogokeng then tried to light it with a match," he said.

He said Mr Malefetse threw out the match.

Another of the pupils said Mr Malefetse showed her the bottle of petrol before the attempted burning.

"He said he was going to burn the classroom and gave the bottle to Mr Mogorosi who poured some of it onto the floor. Miss Mogokeng then tried to light it but the match went out."

Cross-examined by the accused the four student witnesses said they had not reported the matter to the headmaster because they were more afraid of Mr Malefetse than the headmaster.

The hearing was postponed to September 16 and the accused were remanded in custody.

'I did not know whether I was an accused or a witness'

ROM 2/8/77

325 Pol Truck

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By KEITH ABENDROTH
A TERRORISM trial witness, held in solitary confinement for seven months, claimed yesterday, he did not even know whether he would be a witness or an accused when he was eventually taken to court last Friday.

Mr Alpheus Ramokgadi told Mr Justice Davidson, in the Pretoria Supreme Court he did not ask the police between January and July how long they were planning to keep him imprisoned.

"I wouldn't dare ask. It's very nice to talk about asking. But that's not an easy thing to ask a policeman," he said under cross-examination by Mr D Kuny for the defence.

"A policeman's job is to get one into jail — his job is to get you there and keep you there. Nobody likes jail, or the policemen," he said.

Mr Ramokgadi, nephew of accused No 6 testified earlier about driving various people to various places, en route to leaving the country for military training.

Accused No 6, Mr Martin Ramokgadi, 67, has been named by the State in the trial of 12 under the Terrorism Act as the kingpin in the banned African National Congress in Johannesburg.

The 12 have pleaded not guilty to a variety of charges under the Act, relating to alleged subver-

sive and revolutionary activities over a 15-year period.

The witness, who described himself as the "cousin-brother" of the accused Ramokgadi, was cross-examined at length yesterday on details of his various trips.

He said that at one stage he was introduced to another accused, Mr Naledi Tsiki, as "our soldier" by his uncle.

In solitary confinement since his arrest, Mr Alpheus Ramokgadi said he was only told last week when brought to court that his role would be to give evidence.

"I didn't know when they fetched me to bring

me here last Friday whether I would be an accused or would give evidence," he said.

He did not know he would be required to give evidence against his uncle.

As far as he was concerned he had done nothing wrong, although he conceded that he had known he was ferrying people for military training.

"I was arrested for being hired to drive," he said.

He had seen members of his family only in July this year. Meanwhile, his business had come to a standstill and his home life had been disrupted.

"Nobody has even told me when I would be released from this situation," he said.

The hearing continues today.

2. Answer all the following questions (25 marks):

(a) Explain the assimilation (underlined) in the Stan-ard Eng-lish pronunciation of the word Raspberry! sanctioning by the

state of the authority of agricultural cooperatives (5 marks) is

(b) Write down and divide into its morphemes the word sculptresses.

gave rise to, the Marketing Act (4 marks) are

(c) Provide a constituent diagram for the sentence We drove the slowly down steep streets.

role of this item of legislation in the (10 marks) the

(d) In terms of first immediate-constituent division, explain the two meanings of pretty new dresses.

of the agricultural community. The Chapter concludes with a review of the most important (6 marks)

provisions of the 1937 Act and its subsequent amendments. (Total: 50 marks)

Chapter Two The Organisational and Institutional Structure of the South African Cane Industry.

The chapter begins with an assertion to the effect that the Cane Industry in South Africa is tightly regulated by a central authority in terms of the control board system. In the discussion that follows

I wrote letter to deceive police — accused

(26)

City Council. 53/

Own Correspondent
MARITZBURG. — An accused in the Maritzburg terrorism trial, Walter Mtshali, 29, in a letter from prison told his mother that what he had done had been done through conviction and belief.

But yesterday he told the Supreme Court, Maritzburg, that he had written the letter to deceive the police.

Mtshali and three others have been convicted of participating in terrorist activities during September last year.

Before sentence was passed all four accused asked that their pro deo counsel be replaced and for their pleas of guilty to be reversed.

Mr Justice Kriek has been hearing evidence in connection with the application for the reversal of their pleas.

Referring to his arrest Mtshali wrote in the letter that this would have happened "in the long run" and that he was now in a "far better situation than the conditions I was to face had I not been arrested".

"What I did was through conviction and belief, so I'm enjoying every minute of my stay here. The police never man-handled me as I was not afraid to give them the true account of what I know. What's the use of being a coward — afraid of the truth," he wrote.

In the letter, written from the Point Prison, Durban, during July this year, Mtshali requested home-made food which he intended to share with his three co-accused who "have the same outlook and beliefs".

He described the conditions in which he was being kept as "five star" once the "strenuous solitary confinement" was over.

The solitary confinement had not scared him mentally and "I'm still myself". The letter said: "I'm not afraid of the future and have acquired mental balance, independent thinking and personal liberty."

But during cross-examination yesterday by the Attorney-General, Mr Cecil Rees, SC, Mtshali said he had written the letter with the intention of deceiving the police.

the 1976 amendment the Act now makes it not only an offence 'foreign African' (defined as a person born outside Rhodesia) in a closed labour area (presently the main urban areas) in employment such a person already in employment.

amendment to the Act will only apply to men, but the Minister it could be his family would know where he was and could visit him, he said. He knew the letter would be censored and "in order to get it out, it had to be acceptable to the police". Mtshali denied being motivated when he wrote the letter but admitted he was prepared to face the consequences of what he had done.

total number

Mr Justice Kriek is expected to give his decision on whether the accused will be allowed to change their pleas to not guilty on Tuesday.

IGN AFRICA

ESIA

Foreign	Total	All Workers		
		Male	Female	Total
130	221 788	696 663	105 177	801 840
461	220 448	733 497	119 487	852 984
418	217 752	766 055	123 373	889 428
296	214 021	861 482	127 158	928 640

GN AFRICAN WORKERS IN RHODESIA

1956-75

Number	% of Total
309 775	50,8
278 373	45,4
229 154	34,0
221 788	27,7
214 021	23,0

inal Report on the September 1961 Census of Employees, isbury; Rhodesia, 1969 Census of Employees, isbury, (mimeo); ican Employees By Country of Origin, DL/978/15, (mimeo)

Four guilty in fast terror trial

325
12/17 3/5/74

Own Correspondent
MARITZBURG. — In a trial which has so far lasted 21 minutes, four men have been found guilty in the Maritzburg Supreme Court of taking part in terrorist activities.

The trial began before Mr Justice Kriek and two assessors with a 15-minute hearing on Monday and adjourned yesterday after a six-minute sitting.

It seems certain to be-

come the shortest terrorism trial to be held in South Africa and the first under the new Criminal Procedures Act which came into effect on July 22.

At the trial Isaac Sithembiso Zimu, 28, Veli Sandile Timothy Edward Mthembu, 22, and Themba Khumalo, 18, all pleaded guilty to inciting others to undergo military training

which could be of use to any person intending to endanger the maintenance of law and order in South Africa.

The three, together with Walter Buhlebuyeza Mtshali, 29, pleaded guilty to a second count of taking steps to undergo such training.

Mtshali's plea of not guilty to the first charge was accepted by Mr M C J

Hodgen, who appeared for the State.

Among other offences admitted by the accused are that they began journeys to Golela, where they planned to cross the South African border and proceed to their destination to ultimately undergo military training.

The trial was adjourned until today for argument in mitigation of sentence.

contentam fuisse, quod prima parte eo verbo usa esset.

COMMENTARIUS.

Hec verba, *quanti in diebus triginta proximo fuit*, etiam non habent plurimum, sic tamen accepta sunt. *l. quema. modum. 29. §. 4. de test. nullum in vox plurimum in primo capite posita, in tertio repetita intelligitur. & alioquin esset damnum ex hoc capite affirmatio.*

Aquilio in eadem rogante hanc legem tulit, &c.] Re. etius dixisset, Legem iustitiae & mox, eo verbo usus esset, ut hic notat Horoman.

TEXTUS.

16. Ceterum placuit, ita denique directam ex hac lege actionem esse, si quis praecipue corpore suo damnum dederit. Ideoque in eum, qui alio modo damnum dederit, utiles actiones dari solent, veluti, si quis hominem aliumve aut pecus ita incluserit, ut fame necaretur aut immundum ita reberementur egerit, ut rumpereetur: aut pecus in tantum exagitarerit, ut praecipitaretur: aut si quis alieno servo persuaserit, ut in arborem ascendere, vel in puteum descendere, & is ascendendo, vel descendendo, aut moriens, aut aliqua parte corporis laesus fuerit: utilis actio in eum datur. sed si quis alienum servum aut de ponte, aut de ripa, in flumen deiecerit, & is suffocatus fuerit, eo quod proiecit, corpore suo damnum dedisse non diffidenter intelligi potest. ubi quoque ipsa lege Aquilia tenetur. Sed si non corpore damnum fuerit datum, neque corpus laesum fuerit, sed alio modo alicui damnum contigerit, quam non sufficit neque directa, neque utilis, legis Aquiliae actio, placeat, cum, qui obnoxius fuerit, in factum actione teneri: veluti, si quis misericordiam ductas alienum servum compeditum solverit, ut fugeret.

COMMENTARIUS.

2. Directa actio quae media dicitur.

terram a factum appellari.

Utilis locus plene intelligitur. scilicet est, non uno tempore & de quibus oppositionis intuitu nomen actionis ut dicitur, ut utilis a veteribus usurpatur. Nam primum directa actio dicitur, principalis, opposita vel praeparatoria, puta, ad exhibendum, *l. 3. §. 1. de rem. 13. l. si quis. 17. ad exhibendum. vel contraria, ut actio directa de muneribus, de positi, pignoratitia &c. vide notae ad *l. 1. de pignus modis re contr. cit. §. 1. sup. de oblig. que quod ex contr. Deinde actio ordinata ex delicto, opposita naturali, directa quoque vocatur. §. cum sit. 5. inf. de iur. adien. Potremo directa actio dicitur ad differentiam actionis utilis, quae consideratio huius loci propria est. Utilis actio sic in universum describi potest, quod sit actio, quae deficiente stricta iuris ratione ex aequitate introducit. Id vero fit bifariam: vel interpretatione iuristiconum, vel etiam iure expresso, tum pratorio, tum etiam civili, aequitate scilicet. Actiones praeiorum, in relatione ad ius civile strictum, omnes dicuntur utiles, tametsi aperte verbis edicti proposita sint. §. namque. 4. inf. de action. l. tutor. 16. §. ult. de sign. act. l. et. 10. 26. §. 2. de reor. act. l. 1. de sign. l. ult. C. quib. &c. maj. Quamquam si ius praetorium absolute spectamus, quodam actiones hoc iure produnt, directae, quaedam, utiles appellari possunt, directae, quae ipsae vel verbis praeposuntur: utiles, quae verbis cessant, ut praedictum interpretatio induit. *l. per. §. ult. his qui de. 2. de f. ut a proter ex l. nec quod. 70. de pign. l. 1. l. si Titio. 12. de pignor. l. in eum. 19. in. de sign. act. l. 5. §. per. de pec. const. l. 1. C. de pres. r. Sed & ius civile nonnunquam verbis expressis utiles tantum actiones tribuit, ut in iur. quod. ratio juris impedit. quoniam directa denatur, veluti, si directa iam sit apud alium. Nam ratio iuris non patitur, ut ut apud quosdam directa sit actio, ut ab eo, cui illa fuit competere corpore, in alia in alium transferatur. Ilic est, quod ei, cui neminem ver datum, legatum, donatum est, non directa, sed utilis actio refertur l. app. datur, quia scilicet ex ratione iuris, directa per se veniorem, heridem, donatorem, tenet. *l. si cum. 16. de pign. l. 1. C. de re. l. act. l. ex legata. 16. C. de legat. Poti de causa, quia ratio iuris ei illis non patitur, ut nostra conventionem alteri actionem quatenus, quolibet casibus hic utilis actio constitutionibus introdunda est. *l. 3. C. de den.*****

quasi & quatenus, capere potest, et non affirmatio, non praeterit. sed non capere denaturam tantum affirmatio, quatenus denaturam non esse. Ceterum, quia denaturam fuit voluntas, ex voluntate legis hoc de acceptum est, scriptum esset, cum omnis, quod interest, actio nem fieri debere: ac prout de eum ejus nomine extrinsecus interest, directa ex lege actio compendioravimus ad §. illud. 10. sup. de. At vero, si quis proceditur, atque, ex sententia de sententia vera orta, actio inducitur per interpretationem extensionem aliquam, tamen ex mente legis, ea non directa, sed utilis est; quodnam videtur iuris a directa non differre. *l. per. de neg. Quod si & verba & sententia legis denotent, hic praedictum legis, utilitate id exigente, supplet reddendo actiones in factum. *l. quia a iur. i. pres. verb. Quae omnia exemplis in textu illustretur.**

4. Ilic etiam hic obiter notandum, appellatione omnis in factum nonnunquam significari actionem utilem, quam ex sententia legis per interpretationem induci diximus, ut videre est in *l. quia a iur. i. pres. de. 3. l. non si. 9. in pr. l. item. 11. §. 1. l. quema. modum. 29. §. per. hoc ita. Proprie eo nomine designari actionem ab illa utili dictam; quae scilicet id factum persequitur, cui*

T. r. r.

De

Continuatio.



Uarta species delicti, unde obitio & actio inter privatos nascitur in iura seu contraria. Quae sit, quomodo & quibus sit, cum poena vindicetur, quae circumstantiae tam augeant aut minuant, & nique quomodo aboleatur, hic docebitur.

TEXTUS.

Generaliter iniuria dicitur omne, quod iure sit: specialiter, alias contumelia, quae deumando dicta est, quam Grati ubi appellat

'Suicide squad man set off dynamite'

325
P. J. Trials
3/8/77
RDM

Staff Reporter

THE chairman of the Soweto Students' Representative Council's "suicide squad" last year helped dynamite a shebeen and nightclub where liquor was being sold against SSRC orders, a circuit court heard yesterday.

The alleged "suicide squad" chairman, Mr Paul Langa, 28, of Orlando West, was appearing in the Kempton Park Circuit Court before Mr Justice F S Steyn and two assessors.

He has pleaded not guilty to two charges under the Terrorism Act and to alternate charges of sabotage and attempted murder.

The State claims that during October and November Mr Langa, and several others, caused explosions in the Jabulani Police Station on the Soweto railway line, at two houses and at the Pelican Night Club.

Mr Langa is also alleged to have abducted three people and threatened to kill them.

He is said to have lit a

stick of dynamite next to one of them but pulled the man away before the explosion.

Giving evidence yesterday Mr Albert Moloto, 19, a former chairman of the SSRC finance subcommittee who was warned as an accessory, said he joined the organisation in September while doing matric.

Mr Moloto said the SSRC had consisted of an executive, headed by Mr Khotso Seathlolo, a council and several sub-committees.

These included one called the "destruction committee" or the "suicide squad."

Mr Moloto said he attended a meeting at which Mr Langa was made chairman of the "suicide squad"

He said the SSRC decided a period of mourning should be observed between November 1 and 5.

Shebeens were to close and no alcohol was to be bought from bottle stores by Soweto residents.

After hearing of a shebeen defying the liquor ban, a group, which in-

cluded Mr Langa, went out, Mr Moloto said.

Later Mr Langa told him and another person of a house in Orlando East where liquor was being sold.

They drove there, arriving at midnight and Mr Langa and another man got out.

The two returned after a while and as they drove off, Mr Moloto testified, there was an explosion.

Mr Moloto said some days later Mr Langa said the Pelican Night Club had not closed.

Mr Langa said he wanted to scare the people at the club and was looking for people to accompany him.

Mr Moloto said there were two sticks of dynamite, one of which was broken, in a plastic packet.

Mr Moloto said there was not enough petrol for him to be taken where he intended going so he was taken along to the Pelican Club.

Mr Langa lit the dynamite and gave it to a Mr Madida who threw it on to the roof.

They drove off and heard the dynamite explode.

Mr Moloto said that in January Mr Langa told him he had returned from Botswana with two AK 47 rifles, and that others would bring ammunition.

Under cross examination Mr Moloto said he was arrested on February 3 at the Oshoek border post on the Swaziland border for trying to leave the country without valid travel documents.

The trial continues today.

325
PDI funds
RDM 18/77
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15. Ac nec plurimum quidem
tur. Sed Sabino recte placuit, per
estimationem, ac si etiam hoc
verbum adiectum fuisset: necn pluri-
bus Aquilio Tribuno rogante hanc
que Aquilio Tribuno rogante hanc
contineant fuisse, quod prima parte
esset.
C O M M E N T A R I
Hec verba, quare in aliis
sunt, cui non habent plurimum, sic
sunt. l. quentianus. m. 29. §. ult. hoc
vox plurimum in primo capite posita, in-
vestigatur, & aliquando etiam de
pice animatio.
Aquilio tribuno rogante hanc legem
etiam dixisset, Legem, §. ult. de mox, eo
ut hic docet Horonum.
T E X T U S
16. Ceterum placuit, ut de mun-
hac lege adiectum esset, si quis præcep-
tum adimere dederit, idque in eum,
adimere dederit. Idque in eum,
velit, si quis hominem alium aut
eluserit, ut fame necaretur aut paup-
erem exagruaret, ut præcipuerit:
alio seruo præcipuerit, ut in arbori
vel in puteum deiecerit, & is
de, vel deieciendo, aut mortuus, aut
de corporis lesio fuerit: nullus actio in
sed si quis alium servum aut de ponte,
pa, in flumen deiecerit, & si suffocatus
quæ præcepit, corpore suo adimere de-
fuerit nulli præcepit, idque in eum
tenent. Sed si non corpore adimere
tamen, neque corpus lesum fuerit, sed
licet adimere contingerit, quum non si
que dederit, neque nullus, leges aquilæ
eum, cum, qui observatus fuerit, in facti
tenent: velut, si quis in servos duci
servum compelleret, non fuisse.

in Indis

Court 3/8/77 hears of main line terror bomb

By JOHAN BUYS

A TERRORISTS' bomb, planted in a strategic position on a railway bridge on the main Johannesburg-Vereeniging railway line, in January, was powerful enough to blast part of the track away and cause a derailment, a special court in Springs heard yesterday.

Six men appeared before Mr Justice De Villiers and assessors on three charges under the Terrorism Act. They are accused of taking part in terrorist activities between June 1 last year and January 31 to endanger the maintenance of law and order.

The men are Mr Mawhihi John Phala, 50, Mr John Afheli Thabo, 37, and Mr Letsie Ben Mashinini, 34, all messengers, Mr Solomon Musi, 25, a clerk, Mr Befana Vincent Nkosi, 20, a student and Mr Philip Khoza, 55, a clerk.

Mr Phala is accused of concealing an arsenal of ammunition, Russian-made explosives and a Russian automatic rifle in different houses in Soweto.

The charges refer to an attempt to blow up the railway line on a bridge over the Golden Highway near Grasmere and a bomb-making experiment which backfired in a house in Klipspruit on January 7, blowing up the premises and killing a man.

All the men pleaded not guilty to the charges.

A railway employee, Mr Wellington Sukhumba, told the court that he was checking the line at the bridge near Grasmere on the morning of January 8 when he saw a square black object next to the tracks.

A red and white wire, led from it to the tracks.

"I picked it up to throw it away. As I threw it, it exploded. I fell and lay there for a while. I was injured in both legs," he said.

Mr Sukhumba said he later got up and tried to walk but could not. A van arrived. He was taken to the Grasmere police station and then to the Vereeniging Hospital where he remained for two weeks.

A railway engineer, Mr Jacobus van der Merwe, told the court that if the bomb had exploded and blown part of the tracks away, a train would have been derailed, or would have toppled from the bridge on to the road.

He said an experiment with a similar type of explosive was conducted on a railway track, and 60 cm of the track was blasted away.

Lieutenant Colonel Christiaan Truter, a Railways Police explosives expert, told the court the charge was placed at the entrance to the bridge "at a very strategic position and could have caused a derailment."

The hearing continues today.

August 3, 1977

N. Mercury 3/8/77

Rail bomb terrorism evidence

Mercury Correspondent

JOHANNESBURG — A bomb, planted in a strategic position on a railway bridge on the Johannesburg-Vereeniging main line in January this year, was powerful enough to blast part of the track away and cause a derailment, a Springs Court was told yesterday.

Six men are appearing in a special court before Mr. Justice de Villiers and assessors on three charges under the Ter-

rorism Act. They are accused of taking part in terrorist activities between June 1 last year and January 31 to

endanger the maintenance of law and order.

The men are Mr. Mawhihi John Phala (50), a messenger, Mr. John Afhell Thabo, (37) a messenger, Mr. Letsi Ben Mashini (34), a messenger, Mr. Solomon Musi (25) a clerk, Mr. Befana Vincent Nhosi (20) a student and Mr. Phillip Kozza (55) a clerk.

Mr. Phala is accused of concealing an arsenal of ammunition, Russian-made explosives and a Russian automatic rifle in different houses in Soweto.

Backfired

The charges refer to an attempt to blow up the railway line on a bridge over the Golden Highway near Grassmere and a bomb making experiment which backfired and blew up a house in Klipspruit on January 7 killing a man.

All pleaded not guilty to all the charges.

A Railways employee, Mr. Wellington Sukhumba, told the Court that he was checking the mainline at the bridge near Grassmere on January 8 when he saw a square black object next to the tracks.

A red and white wire was leading from the object to the tracks. "I picked it up to throw it away," he said. "As I threw it it exploded. I fell and lay there for a while. I was injured in both legs."

A Railways engineer, Mr. Jacobus van der Merwe, told the Court that if the bomb had exploded and blown part of the tracks away the train would have been derailed or would have toppled from the bridge on to the road.

325 Political Trials

Unit up

Unit up

Judge warns detainee for refusing to testify

D.D.

3/8/77

325 - Political Trials

PRETORIA — A Terrorism Act detainee caused a stir at the terror trial here yesterday when he refused to give evidence although he was warned it could result in further imprisonment.

Mr Super Maloi told Mr Justice Davidson he would not give evidence unless he was allowed to consult a legal representative.

The judge told him this was not permitted in terms of the section of the Act under which he was being detained.

In the trial, 11 men and a woman have pleaded not guilty to a variety of charges under the Terrorism Act, alleging subversive and revolutionary activities.

Mr Maloi was told by the State counsel, Mr M. Donen, that he would have to step down from the witness box following his refusal.

The judge said the choice before Mr Maloi was either to give evidence against the background of the warning given him and with the possibility of an indemnity being given at the end of the trial, or face possible prosecution.

If he refused to give evidence, he would be dealt with under other provisions of the Law — and it was possible then, if an inquiry were held, he would be able to see a

legal representative.

The next witness, Mr Freddie Motange, told how one of the accused, Mr Jacob Seatlholo, showed him a Scorpion machine pistol in Alexandra township and tried to demonstrate it.

However, Mr Seatlholo could not operate it and put it away.

Mr Seatlholo also told

him he too could have a weapon like the Scorpion one day.

Mr Seatlholo also gave him two cannisters to safeguard, saying they contained chemicals.

The hearing, which was interrupted yesterday by a power breakdown in the court and some surrounding buildings, continues today. — DDC

SUPPLY IN THE SOUTH AFRICAN ECONOMY

John Knight

Saldru Working Paper No. 11

- 16.2 The Secretary shall give one week's notice to students under the jurisdiction of the Council of proposed amendments to the Constitution of the SRC. If a majority of the SRC shall be passed

- 16.3 Amendments to the SRC shall be approved by the SRC.

17.0 THE BY-LAWS

- 17.1 By-Laws shall be made by a majority of the SRC.

- 17.2 The By-Laws shall be consistent with the Constitution of the SRC, and shall not be inconsistent with the interests of the SRC.

18.0 INTERPRETATION

In the event of any conflict between the By-Laws and the Constitution of the SRC, the Constitution shall prevail.

During a brief sitting at the College Road Supreme Court yesterday, Mr. Justice Kriek, in granting an application for an adjournment, said that he didn't want to give the impression that the interests of the four

accused were being prejudiced by "a question of speed."

There had been a lot of publicity about the trial being the shortest terrorism trial in South African history and "I want to avoid any suggestion of bias," said the Judge.

Walter Buhlebuyeza Mtshali (29), one of the accused who have been found guilty of participating in terrorist activities, yesterday requested the adjournment in order to consider alternative representation which he has been offered.

'Shortest' terrorism trial is adjourned

Mercury Reporter, 4/8/77

PIETERMARITZBURG—So that the accused in the terrorism trial here would not be prejudiced by a hasty hearing, the Judge has granted an adjournment enabling one of the accused to seek alternative representation.

called in terms of the Constitution if at all in favour thereof. It shall be passed

added to the . . . Only on . . . may be incorporated

325 Political Trials

by an absolute majority of the Council.

any way inconsistent with the Standing Orders of the SRC, the extent of the

meaning or interpretation of the By-Laws shall be made within a period of 14 days. The decision shall be final.

323 Pol. kids 4/8/77

Witness tells of blasts at Soweto home

By JOHAN BUYS

A SOWETO home where a training school in the manufacture of bombs was allegedly in process was partly demolished by five heavy explosions which killed a man, a Springs Special Court was told yesterday.

Evidence on the experiment with explosives that backfired was given at the trial of six men appearing before Mr Justice de Villiers and two assessors on three charges under the Terrorism Act.

The men are accused of having taken part in terrorist activities from June last year to January this year to endanger the maintenance of law and order. All have pleaded not guilty.

RIFLE

The indictment refers to bomb training schools in a Soweto home and a Nancefield hostel, the discovery of a cache of ammunition, Russian plastic explosives and a Russian automatic rifle in Soweto homes.

The accused are Mr Mawhladi John Phala, 50, Mr John Afheli Thabo, 37, and Mr Letsie Ben Mashini, 34, all messengers; Mr Solomon Musi, 25, Mr Philip Khoza, 55, both clerks; and Mr Bafana Vincent Nkosi, 20, a student.

The training school, says the charge sheet, was allegedly run in Mr Khoza's Klipspruit home, which was wrecked by a series of explosions.

Mr Khoza's next door neighbour, Mr Wilson Mongwe, described the explosions to the court. He said he was at home entertaining a cousin late on the night of January 7.

"Suddenly there was an explosion. We ran outside and saw that Khoza's house was finished. A man came running out of the house. He was injured and had blood on his face and Mr Bafana Nkosi was also injured."

"Two other men came staggering out of the house. They were pitch black. I walked into the street and saw a lot of people standing there. Then there was another explosion in the house. We all ran away," Mr Mongwe said.

CROWD

But they soon returned to the scene of the explosion. Another explosion followed and the crowd fled again. Mr Mongwe said he went to phone the police. When he returned to the house, he saw Mr Khoza there.

While he was standing there another two explosions followed. Mr Khoza had injuries on his face, Mr Mongwe said.

Medical evidence was that Mr Musi had burns on the face and arms and Mr Nkosi on his face, neck, abdomen and legs. These burns were consistent with injuries sustained in a blast or explosion, the court was told.

A District Surgeon of Johannesburg, Dr Norman Jacobson, who treated Patrick Mabinda, a suspected trained terrorist who allegedly trained the men in Mr Khoza's home in the manufacture of explosives, told the court that he found numerous burns and pieces of shrapnel on Mabinda after the blast.

Mr Khoza is accused of making his home available to Mabinda for the manufacture of the bombs. The hearing continues today.

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Boy, 14, tells of training to 'kill the whites'

RDM 4/8/77

325 Political trials

By SHEILA WING

A 14-YEAR-OLD black boy and three of his friends were taught to handle guns and throw hand grenades so they could "kill the whites to get back their country," the Pretoria Supreme Court heard yesterday.

The witness, from Aasvoëlboom in the Brits district, was giving evidence in the Terrorism Act trial in which 11 men and a woman have pleaded not guilty to charges under the Terrorism Act.

The boy who may not be named because he is under age, also described ways of attacking a police station.

Before he gave evidence yesterday the court was cleared. The boy, who has been held in police cells for seven months, was

warned as an accomplice.

He told Mr Justice Davidson that he and his friends were approached in December by two men who arranged to meet them at the river next day and teach them songs.

One of the men was Mr Simon Samuel Mohlanyaneng, 23, one of the accused, the boy said. The second man he knew only as David.

The "singing" lessons turned out to be a shooting lesson. David first taught the boys to shoot targets with a pellet gun.

At a subsequent riverside meeting with David, the boys dismantled and re-assembled a "She" gun and a "pistol TT". The boy later identified the guns as a Scorpion machine-pistol and a Tokarev semi-automatic pistol exhibited be-

fore the court.

"David also showed us something yellowish which he said was a hand grenade."

On another occasion the boy said Mr Mohlanyaneng told them how to attack a police station and the OK Bazaars.

"He told us that if one wanted to attack a police station one should remove the tube from a ballpoint pen and put certain things in it. One must then put it in a paper bag, go to the police station and ask about a person who has been arrested — even if there is no such person," he said.

"Then you put the parcel on the table — and because police are fond of taking other people's belongings — the policeman will take it, put it some-

where and the whole police station will burn up."

Another method of attack demonstrated to the youngster by Mr Mohlanyaneng was to pour pure glycerine "and other things" into a cigarette box.

"One must then go to the OK at about knockoff time and put the cigarette box in a jacket. When the people come back the next day everything will be burned down".

Mr Mohlanyaneng allegedly said: "That is how they bring down the whites".

The boys were warned not to tell anybody about the meetings — if the whites knew about it, they would search the place and kill them.

Questioned by State advocate, Mr Michael Donen, the boy said the two men had come to Aasvoëlboom to teach people to become soldiers.

"David said he knew where to get the guns and would send them to us."

In answer to questions from defence advocate Mr A Chaskalson SC, the boy said he had been in jail for seven months while waiting to give evidence.

Mr N Gey von Pittius corrected this, saying the boy was being held at police station cells and was not in jail.

"You mean he is more comfortable?" Mr Justice Davidson asked.

Mr Chaskalson asked for time to take instructions before cross-examining the witness and the witness was allowed to stand down till a later date.

Earlier, Mr Freddie Montange, continued the evidence he started giving at Tuesday's hearing. He said he went to the house of Mr Jacob Seatlholo, 47, one of the accused, on New Year's Night and found a Scorpion machine pistol, a hand grenade and several other wrapped-up objects in a paraffin tin under a bed.

He said he and Mr Seatlholo's wife discussed what to do with the objects. He put them in a plastic bag and buried them in a hole in his garden.

"I went to bed but remained restless."

Soon after he heard a

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Terror lessons outlined

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Political Trials

PRETORIA — A 14-year-old youth and three of his friends were taught to handle guns and throw hand grenades so they could "kill the whites in order to get back their country," the Supreme Court here yeard yesterday.

The youth was giving evidence in the Terrorism Act trial in which 11 men and a woman have pleaded not guilty to a main charge of taking part in a terrorist activities and alternative charges under the Terrorism Act.

The youth, who has been held in custody at the Pretoria police cells for seven months and was warned as an accomplice, told Mr Justice Davidson he and his friends were approached in December by two men who arranged to meet them at a river next day and teach them songs.

The songs turned out to be shooting lessons.

They were taught to shoot at targets — three tins and the torso of a man drawn on a piece of cardboard — with a pellet gun. They later graduated to dismantling and reassembling what were later identified as a Scorpion machine pistol and a Tokarev semiautomatic pistol exhibited before court.

A man identified as "David" showed them something yellowish. He told them it was a hand grenade.

"He explained that if there are several white people fighting against one, one must pull the ring, throw the grenade and find a place to hide so one does not get injured," the youth said.

They were also taught how police stations could be burnt down with the aid of a ballpoint pen. The ink tube from a ballpoint pen could be removed and replaced by various other things which could cause a fire.

The pen would then be left on a table in the police station when someone went to inquire about a fictitious person. The police would keep the pen. The whole police station would then burn down.

The hearing continues today. — DDC-SAPa.

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Introduction

'Accused tried for passport after blast'

By JOHAN BUYS

MR PHILIP Khoza, whose Soweto home was partly demolished in an explosion during an alleged bomb training session, tried to obtain a passport to go to Mozambique after the blast, the Terrorism trial in a Springs Special Court heard yesterday.

Mr Khoza, 55, is one of six men accused of taking part in terrorist activities from the time of the June unrest last year until January this year. They are appearing before Mr Justice de Villiers and assessors on three charges under the Terrorism Act.

The others are Mr Mawhide John Phala, 50, Mr John Afheli Thabo, 37,

Mr Ben Letsie Mashinini, 34, Mr Solomon Musi, 25, and Mr Bafana Vincent Nkosi, 20. All pleaded not guilty.

According to the indictment police found an arsenal of ammunition, Russian-made explosives and a Russian automatic rifle in different houses in Soweto. The charge sheet also refers to alleged bomb training schools.

Mr Sylvester Carlos Ngubeni, a Mozambique citizen employed at the Portuguese Labour Office in Johannesburg, told the court he knew Mr Khoza as a citizen of Mozambique.

Three days after the explosion, Mr Khoza asked

him for a passport to go home to Mozambique. "He told me he wanted to go back because there was an explosion in his home. I told the man in charge of our office in the course of my duties. Later the police arrived and arrested the accused," Mr Ngubeni said.

A police explosives expert, Major F J van Heerden, told the court the north side of Mr Khoza's house was destroyed. "The body of Edmund Nkuna was lying outside. Both hands were blown off at the wrists, and he had a big hole in the chest," Maj Van Heerden said.

Two 200 g blocks of TNT and a quantity of TNT

attached to fuses were found in the house. There were nine other pieces of equipment and materials used in the manufacture of explosives.

"The material I found at the scene of the explosion showed that the people involved had a training and knowledge in the use of them," Maj Van Heerden said.

Detective Sergeant Brits of the Moroka CID, said he was ordered to go to Baragwanath Hospital and arrest people injured in the explosion. They all had burns on their faces, arms and chest and their clothes were also burnt.

The hearing continues on Monday.

Terror trial adjourns

Staff Reporter

THE Pretoria terrorist trial was yesterday adjourned to August 8 to allow the defence counsel, Mr. A. Chaskalson, SC, to take instruction and consult with the accused before cross-examining three of the State witnesses.

No evidence was led yesterday. The 12 accused in the trial, 11 men and a woman, have pleaded not guilty to taking part in terrorist activities between June, 1982, and November last year.

They are alleged to be members or active supporters of the African National Congress, the South African Communist Party or Umkhonto We Sizwe (Spear of the Nation).

Mr. Justice Davidson was on the bench, and Mr. N. Gey von Pittius and Mr. Michael Donen appeared for the State.

Three years in jail for not testifying

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Political Trials
EDM 6/8/77

By ROY DEVENISH

A MAN who refused to testify in a Terrorism trial in the Kempton Park circuit court yesterday was jailed for three years by Mr Justice F S Steyn.

Titi Mthenjane was called to give evidence in the trial of Mr Paul Langa, 28, who is appearing before Mr Justice Steyn and two assessors on two charges under the Terrorism Act.

Mthenjane was warned that he could be regarded as an accessory to an explosion at a house in Mpetla, Soweto, on November 7 last year.

UNDERSTOOD

Asked by Mr Steyn, through an interpreter, Mthenjane said he understood, but was not prepared to give evidence.

The judge told him he was empowered to sen-

tence him to five years' jail if he refused to testify.

Mthenjane said after hearing this that he was still not prepared to testify. He told the court his conscience directed him not to give evidence.

The judge then jailed him for three years in terms of the Criminal Procedures Act.

Earlier the man the State alleges Mr Langa tried to murder Mr David Mametsa, said he had not been afraid when the accused lit dynamite next to him.

Mr Mametsa said he and two other men were asked by Mr Langa and others to take them to Mr Samuel Malepane.

They were first taken to a house where Mr Langa returned with dynamite.

Mr Langa said he was going to kill him, but Mr

Mametsa said he realised Mr Langa was not serious.

At a school the two men got out of the car and stood together. Mr Langa lit the dynamite and put it on the ground.

The two men then walked towards some toilets, and about six minutes later the dynamite exploded.

DYNAMITE

He said Mr Langa had not been angry. They had been "very, very friendly" and had still been friendly when he lit the fuse.

Under cross examination Mr Mametsa said he would not have moved from the ignited dynamite as he knew it would not harm him. He knew that if Mr Langa wanted to kill him, the dynamite would have killed both of them.

The hearing has been adjourned until Monday.

Prisoners' plea for newspapers rejected

JOHANNESBURG — The nine political prisoners in Pretoria's Central Prison were extremely well off and lucky to be incarcerated in South Africa, Mr. Justice Curlew said yesterday when he dismissed their application for an order allowing them greater access to news.

The men — serving sentences from five years to life — complained that they were denied newspapers and certain books and periodicals. Outside publications were censored and letters and conversations were restricted.

They alleged they had a right to receive publications of their choice from outside and that letters and visits be restricted only as far as security demanded.

The convicted men — Denis Goldberg, Ian Kitson, John Mathews, Alexander Moumbaris, John Hosey, Raymond Suttner, David Rabkin, Jeremy Cronin and Anthony Holiday — claimed the deprivation was "cruel, inhuman and unnecessarily harsh punishment." They asked to be treated in the same way as other prisoners in the jail.

Dismissing their application yesterday with costs, Judge Curlew said he did not consider

news media to be "necessaries of life."

Their denial was part of a prisoners' loss of freedom. A prison was not a hotel and a prisoners punishment did not merely lie in the fact that he was deprived of liberty.

Earlier Mr D. Kuny, appearing for the prisoners, said the provision of reading matter was not just a comfort. Reading matter that kept prisoners in contact with the outside world was a necessity in a civilised society.

Mr Justice Curlew said: "It's not necessary for me. The last thing I want to do is look at a newspaper."

Mr Kuny said the Commissioner of Prisons had not placed before the court any reasons for treating the nine prisoners differently. They were classified in the same way as ordinary prisoners and should not be treated arbitrarily.

The implication that the provision of reading

matter to the nine, kept in a heavily guarded section of the prison, could breach prison security, was "ludicrous and grossly unreasonable."

The judge dismissed Mr Kuny's submission that non-access to news was a psychological assault as "absolute nonsense."

The judge said the commissioner had insight into the backgrounds of these prisoners and into their way of thinking.

"As long term prisoners, I must assume their crimes were extremely serious. I cannot say that the discretion exercised is improper. The commissioner is specifically given a power to differentiate between different categories of prisoners."

"In my opinion there is no case made out. When I see the amenities these prisoners are allowed I can only think they are extremely well off and lucky to be incarcerated in South Africa," the judge concluded. — DDC.

Churchman's plea to return is rejected

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Passport
nom 8/8/77

Staff Reporter
FATHER Aelred Stubbs' appeal to the Minister of the Interior, Dr Connie Mulder, to be allowed to return to South Africa has been turned down.

Mr Stubbs, head of the Johannesburg Anglican diocese's theological education department, had his visa requirement exemption withdrawn while he was in Britain visiting his dying mother.

He was given no reason

for the refusal to grant him a visa. The Anglican bishop of Johannesburg, the Right Rev Timothy Bavin, also appealed to Dr Mulder to allow Mr Stubbs to return, but has had no reply. Father Kingston Erson, head of the Community of the Resurrection in South Africa, said yesterday.

Mr Erson said Mr Stubbs had been in South Africa for 18 years.

He was hoping to re-

turn to Southern Africa, but his future now depends on the Community of the Resurrection, to which he belongs.

Father Claude Lunniss, former head of the community in South Africa, said yesterday:

"The theological department is in a bit of a mess. Father Stubbs' assistant, Father John de Beer, is leaving for the United States next month."

Court told of freedom songs at riverside

By SHEILA WING

FOUR black schoolboys were singing a freedom song when they were approached by two alleged ANC members, one of whom later taught the boys to shoot and handle guns, a Pretoria Supreme Court judge heard yesterday.

A State witness, Mr Johannes Baloyi, 18, a former Soweto school pupil, was giving evidence under cross-examination at the Terrorism Act trial in which 11 men and a woman are charged with taking part in terrorist activities. All have pleaded not guilty.

The youth said he and his friends sometimes sang freedom songs together after he returned to his home at Aasvoëlboom, near Brits, after the disturbances in Soweto last year.

He said they were walking from a soccer field when Mr Simon Mohlanyaneng, one of the accused, and a man called David stopped them and said: "We like the song you are singing."

"They said they could teach us other songs and suggested that we met the next day at the river and exchange songs," Mr Baloyi said.

Asked by Mr L Bowman, for the defence, why he had left Soweto, the youth replied: "We no longer went to school after the disturbances and my father told me it was better to go to the farm and look after cattle."

Earlier, another of the schoolboys, who may not be named because he is under age, denied that he and his friends had been singing freedom songs when they were approached by the men.

The boy, 14, said they met Mr Mohlanyaneng at the river the next day and met the man called David on the three following days.

"Mr Mohlanyaneng told us that the Europeans came to South Africa on a ship. They gave spoons and forks to the Zulus in exchange for a place to stay. In that exchange they got this country," he said.

At the riverside meetings with David the boys were taught to shoot with a pellet gun and learnt to dismantle and reassemble a Scorpion gun.

Questioned by Mr Bowman, the 14-year-old said he had been kept alone in a police cell at Sunnyside since his arrest seven months ago. His father and mother had each visited him once.

'Sabotage tape recording made for propaganda'

(325) Pel Tuck
rom 9/8/77

Staff Reporter

A TAPE-RECORDING giving details of sabotage attempts was made for propaganda purposes and most of it was nonsense, the defence said in the Kempton Park Circuit Court yesterday.

One of the men heard on the recording, Mr Paul Langa, 28, is appearing before Mr Justice F S Steyn and two assessors on two charges under the Terrorism Act. He has pleaded not guilty.

Under cross-examination, Mr Jonas Machobane, whose voice is also heard on the tape, agreed that most of the recordings

were "a lot of nonsense".

He also agreed they had been made for propaganda, regardless of whether statements were true or not.

He said the recording had been made in a house in Rockville in January, shortly after Mr Langa returned from Botswana. The aim was to tell students who had left the country — including the former chairman of the Soweto Students' Representative Council, Mr Tsietsi Mashinini, of what was happening in South Africa.

On the recording, Mr Langa is asked about the

"suicide squad", its aims, and the explosion at Jabulani Police Station. Sabotage is given as the purpose of the "SS".

The recording was made shortly before Mr Langa was arrested in January and Mr Machobane in February.

Mr L S Weinstock, SC, for Mr Langa, said the defence was prepared to make certain admissions about the recordings. These included that the original had not been tampered with; that the transcripts were accurate as far as possible; and that the voices heard were those of Mr Machobane and Mr Langa.

Bid to change pleas

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P. 1/11

EDM 9/18/77

Own Correspondent
MARITZBURG. — What has been dubbed South Africa's shortest terrorism trial has been prolonged by an application for the four accused to change their pleas to not guilty and for their pro deo counsel to be replaced.

Mr Justice Kriek, sitting with two assessors, has already found Isaac Zimu, 28, Veli Mthembu, 22, Themba Khumalo, 18, and Walter Mtshali, 29, guilty of participating in various terrorist activities between June and September last year.

Before argument in mitigation of sentence could be led an adjournment was granted because Mtshali asked for alternative representation.

At the start of yesterday's hearing, the three others also requested their own legal representation.

At the outset of the trial, the first terrorism trial to be held under the new Criminal Procedure Act, Zimu, Mthembu and Khumalo pleaded guilty to inciting people to undergo military training, and all four pleaded guilty to a second

charge of taking steps to undergo military training.

Mtshali told the court: "I have had the benefit of other legal consultation engaged by my family and realise, for the first time, that what I've done doesn't constitute any offence under the Terrorism Act."

The hearing was adjourned to Thursday to allow Mr J N M Poswa, counsel for the other accused, to prepare argument on behalf of his clients who also wish to change their pleas.

Wife tells of Soweto blast

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Pof incls RDM 10/8/77
Staff Reporter

THE wife of a Terrorism trial accused yesterday told a Springs Special Court of events leading to an explosion which ripped open part of the roof of her Soweto home in January.

Mrs Theresa Khoza, wife of accused Mr Philip Khoza, said she was in bed when the blast occurred. She found her husband with head injuries.

She was giving evidence before Mr Justice De Villiers and two assessors during the summary trial of six Soweto men into allegations of taking part in terrorism activities.

The other accused are Mr Mahwidi John Phala, 50, Mr John Afheli Thabo, 37, Mr Letsie Ben Mashinini, 35, Mr Solomon Mushi, 25, and Mr Bafana Vincent Nkosi, 21. They have all pleaded not guilty.

Mrs Khoza, who told the court she was born in Maputo, said she came to Jo-

hannesburg two years ago. She lived with her husband in Klipspruit's Zone 4.

She was introduced to a Mr Mlambo who lived nearby.

"On January 5 this year, Mr Mlambo arrived with three other men but he did not tell me who they were. I cannot identify the people as they moved from the kitchen into the dining room and later into a smaller room," she said.

Mrs Khoza said they carried plastic bags. They left that night.

She did not know what they were doing in the other room. A curtain was drawn over the door.

It was the room where groceries were kept in a cardboard box.

"My husband never told me what was going on in there as I always remained in the kitchen and then went to bed," she said.

She said she did not

know her age but at that time she had a baby. She said that on January 6, Mr Mlambo arrived with the same men and again went into the room. On the day of the blast, seven people arrived while her husband was at a neighbour's house. They went into the room. Her husband arrived later and joined them for a short while.

"I went to bed but later heard a blast in the room and ran out with my baby. I saw my husband sitting on a sofa and he had an injury on his head," she said.

Mrs Khoza said that on Sunday — two days later — she and her husband slept at the house of a Mr Gumede and on Monday they went to the Mozambique labour offices where they were to apply for passports. She and her husband were arrested there after he had spoken

to some officials.

She told the court she recognised a soldering iron as the one that was heated in her stove. The iron was taken into the other room after it had been heated.

Under cross-examination, she said she and her husband could not sleep in the house as it was damaged by the blast.

Mrs Khoza said her husband wanted her to get to Mozambique while he went to the police about the explosion. She knew a Mr George Shirenga at the labour offices. She saw her husband talking to him but did not know about what. She also knew a Molly Tshilwane there but knew of no connection with the arrest.

Under further cross-examination, she said the room to which the people went in her home contained paraffin tins and a grocery box. She had gone in there on previous occasions after the night visits but had found nothing suspicious.

Another witness, Mrs Rebecca Marula, who had been in the dock for two days, said that an accused, Mr Phala, had brought articles to her house. They were later found to contain explosives.

She said she knew nothing about the contents.

Mrs Marula, who told the court she has been in detention since January 19, said that Mr Phala, in the company of Mr Ellman Malele, had brought a man to her house for lodging on January 8.

The man, Patric Mabinda, had an arm injury and said he was in a house that had burnt down. She knew nothing about an explosion, she said.

The court was told by the prosecutor that Mr Mabinda had left the country while Mr Malele had died in detention.

The hearing continues today.

Student tells of donation to burn school

Staff Reporter 10/8/77

STUDENTS at Ithuteng Trade School in Hamanskraal were asked to contribute 20 cents each to buy petrol to burn the school, the Pretoria Supreme Court was told yesterday.

Three former students, Mr Samuel Monaheng, 20, Mr William Diphoko, 21, and Mr Phillip Ngako, 22, are appearing on charges of sabotage, alternatively arson or malicious damage to property. They have pleaded not guilty.

Edgar Setheko, a student at the school who has been in detention since November, said in evidence that he was approached in November last year by Mr Ngako and asked to contribute 20 cents, but was not told what it was for.

Setheko, who was warned as an accomplice, said Mr Ngako had some money in his hand, and later bought petrol with it.

Setheko said that evening he was told by Monaheng to go to an empty bed in the corner of the dormitory. Monaheng told others as well to go to the same bed — for a meeting. It was decided the school should be burnt that night.

Setheko said he and Diphoko and two other students left the dormitory at midnight with a petrol container. They went to one of the classes where they found a couple sleeping, and decided not to burn it.

They got in through a window and Diphoko poured petrol on the floor and wall partitions. They took turns pouring petrol on the floors until they had been to five classrooms, which they then set alight.

The school principal, Mr Alexander Moeka, told the court that on the morning of November 4 he was woken by his son, who told him one of the school buildings was alight.

The fire destroyed five classrooms, desks and sewing machines. He estimated damage at R25 000.

The trial continues.

Witness buried guns

Staff Reporter

A STATE witness who buried guns and hand grenades in his Alexandra garden told the Pretoria Terrorism Trial yesterday that he had not known until his arrest that one of the accused was involved in politics, or with guns.

"I do not take notice of guns and am not involved in such things as politics," Mr Freddie Motange said under cross-examination

following his evidence against the 11 men and a woman who have pleaded not guilty to charges under the Terrorism Act.

He said he had regarded Mr Lele Jacob Motange, one of the accused, as an ordinary person and had learnt from the police that he was involved in something unlawful only after his own arrest.

Mr Motange said he had taken a paraffin tin con-

taining guns and other objects from the home of another accused, Mr Jacob Seatlholo, on New Year's night after having learnt of his arrest the day before. He had intended handing them over to the police the next day but was himself arrested that night, he said.

The trial, being heard by Mr Justice Davidson, continues today. ROM 10/8/77

Soweto blasts woke young mother

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11/8/77

Staff Reporter

A BANG that sounded as though a car had hit the house woke a young mother on the night that explosions rocked a house in Klipspruit, Soweto, a Springs Special Court was told yesterday.

Mrs Rosie Nkuna, now a widow, was giving evidence at the trial of six Soweto men charged under the Terrorism Act.

Appearing before Mr Justice de Villiers and two assessors are Mr Mahwidi John Phala, 50, Mr John Afhedi Thabo, 37, Mr Letsie Ben Mashinini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, 55. They have all pleaded not guilty.

Mrs Nkuna said on the night of January 7, she went to bed after her husband had gone out with a Patrick Mabinda. She was told they were going to the gym.

"During the night I was woken up by what sounded like a big thud. I picked my baby up and ran into the other room where the helper slept. I found her up and frightened," she said.

Mrs Nkuna said she and her helper ran outside when there was another loud bang.

"Outside we found a number of people stretching from my house to that of Mr Sibisi (Khoza). As we stood there, there was another loud bang. I saw fire being belched into the sky.

We stood there frightened. I saw Mr Sibisi come running from his house in the direction of mine. He shouted 'the police are coming' and ran past."

Mrs Nkuna said she always

on messy shelves
and were quietly leaking
had cracked or loose tops
and left on the shelf. Some
were visibly under volume
items were found that
summer Mail researchers
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The survey shows that
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(325) Pol trials

Day of terror... 'that was a hell of a nice day'

Staff Reporter

IN THE Kempton Park Circuit Court yesterday the State closed its case in the trial at which the alleged chairman of the Soweto Students Representative Council's "suicide squad" Mr Paul Langa, 28, is charged with abduction, attempted murder, sabotage and two counts under the Terrorism Act.

He has pleaded not guilty on all counts.

The defence will start its case today.

At yesterday's hearing the last State witness, Mr Martin Mhlanga, told the court he spoke to Mr Langa after the two met in their cars in Soweto.

He had been in Wind-

hoek and he asked Mr Langa what had happened in Soweto while he was away.

He said he told Mr Langa that he had heard of stone-throwing, detentions and the bombing of the Jabulani police station.

Mr Langa said: "That was a hell of a nice day," Mr Mhlanga told the court.

An earlier witness, Mr Victor Mnikati, was recalled - and identified Mr Mhlanga as the man he had referred to as "Lucas" in his testimony and who allegedly took part in the abduction of three men from the Swazi Royal Discotheque last year.

The case, which is being heard by Mr Justice Fritz Steyn, will continue today.

Terror trial told of arson lessons

By SHEILA WING

AN ALLEGED ANC member drew a diagram to show four African schoolboys how they could fit into the ANC structure as freedom fighters, the Pretoria Supreme Court was told yesterday.

The diagram was reproduced in court yesterday by a State witness, Mr Patrick Khosa, at the Terrorism Act trial in which 11 men and a woman have pleaded not guilty to taking part in terrorist activities between 1962 and November last year.

Mr Khosa, one of the four school boys, said Mr Simon Mohlanyaneng, one of the accused, told him and three friends that the top part of the structure represented the "main people of the ANC" and that the boys would constitute part of the lower echelons once they had been taught.

The teaching took the form of shooting lessons and learning how to make explosives to burn down buildings.

Pills put inside a cigarette box containing glycerine, red polish and potassium permanganate, would control when an explosion occurred, the schoolboys were told.

Mr Khosa said that Mr Mohlanyaneng told him and his friends how to shoot down an aeroplane.

"There is something one puts on the ground. They fix it and it shoots the aeroplane when it passes," Mr Khosa said.

Previous evidence was that the four boys were approached by Mr Mohlanyaneng and another man who had heard them singing a freedom song.

Under cross-examination Mr Khosa said he and his friends might have been singing when approached by the two men.

Asked whether he knew any freedom songs, he said: "I don't know any."

"It might be that a song I sang was a freedom song, though I did not realise it."

Asked during re-examination by the State why Mr Mohlanyaneng's companion — whom he referred to as "Oubot" — had shown them guns and hand grenades he said: "He wanted us to be able to use them."

State advocate Mr Michael Donen: Did he say what he wanted you to use them for?

Mr Khosa: He did not tell us.

Earlier an Internal Security Act detainee, Mr Robert Masethla, was allowed to consult his lawyer before testifying for the State.

Another witness, Mr Freddie Motaung, denied under cross-examination yesterday that he knew that there was a Communist Party pamphlet in a bag of chemicals which he received from one of the accused, Mr Jacob Seatlholo, and later left at a friend's home in Alexandra, Johannesburg.

Mr Motaung, who was warned as an accomplice, said he did not know he was in court as a witness.

"I am just here to tell how I got arrested," he said.

previously been on trial himself for theft and had served seven years of a nine-15 year sentence.

Mr Chaskalson: "And you come to Your Lordship and say you don't know the difference between a witness and an accused? I suggest that you are a man quite experienced in getting yourself out of trouble."

The hearing continues today.

VARIATIONS IN COMPOSITION AT THE SURFACE OF THE DIATOMACEOUS AND KUNENE MUD BELTS ALONG 46 SAMPLE LINES

• Terrigenous
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(325) Pol. tracks
EDM 12/8/77

Accused tells of SSRC role in blasts

Staff Reporter

A TERRORISM trial accus-
ed told the Kempton Park
Circuit Court yesterday he
took members of the So-
weto Student's Represen-
tative Council to a night
club and a house which
were later rocked by ex-
plosions.

Mr Paul Mafgliso Elliot
Langa, 28, of Orlando
West, was giving evidence
in his own defence before
Mr Justice F S Steyn and

two assessors.

He pleaded not guilty to
two charges under the Ter-
rorism Act, and to alterna-
tive charges of sabotage,
abduction and attempted
murder.

Mr Langa told the court
he had played no part in
explosions at the Jabulani
police station and on the
Soweto railway line, or in
the dynamiting of an Or-
lando East house.

He also denied attempt-
ing to bring AK 47 rifles

into South Africa.

He said he drove mem-
bers of the SSRC, includ-
ing the former chairman,
Mr Khotso Seatlholo, to a
house in Mpetla last year.

On their arrival at the
house, four SSRC members
got out of the car while
he remained in the driver's
seat, he said.

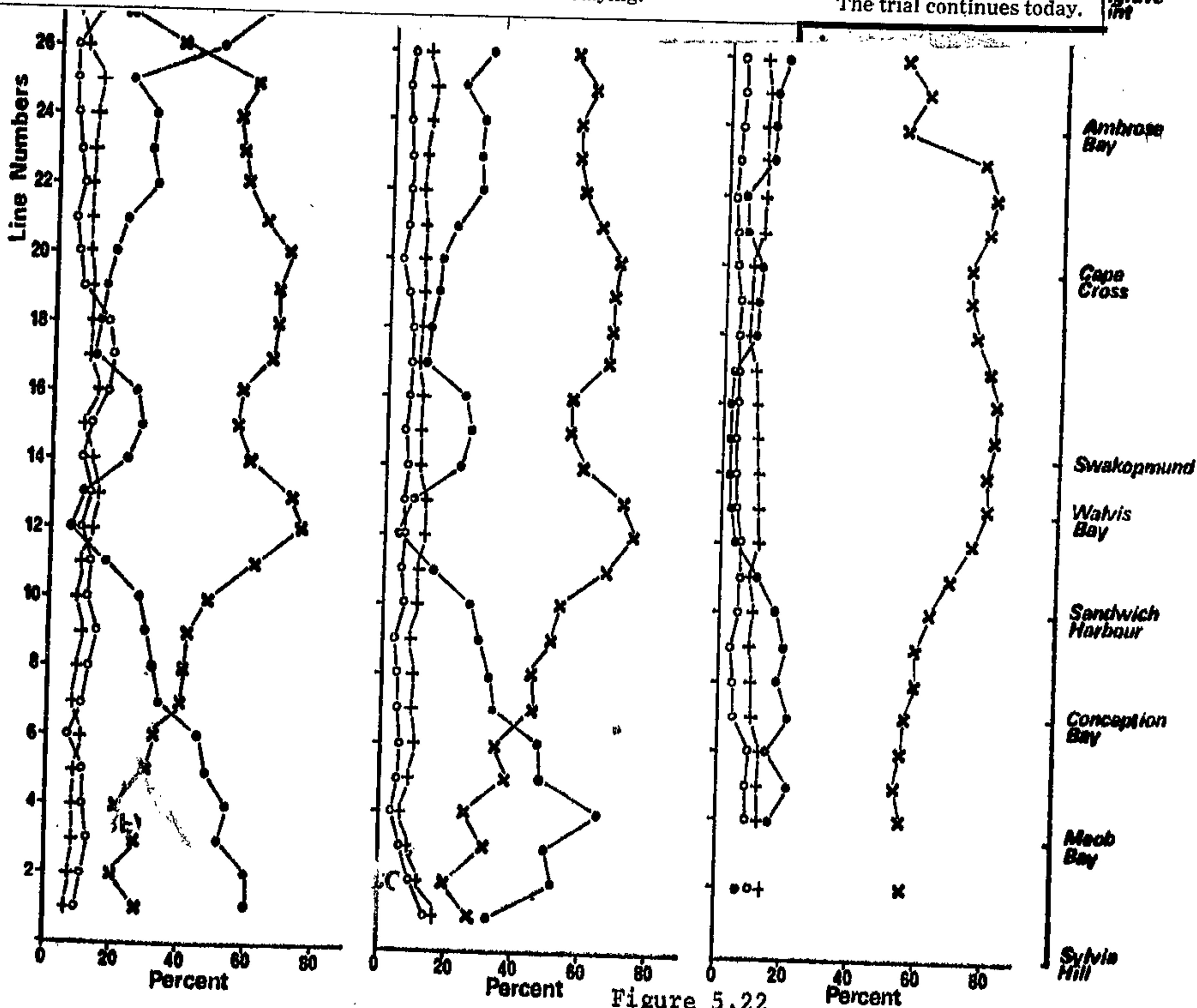
They returned about 15
minutes later, and he
drove them back to the
house where Mr Seatlholo
was staying.

Mr Langa denied hear-
ing an explosion as they
drove away.

He drove a group of
SSRC members to a night
club and parked the car.
Mr Andrew Mbele went
into the club to look for a
safe place to explode the
dynamite so that nobody
would be injured.

Mr Mbele later returned
and Mr Langa said he
drove round the club.

The trial continues today.



Court decides on pleas today

Own Correspondent

MARITZBURG. — Mr Justice Kriek will give his decision today on whether the four men found guilty in the Maritzburg terror trial may change their pleas to not guilty before sentence is passed.

Isaac Zinu, 28, Veli Mthembu, 22, Themba Khumalo, 18, and Walter Mtshali, 29, all pleaded

guilty to taking steps to undergo military training. Three of them, Zimu, Mthembu and Khumalo, pleaded guilty to inciting other people to undergo military training, including the making of bombs. Mtshali pleaded not guilty.

The Attorney-General, Mr Cecil Rees, yesterday headed the State's argument. He said the accused

be permitted to correct their pleas, but it was not a prerogative of the accused to withdraw their pleas.

They had to satisfy the court that they incorrectly admitted the allegations against them, he said.

Their submissions were seriously made and their pleas were seriously tendered.

RDM

12/8/77

325

Pol Inds

was on the bench.

RDM (325) Pol. trials

Witnesses lie, so terror trial man goes free

Staff Reporter

A YOUNG man was found not guilty of contravening the Terrorism Act and discharged in the Rand Supreme Court yesterday after the court heard he did not go to Botswana for military training but to visit his girlfriend at a border post.

Discharging Mr Arthur Themba Madyo, 18, after the State closed its case, Mr Justice Irving Steyn said: "Two lying witnesses, discredited by the State, absolved you of all blame."

Mr Madyo, of Rockville, Soweto, pleaded not guilty of attempting to go to Botswana to receive military training.

The State called three witnesses. First was a member of the Mafeking Security Police, Detective Sergeant Gaitsiwe Ramathlapeng.

He told the court he arrested Mr Madyo and two friends at Pitsana on the South Africa-Botswana border.

They looked suspicious, he said, because many South Africans fled the country and "easily cross the border there secre-

tively."

The other witnesses were Mr Madyo's friends, Mr Prince Maziko and Mr David Zondlo.

After their evidence, Mr E Burke, for the State, asked the court to discredit them as witnesses because their evidence in court differed completely from their statements to police.

In court, both said they went to sell apples on the Mafeking train. When they arrived in Mafeking they decided to visit a girlfriend of Mr Madyo.

In their statements, exhibited in court they said Mr Madyo told them he was going to Botswana for military training.

They had admitted in court that they were arrested in December last year in connection with an alleged murder in Klipspruit. It was during one of their appearances in a magistrate's court that they met Mr Madyo.

Mr Justice Steyn said there was no insufficient evidence against Mr Madyo and the application for his discharge must succeed.

Arsonists
(325) Pol Tink
sentenced
today **ROM** **12/8/77**

Staff Reporter

SENTENCE in the trial of three students from the Ithuteng Trade School in Hammanskraal appearing on a charge of arson will be passed today.

The students were originally charged with sabotage and two alternative charges of arson and malicious damage to property. Their plea of guilty to the charge of arson was accepted by the court and the charge of sabotage was dropped. Five classrooms of the school were burnt on November 4.

In mitigation, Mr J N de Vos said the students, Samuel Monaheng, 20, William Diphoko, 21, and Phillip Ngako, 22, were threatened with a knife by another student and told to burn the school. Mr Justice Esselen is on the bench.

The death of former detainee, Mr Elijah Loza, like the earlier unexplained deaths of Mr Mapetta Monapi and Mr Joseph Mduli, once again raises the question of how people are treated in detention. There has been considerable public disquiet about this, including correspondence and editorials in several newspapers, and the appearance of Brig Coetzee on TV some weeks ago did nothing to alleviate this disquiet.

Opposition to the granting to the police of powers to detain incommunicado without trial preceded the use of these powers, and far from being confined to subversives, exiles and agitators has been expressed by a wide range of responsible organisations and individuals in the country whose patriotism is unquestionable.

Spokesmen for the Parliamentary opposition parties, the Labour Party

The chairman of the Civil Rights League, Dr K. R. Hughes, reviews detention without trial and deaths of detainees

How the Special Branch can clear itself

225

Political Trials

of the CRC, the Bar Councils, university organisations, newspaper editors and journalists, the Black Sash and the Civil Rights League have continually urged a return to the Rule of Law. They have rightly pointed out that indefinite solitary confinement is itself torture and is so regarded by civilised states, quite apart from any further brutality or abuses.

The following facts lend weight to such criticism. Since 1963 up to the most recently reported death in Kimberley last month, there have been some 39 deaths in detention.

Released detainees have given vivid accounts of their maltreatment by the Security Police to lawyers, priests, MPs and

private individuals, often in sworn affidavits.

In the course of political trials many State witnesses have asserted while giving sworn testimony that they were placed under duress while in detention.

On several occasions (for example the notorious Bultfontein case), ordinary police have been convicted of using torture, including electric shock machines. This indicates that such methods are at least available to the Security Police, who moreover function in secrecy and isolation. A reasonable inference is that some Security Police at some stage may have been tempted to take "short cuts".

In fact there was one case where the Security Police were found to have practised such abuse (Cedric Mkencele v. the State). Damages were awarded to Mr Mkencele by Mr Justice Addleson, who expatiated on the difficulties experienced by a detainee who had been held in solitary confinement in proving to a court that he has, in fact, been tortured. Where outside visitors are precluded, there is no independent witness who may subsequently be brought to court to testify in support of such a claim.

The State has, however, settled several claims by way of ex gratia payments, out of court, for example in the case of the widow of the Imam Haron, and this procedure has been challenged as

avoiding the necessity of furnishing all the evidence to the courts.

It was appalling to see in the TV programme that an officer as highly placed as Brig Coetzee seems to believe that criticisms of the police and allegations of abuses are aimed at "destroying" the Security Police as a first step to overthrowing the Republic.

On the contrary, local critics desire only that the State should investigate allegations of abuse, and many have vainly pleaded for independent commission of inquiry. Further more safeguards for detainees, far from "destroying" the Security Police, should if they are adequate, serve to protect them from false, malicious

or exaggerated allegations.

Mrs Helen Suzman has adequately answered the absurd assertion that detainees commit suicide on the instructions of the Communist Party. What person will take his own life unless he is in a desperate state of mind? And by what procedures is such a state of mind to be induced in a detainee? Are the "suicides" really always and entirely self-inflicted?

Such shocking questions persist in the minds of many South Africans and will not be dispelled by superficial attempts to improve the Security Police image. To prevent prison deaths, officers should be held responsible for the health

and safety of detainees placed in their charge and should be punished whenever, through negligence or for other reasons, detainees commit suicide, fall downstairs, slip on soap in the showers, or jump from sixth-storey windows.

In the short run, many of South Africa's problems derive from lack of discipline and responsibility in the police force and other government departments (though in the long run this is not so, since even the most restrained and impartial police force will not enjoy public support of approval, where the laws it enforces do not receive the consent of the governed.)

The Civil Rights League believes that the only way to safeguard the rights of detainees effectively, and to prevent torture and suspicion of torture, is to grant the right to make unaccompanied and unscheduled visits.

Accused gave stupid answers, court is told

EDM 16/8/77

(325)

POLITICAL
TRIALS

STAFF REPORTER

JUDGMENT in the Kempton Park terror trial will be given tomorrow.

Mr Paul Langa, 28, of Soweto, has pleaded not guilty before Mr Justice F S Steyn on two charges under the Terrorism Act and alternative charges including sabotage.

Yesterday Mr L S Weinstock SC, for the Defence, said the State made out Mr Langa was the mastermind behind several explosions in Soweto, including that at the Jabulani Police Station in October last year.

However, in his evidence Mr Langa gave "some of the most stupid answers" which indicated he was not the sort of man who could be trusted with such complicated actions.

Mr Weinstock said the blast that damaged the Jabulani Police Station had been carefully planned with the bomb planted where it could cause damage. It had not merely been thrown at the police station.

Only a tape-recording made by Mr Langa linked him with the blast.

Mr Weinstock said Mr Langa had admitted to having driven a car when two Soweto shebeens were blown up.

However, it was unusual that he denied knowledge of the explosion at an Orlando West house when he was prepared to admit to being at the other explosions.

Mr Weinstock said the State claimed Mr Langa was the chairman of the Soweto Students' Representative Council's "suicide squad". However, there had been no evidence that there had ever been any meetings of the "SS".

The State alleges Mr Langa had caused explosions at the Jabulani Police Station on October 24 last year, on the Soweto railway line between New Canada and Mzimhlope on October 25, at houses in Mpetla and Orlando East and West and at the Pelican nightclub during November last year.

Language problem

stops terror trial

325 POUNDING TRAILS

RDM 16/8/77

MARITZBURG. — The terrorism trial in the Maritzburg Supreme Court was adjourned yesterday because no Zulu interpreter was available.

An application by the defence to change the pleas of the four men who have already been convicted of taking part in terrorist activities will now be heard next Monday, reports Sapa.

Yesterday Mr Justice Kriek ruled that he would hear the application with-

out his two assessors, writes the Rand Daily Mail's Maritzburg correspondent.

Isaac Zimu, 28, Veli Mthembu, 22, Themba Khumalo, 18, and Walter Mtshali, 29, have been found guilty of participating in terrorist activities between June 1 and September 23, 1976.

They all pleaded guilty to taking steps to undergo military training "which could be of use to any person intending to endan-

ger the maintenance of law and order."

Mtshali pleaded not guilty to recruiting others, to undergo such training.

Before argument in mitigation of sentence was heard the men requested — and were granted — a change of lawyers.

Mr W O Menge had been appearing pro deo for the four accused.

Because the court interpreter may have to give evidence on his translation during the trial it has

been decided to replace him.

However none was available yesterday so the trial was adjourned.

The new defence counsel asked for the adjournment to last until Monday because of "other commitments". This was agreed to by the court.

Mr Harry Pitman now appears for Zimu, Mr I Mahomed, SC, assisted by Mr T L Skweyiya, appears for Mtshali and Mr J N M Poswa appears for Mthembu and Khumalo.

Ian Goldin

Economics

August 1977

325 Pol. Trials

ENGI

The Economist

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Chapter One

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of the agricultural community. The chapter

concludes with a review of the most important

provisions of the 1937 Act and its subsequent

amendments.

ARGUS 16/8/77

Lessons in sabotage court told

MALMESBURY. — A woman told a Malmesbury regional magistrate today that an elderly man had told Cape Pupils of training in sabotage and the use of guns and bombs.

The witness, who may not be named, was giving evidence in the trial of Mr Christmas Tinto, 51, of Guguletu, charged with inciting men to undergo training to further the aims of the banned African National Council. Mr Tinto, who appears under the Internal Security Act, has pleaded not guilty.

ANC MEMBER

The witness, said she introduced Mr Tinto to pupils in January, at his request.

In three meetings at her house, Mr Tinto had advised the students to return to school, so as to divert the attention of the police from them.

She said Mr Tinto told the group he was a member of the ANC, and that people from the bachelor quarters of Langa and Guguletu had been recruited to the organisation's army, Umkhonto We Sizwe (Spear of the Nation).

According to the witness, Mr Tinto told the group they would be enlisted in homeland armies, code numbers would be written on the inside of their fingernails, and they should present themselves to 'terrorists' across the border.

They had discussed the trial of David Rabkin and Jeremy Cronin, the woman said. She also said she had been detained alone since June 16.

Mr J. G. Vermeulen is on the Bench. Mr J. P. Vermaak is appearing for the State, and Mr B. M. Kies is instructed by A. M. Omar and Company.

(Proceeding)

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Chapter Two The Organisational and Institutional Structure of the South African Cane Industry.

The chapter begins with an assertion to the effect that the Cane Industry in South Africa is tightly regulated by a central authority in terms of the control board system. In the discussion that follows

August 1977

Witness tells of ANC terror talk

CAPE TIMES
17/8/77

325-Pol Trials

Staff Reporter

MALMESBURY. — An alleged member of the banned African National Congress told a group of Guguletu youths that they could train overseas as urban terrorists, it was alleged in the Regional Court here yesterday.

The witness, a student who may not be identified, was giving evidence in the trial of an alleged ANC member, Christmas Tinto, 51, of Guguletu, who pleaded not guilty to a charge under the Internal Security Act. He is alleged to have incited or encouraged students between January 1 and February 28 this year to undergo military training, to further the aims of the banned African National Congress or any other banned organization. The witness, Miss X, said

she had known Mr Tinto since 1972 and described him as elderly and a soccer fan. Early in January this year, she had introduced him to a group of students at his request. A meeting was arranged at her home the following day.

In their conversation at the first of three meetings, Mr Tinto advised the youths to return to school so as to divert the police's attention from them.

He added that they would be "shot by the boers" if they roamed around the streets. One of the students present suggested that a meeting between other students should be arranged.

"It was decided that they should report back after the meeting ended at my home," the witness said.

A few days later, they met again where Mr Tinto told the group he was a member of the ANC. He mentioned several names of other men working in the same "cell", including banned detainee, Mr Elijah Loza, 59, who has since died in Tygerberg Hospital. "He told us that Mr Loza was a very bright guy," said the witness.

One of the students asked what the ANC was and Mr Tinto replied that it was "a banned black political party".

According to Miss X, Mr

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I was tested on Marx book — claim

State 18/8/77

Pretoria Bureau

On Boxing Day last year a member of an "underground organisation" tested a reluctant recruit on "The Thoughts of Karl Marx," the ANC terror trial heard today.

State witness Mr Michael Mkabinde told Mr Justice Davidson in the Supreme Court, Pretoria, that Mr Elias Masinga urged him during December last year to become a member of the underground organisation and gave him a copy of "The Thoughts of Karl Marx."

CHARGES

Mr Masinga is one of the 12 facing charges of conspiring — with the African National Congress, the South African Communist Party and Spear of the Nation — to overthrow the Government.

Mr Mkabinde said he told Mr Masinga he could not see his way clear to becoming a member of the organisation.

Mr Masinga allegedly told him if he worked for the organisation he would be taken to another country where he could further his studies.

Mr Mkabinde said he asked Mr Masinga if "the thoughts of Karl Marx" would not be too difficult

to understand. He was told he should get someone else to read the book to him.

On Boxing Day, Mr Mkabinde said, he told Mr Masinga he was busy with the third chapter of the book, whereas he was in fact on the second chapter. He did this because he was ashamed.

There were words which he could not understand, he told Mr Masinga, who allegedly replied that he should forget about those words and try to understand the philosophy of the book.

He told the court Mr Masinga read from the book and questioned him on the relationship between the "political" and "economic."

Mr Mkabinde said he told Mr Masinga not to make him a member of the organisation and said he wanted to go to Durban to do practicals as a student auto-electrician. Mr Masinga allegedly said the organisation had contacts in Durban as well.

Proceeding Mr A. Chaskalson, SC, Mr D. Kury and Mr T. G. Bowman are appearing for the 12, instructed by Mr R. Tucker, Mr N. Gov. van Pittius and Mr J. Doney are appearing for the State.

POET'S GAOL MOVE

Mercury Correspondent

JOHANNESBURG — Poet Breyten Breytenbach has been moved from Pretoria Central Prison to Pollsmoor gaol, 15km from Cape Town.

Mr. Jimmy Kruger, Minister of Justice, Police and Prisons, said yesterday he had authorised the transfer a while ago after considering Breytenbach's case.

All prisoners were always under consideration for their particular needs. It was felt it would be better for him in Cape Town as far as rehabilitation and such were concerned, Mr. Kruger said.

Mercury Reporter

PIETERMARITZBURG. IF Afrikaner nationalists were to survive, they had to consider the possibilities offered by a federal or confederal system of government, Dr. Alan Paton said here yesterday.

This was just one of the meaningful changes which could be made to meet the just aspirations of Black people in South Africa.

Failure to change would mark the end of White hegemony in South Africa and the end of Afrikanerdom.

Speaking at a public lecture at the University of Natal, attended by about 500 people, Dr. Paton said while he feared Afrikaner nationalists were "psychologically unable" to make significant changes he could not accept that they

325 Political Trials

VROU GETUIG OOR TERREUR-OPLEIDING

BURGER 18/8/77

Van Ons Spesiale Verteenwoordiger

325 101. Tinto

MALMESBURY.

'N SWART vrou van Guguletu, Kaapstad, wie se vader lid is van die verbode African National Congress (A.N.C.), het gister hier in 'n buitengewone streekhof getuig dat 'n beweerde selleier van dié organisasie op 'n vergadering aan swart jeugdiges gesê het hy kan reël dat hulle terroriste-opleiding kry.

Die vrou, wat nie geïdentifiseer mag word nie, het getuig in die saak teen Christmas Tinto (51) van Guguletu, Kaapstad.

Tinto word ingevolge die Wet op Binnelandse Veiligheid daarvan beskuldig dat hy tussen 1 Januarie en 28 Februarie vanjaar in Guguletu mense aangespoor, aangestig, beveel, gehelp, aange-raai of gewerf het om opleiding te ondergaan ter bevordering van die A.N.C. of enige ander verbode organisasie of liggaam.

Tinto ontken skuld.

GEVEGTE

Die vrou het getuig dat sy en ses swart jeugdiges in Januarie in Guguletu klerasie en kos ingesamel het vir mense in Nyanga wie se huise in gevegte tussen trekarbeiders en jeugdiges afgebrand is. Die bestuurder van die bestelwa het voor 'n huis in

Guguletu stilgehou en sy en twee jeugdiges het in die voertuig gebly.

Ná 'n ruk het get. na die huis gegaan en 'n swart vroulike student ontmoet wat besig was om koffie te maak. Get. was nuuskierig en het na die sitkamer geloop waar 'n paar jeugdiges gesit het. Sy ken Tinto en het aan hom gevra of hy nou in dié huis bly.

Besk. het aan haar gesê hy is 'n ingeperkte en dat dit nie raadsaam was dat hy ander mense in sy huis onthaal nie. Hy het gesê die „stryd” het begin en dat die studente van Soweto vir gelike regte vra. „Die hele wêreld reageer op die lot van hul broers en susters in Suid-Afrika,” het hy gesê.

Tinto het aan die jeugdige gesê hy ken die geheimsinnige mnr. X wat David Rabkin en Jeremy Cronin gekeer het om hul sending te voltooi. Mnr. X het in Langa gebly en het in 'n slaghuys of by 'n bakkery gewerk.

Get. het gesê Tinto het vertel dat Rabkin en Cronin vir mnr. X ontmoet het terwyl hulle in Rusland, Kuba, Tanzanië en Angola terroriste-opleiding ontvang het. Bruinmense, swartes, Indiërs en ook blankes word toegelaat om in die kampe opgelei te word. Hier leer hulle om oorlog te voer en om handgranate te gebruik, het besk. gesê.

Tinto het gesê Soweto-studente word vir 'n jaar oorsee gestuur om te studeer en daarna word hulle opgelei. In 1960 het duisende mense Suid-Afrika verlaat om oorsee opgelei te word.

Die regse vleuel van die A.N.C. is nog baie aktief, het Tinto gesê. Hy het gesê jeugdige wat belang stel om opgelei te word, moes hom op Dinsdae en Donderdae

ontmoet, maar hy het nie gesê waar nie, is getuig.

Adv. B. M. Kies (vir Tinto) het in kruisverhoor aan die swart vrou gevra of die maand waarin sy in afsondering aangehou is, haar verstand aange-tas het. Hy het gesê Tinto, wat sedert Mei in hegtenis is, moes by die Valkenburg-Hospitaal vir waarneming opgeneem word. Get. het ge-antwoord dat sy later hoofpyn gekry het en „swak” gevoel het — nie weens die aanhouding nie, maar omdat sy 'n hartkwaal het.

Die hof het in hierdie tyd-stip beveel dat almal onder 18 die hof moes verlaat. Vyftien swart jeugdige het die hofsaal verlaat. Die verhoor is deur sowat sestig volwas-senes bygewoon.

Ná die etensuur het die staat sy derde getuie opge-roep. Hy is 'n 29-jarige swart-man wat aan die hof gesê het dat hy die vergaderings bygewoon het omdat hy gretig is om terroriste-opleiding te ondergaan.

A.N.C.-LID

Die swartman, 'n klerk by 'n prokureursfirma in Kaapstad, het gesê Tinto het hom as lid van die A.N.C. voorgestel. Besk. het aan die jeugdige gesê dat as hulle daarin belangstel om terroriste-oplei-ding te ontvang, hy (Tinto) kan reël dat hulle aan sekere mense voorgestel word.

Besk. het gesê hulle moes op 'n datum besluit waarop hy mnr. Elijah Loza (Loza is onlangs ná beroerte in 'n Kaapstadse hospitaal oorlede) aan hulle kon voorstel. Oplei-ding in Rusland, Nigerië en Tanzanië sou op die vergade-ring bespreek word.

Tinto het aan die jeugdige vertel hoe Nelson Mandela, Suid-Afrika binnegekom het.

Wanneer mense die land verlaat met A.N.C.-kontakte, word kodenommers aan die binnekant van hul naels aan-gebring sodat hulle uitgeken kan word, is getuig.

Get. het gesê dieselfde groep jeugdige het drie dae later na dieselfde huis terug-gekeer om te hoor wanneer hulle mnr. Loza sou ontmoet. Besk. het gesê hy kon nie 'n afspraak reël nie. Tinto het by die vergadering vertel hoe treinspoore opgeblaas en handgranate gehanteer moet word.

Die saak word vandag voortgesit.

Mnr. J. G. Vermeulen is die landdros. Adv. Kies (in opdrag van A. M. Omar) ver-skyn vir Tinto en mnr. J. P. Vermaak vir die staat.

CAPE TIMES 18/8/77

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Witness tells of ANC plans

Staff Reporter

MALMESBURY. — A State witness told the Regional Court here yesterday that he intended undergoing military training for the banned African National Congress which he had allegedly been told about at a meeting in Guguletu this year.

The witness, who may not be named, was giving evidence in the trial of Christmas Tinto, 51, who is alleged to have incited or encouraged men between January 1 and February 28 this year to undergo military training, to further the aims of the banned ANC, or any other banned organization.

The witness, who is a clerk for a city firm of attorneys, admitted to being one of a group of students who met Mr Tinto at a meeting in the township in January.

"He told us that he belonged to the ANC," said the witness. According to him, Mr Tinto told the group he could introduce them to other ANC members if they wanted to leave South Africa and undergo military training.

The witness said Mr Tinto told them about Nelson Mandela, and how he came to South Africa from abroad. Mr Tinto also mentioned the trial of David Rabkin and Jeremy Cronin.

At a meeting a few days later, the witness said Mr Tinto told them about Umkhonto We Sizwe — Spear of the Nation — and that it had already clashed with the South African army and had sent 2 000 men to Vietnam.

He also explained to them how to blow up railway lines and how to handle grenades, the witness said.

Asked in cross-examination by Mr B M Kies, for Mr Tinto, if the police were aware of his intention to undergo training in the ANC, when he made his statement, the witness replied: No. He said he had not been detained by the police.

Another witness, a mother of three children, told the court her father had been "for years a congress man". She had known Mr Tinto for years as a friend of her parents.

She was also present at the meeting, and said Mr Tinto had told them he was banned. Remarks passed by him during the conversation included: "The struggle is on — the children in Soweto, are crying for equal rights", and "the rightwing of the ANC is still alive".

He also mentioned a Mr X who had interfered with David Rabkin and Jeremy Cronin before they had "completed their mission". He added that both men met Mr X at military camps in Russia, Cuba, Tanzania and Angola, the witness said.

One of the students present asked Mr Tinto if Soweto youths did military training, to which he answered: "Some go for education and after a year they go for military training."

In cross-examination, Mr Kies suggested that her mind had been affected by her three-month detention.

Mr Kies told the court that Mr Tinto received psychiatric treatment at Valkenberg Hospital after he was detained in May.

The witness denied dreaming up what she said Mr Tinto told the group.

Mr Kies told the court that Mr Tinto denied ever admitting he was an ANC member.

The trial continues today.

J.D. 18/8/77 (325) Political/Inel

Breyten in Cape jail

JOHANNESBURG — Leading seistiger poet Breyten Breytenbach has been moved from Pretoria Central Prison to Pollsmoor jail, 15 km from Cape Town.

The Minister of Justice, Mr Kruger, said yesterday he had authorised the transfer a while ago after considering Mr Breytenbach's case.

All prisoners are always under consideration for their particular needs. It was felt it would be much better for him in Cape Town as far as rehabilitation and such

are concerned," Mr Kruger said.

Col. H. J. Botha, chief liaison officer for the Department of Prisons, confirmed the move to Pollsmoor Prison, but said the Commissioner of Prisons was not prepared to comment on the reasons or any other matters related to Mr Breytenbach.

Mr Breytenbach, 37, was sentenced to nine years jail in 1975 after his conviction on charges under the Terrorism Act. — DDC.

Father testifies against son in terrorism trial

325
de Lials

PRETORIA — A grizzled tribesman yesterday testified in the Pretoria terrorism trial against his 41-year-old son.

Mr Amdos Diale, who entered the witness box limping with a walking stick and was allowed to sit to testify, said he had remonstrated with his son, ninth of the 12 accused in the trial — Mr Nelson Diale.

The 12 appeared before Mr Justice Davidson have pleaded not guilty to Terrorism Act charges, alleging subversive and revolutionary activity over a 15-year period up to this year.

Mr Diale Snr said he was at a beer drink near his home in Sekhukhyneland on December 30 last year when his son arrived.

His son, he said, was "not a man to stay long at a beerdrink — he only comes when called and then goes away."

While the people were drinking, his son said: "The war is coming. I want soldiers."

"I told him not to talk about war. I said if war did come with what are you going to pay the young men, and he said R20," Mr Diale Snr said.

His son did not say what the soldiers were wanted for, and when he remonstrated with him, he got up and walked away.

Earlier in the day, two women, nieces of the tenth accused, Mr Michael Mpandeni, 42, told of Mr Ngubeni speaking to them about furthering their studies.

Miss Domenicah Ngubeni said in October last year, at Rustenburg, Mr Ngubeni spoke to her about how "leaders" could contact each other by

means of identical suitcases being exchanged at a meeting place.

She said she received the code name of "Mkhanazi," while her sister, Antoinette, was named "Agranet."

Miss Antoinette Ngubeni said Mr Ngubeni spoke of a job which had to be done and said he could not do it himself because he had been banned.

Under cross-examination, she said she had to listen to Mr Ngubeni because he was older than her. She reasserted that he had told her he had promised people on Robben Island that the job would be done.

Mr Mashimane Maleka, a Sekhukhune tribesman, said he was at a beerdrink in a village on December 30 when Mr Diale Jnr arrived.

The group was talking about difficulties getting jobs when Mr Diale said the young men could become soldiers. When he asked Mr Diale if the soldiers were paid, Mr Diale said: "Yes, and you also get very nice food."

On training, Mr Diale said the men would be issued with "shooting things" and would learn to point them in various directions on instructions given by whistle by a trainer.

Mr Diale's father remonstrated with Mr Diale, telling him: "Why do you tell such things to children. When you are away the children know nothing about it."

Mr Diale Jnr then said: "This one is old. It is his old age that makes him say this."

The hearing continues today. — DDC.

'Suicide Squad' leader jailed for 25 years

(325) Polimuc
TAMIS
ROM 18/8/77

Staff Reporter

THE former chairman of the SSRC's "Suicide Squad" was yesterday jailed for 25 years after being convicted under the Terrorism Act.

Mr Justice F S Steyn, sitting with two accessors, found Paul Mangoliso Langa, 28, guilty of taking part in the explosions which damaged the Jabulani Police Station on October 24 last year, a house in Mpetla on November 7 and the Pelican night club on November 29.

Langa was also found guilty of having explosive materials in his possession, and of abducting and frightening Mr David Mametsa.

Mr Justice Steyn sentenced him to 25 years on the terrorism charges, and a further five years, which will run concurrently with the main sentence, for the abduction.

Passing sentence, he said it had been the intention of Langa and his accomplices to kill the staff at the Jabulani Police Sta-

tion. Only a chance disruption had prevented the bomb from being placed in its envisaged position.

Mr Justice Steyn said the South African Police were part of the administration of law and order and were the first line in the maintenance of the State's authority. The court would not fail to provide them with the protection they deserved.

He said he had strongly considered the death penalty, but a number of factors, including luck, had seen to it that nobody had been killed in the Jabulani explosion.

Mr Justice Steyn said leaders of greater authority in the movement had been in South Africa at the time, and possibly with Langa when the Jabulani explosion occurred.

But the exact part played by Langa in the explosion had not been proved, except that he was the leader of the "suicide squad".

Earlier Mr L S Weinstock, SC, said in mitigation that Langa had had

a clean record until he had got involved in politics.

He said Langa had not been the real leader, but had been subservient to and had taken instructions from at least two other members of the SSRC, Mr Khotso Seatlolo, and Mr Mickey Tsagae.

The judge found there was insufficient evidence to prove Langa had trained the "SS" in the use of explosives, or had been involved in other explosions cited in court or that he had helped members of the SSRC to flee to Botswana.

He rejected the view that pressure had been exerted on the State witnesses to make certain statements after they had come under the care of the investigating officer, Lieutenant Smit. He freed two State witnesses, Mr Martin Mhlanga and Mr Andrew Mbele, from further prosecution.

Mr L S Weinstock SC, with him Mr E Dane, instructed by Mr S Chetty, appeared for Langa. Mr A P de Vries appeared for the State.

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search Unit

African says he lied for freedom

Mercury Reporter 19/8/77

PIETERMARITZBURG — An African on a charge of giving perjured evidence in the recent terrorism trial here told a Magistrate yesterday he initially lied before the Supreme Court as he feared that he would never be released by the Security Police if he told the truth.

Immediately after giving evidence for the second time Mr. Mdelwa Frans Kunene (31) was arrested by Security Police and is now appearing on a charge of statutory perjury.

He has pleaded not guilty to the charge before Mr. W. van Altena in the Magistrate's Court.

Evidence was that Mr. Kunene gave incriminating evidence last October 8 against John Nene who was sentenced to life imprisonment.

At his own request he was recalled on February 24. Mr. Kunene then claimed he had earlier given false evidence on police instructions.

Mr. Kunene yesterday claimed it was always his intention to tell the truth especially "considering the treatment I had received from the Security Police."

Nobody persuaded him to change his mind and return

to tell the truth, but when he first gave evidence he was afraid "I would not be released if I didn't lie," he said.

While giving his second version of his evidence Mr. Kunene claimed he had been assaulted by the Security Police and regularly reminded of the contents of a statement they had prepared.

He shed tears in court yesterday when questioned about the incriminating evidence he gave against John Nene.

"I was instructed to say what the police had told me and not what I wanted to say. I didn't tell the truth at first and neither did I expect to find myself in trouble merely because I wanted to tell the truth," he said.

Mr. H. J. Prinsloo appears for the State and Mr. P. Stillwell for the defence.

The hearing continues.

Court told of terror army

Staff Reporter

MALMESBURY. — In the early 1960s 55 000 black South Africans underwent terrorist training in the army of the African National Congress which is "fighting for freedom against the country", it was alleged in the Regional Court here yesterday.

A 17-year-old school pupil who may not be named was the fourth State witness at the trial of an alleged member of the ANC, Christmas Tinto, 51, of Guguletu, who is alleged to have contravened the Internal Security Act.

Football

The witness who was with a group of other students at meetings in Guguletu in January, said that Mr Tinto had introduced himself to them as a football official. "He also told us that he was a member of the ANC."

Mr Tinto told them that in 1960 he was recruiting migrant labourers in Langa. He went on to tell them about Nelson Mandela.

David Rabkin was also discussed and Mr Tinto said that he had been given money by the ANC to buy writing utensils and machines.

Mr Tinto told them he wanted them to go outside and fight and train.

Bombs

The witness also described another meeting held at the same house in the township a few days later at which Mr Tinto told the group that they would be "trained to make bombs".

During cross-examination by Mr B M Kles for Mr Tinto, the witness told the court that he had been in detention since January and had suffered mentally during his solitary confinement.

He said he had been "thinking too much and crying". He had received treatment for his depression.

The trial continues today.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State. Mr B M Kles, instructed by A M Omar and Co, appeared for Mr Tinto.

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ARGUS 19/8/77

Training in sabotage discussed, pupil alleges

A LANGA pupil told a Malmesbury magistrate yesterday that Mr Christmas Tinto had told him of training by the African National Congress in 'how to blow up bridges in South Africa.'

THE pupil, 17, who may not be named, was giving evidence in the trial of Mr Tinto, 51, of Guguletu, who allegedly incited or encouraged men to undergo training to further the aims of the ANC or other banned organisations.

He said he had met Mr Tinto in January with other pupils, and they had discussed military training outside the country.

The pupil said he had been detained after the burning of Langa schools in January, and had been in solitary confinement since.

HOMESICK

He complained of 'homesickness' and said he had been treated on two occasions for ' bouts of crying' and for 'thinking too much.'

'I would not say I played a leading part in the marching of the school students,' he said. 'I was just enjoying it as an onlooker. When we were hit with teargas we would all laugh at each other.'

'My aim in marching was to be allowed to at-

tend the school or university of my choice.'

He had been interrogated about the 'comrades' movement but said he knew nothing of it.

'There is no group called the Comrades,' he said. 'The Comrades are students. Not all students are Comrades, but all Comrades are students. They are those students who do the stoning.'

He said he had been arrested with his friends while they were collecting clothes at a Langa church for people whose homes had been burnt.

They are those students today.

Mr J. G. Vermeulen is on the Bench. Mr J. P. Vermaak is appearing for the State, and Mr E. M. Kies, instructed by A. M. Omar and Co, is appearing for Mr Tinto.

Bomme sou geplant word, hoor hof

BURGER 20/8/77 325 Pol. Maats

Van Ons Spesiale Verteenwoordiger

MALMESBURY

"VADER TINTO het aan ons gesê mense wat in die buiteland opgelei word, sal na Suid-Afrika terugkeer en geboue soos die Trust-Bank en Sanlam met bomme opblaas."

So het die sesde swart staatsgetuie gister hier in die verhoor van Christmas Tinto (51) van Guguletu, Kaapstad, getuig.

Tinto het na bewering tussen 1 Januarie en 28 Februarie vanjaar in Guguletu die Wet op Binnelandse Veilig-

heid oortree. Die staat beweer dat hy mense aangespoor, aangestig, beveel, gehelp, aangeraai of gewerf het om opleiding te ondergaan ter bevordering van die oogmerke van die verbode African National Congress (A.N.C.) of ander verbode organisasies.

Tinto ontken skuld.

Die getuie, 'n negentienjarige leerling in standerd agt van Langa, het getuig dat hy en ander swart jeugdiges op 'n Woensdag in Januarie in Guguletu 'n vergadering bygewoon het. Tinto het die vertrek binnegekom en hom as sokkerbeampste en lid van die A.N.C. voorgestel.

Besk, het gesê hy kan die jeugdiges wat daarin belang stel om opgelei te word, aan 'n mnr. Loza voorstel. Besk en Loza sou reël dat hulle in die buiteland terroriste-opleiding kry. (Elijah Loza is onlangs ná 'n beroerte in 'n Kaapstadse hospitaal dood.)

Die volgende Saterdag het die seun in dieselfde huis 'n tweede vergadering bygewoon. Tinto het weer aan die jeugdiges gesê hulle moet met hom in verbinding tree om opleiding te ondergaan. Besk, het gesê hy het in 1960 mense in Kaapstad en Port Elizabeth gewerf, wat later opleiding ontvang het.

LEER

In kruisverhoor het get. gesê hy is lid van die Comrades-beweging en dat hy 'n sestien ander swart jeugdiges op 12 Mei in 'n kerk in hegtenis geneem is.

Maj. Johannes G. van Tonder van die Veiligheidspolisie in Kaapstad, het getuig dat hy sestien jaar die A.N.C. en dié organisasie se leer, Assegai van die Nasie, ken. Die A.N.C. is in April 1960 voorlopig vir 'n jaar tot verbode organisasie verklaar. In 1963 is dit heeltemal verbied. In dieselfde jaar is Assegai van die Nasie in Suid-Afrika verbied.

Die saak word op 12 September voortgesit.

Mnr. J. G. Vermeulen is die landdros. Adv. B. M. Kies (in opdrag van A. M. Omar en Kle) verskyn vir Tinto en mnr. J. P. Vermaak vir die staat.



DIE Lions van Hottentots-Holland het vandeesweek by 'n geselligheid ter viering van die veertigjarige bestaan van die klub Lighthouse vir blindes 'n braille-masjien aan die Skiereilandse tak van die Suid-Afrikaanse Blindewerkers-organisasie geskenk. Die geselligheid is in die burgersentrum van Claremont gehou. Hier is mnr. Gert Stokman, voorsitter van die Lions van Hottentots-Holland, by adv. Christo de Klerk, voorsitter van die Skiereilandse tak van die Suid-Afrikaanse Blindewerkers-organisasie, wat die masjien in ontvangs geneem het.

(325) Pol. Trials

RDM 20/8/77

I was afraid, says terror witness

Staff Reporter

A STATE witness alleged in the Pretoria Supreme Court yesterday that he was influenced by a Terrorism Trial accused to join the banned African National Congress.

A former ANC member, Mr Samson Ndaba, told Mr Justice Davidson he was influenced by his friend, accused No 4, Mr Simon Samuel Mohlanyaneng, 23, to join the ANC after last year's disturbances.

He was giving evidence in the trial of 12 blacks who have pleaded not guilty to charges under the Terrorism Act.

Questioned by defence counsel Mr L G Bowman, Mr Ndaba said his interest in politics started after the riots when he realised the extent of his dissatisfaction with pass laws, black wages and accommodation.

Mr Justice Davidson asked whether Mr Ndaba's attitude to the situation was relevant to the case, and said care should be taken to confine it to legal issues.

Mr Bowman, one of the three defence council, submitted that Mr Ndaba's attitude was relevant because the indictment alleged that Mr Mohlanyaneng had incited and instigated Mr Ndaba to support a banned organisation.

Mr Bowman said he would try to demonstrate that the witness had been involved in discussions which could have led to participation without the incitement, advice and instigation alleged.

Mr Ndaba said that in Alexandra Township, where he lived, people had talked of leaving the country and he became involved through Mr Mohlanyaneng.

But he did not want to leave the country because of his wife, child and home. Later he became afraid when he asked what would happen if he resigned. He was because he was frightened of Mr Mohlanyaneng and accused No 2 Mr Naledi Tsiki that he left Alexandra and lived for a period at Ga-Rankuwa, where his wife's parents lived.

The hearing continues on Monday.

RDM 23/8/77

(325) Pol TRIALS

Soweto rabbi on terror act charge

By ARINA DE KOCK

A FORMER policeman who is now a rabbi and head of a Soweto synagogue pleaded not guilty in the Rand Supreme Court yesterday to a charge under the Terrorism Act.

Appearing before Mr Justice le Grange is Rabbi Vuyisile Joshua Msitshana, 49, of Dube. He pleaded not guilty to taking part in terrorist activities in Soweto from June to October last year and to endangering law and order in South Africa by writing and distributing pamphlets.

It is alleged that the contents of a pamphlet entitled *The Voice of the Black People in South Africa* exhorted blacks to commit acts of violence against the Government, its property and its personnel.

Mr Msitshana told the court he became head of a synagogue in Soweto in 1966. He had been a rabbi since 1956.

Before that he was a constable in the South African Police.

During his sermons, Mr Msitshana said, he often asked his congregation to pray for the welfare of the Government.

In a statement before court he said he had hated politics before the unrest of June last year.

He then became aware that the black community was demanding something from the Government which would perhaps bring a solution to the unrest.

"Seeing that the Government takes all this lightly something very terrible should be organised — perhaps this can make the Government speak to the black people.

"I then wrote the pamphlets," he said.

Another reason why he wrote and distributed the pamphlets was that his own life and that of his family was in danger because the students regarded him as a sellout because "he was so quiet."

He heard a rumour that the students intended to

RDM 23/8/77

(325) POLITICALS

Staff Reporter

SOME black tribesmen who were disgruntled about white men allegedly sleeping with black women were described as "good soldier material" for the African National Congress, the Pretoria Terrorism Act trial heard yesterday.

A State witness told Mr Justice Davidson in the Supreme Court, Pretoria, that one of the accused on trial told him the "soldiers" would be taught to shoot to kill the white people.

The 12 accused, have pleaded not guilty to charges under the Terrorism Act alleging subversion between 1962 and 1977.

Yesterday Mr Johannes Sepheu said he was present at a discussion in the Nebo district of Pietersburg on December 30. The matter of whites "with love relationships with blacks" was raised.

The opinion was expressed that white men had relationships with black women but would not allow blacks to have relationships with white women.

One of the men said the blacks should fight but the others said if war started they would run away.

One of the accused, Mr Nelson Diale, 41, then arrived, and was told that some of the men were angry about white men who took black women away.

"He said that these men are the men we want so that they can become soldiers."

"He said he could teach us how to drill and shoot so we would be able to kill the white people. He did not say when," Mr Sepheu said.

After the group broke up Mr Diale said he had a gun at home.

"He said he would teach us the gun at a big mountain near my home," said Mr Sepheu.

On New Year's Day Mr Diale showed a parcel he had brought with him to a special feast. He took Mr Sepheu and another man to a tree some distance from the party and took out a pistol, which he demonstrated to them.

Mr John Matsimela, who gave evidence for the State last week, was examined by Mr D Kuny for the defence about evidence he gave of a discussion with Mr Diale.

Mr Matsimela said he and Mr Diale spoke about students leaving the country after it had become clear to him that Mr Diale understood politics.

He said Mr Diale told him he wanted students because he had a "job" for them.

"He said if I wanted to know about it I should come to his house or village and people who visited him there would tell me about it," he said.

His younger brother, Mr

Court told of bid for men to be taught to kill

Elliot Matsimela, said he was arrested after completing his matriculation examination and had heard in detention that he had passed.

When he was arrested he assumed it was because he had spoken to Mr Diale.

He knew he would have to come to court and did not know what would happen to him after testifying — although he hoped he would be released.

In his opinion, said Mr Matsimela, what he and Mr Diale had spoken about was not a crime.

Mr Diale had told him about his political activities and that he had once been a prisoner on Robben Island.

They spoke about the strivings of blacks in Rhodesia for majority rule and Mr Diale said South Africa should also have majority rule. When Mr Diale spoke of "fighting" he asked if he meant discussions or actual fighting.

"He said it means there should be discussions but if no agreement came it would be war. He meant this in the Rhodesian context," said Mr Matsimela.

Mr Diale said there were people outside the country who had arms and would train Mr Matsimela if he would go.

He reiterated that Mr Diale — said by Mr Kuny to deny the allegations — had spoken of training abroad and how it could be arranged.

He never expected that this conversation would get him arrested.

"Nor did I think Mr Diale would get into trouble," said Mr Matsimela.

The hearing continues today.

Judge is

asked to

(323) POLITRIALS

recuse

ADM 23/8/77

himself

Own Correspondent

MARITZBURG. — Defence counsel for four terrorism trial accused yesterday applied for the presiding judge, Mr Justice Kriel, to rescue himself.

The judge will give his decision today.

The application was made after it was learned that the accused's previous pro deo counsel, Mr W O H Menge, might appear as a State witness.

Isaac Zimu, 28; Veli Mthembu, 22; Themba Khumalo, 18; and Walter Mtshali, 29, have been found guilty of participating in terrorist activities.

Mr Harry Pitman, counsel for Zimu, said yesterday he had discovered that Mr Cecil Rees, the Attorney-General of Natal appearing for the State, had acquired a sworn affidavit from Mr Menge, and that Mr Rees' attitude was that previous communication between the accused and Mr Menge was not privileged.

Mr Pitman said he had discussed this with the Bar Council, which has taken a serious view of the matter.

He said the judge would be placed in a difficult situation because he had had communication with Mr Menge, asking him to perform certain functions, and would now have access to his behaviour and conduct.

RDM 23/8/77

(325) FOR TRIMS

Terror trial witness tells of 'bishops'

Staff Reporter

WHAT sounded like a bishops' conference at the Nancefield Hostel last December ended in a demonstration of making bombs to cripple the economy of South Africa, a Springs Special Court heard yesterday.

Mr John Kekana, an insurance company messenger, told Mr Justice De Villiers and two assessors that one of the six men facing three counts under the Terrorism Act had invited him to the hostel and said he should call everyone "bishop".

The six on trial are Mr Mahwidi John Phala, 50, Mr John Afhedi Thabo, 37, Mr Letsie Ben Mashinini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, 55, are appearing. They have pleaded not guilty.

Mr Kekana said he knew Mr Thabo, another messenger, and went to the hostel on December 4. He also wanted to see his sick cousin.

"After a few words, I told him that I had to see my cousin and would be back. He said on my return I should not call him by name, but refer to him as 'bishop' and that I would be called the same."

When Mr Kekana returned to Mr Thabo's room three other men were there.

After being introduced to each other as "bishops", one of the men demonstrated how to make a bomb from a watch, TNT, a battery, and a detonator. The pieces were joined by wires and the group was told that when a bulb fixed to the contraption lit up the bomb would explode, Mr Kekana said.

Mr Kekana said the "bishop" connected the wires and after some time the bulb lit up.

"The bishop said the bomb was to be used to cripple the economy of the country," he said.

From photographs he pointed out Patrick Ma-

Mr Mabinda was described in the charge sheet as a trained terrorist and was said during earlier evidence to have been one of those involved in an explosion at a Klipspruit, Soweto, house where one man was killed. He had since escaped from custody and was still free.

Mr Kekana said he left after the demonstration but on December 12 again went to see Mr Thabo. While there two of the other "bishops" arrived.

"The bishop who was making the demonstration earlier arrived carrying a pellet gun. Mr Thabo went out to test it but I left soon afterwards," he said.

The hearing continues today.

D.D. 23/8/77 (325) Political Trials

Man dragged out of court

PRETORIA — A young witness in a terrorist trial was yesterday dragged screaming by two security policemen from the Supreme Court here.

Mr William Tshimong, 20, had minutes before told the court that police had threatened to shoot him if he refused to sign a statement indicating one of the accused in a trial in which three men are charged with trying to recruit Soweto students to undergo military training in Tanzania.

Mr Tshimong, a State witness, told Mr Justice Esselen that five policemen woke him in the middle of the night and forced him to make allegations about one of the accused.

"They were completely

false and one policeman threatened to shoot me if I did not write what he demanded and sign it afterwards," Mr Tshimong said.

As Mr Tshimong stepped out of the witness box, he was grabbed — before an adjournment had been ordered — by Security policemen who tried to force him out of court.

Screaming "Help me, help me they will beat me up," he was led out of court and driven away.

Two policemen, who identified themselves as Maj N. van Rensburg and Sgt D. Vermaas of the Security Police, also argued with defence lawyers who rushed to them as they were holding Mr Tshimong.

Police said later he would be charged with perjury.

Mr Tshimong was the first witness called yesterday to give evidence in the trial in which a 17-year-old Soweto student and Mr Garnet Mlangeni, 33, and Mr Paul Fakuda, 33, are charged with trying to recruit Soweto students to undergo military training in Tanzania.

All the men have pleaded not guilty.

In papers read out in court the State alleged that between October 1976 and February this year, in or nearby Soweto and in or nearby Piet Retief, the men tried to recruit youths for a banned organisation to undergo military training.

The case continues.

CONTRACT LABOUR FROM RHODESIA

TO THE SOUTH AFRICAN GOLD MINES :

A Study in the international division
of a labour reserve

by D.G. Clarke

Saldru Working Paper No. 6

325-10 Trials

D.D. 23/8/77

Terror trial told of black-white sex

PRETORIA — Tribesmen who were upset about white men allegedly sleeping with black women were described as "good soldier" material for the African National Congress, the Pretoria terrorism trial heard yesterday.

A State witness told Mr Justice Davidson that one of the 12 accused on trial told him that the soldiers "would be taught to shoot 'to kill the white people.'"

The 12, one of them a woman, have pleaded not guilty to charges under

the Terrorism Act alleging subversion and revolutionary activities over a 15-year period between 1962 and 1977.

Yesterday's witness, Mr Johannes Sephe, said he was present at a discussion among some blacks in the Nebo district of Pietersburg on December 30. The matter of "whites with love relationships with blacks" was brought up.

One of the men said that the blacks should "fight" but the others said that if war started they would run away.

At that stage another ac-

cused Mr Nelson Diale, 41, arrived.

He was told that some of them were angry about white men who took black women away.

Under cross-examination from defence counsel, Mr D. Kuny, Mr John Matsimela gave evidence about a discussion with Mr Diale.

He said that he and Mr Diale spoke about students leaving the country after it had become clear to him that Mr Diale had an understanding of politics.

He said that Mr Diale told him he wanted students because he had a "job" for them.

His younger brother, Mr Elliot Matsimela, said he was arrested after completing his matriculation examination. When he was arrested he assumed it was because he had spoken to Mr Diale.

In his opinion, said Mr Matsimela, what he and Mr Diale had spoken about was not a crime.

Mr Diale had told him about his political activities and that he had once been a prisoner on Robben Island.

They spoke about the strivings of the blacks in Rhodesia for majority rule, and Mr Diale said that South Africa should also have majority rule.

When Mr Diale spoke of "fighting" he asked Mr Diale what he meant — if he meant discussions or actual fighting.

"He said it means that there should be discussions but if no agreement came it would be war. He meant this in the Rhodesian context," Mr Matsimela said.

He said Mr Diale had spoken of training abroad and how it could be arranged.

He never expected that this conversation would get him arrested. "Nor did I think Mr Diale would get into trouble," said Mr Matsimela.

The hearing continues today — DDC.

'Rabbi' explains his 'shock' pamphlets

RDM 24/5/77

(325) POL TRIMS

By ARINA DE KOCK
A BLACK "rabbi", speaking in flowing Biblical phraseology, said yesterday that he had written certain pamphlets to shock the Government into action and warn black students of the dangers of a political platform.

Mr Vuyisile Joshua Msitshana, 49, of Dube, Soweto, was appearing in the Rand Supreme Court on charges of taking part in terrorist activities in Sow-

eto from June to October last year, and endangering law and order in South Africa by writing and distributing pamphlets. He pleaded not guilty.

It is alleged that the contents of a pamphlet titled "The Voice of the Black People in South Africa" exhorted blacks to commit acts of violence against the Government, its property and its personnel.

Mr Msitshana posted

pamphlets to Government departments and distributed them at Soweto railway stations.

He said he wrote the pamphlets to provoke the Government into response. He meant to shock the Government into taking the township unrest seriously, and also shock students into realising the danger of a political platform.

He felt that if he was arrested as a result of the

pamphlets he had a good chance of getting "nearer to the Government authorities." The desire of my heart, and the wish of my soul, was to see the Prime Minister," he said.

"What annoyed the students most was the Prime Minister's silence."

Parts of the pamphlets read out in court said:

"When a government no longer filleth the grade, according to the advancement of the people, behold, wisdom withdraw with its divine protection from the government. And straight away the people run into anarchy. Lay not the blame of anarchy, revolutions and assassinations on the people."

Regarding a line in the pamphlet which said that "October 24 must be regarded as a deadline for white rule in South Africa", Mr Msitshana said he meant this to frighten students — they would realise the police would also read it and increase their "army" in Soweto.

The hearing continues tomorrow.

● The Chief Rabbi of Johannesburg, Rabbi B M Casper, told the Rand Daily Mail that his office had no knowledge of any Jewish congregation or synagogue in Soweto, nor was the supposed "rabbi" known to him or any other Jewish authorities.

Son refuses

to testify

325 POL TRIALS

RDM
24/8/77

Staff Reporter

A YOUNG black political detainee refused to testify against his father when the terrorism trial continued in the Supreme Court, Pretoria, yesterday.

Mr Alec Nchabeleng, detained under the Terrorism Act, was in court as a witness under the Internal Security Act.

He was taken out of the witness box after refusing to give evidence against his father, Mr Petrus Nchabeleng, 50, one of the 12 people on trial.

Mr Nchabeleng junior said he would not testify until he was allowed to see a lawyer. Mr Justice Davidson ruled that he stand down and be permitted to see a lawyer in court.

Another witness — a tall thin youth, Mr Newton Calvin Mosime — was helped out of court after he had started to testify.

He managed to compete his testimony later, twisting his hands and shuffling his feet, while sitting on a chair in the witness box.

The 12 accused have pleaded not guilty to charges under the Terrorism Act relating to alleged subversion and revolu-

tionary activities between 1962 and 1977.

Mr Johannes Sepheu a State witness, said under cross-examination one of the accused, Mr Nelson Diale, 41, had offered R20 a week to tribesmen in the Nebo district of the Northern Transvaal to train as soldiers and to drill and to shoot the whites.

Another witness Mr Johannes Lefi Mualefi, said one of the accused, Mr Michael Ngubeni asked him why he and other Rustenburg schoolchildren had not burnt down schools.

Mr Ngubeni also told him to get Form V children at his school interested in studying overseas, but warned him to do this quietly, because if the police heard about it they would arrest him.

"I asked why the police would arrest me for helping children get bursaries. He said the police would arrest me because the children would be taught to be soldiers."

Mr Abel Innocent Tsomakae, of Rustenburg, said Mr Ngubeni spoke of setting up a political structure in the Rustenburg African township because he wanted to "wake up the town." The hearing continues today.

Two more witnesses are arrested

RDM
24/8/77

325 POL TRIALS

By WALLY KARBE

SECURITY police yesterday arrested two more State witnesses in the Pretoria terrorism trial after they had given evidence in court which conflicted with statements made by them to police.

This brought to three the number of witnesses arrested in the trial in the Supreme Court, Pretoria, of Mr Vincent Fakude, 32, Mr Garnet Mlangeni, 33, and a 17-year-old Soweto youth who are charged with attempting to recruit Soweto students to undergo military training in Tanzania.

They have pleaded not guilty.

The witnesses, Mr Johannes Ramohlabi and Mr Francesco Ntwe, both high

school students, were arrested on the orders of Major N van Rensburg by police posted outside court after the witnesses told Mr Justice Esselen that statements made to the police were false.

On Monday — the opening day of the trial — Mr William Tshimong was led screaming from the court by police after he said in evidence that police had threatened to shoot him if he refused to make allegations about one of the accused.

He said that what the police demanded of him was untrue but he was forced to sign the statement.

Yesterday Mr Ramohlabi, 19, told the court he had discussions with the

17-year-old accused as to whether he should leave his school in Soweto to attend another one in Swaziland.

He denied allegations he made in a police statement that he had been asked by the youth to undergo military training in Tanzania. He said allegations in the statement saying the youth had called on students to boycott classes were false.

Mr Ramohlabi later told the court he would have liked to have gone to Swaziland. "There was too much rioting in Soweto and students were boycotting classes," he said.

Mr Ntwe told the court: "I signed the police statement but I did not know what I was signing. It was never read back to me."

The statement alleged that he had been asked by the 17-year-old youth to undergo military training in Tanzania. It also stated that the youth had called on other students to burn their books and boycott classes.

The two witnesses were taken away by police as they left court. A police spokesman said they would be charged with perjury.

In annexures to the charges, the State also alleges that four Soweto students were driven by a Mr Rogers Phambane to Piet Retief.

They were later to be taken out of the country and trained as soldiers.

Mr Phambane told the court that one of the accused, Mr Mlangeni, had offered him R140 to drive him and the four students to a house in Piet Retief.

"I knew nothing about going to Swaziland. Mr Mlangeni told me he wanted to see a witchdoctor in the town because he was suffering financially. We were good friends and I believed him," Mr Phambane said.

He dropped his friend and the four students at a house near Piet Retief and after an argument with them returned alone to Soweto. "When I got back I became suspicious about the youths and I later asked Garnet about them. He told me they were in Swaziland."

The hearing continues today.

(325) Pol. Trials
EDM
24/8/77

'Just ruins and policemen'

Staff Reporter

A MEMBER of a group allegedly making bombs in a Klipspruit Soweto house was brought back to the scene of an explosion where he found nothing but ruins and policemen, a Springs Special Court heard yesterday.

Mr Solomo Ngubane, who is in detention, told the court that on the night of January 7 he was at a house in Klipspruit where bombs were being made. He and others there were told the group was going to work and those who did not want to take part in the work were "going".

Mr Ngubane was giving evidence before Mr Justice de Villiers and two assessors in the trial of six Soweto men on three charges

under the Terrorism Act. Before the court are Mr Mahwidi John Phala, 50, Mr John Afheli Thabo, 37, Mr Letsie Ben Mashini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, 55.

Mr Ngubane said that minutes before he found himself stunned in the sitting room of the house, a man named Patrick had warned Mr Edmund Nkuna not to interfere with packages in the room because they were "active" and could blow up.

Earlier evidence was that Mr Nkuna was found after explosions rocked the house. He was dead with his face blown off.

The trial continues today.

Regional

Teacher is a witness 'to save his skin'

EDM 25/8/77

(325)

Pol Trans

Staff Reporter

AN Atteridgeville high school teacher told the Pretoria Regional Court yesterday that he was giving evidence for the State against two students who had asked him to help smuggle them out of the country because he wanted to "save his skin".

Mr John Velapi Kubheka, a teacher at the Hofmeyr High School, made the admission before Mr G J V Jordaan while being cross-examined by Mr G Farber.

Mr Andrew Amos Nkabinde and Mr Simon Zenzele Simelane, no ages given, appeared on charges under the Terrorism Act. The students, who are alleged to have been members of the Mamelodi SRC,

are alleged to have attempted to leave the country to receive military training in Botswana, Mozambique and elsewhere during July and August last year.

The two students pleaded not guilty to the charge and denied all allegations against them.

Mr Kubheka, who has been in detention since January 29, said he made a statement to the police during the first week of February. He asked the police whether he could be a State witness because of his conscience.

Mr Kubheka said he was giving evidence for the State to "save his skin", and because he wanted to enlighten the court on what had happened. He denied he did not have the interest of the two students at heart.

Earlier, he said the two students had approached him and had asked him whether he knew anyone who could help them leave the country. The request was made during school hours in May.

Mr Kubheka said when he had later realised that Mr Simelane was becoming "restless" he contacted another teacher in Nelspruit, Mr Stephen Nkosi, to find someone who could smuggle the two students out of South Africa.

During June the two students talked to Mr Nkosi at his house.

Mr Kubheka said he could not explain from where the prosecutor, Mr P B Jacobs, had got the information in the charge sheet that the two students had approached him (Kubheka) to help them leave the country for military training in May.

He said he felt strongly against Mr Nkabinde and Mr Simelane leaving the country, because people who left the country illegally were not allowed back.

The hearing continues

check for terror accused

(325)

Pol. Trials

Edm 2518171

Own Correspondent

MARITZBURG. — One of the accused in the Maritzburg terrorism trial is to have a psychiatric examination.

Under cross-examination by the Attorney-General yesterday Isaac Zimu, 28, refused to answer further questions.

He claimed he was exhausted and needed medical attention. He was not feeling well and his mind was not functioning properly.

Zimu's defence counsel, Mr Harry Pitman, said his client had been in detention for almost a year and in solitary confinement for almost nine months. It was advisable that he have some kind of psychological examination.

The Attorney-general, Mr Cecil Rees, said the only symptoms Zimu had shown were of a shrewd, evasive witness trying to grasp at any straw to evade questions he didn't wish to answer.

Mr Rees suggested that Zimu be examined by a psychiatrist after he had given his evidence.

Mr Justice Kriek, however, requested that the medical superintendent of the Town Hill Hospital, Maritzburg, examine Zimu to ascertain whether he was mentally fit to continue with his evidence.

325. Pat. No. 2,818,177

Tsietsi's mum 'told about trainees'

Staff Reporter

MRS Virginia Mashinini, the mother of Mr Tsietsi Mashinini — the former Soweto student leader now in London — yesterday told the Supreme Court, Pretoria, that she was taken to the Pan African Congress headquarters in Swaziland and told that men were going to be sent to Tanzania to undergo military training.

Mrs Mashinini was giving evidence in the trial at which Mr Garnet Mlangeni, 33, Mrs Paul Fakuda,

32, and a 17-year-old Soweto student are charged with attempting to recruit Soweto students to undergo military training in Tanzania.

She said she had been held in solitary confinement for seven months without being told why she was being held.

Mrs Mashinini said she, two of the accused and a number of Soweto youths had gone to the PAG headquarters in Manzini, Swaziland.

"When we went inside the house we saw a num-

ber of youths. One of them was my 15-year-old son to whom I had given money so he could leave the country to further his education," she said.

She was later introduced to a number of men. "They told me they had all received military training in Tanzania. They said that they had been trained for six months and had been instructed on how to use firearms and how to make bombs.

She was told younger students would be sent to further their education,

but the elder ones would be sent to Tanzania to undergo military training. They would return to fight the South African Government she had been told.

She said two of the accused, Mr Mlangeni and Mr Fakuda, were in her company when she was told about military training in Tanzania.

She said she was distressed her sons could not continue schooling in Soweto because of the boycotts.

The hearing continues today.

Police

(325)

Pol. Trials

assaulted

RDM 25/8/77

me, pupil

tells court

Staff Reporter

A SCHOOLBOY told the Supreme Court, Pretoria, yesterday he lied in a statement to the police because of a police assault.

Mr Newton Mosime was giving evidence before Mr Justice Davidson in the trial of 12 people charged under the Terrorism Act. All have pleaded not guilty.

Mr Mosime said he told the truth in a second statement, made in Pretoria after his detention six months ago. His first statement incriminated one of the accused, Mr Michael Mpandeni Ngubeni, 42.

He wrote his first statement while being assaulted in the Rustenburg Police Station.

While he was making the statement he heard two youths crying in adjoining offices.

Mr Johannes "Elvis" Mualefi, who was arrested at the same time as Mr Mosime, said he did not cry out under questioning.

formally divided into 5 separate sections. Sections 1, 4 and 5 provide for men living singly. Sections 2 and 3 are as part of Sections 1 and 2 respectively, so that effectively there are three separate sections.

there are two types of accommodation for men living singly. The Board's hostels as are found in Langa and Nyanga, in which the majority of the men; and there are Employer built dormitories since 1972.

ACCOMMODATION FOR SINGLE MEN IN GUGULETU: SECTION 2.

Accommodation	No. of Beds.
Hostels	2 752
Employer Dormitories	872
Total Single Men	3 624
Total Population	22 148

there are strictly speaking only the employers' dormitories for men living singly. However at the time of writing employers are

busy building new accommodation, with a multi-storey building by Murray and Stewart virtually complete. Then again the Board has made 50 houses available for single men on a temporary basis.

TABLE 4.

ACCOMMODATION FOR SINGLE MEN IN GUGULETU: SECTION 3.

Type of Accommodation	No. of Beds
Employer dormitories	846
Family Units	350
Total Single men	1 196
Total Population	16 320

Terror trial told of 'remarkable evidence'

RDM 26/8/77

(325)

POLITICAL TRIALS

Staff Reporter

DEFENCE counsel in the Pretoria Terrorism trial said yesterday it was quite remarkable how the evidence of a State witness under cross-examination was "almost word for word" the same as his evidence in chief.

Mr D Kuny, for the defence, told Mr Johannes Lefi "Elvis" Mualefi that he had proceeded under cross-examination to recite certain facets of his evidence, although he had not seen his original statement to the police for a long time.

Mr Mualefi was questioned yesterday on his earlier evidence, incriminating

Mr Michael Mpanzeni Ngubeni, 42, one of 12 people charged under the Terrorism Act before Mr Justice Davidson.

He said he met Mr Ngubeni at the end of last year after the accused was discharged from prison.

Mr Ngubeni asked him to enrol 16 pupils, but he did not ask for any more details about "recruiting people to train as soldiers."

After his arrest he made a statement to the police, and last saw his statement "a long time ago."

He agreed it was "quite remarkable" how certain evidence he had given on the previous day was re-

cited almost word for word under cross-examination.

Mr Kuny said the witness remembered the exact words he used in 1976, but could not remember on what day of the week he made the statement.

Mr Mualefi denied he had cried or was assaulted after his arrest.

He had not asked when he would be released because he was afraid and had not known whether he would be a witness or an accused in the trial.

Mr Abel Tsomakae, who had also been arrested, said under cross-examination that Mr Ngubeni had asked him to recruit 16 pupils.

Pressed by Mr Kuny, he said that had it not been for Mr Ngubeni, he would not have been in his present situation.

Mr Kuny: "You have come here to say things to get out of your situation, trouble, even if you implicate the accused."

Mr Tsomakae said he was telling the truth.

A 17-year-old youth said in his evidence in chief that Mr Ngubeni had told him of 18 years spent imprisoned on Robben Island and asked him to find 16 pupils to "use their minds and understanding" to stop white oppression.

The trial continues today.

upwards. In northern Bechuanaland a similar pattern of W.N.L.A. superiority prevailed, the supply of R.N.L.S.C. recruits from this country being very small. South of latitude 22° S. the N.R.C. operated for the Chamber of Mines.

Even after the establishment of the Federation in 1953, whereby Nyasaland became more firmly under the political power of Southern Rhodesian employers, W.N.L.A. continued to dominate the Nyasaland foreign contract labour market. However, Southern Rhodesia continued to place most of its reliance on the 'free-flow' system though the R.N.L.S.C. did build up annual recruitment to a relatively high level. The peak was reached in 1956 with a total recruitment of 16 234 workers. After 1958, with the onset of economic recession in the Federation, the growth of a substantial labour surplus in Southern Rhodesia and the adoption of a new foreign labour policy by the Southern Rhodesian government, the R.N.L.S.C. contract system faced steadily increasing supply constraints. Its annual throughput began systematically to be run down. This occurred as W.N.L.A. hegemony in Nyasaland became more easily asserted and as farm wages fell seriously in real terms in Rhodesia after 1963. By 1960 the Chamber of Mines (S.A.) had recruited 83 000 'Tropicals' (20,9 per cent of all their African mine-workers in South Africa). By 1973, as may be seen in the table below, the figure for Malawian workers alone had reached 106 638 or 27,7 per cent of the total complement.

/Table 1

RDM
Friday, August 26, 1977.

325

POLITICAL TRIALS

Voice of thunder led me on, says 'rabbi'

STAFF REPORTER

A SOWETO "rabbi" said in the Rand Supreme Court yesterday that he had written numerous letters to Government authorities because he had been "commanded" to do so by "the divinity" through a "voice of thunder in his dreams."

The "rabbi" Vuyisile Joshua Msitshana, 49, of Dube, Soweto, has pleaded not guilty to taking part in terrorist activities in Soweto from June to October last year and to endangering law and order in South Africa by writing and distributing pamphlets.

Earlier, he told the court he was a rabbi of the Philadelphia Synagogue in Soweto.

The "rabbi" earlier told the court he wrote and distributed pamphlets entitled "The Voice of the Black People of South Africa". It is alleged the pamphlet exhorted blacks to commit acts of violence against the Government, its property and its personnel.

He also said he wrote and distributed the pamphlets because his life and that of his family was in danger because the students regarded him as a "sellout" as he was "so quiet".

Yesterday he said the students regarded him as a sellout because of his association with Jews; he prayed for the Government's welfare and had worked in collaboration with the police in organising youth activities; he was a close friend of a police sergeant and was regarded as an informer.

He said his policy was that the youth should love the Government. "This I preached from Jeremiah, Chapter 29, and Nehemiah, Chapter 2, in the Bible."

Asked by Mr Sutherland for the State, why he had written numerous letters to Government authorities when, according to his evidence, he had no interest in politics, the "rabbi" said: "I did not think this showed interest in politics. All these letters I wrote under the command of the Divinity. They were messages in my dream voice of thunder."

One of the letters was to Mr Jim Fouché congratulating him on becoming the State President.

Another was to the Prime Minister criticising Pass Laws. A third letter — to the State President — asked for permission to rehabilitate political prisoners.

The hearing continues.

(6)

upon presenting themselves at the Associations' Southern Rhodesia'. In addition, the W.N.L.A. Native Labour Limited (originally entered into Farmers' Union in 1943), whereby W.N.L.A. would farms those workers recruited for the mines but, remained undisturbed.^{12/} This agreement 1965 when the A.N.L.L. folded up and ceased

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. After 1958, with the onset of economic the growth of a substantial labour surplus - adoption of a new foreign labour policy by nment, the R.N.L.S.C. contract system faced constraints. Its annual throughput began wn. This occurred as W.N.L.A. hegemony in y asserted and as farm wages fell seriously in r 1963. By 1960 the Chamber of Mines (S.A.) cals' (20,9 per cent of all their African mine- By 1973, as may be seen in the table below, the alone had reached 106 638 or 27,7 per cent

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325 POLITICAL
Terror trial
in camera

(6)

ROM
26/8/77

Staff Reporter
EVIDENCE in the Pretoria Terrorism Act trial of Mr Garnet Mlangeni, Mr Paul Fakude, and a 17-year-old Soweto student, who have been charged with trying to recruit students to undergo military training in Tanzania, was yesterday heard in camera.

All three have pleaded not guilty. The court was cleared early yesterday morning when a 17-year-old youth was called by the State to give evidence.

kers who, upon presenting themselves at the Associations' work in Southern Rhodesia'. In addition, the W.N.L.A. Cultural Native Labour Limited (originally entered into National Farmers' Union in 1943), whereby W.N.L.A. would Rhodesia farms those workers recruited for the mines but as 'unfit', remained undisturbed.^{12/} This agreement ion until 1965 when the A.N.L.L. folded up and ceased

sonistic competition' between the two bureaux worked largely in favour of W.N.L.A., the higher wages stipulated on the latter's contracts being the all important determinant of the distribution of labour supplies between them. Only Nyasaland government limitations on permissible W.N.L.A. recruitment levels enabled the R.N.L.S.C. to secure a growing level of supplies as its permit maximum was periodically re-negotiated upwards. In northern Bechuanaland a similar pattern of W.N.L.A. superiority prevailed, the supply of R.N.L.S.C. recruitees from this country being very small. South of latitude 22° S. the N.R.C. operated for the Chamber of Mines.

Even after the establishment of the Federation in 1953, whereby Nyasaland became more firmly under the political power of Southern Rhodesian employers, W.N.L.A. continued to dominate the Nyasaland foreign contract labour market. However, Southern Rhodesia continued to place most of its reliance on the 'free-flow' system though the R.N.L.S.C. did build up annual recruitment to a relatively high level. The peak was reached in 1956 with a total recruitment of 16 234 workers. After 1958, with the onset of economic recession in the Federation, the growth of a substantial labour surplus in Southern Rhodesia and the adoption of a new foreign labour policy by the Southern Rhodesian government, the R.N.L.S.C. contract system faced steadily increasing supply constraints. Its annual throughput began systematically to be run down. This occurred as W.N.L.A. hegemony in Nyasaland became more easily asserted and as farm wages fell seriously in real terms in Rhodesia after 1963. By 1960 the Chamber of Mines (S.A.) had recruited 83 000 'Tropicals' (20,9 per cent of all their African mine-workers in South Africa). By 1973, as may be seen in the table below, the figure for Malawian workers alone had reached 106 638 or 27,7 per cent of the total complement.

/Table 1

(325) POLITICAL TRIALS

RDM 26/8/77

4

RAND DAILY MAIL

Teacher told lies, student claims

Staff Reporter

AN ALLEGED member of the Mamelodi Students' Representative Council yesterday claimed in the Pretoria Regional Court that his "teacher-guardian" lied about him to protect himself.

Mr Andrew Amos Nkabinde, 19, and Mr Simon Zenzele Simelane, 21, appeared before Mr G J V Jordaan on charges under the Terrorism Act. Both have pleaded not guilty.

Mr Nkabinde and Mr Simelane, former pupils at the Vlakfontein Technical High School, allegedly asked two teachers, Mr John Velapi Kubheka and Mr Stephen Nkosi, to help them leave the country.

He never discussed politics with either Mr Kubheka or Mr Nkosi, he said.

Mr Simelane said Mr Kubheka told lies against him in court to protect himself.

He denied approaching Mr Kubheka in May last year to ask whether he knew anybody who could smuggle him out of the country for military training.

"I would not approach my guardian to do a bad thing for me," he said.

Mr Simelane also denied asking Mr Kubheka to leave the country in June last year. He said he was in Springs in June.

The hearing continues today.

workers who, upon presenting themselves at the Associations' to work in Southern Rhodesia'. In addition, the W.N.L.A. Agricultural Native Labour Limited (originally entered into a National Farmers' Union in 1943), whereby W.N.L.A. would supply Rhodesia farms those workers recruited for the mines but as 'unfit', remained undisturbed.^{12/} This agreement continued until 1965 when the A.N.L.L. folded up and ceased

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establishment of the Federation in 1953, whereby Nyasaland was left under the political power of Southern Rhodesian employers, enabled to dominate the Nyasaland foreign contract labour market.

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/Table 1

Guilty plea 'unintentional'

Mercury Reporter

27/8/77
PIETERMARITZBURG
AN accused in the terrorism trial here said yesterday he was unaware that his pro deo counsel had made certain admissions to the Court implicating him in terrorist activities.

Isaac Zimu (28) was giving evidence in the Supreme Court before Mr. Justice Kriek claiming his plea of guilty to the charges was unintentional.

Although he and his three co-accused have already been found guilty of participating in terrorist activities, an application to have their

pleas reversed is now being heard.

Zimu said he had admitted travelling in a train from Pietermaritzburg to Durban on September 11, 1976, in the company of others who are alleged to have been leaving for military training abroad.

He was led to believe by his pro deo counsel, Mr. W. O. H. Menge, that this implicated him in the offence, he said.

Zimu said there had been some legal discussion between Mr. Menge and Mr. Justice Kriek but he couldn't hear much of it and followed even less.

After this discussion

325 Pol. Trials
Zimu informed the interpreter that he agreed with whatever had been said as "I was in no position to quarrel with the legal implications of what I had done."

It was only after consultation with his alternative counsel that he realised his actions didn't constitute an offence, he said.

During re-examination yesterday by his counsel, Mr. Harry Pitman, Zimu was questioned about allegations of assault on him by police.

While he was being cross-examined by the Attorney-General, Mr. Cecil Rees, SC, on Thurs-

day, Zimu claimed he had been assaulted, given electric shocks and suspended by his handcuffs.

Mr. Rees objected to Mr. Pitman putting questions to his client on a subject which hadn't been discussed during Zimu's evidence-in-chief.

"This evidence was deliberately thrown in as an afterthought," said Mr. Rees.

The Judge allowed Mr. Pitman to continue as the evidence could be relevant and Mr. Pitman had obviously been unaware of the allegations previously, he said.

The trial continues on Monday.

P

Witness tells of plans to ³²⁵ destroy buildings

Staff Reporter

AN African youth told the Pretoria terrorism trial yesterday of plans by one of the accused to send a band of 16 African pupils in vans to destroy buildings.

The 17-year-old youth claimed before Mr Justice Davidson in the Supreme Court trial of 12 Africans on Terrorism Act charges that details of the plans were given to him by Mr Michael Ngubeni, the 42-year-old 10th accused in the trial and at one time a Robben Island detainee.

Under cross-examination the youth said he met Mr Ngubeni late last year after Mr Ngubeni had been released from prison.

In a discussion Mr Ngubeni urged him to "see for yourselves that the whites are oppressing us". These words were similar to those he had heard on an African service of Radio South Africa.

The witness said he was not interested in that kind

of talk because "it was something that could get you into trouble."

"You can't go about talking like that in the street because the SBs (Security Police) are there and they listen," the witness said.

He said Mr Ngubeni told him that the people recruited would be sent to places — which were not identified to destroy buildings.

Mr Ngubeni did not say how they were to destroy the buildings and the witness did not ask him how or what buildings were to be destroyed.

The witness said he would have obeyed Mr Ngubeni if it were good. But if it were not good he would have listened, agreed verbally, but not done it.

Mr Ngubeni told him they would have weapons to defend themselves if someone tried to stop them from destroying the buildings.

The hearing continues on Monday.

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/Table 1

I did not know I was implicated, says Zimu

Own Correspondent

MARITZBURG. — An accused in the terrorism trial in Maritzburg said yesterday he was unaware that his pro deo counsel had made certain admissions to the court implicating him in terrorist activities.

Isaac Zimu, 28, was giving evidence in the Supreme Court before Mr Justice Kriek. He said his plea of guilty to the charges was unintentional.

He and his three co-accused have been found guilty of participating in terrorist activities but an application to have their pleas reversed is being heard.

Zimu said he admitted travelling in a train from Maritzburg to Durban on September 11, last year, with others who are alleged to have been leaving for military training abroad.

He was led to believe, by his pro deo counsel, Mr W O H Menge, that this implicated him in the offence, he said.

QUARREL

Zimu said there had been some legal discussion between Mr Menge and Mr Justice Kriek but he couldn't follow it.

After this discussion Zimu told the interpreter he agreed with whatever was said because "I was in no position to quarrel with the legal implications of what I had done".

It was only after consulting his alternative counsel that he realised his actions did not constitute an offence, he said.

During re-examination yesterday by his counsel, Mr Harry Pitmar, Zimu was questioned about allegations of police assault on him.

While being cross-examined by the Attorney-General, Mr Cecil Rees, SC, on Thursday, Zimu claimed he was assaulted, given electric shocks and suspended from above by his handcuffs.

The trial continues on Monday.

(6)

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establishment of the Federation in 1953, whereby Nyasaland ly under the political power of Southern Rhodesian employers, ed to dominate the Nyasaland foreign contract labour market. n Rhodesia continued to place most of its reliance on the am though the R.N.L.S.C. did build up annual recruitment high level. The peak was reached in 1956 with a total 234 workers. After 1958, with the onset of economic Federation, the growth of a substantial labour surplus esia and the adoption of a new foreign labour policy by desian government, the R.N.L.S.C. contract system faced ing supply constraints. Its annual throughput began o be run down. This occurred as W.N.L.A. hegemony in more easily asserted and as farm wages fell seriously in odesia after 1963. By 1960 the Chamber of Mines (S.A.) 000 'Tropicals' (20,9 per cent of all their African mine-Africa). By 1973, as may be seen in the table below, the ian workers alone had reached 106 638 or 27,7 per cent plement.

Teachers lied, court told

Staff Reporter

THE two teachers who gave evidence for the State against two Mamelodi pupils who allegedly attempted to leave the country to undergo military training in Botswana and Mozambique had been "patently dishonest witnesses" and had "distorted the truth" the pupils' defence counsel told the Pretoria Regional Court yesterday.

Mr G Farber made the submission before Mr G J V Jordaan at the trial of two former Vlakfontein Technical High School pupils, Mr Andrew Amos

Nkabinde, 19, and Mr Simon Zenzele Simelane, 21, who are appearing on charges under the Terrorism Act.

The pupils, who are allegedly members of the Mamelodi SRC allegedly committed several terroristic activities in the period between May and August last year.

Mr Farber argued that the evidence of Mr John Velaphi Kubheka and Mr Stephen Nkosi should be approached with circumspection and caution.

The evidence of the two teachers was a "distortion of the truth" and they had been patently dishonest. In addition, their evidence was loaded with imperfections, Mr Farber said.

He said the greatest criticism of the State witnesses was that their evidence was unrelated to the indictment. The teachers had deviated from the police statement when giving evidence in court, he said.

Earlier, the prosecutor,

Mr P B Jacobs, argued that though the evidence of the two teachers could be criticised on certain aspects, their evidence was satisfactory and they had corroborated each other. It was possible they had failed to recall some details because the incidents had taken place more than a year ago, he said.

Judgment will be given on October 3.

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Even after the establishment of the Federation in 1953, whereby Nyasaland became more firmly under the political power of Southern Rhodesian employers, W.N.L.A. continued to dominate the Nyasaland foreign contract labour market. However, Southern Rhodesia continued to place most of its reliance on the 'free-flow' system though the R.N.L.S.C. did build up annual recruitment to a relatively high level. The peak was reached in 1956 with a total recruitment of 16 234 workers. After 1958, with the onset of economic recession in the Federation, the growth of a substantial labour surplus in Southern Rhodesia and the adoption of a new foreign labour policy by the Southern Rhodesian government, the R.N.L.S.C. contract system faced steadily increasing supply constraints. Its annual throughput began systematically to be run down. This occurred as W.N.L.A. hegemony in Nyasaland became more easily asserted and as farm wages fell seriously in real terms in Rhodesia after 1963. By 1960 the Chamber of Mines (S.A.) had recruited 83 000 'Tropicals' (20,9 per cent of all their African mine-workers in South Africa). By 1973, as may be seen in the table below, the figure for Malawian workers alone had reached 106 638 or 27,7 per cent of the total complement.

/Table 1

WIFE ^{28/8/77} ARRIVES TO SEE BREYTEN

Tribune Reporter

YOLANDE Breytenbach, wife of jailed Afrikaans poet Breyten Breytenbach, arrived in Cape Town yesterday. She is keeping her movements secret.

Breytenbach is in Pollsmoor Prison. Spokesman for the Department of Prisons refused to disclose when Yolande would visit him there.

Speaking from her parent's home at Onrus, Mrs Rachel Otto, Breyten Breytenbach's sister, said yesterday the family had heard of Yolande's arrival from France through the Press.

"She is staying with friends in Cape Town, but she has not let us know were. She is keen to avoid publicity, although this is definitely just a routine visit. But she will be visiting us some time."

Yolande is believed to be in South Africa for two months.

(325 Political Trials)

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DAVID WOLKING - 1977 NO. 6

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1973	201 987	18
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1975	195 725	18

TABLE 7.

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1961	270 575	
1969	229 154	34,0
1972	221 788	27,7
1975	214 021	23,0

Source: Rhodesia, Final Report on the September 1961 Census of Employees, C.S.O., Salisbury; Rhodesia, 1969 Census of Employees, C.S.O., Salisbury, (mimeo); C.S.O., African Employees By Country of Origin, DL/978/15, Salisbury, (mimeo)

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Terrorism approach is denied

Mercury Reporter 30/8/77

PIETERMARITZBURG — Although he admitted approaching various people and discussing training it did not include military training, an accused in the terrorism trial here said yesterday.

Mr. Veli Mthembu (22) was the second accused to give evidence before Mr. Justice Kriek on the reasons for his change of plea to not guilty on two counts of participating in terrorist activities.

He and three others had earlier been found guilty of terrorist offences, but before sentence was passed they claimed that their pleas of guilty had been unintentional.

Mr. Mthembu said he had suggested to people that they receive training for work in which they had an aptitude instead of getting nothing in return for work they disliked.

This was the policy of a company called the Black Community Programme, he said.

Explaining the functions of the organisation he said that a member would have to work in his residential area and not abroad.

Arrested

He was arrested while still corresponding in connection with becoming a member.

The day he was arrested in a train at Durban Station with two of his co-accused and four others he had been on his way to visit his grandmother at Kwa Mashu, he said.

His pro deo counsel, Mr. W. O. H. Menge, had explained to him that being on

the train with the others constituted an offence under the new Criminal Procedure Act but he would use his version in mitigation of sentence.

Mr. Mthembu claimed that Mr. Menge said he would have discussions with the Judge and prosecutor in order to minimise the number of witnesses.

There was no purpose in the accused denying the charges as they were wasting the Court's time and in his view it would be better to admit them. If they persisted in denying the charges, Mr. Menge told him, the Judge would get "fed up".

Confused

"We didn't know the new law and our minds were confused when Mr. Menge explained it to us. We accepted him as our counsel to do as he thought fit," Mr. Mthembu said.

During cross-examination by Mr. Mike Hodgen, who is assisting Attorney-General Mr. Cecil Rees, SC, Mr. Mthembu said he had originally told Mr. Menge he intended pleading guilty.

He changed his attitude when he became aware that the allegations against him were not true. He was previously unaware that he would see a legal representative but when he tried to argue with Mr. Menge concerning his guilt he was unsuccessful.

The trial continues today.

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Terrorism 'will grow'

Mercury Reporter

30/8/77

325

BRIGADIER Johan Coetzee, deputy chief of the Security Police, said yesterday that the communist onslaught against South Africa would become progressively worse and more sophisticated.

Addressing Durban City Councillors and senior officials, Brigadier Coetzee, added that the country's security forces and police could cope with future onslaughts.

But he stressed, the police could not be held responsible for safeguarding all possible targets, such as the city's power and water supplies.

He urged the City Council to assess the situation and take the necessary precautions.

He said the communist onslaught was three-pronged involving:

The conditioning of the Blacks for a Black/White confrontation;

An endeavour to isolate South Africa from its allies; and

Urban and rural terrorist attacks of a highly sophisticated nature.

He said the Blacks, Coloureds and Indians were being bombarded with communist propaganda in the form of radio broadcasts beamed in various languages from African states and by the wide spread distribution of subversive propaganda material.

Brig. Coetzee showed the councillors copies of a number of subversive books, pamphlets and soft plastic records which have been distributed in the country.

Such literature, printed overseas, was brought in by ship and aircraft.

In one very ordinary crate of machinery parts, 1 000 000 subversive pamphlets were found.

Asked by Councillor M. J. van Rensburg why Natal had been relatively trouble-free while places like Soweto had been the centre of continuous riots and uprisings, he said that the Zulus were a disciplined people with a strong and powerful leader.

Interviewed later, he said that Chief Gatsha Buthelezi had a great following among his people and he condemned violence.

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Trial told of training for 'jobs'

Own Correspondent

MARITZBURG. — An accused in the Maritzburg terror trial yesterday admitted approaching people and discussing training, but denied that this included military training.

Giving evidence before Mr Justice Kriek on the reasons for his change of plea to not guilty on two counts of terrorism, Mr Mthembu said he had suggested to people that they be trained in work for which they had an aptitude, instead of getting nothing in return for work they disliked.

This was the policy of a company called the Black Community Programme. A member of the organisation would have to work in his residential area, not abroad, he said.

Mr Mthembu and three others who have been found guilty of terror activities have applied to change their pleas to not guilty.

Mr Mthembu claimed Mr W O H Menge, his pro deo counsel, told him that if they persisted in denying the charges, the judge would get "fed up." The hearing continues today.

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/Table 1

Terror trial ³²⁵ POL TRIALS judgment today 31/8/77

Staff Reporter
TWO men and a Soweto teenager charged with attempting to recruit students to undergo military training will hear judgment passed in the Pretoria Supreme Court today.

Mr Paul Fakuda, 33; Mr Garnet Mlangeni; and a 17-year-old Soweto student have pleaded not guilty.

Mr Roy Allaway, SC, for the defence, said yesterday that a 17-year-old witness's evidence was so inconsistent that it could not be considered reliable. The prosecutor, Mr Jan Swanepoel, agreed with him.

"If the court finds the evidence unreliable, then I have no case," said Mr Swanepoel.

Mr Allaway said: "The witness has spent six months in solitary confinement, and has contradicted himself over and over again."

Three State witnesses whose evidence has deviated from statements to the police have been arrested, and face charges of perjury.

YOUTH
OF 17
DENIES
'TERROR'

325 Pol. Trials

Preface -----

Introduction -----

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31/8/77

Mercury Reporter

PIETERMARITZBURG.

A 17-year-old youth told the Supreme Court here yesterday that the purpose of his journey to Golela, near the Swaziland border, was to locate a school.

He denied discussing military training.

The youth is one of four men appearing here before Mr. Justice Kriek on charges of taking part in terrorist activities.

He is also the third witness to give evidence relating to the application for the accused to reverse their pleas of guilty.

Not 18

It was established yesterday that the youth is not 18-years-old, as originally indicated, and he may not be identified.

He said that he and two others, Mr. Robert Zulu and Mr. Thomas Mazibuko, had left Pietermaritzburg station on September 4, 1976.

The following day he and Mr. Zulu left Durban for Golela to locate a training centre which catered for vocational needs.

Mr. Mazibuko was not with them.

As they had been unsuccessful in locating the school, they returned and he was arrested on September 23 at Edendale.

He claimed that he had been assaulted by the Security Police on the day of his arrest. They told him that he had gone to Golela "to learn terrorism" but he denied any knowledge of this and "am still puzzled about the allegation."

The youth said that his mind was confused and "if I told myself I was not guilty I would be troubling my heart."

Cowardice

However, he later changed his mind as he considered that should he plead guilty this would be "an act of cowardice - to admit something I know nothing about."

He said that he was aware that sentences for participating in terrorist activities were severe.

The youth told the Court that his pro deo counsel's admissions to the Judge that the training he referred to was military training and included the making of bombs, was contrary to his instructions.

The youth was yesterday being cross-examined by Mr. S. van der Merwe, who is assisting the Attorney-General, Mr. Cecil Rees, SC.

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Soweto

RDM
'rabbi' 31/8/77

guilty of
(325) Pol Trims
terrorism

Staff Reporter

A SOWETO "rabbi" was yesterday found guilty in the Rand Supreme Court of a charge under the Terrorism Act.

"Rabbi" Vuyisile Joshua Msitshana, 50, of Dube, was found guilty by Mr Justice L le Grange. He had pleaded not guilty to a charge of taking part in terrorist activities in Soweto from June to October last year.

The court found that by distributing a pamphlet entitled "The Voice of the black people in South Africa" the "rabbi" exhorted blacks to commit acts of violence against the Government, its properties and its personnel.

The judge said several passages in the pamphlet suggested the "rabbi" was exhorting his readers to take action which "would let everything burst out so that we can reach a solution".

"The publication of a pamphlet in which readers are exhorted to fall upon Government properties and employees is one which is likely to endanger the maintenance of law and order if it is likely that some of the readers yield to the exhortation," the judge said.

Sentence will be passed today.

825 POL TRIALS

Explosion tore my clothes off, says witness

Staff Reporter

ONE of a group of Soweto men making bombs in a house in Klipspruit, Soweto, had his clothes torn off him when a bomb they were making exploded, a Springs Special Court heard yesterday.

Mr Lazarus Hluphi Ndlovu of Dlamini, Soweto, was giving evidence before Mr Justice J P O de Villiers and two assessors in the case in which six men are appearing on three counts under the Terrorism Act.

Mr Mahwidi John Phala, 50, Mr John Afhedi Thabo, 37, Mr Letsie Ben Mashinini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, 55, have pleaded not guilty.

Mr Ndlovu said that on January 7 he was with other men in a house in Soweto where bombs were being made "to put on railway lines" that night.

Mr Patrick Mabinda, who is described in the charge sheet as a trained terrorist, was giving instructions on how to make bombs, Mr Ndlovu said.

"Mr Eddie Nkuna was wiring a bomb when suddenly there was a blue flame and I found myself outside with no trousers and no jersey on. My ears were ringing and I am still half deaf," he said.

He then ran towards his house in Dlamini but collapsed in Kliptown. He was taken to hospital where he was arrested, he said.

He said that earlier that evening, he, Mr Sipho Nhlapo, Mr Ellman Malele and Mr Phala, drove to a spot along the Vereeniging-Johannesburg railway line, where Mr Nhlapo handled a bomb that was then fixed to the line.

He said the operation started earlier that week when Mr Mabinda showed the group how to make a bomb.

Mr Ndlovu said Mr Mabinda also had handgrenades. Mr Mabinda showed them how they worked. He then gave one to Mr Nhlapo and told him that should the police follow them, he should pull out the pin in it and throw it at them.

The hearing continues today.

I was beaten for 60 hours, says student

A STUDENT of the University of Zululand said he was assaulted continuously for nearly 60 hours and deprived of sleep, water and toilet facilities before he made the statement the Security Police wanted from him.

The student, a State wit-

ness who cannot be named for fear of victimisation, was giving evidence before Mr Justice Milne and two assessors in the trial of 20 of his fellow students.

They are charged with sabotage, arson, malicious damage to property and assault with intent to murder. The charges arise from the June riots on the campus which caused damage estimated at

R500 000.

During that period, he stood continuously and was not allowed to rest, wash or change his clothing. He was interrogated by two policemen at a time, working in shifts of approximately eight hours each.

In spite of repeated requests, he was not allowed to go to the toilet until the morning of the second day. "I was told I should urinate in the office, then wipe it up with my own clothes," he said. "Then I told them what they wanted to know so they would give me a chance to urinate."

He was punched repeatedly in the face and once hit his head on a wash-basin as he fell.

Once he began to cooperate, his treatment changed completely.

The judge said another State witness's refusal to continue giving evidence was "an eleventh-hour attempt to salvage his shattered prestige."

Mr Justice Milne ruled that Mr Elijah Mqaba had no just excuse for refusing to testify and sentenced him to four months' imprisonment with the possibility of further imprisonment if he did not change his mind.

The hearing continues.

similiter ac = in the same way as
semipath = a diagrammatic representation of the Geomorphology and its relationship to Geology and Soil Formation

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Photograph - a residual mesa - Soutkop (1 940m)

3. Photograph - a dolerite dyke (1 700m)
3. Nostri in iracundia inciderant. In tenebris autem nocturnorum; nunc diem in luce et in solis calore. Ordines igitur nostri, perfurbati et confusi sunt; super alium, perierunt et in confusum sunt. Nostri ex loco, mori fecerunt et in confusum sunt. Medios hostes facere contenderunt. Plus quam septem quattuor cohortibus ambimus.

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vous avez en vous, vivantes et pressées, le interview d'images, de pensées, lments, d'amour, d'ardente passion, conder ce monde, échange-le sans cesse autre univers visible et vous pressés!

Friday April 29 '77
NATAL MERCURY.

Court Reporter

A STATE witness told the Durban Criminal Sessions yesterday he would rather go to gaol than continue giving evidence against 20 students from the University of Zululand.

Mr. Justice Milne adjourned the hearing to today for an inquiry into student Mr. E Mqaba's refusal to testify.

Advocate Mr. Vuka Tshabalala, who will represent Mr. Mqaba at the "trial within a trial," said he needed time to consult with his client and senior counsel.

The 19 men and one woman appearing before the Judge and two assessors have pleaded not guilty to three counts of sabotage, one of arson, one of malicious injury to property and two of assault with intent to murder.

All charges relate to rioting at the university last June, when damage estimated at R500 000 was caused.

Mr. Mqaba yesterday refused to take the oath,

University witness: gaol me

saying he would rather be punished than give evidence, but changed his mind and decided to continue with his evidence.

He said that when he last appeared he had lost his ability to tell the complete truth as a result of his long detention and experiences in prison.

He was feeling uncomfortable about giving evidence against the students who were his

friends and wanted to join them as an accused.

Cross-examined by Mr. I. Mahomed, SC, he denied that evidence he had given was entirely erroneous, but conceded that some points were incorrect.

After a short adjournment, Mr. Mqaba again changed his mind and said he would rather go to gaol than testify.

Mr. Don Brunette, SC, and Mr. Louis de Klerk appear for the State and

Mr. Mahomed, Andrew Wilson, and Themble Skweyiya the defence.

MINUTES OF A MEETING OF THE PARISH COUNCIL OF ST. FRANCIS OF ASSISI, SIMONSTOWN, HELD ON Group 7 - Mon. 10.20 - Room A801

In hierdie vraag word bevestigend geantwoord. (In this question it is answered affirmatively.)

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Die punte sal in die eksamen tel. (The points will count in the examination.)

Afrikaans-Nederlands. (Afrikaans-Dutch.)

Blacks must SAT. react, Apr 23 meeting 325 was told Pol. Trials

Daily News Reporter

BLACKS had to react to the violence of Whites who did not listen to the voice of reason, a prayer meeting at the University of Zululand was told, the Durban Supreme Court heard yesterday.

This was said by an SRC member at the prayer meeting held in sympathy with the schoolchildren of Soweto on June 17 last year.

The student had also said the time for intellectualising was over, and what happened in Soweto was an example of how the White man liked to be violent.

A former member of the SRC, who the Court requested should not be identified described the meeting to the Zululand University trial, at which 20 students have pleaded not guilty to charges of sabotage, arson, malicious injury to property and assault with the intent to murder.

The witness said the speech had met with approval from the audience, and the prayer meeting was later turned into a student body meeting.

During the court proceedings Mr Justice Mhlaba, sitting with two assessors, requested the Press not to use the names of certain witnesses because of their fear of victimisation after release.

Another witness told the court he had deliberately withheld information from the Court regarding actions of a friend during the riots.

He did so because he had been told that he must not lead "hearsay" evidence, and because he was committed to the accused, who was one of his friends.

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MAN BEGS TO JOIN LINE-UP OF ACCUSED

Mercury Reporter

A STATE witness in the Zululand University trial yesterday asked a Supreme Court, Durban, Judge to let him "join the line-up" of 20 accused students.

A fearful Mr. Elijah Mqaba told Mr. Justice Milne and two assessors he despised himself and had lost confidence in being a witness.

"I know the truth, but cannot betray my own conscience," he said.

The students on trial have pleaded not guilty to charges of arson, sabotage, malicious injury to property and assault with intent to murder, all arising from riots at the university last June.

Mr. Justice Milne told Mr. Mqaba he understood the tension involved in testifying against fellow-students who were his friends, and whose commitment to Black liberation he shared; but only the Attorney-General could permit someone to change from witness to accused.

Under cross-examination, Mr. Mqaba said he feared repercussions for having disclosed to the Court instances of ill-treatment by police while he was in detention.

He also said he had been warned that if he did not give evidence that satisfied the Court, he would be charged with statutory perjury.

He was worried about certain contradictions in his evidence to date, notably in his identification of SRC members on stage at a student meeting on June 18.

Mr. Mqaba said he may have "unconsciously violated the oath."

Mr. Justice Milne said this could simply mean his memory was fallible.

The Attorney-General's permission was obtained for Mr. Justice Milne to appoint a senior advocate to advise Mr. Mqaba — in private.

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Prisoner 'told youth to go for training'

Mercury Reporter 1/9/77

PIETERMARITZBURG — An accused in the terrorism trial here told the Supreme Court yesterday that he had visited one of the five men sentenced to life imprisonment in the previous terrorism trial while the man was in gaol and it was he who had advised him of a training centre at Golela on the Swaziland border.

This was the evidence of a 17-year-old youth who earlier told Mr. Justice Kriek that he had gone to locate the school for the purposes of learning a trade.

John Nene, an accused in the recent Harry Gwala terrorism trial, had advised him that training in various trades was offered at the school.

Nene had not paid for his trip or requested that he takes other people with him, the youth said.

The youth is one of four accused who have already been found guilty of participating in terrorist activities but have made an application to reverse their pleas of guilty.

The evidence is aimed at satisfying the Court that his plea of guilty to the two charges was unintentional.

The youth denied having received a hand-drawn map from Nene but admitted visiting him again in gaol following his return from Golela.

The State alleges that the youth was responsible for recruiting others to undergo military training abroad and for taking steps on September 4 1976 to leave the Republic and undergo training.

As he was unable to locate the school he returned to Pietermaritzburg but was arrested on September 23, the youth said.

He claimed he was not guilty of the offences alleged by the State and understood he had been convicted of merely going to Golela "in order to train for work."

Inciting

The fourth accused, Walter Buhlebuyeza Mtshali (29), had pleaded not guilty to inciting others to undergo military training abroad at the outset of the trial. His plea was accepted by the State.

However he pleaded guilty to the second charge of taking steps to undergo military training which could be of use to any person intending to endanger the maintenance of law and order in the Republic.

Yesterday he admitted being arrested on a train with two of his co-accused and four others at the Durban railway station in September.

Replies

"Fear was instilled in me to answer replies in the manner wanted by the police. Having read the newspapers and knowing what might be done to me I saw no way of defending myself except by admitting."

"I heard some people being hit and crying. I realised it would be better if I agreed to what they were saying. My mind was still thinking clearly and I knew that the time to defend myself would be in court."

After he had said everything which he knew wasn't the truth, Mtshali said he was commended and told that he "was a man."

He said that he had accepted Mr. W. O. H. Menge as his pro deo counsel because efforts to contact his family for the purpose of arranging his own legal representation had failed.

The trial continues today.

SOME of Durban

Judgment starts in Red Act case

D.D. 1/9/77

325

UMTATA — Transkei's Chief Justice, Mr Justice Munnik, has begun delivering judgment in the trial in which five men are facing charges on two counts of the Suppression of Communism Act.

The five — Mr Dumisa Ntsebeza, Mr Lungisile Ntsebeza, Mr Meluxolo Silinga, Mr Matthew Goniwe and Mr Michael Mgobozi — all pleaded not guilty.

The trial began on October 20 last year.

The judge said there were two cardinal issues at stake.

The first was the State's case that the accused had acted as members in a study group of Marxist doctrine.

The second was the defence contention that the purpose of the gatherings of the accused was to discuss various competing economic systems of government to determine which would be

the best system for South Africa.

The indictment claimed that between January 1974 and June 1976 the five set up secret groups of persons to spread and establish the doctrine of Marxist socialism in the districts of Umtata, Mqanduli, Xalanga, Idutywa and Tsolo.

On the second count they are accused of inciting 16 people to undergo training in political instruction or indoctrination in communist ideology.

Mr Munnik pointed out that an application by an international law expert, Prof John Dugard, calling for the discharge of the five on the grounds that the Transkeian Supreme Court had no jurisdiction over offences committed against South Africa, had been refused.

He will continue his judgment tomorrow. — DDR.

Although employers may build housing in the townships, no employer may actually own the housing he erects. The Board is the legal owner of all the accommodation in the townships. The employer has the right to house his workers in the accommodation he has provided; he also has the right to sub-let it once

If an employer can show that there are no 'Coloureds' to fill his requirements, the BAAB will then look to find local African men to fill the jobs. Only if there are no local men available will contract workers be engaged from the Transkei or Ciskei. The Board will then allocate accommodation to the contract workers according to what is available. If the employer has not built any housing in the townships or there are no vacant beds in such housing as he has built, then the men will be placed wherever there are beds open. In this way contract workers are frequently intermingled with local men in the townships. This means that it is sometimes impossible to categorise certain housing as being exclusively for local men or contract workers. (See Pg. 5.)

I joined ANC at funeral, court told

Staff Reporter

A WITNESS in the Springs Terrorism Act trial said yesterday he had decided to join the banned African National Congress in October last year when told at a relative's funeral what the organisation aimed to do.

Mr Lazarus Hlupi Ndlovu of Soweto was being cross-examined in the Springs Special Court by the defence counsel before Mr Justice J P O de Villiers and two assessors. Mr Mahwidi John Phala, 50,

Mr John Afhedi Thabo, 37, Mr Letsi Ben Mashini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, all of Soweto, have pleaded not guilty to charges under the Terrorism Act.

Mr Ndlovu said a relative of his had been shot during last year's unrest. At the funeral in October, Mr Siphos Nhlapo, approached him and told him about the ANC.

"I joined up with Mr Nhlapo," he said.

Mr Ndlovu said he could repair radios and knew about welding.

He said Mr Nhlapo came to him each month and told him about the ANC. He was told he had to meet "Pat and Eddie" who would tell him more. He did not know the men.

Mr Ndlovu said when Mr Nhlapo found him repairing a radio in January he was told he was the right man for the job that "the organisation had in mind" as "Eddie's" radio had to be repaired.

"Eddie" has been identified as Mr Edmund

Nkuma, who was found dead in a house in Klipspruit, Soweto, after an explosion there on January 7. "Pat" has been identified as Mr Patrick Mabinda, who was also called a trained terrorist in the charge sheet and who has since escaped from police custody.

Mr Ndlovu said he had forgotten to tell about his monthly meetings with Mr Nhlapo during his evidence-in-chief.

The hearing continues today.

YEAR	Foreign			All Workers		
	Male	Female	Total	Male	Female	Total
1972	203 658	18 130	221 788	696 663	105 177	801 840
1973	201 987	18 461	220 448	733 497	119 487	852 984
1974	199 333	18 418	217 752	766 055	123 373	889 428
1975	195 725	18 296	214 021	861 482	127 158	928 640

TABLE 7.

FOREIGN AFRICAN WORKERS IN RHODESIA 1956-75

Year	Number	% of Total
1956	309 775	50,8
1961	278 373	45,4
1969	229 154	34,0
1972	221 788	27,7
1975	214 021	23,0

Source: Rhodesia, Final Report on the September 1961 Census of Employees, C.S.O., Salisbury; Rhodesia, 1969 Census of Employees, C.S.O., Salisbury, (mimeo); C.S.O., African Employees By Country of Origin, DL/978/15, Salisbury, (mimeo)

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A policeman removes the ANC banner hanging from the Strand Street Parkade yesterday afternoon.

CAPE TIMES 8/9/77 325 Gen

Pamphlet bombs explode in City

TWO PAMPHLET bombs exploded in the City centre during lunch-hour yesterday.

The bombs, heard in most parts of town, went off in Greenmarket Square and at the corner of Burg and Strand streets at 1.30pm.

Lunch-hour shoppers and traffic stopped as the political leaflets fell to the ground. At the same time a banner reading, "The ANC lives" was seen hanging from the top storey of the parkade in Strand Street.

It was left in full view of hundreds of passers-by for about 25 minutes before the metal clasp holding it fast to an iron railing was sawed off by police.

A passer-by Mr Louis Haarbürger, who was caught in the middle of the explosion said he was waiting for a friend when "I suddenly heard a loud explosion right next to me. I could feel the air compressed by the bomb whisk through my hair. Then there was smoke and hundreds of pamphlets began to fall to the ground.

"People were hesitant to pick them up, but once one man did the crowds followed."

A lone policeman, who arrived about a minute later, confiscated leaflets. He was helped by some passers-by.

Colonel A Conradie, head of the security police in Cape Town, said that "on the face of it" the pamphlet bombs and the banner were the work of the banned African National Congress (ANC).

No arrests had been made, he said.

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In addition, the W.N.L.A. (originally entered into 1953), whereby W.N.L.A. would recruited for the mines but d. 12/ This agreement . folded up and ceased

he two bureaux worked stipulated on the latter's the distribution of labour t limitations on permissible . to secure a growing dically re-negotiated tern of W.N.L.A. superi- es from this country being operated for the Chamber

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Terror

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RDM 7/9/77

325

Pol Truums

Own Correspondent

MARITZBURG. — An accused in the terrorism trial at the Maritzburg Supreme Court told a psychiatrist he believed one of his co-accused was a police informer who had implicated him.

Dr Marie Paterson said this in evidence yesterday.

She said she was asked by Mr Harry Pitman, appearing for one of the four accused, to examine them all.

Her task was to get some impression about the effects of long-term imprisonment and interrogation on their mental state, with the possibility of giving evidence on this.

She was unsuccessful last week in examining Walter Mtshali, 29, but after his reportedly peculiar behaviour at the weekend, was asked to determine his mental state with regard to his being able to continue with the proceedings yesterday.

BRIEF

After a brief examination, Dr Paterson concluded that Mtshali was not mentally fit, but she was unable to decide whether his condition was temporary or not.

She said Mtshali showed gross emotional disturbances and suspiciousness, and was presenting ideas of a paranoid nature.

He thought people were trying to "frame him", she said, and he disliked the attitude of his co-accused when they were all in the cell together.

Mtshali expressed paranoid ideas of persecution by his fellow accused and others round him, and wanted to be left alone. He thought Veli Mthembu, another accused, was a police informer who had implicated him.

SUSPICION

He appeared agitated, confused, exhibited evidence of gross suspicion and was emotionally distressed, said Dr Paterson. This resulted in impairment of his capacity to understand.

The court was adjourned yesterday to enable Dr Paterson to examine Mtshali at length, in order to determine whether he should be sent for mental observation.

The accused have already been found guilty of terrorist activities, but have asked that their original pleas of guilty be reversed.

Trial told of 'to hell with Boers' pamphlet

EDM 7/9/77 (325) POL TRMS

Staff Reporter

THE ANC terror trial in the Pretoria Supreme Court was told yesterday of a pamphlet urging blacks to adopt a "to hell with the Boers" attitude.

It was called "Spear of the Nation: The War is On" and was said to have been distributed among Johannesburg blacks urging them to take action from August 23 last year.

Mrs Constance Buthelezi said she was handed a copy of the pamphlet, read it and gave it to a neighbour, as readers were instructed.

The pamphlet referred to the "monster" South African Government: proclaimed a "to Hell with the Boers" policy and condemned liquor sales to blacks.

It warned shebeen owners that their homes were "gonna be burned to ashes" unless they stopped selling liquor.

It urged them to become freedom fighters instead and to help burn white buildings, vehicles and trains.

Police Lieutenant A J Calitz said he took possession of pamphlets and documents at the home of another of the accused, Mr Joe Nzingo Gqabi, 48, in Dube township.

Among them were a telex message from London to Mrs Margaret Smith, of the Johannesburg Sunday Times, about an amnesty for ANC leaders on Robben Island.

Crossexamined by Mr A

Chaskalson, defending, a State Witness, Mr Thompson Mbutu, told of his experiences in an alleged political refugee centre in Maputo in 1975 and 1976.

He said he was arrested and jailed by Frelimo officials after one of the accused in the trial, Mr Lele Jacob Motaung, 44, had demanded he open his suitcase.

"He told me he wanted to see if there were any bombs inside given to me by BOSS," he said.

He opened the case in the presence of a Frelimo policeman. It contained pictures of himself in his uniform as a former prison warden.

The hearing continues today.

RDM 8/9/77

325

Pol Times

Terror arms caches

Staff Reporter

POLICE witnesses told the Supreme Court in Pretoria yesterday of the discovery of large caches of arms and explosives in black areas of Johannesburg and Sekhukhuneland.

They were giving evidence against 12 blacks facing charges under the Terrorism Act for alleged subversive and revolutionary activities over a 15-year period. All accused pleaded not guilty.

Lieutenant Deon Grey-

ling told of a cache of explosives found at an Alexandra home.

He found tins containing plastic explosive, detonators hidden in a cigarette box and handgrenades.

Other police evidence was led about the confiscation of documents, chemicals and firearms — among them communist-made Scorpion and Tokarev weapons — in Alexandra and Sekhukhuneland.

Fingerprint expert Warrant Officer Alfred Gentle

linked the prints of two of the accused, Mr Jacob Seatlholo, 47, and Mr Lele Motaung, 44, with prints on a glycerine bottle and a tin containing alleged booby trap ingredients.

A pamphlet on exhibition was a "message to the worker from the South African Communist Party". It called on the "worker" to "crush racism and return the wealth of our land to all our people."

The hearing continues today.

Appeal against Natal judge's finding

(325)

POLITICAL TRIALS

DOM 8/9/77

BLOEMFONTEIN. — The appeal by Mr Joseph Ntuliswa Nduli and Cleopas Melayibone and Mr Ndhlovu, against a judgment of the Natal Supreme Court was heard by the Appeal Court in Bloemfontein yesterday.

The two have been jailed for taking part in terrorist activities.

Mr Justice J A van Heerden, on July 9, 1976, found that the Natal Provincial Division of the Supreme Court had jurisdiction to try them for offences for which they were indicted, even if they were taken into custody on Swaziland soil.

Mr Nduli and Ndhlovu were indicted, with eight co-accused, on charges under the Terrorism Act, alternatively the Suppression of Communism Act, for offences alleged to have been committed between November 23, 1973 and March 25, 1976.

They were taken into custody by South African policemen on the border between South Africa and Swaziland on March 25, 1976.

Mr Nduli and Mr Ndhlovu brought an application for an order against the Ministers of Justice, Police, Prisons, the Inter-

ior, and Foreign Affairs of South Africa, that they be returned or be permitted to return to within the territorial limits of Swaziland.

Both Mr Nduli and Mr Ndhlovu were born in South Africa. At the time of the occurrences, which formed the basis of the application, they were living in Swaziland, where they had been granted political asylum. They had both been living in Swaziland for a number of years.

Both men set out to prove that they were kidnapped on Swaziland soil by members of the South African Police and that the Swaziland Government had demanded their return as it had not waived its rights in respect of them.

After Mr Justice Van Heerden's ruling, both men were convicted of participating in terrorist activities by Mr Justice J A Howard. Mr Nduli was jailed for 18 years and Mr Ndhlovu for 15 years.

Yesterday's appeal was heard by the Chief Justice, Mr Justice Rumpff, sitting with Mr Justice Trollip, Mr Justice Rabie, Mr Justice Corbett and Mr Justice Miller.

Mr G B Muller, QC, for the appellants, submitted that the finding of the lower court judge that the court had jurisdiction to try the applicants, even if they should have been taken into custody on Swaziland soil, was wrong and omitted to take into account the rights of the Swaziland Government.

He submitted that the men were unlawfully before the court because they were not returned to Swaziland in accordance with the extradition procedures laid down in South African law.

Mr W H Booysse, SC, for the respondents, submitted that the applicants had failed to prove that they were arrested on Swaziland soil and that the Swaziland Government had claimed their return.

Even if they were seized on Swaziland soil, they had been lawfully arrested and detained on South African soil in terms of Section 6 of the Terrorism Act.

Judgment was reserved.
— Sapa.

told of Russian arms

Staff Reporter

AN automatic rifle, hand grenades and a firearm found in the false bottom of a suitcase were all made in Russia or other communist countries, the Terrorism trial in a Springs Special Court heard yesterday.

The suitcase was found after an explosion at a house in Soweto in January, Lieutenant J S Adam said in evidence before Mr J P O de Villiers and two assessors.

Six Soweto men, Mr Mahwidi John Phala, 50, Mr John Afhedi Thabo, 37, Mr Letsie Ben Mashinini, 35, Mr Solomon Musi, 25, Mr Bafana Vincent Nkosi, 21, and Mr Philip Khoza, 55, are appearing on three counts under the Terrorism Act.

They are also alleged to have caused an explosion at a Klipspruit house where a man died.

They have all pleaded not guilty.

Lt Adam said soon after the explosion he took over investigations.

After the arrest of Mr Phala he was taken to a house in Mapetla where he found a suitcase with a false bottom.

He said that at first he could not see the false bottom, but when he spoke to Mr Phala, he was told to tear the bottom out.

"I saw that there was an automatic rifle. There were articles wrapped in newspapers and on a closer look, I found that the newspaper was The Times of Zambia," he said.

Lt Adam said he had been stationed in South West Africa for five years and while there attended several courses. He knew about weapons carried into the country from Rhodesia.

He said the articles he found in the suitcase were made in Russia, China or any of the communist countries. But he was sure the rifle was from Russia, and the firearm from China.

"The rifle is an assault rifle that can be used under all conditions and is automatic as well as semi-automatic. It uses a magazine capable of carrying 30 rounds of ammunition," he said.

Lt Adam said he was taken to a house in Dube where he found a shopping bag. On looking inside and opening the packets, he found four hand grenades and four detonators.

The hearing continues.

Mr B Anser, with Mr E Dane, appears for the accused; Mr A J de Klerk, with Mr W H du Plessis, appears for the State.

Witness tells of training in ⁽³²⁵⁾ China

Staff Reporter

A STATE witness who had earlier refused to testify for fear of victimisation told the ANC terrorism trial in the Supreme Court, Pretoria, yesterday that he had undergone military training in China with one of the accused.

Mr Abel Mtembo said he had once been a well-known member of the ANC. When it was banned in 1960 it went underground.

In about 1961 he went to China, via Botswana, with a group of military trainees. Among them was Mr Nzingo Gqabi, one of the accused.

In China they were lectured on the communist revolution and were trained in using small arms and making machineguns.

He was in China for about two years.

Cross-examined by Mr A Chaskalson SC, for the defence, Mr Mtembo said he had testified in two previous subversion cases, one of them the Rivonia trial.

Pressed, he recalled testifying in a third.

He said two of the 12 accused, Mr Mosima Gabriel Sexwale, 24, and Mr Naledi Tsiki, 21, had "grown up in front of me".

He had feared that people would think he had sold them out if he testified.

Mr Mtembo admitted making an affidavit on July 25 in which he refused to give evidence unless the judge agreed to a secret hearing.

Asked why he had changed his mind and was now testifying in open court, Mr Mtembo said he knew he had no option.

Sgt J Zeelie, cross-examined, told of the investigations in Sekhukhuneland in which an arms cache was said to have been discovered. He admitted tackling another of the accused, Mr Simon Mohlanyaneng, in a hut, pushing him over and kicking him.

He said that Mr Mohlanyaneng, whom he knew to be dangerous, ducked in the direction of the spot where the arms were hidden.

"It would be funny if he made that duck for no reason," Sgt Zeelie said. "I thought he was going for the weapons. He tried to grab them."

continues today.

Terror trial witness tells of training in China

D.D. 9/9/77

325 Pol. Trials

PRETORIA — A State witness who refused earlier to testify for fear of victimisation of his family yesterday told the ANC terrorism trial of military training in China with one of the accused men on trial.

Mr Abel Mtembo told Mr Justice Davidson that he had undergone military training in China as long ago as the early 1960s and that in his group was the accused Mr Joe Gqabi, 48.

He testified at the trial of 12 people, one of them a woman, in the Pretoria

Supreme Court on Terrorism Act charges relating to alleged subversive activity over a 15-year period.

Mr Mtembo said he had "long ago" been a well-known member of the African National Congress. When it was banned in 1960 "we started working under and not on top," he said.

In China they received lectures on the Chinese revolution and training in small arms and the making of machineguns. The group came back to South Africa via Tanganyika,

Rhodesia and Botswana.

Altogether he was out of the country for about two years.

The hearing continues today. — DDC.

Ref

Dear

Thank you for your application for admission to the University in 1978 to study for the above course (see Ref.). The Faculty of Arts will be pleased to accept you provided you qualify in terms of its entrance qualifications which are set out below:

1. Master of Arts

A candidate may, with the permission of the Senate, proceed to the M.A. degree if he is either

- (a) (i) an Honours graduate in Arts of the University; or
- (ii) a graduate in any other faculty of the University who has completed courses in a subject or subjects accepted by Senate as equivalent to those required for the B.A. Honours degree of the University; or
- (b) a graduate of any university recognised by Senate for the purpose who has completed courses in a subject or subjects accepted by Senate as equivalent to those required for the B.A. Honours degree of the University.

2. B.A. (Honours)

A candidate may, with the permission of Senate, proceed to the degree of B.A. (Hons) if he is:

- (a) a graduate in Arts of the University who has been awarded the B.A. degree with the subject in which he proposes to proceed to Honours as a major subject, or has subsequently met the conditions which would have enabled him to be awarded the degree with that subject as a major subject, and has satisfied such other conditions as departmental regulations may require;
- (b) a graduate in any other faculty in the University who has completed courses and fulfilled conditions as accepted by Senate as equivalent to those required under (a);
- (c) a graduate of any other university recognised by Senate for such purpose who has completed courses and has fulfilled conditions as accepted by Senate as equivalent to those required under (a).

Policeman tells how he found hidden bullets

(325) POL TRIALS RDM 10/9/77

A SECURITY Police officer told the Pretoria ANC Terror Trial yesterday how he had found 104 bullets after one of the accused had taken him to the "hiding place" of two of his fellow accused.

Colonel J H Gloyd said in evidence before Mr Justice Davidson that Mr Lele Jacob Motaung, 44, had taken him to a house at Jonathan, East of Pretoria. Mr Motaung had told him Mr Mosima Sexwale, 24, and Mr Simon S Mohlanyaneng, 23, used it as a hiding place.

On the way to the house, Mr Motaung told him about certain packets. Colonel Gloyd said he searched the house and in the wardrobe found several packets containing 104 bullets and three hand grenade components.

Colonel Gloyd said he confiscated six books on politics. He said Mr Motaung had told him that Mr Sexwale had hidden the articles in the house.

Cross-examined by Mr D Kuny, for the defence, he said he was aware that some of the books were not banned. One, "The War of the Free" had been available for a long time at bookstores before being banned.

Earlier a previous State witness, Mr Abel Mtembo, was cross-examined extensively by Mr A Chaskalson, SC, for the defence, on alleged discrepancies between his evidence in the present trial and that at previous political trials at which he had testified.

Mr Mtembo claimed Mr Chaskalson was "dragging things up that happened 16 years ago. Everybody makes mistakes — also me."

The defence alleged Mr Mtembo had told the Rivonia trial he had been a member of the Johannesburg regional command of the Spear of the Nation. But he denied this in the present trial.

Yesterday, however, he said he recalled having become a member of the regional command as opposed to being just "attached" to the command.

Mr Chaskalson said at a previous trial Mr Mtembo's evidence about the length of time he had spent undergoing military training in China was different from what he said at the present trial.

Mr Chaskalson told the court he had been defence counsel at the Stephen Naidoo trial in 1965. Mr Mtembo had given evidence for the State at that trial, Mr Chaskalson said. The judge at that trial had acquitted Mr Naidoo, and had described Mr Mtembo's evidence as "such that no reasonable person could believe it".

Mr Mtembo said yesterday he did not know the judge had said this. He denied he had given false evidence in the Naidoo case and again in the present case.

The hearing continues.

Terror accused sent to hospital for observation

RDM 10/9/77 (325) POL TRIBUNAL

Own Correspondent

MARITZBURG. — One of the four accused in the terrorism trial in Maritzburg has been sent for mental observation and psychiatric examination after a fit of violence in jail on Thursday night.

Mr Walter Mtshali, 29, was not present in the Supreme Court yesterday because it was feared the surroundings could further damage his psychological balance.

Mr Justice Kriek ordered that he be sent to the Fort Napier Mental Hospital for examination until September 26 to determine his ability to understand proceedings and make a proper defence.

At the commencement of the trial yesterday, Mr Ishmail Mohamed, SC, Mr Mtshali's defence counsel, told the court that "no coherent communication" was possible with him and he was not fit to attend court.

The district surgeon, Dr

Thomas Hetherington, said in evidence he had been told that Mr Mtshali had a violent outburst while in the Maritzburg jail and had to be given an injection and tranquillisers.

He examined Mr Mtshali yesterday and found he had several recent superficial bruises and an abrasion to the lip. He was told they had been inflicted during a struggle to restrain him the previous night.

Mr Mtshali had told him he was weak and "running away from eternal death". He constantly referred to the Bible and would not give firm answers.

He appeared mentally confused and rational communication was difficult, Dr Hetherington said.

"In fairness to him I think he should be examined by a psychiatrist.

Mr Mohamed said that because of his client's condition he could not get proper instructions.

The trial will continue on September 27.

Blood left a trail, Court told

Mercury Reporter

13/9/77 (325) Pol. Trials

DUNDEE— Three men are appearing on allegations of murder of 72-year-old Utrecht widower Mr. John Dankiel "Oom Dallie" Breytenbach whose battered body was found in the Buffalo River 19km from his farmhouse in March.

Mr. Breytenbach had lived alone in his house on the farm Rustverwacht since his wife died five months earlier.

The three men are Mr. Eliot Jabu Msibi (31), Mr. Joseph Mhlupheki Simelane (22) and Mr. Klaas Booysen (25) who are appearing before Mr. Acting Justice Thirion and two assessors in the Circuit Supreme Court at Dundee.

They have pleaded not guilty to charges of murder and house breaking with intent to rob, and robbery with aggravating circumstances.

Mr. Msibi has also pleaded not guilty to the unlawful possession of a .22 revolver.

Mr. Msibi and Mr. Booysen have denied all knowledge of the offences and claim they have alibis.

Mr. Simelane's defence is compulsion. His advocate, Mr. K. G. Swain said Mr. Simelane will deny breaking into Mr. Breytenbach's house but will admit entering under compulsion.

Last seen

Prosecutor Mr. J. G. Viljoen said evidence would be led that Mr. Breytenbach was last seen on March 17. At seven o'clock the next morning it was realised he was not in his house and his body was later found in the Buffalo River.

Mr. Breytenbach's house was in chaos and various articles, including a motor vehicle and a revolver, were missing.

Utrecht, told the Court he had arrived at "Oom Dallie's" farmhouse to find signs of a struggle inside.

Bogged

On the stoep he found a fresh blood stain. There was a 10cm-wide plank with screws in it lying near the bloodstains and it too had bloodstains on it. There was a bloodstain on the rug in the bedroom.

Outside there were tyre marks as though a vehicle had been bogged down in the damp mud and that a tractor had been used to pull it free.

The tyre marks led through the farm gate.

Near the bridge over the Buffalo River there was a bloodstain in the sand. There were marks as though someone had been lying there and had tried to crawl.

The bridge was an old-fashioned steel structure and he had thought it would have been possible for someone to be thrown through it.

The prosecutor said the post mortem examination showed that Mr. Breytenbach had died from multiple injuries.

The State would allege that Mr. Msibi had visited the house of the other two men who lived on an adjoining farm on March 15, 16, 17.

Indian flats to be built

Mercury Reporter

STANGER Town Council is to go ahead with building 226 economic flats for Indians at a cost of R1,5 million.

The council and members of the Indian Local Affairs Committee's housing sub-committee have met Mr. Louis Fouche, Secretary for Community Development, following remotivation by the council for a loan for the scheme.

Mr. Fouche informed them that the Department had now agreed to allocate the necessary finance for the housing scheme in Stanger.

The tender may have to be renegotiated but building is expected to commence within two to three months said the deputy town clerk, Mr. W. T. Byrnes, yesterday.

macular.

in starting operations, the Acting Manager of Wenela (Mr. N.D. Nicolle) conducted an on the spot review of unemployment in and around Salisbury. In this cursory investigation, Mr. Nicolle was well-satisfied as to the extensive evidence in Salisbury. It is also with reporting the of the South African number of Mines th. 00 contractees 'would not a dent in the

Business Herald

grateful to Ian

s an interesting aral Manager of We

indicating heightening of the local political crisis and/or ability of change has brought about immediate fall-off in recruit-intake levels.

The State alleges that Mr. Msibi travelled to Madadeni in Mr. Breytenbach's vehicle. Mr. Msibi handed Mr. Breytenbach's revolver to an African on March 18.

Lieutenant P. S. Fouche of the forensic science laboratory in Pretoria testified how blood stains on clothing forwarded for tests all belonged to Group O.

Detective Warrant Officer A. L. van Wyk, the investigating officer from

Financial Mail, 9 May 1975.

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TABLE 6.

FOREIGN		
YEAR	Foreign	
	Male	Female
1972	203 658	18 130
1973	201 987	18 461
1974	199 333	18 418
1975	195 725	18 296

TABLE 7.

FOREIGN	
Year	
1956	
1961	
1969	
1972	
1975	

Source: Rhodesia, Fin
C.S.O., Salis
C.S.O., Salis
C.S.O., Afric
Salisbury, (m

As an

Staff Reporter

MALMESBURY - Mr B M
Kies, defending a man charged
under the Internal Security Act in
the Regional Court here
yesterday, said detention for an
undetermined period "cuts right
across the fundamental law of
this country".

Mr Kies, appearing for
Christmas Tinto, 52, an alleged
member of the banned ANC, said
although he did not allege
anything sinister, prolonged
detention of witnesses by police
January 1 and February 28 this
year to undergo military training

Mr Kies was summing up the
defence for Mr Tinto who pleaded
not guilty to having incited or
encouraged students between
January 1 and February 28 this
year to undergo military training
Cape Town and plans to leave

Mr Kies, then they should be
viewed as accomplices.
According to their evidence, he
said, they learnt of plans to blow
up the Trust Bank and Sanlam in
Cape Town and plans to leave

ANC or any other organization.
He admitted that the
combination of accomplice and
detainee (four of the witnesses
were detained for up to seven
months) made their evidence
unacceptable in court.

The prosecutor, Mr J P
Vermack, said the onus was on
the accused to prove beyond
reasonable doubt that he had not
committed the offence. He asked
the court to accept the evidence
of the state witnesses, even
though in some aspects their
evidence differed.

He added that all of them said
Mr Tinto had told them "he could
help to undergo military
training".
Although Mr Tinto denied the
allegation, "they must have heard
them".
Among the handful of
spectators at the trial yesterday
was the American Consul, Mr T
E Williams.
The verdict will be given today.
Mr J G Vermeulen was on the Bench.

State witnesses seen as 'accomplices'

t not only an offence
born outside Rhodesia)
the main urban areas)
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They constitute 35
ale workers in 1975.

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640

Census of Employees,
Employees,

in, DL/978/15,

The

Terror trial

witness jailed

Pretoria Bureau

A detainee who refused to give evidence in the ANC terror trial because he sympathised with the black cause was committed to prison today for 13 days.

Mr Justice Davidson told Mr Robert Billy Masthla that on September 28, he would be brought back to court. If he persisted in his refusal the judge would impose a sentence commensurate with the danger such refusals held for the administration of justice.

During the earlier enquiry in the Pretoria Supreme Court, into Mr Masthla's reasons for refusing to testify, he said he was a member of the black consciousness movement and sympathised with the black cause.

By giving evidence against Mr Mosima Sexwale and 11 others in the dock he would become a sell-out. This would place his life in danger.

DUTY

Others who had testified had been tortured by fellow members of the black consciousness movement and the community, Mr Masethla said. Mr Justice Davidson said the design of his sentence would be to persuade Mr Masethla to give evidence — the duty of every citizen.

He could not, however, see the value of saying to a detainee: "If you do not look out you will be kept in detention."

State advocate Mr Michael Doren pointed out that if he was sentenced, Mr Masethla would be in the same position as an offender.

On August 10 Mr Masethla was granted access to his lawyer before deciding whether to give evidence in the trial.

Mr A. Chaskelson, SC, for the State, and Mr J. G. Bowman, instructed by Mr R. B. Tucker, appeared for the 12. Mr J. G. van Peltus and Mr J. D. Doren appeared for the State.

Trunk, n., a box, lekese; a stem, kutu ea setate; the main body of anything, 'mele oa ntlho (ka ntle ho litho); of the elephant, nko ea thou.
Trust, n., a bundle, sehlopha, moqeko oa liphalo.
Trust, n., and v., a confidence, tšepo, ho tšepa, khofoa ke; to commit to the care of, ho tšepela; that which has been given in charge, seo motho a se neloeng hore a se boike, seo motho a se tšepetsoeng; to hope, ho tšepa, ho khofoa; I trust he will work well, ke tšepa hore o tla sebetsa hantle.

Trustee, n., mošepuoa, ea tšepetsoeng ntlho.
Trustful, adj., e tšepelang, tšepahalang.
Trustfulness, and **trustiness**, n., bošepelu.
Trusty, adj., e tšepelang, e khabane.
Truth, n., 'nete, sebele, lekete, koma.
Truthful, adj., e buang 'nete ka mehl.
Truthfulness, n., ho bua 'nete ka mehl, bošepeli.
Try, v., to attempt, ho leka; to endeavour, ho phelella; to examine, ho lekola; to try judicially, ho ahlola.
Tub, n., faki.
Tube, n., pompo, sebulula.
Tubercle, n., a pimple, lethopa.
Tuck, v., to tuck, a pimple, lethopa.

Ubiquity, n., ho ba kahohle.
Udder, n., lesoele (la phoofolo feela).
Ugliness, n., bohe ba tšobosi, mo-khoa o mobe, makheneña.
Ugly, adj., e mpe.

Ulcer, n., seso, lethopa, sebēbē.
Ulcerate, v., ho fetōla seso.
Uterior, adj., e ka pele, e hāle, e tla etsa hamōrō.
Ultimate, adj., ea qetello.
Ultimatum, n., kōpo ea ho felela.

Unguent, molebeli, moebelisi; v., ho ruoa.
Uwag, n., a nasal voice, mokhoa o mobe oa ho bua ka linko.
Uwellth, adj., ea leshōne le metsō e 'meli.

Tyranny, n., puso e thata.
Tyrant, n., motho ea kapihang bo-rēm, ea busang ka thata.
Tzar, n., lebitso la marēna a khale a Russia.

Troth—Turnoil
Troth, n., faith, tumelo; fidelity, ho tšepela.
Trouble, v., to disturb, ho khatatša; to molest, ho hlōpha, tšoenya; to make uneasy, ho fetejanya; to grieve, ho soabisa; n., distress, lešoenyeha, tšokosi, mahlomōla; uneasiness, hlōpho, lekaqabetsi.
Troublesome, adj., e tšoenyang, khatatsang.
Trough, n., sejelo.
Trousters, n., plur., borikho.
Trow, v., ho lekanya, hōpola.
Trowel, n., torofolo.
Truant, n., sehōba, motho ea bō-tsoa.
Truce, n., khotso ea nako e seng ekae.
Truck, v., to barter, ho hoeba, bapatsa.
Truck, n., a store truck, kolojanyana ea ho nka liphalo mavenkeleng; a railway truck, kolo.

Trustee, n., mošepuoa, ea tšepetsoeng ntlho.
Trustful, adj., e tšepelang, tšepahalang.
Trustfulness, and **trustiness**, n., bošepelu.
Trusty, adj., e tšepelang, e khabane.
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Try, v., to attempt, ho leka; to endeavour, ho phelella; to examine, ho lekola; to try judicially, ho ahlola.
Tub, n., faki.
Tube, n., pompo, sebulula.
Tubercle, n., a pimple, lethopa.
Tuck, v., to tuck, a pimple, lethopa.

Turn, v., to cause to go round, ho phikōlela; to change the direction of, ho sokōlla, ho fapōsa, khelōsa; to reverse, ho fetōla, phethōla, qethōla, ribōlla; to move round, ho phikōlela; to change one's direction, ho fapōsa, khelōla; to become reversed, ho fetōla, ribela, qethōla, phethōla; n., a circular movement, phikōlelo; an opportunity, sebaka; by turns, ka ho hlalahlama, ka ho phomotsana; to a turn, hantle habolo; to turn aside, ho sutša, koekoela; to turn out, ho lēlela, nša; to turn over, ho phetha le ho hlalaha (ntlho e kang buka); to turn back, ho khutla; to turn over a new leaf, ho qala bocha; to turn tail, ho hlatla.

Turn—Ultimatum
Twelvemonth, n., selemo se tletseng.
Twenty, adj., e mashōne a mabeli.
Twice, adv., habeli.
Twig, n., lekalanyana, lehlōmela-nyana.
Twilight, n., shoalane.
Twine, n., letahla, lecola.
Twine, v., to twist, ho lōla; to wind, ho phutha; to embrace, ho kopa; n., a cord, khoelē, mohala, thapo.
Twinge, v., ho utloisa bohōkō; n., bohōkō bo sehōhō.
Twinkle, v., and n., to flash, ho benya, ho phatsima, halima; to open and shut the eye, ho panya; to an instant, motsōso o mokhutšoanyane; in a twinkling.

Two admit terror training

325 POL TRIALS

EDM IS 19/77

Staff Reporter

TWO Mamelodi men yesterday told a Pretoria magistrate they had received training in urban warfare and sabotage in Mozambique and Angola.

Mr Thomas Masuku, 27, and Mr Themba Stephen Nkosi, 19, pleaded guilty to undergoing military training in centres outside South Africa and to the illegal possession of firearms, ammunition and explosives.

A third man, Mr Richard Siphu Chauke, 25, pleaded not guilty to incitement.

Mr Nkosi told the magistrate, Mr H J A van Eeden, that he had returned to South Africa after training in Mozambique, to "support the riots".

Mr Masuku said the purpose of his training, obtained in Angola, was to destroy bridges and railway lines in South Africa.

The case was postponed pending a decision by the Attorney-General.

Gugulethu man gets seven years

ARGUS 15/9/77
325 Pol. Trials

CHRISTMAS TINTO, 52, of Gugulethu, was yesterday sentenced in the Malmesbury Regional Court to seven years for encouraging Peninsula school students to train to promote the aims of the African National Congress.

Tinto, who was president of the Cape Soccer Board, pleaded not guilty to inciting, instigating, commanding, aiding, or encouraging others to undergo training which could be used to further the aims of the banned ANC or other banned organisations.

Five State witnesses told the court they had had two meetings with Tinto at his neighbour's house in January.

He had told them about the ANC and advised them to contact him should they wish to be trained.

BRIDGE-BLOWING

He would introduce them to Mr Elijah Loza, who would arrange for them to leave the country and be trained in urban terrorism.

One witness said Tinto told them they would be trained to use guns and in the techniques of urban sabotage, while another witness said they would be trained in communist countries to blow up bridges and major buildings.

Tinto said he met the students to advise them to return to school. He gave them a brief history of the ANC when asked 'what the older people had done.'

MAIN AIM

The magistrate, Mr J. G. Vermeulen, said the main aim of the ANC was 'to overthrow the present system of law and order by armed force and revolution.'

It was clear, he said, that Tinto had spoken about the ANC activities to 'impress the youngsters.'

He gave three reasons for his verdict. The frequent contradictions in Tinto's evidence, the way in which Tinto evaded the prosecutor's questions and the general agreement in the evidence of the State witnesses.

Calling for the maximum sentence of ten years, the prosecutor, Mr J. P. Vermaak, said: 'The cancer of terrorism is well known to us, and there is an outcry against it in the Western-civilised world. It can ruin the economy. This speaks for itself.'

Guguletu man gets seven years

CAPE TIMES 15/9/77

(325 - ROL. Trials)

MALMESBURY. — A 52-year-old Guguletu man, Christmas Tinto, was sentenced to seven years here yesterday for inciting students to undergo military training to further the aims of the banned African National Congress (ANC).

"terrorists have no respect even for the lives of others". Tinto did not impress the court as a reliable witness as

he contradicted himself on several occasions and evaded questions put to him by the state prosecutor, Mr J P Vermaak.

Mr B M Kies (A M Omar and Company) appeared for Tinto.

Examples: a metalwork shop with a grinding machine for making cars for grinding

The interdisciplinary nature of the centre would aim to maximize interaction of community development wherever possible to local community life; and if possible, to simultaneous.

Examples: local knitting industry could provide slippers with leather soles for export to Port Elizabeth (1000 a week could be absorbed there). It could also provide jerseys for local schools to be used instead of much utilitarian blazers. Similarly, a play equipment for local creches and to produce local school uniforms.

The approach chosen would be broad-based and interdisciplinary. The community consists of a diversity of people with a diversity of problems and capabilities. The centre would aim to eventually be a broad-based multi-level centre: it would provide initial training for those with little skill, more advanced training for those with a higher level of skill, and so on, so that its effect on local conditions would be to produce a balanced advance, rather than the imbalance that can result from focussing attention on only one facet of the problem. In fact a primary aim would be to introduce a broad understanding of the problems facing the community and the way these problems interact. One particular aspect would be a consideration of the difference between job opportunities created in order to make articles for export from the local area, in order to bring in income from outside; and job opportunities aimed at providing for local needs, thereby not only preventing money from draining from the local area unnecessarily, but also integrating the local community into a more coherent and independent whole. Both kinds of job opportunities would be actively employed and exploited. In both areas it should aim where possible to provide 'indispensable' rather than 'luxury' goods.

As the local employment and training situation improved, the 'appropriate technological level' of each group would rise; the ultimate aim would be to raise this level to that which is valid anywhere in South Africa.

(a) continued:

(b)

Inquest told of cell hanging

325 Pol. Trials

DD. 16/9/77

JOHANNESBURG — A pathologist told an inquest court here yesterday of marks found on the body of Mr Ntshuntha, 42, a Soweto naturopath, who was found hanged in a police cell this year.

Mr Ntshuntha was arrested in December last year.

The pathologist, Prof J. J. van Jaarsveld, told the magistrate, Mr J. C. Maritz, that he had examined Mr Ntshuntha's body on January 12, four days after his death.

"The head had already been opened and there was an incision behind the ear. There was a 28 cm incision, roughly stitched up about 7 cm below the

navel. There was also a small abrasion between 1 mm and 1,5 mm long near the left temple," Prof Van Jaarsveld said.

He had also found three 3 mm round abrasions inside the left ear and a small abrasion of a different nature on the other ear. There was a 2 cm mark on the front of the dead man's neck, stretching upwards to both sides behind the ears.

The marks on his ears could be due to electrical contact, or burns, or what the professor termed "impression contact."

"These marks, were however, not relevant to the man's death."

Maj J. Cronje of the

Springs security branch said he had arrested Mr Ntshuntha in Johannesburg on December 14 in terms of the Terrorism Act. He had questioned Mr Ntshuntha after his arrest to establish whether he had any complaints.

"He said he had none. He was held in solitary confinement in the Leandra police cells. The next morning I was told he had hanged himself."

Maj Cronje said he knew nothing about the three abrasions on the dead man's ear. "I did not see any marks on his ear. If I did, I would have questioned him about it."

W/O J. A. Mare told the

court that he was on duty at the Leandra police station when Lt Kruger and a detective arrived with Mr Ntshuntha and handed him over.

"I visited his cell during my calls and asked whether he had any complaints. He said he had none. He was in a genial mood."

"The next morning I went to the cells after receiving a report and found him hanging on the grated door. His toes were just touching the floor."

Mr Mare said Mr Ntshuntha had hanged himself with his vest.

The hearing was postponed to a date to be decided upon. — SAPA.

- 63/ Data in the reverse of the contract form signed by each contractee. Additional perspectives came from Wenela propaganda handed to contractees (documents in the vernacular translated by Wilbert Garaba).
- 64/ Mine Labour Organisations (Wenela) Ltd., Reports and Financial Statements For The Year Ended 31 December 1974, Johannesburg.
- 65/ Wenela representatives in Salisbury explained these reasons as: dislike of underground work, being 'trouble makers' and being 'disturbed' and 'unsettled'.
- 66/ G.M.E. Leistner and W.J. Breytenbach, The Black Worker of South Africa, Africa Institute No. 26, Pretoria, 1975, p.15, report a figure of 11 000 black Rhodesian workers as reported by the 1970 Census in South Africa. This is undoubtedly low. Dept. of Bantu Affairs figures are much higher. For example, see Rhodesia Herald, 3 April 1976.
- 67/ I am grateful to Nicholas Dziva who conducted the interviews in the vernacular.
- 68/ When starting operations, the Acting Manager of Wenela (Mr. N.D. Nicolle) conducted an on the spot review of unemployment in and around Salisbury. From this cursory investigation, he was well-satisfied as to the extensive evidence of urban unemployment in Salisbury. It is also worth reporting the comment of the President of the South African Chamber of Mines that an off-take of 20 000 contractees 'would not make a dent in the local labour market'.
- 69/ See Business Herald, 6 February 1976; and Financial Mail, 9 May 1975.
- 70/ I am grateful to Ian Phimister for pointing this out to me.
- 71/ It is an interesting point to be recorded that, according to the General Manager of Wenela in Rhodesia, the publication of political news indicating heightening of the local political crisis and/or possibility of change has brought about immediate fall-off in recruitment intake levels.
- 72/

PDM 17/9/77

(325) POL TRAILS

Accused student wouldn't hear of it

Staff Reporter

A STUDENT appearing in the Vereeniging Regional Court yesterday on a charge of attempted arson refused to accept the evidence of witnesses he had called to his defence.

He did this after hearing they had been brought to court by the Security Police officer investigating the case.

The student, Mr Edward "Walk Tall" Mogorosi, 18, was appearing with Mr

Paul Malafetse, 18, and Miss Maria Mogokeng, 19, before Mr P J Looche.

They were charged with attempting to burn down the Phahamang Secondary School in Evaton on August 12.

All Form 1 pupils at the school, they pleaded not guilty to the charge.

The magistrate told Mr Mogorosi that his refusal to accept the evidence of his own witnesses implied a serious charge against the police officer.

Mr Looche himself then questioned the witnesses, Form 1 pupils at the school.

The students told the court that they saw Mr Malafetse with a bottle of petrol on August 12. They said he gave the petrol to Mr Mogorosi who poured it on the floor of their classroom.

One witness said he then left the classroom because he was frightened.

Another said he saw Miss Mogokeng light a match but it went out be-

fore she could light the petrol.

Miss Mogokeng told the court that the headmaster of the school was mistaken when he said the incident was on August 12. She said it happened on August 5.

Miss Mogokeng said that on August 5 she saw a bottle of petrol in Mr Malafetse's possession but she thought it was for a motor car.

She said the petrol was not poured on the floor. All the students did was

make black power salutes and sing "Nkosi Sikelela I Africa".

When asked why she was arrested if she did not take part in the demonstration, she said it was because she told a teacher why the students were demonstrating.

Miss Mogokeng said the demonstration started because students wanted their June examination results.

Verdict and sentence were postponed until October 4.

[illegible]

Mr Protectionist: That's easier said than done! If we possessed perfect knowledge and information, if all the capital markets were perfect and if there were no such thing as externalities, your objection would be fully justified. However, as you know this is not the case!

S. Tolstoy: I am particularly interested in the industries and in countries, often difficult to recognise the full potentialities of their sphere of activity. For this reason they restrain from investing many ventures that ought to be pursued.

Mr Tolstoy: Who is to say that politicians are trying servants and masters? Each one knows why he acts. They find it easier to risk the taxpayers' money in private banks than to risk the state's under-standably to risk their money on

Regional

He threw
grenade,
terrorism
trial told

325 POLITICAL TRIALS
ROM 20/9/77

Staff Reporter
A BLACK policeman—injured with a white constable in an alleged hand-grenade attack on their Land-Rover — yesterday named one of the accused in the Pretoria ANC terrorism trial as “the person who injured us”.

Sergeant Joseph Khosa told Mr Justice Davidson in the Supreme Court, Pretoria, about a severe explosion in the Land-Rover after four Black suspects had been detained near the Swaziland border.

Evidence about the attack on November 30, last year, was given when the trial continued of 12 blacks who have pleaded not guilty to charges under the Terrorism Act.

The charges relate to alleged subversive and revolutionary activities between 1962 and 1977.

Medical evidence on Friday was that the white policeman, Constable Gerhardus Brits, was severely burnt and injured in the blast. Sergeant Khosa was less seriously injured.

Yesterday Constable Brits, giving evidence perched on a high chair in the witness box, said he was on duty at the Border Gate border post on November 30 when he and Sergeant Khosa went out on to the Komatipoort road after receiving a report.

About 3 km from the border post they met four black men, who had two bags and a paper bag. When asked to open the bags, they said they could

not do so because the keys
were at home.

He ordered them on to the back of the Land-Rover and turned to go back to the border post.

On the way back he noticed that somebody had moved on the back of the Land-Rover just behind the cab.

He suddenly smelt sulphur, and there was "a tremendous explosion".

He felt a severe pain in his left leg. Flames and smoke filled the cab of the Land-Rover.

At an identification parade later Const Brits identified Mr Mosima Gabriel Sexwale, 24, as one of the four blacks he picked up.

Sgt Khosa, in the passenger seat, told the court he saw a man move from the group of four at the back of the Land-Rover to the front, after they had been picked up.

He briefly saw the man bracing himself against the cab of the vehicle and standing up, before he felt the explosion. The window of the vehicle was open on his side, he said.

"I suspected that the explosion came from the person who leant forward and looked at us," said Sgt Khosa.

Later, at an identification parade, he pointed out Mr Sexwale as "the person who injured us".

After the explosion the four blacks leapt off the Land-Rover and disappeared into the bush, heading for the Komati River.

The hearing continues today.

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Industrie

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world will have a very important part to play in the development of the relatively less developed country, there can be no doubt that such a development is not desirable. The United States Government

Mr. Friedman said that the country well: Obviously, economies of scale and time are important in the real world, but why suggest that it is necessary to have intervention and protection as suggested above? Why should society, indeed, the burden of the deficit be lost in the infant grows up (if it ever does)? Surely the infant can budget for his own losses during the first few years of operation in the market, if the new venture is at all worthwhile (the establishment of a firm will make a profitable survivor). Until then, let him pay for his own loss. If he lacks sufficient capital to endure a prolonged period of losses, let him borrow the capital. Let him.

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119

Schools - Senior and

The following volumes are s
background to the region and
portions before the exams in add
material that you have covered.

Shorter, A. : East African
Mair, L. : Primitive Go
" : African Soci
Oberg, Wagner, Evans Pritcha

Richards, A.I.: East African
Middleton & Tait: Tribes wit
Huntingford, W.B.: The Nor
Middleton & Winter: Witchcra

40
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A. Version (translation from French
B. Dissertation (to be written in
C. Twelve French Poets (to be *
D. Answered in French

60
60
100
120
Max.

FRENCH I

500
100

300

100

Max.

FRENCH INTENSIVE

60
40
60
15
25
200

Grammar questions
General questions to be answered
briefly in French
Comprehension test
Composition
Reading
Conversation

YEAR'S WORK:

PAPER:

ORAL:

YEAR'S WORK:

PAPER I:

PAPER II:

Textes Prescrits

A. Langue
B. Civilisation et littérature du
moyen âge et de la Renaissance
(3 short questions of which 1
may be written in English)
C. Histoire de la littérature
(3 short questions of which 1
may be written in English)
D. Textes Prescrits

Southern
Survey)
East Africa.

African Political
African Systems
Marriage

YEAR'S WORK:

PAPER I:

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PAPER II:

ORAL:

FR. 77.91

CAPE TIMES 23/9/77
No visas
for Dutch
churchmen

AMSTERDAM - Three
prominent Dutch churchmen
have been refused visas to visit
South Africa.

They had planned a two-
week trip which should have
started on September 16.
News of the refusals was
published on Wednesday by
the Hervormde Church.

The three are the president
of the Synod, the Rev G Split,
the vice-president, the Rev L
de Liefde, and the secretary-
general, Mr A H van den
Heuvel.

They had planned to talk to
the leaders of the white Dutch
Reformed Church as well as
those of the black, coloured
and Indian "daughter"
churches.

Both the Hervormde and
the Gereformeerde churches
in Holland (the two main
Protestant churches) have
recently intensified their
contacts with the non-white
churches.

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(English)
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Goch St case accused refuse to answer

RDM 24/7/77

(325) POL TRIALS

Staff Reporter

TWO young black men charged with murder and attempted murder in connection with the Goch Street warehouse shooting in June refused to answer questions when they appeared in the Johannesburg Magistrate's Court yesterday.

The magistrate, Mr E Brandt, stopped the proceedings. The men, Mr Mondy Johannes Motloung, 20, of Duduza, Nigel, and Mr Solomon Mahlangu, 21, of Mamelodi, Pretoria, were remanded to Leeuwkop Prison pending a decision by the Attorney-General about a possible trial in the Supreme Court.

Sketches of homemade bombs in a cocoa tin, a cake of soap and washing powder boxes formed part of the indictment when the men appeared on two charges of murder, two of attempted murder and five of taking part in terrorist activities.

Yesterday's hearing fol-

lowed an incident at the John Orr Warehouse, Goch Street, Johannesburg, on June 13 when three black men allegedly entered a building with hand-grenades and guns and killed Mr Rupert Godfrey Kassner and Mr Kenneth Wolfendale. Mr Peter Le-wellwyn Hartogh and Mr Robert Francis Bagg were injured.

It is alleged that Mr Motloung and Mr Mahlangu came to South Africa via Swaziland with the intention to kill members of the South African public, or seriously wound them, damage their property and overthrow the Government of South Africa.

The detailed charge sheet was read out to the two men. They pleaded not guilty to all the charges.

It was alleged that they had been accomplices in all the acts listed.

They are charged with killing Mr Kassner and Mr Wolfendale and attempting to kill Mr Hartogh and Mr Bagg.

The other charges, under the Terrorism Act, stated that the men had caused an explosion which endangered the lives and property of others and that they had conspired in South Africa, Swaziland, Angola or Mozambique to commit acts which would endanger the maintenance of good law and order in South Africa.

It is alleged that the two men were active supporters of the ANC and had left South Africa unlawfully to receive training which could be of use to them in furthering the aims of the ANC. Such training took place at Res-sana Garcia, Mozambique; Maputo, Mozambique; the Gaza Province; Luanda, Angola; or Manzini, Swazi-land.

It is also alleged that between June 11 and June 13 the two men had been in the unlawful possession of explosives, weapons and ammunition at Middel-burg; Duduza, Nigel; Kwa-Thema, Springs; Germis-ton; Natalspruit and Jo-hannesburg. Sketches and descriptions of these weapons were handed in.

They included a home-made bomb in a cocoa tin, consisting of plastic explo-sives, a 9 volt battery, a clothes pin and a wrist watch, covered with cocoa; a bomb in a powdered milk tin, covered with milk powder, and bombs in an insecticide tin, in a cake of toilet soap, tissue boxes and boxes of soap powder.

An annexure to the in-dictment says that the two men went into the ware-house in Goch Street and fired shots from a Scorpion Vzor 61 automatic pistol. They had pointed the pis-tol at people, thrown a handgrenade and caused an explosion, it was stated.

People were killed and wounded and the safety of motorists and pedestrians in the streets nearby were endangered.

The building was damag-ed and financial loss was caused.

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Lawyers weren't told of hearing

RDM 27/9/77

(325) Political Trials

Staff Reporter

TWO young men who had been in detention for months under Section 6 of the Terrorism Act were brought before court without the knowledge of their legal representatives the Johannesburg Magistrate's Court was told yesterday.

Mr Mondy Johannes Motloung, 20, and Mr Solomon Mahlangu, 21, were not represented on Friday when they appeared on 15 charges and alternative charges of murder, attempted murder and terrorism.

Their appearance followed the shooting in Goch Street, Johannesburg, on

June 13 when three black men allegedly entered a building with handgrenades and guns and killed Mr Rupert Godfrey Kassner and Mr Kenneth Wolfendale. Mr Peter Lewellwyn Hartogh and Mr Robert Francis Bagg were injured.

On Friday the two men pleaded not guilty to all the charges, refused to answer questions and were remanded in custody pending a decision by the Attorney-general.

Yesterday they were brought before court again and Mr C R Mailer told the court he was appearing for the men, instruct-

ed by Mr Ismail Ayob.

He told the court the two men had been detained under Section 6 of the Terrorism Act. According to this section, nobody, except people in Government service, were allowed to visit them.

Mr Mailer and Mr Ayob had therefore been unable to consult with their clients.

Mr Ayob had told the Security Police he would appear for the men, Mr Mailer said.

The men were both released from the provisions of Section 6 last Thursday but Mr Ayob was not informed.

Mr Ayob read about their Friday court appearance in a newspaper.

The magistrate before whom the two men appeared yesterday, Mr M J de Kock, postponed the hearing for summary trial in the Supreme Court. The trial will be in the Kempston Park Circuit Court on October 24, he said.

State closes its case in ANC trial

Staff Reporter
THE STATE yesterday closed its marathon case in the Pretoria ANC trial —and the defence immediately applied for the discharge of the only woman among the 12 accused.

The State closed its case after agreeing with the defence on 18 admissions.

The hearing was postponed until tomorrow after Mr A Chaskalson, SC, for the defence, had argued for the discharge of Miss Paulina Mamagotla Mohale, 26. State counsel Mr Nic. Gey van Pittius, said he would oppose the

application.

In the trial 12 blacks have pleaded not guilty before Mr Justice Davidson in the Supreme Court, Pretoria, to charges under the Terrorism Act alleging subversive activities between 1962 and 1977.

Earlier yesterday a third state witness, Robert Billy Masethla, was sentenced to six months jail for refusing to testify.

Among the admissions made by the defence were statements by two accused, Mr Mosima Sexwale, 24, and Mr Naledi Tsiki, 21.

Mr Sexwale admitted leaving the country for

training and being involved in a grenade attack on a police Land-Rover near the Swaziland border in November last year.

Mr Tsiki admitted leaving the country for military training in Russia and taking part in an alleged sabotage attempt on the main Pretoria-Pietersburg railway line in October last year.

Expert evidence was also admitted relating to firearms allegedly captured in possession of some of the accused. The testimony was that some of the communist-made weapons were superior in some respects to similar weapons used by the South African security forces.

In the application for Miss Mohale's discharge Mr Chaskalson said the only evidence against her on the main charge of recruiting blacks for military training was that of a State witness who had discredited himself.

On the charges type

RDM
29/8/77
(325)
POL TRIALS

DOM 4/10/77

Terror trial told: it's the only way

Staff Reporter

A SOWETO messenger, accused of plotting to blow up a railway line, told a Special Court in Springs yesterday that he considered political rights for blacks "could only come about through the homelands policy."

The messenger, Mr Mawhidi John Phala, 50, is appearing with five others before Mr Justice De Villiers on three charges under the Terrorism Act.

The others are Mr John Afheli Thabo, 37, Mr Letsie Ben Mashinini, 34, both messengers, Mr Solomon Musi, 25, Mr Philip Khoza, 55, both clerks, and Mr Bafana Vincent Nkosi, 20, a student.

All have pleaded not guilty.

Mentioned in the charge sheet are bomb training schools in a Soweto home and a Nancefield hostel and the discovery of a cache of Russian arms in Soweto.

According to evidence a railways employee, Mr Wellington Sukhumba, discovered a bomb on the Johannesburg to Vereeniging line at a bridge near Grasmere on the morning of January 8.

He was injured when the bomb exploded.

Yesterday Mr Phala told the court he had been arrested on January 9.

He said he first heard of a bomb being placed on the railway line while being questioned at John Vorster Square.

Cross-examined by the prosecutor, Mr A. de Klerk, Mr Phala said he struck up a friendship with a Mr Elmon Malele in 1973 while they were organising for the Lebowa People's Party during the Lebowa elections.

Mr Malele had told him that he was a member of the African National Con-

"We discussed political rights for blacks and it was my opinion that it could only come about through the homelands policy", Mr Phala said.

He said he had helped Mr Malele carry parcels to the home of a Mrs Rebecca Marule but had never asked what they contained.

The hearing continues today.

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ANC trial woman weeps at judge's ruling

325 Political trials

Staff Reporter

MISS Paulina Mohale, 26, one of the accused in the Pretoria ANC trial, broke down and wept in the dock yesterday when the judge refused an application for her discharge.

Mr Justice Davidson said in the Supreme Court, Pretoria, he could not at this stage grant the application, made by the defence when the State closed its case last week.

Mr Justice Davidson said he would give reasons for the decision later.

Miss Mohale sobbed quietly when he made his ruling.

She is one of 12 people who have all pleaded not guilty to charges under the Terrorism Act alleging subversive activities over the past 15 years.

The case was adjourned to November 7 for the start of the defence case.

After the adjournment, Mr A Chaskalson, SC, for the defence, objected to the fact that the accused were being held in the maximum security section of a Pretoria prison—within earshot of death row.

Mr Chaskalson said the 11 men had been moved by prison authorities to cells "in close proximity of people who have been sentenced to death".

On occasion they had heard people walking along a corridor singing, presumably on their way to the gallows.

It was a matter of regret that people facing such serious charges should be kept in such circumstances. It could have a bad effect on them and make preparations for the defence case more difficult, he said. He asked that they be moved to other cells.

Mr Justice Davidson said he regretted that they were being held in such conditions, without knowing what the necessity might be.

State Counsel, Mr Nick Gey van Pittius, said he had negotiated unsuccessfully with the prison authorities for a move.

They were not in death row itself, but in a section some distance away — although in the maximum security section, he said.

Mr Justice Davidson said he had no power to direct that the accused be kept in any other part of the prison. He asked Mr Jay van Pittius to go to the prison. He asked Mr Gey then, if he felt it was justified, to side with the defence in any application that might be made.

Stoning, arson in E Cape black areas

13/10/77
Argus
325
Poe. Lines.

The Argus Bureau
PORT ELIZABETH. —
African townships in Port Elizabeth, Uitenhage and Grahamstown remained tense this morning with sporadic incidents of stoning and arson.

Brigadier P. J. Hugo, Divisional Commissioner of Police in Port Elizabeth, said today a house, belonging to a teacher, Mr Ben Mzonda, was burnt down by mobs last night and two other attempts were made to burn homes in Port Elizabeth's New Brighton township.

In Grahamstown yesterday about 40 pupils were arrested for attending illegal gatherings after a protest march in Fingo Village.

Bus services into Port Elizabeth's African townships were suspended last night after 20 buses had been stoned by mobs.

PASSENGERS

The general manager of Bay Passenger Transport, Mr Carl Coetzer, said two more buses were stoned this morning in New Brighton, but the service was not interrupted today. A driver and a passenger were injured in last night's stonings.

School attendance in Port Elizabeth dwindled today. One school with an enrolment of about 500 and which yesterday had about 90 pupils, today had only 25 pupils in classes.

A spokesman for the Bantu Education Department in Port Elizabeth said this morning attendance was generally very low. It varies from very few at some schools to nil at others.

BOYCOTT

There are about 32 700 lower and higher primary school pupils in Port Elizabeth. The city's 5 500 secondary school pupils have already effected a total school boycott.

A special court has been convened in the Algoa Park police station to try more than 470 pupils arrested in New Brighton late on Tuesday night.

They were arrested after a meeting of about 700 members of the Port Elizabeth Students' Representative Council. Police and vehicles were stoned and teargas was used to subdue the mob.

D.D. 14/10/77

DAIL

325

Political
trials

Advocate tells terror trial why pleas changed

PIETERMARITZBURG — An advocate who originally appeared as pro deo counsel for four accused in the terrorism trial here told the supreme court yesterday he advised the men to plead guilty to various charges under the Terrorism Act.

Mr W. O. Menge was giving evidence at the trial of Mr Isaac Zimu, 28, Mr Veli Mthembu, 22, a 17-year-old youth and Mr Walter Mtshali, 29.

After being found guilty of the offences to which they had pleaded, they requested different legal representation and a reversal of their pleas.

An application to change their pleas is being heard. Their aim is to satisfy the court that their pleas of guilty were unintentional.

Mr Menge said he first made contact with the accused on August 1, the day of their trial.

Adv D. de Villiers had previously dealt with the men but when they all indicated they intended pleading not guilty to the charges, he withdrew as he would not have been able to participate in a lengthy trial due to other commitments.

After consultation and having heard the accuseds' versions, Mr Menge said he advised them that on the second count they had no defence at all but on the first count only Mr Mtshali had a good defence.

"I advised the accused that in my opinion they had no alternative but to plead accordingly," Mr Menge said.

After discussion among themselves, they accepted Mr Menge's advice and pleaded accordingly.

Mr Menge said he had told them he would try to obtain a suspension of part of their sentences. However, he couldn't recollect whether he had told them this before they had pleaded or whether it was after they had been found guilty. He had not offered this to them as an inducement to plead guilty, he said.

At the start of yesterday's proceedings, Mr Mtshali was ordered to undergo a further 30 days mental observation at Fort Napier.

A separation of trials was granted and Mr Mtshali's trial will continue on November 14.

The trial continues today. — DDC.

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sent an ex-slave Agerinus to tell her son that by divine mercy and his lucky star she had survived a serious accident. The messenger was to add, however, that despite anxiety about his mother's dangerous experience Nero must not yet trouble to visit her - at present rest was what she needed. Meanwhile, pretending unconcern, she cared for her wound and physical condition generally. She also ordered Agerinus's will to be found and her property sealed. Here alone no presence was needed.

sity of Zululand students who have pleaded not guilty to charges of sabotage, arson, malicious damage to property and assault with intent to murder.

At the start of yesterday's hearing Mr Mqaba refused to take the oath but was reminded by Mr Justice Milne that he was still under oath after giving evidence on Monday.

Mr Mgaba said he had been in "a pretty bad state," but had tried "by all means to recall the truth."

Mr Mohammed then continued his cross-examination. Mr Mgaba admitted that he had refused to take the oath earlier because he would rather accept the punishment than continue to give evidence against the accused, his friends.

Asked if he was still "of that mind," Mr. Mqaba said he was and in fact this was his final decision.

Mr Justice Milne announced his intention of holding an inquiry into the reasons for the witnesses' refusal and the court adjourned briefly to arrange legal representation for Mr. Nyabwa. — *Sara*.

As she arrived from Antium,
welcoming her with outstretched arms,

clined to believe welcome news. Fragro's plana

create the general impression that the group were led and organized to produce the same effect on Americans for women are naturally in

Now he entered his mother's life. Rights tempers must be borne; he kept announcing, 'One must humour their feelings.' This was to

able, since Nero habitually attended the festival of Minerva at Baiae.

of trial duty. This ingenious plan found favour. The time of year, too, was suit-

percentage based on the number of public tokens

did away with her, who could be so unreasonable as to blame a human being instead of wind and water? Besides, when she was dead the

And again, "I have been told that the water is so productive of surprises as the sea, remarked Anicetus; if a shipwreck

made, he now said, with a section of the

commanded the fleet at Misenum. In Nero's boyhood Annicetus had been his tutor; he and Agrippina loved each other. A ship could be

However, a scheme was put forward by Amicus, an ex-slave who

THE MURDER OF ASH

MEM

3 APPEAR ON TERRORISM ACT CHARGES

Mercury Reporter

THREE African men appeared briefly in the Supreme Court at Camperdown yesterday in connection with alleged contraventions of the Terrorism Act.

Mr. Stanley Pule (33), Mr. Isaac Mhlekwa (49) and Mr. Nogaga Gxekwa (47) were not asked to plead when they appeared before Mr. Justice Hoexter and two assessors.

The men face charges of having undergone military training in Ghana, Algeria, Egypt, Tanzania and Zambia between September, 1964, and April, 1968.

The State alleges that Mr. Pule gave military training to one or more people with intent to endanger the maintenance of law and order in South Africa.

Mr. Pule and Mr. Gxekwa face a further charge of having given military training to one or more people at Ingwavuma, Zululand, between July, 1975, and May last year.

The State alleges that:

- The men underwent training in the use of various

Russian-made weapons and hand-to-hand combat;

- They underwent advanced training in guerrilla warfare, including the use of explosives, booby traps and minefields and on having secretly infiltrated South Africa;

- Mr. Pule and Mr. Gxekwa lectured trainees at Ingwavuma on subversive propaganda aimed at fighting White South Africans, the South African Police, and at overthrowing the Mngomezulu tribal authority.

The Judge granted a postponement to allow defence counsel to prepare argument on whether the Court has the jurisdiction to try the men.

Mr. R. Allaway, SC (for the defence), said he intended to dispute the Court's jurisdiction if the men were arrested outside South Africa.

The case was adjourned until tomorrow.

Mr. Peter Rowan and Mr. Anton Ackerman appear for the State. Mr. Christopher Nicholson (instructed by Shan Chetty and Co.) appear with Mr. Allaway.

Natal Mercury 18/10/77
political trials

325

Jail for Johnny Waite's wife

Mercury Correspondent

JOHANNESBURG — Mrs. Barbara Waite, the wife of South Africa's most capped cricketer, Mr. Johnny Waite, was yesterday sentenced to a year's jail by a Bloemfontein magistrate for refusing to answer questions put to her on an alleged visit to Mrs. Winnie Mandela.

Mrs. Waite, of Johannesburg, failed to answer questions put to her by the public prosecutor during an examination under the Criminal Procedures Act.

Mrs. Waite is the wife of the chairman of the Wanderers Cricket Club and Springbok selector, Johnny Waite.

Notice of an appeal was immediately given and bail was fixed at R50.

The hearing arose from an alleged visit by Mrs. Waite and Mrs. Helen Joseph to the wife of the banned ANC leader, Nelson Mandela, Mrs. Winnie Mandela, at her Brandfort home on September 27.

Last week Mrs. Helen Joseph (72) of Johannesburg, was sentenced to four months in jail by a Bloemfontein magistrate when she also refused to answer questions put to her.

Terrorist allegation

Matal Mercury 18/10/77

325

Point
trial

Mercury Reporter

PIETERMARITZBURG — One of the accused in the terrorism trial here claimed that he had been influenced to recruit others and take steps to undergo military training by Truman Magubane, who was recently sentenced to 15 years' imprisonment for participating in terrorist activities.

This was stated in evidence by Mr. Isaac Zimu's previous pro deo counsel, Mr. W. O. H. Menge, at the Supreme Court here yesterday.

Mr. Zimu and three others have been found guilty by Mr. Justice Kriek for various offences under the Terrorism Act.

An application following their request for alternative counsel and reversal of their pleas of guilty is presently being heard.

Mr. Menge yesterday gave details of discussions he had had with the four accused. There was nothing that was purely confidential.

Training

Mr. Zimu said he had made all the necessary arrangements to go for military training but as funds had run out he realised he wouldn't be able to go further than Durban.

As there were other recruits concerned he didn't want to let them down and feared for himself if he didn't accompany them at least some of the way.

According to Truman Magubane's wife, Mavis, one of the other accused, a 17-year-old youth, had left for Swaziland to secure funds from a contact named Manzi.

He returned some days later claiming that the contact denied having any connection with military recruits.

Mrs. Magubane then gave Zimu R35 towards the trip.

Mr. Zimu and six others were subsequently arrested on a train in Durban on September 11.

Mr. Veli Mthembu (22) also claimed having had contact with Truman Magubane and approaching others to undergo training abroad.

He claimed that on reaching Durban the recruits would probably realise that there was no use in continuing the journey, due to the lack of funds, and return to Pietermaritzburg.

The 17-year-old youth said he had gone to Swaziland "to make a man of himself." He had left his companions at Golela, on the Swaziland border, but had failed to secure funds from the Swaziland contacts and had returned to his home.

The fourth accused in the trial, Mr. Walter Mtshali, is presently undergoing mental observation and his trial is to be heard separately.

Arrest

Mr. Menge denied that Mr. Zimu had said that he was going to Umlazi to obtain the services of herbalist when he was arrested on the train or that Mr. Mthembu had claimed he was to have visited his grandmother at Kwa Mashu and that the youth was seeking vocational training at Golela.

It was not true, said Mr. Menge, that he had told the accused that the Judge would get "fed up" if they denied the charges against them and wasted the court's time.

He did not suggest that it would be better for them to admit the charges.

Neither had he said that merely being in a train in which people who were alleged to have been going for military training was an offence or that the accused should all have one view and agree to a common story.

The trial continues today.

PLEA CHANGE REQUEST

Mercury Reporter

N.M. 20/10/77

325 Pol. Trials

Four given 'wrong' translation

PIETERMARITZBURG
AN inspector of interpreters told the Supreme Court here yesterday that a Court interpreter had incorrectly translated certain words in the charge sheet to four accused charged under the Terrorism Act.

But interpreter Mr. L. Rencken added that the interpreter's translation gave an adequate meaning of the charges.

He was giving evidence before Mr. Justice Kriek at the trial of Isaac Zimu and three others who have been found guilty of participating in terrorist activities.

Before sentence was passed the accused requested alternative legal representation and a reversal of their pleas of guilty.

An application following

their request for a change in pleas is being heard and the defence have to satisfy the Court that their original pleas were unintentional.

Mr. Rencken said he credited the accused of having sufficient intelligence to understand the interpreter's translation.

A person of less intelligence might not have fully understood the full meaning of the translation. However, he anticipated that the accused would have noticed the flaws and made mental corrections of them.

Mr. J. Poswa, defence counsel for two of the accused, called Mr. Douglas Mzolo — a lecturer in Zulu at the University of Natal — to give evidence.

Mr. Mzolo said it wouldn't have been possible for him to have arrived at the conclusion intended by the charge sheet unless he had a knowledge of English.

The trial was adjourned for legal argument until October 26.

Ban has sabotaged sports contact — Hain

LONDON — Mr Peter Hain, chairman of the Stop All Racist Tours committee, said yesterday the banning of Mr Donald Woods has effectively sabotaged any prospect of South Africa regaining international sporting status.

Mr Hain said Mr Woods had long played a behind-the-scenes role in bringing together both sides of the apartheid sports lobbies. "Both on his international trips and at home Donald Woods, who was a member of the South African Cricket Board of Control, played an active part in promoting moves towards non-racial cricket."

"World opinion will now see that claims of dramatic changes in the sports system are indeed hollow when one of the chief advocates of change is treated like this."

Mr Hain said that the waves of repression which hit South Africa on Wednesday had effectively signed the death warrants of the white population.

The Dutch Foreign Minister, Mr Max van der Stoep, in a tough state-

ment in which he reacted to the banning and detentions, said the time had come to decide on economic sanctions against South Africa.

"Any hope of purposeful dialogue has vanished completely. More than ever it is necessary now to think about more forceful measures against South Africa. The moment is here to decide on economic sanctions."

Reaction to the Security Police action in South Africa is still pouring in from all parts of Europe. Many commentators agree that further dialogue with Mr Vorster's Government is useless and that the black struggle in South Africa will now go underground.

The Times said the action taken by the South African Government

against a wide group of its black critics together with their white sympathisers and inter-racial organisations seems to end the last possibilities of peaceful change or racial readjustment.

The Times added: "It would seem Mr Vorster is indifferent to world opinion. Detente is over."

The Financial Times described Mr Kruger's statement justifying the raids as having "frightening implications for the future of South Africa."

The Yorkshire Post said Mr Vorster's defiance "is quite breathtaking. He seems to be putting into effect the challenge he flung at the world in a recent speech — 'do your damndest.' This time it looks like the lights are going out in South Africa."

The conservative Daily Mail asked whether Mr Kruger and his colleagues

realised "in a country where whites are outnumbered five to one, a mere policy of repression can bring only disaster."

The Daily Mirror, Britain's biggest-selling newspaper, said: "John Vorster's soft-shoe shuffle has become a jackboot stomp."

"One of the few distinctions between South Africa and a totalitarian State has been its free press," said the Mirror. "Now that is being extinguished too."

The Scotsman said the actions, which it described as momentarily stupid and provocative "were a direct challenge to the United States to contemplate tougher policies towards South Africa, and the State Department was prompt to announce that this process is starting." — DDC.



MR ANDREW YOUNG

Suicide says Young

UNITED NATIONS — The United States Ambassador here, Mr Andrew Young, said yesterday the South African Government was committing social and political suicide.

It might be that Western initiatives on Rhodesia and South West Africa would move forward even faster because Pretoria was being hurt by these problems.

"The events of the past few days are tragic because the South Africans seem to be repressing their moderates. It's ironic because this is what Stalin did and its what the Viet Minh did."

"When you kill off your moderates, when you crush them, you are only forcing the people to move to the extremes to the left and to the right," he said.

"In doing that, I think they are doing the thing that hurts them the most because their only future is to find some way to bridge the polarisation. But they are creating it."

"I think they panicked, they are frightened and they are committing social and political suicide," he said. — SAPA.

Senator slams bans

WASHINGTON — Reacting to Mr Kruger's moves, the chairman of the Senate foreign relations subcommittee on Africa, Sen Dick Clark, said: "South Africa has struck one more blow in the direction of heightening racial tensions and increasing its repressive policy."

"This is the broadest sweep against black associations that has occurred since the

Plea to reverse bannings

BONN — The West German Government yesterday called on South Africa to reverse its decision to ban 18 black organisations and the country's major black newspapers.

The Foreign Minister, Mr Hans-Dietrich Genscher, said the South African measures "intensify the policy of apartheid at a time when the world is convinced that only the immediate dismantling of racial discrimination can prevent a further escalation of violence in Southern Africa."

Mr Genscher called on the South African Govern-

ment to retract the measures "and finally grant elementary rights to the majority of the population."

"The Federal German Government will continue to do everything in its power so that black and white can live together in peace and equality in Southern Africa," Mr Genscher said.

The parliamentary grouping of West Germany's ruling Social Democratic Party (SPD), also attacked the South African measures yesterday, accusing South Africa of "brutal, state violence."

Police in Rhodes raid

PORT ELIZABETH — Several hundred copies of a leaflet condemning the nation-wide spate of bannings and detentions on Wednesday, were seized by Security Police yesterday, Mr Ashley le Grange, president of the Rhodes Students Representative Council, said.

The Chief Magistrate of Grahamstown, Mr F. Garbers, banned a protest

meeting to have been held in the Rhodes general lecture theatre.

Commenting on the banning of the meeting, Dr D. Henderson, Vice-Chancellor of Rhodes, said: "I am amazed that the authorities find it necessary to prohibit an indoor meeting. The events of the last 24 hours just strain one's credulity." — DDC.

The French press was critical of the widespread bannings while mainly concentrating on the closure of The World and the arrest of its editor Percy Qoboza.

Reliable political circles said that French President Giscard d'Estaing would almost certainly issue a statement shortly on France's relations with South Africa, probably on the lines of the United States State Department which said that Washington's relations with Pretoria would be reviewed in the light of the bannings.

Diplomatic sources in Paris said the bannings have embarrassed the West at a time they are attending the conference on human rights in Belgrade, pointing out breaches of such rights in the communist bloc.

"Only two countries have blundered by moving against dissidents while the Belgrade meeting is being held — Czechoslovakia and South Africa," one diplomat said.

"It is strange how similar are statements and claims made by Pres Gustav Husak of Czechoslovakia and South African Police Minister Jimmy Kruger. It would be funny if it were not so tragic." — DDC-SAPA.

WEDNESDAY WOENSDAG

SEPTEMBER							NOVEMBER						
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18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30		27	28	29	30			

OKTOBER 1977 OCTOBER

BLACK WEDNESDAY

NOW THAT the first shock has been absorbed, it is possible to begin assessing the immense harm the Government has done, and to predict the sorry consequences. Wednesday's ferocious actions were not those of a self-assured, confident Government. They were the actions of a jittery and uncertain one, which could find nothing better to do for peace and goodwill in South Africa than to gag some opponents and do untold damage to the country's name.

They were the actions of people who, after nearly 30 years of power and promises, had finally to confess: "We have nothing else to offer... We don't know what else to do."

But it was not simply the abjectness of this admission that made Wednesday's events so significant. It seems to us that, on Wednesday, the Government crossed a threshold into new and sinister territory, and we fear there is no going back.

The onslaught on newspapers such as *The*

Nats abandoning democracy in clampdown on

By the Editor

World, on editors such as Donald Woods and Percy Goboza, on nearly every visible vehicle of Black aspiration was alarming enough in its own right.

☐ ☐ ☐ ☐

We know many who would regard it a privilege to vouch for the integrity and essential moderation of some of the people involved. On the Government side, no more than a perfunctory case for action has been made out, no satisfactory reasons produced, no public uneasiness stilled.

A docile electorate is expected merely to accept, while the non-electorate is not expected to have any views at all. See? They are wordless, therefore they are not dissatisfied.

But the worst thing about these actions is what they portend. This week's crackdown means, simply, that the Government has leapt an ultimate barrier. It has slipped the leash of the Western democratic world.

When a country shuts down lawful and long-established newspapers

sinister freedom



and silences the respected, lawful voices that have been heard in them and through them, then it serves notice in unmistakable terms that it is abandoning the ideals upon which it was founded.

The ideals of every country in the world that it once purported to emulate.

Put another way, a Government which has frequently stated its conviction that the worst sin a patriotic South African can commit is to damage his country's name abroad, has decided — coolly — to do the job itself.

The result of this is not merely unprecedented world hostility, bad as

that is. Indeed, the Government seems positively to revel in the prospect of war, siege, sanction and threat.

No, the result of this is that South Africans — you, us, everyone — are likely to be significantly less free from now on.

☐ ☐ ☐ ☐

Once there was protection for opponents of the Government because concern for world opinion — the need to keep some friends somewhere — tempered Government actions.

Now the damage done by this week's events is

so massive, so difficult to remedy, that it will not be worth the Government's while to try. It has done its worst, the harm is irreversible. There is nothing, therefore, to stop it from doing what it has always wanted to do anyway.

And that is reduce dissent from a cry to a tolerably subdued whimper. By whatever method comes to hand.

A second message from this week's actions is that the concept of free speech — and the freedom of the Press is only an extension of that principle — is now abandoned. When the Govern-

ment bans and gags and imprisons and silences voices that speak through legitimate media, then free speech is no longer a precept but a parody.

The Minister of Justice says he has no intention of inhibiting Press freedom. We have no intention of inhibiting it either.

But as for the Government attitude, we prefer to believe the Minister of Information instead.

☐ ☐ ☐ ☐

The Minister of Information said this week that the banning of *The* World newspaper could be construed as a warning to others not to abuse the right of criticism.

Not to abuse the right of criticism... the phrase has the ring of a backdoor state.

There is one more message to be drawn from the Government's actions

this week.

It is that this Government — which has done nothing of note to ease tensions in the townships since rioting began more than a year ago — is totally unwilling to talk to the urban Black leaders thrown up by the townships themselves.

Worse, it is contemptuous of the people who have come to the fore through the subtle shifts and pressures of township mood. It is going to persist with its own, unilaterally chosen solution of community court-clelections.

It must know that it is making an offer to bringing racial harmony and peace to all of South Africa. And the second was that the world, too, would come to recognise this and South Africa would once again be an honoured member of the international community.

The broken Sharpeville

SUN EXPRESS 23/10/77

By Jennifer Hyman

The Black movements today, according to some experts, also have a "broader support base" than those of the fifties, making it "inconceivable" that their activities will cease, except perhaps in the very short term.

The Minister of Justice, Mr Jimmy Kruger, made it clear this week that he was confident his actions would succeed in putting the lid on so-called "barrage" and other So-called urban areas.

Like the late fifties, the last year has seen the development of a widespread mass movement of opposition to the structures and institutions of apartheid.

The last 22 months have seen rioting, student-police confrontation, mass detentions, boycotts of Government approved institutions, and a general rumbling of unrest through the country.

In the late fifties, the ANC

and its breakaway counterpart, the PAC, were largely responsible for similar mass protests.

Riots, defiance campaigns, pass burnings and marches were the order of the day. Mass demonstrations culminated in the shooting at Sharpeville in March 1960 and two weeks later the ANC and PAC were banned. Simultaneously, large-scale arrests ensured that its leadership was effectively silenced.

Mass action definitely ceased after 1960, says Philip Bonner, lecturer in history at Witwatersrand University.

Political activists went underground, and emerged later as the committed revolutionaries of Poqo and Umkhonto we Sizwe.

"The Poqo riots of the early sixties and the conspiracies which gave rise to

major trials, particularly the Rivonia trial, followed the banning of the ANC and PAC," said one political scientist.

He believes the Government is well aware of this precedent but thinks that they would prefer to deal with underground conspiracies than with mass action.

"Firstly, the Security Police are pretty experienced at infiltrating and exposing underground plots.

"Secondly, clandestine conspirators can usually be brought to court and their cells smashed. Where do you start to handle an open, mass movement?"

Whatever the options considered by the Government prior to Wednesday's clampdown, political scientists agreed that some Blacks would inevitably turn to clandestine activity.



● Mr Kambule . . . children and grandmothers support the same cause.

Moderates would become militants, they predicted. Professor T R H Davenport, professor of history at Rhodes University, said that with the experience of the sixties in mind, he could not understand the Government's action.

My survival recipe for editors

FOR those Editors who are jumpy after this week's banning of The World, I will now offer a very brief do-it-yourself course on how to stay in business.

It takes the form of a report that appeared this week in Beeld, the Johannesburg sister of that much-esteemed verligte Cape newspaper, Die Burger.

This report is a fabulous example of the kind of courageous, balanced, objective exercise of Press freedom, without licence but with responsibility, that is guaranteed never to put you foul of the Government.

The report was headlined — somewhat cryptically — "Few English Sharp Over Ban".

It dealt with the banning of The World, and this is how it started off:

"Yesterday's banning of the Black daily, The World,

MY EYE

ALEXANDER DE KOK

has with one exception not drawn sharp criticism or condemnation from English-speakers. Beeld approached a few English-speakers."

Then came the line-up:

● Mr John Erasmus, Nat Party candidate in Bryanston, said we have a strong Government which will do what is necessary in the public interest.

● Mr Lawry Poorter, Nat candidate in Sandton: "The banning of The World is a practical attempt to separate those who have the

country's interests at heart and the small minority group which creates disturbance and just wants to harm our country."

● Mrs Adele van der Spuy, standing as an independent candidate in Von Brandis with Nat backing: "Something must definitely be done if the State's safety is endangered, but was the correct system used this time?"

She fancies closed trials, something between straight detention and a court case, so that people can be told precisely why they have been locked up — and be sentenced at the same time if necessary.

● The Rev Timothy Bavin, Bishop of Johannesburg: "The ban on The World is scandalous and a disaster."

If you're still wondering who is the odd man out, the single exception among

English-speakers that Beeld could find . . . why, it's the one who is not a Nat Party candidate in the coming elections.

Little wonder that after all that Beeld can make this remarkable statement in its leading article on the same day:

"The World is one of the newspapers which in our opinion invited confrontation. There can be freedom of speech by media across the colour line if it is accepted that the Government is not against change but that the processes must be controlled else you have anarchy . . ."

Yes. And if you happen to have the impression that the Government does not want change . . .

You can have any colour as long as it's black.

SUN EXPRESS

23/10/77

THIS week the Prime Minister, Mr Vorster, drew an analogy between Wednesday's crackdown on Black political organisations and the suppression of Black movements in the early sixties which, he says, restored peace and order.

There are strong parallels between the Government's latest action in banning 18 organisations and detaining leaders and the crushing of the African National Congress and Pan Africanist Congress.

But there are many factors prevailing in 1977 which make the climate different from that of 1960, and the parallel flounders eventually when it comes to considering the possible effects of Wednesday's wholesale arrests and bannings.

Political scientists and

historians suggest that if the Cabinet hoped to achieve the same lull in outward political activity among Blacks as was evident in the 1960s, it may succeed — but questioned the long-term advantage of this week's actions.

And, they suggest, the precedent of the prosperous sixties — with the ANC and the PAC crushed, their leaders in jail, underground or in exile, and foreign capital rushing back into the country after its initial post-Sharpeville flight — may well have presented itself to the Government as a hopeful model.

But they warn that economic conditions both here and abroad are vastly changed, while international attitudes to South Africa have hardened immeasurably.

link from to Soweto

"I know what I would have done. I would want my opposition visible."

Mass unrest, followed by bannings and detentions. Then an outward lull in political activity and finally the emergence of organised underground movements engaging in sabotage and plotting revolution.

That is the pattern of the sixties until 1969 when SASO was formed and political activities returned to the public arena. In 1977, the situation is markedly different.

Firstly, according to the experts, economic recession and worldwide depression would work against the prospect of an upsurge in investor confidence.

"After Sharpeville there was a flight of capital out of the country," says Prof Davenport. "But when things quietened down and it appeared the State was in firm control capital came rushing back.

"The world depression and the bleak economic outlook here offer no relief in that direction today."

He also pointed out that in the post-Sharpeville era, world opinion was not so firmly entrenched against South Africa as it is in 1977.

"We are under tremendous international pressure and are on the defensive over South West Africa and Rhodesia."

Others believed the nature of Black involvement in the now banned organisations was markedly more widespread and committed than it was in the days of the ANC and PAC.

"There is a greater willingness to make personal sacrifices — even of life," said Mr Bonner.

He and Black leaders confirmed that the range of support for Black consciousness movements covered every age group in the urban areas.

"When the Government



● Young demonstrators shake defiant fists at police in Soweto. With their leaders banned will calm return as it did in the sixties?

acted against the ANC and PAC, they lopped off one generation of youngish adults," said Mr Bonner. The movements today are much broader-based and new leadership is always ready to breach the gap."

And Mr Thamsanqua Kambule, former headmaster of Orlando High School and a member of the Teachers' Action Committee, said Soweto schools had been virtually untouched by the ANC and PAC.

"Only one school was in any way involved," he said. "Today the commitment to radical change runs right through the schools, the universities, the professions and the ordinary people."

"We have militant 10-year-olds and militant grandmothers supporting the same cause."

Far from being able to crush Black activism by bannings and detentions, Mr Kambule and others believe it will merely change the form organisation takes.

Several Blacks said that as long as there were leaders who had followers, groups would organise. Titles and constitutions were not important, they added.

"But ultimately," according to a political scientist, "it may well turn out that the Government's action amounts to an invitation to convert from mass action to conspiracy."

And he believed that those who saw no option but to conspire secretly against the State would constitute a far more committed, better organised and more revolutionary body than the plotters of the sixties.

"Their experiences will have hardened them; they can only be disillusioned by peaceful options and embittered by being driven underground."

Report by Jennifer Hyman, of 171 Main Street, Johannesburg.

Political comment in this issue by Rex Gibson and J C Viviers, headlines and sub-editing by Adrian Monteath, all of 171 Main Street, Johannesburg.

Seven priests charged after procession

Seven priests in their ministerial garb and holding Bibles appeared briefly in the Johannesburg Regional Court yesterday on charges under the Riotous Assemblies Act.

They were arrested at lunchtime yesterday when

they carried posters through central Johannesburg on their way to John Vorster Square, the Deputy Commissioner of Police in charge of riot control, Major General Dawid Kriel, said.

They were charged with holding an illegal procession.

The seven, who appeared before Mr K K Smith, are the Rev Tebogo Moselane (31), Rev Keikanetswa Monyai (36), Rev Lebamang Sebidi (37), Rev Geoffrey Dlamini (32), Rev Buti Thlagale (32), Rev J Lekgotlo (34), and Rev Enoch Shomang (38).

No evidence was led and the case was postponed to November 2.

The priests were given bail of R20 each.

They were represented by Mr J N Culladine, instructed by Mr Shun Chetty. Mr D Myburg appeared for the State.

2. From the three columns (A, B and C) of courses listed on pages 6 to 7 you must have at least ONE course, preferably two, from column C and other courses from column B to make a total of at least FOUR courses selected from columns B and C. (In other words, one or two majors, and a minimum total of four senior courses.)

PLEASE NOTE that courses in columns B and C must be preceded by all courses leading up to them. For example, Psychology III (in column C) must be preceded by Psychology II (column B) AND Psychology I (column A). Similarly, Social Anthropology II (column C) must be preceded by Social Anthropology I (column A).

3. At least FOUR of the courses in your curriculum must be courses which are UNDERLINED. (These are Faculty of Arts courses.)
4. There are some special notes (see page 8) following the columns of subjects. Read them carefully if they refer to any courses you have chosen.
5. AUXILIARIES - courses which go well with certain other courses. A list of recommended auxiliaries is to be found on page 9.
6. Not more than FOUR courses in the following subjects can be taken in the curriculum:

Applied Maths
Botany
Chemistry
Geology
Maths. Statistics

Physics
Physiology
Zoology

7. Having selected nine (or more) courses and having checked the requirements mentioned above, now divide the courses into three separate years. The courses do not have to be spread evenly over three years, and you are strongly advised to take FOUR courses in the first year. You will have to complete a first course before going on to a second course, so don't, for example, put English I and English II down for the same year. READ AGAIN the note under DEFINITIONS concerning FIRST COURSES. Check that you have NINE (or more) courses.
8. TIME-TABLE. In the columns of courses you will see figures in brackets. These represent the time-table periods. For example, (4) = fourth period.

NOW CHECK YOUR CURRICULUM YEAR BY YEAR TO ENSURE THAT YOU HAVE NO TIME-TABLE CLASHES. (See MODEL CURRICULUM on page 4)

For example, French I and Botany I are both in period (1). If they are both to be included in a curriculum, they will have to be taken in different years.

9. MAXIMUM NUMBER OF COURSES:

- (i) You may not take more than FOUR courses in any one year.
- (ii) You may not take more than TWO COURSES concurrently with a Major (column C).

93 convicted of meeting illegally

Staff Reporter

NINETY-THREE people were found guilty in the Soweto Regional Court yesterday of attending an illegal meeting in Lenasia last Friday and 26 received suspended jail sentences with the option of a fine.

Twenty-five of them, over the age of 18, were each sentenced to 25 days' jail or a R25 fine, suspended for five years.

The others, all below the age of 18, had their sentences postponed for five years.

In a separate hearing in the same court a student leader was given a heavier sentence, also with the option of a fine.

Harum Patel, 18, was

sentenced to 100 days' jail or a R100 fine for addressing an illegal meeting. The sentence was suspended for five years.

The accused were:

Rashid Blayat, Fazel Surtees, Mohammed Cajee, Moosa Patel, Hanoo Chipa, Bashier Hoosai, Mahomed Saloojee, Feizel Mamdoo, Siva Naidoo, Nazin Valley, Zaid Haffeejee, Philip Moror, Murtar Khan, Hassen Lorgat, Enayathulla Miya, Fraddep Gopal, Arvind Garbaniarain, Sharimala Naidoo, Michael Govender, Harum Mohammed, Ronald Williams, Veliatham Moonsamy, Harum Patel, Vigen Chetty, Rathie Mothilal.

The remainder are below age and may not be named.

Journalists charged

Staff Reporter

TWO Johannesburg journalists and a school teacher, appeared in the Soweto Regional Court yesterday charged with attending an illegal gathering.

Mr Mohammad Boeti Eshack, a reporter on the Sunday Times, and Mr

Yussuf Nazeer of The Star, were charged with Mr Yussuf Cajee, a Lenasia school teacher.

Their appearance was a sequel to a meeting held last Friday in Lenasia. No evidence was led and the men were remanded to December 7. They are on bail of R25.

RDM 25/10/77



Police yesterday confronted seven priests who had staged a protest march in West Street, against last week's de-
bannings. The priests were arrested and taken away in a police van. his dro

(325) Pol. Affairs

Seven priests charged

Staff Reporter

SEVEN priests were arrested near the Johannesburg Magistrate's Court yesterday on their way from Westgate Station to John Vorster Square carrying banners.

They appeared in the Johannesburg Regional Court immediately after on a charge under the Riotous Assembly Act. Charged were: Mr Tebogo Moselane, 31, Mr Elias Monyani, 36, Mr Sebidi Lebamang, 37, Mr Jerry Dlamini, 32, Mr Buti Thlagae, 32, Mr Justice Lekgotlo, 33 and Mr Enoch Shamang, 38.

The priests were not asked to plead, no evidence was led and the hearing was postponed to November 2. Bail of R20 each was granted by the magistrate, Mr K K Smith.

Te
tol

RSM 25/10/77 (325)
Terror trial
told of 'baby'

STAFF REPORTER

AFTER planting explosives on a railway truck at Langlaagte Station, a man sent a telegram to the banned African National Congress in Botswana, saying: "The baby was well but not sure of its health as yet," it was alleged in the Johannesburg Magistrate's Court yesterday.

The allegations formed part of the indictment when Mr Canzi Liza, 27, of Soweto, appeared before Mr E Brandt on charges under the Terrorism and Sabotage Acts.

The State alleged that between June 1 and June 16 this year Mr Liza committed acts in Johannesburg, Kagiso and Langlaagte with the intention of disrupt-

ing law and order in South Africa. It was also alleged that he possessed explosives, firearms and ammunition with the intention of using them to disrupt law and order.

The explosives consisted of 200 g TNT blocks in a box in which wigs were sold.

He also possessed a Makarov 9 mm automatic pistol and two Makarov magazines with bullets, it was said.

Mr Joseph Thabiso Koetle and Mr Sidumo Nobanda, who were not before court, were his accomplices, it was alleged.

Mr Liza and Mr Nobanda conveyed explosives to Mr Koetle's house where Mr Liza explained to Mr Koetle how to use them. Mr Koetle was asked to point out a target in Krugersdorp and the explosives were buried in Mr Koetle's yard for later use, it was said.

Later Mr Liza and Mr Nobanda went to Langlaagte station at night and attached the explosives to a railway truck containing fuel. They sent the telegram to ANC officials in Botswana from the Rissik Street Post Office to inform them of what had happened at the station, it was alleged.

The hearing was postponed to October 28 after Mr E du Toit, for the State, told the court that Mr Liza was no longer being detained under Section 6 of the Terrorism Act and could therefore speak to his family and legal advisers.

RDM 25/10/77
Klipspruit
(325)
explosion
trial is
postponed

Staff Reporter

THE KLIPSPRUIT bomb-blast trial in a special court in Springs was yesterday postponed for a fortnight after the defence closed its case.

Mr Mahwidi Phala, 50, Mr Afhedi Thabo, 37, Mr Solomon Musi, 25, Mr Letsie Masinini, 25, Mr Bafana Nkosi, 21, and Mr Philip Khoza, 53, all of Soweto, have pleaded not guilty to three charges under the Terrorism Act.

The last witness for the defence, Mrs Martha Phala, told the court that on the evening of January 7 her husband had been at home when explosions took place at a house in Klipspruit where bombs were said to have been made.

She said she was a domestic servant who went to her Soweto home every fortnight. Her husband, one of those on trial, visited her each Wednesday and spent the night with her.

Earlier evidence was that a bomb was placed on the railway line between Johannesburg and Vereeniging. A railway worker found it and threw it away, causing an explosion which injured his legs.

The court was told bomb-making demonstrations were given at various places in Soweto up to the day explosions took place at the house of Mr Khoza.

Mr Khoza testified that all he knew was that members of a boxing club were making use of an empty room in his house.

Hot words as Mandela trial resumes

BLOEMFONTEIN. — Mrs Winnie Mandela appeared in the Bloemfontein Regional Court yesterday at the resumed hearing in which she has pleaded not guilty to seven charges of breaking the banning and house arrest order which confines her to the Brandfort district.

Four of the counts charge her with having received visitors and three with attending gatherings. The alleged offences are said to have been committed between May 21 and July 28 this year.

Mrs Mandela was accompanied by her daughter, Zinzi, who lives with her in the house in the Brandfort African village which is now her home.

Four women have already been sentenced to jail terms for refusing to testify in the trial. All have appealed. They are Mrs Ilona Kleinschmidt, 12 months, Miss Jackie Bosman, 12 months, Mrs Helen Joseph, 4 months, and Mrs Barbara Waite, 12 months.

There was a sharp exchange during cross-exam-

ination yesterday of Sgt G Prinsloo, of the Security Police, by Mr G Bizos, defending.

Sgt Prinsloo, first denied and then confirmed that at the previous hearing he had said he had told Mrs Mandela she would have no problems in seeing "her people" if she cooperated by telling him who her relatives and visitors were.

He said he had at first denied having used the words because they had been used in a different context.

He said it was not true that he had interfered with visitors for Zinzi Mandela, had taken them to the police station or told them to leave the house. In his opinion they were visiting Mrs Mandela.

However, he confirmed that in the Free State Supreme Court Mr Justice H F de Wet had issued an order against him, finding that his interference with Zinzi's visitors was unlawful. He had not apologised to Zinzi because he had not yet had an opportu-

ity.

After another exchange on what Sgt Prinsloo had said at the previous hearing, the magistrate, Mr C P J Steytler, objected to Mr Bizos having repeatedly said the sergeant had no respect for the truth.

Mr Steytler said Mr Bizos should be sure there was only one interpretation before making such a drastic statement.

Mr Bizos suggested to Sgt Prinsloo that since May 22 he had done everything possible to harass Mrs Mandela. Sgt Prinsloo said he was only doing his duty as he saw it.

Mr Jacob Toale, a Post Office messenger at Brandfort, told of a visit to the house of Mrs Albertina Dyas, where he had found Mrs Mandela with Mr S Dyas.

When Sergeant Prinsloo had asked him if he was still interested in his job and had told him he was not allowed to communicate with Mrs Mandela, he understood this to mean he would lose his job if he got in touch with her.

Mr Toale said he had regularly read The World newspaper for the soccer and jackpot but had not been interested in the other news.

On June 9 this year he heard Soweto children had "broken" a bus. When he asked Mrs Dyas for the newspaper he wanted to see a picture of it. He had heard of the trouble in Soweto before then.

He knew a photograph had been taken of Mrs Mandela coming out of the post office — he had been asked to pose with his bicycle for it. He wanted to see it in the newspaper. Mrs Mandela had told him on June 9 it would appear in the Sunday Times.

Mrs Joyce Mokalake, of Brandfort location, said that on June 11 her husband, Moses, came home with Mrs Mandela and Zinzi. It was the first time she had met Mrs Mandela.

Mrs Mandela looked at a wall her husband had painted. Then she asked him why he did not send his wife to school. She had left school in Form 1.

The hearing was adjourned to today.

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ROUT. TRIALS

A BRIEF REMAND

Court Reporter

MR. FANA GEORGE SITHOLE (35) was remanded until January 17 when he appeared before Mr. H. S. van der Walt in the Durban Regional Court yesterday in connection with allegations of contravening the Suppression of Communism Act.

The remand was granted

NATAL MERCURY 26/10/77

after Mr. E. S. Mchunu, for Mr. Sithole, told the Court his client wanted to brief counsel for his defence.

The two charges involved failing to comply with the terms of his banning order.

Mr. Sithole was released on warning.

Mr. J. W. Swanepoel appeared for the State.

Mandela in court again

Natal Mercury 26/10/77 (325) fol. trials

BLOEMFONTEIN — Mrs. Winnie Mandela appeared in the Regional Court here yesterday at the resumed hearing in which she has pleaded not guilty to seven charges of breaking the banning and house arrest order which confine her to the Brandfort District.

Four of the counts charge her with having received visitors and three of them charge her with attending gatherings. The offences are alleged to have been committed between May 21 and July 28 this year.

When the trial was due to start at 9 a.m. consultations were in progress between Mr. G. Bizos, who appears for Mrs. Mandela, and the prosecution. It was then agreed that the start of the trial would be delayed for two hours to enable Mr.

Bizos to consult with Mrs. Mandela.

Mrs. Mandela was accompanied by her daughter, Zinzi, who lives with her in the modest house in the Brandfort African village which is now her home. Apart from officials concerned with the case and two journalists there were no spectators in court.

Four women have already been sentenced to terms of imprisonment for refusing to testify in the trial. All have

appealed against their sentences. The women are Mrs. Illona Kleinschmidt (12 months), Miss Jackie Bosman (12 months), Mrs. Helen Joseph (four months) and Mrs. Barbara Waite (12 months).

When the trial resumed shortly before 11.30 the crowd had swelled to about 20, mostly Blacks.

Sergeant G. Prinsloo of the Security Police was under cross-examination by Mr. Bizos.

There was a sharp exchange between Mr. Bizos and Sgt. Prinsloo when the policeman first denied and then confirmed that at the previous hearing he had said he had told Mrs. Mandela that if she co-operated by telling him who her relatives and visitors were she would have no problems in seeing "her people."

He said his denial of having used the words was that they had been used in a different context.

Sgt. Prinsloo denied that he had interfered with visitors for Zinzi Mandela, had taken them to the police station, or told them to leave the premises. In his opinion these visitors were visitors for Mrs. Mandela.

He confirmed however that in the Free State Supreme Court Mr. Justice H. P. de Wet had issued an order against him with costs, finding that his interference with Zinzi's visitors was unlawful. He had not apologised to Zinzi because he had not yet had an opportunity.

Following another exchange between Mr. Bizos and Sgt. Prinsloo on what he had said at the previous hearing the Magistrate, Mr. C. P. J. Steytler, objected to Mr. Bizos having repeatedly said that the witness had no respect for the truth.

Mr. Steytler said that Mr. Bizos should be assured there was only one interpretation before making such drastic statements to the witness.

Mr. Bizos put it to Sgt. Prinsloo that since May 22 he had left no stone unturned in harassing Mrs. Mandela. Sgt. Prinsloo said he was only doing his duty as he saw it.

The hearing was adjourned until today. — (Sapa)

NM 27/10/77

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Political Trials

Mercury Reporter

PIETERMARITZBURG

Legal argument, following the application by four accused to reverse their pleas of guilty in the terrorism trial here, was heard yesterday and judgment will be given next week.

Isaac Zimu (28), Veli Mthembu (22), a 17-year-old youth and Walter Mtshali (29) have been found guilty of participating in terrorist activities between June and September, 1976.

Before sentence was passed they requested alternative legal representation and lodged an application to have their pleas of guilty changed.

Mr. Justice Kriek has been hearing evidence in the Supreme Court aimed at satisfying him that the pleas of guilty were unintentional.

Addressing the Court during legal argument yesterday, defence counsel Mr. Harry Pitman said that there was no doubt that the applicants' originally intended plea of not guilty was changed as a result of consultation with their pro deo counsel, Mr. W. O. H. Menge.

Indictment

There was sufficient evidence, he said, that the applicants didn't understand the indictment properly and what they were in fact admitting didn't substantiate a plea of guilty.

The State had not only to prove that the accused incited others and took steps to undergo military training abroad which could be of use to any person intending to endanger the maintenance of law and order in the republic, but that they had intended to return to engage in fighting.

JUDGMENT IN TERROR TRIAL SOON

Mr. Menge had never canvassed this point with the accused and merely drew his own conclusions, he said.

With the exclusion of this intention from the indictment it would contain nothing which rendered a criminal offence, he said.

It was not sufficient for the State to say that because the whole charge sheet and indictment had been read to the accused that they must have understood it. Even judges sometimes experienced difficulty in the understanding of terrorism, he said.

Mr. Pitman stated that Mr. Menge's notes read that the accused did give up all intention of leaving the Republic.

Golela

However, Mr. Mike Hodgen, for the State, pointed out that the youth had actually proceeded to Golela, on the Swaziland border, and returned only when negotiations with a contact man there didn't materialise.

Mr. Hodgen claimed that the accused were fully aware of the allegations contained in the indictment and sum-

mary of facts. Their pleas of guilty were deliberately made and in open court.

They were fully aware that their former counsel, Mr. Menge, had made admissions on their behalf and they were satisfied with them until they had a sudden change of heart some days later.

There was no room for any misunderstanding between them and Mr. Menge, nor had any external factor influenced them to plead guilty.

Guilty

They were guilty on the basis of their instructions and their admissions which were made on their behalf and on their instructions, said Mr. Hodgen.

It was patently obvious, he said, that the application was a desperate and frantic attempt by the accused who were grabbing at every possible straw to undo their pleas and admissions made in calm deliberation.

A separation of trials was granted earlier for Mr. Mtshali, who was ordered to undergo further mental observation. His trial will continue on November 14 and Mr. Justice Kriek will give his judgment concerning the application on November 2.

DD 28/10/77

Winnie Mandela case ⁽³²⁵⁾ delay

BLOEMFONTEIN — The trial of Mrs Winnie Mandela on charges of contravening her banning and house arrest orders was adjourned in the Regional Court here yesterday.

Mrs Mandela was originally charged on seven counts under the Internal Security Act — four of having visitors and three of attending gatherings.

At the close of the State case, Mr G. Bizos successfully applied for her discharge on two counts involving visitors of her daughter, Zinzi.

Mr C. P. J. Steytler refused an application for her discharge on the three counts of attending gatherings.

Under cross-examination Mrs Mandela told the court of an occasion on July 7 when her Brandfort attorney had made an application to the magistrate for permission for Oupa, her daughter, Zini's boyfriend, and Mrs Mandela's sister, to visit them.

Permission had been refused but after further representations permission had been granted. Mrs Mandela said she had sought the permission as she wished to communicate with her sister.

On June 9, she had gone to the house of Mrs Albertina Dyas to ask her where coal could be bought.

Mr Jacob Toale had come to the house and shown Mrs Dyas a chicken he had bought cheaply. Mrs Mandela and he had discussed when a photograph taken outside the Brandfort post office would appear.

After she had been questioned by Sgt G. Prinsloo, Mrs Dyas had said she was "petrified" and wanted to know what she had done wrong. Later Mrs Dyas had asked Mrs Mandela not to come to the house again.

In reply to a question from Mr Botha, Mrs Mandela said that she did whatever she did within the limited rights she had — "If I have any left."

Mandela had given evidence that she had not come to Brandfort to defy authority, yet she had come to court on August 1, Wednesday and yesterday dressed in the colours of the banned African National Congress. Mrs Mandela replied: "Of the limited rights I have, I think I still have the choice of a wardrobe."

Mrs Mandela wore a black skirt, topped by a green blouse with black trimmings. On Wednesday she wore a black, gold and green headscarf, and yesterday a black turban.

At the conclusion of Mrs Mandela's evidence, Mr Bizos applied for an adjournment as a witness he wished to call was ill and was expected to be ill for sometime.

The case was adjourned to January 17, 1978. — SAPA.

'Breytenbach's helper' held as KGB spy suspect

CT 28 10-77

PARIS. — French police yesterday placed under surveillance a suspected Soviet KGB spy, Henri Curtel, who admitted supplying the French passport to Breyten Breytenbach for a clandestine visit to South Africa.

Curtel is thought to be a senior KGB operative based in Paris with links to international terrorist gangs. He is thought to be the direct boss of the wanted terrorist, Carlos, the "jackal".

Police hunting for the killers of the German industrialist,

Dr Hanns-Martin Schleyer, whose body was found last week in Mulhouse, eastern France, are convinced that the Schleyer kidnapping and the hijacking of the Lufthansa airliner were organized by Carlos.

Police called at Curtel's Paris flat early on Wednesday and told him to pack a suitcase for a stay as guest of the government in a small country hotel.

Curtel, an Egyptian Jew, is stateless and cannot be deported from France. His cousin is the British KGB spy

George Blake who escaped from prison while serving a 42-year jail term for treason.

Curtel founded the "solidarity" organization, ostensibly aimed to help Third World countries. Many of its members were priests, both Roman Catholic and Protestants, and several were in contacts with Breytenbach in Paris.

Curtel said shortly after Breytenbach's trial that he had supplied a French passport to him in the name of Christian Galeska. He did not say why he supplied it.

325 - Political Trials

Mrs Mandela

RDM 28/10/77

tells court of

(325) Polit. trials

'limited rights'

BLOEMFONTEIN. — Mrs Winnie Mandela said in the Bloemfontein Regional Court yesterday that she did whatever she did within the limited rights she had — "if I have any left".

She was replying to a question by Mr N Botha, for the State, when her trial on charges of contravening her banning and house arrest orders continued.

Mrs Mandela was originally charged on seven counts under the Internal Security Act — four of having visitors and three of attending gatherings.

At the close of the State's case, Mr G Bizos successfully applied for her discharge on two counts involving her daughter Zinzi's visitors.

The magistrate, Mr C P J Steytler, refused an application for her discharge on the three counts of attending gatherings.

Under cross-examination, Mrs Mandela told the court of an occasion on July 7 when her Brandfort attorney made an application to the magistrate for permission for Zinzi's boyfriend and Mrs Mandela's sister to visit them. Permission was refused but after further representations, permission was granted.

On June 9, she went to Mrs Albertina Dyas' house to ask her where coal "nuts" could be bought.

Mr Jacob Toale went to the house and showed

Mrs Dyas a chicken he had bought cheaply. Mrs Mandela and he discussed when a photograph taken outside the Brandfort post office would appear.

After Mrs Dyas had been questioned by Sgt G Prinsloo, Mrs Dyas said she was "petrified" and wanted to know what she had done wrong. Later Mrs Dyas asked Mrs Mandela not to go to the house again.

On another occasion, she went to the house because Mrs Dyas had asked her assistance with her husband's drinking problem. Mrs Mandela also wanted to discuss the purchase of linoleum from him, as he is a furniture salesman. He had been drinking and she did not remain at the house.

Mr Botha said Mrs Mandela had given evidence that she had not gone to Brandfort to defy authority, yet she had gone to court on August 31, on Wednesday and yesterday dressed in the colours of the banned African National Congress.

Mrs Mandela replied: "Of the limited rights I have, I think I still have the choice of a wardrobe."

Mr Bizos applied for an adjournment as a witness he wished to call was ill and was expected to be ill for some time.

The case was adjourned to January 17, 1978. — Sapa.

RDM 23/10/77

World man for trial

(325) *fort. trials*
Staff Reporter

A SENIOR reporter on the banned black newspaper, The World, Mr. Thami Mazwai, will appear in the Soweto Magistrate's Court today on a charge of obstructing the police.

Mr Mazwai was arrested outside the Regina Munding Church in Soweto while covering a story for The Star on Wednesday.

Another reporter and a driver were arrested with him but they were later released.

ASM 2/11/77

Court told of Swaziland guerilla link

Staff Reporter

SWAZILAND is being used to train black South Africans in guerilla warfare, a Rand Supreme Court judge heard yesterday.

The allegation was made when Mr Lucas Radise gave evidence before Mr Justice Coetzee in the trial of Mr Mbube Mdingi.

Mr Mdingi appeared on a charge under the Terrorism Act of assisting Mr Radise and others to obtain military training which could endanger the maintenance of law and order in the Republic.

Mr Mdingi pleaded not guilty.

He is alleged to have ta-

ken Mr Radise, Mr Hosia Mohammed and Mr Joseph Lebakeng to Swaziland last November for military training.

It was alleged that Mr Mbube showed the men how to cross the border without going through the control point.

According to the indictment Mr Mbube told the men:

- He recruited people for military training outside the Republic;

- The recruits would become members of the ANC or the PAC;

- After their training they would slip back into the Republic as ordinary work-

ers; and

- Their aim should be to return to the Republic to take over the country by force.

Mr Radise, the first witness, was warned as an accomplice.

He told the court he intended to further his studies in the Tswana homelands.

When he told his friends Hosia, Joseph, a Sam and a David about this, they said the only places he could further his studies were Swaziland and Botswana.

Mr Radise said at first he refused to go to Swaziland or Botswana but later he agreed.

In November he and his friends met Mr Mbube at the Naledi railway station.

Mr Radise said he, Mr Lebakeng, David and Mr Mohammed then left with Mr Mbube for Swaziland where Mr Radise believed he could further his studies.

Mr Mbube told them he knew a man who worked at a large construction firm. The man could help destroy airports and the Voortrekkerhoogte military base. The man knew these places as he had worked there, he said.

On their way to Swaziland, they met 20 to 25 students in a truck. Mr Mbube said they were all going to Swaziland for military training.

At the Oshoek border post, Mr Mbube gave them money for their travel expenses in Swaziland.

They entered Swaziland through a fence near the border post. He said in Swaziland, he was sent to a camp by a man called Dan, an ANC member, who met them at a bus stop in Mbabane. However, Mr Radise said he refused to undergo military training and returned alone to the Republic.

Mr G. Bizos, for the defence, suggested in cross-examination that Mr Radise and his friends had reason to leave the country and that he was prepared to be untruthful and to use anyone who was prepared to help him.

The hearing continues today.

RAM 3/11/77
325 for trials

Seven priests fined

Staff Reporter

SEVEN black priests who were charged under the Riotous Assemblies Act, after being arrested on October 25 while carrying banners to John Vorster Square, were yesterday told to "render unto Caesar that which is his."

Appearing before Mr K K Smith in the Johannesburg Regional Court were Tebogo Moselane, 31; Elias Monyai, 36; Lebamang Sebidi, 37; Jerry Dhlamini, 32; Buti Thlagale, 31; Justice Lekgotlo, 44; and Enoch Shomang, 37.

The men pleaded not guilty at first but after the state's only witness, Lieutenant Barend van der Walt, gave evidence they changed their pleas to guilty.

They were each fined R60 (or 30 days) of which R40 (and 20 days) were suspended for five years.

Rail sabotage trial

RDM 3/11/77
(325) P.A. tr.

Staff Reporter

MR CANZI LIZA, 27, who is alleged to have planted explosives on a railway truck at Langlaagte Station, and to have had Russian weapons in his possession, will be tried in the Rand Supreme Court on November 21.

Mr Liza pleaded not guilty before Mr E Brandt in the Johannesburg Magistrate's Court to charges under the Terrorism and

Sabotage Act. No evidence was led.

The State alleged that between June 1 and June 16 this year, Mr Liza acted on the Reef with the aim of disrupting law and good order in South Africa. It was also alleged that he possessed two 200 g blocks of TNT explosives, a Makarov automatic pistol and ammunition, all of Russian origin.

According to the char-

ges sheet, Mr Liza went to Langlaagte Station at night and attached explosives to a railway truck. He then sent a telegram to officials of the ANC in Botswana with the message "The baby was well but not sure of its health as yet."

Mr Liza is in custody. The hearing was postponed to November 21 for summary trial.

RDM 3/11/77

325

fol trial

13 years jail for Terror Act trio

Own Correspondent

MARITZBURG. — Three of the accused in the Maritzburg Terrorism Act trial were yesterday sentenced to 13 years jail each after the judge refused to allow an application for their pleas of guilty to be reversed.

Isaac Zimu, 28, Veli Mthembu 22, a 17-year-old youth and Walter Mtshali, 29, were found guilty of participating in terrorist activities by Mr Justice Kriek and two assessors on August 1.

Before sentence was passed they requested that

their pro deo counsel be replaced by their own legal representatives and that their pleas of guilty be reversed.

Mtshali has subsequently been sent to Fort Napier for mental observation and his trial will continue on November 14.

For the application for the reversal of pleas to have been successful the accused had to satisfy the court that their pleas of guilty were unintentional.

They claimed that they had not understood fully the charges against them due to the interpreter's translation and that they had been influenced to plead guilty by their counsel, Mr W O H Menge.

Zimu and the youth also claimed they had been assaulted by the police.

The judge said he was completely satisfied that on August 1, each accused understood the charges and the summary of facts and that their evidence to the contrary was false and contrived for the purpose of trying to explain why they pleaded guilty.

An application for leave to appeal against conviction and sentence was refused.

ANC trial told of trips to Swaziland

DD

3/11/77

325 - Pol. Trials

EAST LONDON — An Mdantsane man told a Regional Court magistrate here yesterday he was given money to buy a car so that he could act as courier between a man who is charged with various counts concerning the banned African National Congress and another member of the ANC in Swaziland.

Mr Hamilton Busuku was giving evidence in the hearing against Mr Joseph Mati, 44, of Zone Nine, Mdantsane, who appeared before Mr S. van Zyl on three charges of being a member or office-bearer of an unlawful organisation, the ANC; taking part in ANC activities; and allowing his premises to be used for ANC activities.

Mr Mati pleaded not guilty to all the charges.

Mr Busuku said Mr Mati approached him at work and told him to obtain a passport from the Bantu Administration "because there was work to be done as he did not have a passport."

"He offered to give me money to go to Swaziland. He also said he would give me a letter to hand over to Mr Stanley Mabizela, a member of the Swaziland ANC.

"We met in September and in October I got my passport from the BAD. After showing Mr Mati my passport he gave me R120 to go to Swaziland.

"I hitch-hiked to Swaziland because I had no transport. Mr Mati also handed me the letter he had mentioned. On my

arrival in Swaziland I made inquiries where to find Mr Mabizela and was directed to a school," Mr Busuku said.

When he could not find Mr Mabizela at the school he was finally directed to where he lived. After making contact with Mr Mabizela he was told to wait and later in the afternoon was handed R2 000 and a letter to bring back to Mdantsane for Mr Mati.

"After I handed the money over to Mr Mati he gave me R60 for my services. During November Mr Mati sent somebody to call me at my house.

"I told him it was difficult to go to Swaziland as it was far. Mr Mati then promised to give me money to buy a car. He later handed me R1 000 to buy the car which I did. I deposited R900 on the car and arranged to pay the balance in instalments.

"Mr Mati handed me money to pay the instalments. He again sent me to Swaziland and on my arrival there Mr Mabizela gave me R3 000 to bring back to Mr Mati. I returned to the Republic on December 14 last year.

"Mr Mati then handed me R50 to pay for the servicing of the car at the garage," Mr Busuku said.

Mr Busuku said Mr Mati accompanied him to Swaziland on December 23 last year and when they got near the border post he dropped Mr Mati off along the road before they reached the border post at Golela because Mr Mati did not have a passport.

A Mr Mongesi Manong was also in their company at the time and Mr Mati had told him Mr Manong was going there to attend school.

After he had driven across the border of Swaziland he later picked up Mr Mati and Mr Manong on the Swaziland side. They had climbed through the wire fence to get across the border.

Mr Mabizela took Mr Manong away and he never saw him again. He also noticed Mr Mati had two books with the words "ANC" written on them.

Mr Mati had told him the books were congress books which were banned in South Africa. Mr Mati asked him not to tell anybody he belonged to the ANC.

On their return they were stopped by police in a road block and Mr Mati was taken into detention because he did not have a passport.

While they were in Swaziland Mr Mabizela had given Mr Mati R3 000 of which he was given R2 000 by Mr Mati. He met Mr Mati three days later in Mdantsane and Mr Mati had told him the police had released him that same day.

"I asked Mr Mati about the money he got in Swaziland and he said it was funds they were receiving from the Anglo American Corporation.

"I did not ask him what they did with the money," Mr Busuku said.

Mr Busuku described three other occasions he

had gone to Swaziland on the instructions of Mr Mati and where, during those times, he was given a total of R6 000 by Mr Mabizela and he in return received a total of R250 from Mr Mati for his services rendered.

On the last occasion he went to Swaziland Mr Mati and a Mr Vuzumzi Mgwema accompanied him on May 27 this year. He again followed the procedure he followed when Mr Mati had accompanied him by dropping them before they reached the border post.

He was again met by Mr Mati and Mr Mgwema on the otherside of the border. On arrival at the house of Mr Mabizela, Mr Mgwema was also taken away like Mr Manong.

On their way back they stopped along the road and broke open a suitcase Mr Mati had with him. In a false bottom he saw a large number of papers with the words "strike" written on them.

Mr Mati had also given him R1 000 to pay on the instalments of the car. Mr Mati wrapped up the other R1 000 he had and placed them in it in the car.

Shortly after he had picked up Mr Mati on the South African side of the border they were stopped by the police and both of them were arrested after the pamphlets and the money were found in the car.

He also saw a letter being taken away from Mr Mati, Mr Busuku said.

The hearing continues today. — DDR

325

Three get 13 years Arms 3/11/77 325 of Trials for terrorist activities

The Argus Correspondent

MARITZBURG. — Two men and a youth were each sentenced by Mr Justice Kriek in the Supreme Court here yesterday to 13 years' imprisonment after they were found guilty on two counts of engaging in terrorist activities.

Passing sentence, the judge said the crimes were of a political nature which he regarded as a very serious offence which he regarded as a crime of violence against the State.

Mr Justice Kriek said that the three defendants were charged with engaging in terrorist activities for the purpose of overthrowing the Government of South Africa.

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DEFENCE

In a 10-page written judgment handed down yesterday, Mr Justice Kriek refused the application for a stay of proceedings.

He said that the three defendants were charged with engaging in terrorist activities for the purpose of overthrowing the Government of South Africa.

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Quash charges, says lawyer

EDM 4/11/77
325
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Kruis

Staff Reporter

FOUR clergymen, dressed in robes and carrying bibles, appeared in the Johannesburg Regional Court yesterday charged under the Riotous Assemblies Act.

The hearing was a sequel to an alleged march down Commissioner Street in Johannesburg on October 26.

Before the court were the Reverend Mashikane Montyane, 43, an Anglican deacon, the Reverend Kema Mabusela, 38, of the Mamelodi Nederduitse Gereformeerde Kerk, the Reverend Mashai Tema, 56, of the Orlando NGK and the Reverend Benjamin Phatolo, 52, an Anglican priest.

At the front of the courtroom was a pile of posters with painted slogans such as "Why apartheid — treat others as you would like to be treated — Luke"; "Why Bantustans and mass removals — do not remove your neighbour's landmark — Deuteronomy."

At the start of proceedings, Mr J N Callabine, for the defence, applied to the magistrate, Mr H S van Heerden, for the indictment to be quashed.

He said a notice by the Minister of Justice which prohibited gatherings between October 1 and March 31 next year covered all meetings except for a few that were specified.

According to the notice even a queue waiting for a bus would be a prohibited gathering because its members would have a common purpose.

This would be absurd so one had to import into the notice something that was not there, he argued.

Once that had to be done the notice became null.

Mr Van Heerden postponed the hearing to December 1 for a decision on the application.

Inside Mail

'It's easy for untes

SINCE the banning of Donald Woods many people have contacted me to inquire what my reaction was to this happening and expected me to know all the details because they know that Donald and I are friends.

These queries and my personal attitude towards what has happened has prompted me to write this.

Firstly, let me say that I have been a personal friend of Donald Woods since my days as an ordinary detective in the South African Police. We are both born and bred in the Transkei; we are both able to speak, read and write Xhosa and we know Xhosa customs.

We are both sportsmen and are able to discuss many topics. Of course politics comes into this. On this particular point I do not agree with Donald on a number of his political thoughts, but I see his point of argument as he sees mine and with this in mind we do not get involved in heated arguments, but share pleasant discussions.

Many people have questioned the fact that I, as an ex-Security Police officer, could have an association with a political journalist such as Donald Woods. The answer is simple, as those who know him personally (forgetting about his political views) will realise how easy it is to make friends with this wonderful personality.

With reference to the political side, I, as a policeman, fought subversion and violence, which involved the investigation of the riots of November 1952, the Pondoland unrest of 1960-61, the Poqo uprisings of 1963 and the communist and ANC uprising of 1963 (commonly known as the Rivonia plot).

Together with many other subversive activities, I also know that Donald fears violence, not for himself but for his wife and children.

The reason why he has been banned is something I cannot understand, yet I expected it to happen. In fact, I mentioned this to him recently shortly before he was banned. My opinion was that he had overdone the Steve Biko affair. Yet I know that because of his association and discussions with Steve Biko he was committed to fight for his friend.

I still cannot see how this subject would have brought about his banning but, of course, reports either uncorroborated or corroborated, as well as untested reports could have assisted the officials in making a decision.

It is relatively easy for untested reports to be used by the authorities. An informer is normally paid and it is natural that they try to impress their seniors. When I was in the force, I found this all along the line.

For instance, after listening to a conversation informers could either add or leave out a word which would change the whole

complexion or context of the information. For example, if a person being reported says "There could be more subversion in South Africa" but it is reported as "There will be more subversion in South Africa" the whole tenor of the statement is changed.

There are also language

barriers sometimes when the information is spoken in one language and is reported in another.

Another possible area of distortion can occur when a man walks into a conversation and hears only part of it. It could mean something completely different if the



DONALD CARD, above, was a Security policeman. He was also a friend of the recently banned Donald Woods, below. Here he describes the methods used to obtain information and how the Security Police could go wrong on this information, which is often used to ban people.



'Se ca

whole conversation had been heard.

The assessment of information is normally done by one person who then recommends possible action to a higher authority. It often looks impressive on paper but it is really only an opinion.

There is also a problem with uncorroborated reports. Many cases appear completely watertight until witnesses are cross-examined. Two witnesses can give identical information but it is still not tested.

Often in court cases, for example, two or more witnesses can apparently have the same evidence but when it is tested under cross-examination, it is often proved to be incorrect, even if it is given in good faith.

In 1952, for example, I gave evidence in the Quinlan case (following the murder of a nun in Duncan Village). Three or four of us genuinely believed that a person had made a confession early one morning and we all gave evidence to that effect. But when it was checked on the register, it was found that he was only booked out to go and made the confession at 11 in the morning. And three or four of us believed this. It was most embarrassing that we were wrong and I even apologised to the judge.

But in the processing of Security Police information this checking process often does not take place.

The effect of this system is that it is possible for decisions to be made by the Security Police on the basis of faulty information.

If there are facts which I do not know about, then Donald has deceived me and if he has done this, he can pay for his sins. But I accept that he is honest.

I am, however, worried about what has been placed on record, because some time ago he and I went to King William's Town.

During the trip, I told him

ted reports to be used....'

325 general

Security Police in slip up,

about an incident which took place at Hogsback to Alan Paton's car a long time ago.

In fact, I had told this story with a twist so as not to cause trouble and I know that Donald would keep this to himself. The authorities, however, threatened him with detention unless he disclosed certain information about the damage to Alan Paton's car and later again threatened him with detention if he did not divulge the names of his informers.

Donald had refused to disclose my name until I said that if he did not do this I would report to the police personally. I was not

prepared to allow him to go to jail for my sake.

To get back to the Steve Biko affair, I do know a little about the background to Donald's approach.

Steve Biko was a founder member of SASO. Later he met up with Steve Biko who impressed him and in fact the two became great friends. Matters such as the Mohapi suicide in the Kei Road cells, were topics of discussion as were detentions. It was therefore obvious that Donald, knowing Steve as he did, would make a fuss when his friend, who was a healthy man at the time of his arrest, died. Many people believe

that he overdid his role but these are opinions. Others believe that his approach to the Biko affair has stirred up ill feelings between different races. This, of course, is also opinion.

Many people believe that the bannings which took place recently have stirred up race friction more than any other incident. This too is opinion. But if people are going to be banned on opinions then where are we heading for?

Bannings and detentions without trial are frightening. In fact, the Minister of Justice recently said he disliked bannings and I agree

that he should, because if he didn't crack the whip he may have found himself in the same position because of opinions.

Through opinions people are banned, their wives and children have to suffer. Why have these innocent people to suffer because of one man's actions?

It does not make sense to prevent a banned person from being in the company of more than one other person. What is to be achieved from this? It only gives the authorities means and ways of prosecuting banned people and, if this is not the case, I would like to

know what the intention of this clause is.

Even my daughter phoned from university, shocked at hearing about the banning, and said: "That means that when I get married Donald will not be able to attend the wedding reception."

It is all these little facts which make banning without trial a shocking state of affairs.

My personal opinion is that violence in South Africa should be ended. The police should be in control and should unlawful action take place they must use force to stop this notwithstanding overseas opinion.

Also the Government has made laws with which to protect South Africa and if people act against these laws they should be charged and dealt with severely in terms of them.

In the event of the laws being inadequate then I suggest that new laws be formulated but whatever happens let us place people on trial instead of punishing them on certain peoples' opinions.

However, I would prefer to see no political conflict here in this wonderful country of ours and that everyone could live in harmony, peace and prosperity.

FACULTY OF ARTS

LANGUAGE LABORATORIES : DAILY LOG SHEET

DATE:

Judgment day set in terrorism trial

325

Staff Reporter
JUDGMENT in the Terrorism Act trial of a wealthy black businessman is to be given on November 25.

The businessman, Mr Mbube Mdingi of Soweto, has been appearing before Mr Justice Coetzee in the Rand Supreme Court.

He pleads not guilty to a charge under the Act.

It is said that last November he took Mr Lucas Radise, Mr Hosia Mohammed and Mr Josef Lebakeng to Swaziland for military training.

And, it is claimed, he showed them how to cross the border without going through the control point.

Yesterday Mr Ephraim Tshabalala, a Soweto businessman, said he knew Mr Mdingi through his father, a cousin of Paramount Chief Kaizer Matanzima.

Mr Tshabalala said he was host and bodyguard to Chief Matanzima in Johannesburg.

He added that near the end of last year he knew that his son, and Mr Mdingi were planning for a jazz festival in Swaziland.

Mr Radise told the court he, Mr Mohammed and Mr Lebakeng left with Mr Mdingi for Swaziland in November.

They entered Swaziland through a fence near the border post, he said.

In Swaziland, added Mr Radise, he was sent to a camp by a man called Dan an African National Congress member, who met them at a bus stop in Mbabane.

Mr Radise said he refused to undergo military training and returned alone to South Africa.

	LAB 1	LAB 1	LAB 2
Language taught			
Lecturer in charge			
No. of students			
Department or Faculty			
Time: from			
to			
Total time - Hours, Minutes			
Faulty machinery			
Control unit No.			
Cassette machine No.			
Headphone No.			
Reel-to-reel machine No.			
Consoles			
Other items			

Remarks (Lab. attendant):

Signature (Lab. attendant):

Remarks (Technical Manager):

Signature (Tech. Manager):

Daily log sheets to be completed after each session and submitted to TEACHING METHODS UNIT, Room 305, Molecular Biology Building, UCT.

Thank you.

TMU/JJH

11/77

325
SUNDAY TRIBUNE, NOVEMBER 6, 1977

474 freed after court's Hippo trip

**MAGISTRATE'S
ON-THE-SPOT
DECISION
DISCREDITS
WITNESSES**

Tribune Reporter

A MAGISTRATE who this week insisted on transporting his court in an anti-riot Hippo to the heart of a Port Elizabeth African township discovered for himself "certain serious discrepancies" in evidence given by two policemen.

As a result he quashed charges of public violence against 474 black pupils.

Mr P. P. J. van der Merwe said one of the officers could not possibly have seen what he claimed to have from where he was standing. He said part of the evidence given by another policeman was impossible.

Before the court were 12 pupils — the first batch of 474 charged with public violence at a meeting at St Stephen's Church Hall, New Brighton, on October 11 to discuss Bantu education.

Two hundred and eighty of the pupils had been taken to the hospital for treatment of their injuries.



The Hippo the magistrate used to transport his court to the scene of township rioting

Cape town advocate Mr R. D. McDougall defended the pupils and recommended that Mr van der Merwe should see for himself the hall where the meeting was held.

After the hearing parents cheered loudly and clasped his hands.

The State had alleged the 12 were part of a mob which committed acts of violence outside the hall before being driven inside and arrested.

In his judgment Mr van der Merwe said that although the pupils had been arrested in the hall there was no evidence that the 12 had thrown petrol bombs, stoned police or police vehicles or private cars as the State alleged.

He said that after his visit to the hall he recognised certain serious discrepancies in the evidence of Lieutenant C. J. Roelofse and Sergeant G. J. Niewoudt.

Squad

Lieutenant Roelofse told the court that when he arrived with a squad of police he could see people in the hall through the front doorway. But when the court inspected the scene and Lieutenant Roelofse pointed out where he had been standing it was found he was not in a position to see into the building.

Sergeant Niewoudt said that about 25 policemen surrounded a mob of 600 people and drove them into the hall in a matter of minutes. This, said Mr van der Merwe, would have been impossible.

Sergeant Niewoudt said police fired only two teargas canisters and that there was nobody in the hall before they were fired. Other State witnesses said as many as 14 canisters were fired and there were people in the hall at this time.

Mr van der Merwe said the 12 accused corroborated each other in their evidence. All said they were sitting in the hall when the teargas filtered in and many dashed to the toilets to splash their faces with water.

BD 8/11/77

ANC trial in EL ³²⁵ *Pol. tri.* postponed

EAST LONDON — The hearing in which an Mdantsane man is appearing on various counts concerning the banned African National Congress was postponed until today for argument.

Mr Joseph Mati, 44, of Zone Nine, Mdantsane, pleaded not guilty when he appeared before Mr S. van Zyl on three charges of being a member or office-bearer of an unlawful organisation, the ANC; taking part in ANC activities; and allowing his house to be used for ANC activities.

The last State witness, Mr M. B. Kieviet, a long-term prisoner at Fort Glamorgan, said he was a cleaner in jail. Each inmate, however, was responsible for cleaning his own cell.

While Mr Mati was detained at Fort Glamorgan he had handed him a broom and dustbin to clean his cell. Mr Mati then asked him if he knew "Whitey" — referring to Mr D. S. Sikweyiya, who had given evidence for the State.

At that time Mr Sikweyiya had also been detained and held in custody at Fort Glamorgan. Mr Mati asked him if he would have a chance to see Mr Sikweyiya and asked him to give him a letter.

Mr Mati had told him Mr Sikweyiya should read the letter and also show it to his cell-mates. Mr Mati also said he should tell Mr Sikweyiya not to give evidence in court.

He said because he was afraid he instead handed the letter over to a sergeant who had worked with him in the cells.

Mr Mati did not give evidence in his defence. —
DDR

DD 8/11/77

Terror Act:

2 in court

325 *Poltrale*

KRUGERSDORP — Two men appeared briefly in court here yesterday on charges under the Terrorism and Sabotage Acts.

Mr Samuel Malepane, 22, and Mr John Moephudi, 21, pleaded not guilty. No evidence was led and the trial will continue on November 14.

The men allegedly established an organisation called the South African Freedom Organisation and allegedly took part in terrorism activities between June and December last year. — SAPA.

DD8/11/77 (325) Pol. trials

Terror Act 12 face new trial

PRETORIA — The 12 accused in the Pretoria Terrorism Act trial were yesterday remanded — in proceedings which lasted less than five minutes — to January 16 next year for a completely fresh trial.

The remand follows the death last week of the trial judge, Mr Justice Davidson, shortly before the planned resumption of the trial yesterday and the start of the defence case.

It means that the accused, one a woman, will have been in custody under the Terrorism Act for more than a year by the time the new trial starts.

Nearly 70 volumes of evidence — about 2 600 pages of it — were recorded.

The 12 pleaded not guilty in the original trial, which started in June, to charges under the Terrorism Act of alleged subversion and

revolutionary activity aimed at overthrowing the government over a 15-year period between 1962 and 1977.

Some are also alleged to have undergone training in urban guerilla warfare in countries as far afield as Russia and China.

There were no signs of emotion — disappointment or upset — among the 12 when they made their brief appearance yesterday to be remanded by the Acting Judge President of the Transvaal, Mr Justice Boshoff.

The accused are: Messrs Mosima Sexwale, 24, Naledi Tsiki 21, Lele Motaung, 44, Simon Mohlanyaneng, 23, Elias Masinga, 24, Martin Ramokgadi, 67, Joe Gqabi, 48, Petrus Nchabeleng, 50, Nelson Diale, 41, Michael Ngubeni, 42, Jacob Seatlholo, 47, and Miss Paulina Mohale, 26. — DDC.

RDM 8/11/77 (325) Pol. trials

12 face new terror trial

STAFF REPORTER

THE 12 accused in the Pretoria Terrorism Act trial were yesterday remanded — in proceedings which lasted less than five minutes — to January 16 for a completely fresh trial.

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aimed at overthrowing the Government, over a 15-year period between 1962 and 1977.

Some of them are also alleged to have undergone training in urban guerilla warfare in countries as far afield as Russia and Red China.

There were no signs of emotion from the 12 when they made their brief appearance yesterday to be remanded by the Acting Judge President of the Transvaal, Mr Justice Boshoff.

The accused are: Messrs Mosima Gabriel Sexwale, 24, Naledi Tsiki, 21, Lele Jacob Motuang, 44, Simon Samuel Mohlanyaneng, 23, Elias Tieho Masinga, 24, Martin Mafefo Ramokgadi, 67, Joe Nzingo Gqabi, 48, Petrus Mampogoane Nchabeleng, 50, Nelson Letsaba Diale, 41, Michael Mpandeni Ngubeni, 42, and Jacob Gaonakala Seatlholo, 47, and Miss Paulina Mamagotla Mohale, 26.

Star 8/11/77
2 face
(325) Pol. trials
terrorism
charges

West Rand Bureau

Two men, Sameul Malepane (21), of Orlando West, and John Thabiso Moethudi (21), of Rockville, Soweto, appeared on terrorism charges before Mr Justice le Roux in the Circuit Court, Krugersdorp, yesterday.

The trial was to have been in Springs, but because of accommodation problems was transferred to Krugersdorp.

The State alleged the two had founded TSA Freedom Organisation with the object of overthrowing the Government.

Other objects of the organisation were allegedly to destroy or damage Government property and murder members of the SA Police, to recruit young people to achieve these objects and to send them to other countries, especially Tanzania, for military training.

The hearing continues on November 14.

ROM 8/11/77

Goch Street 325 accused for mental check

Staff Reporter

ONE of the two men accused of participating in the Goch Street shootings in June this year was yesterday sent for mental observation by the Kempton Park Circuit Court.

Mr Justice Theron, sitting with two assessors, granted a defence application to send Mr Mondy Johannes Motloun, 20, for mental observation.

Mr Motloun and his co-accused, Mr Solomon Mahlangu, 21, will appear again in court on November 29.

Both will remain in custody.

The two men pleaded not guilty in the Johannes-

burg Magistrate's Court in August to two counts of murder, two of attempted murder, and of offences under the Terrorism Act.

It was also alleged that they furthered the aims of the banned ANC, possessed automatic pistols and used them to endanger the safety of the State and its citizens, and that they caused an explosion with a handgrenade.

Their appearances are a sequel to events shortly before and on June 13 this year when two men, Mr Rupert Kassner and Mr Kenneth Wolfendale, were killed in a shooting incident in John Orr's warehouse in Goch Street, Johannesburg.

At the start of yesterday's proceedings, before Mr Justice Theron had received a reply to their pleas, Mr I Mahomed, SC, for the men, said the defence had experienced difficulty in the past few days in getting coherent statements from Mr Motloun.

A psychiatrist, Dr Raymond Garb, after a consultation, with Mr Motloun on November 3, concluded that there was a deficit in intellectual functions and memory, apparently brought about by brain damage.

Dr Garb said the accused had found it difficult to identify objects, was incoherent in his narration of events, had a poor ability to calculate, and a poor memory.

At one stage during the consultation, Mr Motloun had difficulty in naming his co-accused, and could only do so on the third or fourth attempt, Dr Garb said.

Miss A J E Venter, a clinical psychologist, said she saw Mr Motloun on November 5 and found he was unable to recall facts logically, his memory was poor, he lacked certain perception and motor co-ordination and he seemed very passive, vague and emotionless.

Mr E C Heller, for the State, who indicated that the State would oppose the application in view of statements made by Mr Motloun to a Johannesburg magistrate, and on grounds of reports submitted by another psychiatrist, withdrew his objections.

Mr Heller said that during the lunch adjournment the psychiatrist had informed him that in view of Miss Venter's report there could be brain damage.

Mr Justice Theron appointed psychiatrists, one of them the head of Weskoppies, or his nominee, Dr Garb, who was nominated by the defence, and a third, unnamed, to determine whether Mr Motloun had a mental defect and if he was capable of helping in the conducting of his defence.

The hearing was then postponed to November 29.

Mr Justice Theron, sitting with two assessors, was on the bench. Mr E C Heller, SC, with him Mr N Saunders, appeared for the State. The accused were represented by Mr I Mahomed, SC, with him Mr C R Meiring and Mr T L Skweyiya.

Mdantsane man gets 5 years in ANC case

DD
9/11/77
(325) Pol
trials

EAST LONDON — An Mdantsane man was found guilty in the Regional Court here yesterday on a charge of being a member or office-bearer of an unlawful organisation, the ANC, and another charge of taking part in ANC activities.

Mr Joseph Mati, 44, of Zone Nine, Mdantsane, had pleaded not guilty when he appeared before Mr S. van Zyl.

Mr Mati was found not guilty on a third charge of allowing his premises to be used for ANC activities.

Mr Mati was sentenced to three years imprisonment on the first count and five years on the second count. Mr Van Zyl ordered that the three year sentence should run concurrently with the five year sentence.

Mr Mati admitted a previous conviction of sabotage — the manufacturing of bombs — for which he was sentenced to 10 years imprisonment in the Port Alfred Regional Court on February 22, 1964.

In his judgment and firstly dealing with the evidence of Mr D. S. Sikweyiya, Mr Van Zyl said Mr Sikweyiya was untruthful and he regarded

his evidence as nonsensical.

It was likely that Mr Sikweyiya himself was a member or active in ANC activities, Mr Van Zyl said.

Referring to an allegation in the annexure attached to the charge sheet that he conveyed Mr Mongesi Manong and Mr Vuzumzi Mgwema to Swaziland from Mdantsane to undergo military training outside the Republic under the auspices of the ANC, Mr Van Zyl said although there was suspicion there was not enough evidence they had left to train under the auspices of the ANC.

Mr Van Zyl found that Mr Mati and a Mr Mzwandile Mdingi had received and studied ANC literature from Mr Albert Dlomo, a member of the ANC in Swaziland.

That he had employed Mr Hamilton Busuku, a State witness to act as a courier between him and Mr Stanley Mabizela, also a member of the Swaziland ANC.

He had also discussed the reorganisation of the ANC with another State witness, Mr Jackson Magwa. There are evidence he had gone to Swaziland on four oc-

casions and that Mr Mabizela had sent R17 000 to him in the Republic between October last year and May this year. "There is further evidence he brought pamphlets calling for a strike and issued by the ANC into the Republic and these were distributed on a country-wide basis.

"I can only come to one conclusion that the money he received was to further the aims of the ANC and his visits to Swaziland was in connection with ANC activities.

"I find that Mr Mati was an important person in this underground organisation and that he was the most important person in the organisation in the Eastern Cape.

"You were the kingpin who played a big role here in the East Cape. Even the severe sentence you received did not deter you from the course you were on," Mr Van Zyl told Mr Mati. — DDR

U.S. Observer in capital court

Mercury Reporter

PIETERMARITZBURG — An observer from the U.S. Consulate-General in Durban attended a court hearing yesterday when four students appeared in connection with a protest at the university here last month.

The students, Miss Fiona Henderson, Mr. Desmond Kruger, Mr. John Gulti and American national Mr. Peter Maritz were arrested and charged after a protest at the Pietermaritzburg campus of the University of Natal.

The observer was Mr. E. Schmiel, the Vice-Consul in Durban.

The students' attorney, Mr. Pat Stillwell, applied for a postponement of the trial and Magistrate Mr. P. J. Miller remanded the students to December 8.

The application was opposed by Mr. P. Joubert, for the State.

RDM 10/11/77
325 Political
**Catholic
worker
on bail**

Own Correspondent

CAPE TOWN. — An employee of the South African Catholic Bishops' Conference appeared in the Cape Town Magistrate's Court yesterday on a charge of possessing banned publications.

Mr Karel Delaney Hanekom, 28, of Oak Street, Observatory, Cape Town, was granted R100 bail, effective only when his passport had been handed in at the Johannesburg Magistrate's Court. He had sent it to Johannesburg some time ago to obtain a visa from the British Embassy to visit Kenya.

Mr Hanekom is also secretary of the Ecumenical Council of Chaplains at Colleges and Universities, and an executive member on the council of Roman Catholic laity.

The Roman Catholic Bishop of Cape Town, the Right Reverend Stephen Naidoo, was in court yesterday.

Mr Hanekom was held until a telegram was received from Johannesburg confirming that his passport had been handed in to the Johannesburg Magistrate's Court.

The case was postponed to November 18.

for another to be visited at night as he had
/a kidnapper forming a plan to kidnap
and take away from him a valuable
holding in the name of a friend
Also a number of persons were at the
hotel for an interview and he was
the name of ~~the kidnapper~~ ^{the kidnapper}
a detention order was issued to arrest
they would not be supplied with
secretly with the name of the kidnapper
also

He refers to the magazine to be the kidnapper
made the name of the kidnapper
a way to the kidnapper
is the kidnapper of the kidnapper
He will be

Terror Act charge

ROM 10/11/77
325
Pd.
Kris

Own Correspondent

CAPE TOWN. — A photo-journalist on the staff of the Muslim News is to stand trial in the Bloemfontein Regional Court later this month on charges under the Terrorism Act.

Mr A Q Sayed, also a director of Sayed and Sons, printers, was detained by the Security Police on September 6 at the offices of the Muslim News in Athlone, Cape Town.

He was transferred to Bloemfontein after questioning.

A spokesman for the Security Police in Cape Town confirmed yesterday that Mr Sayed would appear in court on November 28.

The spokesman said he thought Mr Sayed was standing trial in Bloemfontein because the overall investigation was done there.

It is understood the trial has been set down to last a week and that the charges relate to the distribution of pamphlets.

Mr Sayed was detained after a search of the Muslim News offices. His home was also searched.

Okhela comes out into the open

LONDON — Okhela, the white underground organisation once headed by jailed poet Breyten Breytenbach, has been re-formed under the name of the South African Liberation Support Committee.

The move follows a split between former Okhela members and the banned African National Congress and after an internal split between some Okhela members.

Okhela members agreed to talk to the Daily Dispatch here this week.

They claim Okhela never consisted of more than a handful of people, often only four, yet it put pressure on Commonwealth governments which eventually brought South Africa to the brink of an oil embargo two months ago; that they stole documents from South African embassies in Paris and Germany, which revealed high-level military secrets and exposed what they claim is nuclear co-operation between West Germany and South Africa.

They said they managed to slip in and out of South Africa several times before the Breytenbach "fiasco," and were planning a major campaign inside the country before Breytenbach was tried for attempting to escape from jail.

The men behind the new Salscom, and former nucleus members of Okhela, are: Mr Don Morton, a former South African miner and Methodist priest now living in New York; Mr Terry Shott, a former community worker in the Transvaal's controversial Wilgespruit Fellowship Centre; and Mr Bill Anderson, a South African Army deserter.

Together with Breytenbach and Mr Berend Schuitema, who has now left the group, they formed the heart of Okhela.

It was Okhela which published documents purporting to show how oil was being supplied, through South Africa, to Rhodesia in contravention of sanctions.

A British Government inquiry has been set up to check the Okhela claims and recommend action. The Commonwealth Southern African Committee has already recommended action, including an embargo of oil to South Africa.

Mr Morton said: "The oil exposure was a great success. We learnt that just a handful of people in the right place could exert enormous pressure."

He said one lesson learnt from Okhela was that it was no use "trying to take the world by storm. We will be quite happy to grow slowly and play things by ear."

Mr Morton claimed Okhela had micro-filmed 11 000 documents which were being transported between South Africa's old embassy in Paris and the new one.

Okhela, Mr Morton revealed, was formed at the instigation of senior ANC executives who wanted a parallel white organisation.

His new organisation was penniless. "We own a Post Office box number and that is all."

Mr Morton explained the background to Breytenbach's clandestine visit to South Africa during which he was arrested. He said the plan was for Breytenbach to recruit into Okhela a leading trade union figure in South Africa. — DDC

Boy goes for training, court told

325 1st Trials
ARGUS
15/11/77

The Argus Correspondent

MALMESBURY. — A schoolboy said today Mr Mathews Lumko Huna, 26, of Guguletu, told him students were 'wasting their time fighting the whites with stones' and should rather receive military training.

The witness, who may not be named, was giving evidence in the trial of Mr Huna and Mr Mountain Qumbella, 46, of Guguletu, who pleaded not guilty in the Regional Court yesterday to contravening the Terrorism and Internal Security Acts. The men have been charged with inciting, aiding or encouraging other people, between August 1 last year and May 26 this year, to undergo military training which would assist those intending to endanger the maintenance of law and order in South Africa.

Alternatively, the State alleges they incited or encouraged people in Guguletu to undergo military training which could help achieve the objects of declared unlawful organisations.

IN CAMERA

Today the court was cleared after the prosecutor applied for the trial to be held in camera.

People who had given State evidence in previous trials of this nature had been assaulted, and were in danger, he said.

Names of some of the State witnesses should not be published, he added.

The schoolboy was warned as an accomplice.

He said that at his friend's house with a group of people during September 1976, Mr Huna came and introduced himself as 'Mr L'.

He told them he was a member of an underground movement, and asked them to speak on his behalf at a meeting of the school students' movement the Comrades.

MR L

After leaving a publication, Inkululeko, 'Mr L' left.

At a meeting the same week the friends decided to go for military training.

The group was due to leave on April 10. Just before that date, the pupil said he decided not to go, but Mr Huna said he would be killed if he remained behind.

The pupil left on April 10, took a bus to Queenstown with three others of the group, and then to a farm at Matatiele in the Ciskei, where they remained for two weeks.

Mr J. G. Vermeulen is on the Bench. Mr J. P. Vermaak is appearing for the State and Mr M. Kies, instructed by Mr L. Bozalek of Mallinck Ress Richman and Co., is appearing for Mr Qumbella and Mr Huna.

(Proceedings)

12/305 (2) 325 Pol. Trials Crime 15/11/77

Minister acquitted of illegal speech

Staff Reporter

THE Rev Douglas Cochrane, 44, a Woodstock Methodist minister, was acquitted in the Bellville Magistrate's Court yesterday on a main charge of addressing an illegal gathering and fined R30 for refusing to give his name and address to a police officer.

Evidence was that Cochrane addressed an illegal gathering near the Werkgenot squatter camp on August 25, during which he refused to give his name and address to Captain H N Wright.

Cochrane, who pleaded not guilty, told the court he was an ordained minister who had been

involved in the demolition of Modderdam squatter camp. He had gone to Werkgenot on August 25, to help.

"One of the cardinal rules of the Methodist Church is to help those who need help most. I was thoroughly convinced that I was right in acting the way I did on that day."

The court heard that Cochrane had offered to transport squatters from Modderdam to Werkgenot. He also had a car half-filled with blankets and children's clothes to distribute to the squatters.

He later met a crowd of students from the Bellville

Technical College whom he tried to photograph. The students had changed their mind about allowing Cochrane to take pictures of them because they feared the pictures would land in police hands.

Captain Wright asked him what he had been telling the students, Cochrane said.

Captain Wright said he had asked Cochrane for his name and address but he refused to give them. He was then warned and arrested.

He denied that he and Cochrane had been cross with each other.

Mr R D McDougall, appearing for Cochrane, submitted that the State had not proved beyond reasonable doubt that there had been an illegal gathering. He questioned Captain Wright's grounds for arresting his client and said wrongful use of the right to arrest "created serious inroads to individual liberty in our country".

The magistrate, Mr J C Lategan, said the State had not proved that there had been an illegal gathering.

Mr P F du Plessis appeared for the State. Mr R D McDougall, instructed by Fuller Moore and Son, appeared for Cochrane.

325 Pol. Trials C.T. 15/11/77

Defence given further details at terror trial

Staff Reporter

MALMESBURY. — Court proceedings were delayed for several hours in the Regional Court here yesterday when the magistrate, Mr J G Vermeulen, ordered the State to give the defence counsel of two men charged under the Terrorism Act further details relating to the charge.

The order was made in terms of the new Criminal Procedure Act after a request by the defence counsel Mr B M Kies.

Two Guguletu men, Mountain Qumbella, 47, and Matthews Lumko Huna, 26, pleaded not guilty to a charge under section 2 of the Terrorism Act and an alternative charge under the Internal Security Act.

According to the main charge, the men are alleged to have incited or encouraged other persons between August 1, 1976 and May 26, 1977 in Guguletu to undergo military training in the Republic which could be of use to

any person intending to endanger the maintenance of law and order.

Alternatively, they are alleged to have wrongfully incited or encouraged persons, during the same period in Guguletu, to undergo military training which could be of use in furthering the achievement of any of the objects of a body or organization declared unlawful under the Unlawful Organizations Act of 1960.

Further particulars given by the State prosecutor, Mr J Vermaak, were that about 30 meetings between the accused and other people took place, mostly in the afternoons and evenings, in the said period.

12 recruited

The State was not in a position to give exact times and number of occasions, Mr Vermaak said.

In his opening address Mr Vermaak said evidence would be led that during the course of the dates given, the two accused committed the acts described in the charge sheet.

"As a result a group of 12 black men were recruited in the township of Guguletu". These 12 men left on two occasions, acting on the encouragement of the accused.

A first group of four men left for Queenstown in Transkei. From there they were taken to a

farm in Transkei where they were later joined by another group.

"From there, some of them were taken to Lesotho which can be considered a halfway station," he said.

Some of them were arrested leaving Lesotho on the way to a neighbouring state where they were to undergo military training.

Evidence would be led that some of the men obtained false passports with the aim of undergoing military training.

Not guilty

After the lunchtime adjournment, Mr Kies said Mr Qumbella was found not guilty in an appeal in the Supreme Court, Cape Town, on March 16, 1965 of being a member of the banned African National Congress and of furthering the aims of the organization.

Mr Vermaak asked that when certain witnesses gave evidence, the trial be held in camera. He said that at a previous hearing in Malmesbury, some of the witnesses who gave evidence were either assaulted or threatened, "and are, in fact, still being threatened."

The first State witness, Mrs Nimpho Sekamane, a Lesotho citizen, was warned as an accomplice before giving evidence.

She told the court she was

educated in Lesotho, and Zambia. She returned to Yugoslavia, where studying economics, on this year.

She was arrested at African border post while in Lesotho with four men and a five-year-old daughter on the way to Swaziland on June 15 this year.

Miscarriage

She was taking them to Manzini, Swaziland, on the instructions of her husband, Mr Tembisile Hani. She did not know the men except the driver.

She discovered after their arrest that the car with a Durban registration was a hired car. She had been in detention since that day, she said.

She was pregnant at the time, she added, and in September had a miscarriage.

Before entering the court yesterday she recognized one of the men arrested with her. The court adjourned briefly to identify the man who will be called to give evidence.

The trial, which is expected to last a month, is being held at Malmesbury for security reasons. About 30 spectators were at the trial yesterday.

The trial continues today. The two accused are in custody.

Mr J G Vermeulen was on the Bench. Mr J P Vermaak appeared for the State. Mr B M Kies, instructed by Mr L Bozalek of Mallinck, Ress and Richman, appeared for Mr Qumbella and Mr Huna.

Munnik in control of school blaze

D8
General
probec
15/1/77

Staff Reporter

THE Administrator has taken personal control of investigations by the Provincial Administration into Sunday night's fire at the Jan van Riebeeck Primary School in Kloof Street.

This was confirmed yesterday by the Department of Education's director of works, Mr R A Cunningham.

The Administrator, Dr L A P A Munnik, who has two children at Jan van Riebeeck, visited the school yesterday and later held meetings to discuss what steps should be taken, said Mr Cunningham.

Dr Munnik is expected to issue a full statement shortly, which should deal with rebuilding plans and security arrangements, his secretary said.

Reward

A reward of R1 000 has been offered for information leading to the arrest and conviction of anyone responsible for the fire, Cape Town's District Criminal Investigation Officer, Colonel Hennie Kotze, said.

Colonel Kotze said it had not yet been established whether the fire was accidental following a burglary, or arson.

He said the explosion heard by Kloof Street residents may have been a gas cylinder in the art room.

An estimate of the damage was still being worked out and is expected to be considerable, Colonel Kotze added.

Yesterday, teachers and pupils picked their way through the charred remains of their classrooms to see what they could salvage.

Books burnt

The fire swept through the top floor of the school's east wing, destroying thousands of school books, visual-aids, desks and cupboards of stationery.

The headmaster, Mr F J Schreuder, said six classrooms, the art room, three storerooms, a women's rest room and the school's entire stock of text books for next year were destroyed.

"It will be school as usual — in the hall, science room, gymnasium and library — until mobile classrooms arrive," he said.

In just over a year Jan Van Riebeeck High and Junior schools have been hit by five fires, with arson behind at least four of them.

Nobody has yet been convicted in connection with any of the fires.

Terror trial witness tells of recruitment

Staff Reporter

MALMESBURY. — A Langa resident was arrested at a South African border post in June this year after leaving Lesotho with a false passport to undergo military training in Mozambique, the Regional Court heard here yesterday.

A 23-year-old unidentified witness gave evidence for two hours after the court was cleared of about 30 spectators early yesterday.

He was testifying in the trial of two Guguletu men who pleaded not guilty to a charge under Section Two of the Terrorism Act and an alternative charge under the Internal Security Act.

The men, Mountain Qumbella, 47, and Matthews Lumko Huna, 26, are alleged to have incited or encouraged other persons between August 1, 1976 and May 26, 1977 in Guguletu, to undergo military training in the Republic or elsewhere which could be of use to any person intending to endanger the maintenance of law and order.

Alternatively, they are alleged to have wrongfully incited or encouraged persons during the same period in Guguletu to undergo military training which could be of use in furthering the achievements of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

The witness was warned as an accomplice before he described to the court his journey from Cape Town to Lesotho by way of Transkei with the aim of undergoing training in Mozambique. He was acting on the instructions of a Mr L, identified as one of the accused, Mr Huna.

'Pondokkie' meeting

One night during the unrest in the township in September last year, the witness said, a man who introduced himself as Mr L, came to a "pondokkie" in Guguletu where the witness and his friends used to meet.

Mr L told them he was a member of an underground organization. He asked the group to speak on his behalf at a "comrades" meeting.

"We refused to do it because we were afraid of being caught," the witness said.

In the conversation that followed, Mr L said: "If you think that you can fight the whites with stones, you are wasting your time. You must go for training in Mozambique."

The training would last from four to six months, Mr L told them, and he produced a pamphlet, "Inkululeko", for them to read.

When the group and Mr L met again the following week, "we all decided to go" (for training).

They met several times after that and eventually they were told of their departure on April 10. Mr L told them that others had already joined the Pan-African Congress "over the border".

Continuing, the witness said that Mr L threatened him with death when he told Mr L he was afraid of leaving.

"I was scared of being killed," he told the court.

So without his parents' knowledge, he left with three friends for Queenstown on the instructions of Mr L.

Waited at station

At Queenstown, they waited at the station where one of the group placed his watch on his right wrist over the sleeve of his jacket. A girl came up to them and took them to stay at a nearby house.

Three days passed before Mr L arrived, accompanied by two other men, the witness said. The group left with them by car and were taken to Glen Grey.

From there, they were taken to a farm near Matatiele where they stayed for two weeks.

Another group of eight men joined them. From there they all drove by bakkie to Lesotho. Nearing the border, the witness and two of his friends were told to get out and walk to Van Rooyens Gate.

They were later arrested by policemen for not having their passports with them.

They appeared in court and were fined R40 (or 40 days). After some time in jail, their fines were paid by a girl unknown to the witness and they were released.

Following further instructions, the witness and a friend crossed the border into Lesotho, near Van Rooyens Gate, where they were met and taken to a house near Maseru. They stayed there for several weeks.

An unidentified man took the witness to the Maseru passport office where the witness received a Lesotho passport. A lift to Swaziland was arranged.

On June 15, the witness and his friends left Lesotho in a car with a woman (a previous witness, Mrs N Sekamane), her daughter and two other men.

On the SA side of the border, they were arrested after they could not answer questions put to them in Sotho by customs officers. He had been in detention since then, he said.

Asked by the prosecutor, Mr J Vermaak, why he wanted to undergo military training in Mozambique, the witness replied: "To fight the whites here in South Africa."

The proceedings were held in camera. The trial continues today. The two accused are in custody.

Mr J G Vermeulen was on the Bench. Mr J Vermaak appeared for the State. Mr B M Kles, instructed by Mr L Bozalek of Mallinck, Ress and Richman and Co, appeared for both accused.

Pupil tells of 'study or military camp' offer

ARGUS 17/11/77

325-18 Ticks

The Argus Correspondent

MALMESBURY. — African National Congress members living in Guguletu allegedly arranged for groups of school pupils to go abroad earlier this year to receive either free education or military training.

This evidence, given by a 20-year-old pupil who may not be named, emerged today in the trial of Mr. Mountain Qumbella, 49, and Mr. Mathews Lumko Huna, 26, in the Regional Court here.

They have denied contravening the Terrorism and Internal Security Acts.

The State alleges that they jointly incited, aided, commanded or encouraged others in Guguletu between August 1, 1976 and May 26 1977, to receive military training which would assist those intending to endanger law and order in South Africa.

Alternatively, Mr Qumbella and Mr Huna are alleged to have encouraged those people to receive training which would help to achieve the objectives of any unlawful body or organisation.

The pupil said he and his friends had visited Mr Qumbella several times, and had often met Mr Huna there.

On one occasion Mr Huna had discussed the ANC with them and Mr Qumbella told them they could go abroad and choose whether to study further or receive military training.

At a later meeting Mr Qumbella had given the pupil a book on Karl Marx and a pamphlet entitled 'Inkululeko,' he said.

At the beginning of April, Mr Qumbella told the pupil and his friends that a group was leaving for military training camps the following week and that they could be included.

ANC offered free education — evidence

Cape Times 17/11/77
325 Pol. Trials

From JANE ARBOUS

MALMESBURY. — A member of the banned African National Congress gave a 17-year-old Guguletu youth a document entitled "Inkululeko — Freedom" which contained a speech by President Samora Machel of Mocambique, the Regional Court heard here yesterday.

A copy of the document was identified by a witness as being similar to the one he allegedly received from one of two men facing charges under the Terrorism Act and the Internal Security Act.

The youth, who may not be identified, was the third of 30 State witnesses expected to testify in the trial of two Guguletu men, Mountain Qumbella, 47, and Matthews Lumko Huna, 26. They have pleaded not guilty to a charge under Section Two of the Terrorism Act and an alternative charge under the Internal

Security Act.

The men allegedly incited or encouraged people, between August 3, 1976, and May 26, 1977, in Guguletu, to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively, they allegedly incited or encouraged people during the same period in Guguletu to undergo military training to further the aims of any of the objects of an organization declared unlawful under the

Unlawful Organizations Act of 1960.

The witness was warned as an accomplice. He said that in December last year he and a friend, called Amos, met the two accused at a house in the township. Mr Huna introduced himself as Lamko and Mr Qumbella as Daddy.

Mr Huna allegedly said he and Mr Qumbella were members of the banned ANC "who caused the unrest" in 1960.

The youth said a discussion followed during which Nelson Mandela and Walter Sisulu were mentioned.

About mid-January this year, the witness met Amos again and asked him about going to school abroad. This had been discussed previously between the two of them, he said. They visited Mr Qumbella again. The witness said he assumed that arrangements about going abroad were made between Mr Qumbella and Amos.

Mr Qumbella allegedly asked the witness to choose between joining the army of the ANC, Umkhonto We Sizwe, or furthering his studies. The youth told him he wanted to continue his education.

As they left, Mr Qumbella gave them a document called "Inkululeko", the court heard.

Later that month they met again. Mr Qumbella and Mr Huna were present. A general political discussion followed. The witness said he heard someone say the ANC was against Transkei and that passes made by the government were "in order to drive the black people into the homelands".

At a further meeting, the accused played a record for the two youths. "It began with the national anthem of the Boers — Die Stem," the youth told the court. "Amos and I decided to take the record."

He said more meetings followed during which Mr Qumbella said arrangements were being made to go abroad. After the Easter weekend, Mr Qumbella told them Mr Huna had been arrested in Queenstown.

Mr Qumbella told them of other youths who wanted to go abroad and allegedly gave the witness money to buy nine rail tickets to Queenstown.

The court heard that on April 24 the witness booked three tickets at Nyanga, Heideveld and Langa stations using false names. Mr Qumbella said a group leader had to be chosen from the nine youths. The leader should identify himself as the train pulled into Queenstown station by wearing a white bandage on his left arm and his wristwatch on his right arm, the youth said.

Some of the group left then. Amos and the witness were told they would be leaving later. Shortly after, Mr Qumbella's wife told the witness that her husband had been arrested, he said.

The witness was later arrested but was released after questioning. He was detained again on July 6 and remained in detention since then.

During cross-examination by Mr B M Kies, appearing for Mr Qumbella and Mr Huna, the witness said his only interest in leaving the country was to study free of charge.

Spectators in the court were ordered to leave after the lunch-time adjournment and extra police reinforcements were called in.

The trial is being held at Malmesbury for security reasons. The trial continues today. Mr Qumbella and Mr Huna are in custody.

Mr J G Vermeulen is on the bench. Mr J Vermaak appeared for the State. Mr B M Kies, instructed by Mallanck, Ross and Richman and Co, appeared for the accused men.

I was ordered to strip, witness tells court

ADm 17/11/77 328-1st Trials

By JOHANN STOLTZ
A STATE witness told the Circuit Court at Krugersdorp yesterday he was ordered to strip naked before being asked to make a statement at John Vorster Square.

He gave evidence in the trial of Mr Samuel Malepane, 22, and Mr John Thabiso Moephudi, 21, who pleaded not guilty to charges under the Terrorism and Sabotage Acts.

It was alleged they were founders of an organisation

called the South African Freedom Organisation and took part in terrorist activities between June and December last year.

Mr Justice Le Roux, who ruled that witnesses in the trial may not be identified, was told yesterday by the witness that he was arrested in December and taken to the square.

He alleged that after he was ordered to strip naked, he was told to go down on his knees and was beaten with belts.

He was asked to make a written statement but he did not sign it.

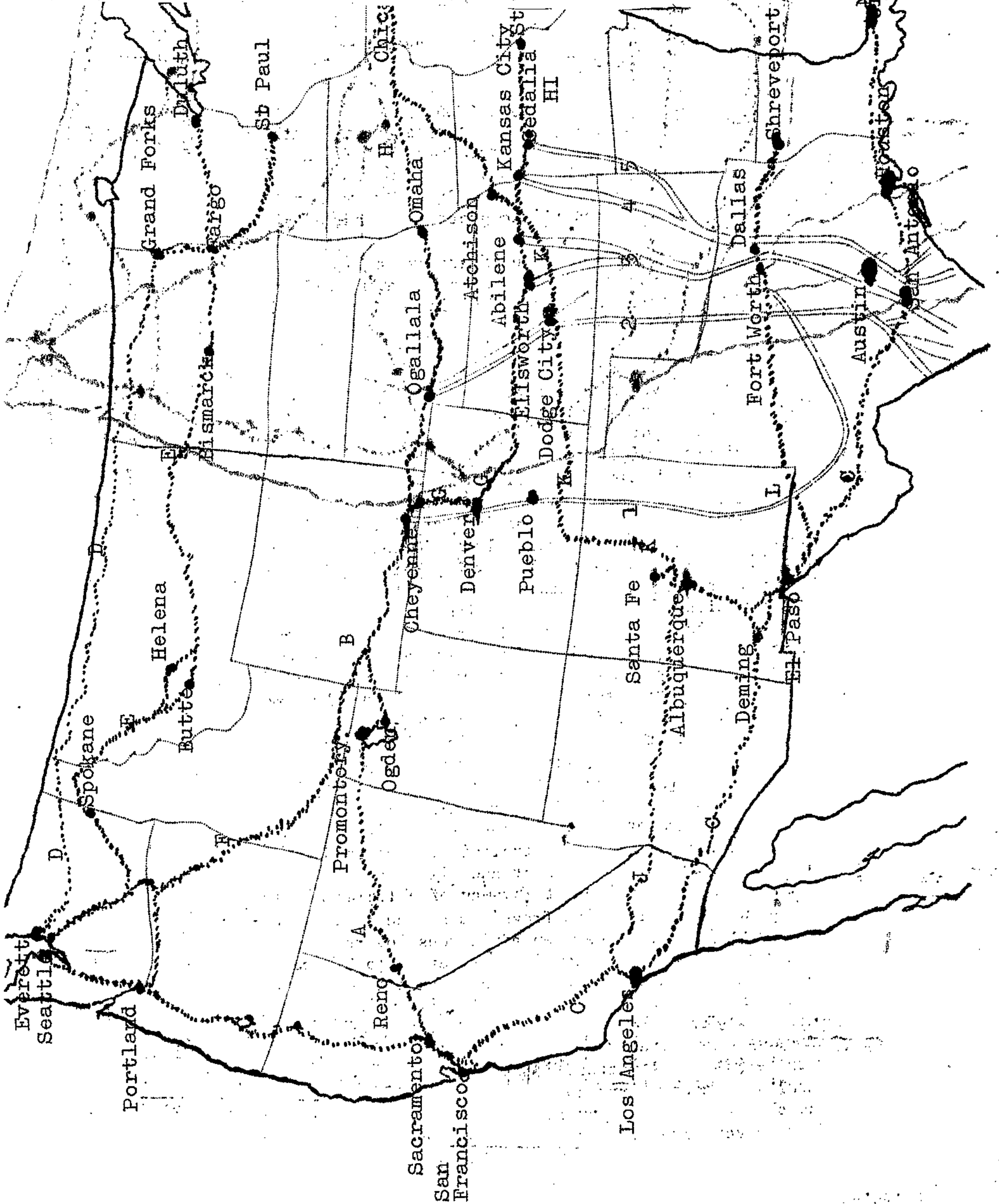
"I said I will tell the truth and the beating stopped," he said.

The witness said he made another statement at another police station later. He signed it.

After the witness completed his evidence yesterday, Mr Justice Le Roux ruled that he be released from custody.

The trial continues today.

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L Pacific (A.T.
and S.F.)
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Topeka and
Santa Fe
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Terror trial witness 'talked'

325 Pol. Trials
Cape Times 18/11/77

MALMESBURY. — A Guguletu youth who was detained under section six of the Terrorism Act five months ago decided to make a statement to the police after "a worrying time" in detention, the Regional Court heard here yesterday.

Under cross-examination by Mr B M Kies, appearing for two men charged under the Terrorism Act and the Internal Security Act, a 20-year-old witness explained to the court why he changed his mind about making a statement after "many weeks".

The unidentified youth, who was warned as an accomplice, was giving evidence in the trial of Mountain Qumbella, 47, and Matthews Lunko Huna, 26.

Both men pleaded not guilty to a charge under section two of the Terrorism Act and an alternative charge under the Internal Security Act.

They were alleged to have incited or encouraged people, between August 3, 1976 and May 26, 1977, in Guguletu to undergo military training in the Republic or elsewhere which could endanger the maintenance of law and order.

Alternatively, they allegedly incited or encouraged people

during the same period, in Guguletu, to undergo military training to further the aims of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

The witness said in cross-examination that his main aim was to further his education. That was the reason for his interest in leaving the country to study as suggested by both the accused.

At the time of his arrest in June the witness said, he had been reading about a South American terrorist, Carlos the Jackal. He had also read about military trainees in Botswana.

After considering this, the witness said, he did not think he would succeed in furthering his studies. This, and other factors made him decide to make a statement.

He said that life in prison "improved" after he had done this.

In his evidence the witness told of a series of meetings from December last year to April this year in which either or both of the accused were present.

The second time he met Mr Qumbella at his house they discussed going abroad to study. The witness said Mr Qumbella asked him if he was interested. He said he was.

Studies

Mr Qumbella said that overseas education was important and that he would try to arrange for the witness to go. He asked the witness to try to get other youths to go. This the witness did and he and some friends met the two accused.

Mr Qumbella told them about the banned African National Congress. At another meeting some time later, Mr Qumbella told the witness and his friend that when they go abroad they could choose to "train" or to further their studies.

At a further meeting Mr Qumbella gave the witness a book of Karl Marx "which I tried to read but it was above my capacity", the witness said. He was also given a pamphlet entitled Inkululeku.

In answer to a question by the prosecutor, Mr J Vermaak, the witness said he was told not to mention the arrangements about leaving the country. He was arrested soon after the arrest of Mr Qumbella.

The trial continues today. The two accused are in custody.

Mr J G Vermeulen was on the Bench. Mr J Vermaak appeared for the State and Mr B M Kies (instructed by Mallinck, Ross, Richman and Co)

Court cleared of spectators

MALMESBURY. — After the first of 30 state witnesses testified in the terror trial here, the regional court was cleared of about 30 spectators yesterday. These comprised friends and relatives of the two accused, several students and clergymen.

On Monday spectators were told on several occasions by the court to be quiet and one spectator was ordered from the court room. The decision to bar the public from the trial was made by the magistrate, Mr J G Vermeulen, to protect certain witnesses.

After an objection was made by the defence, Mr B M Kies, the State prosecutor, Mr J Vermaak, said witnesses who gave evidence in a similar trial here in September were either assaulted or threatened "and are in fact still being threatened".

There was a tense atmosphere when spectators who travelled from Cape Town arrived on Wednesday afternoon to find that no spectators were allowed at the trial.

Mr Huna's wife and Mr Qumbella's mother were, however, allowed in on Wednesday, on condition they did not identify the witnesses.

Doctor said

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325-Rel-Trials

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From JANE ARBOUS

MALMESBURY. — The Regional Court here was yesterday told that a doctor swore at a detainee who was suffering from chest pains while in detention in Bellville this year, called him a "skollie" and told him he was shamming.

The detainee, Mr Vumanekile Ggiba, 26, a computer programmer at the Bantu Affairs Administration Board in Paarl, was the ninth state witness to testify at the trial of two men charged under the Terrorism Act.

About 20 spectators were present yesterday after the proceedings last week were held in camera.

Mountain Qumbella, 47, and Matthews Lumko Huna, 26, pleaded not guilty to a charge under Section 2 of the Terrorism Act and an alternative charge under the Internal Security Act.

They allegedly incited or encouraged other persons in Guguletu, between August 1, 1976 and May 26, 1977, to undergo military training in the Republic or elsewhere which could be of use to any person intending to endanger the maintenance of law and order.

Alternatively, they are alleged to have incited or encouraged persons in Guguletu to undergo training which could be of use in furthering the achievement of any of the objects of an organization declared unlawful under the Unlawful Organizations Act of 1960.

Under cross-examination by Mr B M Kies, for the defence, Mr Ggiba said that the doctor to whom he was taken by police in August swore at him even before he was examined.

"He said I was a skollie and told me that I was shamming."

Even the police who accompanied him that day were shocked at the doctor's behaviour, he said.

"It was in Bellville, you know how the boers are in Bellville. I was given no pills — he just thumped me once or twice on my chest and told me to go."

He suffered from chest pains and inflamed private parts, Mr Ggiba told the court.

He refused to make a statement to the police after his arrest in July. He was told he would be kept in detention in Bellville "where conditions were bad" till he did.

After some time, he felt "compelled" to make a statement. He was then transferred to Milnerton, he said.

This evidence followed a lengthy argument between Mr Ggiba and Mr Kies on why he seemed to be "acting very strangely" in court.

Mr Kies asked him why he had a permanent laconic smile on his face. For the past two days, Mr Ggiba smiled continuously as he gave evidence.

"I am not the same person as I was," Mr Ggiba explained, referring to his four-month detention. He agreed with Mr Kies that the smile was a mask, hiding what he felt inside.

He always smiled at good or bad, he told the court. He refused to reply to a suggestion by Mr Kies that one of the accused men, Mr Huna, who knew the witness well, said he was behaving as if he was unwell.

Mr Ggiba said his memory was affected by his period of detention.

Earlier, he told the court that Mr Huna, a close friend, had asked him to transport a group of youths to Langa station on April 24. Mr Huna gave him train tickets to Queenstown, Transkei, to give to the youths.

Till he entered the court, Mr Ggiba said, he had not known who the accused were in the trial. He did not know on what charge they appeared.

It came as a shock to him to see his friend, Mr Huna, in the dock.

The trial was postponed till December 8. The two accused men will remain in custody.

Mr J G Vermeulen was on the bench. Mr J P Vermaak appeared for the state. Mr B M Kies, instructed by Mallinck, Bess and Richman and Co, appeared for Mr Qumbella and Mr Huna.

SCHOOL OF ECONOMICS
ECONOMICS 1B

INTERNATIONAL TRADE

LECTURE 3

(1) An illustration of

(2) (a) The exchange

(b) The effect of
the Balance of

STAR
42 Wits
24/11/77
325 Rd. 7-10-77
students
are freed

Charges against 42 of 60
Wits students arrested
after a protest march in
Braamfontein on October
19 were withdrawn today.
The other 18 students
face charges under the
Riotous Assemblies Act
for holding an illegal
gathering.

One of the 18 accused,
Mr Geoffrey Lyttle (19),
will be tried separately at
a later stage.

The 18: Mr Gustav Fi-
chardt (21), Mr Patrick
Martins (18), Mr Keith
Hytton (18), Mr William
Kentridge (22), Mr Robert
Scholes (19), Mr John
Kelly (28), Mr Vaughan
Weber (25), Mr Graeme
Elk (20), Mr Anthony
Makin (21), Miss Amanda
Kling (20), Miss Christine
Hofmeyer (23), Miss Su-
san Speyer (19), Miss
Christine Spence (19),
Miss Sharon Pohn (18),
Miss Chrystal Cambaris
(19), Miss Natalie Graham
(19), Miss Colleen But-
cher (22), and Mr Geof-
frey Lyttle.

(Proceeding)

1976

JOS GERSON

S AND

the Balance of Payments.

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ange rate on

(1) Samuelson. Ch. 33

(2) Lipsey & Steiner. Ch. 39

TO FOLLOW:

LECTURE 4: THE SOUTH AFRICAN BALANCE OF PAYMENTS

Sources: H. Houghton "The S.A. Economy" (and other sources).

LECTURES 5, 6 & 7: EVOLUTION OF THE WORLD MONETARY AND TRADING SYSTEM

Sources: Samuelson, Ch. 36

Lipsey & Steiner, Ch. 42

SCHOOL

ECON

INTER

Cape Times 25/11/77 *325 fol. Trials*
9 students fined

JOHANNESBURG. — Nine students, pleaded guilty before Mr T Kleinhans to attending an illegal gathering. students were yesterday fined R75 each in the Magistrate's

The students are Gustav Fichardt, 21, Keith Hytton, 18, Robert Scholes, 19, Graeme Elk, 20, Anthony Makin, 21, Sharon Fonn, 18, Chrystal Cambaris, 19, Natalie Graham, 19, and Colleen Butcher, 22. — Sapa

AND

1976

JOS GERSON

EXCHANGE RATES

- (1) An illustration of different items in the Balance of Payments.
- (2) (a) The exchange rate between currencies.
(b) The effect of changes in the exchange rate on the Balance of Trade.

BIBLIOGRAPHY

- (1) Samuelson. Ch. 33
- (2) Lipsey & Steiner. Ch. 39

TO FOLLOW:

LECTURE 4: THE SOUTH AFRICAN BALANCE OF PAYMENTS
Sources: H. Houghton "The S.A. Economy" (and other sources).

LECTURES 5, 6 & 7: EVOLUTION OF THE WORLD MONETARY AND TRADING SYSTEM
Sources: Samuelson, Ch. 36
Lipsey & Steiner, Ch. 42

325 N. Trials

STAR 25/11/77

Youth taught me to make bombs

West Rand Bureau

A youth who allegedly formed an anti-government organisation to destroy State property, taught him how to make bombs behind a backyard garage to achieve his aim, a witness said at a terrorism trial in Krugersdorp yesterday.

Appearing before Mr Justice Le Roux in the Circuit Court were Mr Samuel (Sammy) Malepane (21), and Mr John

IN COURT

Thabiso Moethudi (20), charged with acts of terrorism, alternatively sabotage.

The witness, who may not be named, said he had met Mr Malepane in June, last year, when he told him he was recruiting members for the SA Freedom Organisation (Safu).

Mr Malepane said that Safu should be strong to fight the Government and needed young members.

In August, 1976, Mr Malepane showed him how to make bombs, said the witness.

He said they sat behind a garage and made 15 bombs by filling bottles with sand, petrol, paraffin and spirits.

"Sammy said a lid would be placed on the bottle with a wick that would be lit to set off the bombs," said the witness.

At a later meeting, Mr Malepane said they would

fetch other members of Safu that night to help burn the Msimphlope Hostel, Soweto, because the Zulus living there were killing black people.

Mr Malepane said four groups would stand outside the hostel fence and bomb the buildings at points he (Mr Malepane) had marked on a plan he had drawn on the hostel, the witness said.

(Proceeding)

Recruiting case remand

Mr Moses Jahu Milwazi (32) appeared before a Johannesburg magistrate yesterday charged with aiding people to travel to Swaziland to undergo military training. He pleaded not guilty and was remanded to February 6, 1978 when he will stand trial in the Rand Supreme Court.

325 - Pol Trials

STAR 25/11/77

Three informers in Wits march

Colonel T. J. Swanepoel today told the Johannesburg Magistrate's Court that there were three police informers among the Wits students walking to the Braamfontein post office on October 19.

Colonel Swanepoel was being cross-examined in the trial of eight Wits students who have pleaded not guilty before Mr. P. J. Fourie to holding an illegal procession as defined by the Riotous Assemblies Act.

The eight are: Mr. Patrick Martens (18), Mr. William Kentridge (22), Mr. John Kelly (23), Mr. Vaughan Weber (25), Miss Amanda Kling (20), Miss Christine Hofmeyer

(23), Miss Susan Speyer (19) and Miss Christine Spence (19).

One of these informers told him on the radio that Mr. W. Kentridge was amongst the students.

The Colonel said he knew Mr. Kentridge because of his father (Mr. Sydney Kentridge S.C.) and he had seen him before.

He looked out for Mr. Kentridge and, when he saw him, he decided he must be arrested.

Mr. D. A. Kuny (for the defence): "So you determined to arrest him if he was part of the procession or not?" Colonel Swanepoel: "No he was in the procession."

Mr. Kuny: "There will be evidence that he was not in the procession."

be offered in the second half of the year, viz.

International Economics
Welfare and Distribution
Monetary Economics
Labour Economics

out of the four options. Those intending to proceed the Monetary option.

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Welfare and
Distribution

S. Archer

Any problems or queries now or during the year may be directed either to your tutor or to me (D. Rees - Room B250).

* * * * *

Goch St

325 1st. Thms

trial

STAR 29/11/77

postponed

The trial of the two men accused of the Goch Street shootings has been postponed in the Rand Supreme Court to February 13.

Mr Mondy Johannes Motloung (20) and Mr Solomon Mahlangu (21) were due to appear today in the Kempton Park Circuit Court on charges of murdering Mr Rupert Kassner and Mr Kenneth Wolfendale in Johannesburg in June.

Two further charges relate to the attempted murder of Mr Peter Hartogh and Mr Robert Bagg. According to the original indictment, the accused will also face counts under the Terrorism Act.

Mr Justice Nestadt postponed the summary trial of the two to February 13 after hearing in chambers that Mr Motloung was required for further mental observation.

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J. Maree

1. Historical Origin

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IIIE (1973),

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2. Demand for Labour

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Cartter and

Revenue Product,

on",

Wilson (1975)

3. Supply of Labour

Participation rate, indifference curve analysis, the backward sloping supply curve. Cartter and Marshall; McCormick (1969), ch.1

4. Wage Differentials

Job evaluation, productivity, education and training, human capital.

Dobb (1956), ch6; Phelps Brown, ch5; McCormick (1969), ch.6

5. Marxian theory of employment and wages

Value of labour power, reserve army of labour, crises. P. Sweezy (1942);

6. The Role of Trade Unions

Collective bargaining, integration, incorporation.

Flanders (1969); Cartter & Marshall; Hyman (1971)

7. Industrial Conflict / ... 2.

2 face trial for terror instruction

NM 29/1/77

325 Pol. trials

Mercury Reporter

PIETERMARITZBURG — Three men yesterday pleaded not guilty to participating in various terrorist activities — including military training in Ghana, Algeria, Egypt, Tanzania and Zambia — when they appeared in the College Road Supreme Court here.

The men originally appeared in a special Supreme Court in Camperdown last month but were not asked to plead as their counsel queried the jurisdiction of the Court to try them. It was

alleged that the accused were arrested outside the borders of the Republic.

Mr. Justice Hoexter and two assessors yesterday heard that following a recent ruling made by the Appellate

Division and as a result of further information obtained, the jurisdiction was no longer contested.

Mr. Stanley Thabo Pule (33), Mr. Isaac Nontsendwana Mhleka (49) and Mr. Nogaga Morgan Gxekwa (47) were then asked to plead to the various charges and alternatives.

The State alleges that all three accused underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia between September, 1964, and April 30, 1968.

The second count relates to Mr. Pule only. It is claimed that two of the camps where trainees stayed awaiting their return to the Republic were military transit and training camps at Mbeya in Tanzania and Livingstone where they underwent refresher military training.

At these camps Mr. Pule allegedly acted as a military instructor and participated in training others in military tactics, fire-arms, physical training and foot-drill.

Count three is against Mr. Pule and Mr. Mhleka. The offence is said to have been committed between July 1, 1975, and May 8, 1976, at Mkalamfene in the district of Ingwavuma, Zululand.

Deny

However the accused deny that Mkalamfene is in the district of Ingwavuma or

Towards the end of 1975 Mr. Pule joined them and participated in imparting the training to others.

It is alleged that they gave instruction in the use of different firearms. Air guns were used for shooting practice in order to preserve secrecy.

The training also included physical training, foot-drill and hand-to-hand combat. The trainees were lectured on subversive propaganda aimed at fighting the Whites of the Republic, the South African Police and the overthrow of the tribal authority of the Mngomezulu tribe.

The defence counsel for the accused indicated that their pleas of not guilty to the charges was a denial of having undergone military training. But they did admit having been at some of the places mentioned in the indictment.

The first witness to be called yesterday was Mr. Anton Vilane. He said the reason for the training at Mkalamfene was to be prepared in case of an impi war between the Zulus and Whites.

The trial continues.

LYSKE

325 - Pol. Trials

The Star Tuesday November 29 1977

3

Six bomb men get 94 years

A man convicted of terrorism was today jailed for 30 years and five others convicted with him were given jail sentences totalling 64 years by Mr Justice De Villiers and two assessors in a special court at Springs.

Mahwidi John Phala (50) was jailed for 30 years for his part in the attempted derailment of a train on the Johannesburg-Vereeniging railway line, and also for being in possession of TNT, hand-grenades and weapons of Russian origin.

The other sentences are John Asheli Thabo (37), 20 years; Solomon Musi (25), five years; Philip Khoza (55), 15 years; Letsi Ben Mashinini (34) and Bafana Vincent Nkosi (20), 12 years each.

DEATH PENALTY

The men were convicted under sections of the Terrorism Act dealing with endangering the maintenance of law and order in South Africa, undergoing or inciting people to undergo training likely to endanger the maintenance of law and order and possessing explosives.

In passing sentence, Mr Justice de Villiers said that had Phala played a more active part in the attempted derailment, the death penalty may well have been brought into effect.

Phala was found to have driven three men to the line, but not to have played an active part in the placing of a bomb.

"This was a diabolical deed," said Mr de Villiers, adding that innocent people of all races could have been killed had the attempt been successful.

During the four-month trial the court was told of instructions in bomb-making in a Nanceville hostel and at Khoza's Soweto home, the discovery of a cache of Russian explosives and arms and the abortive attempt to derail a train on the Johannesburg-Vereeniging railway line.

The lessons in bomb-making ended on January 7 when Khoza's home was rent apart by an explosion.

● Bombmakers are convicted—Page 4.

NM 29/11/77

(325) Pol. trials

Terror hearing told of plan to train youths

Court Reporter

A GROUP of African youths were told by an alleged military training recruiting agent they would be taught to "fight and shoot" in Swaziland before returning to "release" South Africa and kill the Europeans, a Durban Regional Magistrate heard yesterday.

This was said in evidence by a 16-year-old youth at a hearing at which Bongani Emmanuel Ntsele (23) and Themba Samuel Xulu (25) pleaded not guilty before Mr. E. B. Standen to contravening the Terrorism Act.

Training

It is alleged by the State that they contravened the Act by recruiting or inciting 12 men in Eshowe and Kwa Mashu to undergo military training outside the country.

It is also alleged that the training in Swaziland, Tanzania or Russia could have been of use to persons intending to endanger the maintenance of law and order in South Africa.

The State alleges the recruitment took place between March 1 and April 30 this year.

Six youths are alleged to have been recruited in Eshowe and six in Kwa Mashu.

The first witness told the Court he had been introduced to Mr. Xulu at a sugar mill near Eshowe.

He and two other youths had gone to Mr. Xulu's home and he had told them he had come from Swaziland to find people who would learn to "fight and shoot."

The youth said they had heard that he "wanted some boys" to "go and learn" in Swaziland.

He said they were told they would travel there by bus and were shown R100 which would be used for bus fares.

Mr. Ntsele and Mr. Xulu had told them they were given the money by "the authorities."

Mr. Ntsele had also said he would fetch his own "boys" from Durban.

The youth said he had changed his mind about going later, after Mr. Xulu's mother had threatened to inform the police of the plan.

The hearing was adjourned until today.

325

NM 30/11/77

WITNESSES TELL OF IMPI WAR TALK

Continued from Page 1

Miss Mban

Mercury Reporter

PIETERMARITZBURG -

A witness in the terrorism trial here yesterday told the Court that he had no knowledge of any ill-feeling between the Blacks and Whites in South Africa until he went for training and heard of a looming impi war.

Mr. Anton Vilane was giving evidence before Mr. Justice Hoexter and two assessors at the trial of three men who are alleged to have participated in various terrorist activities including undergoing military training

in Ghana, Algeria, Egypt, Tanzania and Zambia.

The men, Mr. Stanley Thabo Pule (33), Mr. Isaac Nontsendwana Mhlele (49) and Mr. Noga Morgan Gxekwa (47) have pleaded not guilty to the charges.

Mr. Vilane said he had worked on mines on the Reef. He had not heard of police shooting Black people. He was unaware of any dissatisfaction with the African educational system

and was unable to say whether the World was one of the newspapers read in the mine compounds.

On his return from the mines in November 1974, Mr. Vilane discovered that his chief had been deposed from his home at Ingwavuma and had fled to Swaziland with his tribe.

Mr. Vilane said he followed as his family had also left. There he was approached to learn to shoot. He was not interested but participated because others in the area

were doing so and he didn't want to be accused of being an informer.

Instruction was given by Mr. Pule and Mr. Mhlele at a training ground on the Swaziland side of the border.

Air guns were used in order to preserve secrecy, he said.

A 7,62mm R1 rifle was taken to the training grounds on many occasions and it was intended that instructions in its use would be given.

Mr. Vilane said he never learned how to handle the

rifle before leaving the training ground.

Mr. Vilane said it was said that there would be a big impi war between the Blacks and the Whites.

In the trial, Mr. Peter Rowan, assisted by Mr. Anton Ackerman, appeared for the State.

Mr. Andrew Wilson (SC) assisted by Mr. Michael Daley and instructed by Shan Chetty and Company appeared for the defence. The trial continues today.

Europeans under us Court story

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Court Reporter

A GROUP of African youths had been told to prepare themselves to go to Swaziland for military training by "washing their clothes," a 16-year-old youth told a Durban Regional Magistrate yesterday.

The youth was giving evidence at the hearing at which Bongani Emmanuel Ntsele (23) and Themba Samuel Xulu (25) have pleaded not guilty before Mr. E. B. Standen to having contravened the Terrorism Act.

It is alleged by the State that they recruited or incited 12 youths in Eshowe and Kwa Mashu to undergo military training outside the country.

It is alleged that the training, in Swaziland, Tanzania or Russia, could have been of use to persons intending to endanger the maintenance of law and order in South Africa and that the recruitment took place between March 1 and April 30 this year.

The youth said that earlier this year he had spent the night with two other youths at Mr. Xulu's home near Eshowe.

Mr. Xulu told them he had come from Swaziland, "sent by the authorities to get people who would learn

to shoot with guns."

After they had been instructed in the use of firearms they would return to "fight the Europeans in Zululand for our country," he said.

This was so that they, the Europeans, "would be under us, as we are under them."

Mr. Xulu had told them to prepare themselves for the trip to Swaziland by washing their clothes.

Earlier, another youth said under cross-examination by Mr. T. L. Skweyiya, for Mr. Ntsele, that there had been beer-drinking on the morning they met the two accused.

He said Mr. Ntsele and Mr. Xulu had talked loudly, "like people who had taken drink."

He said there had been many cans of beer and he had drunk "quite a lot."

The hearing was adjourned until today.

(Mr. B. Schonfeldt is leading evidence for the State. Mr. T. L. Skweyiya appears for Mr. Ntsele and Mr. P. Langa for Mr. Xulu.)

Terrorism Act six get 94 years jail

By JOHAN BUYS
A 50-YEAR-OLD messenger was jailed for 30 years yesterday for his part in a plot to blow up a bridge on the Johannesburg-Vereeniging railway line in January this year in an attempt to derail a train. The messenger, Mawhidi John Phala, of Klipspruit, Soweto, was found guilty by Mr Justice J P O de Villiers in a Springs Special Court on charges under the Terrorism Act.

Five other men who appeared with him were jailed for a total of 64 years.

They were John Afhele Thabo, 37, who was jailed for 30 years; Solomon Musi, 25, for five years; Philip Khoza, 55, for 15 years and Letsie Ben Mashinini, 34, and Befana Vincent Nkosi, 20, who were each jailed for 12 years.

The trial lasted four months. Evidence was led of bomb training schools at Khoza's home and a

Nancefield hostel room, and the discovery of a cache of ammunition, Russian plastic explosives and a Russian automatic rifle in houses in Soweto.

The men were found guilty under the Terrorism Act of taking part in terrorists activities between June 1 last year and January 31.

They were also accused of undergoing training or inciting people to undergo military training in order

to endanger the maintenance of law and order.

Phala was jailed for his part in the attempt to derail a train on the Johannesburg-Vereeniging mainline. Mr Justice de Villiers said that had Phala played a more active part in the attempted derailment, the death penalty might well have been imposed.

Phala was found to have driven three men to the railway line, where a bomb was placed. It was discovered by a Railways employee.

The judge said: "It was a diabolical act in which innocent people of all races could have been killed."

According to evidence, the explosive was powerful enough to blast part of the track away and cause a derailment.

The court was told that a training session on bombs in Khoza's home backfired, partly demolishing the house in five explosions. One of the men, Mr Edmund Nkuna, was killed.

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